

**January 6, 2022**

Mayor McNinch called the Regular Meeting of the Denton Town Council to order at 7:00 PM on this date, leading everyone in the Pledge of Allegiance to the Flag.

Mayor McNinch thanked everyone for coming and asked that the record reflect that Councilwoman Wilson was attending virtually and that all other Councilmembers were present.

Councilman Johnson made a motion to approve the minutes of the December 6, 2021 Regular Meeting as presented; seconded by Councilman Branson, passing unanimously.

**Swearing in of New Denton Town Council Member**

Mr. Keith Johnson was sworn into office to serve another five-year term on the Denton Town Council by Mayor Abigail McNinch.

**Swearing in of Denton Police Officer Mitzel and Officer Timmons**

Mayor McNinch administered the Oath of Office, swearing in Denton Police Officer Benjamin Mitzel and welcomed him to the Department.

Mayor McNinch administered the Oath of Office, swearing in Denton Police Officer Demetrius Timmons and welcomed him to the Department.

**2022 Annual Election of Officers**

**Office of Mayor**

Councilman Lister made a motion to appoint Abigail McNinch to serve as the Mayor of the Denton Town Council for 2022, seconded by Councilman Johnson, passing unanimously.

**Office of Vice Mayor**

Councilman Johnson made a motion to appoint Dallas Lister to serve as the Vice Mayor of the Denton Town Council for 2022, seconded by Councilman Branson, passing unanimously.

**Office of Mayor Pro-Tem**

Councilman Johnson made a motion to appoint Dr. Lester Branson to serve as the Mayor Pro-Tem of the Denton Town Council for 2022, seconded by Councilman Lister, passing unanimously.

With the installation of officers now complete for 2022, Mayor McNinch continued presiding over the meeting.

**Public Hearing**

No Public Hearings were held.

**Petitions, Remonstrance's, and Communication**

**Citations - Dr. Martin Luther King Jr. Day**

Mayor McNinch read Citations to recognize Ms. Wanda Molock and Ms. Janet Fountain for their hard work and dedication in organizing the Annual Dr. Martin Luther King Jr. Day March and thank them for their continued service to the community. This event began in 2011. Mayor McNinch will present the Citations at the event scheduled for Monday, January 17, 2022.

**Citation – YMCA National Mentoring Month**

Mayor McNinch presented the YMCA of Caroline County with a Citation recognizing the month of January as National Mentoring Month, thanking them for being positive role models for the youth in our community.

*Mr. Angel Perez accepted the Citation on behalf of the YMCA and thanked the Council for their support.*

**Home for the Holidays Home Decoration Winners**

*Councilman Johnson announced the winners of the Town's 2021 Annual Home for the Holidays Decorating Contest. Each winning residence received a Citation and a gift card.*

*1<sup>st</sup> Place - 1204 Trice Meadows Circle – Mr. Joshua Peter was present to accept his Citation and Prize in person.*

*2<sup>nd</sup> Place - 1122 Canvasback Lane*

*3<sup>rd</sup> Place - 1213 Painted Fern*

**Maryland Municipal League Annual Renewal Letter**

*Mr. Don Mulrine, Town Administrator, shared a letter received from MML outlining upcoming events, programs and thanking the Town for renewing its annual membership.*

**2021 Financial Report Presentation**

*Mr. Roy Geiser announced that as of January 1, 2022 TGM Group, LLC began operations and will now be UHY LLP, Certified Public Accountants, offering the same services, pricing, and staff. The merger with UHY LLP provides a national level of services.*

*Mr. Geiser provided an overview of the Town of Denton's June 30, 2021 Annual Audit and Financial Report, as per auditing required communications. Mr. Geiser stated it was a clean healthy audit, with no recommendations nor issues to report.*

*Mr. Geiser mentioned the Town has built up about a 1-year reserve, exceeding the recommendations of a couple months.*

*Mayor McNinch questioned when, should the Town be concerned that it has too much reserve.*

*Mr. Geiser stated the Town is not there yet. He further explained that should something happen like when the market crashed in 2008, the Town will be able to use the funds and with the uncertainty of the current economy, inflation, and outfall of the pandemic it is good to have a healthy reserve right now. He further talked about restricted and unrestricted funds, as well as capital assets.*

*Next year with the ARPA Funds, the Town will be required to conduct a single audit. He also mentioned the new GASB 87 rules and working on implementing them.*

**Ordinances and Resolutions**

**Ordinance # 726 – 2021 Property Maintenance Code**

*An Ordinance to amend the Town of Denton Property Maintenance Code contained in Chapter 94 of the Denton Town Code with respect to property maintenance.*

*Mr. David Renshaw, Senior Codes Enforcement Officer provided an overview of the changes and answered questions about the regulations for untagged vehicles.*

*Councilman Johnson recommended to make sure the language pertaining to licensed vehicles matches and is referenced the same as in State Law. Discussion on Untagged Vehicles was held, and Councilman Johnson will send some language from other jurisdictions to use to amend this section.*

*With no further discussion, Councilman Johnson made a motion to introduce Ordinance #726, with the recommended changes discussed. The motion was seconded by Councilman Branson, passing unanimously.*

*Staff will amend and a public hearing will be held next month.*

**Ordinance #727 - 2021 Building Code**

*An Ordinance to amend the Town of Denton Building Code, Residential Code and Mechanical Code provisions contained in Chapter 38 of the Denton Town Code with respect to building construction.*

*Councilman Lister made a motion to introduce Ordinance #727, seconded by Councilman Johnson.*

*Mr. Renshaw provided an overview of the Code changes. Emphasizing that with the energy code change if implemented immediately, would impact current developments that are about 95% complete.*

*Rather than the Developer having to modify the floor plan for the few lots left, Mr. Mulrine and Mr. Renshaw recommended grandfathering the Gardens and Trice Meadows under the existing code, extending the enforcement date and giving the developer until June to pull his last permits.*

*Councilman Johnson confirmed that the new code includes modifications for the fire code as has been discussed several times.*

*The Council supported the extended implementation date.*

*With no further discussion, Mayor McNinch asked for a vote on the motion to introduce Ordinance #727.*

*Motion passed unanimously.*

**Reports of Officers, Boards, and Committees**

*Mr. Mulrine announced there was a flow meter equipment failure, and that staff is working to replace the equipment at a cost of \$3,147.*

*Councilman Lister shared that Simple Fiber made a presentation to the Utility Commission and they support entering into an agreement to allow them to use the Town's Dark Fiber. The Town's fiber needs and current vendors were discussed.*

*Councilman Johnson commended the Trash Hauler and shared the obstacles he went through collecting the trash with all the snow due to cars being parked on the street, causing trouble with plowing and clearing the snow out of the way.*

*Mr. Phil Clark, Superintendent of Public Works talked about issues clearing the snow due to parked cars in the way, sharing that the housing developments and cul-de-sacs are the most challenging.*

*Councilman Johnson suggested taking picture of the parked vehicles the next time there is a storm, so they can post them to help the community understand why the Town asked that cars not be parked on the street.*

*Chief Bacorn shared that the Police Department was short-staffed during the storm and mentioned that the residents need to get the cars off the road when there is 2" or more accumulation of snow.*

**Unfinished Business**

*No Unfinished Business was discussed*

**New Business**

**Agenda #1 – Fiber Lease – Simple Fiber**

*Mr. Mulrine shared a lease agreement that outlines the details of fiber use between the Town and Simple Fiber.*

*Councilman Lister made a motion to authorize the Mayor to sign the agreement with Simple Fiber, seconded by Councilman Branson, passing unanimously.*

**Agenda #2 – 323 Market Street Lease Renewal– Denton Main Street**

The Denton Main Street renewal office space lease was presented for consideration for approval, seeking to renew the lease for an additional 2-year term.

Councilman Lister made a motion to authorize the Mayor to sign the Lease Renewal with Denton Main Street, seconded by Councilman Johnson, passing unanimously.

**Agenda #3 - Storm Water Outfall Pipe Repair at 204 S First Street**

Mr. Mulrine shared an Easement Agreement from 1994 pertaining to some repairs need to fix washed out damage of the ravine on South First St. and presented two bids.

Councilman Lister made a motion to award the repairs to Rick Breeding Excavating, Inc. for \$31,425, seconded by Councilman Branson.

In discussion, Mr. Larry Porter, owner of 208 S. First St., one of the properties affected by the wash out of the ravine, spoke with the Council. He commended the Town for having a property maintenance crew, the road crew, and the trash contractor for all their efforts keeping the Town clean. Along with the repairs needed to the ravine, he mentioned that the roots of a tree close to the ravine have been exposed and inquired if the Town would see if the tree is in the easement area and if so, see if something can be done before it falls.

Mr. Drummond, Town Attorney stated that based on the Utility Easement Plan that it looks like the tree is outside of the easement area and located on the neighbor's side near the property line.

Councilman Lister said that he supported moving forward with the repairs to the ravine and stormwater outfall pipe, he would need to know how much it will cost to secure the tree and find out whether it is in the easement area. If it is outside the easement, Mr. Porter should talk with his neighbor.

With no further discussion, Mayor McNinch asked for a vote on the motion to award the ravine/stormwater outfall washout repairs to Rick Breeding Excavating, Inc.

The motion passed unanimously.

**Agenda #4 - UV Bulb Replacement**

Mr. Mark Chandler, Water & Wastewater Operations Superintendent, presented a request to purchase 18 UV bulbs as budgeted at a cost of \$8,302.09. These bulbs are for the WWTP to replace worn out and less efficient bulbs.

Councilman Johnson made a motion to approve the request, seconded by Councilman Branson. The motion passed with 4 votes; Councilman Lister had stepped out of the room for a few minutes.

**Agenda #5 - Grit Machine Replacement**

Mr. Chandler submitted a request to replace the grit machine at the WWTP for \$241,564.00 to be funded through the ARPA Program as previously discussed. The existing grit machine is 23 years old.

Councilman Branson made a motion to approve, seconded by Councilman Johnson, passing unanimously.

**Agenda #6 - Historic & Architectural Review Commission Appointment**

Ms. Barbara Martin submitted a letter of interest to fill the vacancy on the Historic & Architectural Review Commission. The appointment will be for a three-year term which will expire December 31, 2024.

Councilman Branson made a motion to appoint Ms. Martin, seconded by Councilman Lister, passing unanimously.

**Agenda #7 - Historic & Architectural Review Commission Appointment**

*Mrs. Julie Quick submitted a letter of interest to fill the unexpired vacancy on the Historic & Architectural Review Commission. The appointment will expire December 31, 2022.*

*Councilman Lister made a motion to appoint Mrs. Quick, seconded by Councilman Branson, passing unanimously.*

**Agenda #8 - Water Tower Mixer**

*Mr. Chandler submitted a request to have a new tank mixer installed inside the Industrial Park Water Tower through Southern Corrosion at a cost of \$19,718. Staff anticipates an additional cost of approximately \$1,000 to install electric for the Town, giving a total cost of \$20,718. This was approved in the FY22 budget.*

*Councilman Johnson announced that he was going to abstain from voting as this impacts his neighborhood directly.*

*Councilman Branson made a motion to approve the request, seconded by Councilman Lister, passing with 4 votes, Councilman Johnson abstained.*

**Miscellaneous**

*Mrs. Julie Quick, resident of 117 S. Fifth Ave., spoke with the Council to suggest that if they take pictures of cars parked in the way during snowstorm to make sure they do not post license plates.*

*With no further discussion, Mayor McNinch adjourned the meeting at 8:21 PM.*

*Respectfully submitted,*

*Karen L. Monteith,  
Clerk - Treasurer*