

October 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.

Invocation was given by Dartanyon Hines of Eternal Life Ministries.

Mayor McNinch thanked everyone for coming and asked that the record reflect that Councilwoman Wilson and Councilman Lister were absent. The rest of the Council Members were present.

The September meeting minutes will be presented next month for consideration.

Public Hearing

None

Petitions, Remonstrance's, and Communication

Citation – Phil Clark Retirement

Mayor McNinch read and presented a Town of Denton Council Citation to Philip E. Clark, Sr., to thank him for his 21 years of service with the Town of Denton and congratulate him on his retirement.

Ordinances and Resolutions

None

Reports of Officers, Boards, and Committees

None

Unfinished Business

Agenda #1- DVFD – Building Repair Funding Request

The painting renovations to the exterior of the Denton Volunteer Fire Department have been completed. The DVFD submitted a request to draw the \$28,288 in capital funds designated in the FY2023 General Fund Budget to assist with the final cost of the renovations.

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

Agenda #2 – 4th Street Park Updates and Phase II

Mr. Don Mulrine, Project Manager, provided an update on the 4th St. Park Project. He stated the concrete work for Phase I was not done and has been postponed until Phase III. Phase II is a little short on funding but asked for consideration to move forward with ordering the equipment. It is taking about six-months for materials to arrive, the cost of the equipment continues to increase, if approved now, the pricing can be locked in, securing today's cost. While waiting for the equipment, the Town can work to identify funding to complete the phase. Sparks at Play will be looking at Coursey Park next.

Mayor McNinch added that they are also working with Delegate Ghrist on other possible park funding sources.

Mr. Mulrine stated the Town has \$145K in grant funds available of the \$221K proposed, could possibly use CIP funds to help offset the difference or by the time the equipment is in, we could have the additional funds through Delegate Ghrist.

Mr. Scott Getchell, Town Administrator confirmed the \$145K currently covers the equipment, just not the labor to install.

Councilman Johnson expressed this is an investment in the community and the Council should consider using the reserve funds to complete the phase if the additional grant funds are not awarded.

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

New Business

Agenda #1 – Utility Commission Board Appointee

Councilman Branson made a motion to appoint Mr. Scott Hollingsworth to serve on the Town’s Utility Commission Board, seconded by Councilman Johnson, passing unanimously.

Agenda #2 – Zoning Text Amendment

Matthew and Sarah Dahl submitted the attached Zoning Text Amendment Application to amend Denton Town Code Chapter 128, Attachment 7, Official Table of Use Regulations by General Zoning Districts, page 3, to include a microbrewery, microdistillery, microwinery, coffee roasting, and restaurants as a permitted use subject to Planning Commission approval in the Mixed Industrial District (MI).

Mr. Dahl was present to answer questions.

Mr. Chris Drummond, Town Attorney, discussed the Comprehensive Plan and the zoning district, and provided suggestions on ways to handle the request.

Councilman Johnson disclosed for the record that Mr. Dahl serves on the His Hope Ministries Board of which Councilman Johnson’s wife is currently the Executive Director.

Councilman Johnson shared that the definition in the Town Code for Mixed Industrial Zone is outdated, and since the Comprehensive Plan update is still a ways out, maybe consider amending the Code now.

Mr. Drummond said to do it properly the Town can consider doing an amendment to the current Comp Plan. He suggested that the Council refer the request to the Planning Commission to consider drafting a change to that Section of the Comp Plan either to change the goals and objectives of the Mixed-Use Industrial District or propose a different goal and objective for that acreage, because the residential goal does not fit.

Mrs. Donna Todd of the Planning & Codes Dept. shared that the Comprehensive Plan Update will need to be completed by June 2024.

Councilman Johnson made a motion to refer the request to the Planning Commission to consider amending the Comprehensive Plan to reconsider the goals and objectives of the Mixed Industrial District. The motion was seconded by Councilman Branson, passing unanimously.

Agenda #3 - Stormwater and Commercial Access Agreement

Mrs. Donna Todd, of the Planning & Codes Dept. shared a request from Miracle of Concrete, LLC, seeking approval for an Inspection and Maintenance Agreement of Stormwater Management Facilities and Commercial Access that was provided and is required for their improvements at Denton Industrial Park, Lot 11. The Planning Commission approved the final site plan on September 27, 2022.

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

Agenda #4 - Forest Planting & Maintenance Agreement

Mrs. Todd shared that Miracle of Concrete, LLC, is requesting approval of a Forest Planting & Maintenance Agreement that was provided and is required for their Forest

Conservation Plan for Denton Industrial Park, Lot 11. The Planning Commission approved the final site plan on September 27, 2022.

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

Agenda #5 - Forest Conservation Easement Document

Mrs. Todd shared that Miracle of Concrete, LLC, is requesting approval of the Forest Conservation Easement Document that was provided and is required for their Forest Conservation Plan for Denton Industrial Park, Lot 11. The Planning Commission approved the final site plan on September 27, 2022.

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

Agenda #6 - Deed of Easement and Dedication Agreement

Mrs. Todd, shared that Denton RT 404, LLC, is requesting approval for a Deed of Easement and Dedication Agreement that was provided and is required for utilities installed at 1155 Industrial Parkway.

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

Agenda #7 - Tax Differential Letter

Councilman Johnson and Mayor McNinch provided an explanation of the annual requirement for the Town to submit a letter to the Caroline County Commissioners requesting they maintain or amend the tax differential amount provided to municipal property owners.

Councilman Johnson made a motion to approve the Mayor signing the Tax Differential Letter to the County, seconded by Councilman Branson, passing unanimously.

Agenda #8 - Industrial Park – One Maryland Dept. of Commerce Loan

Extension

Mr. Chris Drummond, Town Attorney and Mrs. Karen Monteith, Clerk-Treasurer provided an update on working with the State Department of Commerce on the extension for the One Maryland – Industrial Park Loan/Grant Extension. After a yearlong process, as we are approaching a final closing, the Council was asked to consider authorizing for the Mayor and Staff to execute the documents at settlement contingent upon approval from the Town Attorney.

Councilman Johnson made a motion to authorize the Mayor to sign the paperwork once approved by the Town Attorney. The motion was seconded by Councilman Branson, passing unanimously.

Agenda #9 - Industrial Park – Potential Lot Sale - Buyers Agreement

Mr. Drummond shared that SVN Miller Commercial Real Estate has been marketing the available Denton Industrial Park Lots and they have a potential Buyer for one of the lots.

Discussion was held on the Buyer Contract Agreement.

Mr. Drummond provided additional information about the proposed use, permitted uses, and this needing an exception from the Board of Appeals to permit for outside storage of stock pile materials, time line, etc.

Councilman Johnson made a motion to approve the Buyers Agreement to be amended with an extension of 30 days, giving 180 calendar days for the Study Period. Mayor McNinch seconded the motion and it passed unanimously.

Miscellaneous

Mr. Nicholas Tindall, Executive Director of the Caroline County Council of Arts, provided an update on their parking lot proposal.

Discussion was held on the parcel, amending the lease to include the entire parcel, the Town's Small Grant Program and applying for the State Community Safety Works Grant.

Mr. Tindall will discuss options with the CCCA Board and come back.

Ms. Debra Curtis of 209 N. 3rd St. asked what is coming to the Denton Plaza and Mr. David Renshaw, Senior Codes Enforcement Officer answered her.

Ms. Betty Brown of 207 N. 3rd St. asked the status of getting the basketball fence extended to keep the balls from going into the street.

Councilman Johnson shared that the Town is trying to find the right netting and funds to cover and address the concerns.

With no further discussion, Mayor McNinch adjourned the meeting at 8:26 PM.

Respectfully submitted,

*Karen L. Monteith,
Clerk - Treasurer*