

December 5, 2022

Executive Session

Per the Open Meetings Act, Maryland Code Annotated, General Provisions Article, § 3-305 (b) (2014) (1) discuss: (i) Personnel Matters, (ii) Any other Personnel Matter that affects 1 or more specific individuals.

At 6:30 PM Councilman Lister made a motion that was seconded by Councilman Johnson to open an Executive Session to discuss Personnel matters, passing unanimously.

The Executive Session was held in the Council Executive Office on the 2nd Floor of the Town Office Building.

Present

Mayor McNinch, Councilman Lister, and Councilman Johnson.

Councilwoman Wilson and Councilman Branson were both absent.

Others present included: Scott Getchell, Town Administrator and Karen L. Monteith, Clerk-Treasurer.

Discussion

The Town Administrator discussed recent personnel classification changes and compensation pertaining to some specific employees. Some have already been implemented and a few are pending to take place the first of the year.

No action was taken during this session.

At 6:54 PM, with no further discussion, Councilman Lister made a motion to close the Executive Session, seconded by Councilman Johnson, passing unanimously.

The Executive Session was closed, and the Council relocated to the Council Meeting Room to prepare for their Regular Monthly Meeting.

Regular Meeting

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 Reverend Dan Gedman of St. Luke's United Methodist Church.

Mayor McNinch thanked everyone for coming and asked that the record reflect that all Councilmembers were present.

Mayor McNinch announced for the record that an Executive Session was held earlier on this date at 6:45PM, Per the Open Meetings Act, Maryland Code Annotated, General Provisions Article, § 3-305 (b) (2014) (1) (i) and (ii), to discuss personnel as it relates to hiring and compensation matters.

Councilman Lister made a motion to approve the minutes of the November 3, 2022 Regular Meeting and the November 14, 2022 Working Session as presented; seconded by Councilman Branson, passing unanimously.

Public Hearing

Ordinance #736 – Administrative Procedure Amendments

Mayor McNinch opened a public hearing at 7:03 PM to receive public comments on Ordinance #736 - An Ordinance of the Town of Denton amending sections 5-1, 5-3, 5-7 and 5-12 of the Denton Town Code to change the start time of regular monthly meetings from 7:00 p.m. to 6:00 P.M.; change when agenda items must be submitted prior to the meetings; change the order of business; and to change the time limit for addressing the

Council.

*Mayor McNinch asked for comments from the State: there were none
Mayor McNinch asked for comments from the County: there were none
Mayor McNinch asked for comments from the Council:*

Councilman Lister stated that the amendments will assist the Council in working towards having more efficient meetings.

Mayor McNinch asked for comments from the Public:

Mr. Santo Mirabile, resident of 101 Sunset Drive, questioned why they are reducing the time limit for addressing the Council, stating that 3 minutes was not the average time allowed by other agencies.

Councilman Lister stated that 3 minutes would be the standard, however the Council can grant more time if needed.

Councilman Johnson mentioned that by encouraging everyone to submit agenda items in advance it will make things more efficient and effective.

Mr. Mirabile asked for the Council to compromise on the time, stating it should not be limited to 3 minutes.

With no further comments, Mayor McNinch closed this public hearing at 7:08 PM.

Petitions, Remonstrance's, and Communication

None

Ordinances and Resolutions

Ordinance #736 – Administrative Procedure Amendments

An Ordinance of the Town of Denton amending sections 5-1, 5-3, 5-7 and 5-12 of the Denton Town Code to change the start time of regular monthly meetings from 7:00 p.m. to 6:00 P.M.; change when agenda items must be submitted prior to the meetings; change the order of business; and to change the time limit for addressing the Council.

Councilman Branson made a motion to adopt Ordinance #736, seconded by Councilman Johnson.

In discussion, Councilman Lister stated that he was ok with changing the time for addressing the Council to 5 minutes instead of 3, that Mr. Mirabile asked for during the hearing.

Councilman Branson amended his motion to modify Section 5-12 to read 5 minutes instead of 3 minutes. The amended motion was seconded by Councilman Johnson, passing unanimously.

Ordinance #737 – 2010 Comprehensive Plan Amendment

An Ordinance of the Town of Denton to amend the Town of Denton's 2010 Comprehensive Plan, dated September 13, 2010, to modify the goals and objectives of the Mixed Industrial (MI) District.

Councilman Johnson made a motion to introduce Ordinance #737, seconded by Councilman Branson.

In discussion, Mrs. Donna Todd, Acting Director of Planning & Codes, shared the Planning Commission's unanimous support and recommendation to modify the goals and objectives of the 2010 Comprehensive Plan for the Mixed Industrial District. She added that this language will also be included in the new Comp Plan which is scheduled

to be completed around the end of 2023.

Councilman Lister expressed that he wants this to be the new standard, helping property owners to be able to do what they want with the land.

With no further discussion, Mayor McNinch called for a vote on the motion on the floor to introduce Ordinance #737.

The motion passed unanimously.

Ordinance #738 – Zoning Text Amendment

An Ordinance of the Town of Denton to amend the Official Table of Use Regulations, Appendix VII, in the Denton Town Code Zoning Ordinance and the provisions contained in Chapter 128 of the Denton Town Code with respect to microbrewery, microdistillery, microwinery, coffee roasting, and restaurant use in the Mixed Industrial (MI) District.

Councilman Johnson made a motion to introduce Ordinance #738, seconded by Councilman Branson.

Mr. Chris Drummond, Town Attorney, explained this text amendment is necessary to implement the changes to the Comp Plan in the Mixed Industrial District referenced in Ordinance #737.

Discussion on potential past inconsistencies and wanting to make sure going forward changes to the Comp Plan are handled in the same manner.

With no further discussion, Mayor McNinch called for a vote on the motion on the floor to introduce Ordinance #738.

The motion passed unanimously.

Ordinance #739 – Ethics Law Amendment

An Ordinance revising and amend Chapter 14 of the Denton Town Code pertaining to Ethics as required by the Maryland State Ethics Commission to comply with State Ethics Law.

Councilman Lister made a motion to introduce Ordinance #739, seconded by Councilman Johnson.

In discussion, Mr. Drummond explained this is to comply with the General Assembly amendments that were enacted in 2021.

With no further discussion, Mayor McNinch called for a vote on the motion on the floor to introduce Ordinance #739.

The motion passed unanimously.

Reports of Officers, Boards, and Committees

Councilman Branson commented on the wonderful Holiday Parade and thanked everyone that helped to make it possible.

Councilman Branson shared that he loves the large Christmas Tree and the lights downtown.

Councilman Johnson shared that so far fifteen houses have signed up for the Christmas Tree Decoration contest.

Councilman Lister thanked Paula and Jeff Wright for stepping up, helping with the downtown decorations, the Christkindlmarkt was well supported. The large tree was acquired from Cawley's Farm. He shared that Paula Wright has volunteered to be the Downtown Denton Main Street President and that the Town is very grateful for her dedication. Also, thanking Mr. Joe Smith for helping to get electric access to the vacant lot for the tree. DDMS is working on a vision for the future of the lot.

Councilman Lister shared that he attended the Utility Commission Meeting, mentioning that the budgets being presented tonight were reviewed and are being recommended by the UC. The UC is seeking an agreement with Simple Fiber for the use of the town's infrastructure.

Councilman Johnson shared that 986 thanksgiving day meals were prepared by the Neighbors United to Serve, of which 168 were delivered within the Town of Denton, by Town Staff.

Mayor McNinch announced that Councilman Johnson, Mr. Scott Getchell and Mr. Don Mulrine joined her in visiting the 4th Grade Class at Denton Elementary School to discuss and encourage the student to enter the Maryland Municipal League's "If I Were Mayor Essay Contest".

Unfinished Business

Agenda #1- Council Meeting Room A/V Equipment Upgrade

Mr. Scott Getchell, Town Administrator, presented a proposal for the procurement and installation of audio/video improvements to the meeting room. Specifically, whether to contract the improvements or complete using inhouse forces. Discussion will continue during an upcoming working session.

New Business

Agenda #1 – FY23 Highway Fund Budget

The FY2023 Highway Fund Budget was presented for discussion and consideration of adoption. Mr. Getchell is working on the five -year capital plan.

Councilman Lister made a motion to adopt the FY23 Highway Fund Budget, seconded by Councilman Johnson, passing unanimously.

Agenda #2 – FY23 Water and Sewer Fund Budgets

The FY2023 Water Fund and Sewer Fund Budgets were presented for discussion and consideration of Adoption.

Councilman Johnson made a motion to adopt the FY23 Water & Sewer Fund Budgets.

Discussion was held on each budget, capital projects, and the reserve.

With no further discussion, Mayor McNinch called for a vote on the motion to adopt the FY23 Water and Sewer Budgets.

The motion passed unanimously.

Agenda #3 - 2023 Town Council Meeting & Holiday Schedule

The draft 2023 Meeting Schedule was presented for consideration of approval.

Councilman Lister made a motion to adopt the 2023 Town Council Meeting Schedule, with one amendment to change the time on the April 17, 2023 Budget Working Session to be held at 1:00PM instead of 9:00 AM. The motion was seconded by Councilman Johnson, passing unanimously.

Agenda #4 - Planning Commission Appointment

Three letters of interested persons wishing to seek consideration for appointment to the Planning Commission to serve a five-year term beginning in January 2023 were received from: Mrs. Doris Walls – who has served on the Planning Commission since January 1993, and her current Term is scheduled to expire December 31, 2022; Mr. Kevin Waterman – Resident, 114 South Fifth Avenue; and Mr. Angel Perez – Resident, 114 South Third Street.

Discussion was held on the candidates, Councilman Johnson asked for more information, and Councilman Lister requested an opportunity to meet each of the candidates during the January Working Session.

Councilman Johnson made motion to extend Mrs. Doris Walls term to continue to serve on the Planning Commission until a final decision is made at the February 2023 meeting, seconded by Councilman Lister, passing unanimously.

Agenda #5 - Board of Appeals Appointment

Mary "Lori" Schmidt submitted a letter of interest requesting reappointment to the Board of Appeals for a full three-year term beginning January 1, 2023 and ending December 31, 2025. Member Schmidt was appointed to the Board of Appeals in April 2022 to fill a vacancy position that expires December 31, 2022.

Councilman Lister made a motion to accept Ms. Schmidt to serve a full three-year term on the Board of Appeals, seconded by Councilman Branson, passing unanimously.

Agenda #6 - Historic and Architectural Review Commission Appointments

Staff presented received requests from two current Members for reappointments to the Historic and Architectural Review Commission. Ms. Teresa Goss – has served on the Commission since January 2014 and Mrs. Julie Quick - Served on the Commission since January 2021. Both appointments for the Historic and Architectural Review Commission are for a term of three years beginning January 1, 2023 and ending December 31, 2025.

Councilman Lister made a motion to accept both appointments, seconded by Councilman Johnson, passing unanimously.

Agenda #7 - Personnel Policy Update

Mr. Getchell submitted a request for the Town Council to consider an amendment to Personnel Policy Section 5-6 ENTRANCE PAY RATE, authorizing the approval of appointments above the entrance pay rate shall be granted by the Town Administrator instead of the Commissioners of Denton.

Councilman Johnson made a motion to approve the amendment as requested, seconded by Councilman Lister, passing unanimously.

Agenda #8 - Market Street Light & Security Camera Improvements – Phase 1

Mr. Getchell shared that the Town has received a grant from DHCD Community Safety Works in the amount of \$48,409.00 for use for safety lighting and electric installation along parts of Market Street. This was brought to the Council for review at the November 14, 2022, Working Session. Mr. Getchell provided additional details and answered questions and requested approval to move forward with this phase of the project.

Councilman Lister made a motion to move forward as requested, seconded by Councilman Johnson, passing unanimously.

Councilman Johnson stated with future security camera upgrades that he would like Mr. Getchell and Mr. Drummond to research having a privacy policy for the camera storage, and distribution.

Agenda #9 - Enterprise Vehicle Lease Quotes

Mr. Getchell and Police Chief George Bacorn spoke with the Council requesting authorization/approval to sign quotes to order a Dodge Durango for the Town Administrator, and to order three (3) Dodge Charger Police Patrol Vehicles for the Police Department. They shared that these vehicles will be added to the FY24 Budget as leases through Enterprise. If, for some reason, these items do not pass in the upcoming Budget the Town is under no obligation to take delivery on any or all the vehicles, however there

is a short window to place the orders from the manufacture to ensure these vehicles will be available. Chief Bacorn added two of the vehicles are for regular replacement of old vehicles and one is to replace a recently totaled vehicle.

Councilman Johnson made a motion to allow signing the quote for 1 vehicle for the Town Administrator and 3 police vehicles, seconded by Councilman Lister, passing unanimously.

Miscellaneous

Mayor McNinch announced that this was Councilwoman Wilson's last evening serving on the Town Council and thanked her for dedicated service over the last five years.

Councilwoman Wilson stated that it has been a great experience and thanked everyone for their support.

With no further discussion, Mayor McNinch adjourned the meeting at 8:48 PM.

Respectfully submitted,

*Karen L. Monteith,
Clerk - Treasurer*