

July 1, 2021

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.

Mayor McNinch thanked everyone for coming and for those joining virtually.

Mayor McNinch asked that the record reflect that Councilman Johnson will be joining the meeting online and that all the other Councilmembers were present in person.

The approval of the June meeting minutes was deferred until July.

It was confirmed that Councilman Johnson was attending online around 7:02 PM.

Chief of Police Appointment & Contract

Mayor McNinch conducted the swearing in of George Bacorn officially as the new Chief of Police. The ceremony was attended by Chief George Bacorn's family, friends, and several Officers of the Police Dept.

Public Hearing

Ordinance #718 – Bullocks Rezoning Classification

Mayor McNinch opened a public hearing at 7:06 PM to receive public comments on Ordinance #718 - An Ordinance of the Town of Denton granting the application of J. Richard Bullock and Elizabeth J. Bullock to rezone Parcels 998 and 1000 on Caroline County Tax Map 103 from Town Scale Residential (TR) To General Commercial (GC).

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: there were none

Mayor McNinch asked for comments from the Public:

Mr. Mulrine shared a written correspondence received from Ms. Linda Tate, owner of 623 Camp Road, in opposition of the zoning change, due to concerns there could be change in use of the Right-of-Way that she uses to access her property.

Mrs. Sharon Van Emburgh, Counsel representing the Bullock's, spoke in support of the request. She shared the Findings of Fact, mentioned that the Town Planning Commission gave a favorable recommendation and asked for the Council's support for enacting the legislation.

Mr. Rick Bullock, owner of the properties the rezoning is being requested for, spoke in support of the request. As the owner of Bullock's Deli and Plaza he talked about the 45 years of history of the Bullock's and stated that he is looking forward to improving the property.

With no further comments, Mayor McNinch closed this public hearing at 7:11 PM.

Ordinance #719 – Official Zoning Map Amendment

Mayor McNinch opened a public hearing at 7:12 PM to receive public comments on Ordinance #719 - An Ordinance of the Town of Denton amending the Official Zoning Map of the Town of Denton to apply the General Commercial (GC) Zoning District to parcels of land rezoned from Town Scale Residential (TR) in the Town of Denton located on Caroline County Tax Map 103, Grid 12, Parcels 998 and 1000.

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: there were none

Mayor McNinch asked for comments from the Public:

Mrs. Sharon Van Emburgh, Counsel for the Bullock's, reiterated comments from the earlier hearing.

Councilman Lister mentioned the written comment received from Ms. Linda Tate, owner of 623 Camp Road, against the zoning amendment. Commenting that Ms. Tate owns an adjoining property and is concerned about the Right-of-Way to her property.

Councilman Johnson shared that he had also spoken with Ms. Tate about her concerns.

With no further comments, Mayor McNinch closed this public hearing at 7:14PM.

Ordinance #720 – Vehicles and Traffic Amendments

Mayor McNinch opened a public hearing at 7:15 PM to receive public comments on Ordinance #720 - An Ordinance of the Town of Denton to amend the provisions contained in Chapter 120 of the Denton Town Code with respect to designating one-way and two-way streets and on-street parking thereon and eliminating the Code Enforcement Officer as authorized to enforce the provisions of §120-48 of the Town Code.

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 traffic enforcement should fall under the purview of the Police Chief, and that the Council has developed guidance to help Staff to provide what streets should look like in our Town, and that they have the confidence in the Police Chief to ensure the safety of travel in Town.

Councilman Branson shared the problem has been that some streets are not wide enough to allow two-way traffic and parking, and they have put in another ordinance defining street width for future development and authorizing the Chief of Police to decide what is necessary to provide safe travel.

Mayor McNinch clarified that the Ordinance, as written, identified specific street names, with these changes we hope to have it clearer that the road widths will help the Chief decide what is best.

Mayor McNinch asked for comments from the Public: there were none

With no further comments, Mayor McNinch closed this public hearing at 7:17 PM.

Petitions, Remonstrance's, and Communication

Proclamation - Suzie Booze 100th Birthday

Mayor McNinch read a Proclamation of the Denton Town Council to be presented to Ms. Suzie Booze, a Denton resident, to recognize and celebrate her upcoming 100th birthday on June 18, 2021.

Breedlove Concerns Storm Water Concerns –

Discussion was held regarding an email received from Mr. Matt Breedlove, owner of 306 S. Second St., with concerns regarding a storm water pond that is breeding mosquitoes located at 316 S. Second St.

Mr. Mulrine shared that Town Staff met with Mr. Breedlove and the owners of 316 S. Second St. and walked the area around the pond. It is not a Town owned stormwater pond, the water is being treated with mosquito cakes, there is a clear path mowed about the area and the owners trim the vegetation back in the spring.

Chief of Police Contract

Councilman Lister mentioned that no action had been taken on the Chief of Police Contract and asked to take care of it.

Councilman Lister made a motion to authorize the Town Administrator to sign the Chief of Police Contract with George Bacorn. The motion was seconded by Councilwoman Wilson, passing unanimously.

Council resumed discussion on Mr. Breedlove's email.

Councilman Branson stated that the pond is on private property, the owners have shown that they are maintaining it and he felt the Town should not get involved at this time.

No action was taken at this time.

DPD - Introduction of new recruits

Chief Bacorn provided a bio and introduced Benjamin Mitzel and Demetrius Timmons to the Council. Both are new recruits that will be attending the Police Academy this month.

Councilman Branson thanked them both for wanting to be police officers and wished them success.

Ordinances and Resolutions**Resolution # 881 - Denton Water Main Project**

A Resolution declaring the official intent of the Town of Denton to reimburse expenditures to be incurred with respect to certain projects or programs or from certain funds with the proceeds of debt to be issued by the Town of Denton

The Resolution was drafted by Bond Council to allow the Town to work on the Denton Water Main Project while waiting on the final approval by Maryland Department of the Environment for this project to complete the Ordinance, to ensure the Town will be reimbursed for expenses incurred.

Councilman Branson made a motion to pass Resolution #881, seconded by Councilman Lister, passing unanimously.

Ordinance #718 – Bullocks Rezoning Classification

An Ordinance of the Town of Denton granting the application of J. Richard Bullock and Elizabeth J. Bullock to rezone Parcels 998 and 1000 on Caroline County Tax Map 103 from Town Scale Residential (TR) To General Commercial (GC).

Councilman Lister made a motion to adopt Ordinance #718, seconded by Councilman Branson.

Discussion was held regarding the concern from the neighboring property owner about how this may affect the Right-of-Way to her property.

Mr. Mulrine clarified that this action only changes the zoning, any new proposed development will be required to be submitted to the Town for approval. The Right-of-Way is a legally binding agreement that will continue to be maintained when the Bullock's submit a proposal to build on the lots.

With no further discussion, Mayor McNinch called for a vote on the motion to adopt Ordinance #718.

The motion passed unanimously.

Ordinance #719 – Official Zoning Map Amendment

An Ordinance of the Town of Denton amending the Official Zoning Map of the Town of Denton to apply the General Commercial (GC) Zoning District to parcels of land

rezoned from Town Scale Residential (TR) in the Town of Denton located on Caroline County Tax Map 103, Grid 12, Parcels 998 and 1000.

Councilman Lister made a motion to adopt Ordinance #719, seconded by Councilman Branson, passing unanimously.

Ordinance #720 – Vehicles and Traffic Amendment

An Ordinance of the Town of Denton to amend the provisions contained in Chapter 120 of the Denton Town Code with respect to designating one-way and two-way streets and on-street parking thereon and eliminating the Code Enforcement Officer, as authorized, to enforce the provisions of §120-48 of the Town Code.

Councilman Johnson made a motion to adopt Ordinance #720, seconded by Councilman Lister, passing unanimously.

Reports of Officers, Boards, and Committees

The Mayor and several Council Members attended the Maryland Municipal League Conference earlier this week and each spoke about the great workshops they attended.

Councilwoman Wilson shared that the Juneteenth Event was very nice and well attended.

Mayor McNinch shared that the Pride Event was held and was well attended.

Mayor McNinch shared that owner from “Not A Phase Clothing” is interested in working with the Town for his anniversary to paint the basketball courts at Sharp Road Park.

Unfinished Business

Agenda #1- Cluster Box - Sidewalk Bid Award

Three bids were received for the mailbox slab installation for Fairfield and Briarwood for the Council to consider.

Councilman Lister made a motion to award the bid to Rick Breeding Excavating, Inc. for both projects, seconded by Councilman Branson. The motion passed 4-1, with Councilman Johnson only supporting one of the projects, not both.

New Business

Agenda #1 – Visitor Center Window Renovation

JOK Walsh is donating a larger window to the water facing side of the Visitor Center in memory of his brother. Mr. Mulrine asked for authorization for the Town to sign the Contract as the property owners, stating that Mr. Walsh will pay for the project cost.

Councilman Lister made a motion to authorize the Town Administrator to sign the contract and for Mr. Walsh to pay for it, contingent upon review and as amended by the Town Attorney. The motion was seconded by Councilman Branson, passing unanimously.

Agenda #2 – Trash Contractor

A letter from Eastern Shore Environmental Owner Jason Bishop regarding recent trash collection service interruptions was provided.

Discussion was held about trash collection issues, having a fallback plan for when the contractor has equipment issues or staffing shortage, improving communication with the Council to keep them up on what is happening, and communicating better with the public, and establishing a call back or texting program to provide alerts. Making sure the messages on the website are easy for residents to see and not buried among other items, providing training for staff.

Councilman Johnson shared some research he has been working on as to how trash service is being handled in other municipalities. He reported that many Towns are having the same issues, struggling to meet collection, and with different contractors, even with larger haulers. Some that just let the trash fall loosely to the ground and do not pick it up. One of the Towns he spoke to that currently handles collection in house is looking to outsource the service, while others with larger Towns are frustrated because they are having problems with their trash contractors and are exploring doing the service in house. Councilman Johnson added that here in Denton, we require the contractor to meet the standard of the Town Ordinances, which slows the contractor down.

Councilman Lister stated that there seems to be staffing shortage in many industries with COVID-19, the extra unemployment compensation, and we must keep in mind that a trash collection job is low paying, but that the Town and the contractor are trying to make this work.

Public Works Staff will continue working with the Contractor on a backup plan and a five-year business plan. While everyone will work to improve on communication and look at call multiplier type of communication programs.

Miscellaneous

Mr. Ronald Becker, owner of 109 N. Third St., spoke with the Council about concerns with the basketball courts on N Third., foul language, loose balls going into the street.

The Council shared the history of the courts, why they were located there when the courts were closed at Crouse Park as part of the requirements for the construction of the visitor center; the hours the courts are open and looking for ways to enhance and foster a better relationship.

Mr. Mulrine will have Staff seek estimates for extending the fencing or netting to keep the balls from going into the street.

Mayor McNinch shared a complaint she received regarding trash collection and fines.

Mr. David Renshaw, Senior Codes Enforcement Officer, reviewed the records, and has photographs of the violations and how the Department worked with the landlord to resolve the issues. The Landlord made provisions to provide additional trash receptacles to help with the issues and passed the fines on to his tenant.

Chief Bacorn thanked the Town Council for their confidence and the opportunity to serve as the Chief of Police.

Mr. Renshaw mentioned that Crystal Ave. has been paved and looks great.

With no further discussion, Mayor McNinch adjourned the meeting at 8:20 PM.

Respectfully submitted,

*Karen L. Monteith,
Clerk - Treasurer*