

**April 6, 2023**

***Executive Session***

*At 5:30 PM Councilman Lister made a motion to open an Executive Session, by Authority of the Open Meetings Act, Maryland Code Annotated, General Provisions Article, § 3-305 (b) (2014) (1) to discuss (i) personnel. The motion was seconded by Councilman Taylor, passing unanimously.*

*Those in attendance at the Executive Session: Councilman Johnson was attending virtually, the rest of the Council members were in attendance in person, along with, Mr. Scott Getchell, Town Administrator, and Mrs. Donna Todd, the Acting Director of Planning & Codes.*

*Discussion with the Acting Director of Planning & Codes for position confirmation was held.*

*No decision was made during this session.*

*At 5:53 PM, Councilman Lister made a motion to close the Executive Session, seconded by Councilman Branson, 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 6:00 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 Councilman Johnson was attending virtually and that all the other Councilmembers were present in person.*

*Mayor McNinch announced for the records that an Executive Session was held earlier on this date at 5:30 PM, Per the Open Meetings Act, Maryland Code Annotated, General Provisions Article, § 3-305 (b) (2014) (1) discuss: (i) Personnel matters.*

*The March meeting minutes were unavailable at this time.*

**Public Hearing**

**Ordinance #741 – Zoning Amendment**

*Mayor McNinch opened a public hearing at 6:03 PM to receive public comments on Ordinance #741 - 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 industrial uses, industrial parks, and outdoor storage.*

*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: there were none*

*With no further comments, Mayor McNinch closed this public hearing at 6:03*

*PM.*

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

**Proclamation – 54<sup>th</sup> Municipal Clerks Week**

*Mayor McNinch read and presented a Proclamation recognizing April 30<sup>th</sup> through May 6, 2023 as National Municipal Clerks Week, expressing the Council's gratitude for the hard work and dedication of our Town Clerks and the vital services they*

provide to our community. Mrs. Karen Monteith, Clerk-Treasurer/Finance Director accepted the Proclamation.

**Citations – Public Works Staff Response to Fire on March 6, 2023 –**

Mayor McNinch presented Bryan Trice and Allen Shepard of the Denton Public Works Department both with Council Citations for their quick response and heroic efforts in responding to a call for help for a fire in a residence near where they were working on Franklin Street.

**Ordinances and Resolutions**

**Ordinance #741 – Zoning Ordinance 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 industrial uses, industrial parks, and outdoor storage.

Councilman Johnson motioned to adopt Ordinance #741, seconded by Councilman Taylor, passing unanimously.

**Ordinance #742 – Infill & Nonconforming Amendments**

An Ordinance of the Town of Denton to amend the Denton Town Code Zoning Ordinance and the provisions contained in Chapter 128 of the Denton Town Code with respect to infill and redevelopment, nonconforming lots, and nonconforming structures.

Councilman Lister motioned to introduce Ordinance #742, seconded by Councilman Branson.

In discussion, Mrs. Donna Todd, Acting Director of Planning & Codes and Mr. Chris Drummond, Town Attorney, talked about the intent of the amendments and answered questions.

With no further discussion, Mayor McNinch asked for a vote on the motion to introduce Ordinance #742.

The motion passed unanimously.

**Ordinance #743 – Multifamily Housing & Apartments Amendments**

An Ordinance of the Town of Denton to amend the Official Table of Use Regulations, Appendix VII, Denton Town Code Zoning Ordinance, and the provisions contained in Chapter 128 of the Denton Town Code with respect to multifamily housing and apartments.

Mrs. Todd provided an overview of the proposed amendments.

Councilman Branson made a motion to introduce Ordinance #743, seconded by Councilman Taylor, passing unanimously.

**Ordinance #744 – Residential Rental Housing Program**

An Ordinance of the Town of Denton repealing and reenacting with amendments the residential rental housing provisions contained in Chapter 98 of the Denton Town Code with residential rental properties.

Mr. David Renshaw, Senior Codes Enforcement Officer, provided an overview of the proposed amendments.

Councilman Branson made a motion to introduce Ordinance #744, seconded by Councilman Taylor.

In discussion, Councilman Johnson questioned 98-3 C. which requires a representative of a property owner or landlord to resides within 30 miles of the Town of

Denton at the time of the property registration. Mr. Renshaw explained that the need to have some one nearby is to respond for emergencies.

With no further discussion, Mayor McNinch asked for a vote on the motion to introduce Ordinance #744.

The motion passed with 4 yes votes, and Councilman Johnson voting no.

Mayor McNinch confirmed that the Residential Rental Program will continue to be suspended until after the adoption of these amendments.

**Ordinance #745 – FY24 General Fund Appropriations Ordinance**

An Ordinance of the Town of Denton to appropriate funds and estimate income in accordance with the budget being adopted for Fiscal Year beginning July 1, 2023 through June 30, 2024.

Councilman Lister made a motion to introduce Ordinance #745, seconded by Councilman Taylor, passing unanimously. Additional discussion will be held with New Business #1.

**Unfinished Business**

**Agenda #1- Special Events Permit Approval**

Mr. Getchell provided an overview of the latest version of the Special Events Permit Application based on staff recommendations and discussion was held.

Councilman Lister motioned to approve the Permit Application, seconded by Councilman Taylor.

Additional discussion was held on the fees, and the requirements for porta-potties.

With no further discussion, Mayor McNinch asked for a vote on approving the Permit.

The motion passed with 4 yes votes, with Mayor McNinch voting no.

**New Business**

**Agenda #1 – FY2024 General Fund Budget - CYTR**

A draft of the FY2024 General Fund Budget was presented and discussion was held.

**Agenda #2 – Stormwater and Commercial Access Agreement**

Mill Creek Properties, LLC, submitted a request seeking approval of their Inspection and Maintenance Agreement of Stormwater Management Facilities and Commercial Access which is required for their improvements at the Denton Industrial Park, Lot 12.

Councilman Lister made a motion to approve the request, seconded by Councilman Branson.

Discussion was held on updating the Town regulations to be more involved in protecting the rivers and a plan to account for the impact downstream and offsite effects, to possibly include a fee in lieu.

With no further discussion, Mayor McNinch asked for a vote on the motion to approve.

The motion passed unanimously.

**Agenda #3 - Denton Industrial Park Commercial Sales Contracts**

SVN Miller Commercial Real Estate has been marketing the available Denton Industrial Park Lots. SVN has submitted three (3) Commercial Sales Contracts for the purchase of Denton Industrial Park Lots 3, 9B-2A, and 9B-2B, which are being presented

for consideration for approval for the sale of these three (3) lots. The Sales Contracts were discussed at the March Working Session during the Executive Session.

Councilman Lister made a motion to authorize the Mayor to execute the sales agreements, seconded by Councilman Branson, passing unanimously.

**Agenda #4 - Sharp Road Park Plan Approval**

Mr. Getchell provided a drawing that outlines some of our next steps at Sharp Road Park that were discussed at the March 20, 2023 Working Session.

Councilman Lister made a motion to approve the Sharp Road Community Park Plan as presented, seconded by Councilman Taylor, passing unanimously.

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

Mayor McNinch provided a Legislative update from the Maryland Municipal League Legislation Committee.

Mayor McNinch, Mr. Getchell, and Mrs. Monteith attended the Caroline County Chamber Best in Business Award Ceremony in which several Denton Businesses won. The Council will recognize the winners at their May meeting.

Councilman Lister provided an overview of the March Utility Commission meeting as they continue to work on the Sludge Management Study, and an infrastructure agreement with Simple Fiber.

**Miscellaneous**

Councilman Johnson shared that complaints have been received regarding dog waste issues.

Mr. Lee Tillery, of 313 Morning Glory shared there seems to be some confusion between the Town Ordinance on dog waste and the County Humane Society as to the responsibility for governing.

Mr. Drummond asked if the Town has explored having dog waste collections stations, and discussion was held on the cost being approximately \$500 per unit and then there is the additional question of who is going to maintain the stations.

Chief Bacorn said the Police Dept is who is called when there is a violation and suggested looking at the Town's Ordinance for possible amendments.

Mr. Santo Mirabile, of 101 Sunset Drive, commented on the earlier discussion on the Landlord 30-mile restrictions. Due to last weeks severe storms, Mr. Mirabile inquired about the location of severe weather shelters. Chief Bacorn shared that temporary emergency shelters are usually opened at the school, fire house and are run through the Caroline County Department of Emergency Services.

Mr. Mirabile shared concerns about the trees that were recently removed from the downtown and asked what the Town was going to do in the future to replace them.

Mr. Getchell stated the safety reason why the trees were removed and shared that the Town is working with a tree specialist to replace them with appropriate street trees that are recommended by the DNR listing and we are installing wells around the trees to direct the roots to grow downward.

With no further discussion, Mayor McNinch adjourned the meeting at 7:49 PM.

Respectfully submitted,

Karen L. Monteith,  
Clerk - Treasurer