

October 5, 2023

Executive Session

Per the Open Meetings Act, Maryland Code Annotated, General Provisions Article, § 3-305 (b) (2014) (1) discuss: (i) Personnel & (ii) Personnel Matters.

At 5:30 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, Councilmembers Lister, Branson, Taylor and the Town Administrator, Mr. Scott Getchell, were all present in person. Councilman Johnson attended virtually.

Discussion

The Town Council held discussion and conducted the Town Administrator's Annual Performance Evaluation.

No decisions were made during this session.

At 5:45 PM, with no further discussion, Councilman Johnson 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.

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

Mayor McNinch thanked everyone for coming and asked that the record reflect that Councilman Johnson was attending virtually and that the rest of the 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.

Mayor McNinch asked for approval of the September meeting minutes.

Councilman Lister made a motion to approve the minutes of the September 7, 2023 Regular Meeting as presented; seconded by Councilman Taylor, passing unanimously.

Councilman Lister made a motion to approve the minutes of the September 18, 2023 Working Session, seconded by Mayor McNinch, passing with three votes. Councilman Branson and Councilman Taylor abstained from voting as they were absent for the September 18, 2023 meeting.

Public Hearing

None

Petitions, Remonstrance's, and Communication

Proclamation – Code Enforcement Officer Week

Mayor McNinch read and presented a Proclamation recognizing October 9-13, 2023, as National Code Enforcement Officer Week. The Town Council expressed their appreciation and recognized our Code Enforcement Officers. Mr. David Renshaw, Senior Codes Enforcement

Officer, and Mr. Julius Horton, Property Maintenance Inspector, were present and accepted the Proclamation on behalf of the Denton Planning & Codes Dept.

Citation - Caroline Chapter #62 Order of the Eastern Star

Councilman Branson announced that on October 21, 2023, the Caroline Chapter #62 Order of the Eastern Star will celebrate their 100th Anniversary in Denton. Councilman Branson read multiple Town Council Citations to include the following to recognize:

- The Caroline Chapter #62 Order of the Eastern Star's 100th Anniversary
- N. Pearl Johnson as the 100th Worthy Matron of the Order.
- Sister Phyllis Johnston as the Worthy Grand Matron of the Grand Chapter of Maryland.
- Brother Edward Ford as the Worthy Grand Patron of the Grand Chapter of Maryland.

Ordinances and Resolutions

Ordinance #749 – Building Code Local Amendments

Mr. Renshaw presented an Ordinance to amend the Town of Denton Building Code provisions contained in Chapter 38 of the Denton Town Code with respect to sprinklers in building construction as per a previous working session discussion.

Councilman Branson made a motion to introduce Ordinance #749, seconded by Councilman Taylor, passing unanimously.

Unfinished Business

Agenda #1- ARPA Water/Sewer Extensions Contractor Bid

Mr. Getchell, the Town Administrator, submitted a request seeking approval to award the bid for water and sewer extensions to Lindstrom Excavating Contractors, LLC for the sum of \$3,360,970.00 and to seek approval for a change order proposal from RVE to provide construction management and inspection services for an additional sum of \$50,000.00. This project is solely funded by ARPA money.

Discussion was held on the original bid received and negotiations to reduce the scope of the project to work within the ARPA funds available and the plan to focus on Sharp Road and S. Second St., and Aldersgate Drive, Foy Rd., and Market St.

Councilman Lister made a motion to extend the contract for construction management to RVE, seconded by Councilman Taylor, passing unanimously.

Councilman Lister made a motion to approve the contract to Lindstrom Excavation Contractors, LLC for \$3.3M as requested, seconded by Councilman Taylor, passing unanimously.

Mayor McNinch asked, and Mr. Getchell provided an update on the Franklin St. Watermain Project.

New Business

Agenda #1 – 9 N. 4th Street Project Bid Approval

Mr. Getchell shared that only one bid was received for the 9 N. 4th St. renovation project to restore the structure to its original one story, one room dwelling. Mr. Getchell stated that the bid received was over budget and he recommended postponing any action on awarding pending them working on cutting back on the scope of the project and or finding additional funding.

No action was taken on this item.

Agenda #2 – Verizon Wireless Lease Amendment – Camp Road Water Tower

Mr. Getchell shared that Verizon is proposing a new lease term that will begin on November 1, 2024, with a rate slightly less than what they are currently paying.

A discussion was held in which Mr. Getchell shared the Site Retention Criteria received from Verizon and asked for consideration for approval to have the Mayor sign the renewal agreement.

Councilman Lister made a motion to approve this offer, seconded by Councilman Branson, passing unanimously.

Agenda #3 - Water and Sewer Allocation – Second Street Ventures, LLC

Mrs. Donna Todd, Director of Planning & Codes, and Mr. Matthew Dahl, owner of Second Street Ventures, LLC, submitted a request seeking approval for seven (7) ERUs for the Eden Town Brewery to be located at 108 North Eighth Street.

Mrs. Todd shared that the Denton Planning Commission reviewed and approved the Eden Town Brewery preliminary site plan on September 26, 2023.

Councilman Lister made a motion to approve the Second Street Ventures, LLC water and sewer allocation request, seconded by Councilman Branson, passing unanimously.

Agenda #4 - APPI Energy Authorization

Mr. Getchell submitted a request seeking authorization from the Town Council to work with the Town's energy broker APPI to secure the best wholesale rate possible for the Delmarva Power accounts. The existing agreement with Freepoint Energy expires in December, and now is the time to lock in to receive the best rate possible. Once a vendor is selected the Town Attorney will review the next proposed agreement prior to final approval.

Councilman Lister made a motion to authorize the Town Administrator to act as the Agent for the Town to negotiate the next contract, seconded by Councilman Branson, passing unanimously.

Agenda #5 - Water and Sewer Allocation – Strato Holdings, LLC

Mrs. Todd accompanied by Mr. Nick Nistazos, owner of Strato Holdings, LLC, submitted a request seeking approval for two (2) additional ERUs for the commercial building to be located at 601 Legion Road.

Mrs. Todd shared that the Denton Planning Commission reviewed and approved the Dunkin' Donuts preliminary site plan on September 26, 2023.

Councilman Lister made a motion to approve the Strato Holdings, LLC water and sewer allocation request seconded by Councilman Taylor, passing unanimously.

Reports of Officers, Boards, and Committees

Mr. Getchell shared that the Utility Commission is looking into a preliminary review of software through Waterworth that could assist with evaluating future water and sewer rate and provide real-time rate analysis going forward.

Mayor McNinch announced that the Town Council will join the Planning Commission on October 10, 2023 at 6:00 PM at the Visitor Center to review and discuss the Comprehensive Plan.

Mayor McNinch recently attended the LGIT Board Retreat and shared highlights of the meeting.

Mayor McNinch announced that she will be attending the Maryland Municipal League's Fall Conference next week along with Councilman Taylor and Mr. Getchell.

The NCHS Homecoming Parade will be held on Oct. 6, 2023 at 5PM.

Mr. Drummond announced that the State's Annual Planning Commission meeting is being held on Kent Island this year, which provides a great opportunity with it being local for the Town's Planning Commission members to attend.

Ms. Debbie Bowden with the Caroline County Economic Development invited the Town to join her in recognizing some of Denton's local businesses on October 23rd and 24th. Mayor McNinch and Mr. Getchell are planning to attend.

With no further discussion, Mayor McNinch adjourned the meeting at 6:43 PM.

Respectfully submitted,

*Karen L. Monteith,
Clerk - Treasurer*