

February 1, 2024

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.

Invocation was given by Pastor Don Renolds, Calvary Baptist Church.

Mayor McNinch thanked everyone for coming and asked that the record reflect that Councilman Johnson was absent, and that all the other Councilmembers were present in person.

Councilman Taylor made a motion to approve the minutes of the January 4, 2024 Regular Meeting as presented; seconded by Councilman Branson, passing unanimously.

Councilman Lister made a motion to approve the minutes of the January 22, 2024 Executive Session, and the January 22, 2024 Working Session as presented. The motion was seconded by Councilman Taylor, passing unanimously.

Public Hearing

None

Petitions, Remonstrance's, and Communication

Chief's Citation-DPD

Mayor McNinch and Chief Bacorn presented a Denton Police Department Chief Citation to Cpl. Christopher McMullen for outstanding community service, in rendering assistance to someone in need.

Introduction of New Main Street Manager

Mrs. Paula Wright, President of the Downtown Denton Main Street organization, introduce Mrs. Jessica Willoughby, the new DDMS Manager.

Ordinances and Resolutions

Ordinance No. 751 – Minor Subdivision Amendments

An Ordinance of the Town of Denton amending Chapter 73, Land Subdivision of the Town Code, with respect to minor subdivisions.

Councilman Lister made a motion to introduce Ordinance #751, seconded by Councilman Taylor.

In discussion, Mr. Scott Getchell, Town Administrator, provided an explanation of the purpose for the amendment, and shared that the Planning Commission endorsed this with a minor adjustment, and the Town Attorney has reviewed and approved the legislation.

Mayor McNinch provided additional information on the proposal received from the County for Sharp Road Park

With no further discussion, Mayor McNinch asked for a vote on the motion to introduce Ordinance #751.

The motion passed unanimously.

Ordinance No. 752 – Official Zoning Maps

An Ordinance of the Town of Denton adopting new Official Zoning Maps 01 and 02 for the Town of Denton.

Councilman Lister made a motion to introduce Ordinance #752, seconded by Councilman Taylor.

In discussion, Mrs. Donna Todd, Director of Planning & Codes, shared that this Ordinance adopts the revised Comprehensive Zoning Map 01 and a new Overlay and Floating Zone Map 02 to be consistent with the recently adopted Comprehensive Plan.

With no further discussion, Mayor McNinch asked for a vote on the motion to introduce Ordinance #752.

The motion passed unanimously.

Unfinished Business

Agenda #1

None

New Business

Agenda #1 – Planning Commission Alternate

Ms. Dona Sorce recently provided a letter of interest seeking consideration of appointment to the Planning Commission to fill the Alternate position. This vacant position will expire on December 31, 2028.

Councilman Branson made a motion to appoint Ms. Dona Sorce to serve as the Alternate on the Denton Planning Commission. The motion was seconded by Councilman Lister, passing unanimously.

Agenda #2 – FEMA MOU

Mr. Getchell presented a Memorandum of Understanding between the Federal Emergency Management Agency and the Town, and explained the purpose of this Agreement is to provide a framework for the collaboration of FEMA and the Town of Denton to carry out their respective roles and responsibilities with respect to Non-financial Direct Technical Assistance (DTA) under FEMA's Building Resilient Infrastructure and Communities (BRIC) program. This Agreement sets forth the terms by which FEMA will provide BRIC DTA to the Town of Denton.

Councilman Taylor made a motion to approve the Agreement, seconded by Councilman Branson, passing unanimously.

Agenda #3 - Motorola Portable Radios

Chief Bacorn submitted a proposal for \$107,466.74 seeking approval to purchase 16 Motorola portable radios, including extended warranties, chargers (including a multiple bank charger for the station), remote speaker microphones, and all necessary programming. These radios will be replacing our approximately six-year-old BK radios which have been failing regularly and without warning, which causes serious officer safety concerns. The Chief shared that there is an approximate 20-week lead time for receiving these radios, and that he is exploring a grant with the USDA, which we would be eligible for up to 75% of the cost.

Mr. Getchell recommended moving forward committing to ordering the radios and that the Town can use ARPA funds if the grant is not approved.

Councilman Taylor inquired as to how many radios are used daily, and if there is any concern with encryption issues.

Chief Bacorn shared each of the 13 officers have their own radio, and 2 are assigned to administrative staff in the office. With the current radios not working properly the Chief has borrowed 8 radios for the patrol officers from the county for officer safety. Chief Bacorn shared that the radios are programmed specific to the Department and the Caroline County Sheriff's Office, Talbot, and Queen Annes Agencies.

Councilman Branson made a motion to approve the radio acquisition as presented, seconded by Councilman Lister, passing unanimously.

Agenda #4 - Commerce Drive Engineering & Permitting Fees

Mr. Getchell shared that back in September in discussion with JPA, the Council reached a consensus that the Town would absorb costs related to the construction review and permitting efforts initiated by the Town related to the development of Commerce Drive. The Town Engineer estimates this cost to be approximately \$60,000-\$80,000.

In searching for a funding source, Mr. Getchell asked for consideration for approval to use accumulated CIP funds designated for Economic Development to be used for the Town's engineering and permitting effort related to the construction of Commerce Drive.

There was discussion on the construction of the road, the ongoing battle between the connecting property owners not being able to agree to work together to commit to the road being fully developed, having a public works agreement, and not setting a precedence.

Mr. Chris Drummond, Town Attorney, added that the developers have been advised that they need to find a resolution to the problem with the connecting property owners as the Town will only support full build out of Commerce Drive and not a partial road.

Councilman Lister shared that adding Commerce Drive will fix Legion Road, and he wanted to make it clear that he does not want the Town to put up any money for other roads that may spin off from Commerce and wants to make sure the Town is not obligated for other projects that may come along.

Mr. Drummond clarified that any other roads connecting to Commerce Drive as part of future growth for the connecting properties would be privately developed and either maintained by the owner or upon completion of the development may be turned over to the Town as part of a Public Works Agreement. The Town assisting with funding for engineering to monitor the road construction for Commerce Drive is unique to this project and has a broader positive impact for not only the commercial aspect of bringing new businesses, but it also fixes some of the traffic issues on Legion and has a benefit to the community.

Mr. Getchell clarified that at this time he is only seeking the designation for the funding source to cover the Town's Engineering review and inspection for Commerce Drive, and that the Town is not committing this funding to the construction project. There will be a Public Works Agreement that details the Town's position regarding the costs for engineering.

Councilman Lister made a motion to approve using \$60,000 to \$80,000 in CIP funds to cover the engineering cost incurred by the Town for when Commerce Drive is approved, seconded by Councilman Taylor.

In further discussion, Mr. Getchell clarified that the terms of the construction and such will be detailed in the Public Works Agreement.

With no further discussion, Mayor McNinch asked for a vote on the motion to approve designating the funds to cover the engineering cost.

The motion passed unanimously.

Agenda #5 - Parking Kiosk Relocation MOU

Mr. Getchell presented a MOU – Easement Agreement between the County Commissioners of Caroline County and the Town that outlines the details of relocating one

of the parking kiosks from the street to County property located in front of the Courthouse at 109 Market Street.

Councilman Lister made a motion to approve the Agreement, seconded by Councilman Taylor, passing unanimously.

Reports of Officers, Boards, and Committees

Councilman Taylor provided a summary of the January Planning Commission Meeting and gave an update on the Bullocks Plaza Site Plan Review; the 2023 Department of Planning Report and stated they are working on a draft the Cannabis Ordinance.

Councilman Lister provided a summary of the January Utility Commission Meeting, sharing information regarding the Waterworth Analysis Software; Water/Sewer extension projects for 2nd St. & Sharp Road and Aldersgate Drive using the ARPA Funding; Simple Fiber; and the County proposal for annexing in the village of West Denton.

Mayor McNinch thanked Mr. Getchell for rendering assistance to the Town of Federalsburg with their recent water issue.

Councilman Lister shared the Town did not receive the funding applied for the Sludge drying process, however by annexing in the West Denton area, using more consumption the Town may be able to reapply.

Councilman Lister provided a summary of the discussions held recently with Caroline County Commissioner Breeding about the proposed Sharp Road Park minor subdivision, and Double Hills Road Annexation which will enhance the Denton Industrial Park.

Mayor McNinch announced that Councilman Lister and Councilman Taylor joined her in attending the Eastern Shore Association of Municipalities Dinner.

With no further discussion, Mayor McNinch adjourned the meeting at 6:52 PM.

Respectfully submitted,

*Karen L. Monteith,
Clerk - Treasurer*