

May 2, 2024

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 Dan Gedman of St. Luke's Methodist 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.

Councilman Lister made a motion to approve the minutes of the March 7, 2024 Regular Meeting, the March 18, 2024 Working Session, the April 4, 2024 Regular Meeting, the April 15, 2024 Budget Working Session and Executive Session, and the April 22, 2024 Working Session. The motion to approve all minutes as presented was seconded by Councilman Branson.

Councilman Taylor asked for a correction to be made on the March 7 minutes, on page 3915, third paragraph to reference Ordinance #751 – instead of #51.

Councilman Lister amended his motion to include the correction, seconded by Councilman Branson, passing unanimously.

Public Hearing

Ordinance #755 – FY2025 General Fund Appropriations

Mayor McNinch opened a public hearing at 6:02 PM to receive public comments on Ordinance #755 – An Ordinance of the Denton Town Council to appropriate funds and estimate income in accordance with the General Fund Budget Adoption for Fiscal Year beginning July 1, 2024 through June 30, 2025.

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 shared that the budget presented is basically a flat budget, which was accomplished by cutting the real property tax rate from \$.72 per \$100 of assessment to \$.69. Constant Yield Tax Rate received from the State was at \$.6808.

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 – National Day of Prayer, May 2nd

Mayor McNinch announced that she presented a Proclamation recognizing May 2, 2024 as National Day of Prayer, earlier today at the event.

Police Commendation – PFC Timmons

Chief George Bacorn read and presented the Police Dept. Life Saving Commendation to Patrolman First Class Demetrius Timmons for his efforts that helped save the life of one of our citizens on April 2, 2024.

Citation – Christopher F. Drummond

Mayor McNinch read a Town of Denton Council Citation in memory of Mr. Christopher F. Drummond, Town Attorney, who passed away unexpectedly on March 16, 2024. Mr. Drummond served as the Town's Attorney since December 2012.

Proclamation – 55th Professional Municipal Clerks Week - May 5-11, 2024

Mayor McNinch read and presented a Proclamation recognizing May 5th through May 11, 2024 as the 55th 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.

Proclamation – National Police Week

Councilman Lister read and presented a Proclamation to recognize May 12th through May 18, 2024, as National Police Week, expressing the Council's gratitude for the vital public service our Police Dept. provides. Accepting the Proclamation was Chief George Bacorn, and PFC Demetrius Timmons.

A Candlelight Vigil will be held on May 8th at 6PM at Calvary Baptist Church to honor fallen officers.

Proclamation – National Public Works Week

Councilman Branson read and presented a Proclamation recognizing May 19th through May 25th, 2024 as National Public Works Week, expressing their gratitude for the hard work and dedication of the Public Works Staff in providing vital services to our community. Accepting the Proclamation was the Superintendent of Public Works Mark Chandler.

Proclamation – 4th Annual Caroline Pride Festival

Mayor McNinch read and presented a Proclamation recognizing June 1, 2024 as Pride Day in downtown Denton. The Proclamation was accepted by Angel Perez.

Ordinances and Resolutions

Ordinance #754 – Cannabis Ordinance

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 cannabis enterprises.

Councilman Lister made a motion to adopt Ordinance #754, seconded by Councilman Taylor.

A discussion was held in which Mrs. Donna Todd, Director of Planning & Codes, and Mrs. Lyndsey Ryan, Town Attorney, provided a summary of the legislation and shared that the Ordinance includes all revisions adopted by the State's House Bill #805.

Councilman Taylor provided additional information regarding Planning Commission comments and the 100' buffer zone, confirming that the Ordinance aligns with all buffer zones.

Mr. Kevin Waterman, Planning Commission Member, commented on clarifying what he feels may be a problem where the language references are within 100' buffer of a residential area and instead would prefer within a 100' of a residential parcel.

Mrs. Ryan shared that the Ordinance as written currently complies with the State regulations.

Mayor McNinch and Councilman Taylor clarified that the language line up with all buffer zones.

With no further comments, Mayor McNinch asked for a vote on the motion to adopt Ordinance #754.

The motion passed unanimously.

Ordinance #755 – FY2025 General Fund Budget and Appropriations

An Ordinance of the Denton Town Council to appropriate funds and estimate

income in accordance with the General Fund Budget for Fiscal Year beginning July 1, 2024 through June 30, 2025.

Councilman Lister made a motion to adopt Ordinance #755, seconded by Councilman Taylor.

In discussion, Councilman Lister complimented Staff on their hard work, sharing that the budget includes a half-year 2% COLA, included updating some outdated equipment, defers some large expenses, includes an 18-month reserve, and reduces the real property tax rate down to \$.69 per \$100 of assessed value.

Mr. Getchell, Town Administrator, added that the FY2025 General Fund Budget includes a \$50,000 transfer to the Highway Fund to cover operations related to highways.

Councilman Branson mentioned the State's recent discussion on cutting Highway User Revenues beginning in 2025-2026, which will negatively impact the future of road construction. Mayor McNinch added gas tax is declining in relation to electric cars and is being reallocated to other funds.

With no further comments, Mayor McNinch asked for a vote on the motion to adopt Ordinance #755.

The motion passed unanimously.

Unfinished Business

none

New Business

Agenda #1 – Trash Agreements

Mr. Getchell presented Trash Collection Agreements for collection services for FY25 through FY27 for the two bids received from Big Tyme Trash and Republic Services, seeking approval for the Mayor to sign. The Agreement for Bigg Tyme Trash is for a three (3) year term for residential collection and the other is for Republic Services – three (3) year term for collection of the dumpsters and roll-off cans. Mr. Getchell added that both companies already provide these services and are doing acceptable work.

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

In discussion, Councilman Taylor stated the contract terms are not clear about extending the contract for an additional three-year period, and if extended, whether the rate change is automatic or how that is handled.

Mrs. Ryan recommended amending the language to may extend by mutual agreement.

Councilman Lister made a motion to adopt with the amendment, seconded by Councilman Branson. The motion passed unanimously.

Agenda #2 – Corporation Tax Abatements

Mrs. Monteith, Clerk-Treasurer/Finance Director submitted a listing of corporation tax accounts that are extremely delinquent and deemed uncollectable due to the companies having been forfeited, declared bankruptcy, moved out of state, or no longer own the business within the Town limits when the assessment was received from the State. Clothed with Righteousness, Keyboard Kritters, LLC., Mobile Mini, Inc., Nich's LLC., and ZNB, LLP, were the business listed.

Councilman Lister made a motion to approve abating the delinquent corporation taxes and late fees owed. The motion was seconded by Councilman Taylor, passing unanimously.

Agenda #3 - Miscellaneous Billing Abatements

Mrs. Monteith requested consideration to abate Miscellaneous Bill Account balances for Cambio Broadband LLC from 2022 and Tara Lightner from 2014-2016, both accounts are delinquent and have been identified by Finance as uncollectible.

Councilman Branson made a motion to write them off, the motion died without a second.

Discussion was held about the judgement for Lightner and the cost for applying for a judgement against Cambio.

Councilman Taylor made a motion to get a judgement against Cambio and then write it off, seconded by Mayor McNinch, passing 3-1 with Councilman Branson voting no.

Agenda #4 -LGIT Election

The annual LGIT Board of Trustees Election is approaching, in which Trustees shall be elected by its Members prior to the beginning of the new fiscal year. Seeking a motion for the Council to designate one of its members or a staff member to cast the vote for the upcoming election on behalf of the Town of Denton.

Councilman Lister made a motion to appoint Mr. Getchell as representative to cast the vote on behalf of the Town. Seconded by Councilman Taylor, passing unanimously.

Mayor McNinch shared that as a Chairperson for LGIT, she will be going to a conference in Salt Lake City next week.

Agenda #5 - Water and Sewer Allocation

Mrs. Todd presented a request from Mid-Atlantic Real Estate Investments, Inc., seeking approval for (1.5) additional ERU's (Equivalent Residential Units) for Jersey Mike's Subs to be located at 35 Denton Plaza.

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

Reports of Officers, Boards, and Committees

Councilman Lister provided a summary of the April 17th Utility Commission Meeting.

Councilman Taylor provided a summary of the April 30th Planning Commission Meeting.

Councilman Lister shared that he attended the 404 SHA dualization plan meeting along with Mr. Getchell. They will be scheduling a meeting to discuss the stormwater run off from MD Route 404 seeking funds to help reduce the erosion cost.

Mayor McNinch mentioned the Council held a public meeting on Sharp Road Park with the Caroline County Commissioners on April 25th to discuss the portion being transferred to the County, the plans for multi-use improvements. The meeting was well attended.

Mayor McNinch announced that on Monday May 6th at 12:30 PM there will be a ribbon cutting ceremony held at the Fourth St. Park.

The next Caroline County Association of Municipalities meeting is scheduled to be held on May 15th at the Visitor Center.

Mayor McNinch shared members of the Maryland Municipal League visited the downtown today.

Delegate Tom Hutchison will be stopping by tomorrow, meeting with the Mayor to learn more about Denton.

Mr. Mark Chandler, Superintendent of Public Works, announced that the Sharp Road and S. Second Street Project is ready for paving.

Mr. Getchell announced that paving of Market Street will start soon.

With no further discussion, Mayor McNinch adjourned the meeting at 7:02 PM.

Respectfully submitted,

*Karen L. Monteith,
Clerk - Treasurer*