

May 1, 2025

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 Bishop Green of Denton Holiness 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 Taylor made a motion to approve the minutes of the April 3, 2025 Regular Meeting, the April 7, 2025 Working Session and the April 21, 2025 Working Session as presented, seconded by Councilman Lister, passing unanimously.

Public Hearing

Mayor McNinch opened a public hearing at 6:03 PM to receive public comments on Ordinance #758 - An Ordinance of the Town of Denton to appropriate funds and estimate income in accordance with the General Fund Budget being adopted for fiscal year beginning July 1, 2025 through June 30, 2026.

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 commented that due to the diligent work of the staff and through the working session setting priorities of the Council, they were able to reduce the tax rate by three cents and still able to come with a balanced budget.

Councilman Branson reiterated that they are dropping the real property tax rate from \$.69 to \$.66.

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

With no further comments, Mayor McNinch closed this public hearing at 6:04 PM.

Petitions, Remonstrance's, and Communication

Proclamation – National Day of Prayer, May 1st

Mayor McNinch announced that today is National Day of Prayer and that she read and presented a Proclamation recognizing May 1, 2025 as National Day of Prayer, earlier today on the Courthouse lawn.

Proclamation – 56th Professional Municipal Clerks Week

Councilman Branson read and presented a Proclamation recognizing May 4th through May 10, 2025 as the 56th 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. Robin Lahnemann, Finance Account Clerk, and Mrs. Karen Monteith, Clerk-Treasurer/Finance Director, accepted the Proclamation.

Proclamation – Police Week, May 11 – 17, 2025

Councilman Taylor read and presented a Proclamation to recognize May 11th through May 17, 2025, as National Police Week, expressing the Council's gratitude for the vital public service the Denton Police Dept. provides to our community and for their dedication.

Accepting the Proclamation was Chief George Bacorn.

A Candlelight Vigil will be held on May 7th at 6PM at Calvary Baptist Church to honor fallen officers.

Proclamation – Public Works Week, May 18-24, 2025

Mayor McNinch read and presented a Proclamation recognizing May 18th through May 24th, 2025 as National Public Works Week, expressing the Council's gratitude for the hard work and dedication of the Denton Public Works Staff in providing vital services to our community.

Accepting the Proclamation was the Superintendent of Public Works, Mark Chandler.

Ordinances and Resolutions

Ordinance #758 – FY2026 General Fund Budget and Appropriations

An Ordinance of the Town of Denton to appropriate funds and estimate income in accordance with the General Fund Budget for Fiscal Year beginning July 1, 2025 through June 30, 2026.

Councilman Lister made a motion to adopt Ordinance #758, seconded by Councilman Branson.

In discussion, Councilman Lister mentioned that the Council has been able to lower the real property tax rate by three cents as they continue to be as efficient as possible and thanked staff for all the work they do in being responsible and helping to present a balanced budget.

Mr. Scott Getchell, Town Administrator, added to keep in mind that in the last few years the Town has been able to get a lot of priorities accomplished, which helped to present a responsible budget.

Councilman Lister shared that one of the Council's priorities for a series of years has not only been to work toward tax reductions, but to also maintain a competitiveness with salaries, and they were able to make a small 2% COLA in this budget, with a potential bonus if revenues come in as anticipated.

Mayor McNinch stated as they have worked on the budget, they are very cognizant that the outlook is bleak in terms of the economy right now, and they are trying to do the best they can.

With no further discussion, Mayor McNinch asked for a vote on the motion to adopt Ordinance #758.

The motion passed unanimously.

Ordinance No. 759 – Zoning Ordinance & Official Zoning Maps

An Ordinance of the Town of Denton repealing and reenacting Chapter 128 titled, Zoning, in its entirety, and adopting new Official Zoning Maps for the Town of Denton.

Councilman Lister made a motion to introduce Ordinance #759, seconded by Councilman Taylor.

In discussion, Mr. Peter Johnston, Town Planning Consultant, provided an overview of the Ordinance, the process leading up to introduction, meeting State requirements and focusing on reducing the need for some minor items to have to go before the Board of Appeals, which will make it easier for the applicants.

Mr. Johnston provided an update on this week's discussion with the Planning Commission on a few items that have recently been back and forth between each board:

Regarding wall sign lighting and height restrictions, Mr. Johnston shared that the Planning Commission supports and recommends for the Council to amend the ordinance

to permit internal, backlit, and indirect lighting for flat/wall sign in both the MI and I Districts; and to remove the height restrictions on wall signs in these districts, except for the general prohibition on signs extending above the roof or parapet of a building or into a public right-of-way.

Regarding accessory building height restrictions, it is the Planning Commission's recommendation to leave it the way it is. Mr. Johnston shared some alternatives with minor changes to be handled by the Planning Commission and will continue to allow for a special exception in which they could apply for a variance through the Board of Appeals.

Regarding Urgent Care Facilities locations and the Council's concerns about traffic problems, Mr. Johnston shared that it is the Planning Commission's view that this is more of a traffic problem than a zoning issue. Mr. Johnston shared the Planning Commission's recommendation to reclassify Urgent Care Facilities as a special exception in the RHC district, which will be subject to review by the Board of Appeals. This will allow for case-by-case evaluation to ensure that each facility is appropriately sited and designed to minimize impacts on traffic and emergency response time.

Mrs. Lyndsey Ryan, Town Attorney, provided guidance on subjective language and objective views that would be consistent so that as Planning Commission members change, the standards are still consistent on how larger buildings are allowed or not allowed, and how they would fit within different areas of the Town.

Councilman Lister made a motion to amend Section 128 to adopt the Planning Commission's recommendation amending the draft Ordinance pertaining to wall sign lighting and height restrictions in the Mixed Industrial and Industrial districts. The motion was seconded by Councilman Taylor and passed unanimously.

Councilman Lister made a motion to amend Section 128 to classify Urgent Care Facilities as special exceptions in the RHC District with the recommended language from the Planning Commission. The motion was seconded by Councilman Taylor.

Additional discussion was held in which Mrs. Ryan clarified that this will not have any impact on the existing facility. She also shared an alternative to creating a special exception for Urgent Care Facilities that would establish a standard for traffic lanes, ingress and egress, and since it can be a traffic issue, a standard requiring a traffic study will help.

Mr. Johnston agreed with Mrs. Ryan and requiring a traffic safety study is probably as good a way or a better way.

Councilman Lister and Councilman Taylor withdrew this motion.

Councilman Lister made a new motion to amend the Ordinance #759 related to Urgent Care Facilities to classify Urgent Care Facilities and set standards for Urgent Care Facilities that will address ingress and egress travel lanes. Seconded by Councilman Taylor, passing unanimously.

Councilman Lister made a motion to amend Section 128, supplementary use for accessory structures, Article VI as recommended by the Planning Commission, seconded by Councilman Branson.

In discussion, Councilman Branson commented that while 22' height may work for his neighbor, it may not in another area of town.

Mr. Wes Jones, of 107 Lou Ave., supported capping at 22' in general and acknowledged that the accessory building needs to fit in the neighborhood.

Mayor McNinch liked that this will set a ratio per neighborhood.

Mr. Johnston said that the Council can later change the Ordinance if it doesn't work.

With no further discussion, Mayor McNinch asked for a vote on the motion on accessory structures.

The motion passed unanimously.

Following the actions, Mayor McNinch asked for a vote on the initial motion to introduce the Ordinance with these amendments.

Councilman Lister amended his initial motion to introduce Ordinance #759 with these three approved amendments, seconded by Councilman Taylor, passing unanimously.

Unfinished Business

Agenda #1- FY2026 Highway Fund Budget

The FY2026 Highway Fund Budget was presented for consideration of adoption.

Councilman Lister made a motion to approve the FY2026 Highway Fund Budget, seconded by Councilman Branson.

In discussion, Mr. Getchell shared there was a modest adjustment made since the draft was presented in April, and that the Highway Fund Budget is assuming the highway user revenues are received as predicted by the State.

With no further discussion, Mayor McNinch called for a vote on the motion to adopt the Fiscal Year 2026 Highway Fund Budget.

The motion passed unanimously.

New Business

Agenda #1 – Foy Road Resurfacing

Mr. Getchell presented a proposal from David A. Bramble, Inc. to complete spot patch repairs, wedge paving, and surface paving on Foy Road in its entirety and asked for consideration for approving the proposed agreement and signing, if approved. FY25 Highway User Revenues in the amount of \$286,000 and CIP money in the amount of \$25,151 will be used to cover the total project cost of \$311,151.00.

Councilman Lister made a motion to approve the contract proposal from David A. Bramble, Inc., seconded by Councilman Branson, passing unanimously.

Agenda #2 – Harper & Sons, Inc. - Water & Sewer Allocation

Mrs. Donna Todd, Director of Planning & Codes, shared that Harper & Sons, Inc., has submitted a request seeking approval for 1.75 ERUs for their proposed general contractor's facility being located in the Industrial Park. The preliminary site plan is scheduled for review by the Planning Commission on April 29, 2025. The water and sewer allocation fee for 1.75 ERUs is \$15,750.

Councilman Lister made a motion to approve the ERUs requested, seconded by Councilman Branson, passing unanimously.

Agenda #3 - Denton Elementary School - Stormwater Inspection & Maintenance Agreement

A request from Caroline County & Caroline County Public Schools was submitted seeking approval for the attached Inspection and Maintenance Agreement of Private Stormwater Management Facilities. This agreement guarantees maintenance of the stormwater management improvements for the Denton Elementary School Stormwater Retrofit project.

This agreement has been reviewed by the Town Attorney and was discussed at the April Working Session.

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

Reports of Officers, Boards, and Committees

Councilman Taylor provided an update on this week's Planning Commission meeting.

Councilman Taylor attended the Legislative Wrap Session and said that it was well attended with five Delegates and two Senators who shared that it was the worst session they have ever attended. They stated the good news that came out of the session was the approval of the Emergency Center in Easton. The bad news is with the approval and mandate of the solar expansions, in which legislators said it was a direct attack on the Eastern Shore, as it stands to be the most negatively affected because it has the most agricultural lands. The legislators also shared the state budget deficit woes and concerns going forward. There may be a special session in the fall depending on if there are any federal cuts.

Councilman Taylor shared that the Maryland State Comptroller visited the Town's Water & Wastewater Treatment Plant, and that Mr. Getchell gave a very good presentation, and that the Comptroller seems very supportive in helping to identify funding for upgrades.

Councilman Lister provided an overview on the April Utility Commission Meeting and moving forward with leasing the lagoons for solar panels; and that Mr. Getchell has a meeting scheduled tomorrow with Talkie to finalize on fiber for high-speed internet on the water tower.

Mayor McNinch shared that the Department of Housing and Community Development, Secretary Day recently toured the area, starting at the Wharves of the Choptank Heritage and Visitor Center and ending at the Chesapeake Culinary School. During his visit, they discussed the plan to tear down the old railroad turn bridge, and whether it could stay as a fishing pier.

Mayor McNinch shared that the American Discovery Trail group was in Town to designate the ADT walking trail which will run from the east coast to the west coast, and that it is an honor for Denton to be designated as the first town on the Trail.

Mayor McNinch attended the Bird City Meeting, which is an initiative to designate a bird for towns and promote education on migrations.

Mayor McNinch shared that WBOC Delmarva Life came to conduct an interview with Kim at the Visitor Center, and that Matthews Brothers was instrumental in giving the reporter a ride in for the interview by boat.

Councilman Lister announced that Third Thursday's starts back up on May 15th, they will be dedicating the first event to Mr. Pat Myers who attended most of the past events and had passed away. They will continue to work with Downtown MainStreet and the Pub for the 3rd Thursday Events this year.

With no further discussion, Mayor McNinch adjourned the meeting at 7:16 PM.

Respectfully submitted,

*Karen L. Monteith,
Clerk - Treasurer*