



Commissioners of Leonardtown

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DANIEL W. BURRIS
Mayor

LASCHELLE E. MCKAY
Town Administrator

Commissioners of Leonardtown **Town Council Meeting Minutes** **May 9, 2016**

Attendees: Daniel W. Burris, Mayor
Leslie Roberts, Vice President
Thomas M. Combs, Councilmember
Hayden T. Hammett, Councilmember
J. Maguire Mattingly IV, Councilmember
Roger L. Mattingly, Councilmember

Also in attendance were: Teri Dimsey, Secretary; Laschelle McKay, Town Administrator; Rebecca Sothoron, Treasurer; Jada Stuckert, Planning Assistant; Jackie Post, Fiscal Clerk; Maria Fleming, Events Coordinator; John Wharton, The Enterprise; Guy Leonard, The County Times; Dick Meyers; The BayNet; Mike Mummaugh, Paragon Properties. A complete list of attendees is on file at the Leonardtown Town Hall.

Swearing In Ceremony

Mayor Dan Burris introduced Ms. Joan Williams, St. Mary's County Clerk of the Court, who will perform the swearing in ceremony for the Mayor and the Mayor will swear in the Council Members.

Ms. Williams asked Mr. Burris to raise his right hand and to repeat the oath after her and swore in Mr. Burris and offered her congratulations.

Mayor Burris invited Hayden Hammett and Jay Mattingly to come forward to be sworn in. They both raised their right hand and repeated the oath of office as instructed.

Mayor Burris, Council Members and audience offered their congratulations.

Mayor Burris moved on to the next order of business.

Mayor Burris asked Councilmember Hammett to say the invocation and asked Ms. Dimsey to lead the Pledge of Allegiance.

Mayor Burris noted that there were a few additions to the agenda.

- First Saints Church temporary trailer application
- Discussion of sheeting for the clarifier at the treatment plant.

Approval of Minutes

Meeting minutes for the April 11, 2016 Town Council meeting and April 18, 2016 Special Town Council meeting were presented for approval.

Mayor Burris entertained a motion to accept the minutes as presented.

Councilmember Roger Mattingly moved to approve both the April 11, 2016 minutes and April 18, 2016 as presented; seconded by Councilmember Combs; motion passed unanimously.

Mayor Burris noted that there is a Public Hearing at 4:30 p.m. and moved on to the first order of business.

Treasurer's Report – Rebecca Sothoron

Ms. Sothoron reported that we do have an Ordinance to be introduced at today's meeting. It concerns the financing and ultimate refinancing of the purchase of real property that will be used as the New Town Hall. This is the first step in addressing the generalities of approving the financing. This will need to be approved prior to the next Town Council meeting. Contract of the purchase requires a closing before the end of June and we have to use the June meeting to adopt and approve the Resolution that will address the details of the financing. This Ordinance is introduced today and Council will meet again before the next Council meeting to approve it so that its effective date falls before June 30th.

This financing will pledge the full faith and credit of the Town and will not be handled as a mortgage. The not to exceed limit is \$650,000. The purchase price plus all demolition and improvements that are scheduled to be made at the property before occupancy is a total of \$609,000 and change. So we have some additional leeway if other items come up that we can finance in order to get the building fully functional.

The Resolution is to set the details as there are many items still to be finalized that are unknown to be incorporated into the financing.

Mayor Burris noted that the Special Meeting is being arranged to be held on Wednesday, May 18, 2016 at 5:00 p.m. An agenda will be published.

Ms. Sothoron continued with her reported and remarked that the April financials were included and \$200,000 was transferred to the Operating Account to cover expenses.

We are 84% through the budget year and during April the revenue for the public utility PAC was finalized and it is below the budget and 28% lower than last year.

Admissions and Amusement Tax is significantly different than anticipated. FY15 had a revenue of \$6,700 and we rely on the state to properly allocate those taxes they receive between the county and the town and for whatever reason it is continues to fluctuate. Calls have been made to no avail to the agencies in charge.

The online utility payment application went live on May 3 and without doing any press, people have found it already and it has been working well.

The auditors have been requested to submit an engagement letter to be submitted to Council at the June meeting.

At the recommendation of Bond Counsel, at the June meeting, a Budget Amendment will be brought to the table to actually purchase the property on Washington Street.

There are also some old utility accounts that will be brought before Council for write-off consideration.

Planning & Zoning Report – Jada Stuckert

Ms. Stuckert reported the last Planning & Zoning meeting was held on February 16, 2016. There was no meetings held in March or April. The next Planning & Zoning meeting will be held on May 16, 2016, and there are currently four items on the agenda:

Case #14-05 Clark’s Rest Subdivision, Phase 1A and 2A
Request for Phase 1A and Phase 2A plat(s) approval

Phase 1A contains 5.987 acres; Phase 2A contains 6.079 acres

Case #14-05 Clark’s Rest Subdivision, Entrance Monument Wall
Request for amended Entrance Monument Wall approval

The applicant is requesting to amend the approved Entry Concept Plan dated 9/9/13 in regards to the entrance monument wall.

Case #42-14 The Hamptons at Leonardtown, Hampton Boulevard
Request for recommendation of Final Site Plan approval to Town Council

The applicant is requesting recommendation of Final Site Plan approval to Town Council to add a fourth (4th) story contingent upon the access road being finalized.

Case #36-15 Orchard Hills, 22705 Johnson Lane
Request for Concept Site Plan approval

The applicant is requesting concept site plan approval for four townhouse units.

Town Administrator’s Report – Laschelle McKay

First Saints Community Church Temporary Trailer Application - Any trailers that are in town have to come before Town Council as we do not allow them other than for construction. They purchased two homes in front of the Church that they will be converting to office space but that will not be done for close to a year and they need a temporary space.

Councilmember Combs noted that the Fire Marshall needs to sign off on fire protection for the temporary trailer as it will be used as a classroom.

Ms. McKay responded that she will contact the Fire Marshall to inspect.

Councilmember Combs moved to approve the temporary trailers at First Saints Community Church once they have cleared it with the Fire Marshal; seconded by Councilmember Hammett;

Discussion:

Councilmember Roberts asked if a time limit could be imposed.

Ms. McKay noted they did ask for eleven months and we put a twelve month limit on it.

Councilmember Combs revised his motion to include “for twelve months”

Mayor Burris remarked the motion is revised, we have a motion and a second, all those in favor say aye, no further discussion, motion passed unanimously.

Liquor License Letter of Support- Olde Town Pub- Temporary Extension of Premise- The Pub is having a Summer Kick Off event with live music in the parking area and grills for food outside on Friday, June 10th from 2 pm- midnight. Alcohol is being served from inside and there will be a beer truck outside. The parking lot will be completely fenced in and the carnival lot has been secured for overflow parking. Mr. John MacDonald is in attendance today to answer any questions.

Councilmember Roberts moved to approve sending a letter of support for the extension of premises for the Olde Town Pub liquor license for a one day event to be held June 10, 2016; seconded by Councilmember Combs.

Councilmember Hammett abstained, four Councilmembers voted aye, no further discussion, motion passed.

Liquor License Letter of Support- Bottom of the Hill Tavern- Bottom of the Hill Tavern is opening at 40875 Merchants Lane. They are requesting a liquor license letter of support for a Class B Restaurant Liquor License. The owner is Mike Hicks (former owner of Leonardtown Grille). They would like to include the outdoor seating area in the license as the previous restaurants located there had.

Councilmember Roger Mattingly moved to approve sending a liquor license letter of support for a Class B Restaurant License for Bottom of the Hill Tavern located at 40875 Merchants Lane in Leonardtown; seconded by Councilmember Hammett, no further discussion, motion passed unanimously.

Mayor Burris announced it was time for the Public Hearing and entertained a motion to close the regular meeting and open the Public Hearing.

Councilmember Hammett moved to close the regular meeting and open the public hearing; seconded by Councilmember Combs; motion passed unanimously.

Mayor Burris opened the public hearing on the Community Development Block Grant for an elevator for the new Town Hall at 22670 Washington St. and asked Ms. McKay to provide a summary background.

Ms. McKay noted that there is a significant amount of information that is required by the CDBG program to go over today.

Resolution 1-16- Resolution to Adopt Community Development Block Grant Plan Policies- This Resolution passes plans required to apply for the CDBG Grant for the elevator installation in the New Town Hall.

Maryland Community Block Grant Program

The Maryland Community Block Grant Program is a federally funding program designed to assist County and Municipal Governments with activities directed towards neighborhood revitalization, housing opportunities, economic development and improved public facilities and services. Congress initiated the program and the Housing Community Development Act of 1974. The Maryland CDBG program is administered by the Housing and Community Development Office. The primary objective of the Maryland CDBG program are to provide decent housing and necessary supporting infrastructure, preserve and develop viable communities through the expansion of economic opportunities and meet the critical needs of Maryland's communities. For the State's Fiscal Year 2017 the State of Maryland has been awarded \$7,205,995.00. The State provides CDBG funds primarily as gap funding for projects selected by jurisdiction to meet their needs. The funds are awarded in two categories: Community Development and Special Projects. The Maryland CDBG program provides public funds for activities that meet at least one of the following national objections as required by Title I of the Housing and Community Development Act of 1974. There are many different reasons but just to highlight just a few: The project gives maximum feasible priorities to activities that will benefit low and moderate income personal households having an income equal to or less than a Section 8 lower income limit established by HUD. The project aids in the prevention or elimination of slums or blight, revitalizes older neighborhoods or established communities, it leverages CDBG funds with other public assisted programs and private resources and directs growth towards existing conservation centers, provides essential public services for low and moderate income persons. Due to Leonardtown's growth and to accommodate future anticipated growth, the need has arisen for larger town offices. A vacant office space has been chosen for the Town's new offices at 22670 Washington Street. The space is large enough to accommodate the Town's needs for many years to come and will also reduce slum and blight by filling a vacant store front on Washington St. This will ensure that that building continues with occupancy for the long term. Unfortunately, the building does not have an elevator to reach the second floor where we hope to hold our public meetings, as well as, the space will be used for future offices and a restroom as the Town grows. The space will also be available to the public, as is the current office, for community meetings such as the Leonardtown Business Association, local Homeowners Association, St. Mary's Classic Rod and Car Club, Lions Club and Scout meetings and any other groups. The meeting space will be approximately 1,475 sq. ft. compared to our current space which is only 435 sq. ft. and is inadequate for some of our public meetings.

Leonardtown will be applying for a CDBG to install an ADA compliant elevator in the new Town office at a cost of approximately \$150,000. That is just an approximate as we are still working on getting estimates. The elevator itself is about \$88,000 but we are still getting prices for the construction portion. We have to have the final numbers to submit the final grant application. We will be requesting approximately \$135,000 from DHCD and the Town will be contributing \$15,000 plus staff time which is 10% as discuss previously. The elevator will bring the Town offices into ADA compliance and ensure the continued safety and accessibility of all Leonardtown residents and staff members. This will allow those with mobility issues to attend meetings and to participate in the public process of government for in the future they can work or visit the offices if they are housed upstairs. A copy of the completed application will be available here at the Town office for review for any interested parties. The application is due Friday, June 3 and we anticipate award within 90 days after the application submission and for this type of grant it is required that you get started right away so it will probably be in the fall. The public hearing is to obtain comments and views from Town residents regarding this grant. We did advertise this public hearing as required and will now open the floor up to the public for any discussion.

Mayor Burris asked for any comment from the public.

Hearing no public comment, Mayor Burris entertained a motion to close the Public Hearing.

Councilmember Hammett moved to close the Public Hearing and open the regular meeting; Councilmember Jay Mattingly seconded; no further discussion, motion passed unanimously.

Action needed today is to simply adopt two plans, one is called the Citizens Participation Plan which is attached to the Resolution and that talks about having public hearings keeping the citizens involved in the process. The other is the Residential Anti-Displacement and Relocation Assistance Plan. It really does not apply to this grant because we are not displacing anyone out of housing, but it is a requirement of the grant and required to be passed by Council.

Ms. McKay reported that before you today is Resolution #1-16 to adopt the Citizen Participant Plan and the Residential Anti-Displacement and Relocation Assistance Plan. With the Resolution, we are able to pass that at the same meeting as it's' introduction.

Councilmember Roberts moved to approve Resolution #1-16 – To adopt Community Development Block Grant Plan Policies for the elevator grant application; seconded by Councilmember Combs

Discussion

Councilmember Hammett inquired about the 5 year period will it expire or we need to change it?

Ms. McKay remarked that it would need to be renewed in five years if you were going to apply for another grant.

No further discussion, motion passed unanimously.

Town Administrator - Continued

Academy Hills HOA Landscaping Easement- The Academy Hills HOA have proposed planting shrubs and trees along the Town Right of Way of Rose Hill Drive at their expense. I have worked with the Board on the design and Tony has confirmed that there will be no conflicts with their proposal. The Town attorney has prepared an easement allowing the plantings and assuring that the costs of planting and upkeep are the responsibility of the HOA.

Councilmember Hammett move to authorize Mayor Burris to sign the easement for plantings along Rose Hill Drive by the Academy Hills Homeowners Association; seconded by Councilmember Jay Mattingly, no further discussion, motion passed unanimously.

ENR Upgrade Change Order- It has been recommended to keep 36 sheet piles in place around the new clarifier as part of the ENR Upgrade. This will provide additional protection for the clarifier from stream bank erosion. We currently have approximately \$70,000 in credit for change orders. There are approximately \$46,000 pending change orders for added equipment. That would leave \$24,000 to go toward this change order. There is also 5% contingency budgeted for the project but we still have a long way to go and we still have to deal with the torn liner in the lagoon. However, GHD, staff and Councilmember Combs all feel this is an important addition and recommend approval.

Councilmember Roger Mattingly move to approve the proposed change order in the amount of \$53,000 for the addition of permanently keeping the sheeting piles in place to protect the new clarifier as part of the ENR Upgrade project; seconded by Councilmember Combs, no further discussion, motion passed unanimously.

Police Report - Deputy Smolarsky

Mayor Burris remarked that Deputy Smolarsky is unable to attend today but did provide Council with a written report.

Mayor's Report – Mayor Burris

Mayor Burris thanked the citizens and everyone who supported him along with the other candidates, Hayden Hammett and Jay Mattingly, for re-electing them.

Mrs. Burris and I enjoyed a wonderful dinner in DC at the former restaurant that Mr. Brian Wilson, current owner of La Rive Breton (formerly Café des Artistes) used to manage as Chef. We met many of his co-workers and they said they were so sad to see him leave but will be down to Leonardtown to check out his new restaurant.

The new playground has been installed at the Wharf and has been getting lots of attention.

Events – Roger Mattingly

Councilmember Mattingly reported on the upcoming events:

May 6 First Responders First Friday hosted recruitment and information displays and live music for visitors. LVFD, RVFD, LVRS, and SMC Sheriff's Office provide apparatus for static display.

The LHS Jazz Band is scheduled to have their Spring Concert at the Wharf this Friday, May 13 at 6 PM.

A second Mock Council will be held at LES on Friday, May 20 at 2:30 p.m.

May 21st will be busy with the Cystic Fibrosis Walk at the Wharf in the morning, Coastal Arts Market all day at Port of Leonardtown Park, and the US Navy Band Commodores in the Square in the evening.

May 28th is even busier with the Life is Good 5K in Leonard's Grant in the morning; a birthday party at the Wharf and Cruising So.MD in the Square in the afternoon; and a wedding at Port of Leonardtown Park, live music at the Winery, and Downtown Tunes in the Square to finish off the evening!

Five weddings scheduled for May and June.

Councilmember Roberts commented that staff deserves some credit because a lot more work goes into helping the wedding parties plan their weddings at any of the Town venues.

June First Fridays will feature a selfie scavenger hunt. Guests will be directed to find a designated "Crabby" in participating business, take a picture with it, and show the pictures to event staff. Completed entries will then to be entered in the grand prize drawing for 2 free ½ day kayak rentals from Patuxent Adventure Center.

The Southern Maryland Youth Orchestra has become a valuable partner with us. They played for March First Friday and Earth Day at the Wharf, and will hold their own concert at the Wharf, Saturday, June 10 at 6:30 p.m.

Councilmember Roger Mattingly congratulated the Mayor and Council Members Hammett and Jay Mattingly on being newly re-elected.

Also congratulations to Ms. McKay as she has been awarded the Public Service Award by St. Mary's Chamber of Commerce.

Upcoming Events of Interest/Meeting Reminders:

<u>Date</u>	<u>Time</u>	<u>Event/Meeting</u>
Wednesday, May 11	11:30 AM – 6 PM	2016 Business Showcase & Awards Luncheon So. Maryland Higher Education Center
Friday, May 13	8:30 AM	LBA Meeting @ TBD
Friday, May 13	6:00 PM	LHS Jazz Band Spring Concert @ the Wharf
Friday, May 20	8:30 – 10 AM	Tourism & Hospitality Master Plan Presentation Breakfast @ So. MD Higher Education Center
Friday, May 20	2:30 PM	Mock Council at Leonardtown Elementary School
Saturday, May 21	9 AM – 4 PM	Coastal Arts Market @ Port of Leonardtown Park

Upcoming Events of Interest/Meeting Reminders:

<u>Date</u>	<u>Time</u>	<u>Event/Meeting</u>
Saturday, May 21	11 AM	Great Strides Walk for Cystic Fibrosis @ Wharf
Saturday, May 21	6 – 7 PM	US Navy Band Commodores Jazz Ensemble in the Square
Wednesday, May 25	5:00 PM	Business After Hours hosted by Sotterley Plantation 44300 Sotterley Lane Hollywood, MD. 20636
Saturday, May 28	8:00 AM	Life is Good in LG 5K & Fun Run Leonard's Grant
Saturday, May 28 (Rain date: Sunday, May 29)	11:30 AM – 1 PM	Cruisin' So. Md. For Vets Lunch Stop in the Square @ various restaurants
Saturday, May 28 (Rain date: Sunday, May 29)	6 – 9 PM	Downtown Tunes with Latrice Carr
Monday, May 30	HOLIDAY	Memorial Day - Offices Closed
Friday, June 3	5 -8 PM	Where's Crabby Scavenger Hunt First Fridays
Friday, June 10	8:30 AM	LBA Meeting @ TBD
Friday, June 10	6:30 PM	So. MD Youth Orchestra & Choir Concert Leonardtown Wharf Park
Saturday, June 11	11 AM – 8 PM	Annual Crab Festival @ the SMC Fairgrounds
Tuesday, June 14	6:00 PM	Flag Day Celebration @ SMC Governmental Center

Community Development and Strategic Planning - Hayden Hammett

Councilmember Hammett reported a year ago we did start an Economic Development Committee and we put it on hold for a period of time as the County began to work towards a larger tourism plan that included the Town as a major piece. So as that information comes out of the County's Economic and Tourism plan, we can then begin to move forward with our economic committee.

Councilmember Roberts also noted that she hopes the businesses would realize it is in their best interest to be more aware of providing parking spaces to customers instead of their employees parking along the square.

Ms. McKay responded that we are working on a system of residential parking having decals and having an area for residents to park that will be living in the new apartments around the square.

ENR Upgrade – Tom Combs

Councilmember Combs reported that overall the plant is moving along. The electrical contractor has been a bit slow and is catching up. All the concrete forms should be done. MEB is a good company and seems to be on schedule.

Councilmember Roberts inquired about the expansion study.

Ms. McKay responded that they have met a few times and is expecting to receive the proposal shortly.

SMMA Update – Leslie Roberts

Councilmember Roberts reported that we take over SMMA starting in September with myself as President, Roger Mattingly as Vice President and Ms. Dimsey has agreed to again be Secretary. Councilmember Jay Mattingly was elected and appointed as District Vice President to the MML Board. We changed the meeting date to the second Wednesday to avoid overlapping our Workshop meetings. We have MML Convention coming up in June with all attending except Councilmember Roger Mattingly who will be away on a family vacation.

Safety and Emergency Preparedness – Jay Mattingly

Councilmember Mattingly also thanked the citizens for the re-election for the next four years. Also we are looking at various locations downtown for pedestrian signage at the crosswalks.

Councilmember Hammett also added his thanks to the citizens for giving him the opportunity to serve another four years.

Councilmember Combs moved to adjourn the meeting at 5:20 p.m., seconded by Councilmember Jay Mattingly. Motion passed unanimously.

Respectfully Submitted:

Teri P. Dimsey

Approved:

Daniel W. Burris, Mayor

Leslie E. Roberts, Vice President

Thomas M. Combs, Councilmember

Hayden T. Hammett, Councilmember

J. Maguire Mattingly IV, Councilmember

Roger L. Mattingly, Councilmember