

Commissioners of Leonardtown
Town Council Meeting Minutes
June 12, 2006 ~ 4:00 P. M.

Attendees: J. Harry Norris, Mayor
Walter Wise, Vice President
Thomas Collier, Councilmember
J. Maguire Mattingly, III, Councilmember
Leslie E. Roberts, Councilmember

Absent: Robert Combs, Councilmember

Also in attendance were: Laschelle Miller, Town Administrator; Teri Dimsey, Recording Secretary; Stephen, David, Elizabeth, Jane, Bill, and Hazel Beaton, Soap Box Derby family; Dan Burris, LBA.

A complete list of attendees is on file at the Leonardtown Town Hall.

Mayor Norris called the regularly scheduled meeting to order at 4:00 p.m. After the recitation of the Pledge of Allegiance, Mayor Norris proceeded to take up the first item of business.

Approval of Minutes:

The meeting minutes for the May 8, 2006 Town Council meeting were presented for approval.

Mayor Norris entertained a motion to approve the May 8, 2006 Town Council meeting minutes. Councilmember Collier moved to approve the minutes, seconded by Councilmember Mattingly; motion passed unanimously.

Soap Box Derby

Mayor Norris congratulated the two division winners of the Soap Box Derby races. Eight-year old David Beaton was the Stock Division winner and Justin Rayle was the Super Stock Division winner.

Mayor Norris asked them to come forward along with Councilmember Mattingly, Linda Shepherd, Events Coordinator and Soap Box Derby Director, Mr. Chris Hayden for presentations and photographs were taken. The winners were presented with a variety of gifts from the Town along with a silver star key chain engraved with Stock Champion, Southern Maryland 2006 Soap Box Derby.

Mr. Hayden expressed his thanks to the Town of Leonardtown for hosting this event along with the Lions Club and the Derby's new partner Cedar Point Federal Credit Union. Over 250 to 300 people came to watch the Derby this year. He also added a special thanks to Officer Maloy.

Mayor Norris noted that this event was started seven years ago at the request of former Councilmember Bernard Delahay and he also thanked the Lion's Club for their work.

Residential Fire Sprinkler Presentation – LVFD - St. Mary's County Commissioner Tom Mattingly expressed his thanks to the Council for giving them the opportunity to come back before the Council to share with them more information regarding the Residential Sprinklers along with the Fire Department. Commissioner Mattingly turned the presentation over to Gerald Gardiner, Chief, Fire Department. They are joined by Perry Jones, Carroll County Commissioner, Mr. Taylor, Maryland State Firemen Association, Maryland Fire Marshall's Office, Doug Alexander, Maryland State Fire Association Sprinkler Technology Committee, Speedy Nelson, Chairman of the St. Mary's Fire Board Code, George Kalnasy, President Leonardtown Fire Department and Tom Mattingly Jr., Public Safety, Leonardtown Fire Department.

They are here to update and request that the Town mandate Residential Sprinklers in new residential homes. Within the next one and two years, Leonardtown has plans for new developments with potentially 600 homes and another 700 homes in the next three to five years.

Some important things about sprinkler systems to note:

- Lifesaving
- Property loss reduction
- Life loss zero
- Protects exposure
- Saves neighbors homes, as homes today are built very close together

They all made statements as to the value of the Town enacting legislation for developers to install Residential Sprinklers.

A fifteen-minute video presentation was shown to stress the value of installing the system in a new home.

Council Members asked a variety of questions for clarification and information.

Commissioner Mattingly commented that they had spoken with both Marrick and Quality Built Homes and they did not object to the residential sprinkler concept, what they were concerned with (included in a letter which he will supply us with a copy) was the fact that it was not countywide, that it was only in the incorporated Town. Traditionally these regulations start in the incorporated Town to set the example and be the model for the development of this type of local Ordinance and then move forward into a countywide Ordinance. With regard to legislative authority, last year, the County had requested legislative authority for a tax credit program to help the property owners recover some of their costs and found out that this authority already

exists; it is just a matter of the County adopting a local Ordinance. If the Town does agree to support this initiative, I fully intend to submit that as part of a program within the County government. It may affect the ISO rating in Town and enable a better fire rating for the insurance underwriters as well.

We have a County Ordinance for a sprinkler option on major subdivisions 25 lots and over and one developer did inquire about that. It allows them to adjust the domestic water system in the development if they agree to put sprinklers in all the homes.

They concluded with questions and answers and thanked the Council for their time and attention.

Mayor Norris thanked them all and expressed that this is an important issue and the Council will consider it very carefully.

Police Report – Deputy Gray Maloy

A quiet month but he has been very active with events such as the bicycle races and Soap Box Derby.

Treasurer’s Report – Laschelle Miller

At this time, we are 92% through the budget year. \$75,000 was transferred to the MLGIP during May.

Budget Amendment – BJ03-06 to modify the FY06 budget. When we adopted the budget, we were in the process of negotiating our contract extension with Waste Management. Due to the drastic change in projected revenue and expense, this budget amendment is recommended to incorporate the service charges that went into effect July 1, 2005, and the revised service charges effective April 1, 2006, and the use of retained earnings to pay for the fuel surcharge that applies to these rates. *Action is required today.*

Mayor Norris entertained a motion to approve Budget Amendment BJ03-06. Councilmember Collier moved to approve Budget Amendment BJ03-06, Councilmember Mattingly seconded. Motion passed unanimously.

Ms. Sothoron anticipates preparing an overview of several capital projects that have been complete or in process for next month.

The new utility billing system has been completed and the new bill formats will be going out with the June 30 billing.

We have pursued funding from MDE for the expansion of the WWTP and do not have to attend the public hearing, mentioned last month, however, we have talked with MDE and they have assured us, because of our Priority Place designation, that we will have funding and do not need to attend the hearing.

Eleven residential occupancy permits were issued in May.

Tudor Hall Water Tower – The tower has accumulated some algae/mildew growth on the outside of the tower. There is no evidence it is harming the finish. It was built in 1991 and has not had any treatment or washing since that time. We have looked at several companies to obtain cleaning quotes and they are coming in between \$7,000 and \$12,300. We do have enough money currently in the budget. Our concern is that this process could damage the paint finish so we have not selected the best method to use. As discussed during our workshop last week some of the water projects had to be put on hold until 2011 because of the water and sewer upgrade. Staff wants to know if the Council feels strongly about improving the appearance of the tower and if so, we will bring back a recommendation next month.

Councilmember Roberts asked if we were sure this was just algae/mildew?

Ms. Miller responded we have had companies come out and look at and it is just algae/mildew growth.

Councilmember Wise commented that it should be taken care of?

Ms. Miller replied that this will be brought back before the Council with a recommendation of the best method to do the job.

Ms. Miller reported that St. Mary's County Government denied the Town's request to be added to the County's health insurance plan and we will be looking into other options for our employees.

Mayor Norris will contact Mr. Forest, County Administrator, for a detailed explanation.

Planner's Report – Laschelle Miller

Upcoming meeting agenda:

- St. Mary's Hospital expansion
- Old Lumber Co, LLC Project
- AutoZone - Final Site Approval

Town Administrator Report – Laschelle Miller

Charter Amendment 06-01 – Water and Sanitary Sewer Fees and Charges – This Charter Amendment is the first of many upcoming Ordinances, Resolutions and Charter Amendments necessary to implement policies to enter into agreements with developers for development fees, infrastructure agreements and other necessary documents. This Amendment clarifies that the Council has the ability to levy water and sewer capacity charges and impact fees. This Charter Amendment can be voted on today and will be effective in 50 days after being advertised in the newspaper for four consecutive weeks.

Councilmember Roberts moved to approve Charter Amendment 06-01 – Water and Sanitary Sewer Fees and Charges, Councilmember Mattingly seconded, motion passed unanimously.

Introduction of Ordinance No. 125 – Public Works Agreement

This is the second document of the series being introduced today and will be brought back before the Council at the July meeting for adoption for the purpose of establishing the requirement for public works agreements for public improvements within new developments.

Used Town Trucks Bid – Two bids were received for all three trucks. Mr. Cline bid \$779.68 and Mr. Langley bid \$675.00. Staff recommendation is to award the bid to Mr. Cline in the amount of \$779.68.

Councilmember Wise asked if these were dealers or individuals and if individuals did they have a restriction on the number of vehicles they could purchase if they were planning on buying and then selling?

Ms. Miller responded they were individual purchasers and was not aware of a restriction. She did not think the bidders planned to resell the trucks they were for their own business or personal use only.

Mayor Norris commented that we should award the bid, but staff will look into the restriction to see if there is any legal reason we should not award the bid.

Councilmember Collier moved to accept Mr. Richard Cline’s bid, Councilmember Mattingly seconded, motion passed unanimously.

Crozier and Associates – This subject was brought before the Council during the May meeting. Council asked for a memorandum detailing the reason for the overage, which was for additional duties the Town requested for the waterfront plan. We use Mr. Crozier’s services quite frequently and have asked him to maintain a better recordkeeping system. Staff will also monitor his expenses more closely. We are requesting approval today to pay the overage cost of \$5,000 out of the Park and Recreation budget for unused consultant fees.

Councilmember Roberts commented that we had so many extras we requested of Mr. Crozier at the last moment that were not in the original scope of work. Next time, we will be aware we are expanding the scope, but Mr. Crozier will need to provide a service quote before proceeding.

Councilmember Roberts moved to approve payment of \$5,000 to Crozier and Associates; with conditions that Mr. Crozier provides a service quote before proceeding.

Discussion:

Councilmember Collier commented that he would not like to see this happen again.

Councilmember Mattingly seconded, Councilmember Collier abstained, motion passed with one abstention.

Stearns and Wheler – Part 2 of the Expansion Engineering and Design Proposal

In August 2005, they were awarded the Design and Engineering authorization for the WWTP upgrade in the amount of \$1,088,587. At that time we discussed bringing forward the second part of the proposal at a later date for the land application portion of the expansion. The proposal is for an hourly fee for services up to a maximum of \$50,000. If we find land we can quickly process and get testing done we will be under this budget, but if we have to keep looking at different parcels it could add up to the \$50,000.

Councilmember Roberts moved to approve Part 2 of the Expansion Engineering and Design upgrade proposal for the WWTP, Councilmember Mattingly seconded.

Discussion:

Councilmember Collier requested that staff follow strict documentation to ensure we are made aware of any potential cost overruns.

Ms. Miller explained that Stearns and Wheeler have a very structured system but staff will monitor closely.

Motion passed unanimously.

Leonardtwn Wharf Update - A number of documents are included in your packets providing updates on the status of the Wharf project. They are:

- Timeline of Construction – A pre-construction meeting was held on June 8th and all members of the design team, as well as, a number of representatives from Cianbro and WM Davis were in attendance. The meeting was very successful and you will begin to see activity on the site this week.
- Cost/Funding – The County approved the 1.1 million dollar request at their May 30th meeting. This brings us up to enough funding to complete Phase 2. Authorization is needed to issue the Notice to Proceed for Phase 2 to avoid the 5% increase agreed to at last months meeting. Council already agreed to the NTP up to \$2,714,000. Authorization would be revised to award up to the \$3,744,000 currently available. Ms. Dotson and I are working on a number of grants that have deadlines in the next few weeks with State agencies to fund the final 1.5 million. Action needed today to proceed.

Councilmember Roberts moved to approve the Notice to Proceed up to the funds we presently have available which is \$3,744,000 for Phase 2 to avoid paying the August 1, 2006, five percent increase deadline, Councilmember Mattingly seconded, motion passed unanimously.

- List of Design Services – Staff plans to oversee/manage the construction and perform as much of the inspection services as possible. However, there are some items that we do not have the expertise and would like authorization to utilize members of the design team on an as needed hourly basis to try and hold down additional costs of the project. Action needed today to proceed.

Councilmember Mattingly moved to grant approval to Ms. Miller, Town Administrator, to use the design team members on an hourly basis as needed while overseeing the Leonardtown Wharf project, Councilmember Roberts seconded, motion passed unanimously.

- Project Spreadsheet – Shows the major projects and which staff will be dedicating significant effort to the individual projects.

Ms. Miller commented that we have also received an additional \$25,000 grant from MDE this week to look at the collection system and the old lines to see where we have problems. This also includes help to get the GIS system up and going to avoid future overflows.

Streetscape Update – Staff met with the SHA design team on June 2 to finalize design and coordinate the water and sewer upgrade project. The water and sewer project will go out to bid in September and construction will start in late fall. The streetscape will go out to bid late spring 2007 and begin construction in summer 2007. We are trying to finalize some lighting issues and other design issues and will bring a full design update to you in the near future.

Irrigation System – In the 2007 budget an irrigation system for the plants in the town square was approved in the amount of \$13,800. Woodlawn obtained this figure from Atlantic Irrigation in August of 2005. We have updated the estimate upon approval in the budget and the revised proposal came in at \$15,180. Bill Wood has researched the best systems and has worked well with this company in the past. Staff recommendation is to award the contract to Atlantic Lighting and Irrigation through the Woodlawn contract. Mr. Wood will oversee the installation. We will confirm the funds for the additional \$1,380. At this time we believe there are available funds in the Recreation and Parks fund. Action needed today, a budget amendment may be needed at a later date and requires your approval to waive the bid procedure.

Councilmember Roberts moved to increase the funding amount of the sprinkler system to \$15,180 and to accept this recommendation without going through the bid process, Councilmember Mattingly seconded.

Discussion:

Councilmember Mattingly asked if this system was necessary?

Ms. Miller responded that the Town has a lot of money invested in the trees and plantings and Mr. Wood supplies his own water during the summer to save the trees and plants, at his own cost.

Mayor Norris noted that this was suggested several years ago and the Town decided not to install the system at that time but the cost continues to go up.

Councilmember Wise commented that he would object as he feels any costs over \$10,000 should be put out to bid.

Mayor Norris commented that we have been told this is the best time to install this system and this system will save us considerable money and avoid replacement plantings if the trees and plants are not taken care of.

Councilmember Collier asked what would be the difference if we tabled this for a year?

Ms. Miller commented that we have let this go for the last several years and the price has gone up. We have placed this in the 2007 budget for the original amount but require your approval for these additional funds.

Motion passed unanimously.

Mayor Norris commented that the Singletree HOA has had numerous problems with their stormwater management and the Town is trying to help and work with both the HOA and Mr. Dillow to resolve this issue. The Singletree HOA is also experiencing problems within their HOA which is causing some difficulties.

Council Reports:

Councilmember Mattingly reviewed the upcoming events:

Events – Councilmember Mattingly:

Upcoming Events of Interest/Meeting Reminders:

<u>Date</u>	<u>Time</u>	<u>Meeting</u>
Monday, June 12	5:30 PM	Chamber of Commerce Annual Meeting @ St. Mary's College
Tuesday, June 13	9:00 AM	Chamber Tourism Meeting @ Charlotte Hall Welcome Center
Wednesday, June 14	8:30 AM	LBA Meeting @ Café des Artistes
Wednesday, June 14	6:00 PM	Flag Day @ Governmental Center
Friday, June 16	7:00 PM	2006 River Concert Series begins @ St. Mary's College (Friday evenings)
Wednesday, June 28	7:30 AM	Governmental Affairs Committee @ SMC Airport Conference Room
Wednesday, June 28	5:30 PM	Business After Hours @ Summerseat Farm/Summerseat Sanctuary

Sunday, June 25 - Wednesday, June 28		MML Convention @ Ocean City
Tuesday, July 4		Independence Day Holiday – Office closed
Tuesday, July 4	5-10 PM	Freedom Fest 2006 @ County Fairgrounds
Saturday, July 8	4-10 PM	Potomac Jazz & Seafood Festival @ St. Clement’s Island Museum
Wednesday, July 12	12 Noon	Lunch-time Concert on the Square performed by “Quatronic”, the St. Mary’s College Jazz Quartet
July 14 - July 16		Maryland to Kentucky Reunion
Saturday, August 5	4 PM - 9 PM	Beach Party on the Square
August 10 - August 12		Bluegrass & Country Music Festival @ Goddard Farm

Streets and Roads – Councilmember Wise:

Councilmember Roberts asked what was happening along Abell Street? They have replaced some lines and it now needs paved over?

Councilmember Wise asked when he could start doing some long overdue road repairs, such as Duke Street?

Ms. Miller will look at the Highway User Funds for 2007 and get back to Councilmember Wise.

Landscaping & Grounds Maintenance– Councilmember Combs: Absent

Capital Projects – Councilmember Collier: No Report

MML/SMMA – Councilmember Roberts:

During the last MML meeting, the next Town (in alphabetical order) takes over. This year Leonardtown will be in charge, and Councilmember Roberts is now President for the next year, Councilmember Mattingly agreed to be Vice President and Ms. Dimsey agreed to serve as Secretary. Ms. Dimsey joined me at the last meeting to observe and also took the minutes. The next official meeting will be in September in La Plata and then in November (date to be determined) in Leonardtown for the Legislative Dinner (which has been budgeted).

Adjournment:

Mayor Norris entertained a motion to adjourn. Councilmember Mattingly moved to adjourn the meeting. Councilmember Collier seconded the motion, which passed unanimously. The meeting adjourned at 6:30 P. M.

Respectfully Submitted:

Teri Dimsey, Recording Secretary

Approved:

J. Harry Norris, III, Mayor

Walter Wise, Vice President

Thomas R. Collier, Councilmember

Absent

Robert C. Combs, Councilmember

J. Maguire Mattingly, III, Councilmember

Leslie E. Roberts, Councilmember