

Commissioners of Leonardtown
Town Council Meeting Minutes
January 8, 2007 ~ 4:00 P.M.

Attendees: J. Harry Norris, Mayor
Thomas Collier, Councilmember
Robert Combs, Councilmember
J. Maguire Mattingly, III, Councilmember
Leslie E. Roberts, Councilmember

Absent: Walter Wise, Vice President

Also in attendance were: Laschelle Miller, Town Administrator; Jennie McGraw, Plans Reviewer; Rebecca Sothoron, Town Treasurer; Jackie Post, Fiscal Clerk; Mary Ann Murray, Murray and Wamsley; Dan Burriss, LBA; Tommy Mattingly, County Commissioner;

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 December 11, 2006 Town Council meeting were presented for approval.

Mayor Norris entertained a motion to approve the December 11, 2006 Town Council meeting minutes; Councilmember Mattingly moved to approve the minutes, seconded by Councilmember Collier; motion passed unanimously.

Police Report – Deputy Maloy

Deputy Maloy reported that he had concentrated on sensitive traffic areas by being very visible and had noticed an increase of activity along Moakley Street due to the hospital construction and traffic being re-routed. During the month of December there were only three accidents.

Mayor Norris commented that he had met with St. Mary's County Commissioner President Russell and Commissioner Mattingly on a variety of issues and noted that one of the biggest complaints we get is the traffic along Route 5. They discussed the possibility of more radar

enforcement along Route 5. In the past, we have asked the State Police and the Sheriff's department to work with us for a heavy concentration of radar along Route 5; one of the problems was to find a staging area for multiple vehicles. Mayor Norris noted that Mr. Wayne Davis was present and asked if they could obtain his approval to use the Pennie's site as a staging area. We do have a meeting scheduled to meet with Sheriff Cameron.

A resident in attendance asked the Mayor if it was possible to lower the speed limit along Route 5?

Mayor Norris responded that it was up to the State and in previous conversations they have indicated that is not one of their solutions. This has been ongoing for years and there is no simple solution. Although the State has ultimate authority along Route 5, the Town can make recommendations and we will continue to do so.

Treasurer's Report – Rebecca Sothoron

Ms. Sothoron remarked that in Council's packets is the December financial information. During the month of December \$260,000 was transferred to the checking account. Two large construction payments were made on the Wharf project.

Councilmember Roberts asked if we have received any monies through grants to cover this.

Ms. Sothoron replied yes, we have received almost one million dollars between the County and the State and continued to report that we are 50% through the budget year. Financial software was recently upgraded but ran into a bug in the system and we are working on resolving this problem.

Budget time is coming up and will need to submit the tax rebate request to the County by the end of the month. The State Uniform Financial Report was successfully submitted via the Internet today.

The budget calendar submitted at the prior meeting requires Council approval today.

A consensus was reached by all councilmembers to approve the budget calendar as presented.

Ms. Sothoron stated that any special requests for any budget items to be incorporated into the draft budget document needs to be submitted by Friday, February 9, 2007.

Planner's Report – Jennie McGraw

For the January 16, 2007 Planning and Zoning Commission meeting, the following cases are on the agenda:

- Case #87-06: Breton Market Place, three office buildings, W.M. Davis, Concept Approval
- Case #7-06: CSM Wellness Center, Concept and Final Approval for the Wellness Center
- Case #3-07: Governmental Center Meeting Room, Concept Approval
- Case #151-05: Brinsfield's Funeral Home for recommendation to the Board of Appeals, Tabled
- Case #113-06: Tom McKee on Lawrence Avenue and Washington Street, Concept Discussion
- Case #122-05: Leonardtown Landing, Phase II for Final Site Plan Review/Comment Only
- Case #1-07: McKay's Food and Drug for small addition on the old Super Fresh

Mayor Norris clarified that Mr. McKee was just coming in for comments.
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Town Administrator's Report – Laschelle Miller

Liquor License Request for Thomas F. McKay - McKay's Food and Drug is opening in the vacant Super Fresh site at Shops of Breton Bay. They are pursuing an off site sales liquor license under Thomas McKay's name. A few years ago the Town gave a letter of support for this location to Mattingly's when they were pursuing a transfer of their store. McKay's will be submitting a plan for a small addition to house the liquor store next to the existing space at the Planning meeting next week.

Councilmember Roberts inquired as to where the addition is going. Are you building a new space or are you taking over additional space?

Mr. McKay stated they would be building additional space to the left of Super Fresh. There was a plan for an expansion of the Super Fresh and instead of expanding the grocery store we will be building a new addition for the liquor store.

Mayor Norris asked what the regulations are for the liquor board. Do you need a separate space, and you can't incorporate that into the grocery store.

Mr. McKay replied that a supermarket, unless grandfathered in prior to 1982, couldn't get a beer/wine alcohol beverage license. You have to have a separate business including a separate building.

Mayor Norris asked if there would be a connecting entrance between the two buildings

Mr. McKay replied that that has not been determined. We have to keep the two operations separate but we will be discussing this issue.

Mayor Norris remarked that this is for off-site sales only.

Mr. McKay responded yes.

Mayor Norris commented that everyone on the Board and Town is excited to see a McKay's Grocery store move into this site.

Councilmember Roberts moved to send forward a letter of support for an off-site liquor license; Member Collier seconded, no further discussion, motion passed unanimously.

Liquor License Request for Salsa's Mexican Café - Victor and Arturo Llamas from North Carolina will be opening a Mexican restaurant at Breton Market Place. They have requested a letter of support for a liquor license to serve alcoholic beverages on site.

Ms. Miller noted that there was no representative in attendance but the builder Mr. Wayne Davis was available for comment.

Mr. Davis remarked that he has been at one of the Salsa restaurants that the owner has at another location. He has several Salsa restaurants in other locations in North Carolina, South Carolina and West Virginia.

Councilmember Collier moved to send forward a letter of support for an on-site liquor license; Member Roberts seconded, no further discussion, motion passed unanimously.

Liquor License Request for The Maryland Antiques Center Tea Room - Dot Sparling is requesting a Class B liquor license allowing both on and off site sales. Previously the Town gave a letter of support to the Tea Room for a wine/beer license for on site sales but that was never followed through.

Ms. Miller noted that Ms. Dot Sparling was in attendance.

Ms. Sparling came forward and introduced Bea and Shawna Cravis who will be helping with the restaurant. She explained that as our property is adjacent to the Port of Leonardtown, our plan is to work with the folks associated with coordinating the winery and public park and to help support the local wine growers and the winery with sales in the Tea Room. We plan to serve wine and also sell bottles of wine.

Member Collier asked for an explanation of a Class B license.

Ms. Miller responded that a Class B license is a full liquor license for both on and off-site sales. In the past the Town has supported on-site sales for restaurants either wine or beer if they requested or a full liquor license. Off-site sales we have not done any letters of support in recent years other than for instance, Good Earth and Pam Coerber on Fenwick Street but they are not on-site and are strictly off-site wine and beer.

Councilmember Roberts asked why do you want a full liquor license for hard liquor?

Ms. Sparling noted that we want to be able to incorporate coffees and we want to be able to offer other drinks during meals.

Councilmember Collier asked if they needed a Class B license?

Ms. Miller remarked that they did not think they could get off-site sales for just wine and beer but Pat with the liquor board indicated they could. If Council agrees, it is okay to support off-site sales for the wine and beer and on-site full liquor license for the restaurant.

Councilmember Collier moved to send forward a letter of support for an on-site sale full liquor license and off-site license for wine and beer sales; Member Mattingly seconded, no further discussion, motion passed unanimously.

Ordinance #126 - Water and Sewer Capacity Allocation Charges and Connection Fees - This ordinance was introduced last month and is intended to codify the rate structure currently in place. This fee is collected to cover capital charges associated with new connections to the water and sewer system. These fees are payable at occupancy permit.

Councilmember Collier moved to approve and adopt Ordinance #126; Councilmember Roberts seconded; no further discussion, motion passed unanimously.

Ordinance #127 - Development Impact Fees- This ordinance was also introduced last month dealing with the impact fees collected and set aside for growth related projects. The fees will be collected at occupancy permit.

Councilmember Collier moved to approve and adopt Ordinance #127; Councilmember Roberts seconded; no further discussion, motion passed unanimously.

Ordinance #129 - Wastewater Impact Fees- This ordinance was introduced last month to increase the sewer impact fee from \$2,850 to \$13,000.

Councilmember Mattingly moved to approve and adopt Ordinance #129; Councilmember Combs seconded; no further discussion, motion passed unanimously.

Ms. Sothoron commented that it is important to note that the fee of \$13,000 is based on estimated construction costs. It is my intention to revise that, if necessary, once the actual construction costs are known and in our conversations with the developers, of the three big neighborhoods that are coming into Town, will be apprised that this fee may be revised and they will be required to pay the actual fee.

Ms. Miller noted that there is a twenty-day period until the ordinances go into effect, which would be January 29, 2007.

Streetscape Water and Sewer Project - Bids were opened for the re bid of this project on December 21st. Staff is meeting with the engineers on Friday, January 5th to review the bids and make a recommendation. A separate overview will be provided for the meeting. We are still not prepared at this time to move this forward and are still evaluating the apparent low bidder and looking at alternatives. We did have four or five bids this time, still significantly higher than we budgeted, so we are looking at where we go.

Route 5 Widening - I contacted SHA regarding status on the design work for the Route 5 widening (since the funding was announced). We have a meeting scheduled for the first part of February in Annapolis with the design team. They have been working on choosing a consultant to work on the design.

Mayor's Report – Mayor Norris

For the past four years, Commissioner McKay held a monthly multi-agency meeting and had extended an invitation to include the Town as a courtesy and was a big help to us. Commissioner Russell is going to continue to hold those monthly meetings and has extended the same invitation to the Town.

Also, I sent a letter to the County Board of Appeals in regard to the increased traffic pattern through the Town, not about where the landfill will be located. In the paper, it came across as opposition to the County Commissioners. I have written another letter to clarify that the Town's only concern was the impact of the increased traffic through the Town.

Council Reports:

Events – Councilmember Mattingly:

Upcoming Events of Interest/Meeting Reminders:

<u>Date</u>	<u>Time</u>	<u>Meeting</u>
Tuesday, Jan. 9	9:00 AM	Chamber Tourism Committee meeting @ Chamber Office (SM Airport Conf. Room)
Wednesday, Jan. 10	8:30 PM	LBA Meeting @ Mercantile So. Md. Bank
Saturday, January 13	6PM-10 PM	Snow Ball fellowship sponsored by the College of So. Md. and the Community Mediation Center of SMC @ CSM Leonardtown Campus
Monday, Jan. 15		Town Office Closed
Monday, Jan. 15	8:30 AM	So. Md. Martin Luther King, Jr. Prayer Breakfast @ St. Mary's College Campus Center
Wednesday, Jan. 17	11:30 AM	Chamber Membership Luncheon @ Outback Steakhouse (RSVP by Jan. 12 th)
Wednesday, Jan. 17	6:30 PM	SMMA Dinner & Business Meeting @ Neptunes Restaurant, North Beach
Wednesday, Jan. 24	7:30 AM	Governmental Affairs Committee Meeting @ Chamber Office
Wednesday, Jan 24	5:30 PM	Chamber Business After Hours @ O'Brien Realty, California
Saturday, Jan. 27	6:30 PM	Leonardtown Vol. Rescue Squad Dinner & Installation of Officers and Award Banquet @ Fire House
Thursday, Feb. 8 & Friday, Feb. 9		Maryland Mayors Association Conference @ Loews Hotel, Annapolis

Grounds – Councilmember Combs:

No report

Streets and Roads – Councilmember Wise: No report

Capital Projects – Councilmember Collier:

The Wharf project is going well and they are finishing up on the pilings. Well #5 is ready to go, we are just waiting on a final construction permit.

MML/SMMA – Councilmember Roberts:

I plan on attending the General Assembly Open House General hosted by MML on Wednesday if anyone is interested in attending. I received an email and will have Ms. Dimsey forward this information. Governor O’Malley and Lt. Governor Brown will be at Solomon’s Pier on Thursday night, January 11 from 5:00 p.m. to 7:00 p.m.

Adjournment:

Councilmember Mattingly moved to adjourn the meeting. Councilmember Collier seconded the motion, which passed unanimously. The meeting adjourned at 5:00 p. m.

Respectfully Submitted:

Teri Dimsey, Recording Secretary

Approved:

J. Harry Norris, III, Mayor

Absent
Walter Wise, Vice President

Thomas R. Collier, Councilmember

Robert C. Combs, Councilmember

J. Maguire Mattingly, III, Councilmember

Leslie E. Roberts, Councilmember
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