



# Commissioners of Leonardtown

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J. HARRY NORRIS  
Mayor

LASCHELLE E. MILLER  
Town Administrator

## **Commissioners of Leonardtown** **Town Council Meeting Minutes** **May 19, 2008 ~ 4:00 P.M.**

Attendees: J. Harry Norris, Mayor  
Walter Wise, Vice President  
Dan Burris, Councilmember  
Thomas Collier, Councilmember  
Robert Combs, Councilmember  
Leslie E. Roberts, Councilmember

Also in attendance were: Laschelle Miller, Town Administrator; Rebecca Sothoron, Town Treasurer; DeAnn Adler, Plans Reviewer; Teri Dimsey, Recording Secretary; Jackie Post, Fiscal Clerk. A complete list of attendees is on file at the Leonardtown Town Hall.

Mayor Norris called the regularly scheduled meeting to order at 4:05 p.m. After the recitation of the Pledge of Allegiance, Mayor Norris proceeded to take up the first item of business.

### **Swearing in Ceremony**

Ms. Joan Williams, Clerk of the Court, Circuit Court of St. Mary's County came forward and asked Mayor J. Harry Norris, III to come forward to be sworn in as Mayor of the Commissioners of Leonardtown.

Ms. Williams asked Mayor Norris to raise his right hand and asked him to repeat after her as she read the Oath of Office. Mayor Norris did so and was sworn in.

Mayor Norris requested that Ms. Williams also swear in the newly elected Council Members, Mr. Dan Burris and Mr. Walter Wise.

Ms. Williams asked them to come forward and asked them to repeat after her as she read the Oath of Office, which they did and Mr. Dan Burris and Mr. Walter Wise were sworn in.

Ms. Williams congratulated everyone and Mayor Norris thanked her for her service.

### **Special Presentation**

Mayor Norris asked former Council Member J. Maguire “Mock” Mattingly, III to come forward and presented Mr. Mattingly with a plaque that reads:

J. Maguire Mattingly III, Commissioner of Leonardtown - 2003 to 2008 – In appreciation of your leadership and commitment to the citizens of Leonardtown while serving our Town.

Mr. Mattingly thanked the Mayor, Council members and stated that he enjoyed his term of office and it was a very good learning experience.

### **Approval of Minutes:**

The meeting minutes for the April 14, 2008 Town Council meeting were presented for approval.

**Mayor Norris entertained a motion to approve the April 14, 2008 Town Council meeting minutes; Councilmember Collier moved to approve the minutes; seconded by Councilmember Wise; no further discussion, motion passed unanimously.**

### **Treasurer’s Report – Rebecca Sothoron**

Ms. Sothoron reported that Councils’ packets contain financial information for April. During the month of April, \$95,000 was transferred to the checking account to cover expenses and we are 83% through the budget year. The County sent us a very large reimbursement payment in May of \$381,000 for the Wharf. Presented today are three budget amendments, two of which, BJ03 and BJ04, require your approval and one, BJ02, is for information only to move money from one expense line item to another expense line item and the description is to transfer funds to cover monthly maintenance costs for our property tax software. The final contract negotiations took place after the FY08 budget was adopted and I am able to use savings from the accounting line items to pay for that.

Budget Amendment 03 is to appropriate funds to cover the cost of the Wharf Public Park Parking and Traffic Study. This was a Council approved project but the funding was not formally put to paper. The amount was \$16,000; I was able to use money from the other operating expenses in the Recreation and Parks Department so no new money was needed to pay for this study.

Budget Amendment 04 is to appropriate additional funds to cover the cost of water leak repairs during FY08, the financial report reflects that the water line maintenance account is already over budget.

Councilmember Combs asked if this is for the construction work in preparation of the streetscape.

Ms. Sothoron responded no, once all of those costs are collected and included, a budget amendment will have to be brought before the Council. This is for all of the leaks we have experienced which is the highest I have ever seen.

**Councilmember Collier moved to approve Budget Amendments 03 and 04 as presented; seconded by Councilmember Combs, no further discussion, motion passed unanimously.**

Ms. Sothoron reported that a few customers were sent reminder tax notices for overdue tax payments.

**Buffalo Wings and Beer Liquor License Request** - Ms. Miller stated that Mr. Reed, of Buffalo Wings and Beer (BWB), was here today to answer any questions Council may have on his liquor license request. They presently have a license to sell beer and wine, which was issued in May of 2007, but they are requesting to upgrade their license to carry liquor on-premises only, as well as, beer and wine.

Mayor Norris opened the floor to Council with any questions or concerns.

**Councilmember Burris moved to approve a letter of recommendation for the change of on-premise only sale of liquor for BWB; seconded by Councilmember Combs, no further discussion, motion passed unanimously.**

Mr. Reed thanked the Council members and commented that his experience of providing food for the Wharf opening was great exposure for BWB. They had folks who came from the Wharf opening to the restaurant to order the cream of crab soup they had provided and also several folks came for dinner.

### **Planning Department – DeAnn Adler**

Last month our Planning and Zoning meeting was held on April 21, 2008. Four cases were heard:

- **Case # 26-08 Lot 71 & Parcel G, Leonard's Grant – Lot Line Adjustment** – Quality Built Homes was asking for a boundary adjustment of 5' for Lot 71 at Leonard's Grant.
- **Case # 136-04 Courthouse Square Project** – Mr. Dean Beck was requesting final concept re-approval of his Courthouse Square project. This project's current approval was set to expire in May 2008.
- **Case # 136-04 (A) Courthouse Square – Minor Subdivision Request** – Mr. Beck was also requesting a 3 lot subdivision request for this project.
- **Case # 38-06 (A) Sterling House – Minor Subdivision Request** – Mr. Beck was also requesting a 2 lot subdivision request for the Sterling House Project.

All of the above projects were approved.

We also had a public hearing on the Zoning Text Amendments for Ordinances 135 thru 140. We presented the changes to the members of the P & Z board. There was no discussion from the public, and the P & Z board sent a favorable recommendation back to the Mayor and the Town council regarding these amendments.

This month's Planning and Zoning meeting was to be held on Monday, May 19, 2008. There are no cases to be presented this month, no meeting will be held. The next meeting will be June 16, 2008.

### **Town Administrator's Report – Laschelle Miller**

Ms. Miller stated that as Ms. Adler reported, there was a Public Hearing held on Ordinance #135 to #140, which were introduced last month. There was no public comment and the Planning and Zoning Commission sent forward a favorable recommendation for all of these ordinances.

Ms. Miller proceeded with a brief description of each of the zoning amendments.

**Councilmember Burris moved to approve Ordinance #135, #136, #137, #138, #139 and #140 as presented; seconded by Councilmember Wise, no further discussion, motion passed unanimously.**

**Police Report – Deputy Simonds**

Ms. Miller stated that Deputy Simonds is unable to attend today's meeting but did submit a written report.

Mayor Norris commented that they met with Deputy Simonds and discussed some of the specific concerns regarding the Leonardtown Wharf such as the skateboarders and the minor acts of vandalism. The Town has an ordinance that prohibits skateboarding on the sidewalks in Town. Deputy Simonds will look at our ordinances and the County's ordinances and come back to us with suggestions.

**Memorandum of Understanding – Port of Leonardtown Winery** – Ms. Miller reported that she and Mayor Norris met with Mr. Bob Schaller with the County and there are still a number of items to be resolved. We will schedule a meeting to resolve the outstanding issues and bring the MOU before the Council at the next Town Council meeting or call a special meeting if needed.

**Program Open Space Consent and Release Agreement – Port of Leonardtown** – This is a document we have been working on with the Department of Natural Resources to remove the Program Open Space restriction off of the Town property and put on the County's property so we are able to operate a winery on that site. It has been approved by the State and we have the agreement document which the State has already signed. Council would need to authorize the Mayor to sign the document and then it will be on the County Commissioner's agenda and they will sign it at that time.

Councilmember Combs asked if this transferred that property to us at this time.

Ms. Miller responded that this document does not transfer the property, just removing the Program Open Space restriction. We are working on other documents for the transfer and will bring that forward when they are ready.

**Councilmember Combs moved to give authorization to Mayor Norris to sign the Program Open Space Consent and Release Agreement on behalf of the Council; seconded by Councilmember Collier, no further discussion, motion passed unanimously.**

**Streetscape Update** – Ms. Greta Hartman with the State Highway Administration came to the recent LBA meeting and introduced herself. She went around and talked to the businesses. She has an office in Town and will be putting out a monthly newsletter which we will place on our website and she is working hard to make sure the project runs smoothly.

Councilmember Collier inquired about the torn up sidewalk in front of the Sterling House under construction.

Ms. Miller responded that the builder, Mr. Beck, has been working closely with the SHA contractor, Corinthian, and has coordinated his efforts to conform to their plan to ensure that the sidewalk would not have to be redone a second time.

Ms. Hartman wants to hear from us, any questions or concerns. She will be meeting with the Staff to bring everyone up to speed.

Councilmember Collier would like to see her remind the builders and the contractors that they need to be sensitive to the safety of our pedestrians and our blind resident Mr. Stokel in particular as they tear up the sidewalks to offer an alternative route or assistance.

Ms. Miller remarked that she and Mayor Norris met with representatives of Newtowne Village to discuss their concerns and pass them along to SHA.

**Leonardtown Wharf** – Concerns have been raised about what will be allowed and not be allowed at the Wharf Park and a draft has been prepared for signage to be placed down at the Wharf Park. It indicates that no skateboarding, biking or scooters, no fishing or crabbing, no swimming or diving, pets must be kept on a leash and must be cleaned up after. If Council agrees, a sign will be placed at the entrance of the Wharf Park and once the fences are down, more signs will be strategically placed.

Councilmember Combs commented that he is sorry there is no crabbing or fishing but some have already started using the benches as cutting boards to cut bloodworms, this ruins it for everyone else.

Council members agreed to the language for the sign and for it to be prominently placed at the entrance of the Wharf.

Councilmember Collier inquired if a time limit/restriction, of say two hours, will be placed on parking down at the Wharf.

Mayor Norris noted that this may be a real possibility in the future but not necessary at this time.

Councilmember Burris stated that we should monitor this for a few months and bring it forward again at a later date if it becomes an issue.

Council members commented that they have all received many compliments about the signage at the Wharf and the entire Wharf.

Mayor Norris brought forward a letter received from Ms. Gibson, who wrote to say how she used to attend parties down at the Wharf, saw its decline and was so happy to see it come alive again.

Mayor Norris also noted that there were two large bus loads of folks from Cedar Lane who attended the Wharf Opening and they would very much like to see the Wharf included in the STS bus stops. We will work on making that happen.

### **Council Reports:**

Mayor Norris noted that with the Council changes he will talk with the various Council members individually. He would ask that Council member Combs stay with Parks and Recreation and Council member Wise to stay with Streets and Roads and Council member Roberts to stay with MML/SMMA.

**Parks – Councilmember Combs:** No report.

**Streets and Roads – Councilmember Wise:** No report

**Upcoming Events of Interest/Meeting Reminders:**

<u>Date</u>	<u>Time</u>	<u>Meeting</u>
Tuesday, May 13	9:00 AM	Chamber Tourism Meeting @ SMC Governmental Center
Tuesday, May 13	11:30 AM	7 <sup>th</sup> Annual Law Enforcement Appreciation Day @ Governmental Center
Wednesday, May 14	8:30 AM	LBA Meeting – location TBD
Wednesday, May 14	10 AM-3 PM	Tourism Day & Festival @ 301 Welcome Center
Wednesday, May 14	1-4:30 PM 5-6 PM	2008 Chamber of Commerce Business Showcase @ So. Md. Higher Edu. Ctr. Closing Reception (see attached flyer)
Friday, May 16	2-7 PM	Wharf Grand Opening and Leonardtown’s 300 <sup>th</sup> Birthday Celebration
Thursday, May 18	7:00 PM	Basket Bingo at LVFD to benefit LVFD Auxiliary @ Firehouse
Wednesday, May 21	8:00 AM	Chamber Legislative Review Breakfast @ Chamber Office, SMC Airport
Wednesday, May 21	5:30 PM	Chamber Business After Hours @ Forrest Hall Farm & Orchard in Mechanicsville (register by May 16)
Saturday, May 24	6PM	Downtown Tunes Concert on the Square – Jazz music
Monday, May 26		Memorial Day Holiday – Town Office closed
Saturday, June 7	9 AM-3 PM	Soap Box Derby on Fenwick Street

Sunday, June 8	Noon-5 PM	SMC Crab Festival @ St. Mary's County Fairgrounds
Saturday, June 14	6:00 PM	Flag Day Celebration @ Governmental Center
June 22-June 25		MML Annual Convention in Ocean City
Saturday, July 12	7-8 PM	Evening Concert on the Square Brass Ensemble
Saturday, July 19	7-8 PM	Evening Concert on the Square Jazz Ensemble
Saturday, August 9	4 PM-9 PM	Beach Party on the Square

**MML/SMMA – Councilmember Roberts:**

Ms. Miller reported for Councilmember Roberts that there is an SMMA dinner this Wednesday evening at Linda's Café at 6:30 p.m. with a brief tour of the Wharf at 6:00 p.m. Please let Ms. Dimsey know if you will be attending.

Councilmember Combs stated that in looking over the expenditures, there seems to be some very large expenses from AAA materials. Is there a possibility we should get a bid for a year's worth of materials?

Ms. Sothoron responded that we have already established another account called Vulcan. This is a blip and all that you are seeing in the expenditures is directly related to the streetscape, water conflict resolution. Our materials bills are usually very insignificant over the course of the year. Because of this, Mr. Grant did some research and determined that we can get a lower price and we have established credit with Vulcan.

Councilmember Combs also inquired about beginning a tri-fold type map of McIntosh Run and information about the kayak services.

Ms. Miller stated that we can begin working on that.

Councilmember Roberts joined the Council at this time, due to another meeting she was unable to arrive at the scheduled time.

**Adjournment:**

**Councilmember Roberts moved to adjourn the meeting. Councilmember Collier seconded the motion, which passed unanimously. The meeting adjourned at 4:50 p.m.**

**Executive Session – Personnel Issues**

Mayor Norris asked Council to stay for an executive session.

Respectfully Submitted:

  
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Teri Dimsey, Recording Secretary

**Approved:**

  
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J. Harry Norris, III, Mayor

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Walter Wise, Vice President

  
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Daniel W. Burnis, Councilmember

  
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Thomas R. Collier, Councilmember

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Robert C. Combs, Councilmember

  
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Leslie E. Roberts, Councilmember