



Commissioners of Leonardtown

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LASCHELLE E. MCKAY
Town Administrator

Commissioners of Leonardtown **Town Council Meeting Minutes** **March 12, 2012 ~ 4:00 P.M.**

Attendees: J. Harry Norris, Mayor
Daniel W. Burris, Councilmember
Thomas R. Collier, Councilmember
Roger L. Mattingly, Councilmember
Leslie Roberts, Councilmember
Walter Wise, Vice President

Also in attendance were: Laschelle McKay, Town Administrator; DeAnn Adler, Plans Reviewer; Teri Dimsey, Recording Secretary; Rebecca Sothoron, Treasurer; Rick Bailey, Marrick Properties; John Oliff, COA; Andy Bice, Quality Built Homes; Capt. M.R. Merican, Ms. Mary Ann Thompson, St. Mary's Sheriff's Office; Deputy Smolarsky, St. Mary's Sheriff's Office; Jay Mattingly, Resident; Tom Warren; Wayne Davis, W.M. Davis; C. Neeley, Resident; Alex Rivera, Resident; Priscilla Hall, Resident; Hayden Hammett, Resident; Ellen Duke Wilson, Leonardtown Elementary; Brad Clements, Kim Howe, Dr. Michael Martirano, St. Mary's County Public Schools; Jack Russell, Dan Morris, Todd Morgan, St. Mary's County Commissioners; Christine Wray, Barbara Thompson, St. Mary's Hospital; George Erichsen, Phil Rollins, St. Mary's County Government; Dick Myers, The Bay Net; Jessica Goolsby, Enterprise; Guy Leonard, County Times. A complete list of attendees is on file at the Leonardtown Town Hall.

Mayor Norris called the regularly scheduled meeting to order at 4:04 p.m. and called for the recitation of the Pledge of Allegiance.

Approval of Minutes

Meeting minutes for the February 13, 2012 Town Council meeting were presented for approval.

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

Councilmember Mattingly moved to approve the February 13, 2012 minutes as presented; seconded by Councilmember Collier.

St. Mary's Hospital 100th Birthday Proclamation - Mayor Norris stated that in attendance today is Ms. Christine Wray, President of St. Mary's Hospital and Barbara Thompson, Chairman of the Board.

Mayor Norris presented them with a Proclamation from the Town, signed by the Commissioners recognizing St. Mary's Hospital's 100 year anniversary.

Ms. Thompson stated that she was very pleased to accept the Proclamation on behalf of the Board of the Directors of the Hospital and noted that there is so much effort that goes into making the hospital such a success and in particular, Ms. Wrey's work over the past twenty years. We are very proud to be part of Med-Star which will bring a lot of additional benefit to the community. We thank you very much for this recognition.

Ms. Wray also remarked that they are very proud and thanked Council for their appreciation.

Tom Warren, Veteran's Day Parade Coordinator

Mayor Norris stated that we have another special presentation today. We wanted to take a moment to honor Mr. Tom Warren, who took over the coordination of the Veteran's Day Parade in 2004 from Mr. Clancy Lyall after working with Mr. Lyall for 25 years. So for over 30 years, Mr. Warren has coordinated the parade in Leonardtown.

Mayor Norris presented Mr. Warren with a plaque and photo as a token of thanks from the Town for recognition of his contributions.

Mr. Warren expressed his thanks.

Treasurer's Report – Rebecca Sothoron

Ms. Sothoron reported that February's financials were provided in Council's packet. There were no transfers to or from the LGIP. We are now 67% through the budget. We did receive a second quarterly distribution that is higher than the same quarter last year. This puts us in a more comfortable position to reach our budget plus have some surplus. Building permits and occupancy permits are well above average for this time of year.

Ms. Sothoron introduced Ordinance No. 154 – Adopting the Budget & Setting the Tax Rate Fiscal Year 2013. The Charter requires that the Ordinance be introduced at least 30 days before adoption. It does have a tax rate established in it but we have not yet had budget workshops. Presently it is the same .1257 but the Ordinance today is just for the purposes of introduction. It would be finalized before the next meeting if your intention is to adopt the budget at the next meeting.

Another item on the agenda is the extension of the trash contract. We had a meeting with the contractor who is interested in the two year contract extension. They presented new proposed prices which are either flat or slightly reduced. The contract normally stipulates a CPI but they are not asking for that and if you were to approve it, we could move forward to finalize some service charges and they are suggesting a change from twice a week residential collection to once a week. The first item to be decided is the extension itself, which would be effective on July 1st. If you choose not to do the extension, then we do the re-bid. We have been very happy with the support they provide. The lines of communication are excellent and they do respond to customer concerns in a timely manner. The next item is if you would like to change to once a week service for trash. Recycling will stay once a week. They explained that once a week service helps to preserve roads, and for safety, it keeps garbage trucks out of residential neighborhoods except once a week. Today the vote is to extend or not to extend and the other details can be worked out before the contract is signed.

Councilmember Collier moved to approve the two-year extension of the trash removal services with Goode Trash Removal; seconded by Councilmember Roberts; no further discussion, motion passed unanimously.

Mayor Norris agreed that it would be beneficial to find out from our residents if they would be agreeable to once a week trash service utilizing our website to obtain information.

Art in the Garden by Leonardtown Elementary School Students

Mayor Norris stated that Ms. Ellen Duke asked to bring her elementary school students to showcase their new project Art in the Garden and they are present today.

Ms. Duke expressed her excitement about Leonardtown Elementary going green and through this activity one of the things they decided to do was to make stepping stones to mark their garden. A great community outreach would be to make a stepping stone for the Town of Leonardtown to be placed in one of the parks on Earth Day. We brought the still curing stone here today, along with some manly help and one of our students, Kate, to present the stone to the Town.

Mayor Norris noted that they will take a walk around the Town and pick out an appropriate place to set the stone for everyone to see. He thanked Ms. Duke, her helper and the young student, Kate, for their and the school's enthusiasm and dedication to go green.

Planning – DeAnn Adler

The Planning and Zoning meeting last month was held on Feb. 21, 2012. We had two cases on the agenda.

Case # 14-05 – Clark's Rest – A request for final site plan approval recommendation to Town Council — received unanimous approval.

Case # 64-04.5b – Leonard's Grant Phase 5b – A request for final site plan approval recommendation to Town Council — received unanimous approval.

This month's P & Z meeting is scheduled for March 19, 2012. We have four cases on the agenda:

Case # 14-05 – Clark's Rest – A request for final record plat approval for Phase 1.

Case # 64-04.5b – Leonard's Grant Phase 5b – A request for final record plat approval.

Case # 64-04.4 – Leonard's Grant Phase 4 – A request for final record plat approval.

Case # 13-11 – 41880 Baldrige St. – Adult Detention Center Expansion/Renovation – Request for final site plan approval.

Mayor Norris reported that there is a Public Hearing on Resolution 1-12 – Annexation Request of 171.81 acres of land, Hayden Farm Property scheduled for 4:15 p.m. and entertained a motion to close the regular meeting.

Councilmember Collier moved to close the regular meeting and open the Public Hearing; Councilmember Wise seconded; motion passed unanimously.

Mayor Norris opened the Public Hearing on Resolution 1-12 – Annexation Request of 171.181 acres of land, Hayden Farm Property and asked Ms. McKay to brief everyone on the Resolution.

Ms. McKay reported that last month we introduced Resolution 1-12. We are holding a public hearing to address this issue and once the official vote is taken, it goes into effect in 45 days. We did post the property and we advertised for four weeks consecutively in local newspapers. We do have representatives from the Board of Education and the County Commissioners to help answer any questions from the public.

We are going to go through the concept plan and what is proposed and it is important to note that at one time there was land application of effluent proposed for this property and that is no longer on the table. We are also required to send packets to the State and local agencies regarding annexation plans which we did, and today we received a letter from the Department of Planning and they did not have any major issues and they are in agreement on the zoning category. We received one written response regarding the annexation hearing; a copy was included in your packet

Ms. McKay asked Mr. Brad Clements and Ms. Kim Howe to begin their presentation of the concept plan.

Mr. Clements set up a variety of drawings and stated that the new concept plan has pretty much kept the same format as originally approved 3 years ago which was designed for both education and recreation. They received planning approval last year for the new elementary school and revisited the plan, looked at having an early childhood center with all day kindergarten and plan to include a preschool in the future but that is more of a budgetary constraint at the moment. They did meet with the County Government and Public Works and Recreation and Parks and then made a few minor changes for community uses and Mr. Clements briefed Council and the audience on the specific changes. The individual site development will come before the Town for final approval. Mayor Norris asked Mr. Erichsen if he had any comments.

Mr. Erichsen, Director of the Department of Public Works, replied that the majority of the items they discussed were traffic related and they are included as part of the annexation plan. There was a joint study done by CSM, St. Mary's Hospital and St. Mary's County, as well as, the Town of Leonardtown regarding Rt. 245 a couple of years ago.

Mr. Phil Rollins, Director of Recreation and Parks, remarked that the park portion of this is covered in the budget and they will work closely with the Board of Education but the construction funding for the park would be in FY15/16 with some longer range future projects also being discussed.

Mr. Jack Russell, Commissioner President, St. Mary's County Government, commented that this will be a great benefit to the school system and St. Mary's County to have this plan move forward.

Dr. Martiano, Superintendent of St. Mary's County Public Schools, noted that with the increased development in Leonardtown, we are seeing a rise in more school-aged children and this project is very important and thank you for your support.

Commissioner Morris remarked that we know how fast Leonardtown is growing and this is a very well laid out project and very much needed to sustain the growth.

Commissioner Morgan stated that he feels it is a great project for Leonardtown and the County.

Ms. Priscilla Hall inquired about the advantage of this project to the Town and asked how it affects our water and sewer capacity.

Mayor Norris responded that the Town does have the capacity to provide water and sewer. One of the criteria for annexing any property into Town is to determine if it is a benefit to the Town. A development usually has tax benefits but this is not going to generate any taxes. The benefit to the Town is the ability to provide educational and recreational facilities for the people who are moving into Town and current residents.

Ms. Joan Ritchie commented that she is concerned about the draw on our water and sewer system from the jail expansion, the new planned school and the Clark's Rest development. There is a disconnect with the information that the residents are getting in terms of these projects. The residents are going to have to pay for an upgrade for the water and sewer treatment plant and there is a genuine concern from the residents that we are not receiving enough information to make an informed decision.

Mayor Norris responded that we will work on communication to better inform the residents of the impact of new growth on the Town and the residents. We have been aware that Leonardtown would grow over time and we did not feel that the current residents should be paying for future development. Because of that, we have done extensive studies as to what it would cost to improve and expand our treatment plant and water system if necessary and we then raised our impact fees.

Ms. Sothoron reported that the impact fee for every new residential home or EDU is \$13,000 for sewer and \$1,800 for water. We have been collecting these funds every time a new connection is made to the system so that when we have to build a new facility that is specifically growth related we will have the funds.

Mr. Norman Norris remarked that he is concerned about the increased traffic along Rt. 245 with the annexation, along with the college, the hospital, Leonard's Grant and the new development.

Mayor Norris stated that we have had numerous studies done that have helped us gain knowledge of today's traffic patterns and future traffic patterns to help us determine the best way to keep on top of making improvements to the best of our ability working with the State Highway Administration as many of our major intersecting roads are owned by SHA.

Ms. McKay noted that as part of the Annexation Agreement, those impacts on Rt. 245 will be looked at and each individual project will have to address the improvements that will be needed.

Councilmember Burriss remarked that the Annexation Agreement says "for each project that moves forward the applicant shall provide impact studies of that project on MD Rt. 245 and shall make such improvements as required by said impact study".

Mr. Wayne Davis was interested to know the Town's intention for the property between the County property, Cemetery Road and Hollywood Road as far as annexation is concerned.

Ms. McKay responded that there was a conversation with the Department of Planning and at this time, that location is not in our future growth area in our Comprehensive Plan and the Plan would need to be amended in order for those properties to be included for annexation in the future. It would be up to the Council to initiate an update to our Comprehensive Plan and to look at other properties that are not right now being shown in that plan.

Mayor Norris asked for any other questions or comments, there being none, he entertained a motion to close the Public Hearing and re-open the regular meeting.

Councilmember Roberts moved to close the Public Hearing and re-open the regular meeting; seconded by Councilmember Collier; motion passed unanimously.

Councilmember Mattingly inquired about any action regarding Rte. 245.

Ms. McKay responded that in the Annexation Plan there are recommendations from the study that will need to be addressed and as each project moves forward they will come through the planning process and it will then be part of those projects to make the improvements. There are also five, ten and twenty year projections of traffic items to be addressed east and west of Hollywood Road within the Town boundaries. We are always working with the SHA for improvements at the Rte. 5 intersection.

Mayor Norris stated that they have been looking at through roads such as one behind the college to the County Governmental Center and every connection like that will alleviate some of the problems off of Rte. 245.

Mr. Erichsen remarked that there was an alternative plan for a sort of outer loop from Leonardtown to Airport Rd and some talks about extending Hayden Road to Indian Bridge Road but these projects have not moved forward. There is going to be an interconnector from the County Government to Rte. 5 and there are a few other future connections already finalized or projected.

Mayor Norris thanked everyone for their contributions toward this discussion and entertained a motion to vote on Resolution 1-12 – Annexation Request of 171.81 acres of land, Hayden Farm Property.

Councilmember Roberts moved to approve Resolution 1-12 – Annexation Request of 171.81 acres of land, Hayden Farm Property and this will be contingent upon the Commissioners of St. Mary's County and the Board of Education of St. Mary's County entering into the Annexation Agreement as provided for in Section 11 of the 2010 Comprehensive Plan; seconded by Councilmember Wise; no further discussion, motion passed unanimously.

Mayor Norris stated that we do have an Annexation Agreement which has been drawn up and approved by both the County Attorney and the Town Attorney. We are prepared to sign it today and send it forward to the Board of Education if Council so desires.

Councilmember Roberts moved to authorize Mayor Norris to sign the Annexation Agreement with the Board of County Commissioners and the Board of Education; seconded by Councilmember Collier, no further discussion, motion passed unanimously.

Police Report – Deputy Smolarsky

Deputy Smolarsky provided a written report but as she was in attendance she reported that they began some traffic initiatives in February which continues through March and numerous stops were made, citations and warnings given along with some vocal traffic education. We continue to be vigilant in monitoring traffic around Leonardtown.

Town Administrator Report – Laschelle McKay

Introduction of Ordinance No. 155- Clark Farm Approval of Development Agreements- This item is just for introduction this month. Prior to any permits being issued these agreements must be in place. This will be back on the April agenda for a vote. The first agreement is the agreement that assures that Marrick Properties will pay for at least 35 EDU's annually. This is essentially the same agreement Quality Built Homes signed when they started. The other three agreements attached to the ordinance are samples of agreements that are prepared for each phase as the project is bonded.

Case No. 64-04- Leonard's Grant Phase 5B-Final Site Plan Approval – This is the last phase of Leonard's Grant. This phase received concept approval back on January 10, 2005. All necessary bidding requirements have been obtained for this phase at this time. The original concept for Leonard's Grant was approved on January 2005 for 324 lots. Counting this phase, if approved, there would be a final count of 335 lots, eleven more than the original concept, but well within the 5% change that is allowed in a PUD. Additional sewer allocations have been committed to this project at this time and will allow this project to be built out and finished.

Mr. Andy Bice with Quality Built is in attendance today to answer any questions you may have.

Councilmember Collier moved to approve Phase 5B – Final Site Plan for Leonard's Grant; seconded by Councilmember Wise, no further discussion, motion passed unanimously.

Mayor Norris commended Quality Built on their efficiency and cooperation in working with the Town. A resident of Leonard's Grant, Mr. Alex Rivera, asked about completion around his street in the back section of the neighborhood.

Mr. Bice responded that they will not complete the side road connections to Clark's Rest at this time, but will once Clark's Rest has moved forward.

Case No. 14-05- Clark's Rest Phases 1-4- Residential Final Site Plan Approval

This project first came before the Planning and Zoning Commission back in 2005 and after several revisions it received final concept approval on July 13, 2009. The final concept approval was for 205 single family detached homes and 130 townhomes, for a total of 335 units on 177.3 acres. There would also be 24.6 acres of public space which will be deeded to the town for potential future public use and a 16.1 acre commercial area, located off of Point Lookout Road, which would house approximately 17,000 s.f. of commercial space.

On Feb. 21, 2012 the Planning Commission sent a recommendation of final site plan approval for Phases 1-4 (all residential phases) to the Town Council.

Mr. Rick Bailey of Marrick Homes is in attendance today to present their final site plan and also with him are Mr. Marvin Oursler, Mr. John Oliff and Keith Ullrich.

Mr. Bailey stated that this is pretty much the same plan with a few minor changes. We had more commercial planned but after going through environmental review we lost much of that and are left with one future commercial site.

Mr. Bailey detailed the changes to the plan to the Council.

Mr. Bailey stated that they worked with the Goughs, the neighboring property owners, who felt, for safety reasons, it would be beneficial for them to utilize the entrance into Clark's Rest for their driveway and they also worked very closely with the State Highway Administration to meet their very strict regulations.

Ms. McKay stated that they previously received approval for the architectural for the single family homes back in concept review but they did not have the architectural for the townhomes and they are bringing that forward today.

Mr. Bailey provided color drawings to showcase the design of the townhomes. They all have garages with rear access from the alley and we have incorporated different dormers, brick work and different architectural features to provide variation but they will have the same similar look as the single family homes. Some of the townhomes will be able to accommodate an elevator.

Councilmember Roberts moved to approve the Final Site Plan for Clarks Rest Phases 1-4; seconded by Councilmember Collier, no further discussion, motion passed unanimously.

Council Reports

Events – Councilmember Mattingly

Councilmember Mattingly reported that the new 2012 Calendar of Events is out.

Upcoming Events of Interest/Meeting Reminders:

<u>Date</u>	<u>Time</u>	<u>Meeting</u>
Friday, Mar. 23	10:30 AM	Mock Council - Leonardtown Elementary School
Wednesday, Mar. 28	5:30 PM	Chamber Business After Hours (RSVP) Catered by Blue Wind Gourmet Hosted by Beautiful Kitchens 23725 Three Notch Road, Hollywood, MD (1/4 mi. north of Wildewood Shopping Center)
Friday, Apr. 6	5-8 PM	Celebration of First Fridays in Leonardtown Check www.leonardtownfirstfridays.com for details
Sunday, Apr. 8	6:30 AM	Church of the Nazarene Easter SonRise Service Leonardtown Wharf
Friday, Apr. 13	8:30 AM	LBA Meeting - Location TBA
Saturday, Apr. 14	8:30 AM	17 th Annual Run and Fun Walk for Hospice Government Center and Leonardtown Square
Sunday, Apr. 22	12:30 PM	Leonardtown Earth Day Celebration 2012 Leonardtown Square and Wharf
Sunday, Apr. 29	8:00 AM	Spring Fling Car Show - St. Mary's Rod & Classic Leonardtown Square

Economic Development – Councilmember Burris

Councilmember Burris remarked that we have had a lot of economic development discussion at today's meeting and that we thank Mr. Bob Schaller for all his support and assistance for the Town and wish him well.

Streets and Roads – Councilmember Wise - No Report

Capital Projects – Councilmember Collier - No Report

MML/SMMA – Councilmember Roberts

Councilmember Roberts reported that last week's SMMA meeting in North Beach was well attended and we heard about much of the activities happening in Annapolis that may or may not affect us but MML is lobbying hard for the Town. The next meeting is on Wednesday, May 2 in Chesapeake Beach.

Council thanked staff for all their hard work on the various projects and events.

Mayor Norris stated that the interconnectivity and the roads really is an issue we need to keep focused on as we are a developmental district. Growth is good and shows our success, but transportation and highways are extremely important.

Mayor Norris entertained a motion to adjourn.

Councilmember Collier moved to adjourn the meeting at 5:30 p.m.; Councilmember Mattingly seconded the motion, which passed unanimously.

Respectfully Submitted:

Teri P. Dimsey

Approved:

J. Harry Norris, III, Mayor

Walter Wise, Vice President

Daniel W. Burris, Councilmember

Thomas R. Collier, Councilmember

Roger L. Mattingly, Councilmember

Leslie E. Roberts, Councilmember