



Commissioners of Leonardtown

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DANIEL W. BURRIS
Mayor

LASCHELLE E. MCKAY
Town Administrator

Commissioners of Leonardtown **Town Council Meeting Minutes** **July 9, 2012 ~ 4:00 pm**

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

Absent: Thomas R. Collier, Councilmember

Also in attendance were: Laschelle McKay, Town Administrator; Teri Dimsey, Recording Secretary; Rebecca Sothoron, Treasurer; Jackie Post, Fiscal Clerk; John Wharton, The Enterprise; Jacinta Bottoms-Spencer, Realtor; Guy Leonard, County Times; and Dick Myers, The Bay Net. A complete list of attendees is on file at the Leonardtown Town Hall.

Mayor Burris noted that there is an additional agenda item to add to today's meeting which is Mr. Sam Crozier's proposal for Phase II of the Waterfront Plan.

Approval of Minutes

Meeting minutes for the June 11, 2012 Town Council meeting were presented for approval.

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

Councilmember Roger Mattingly moved to approve the June 11, 2012 minutes as presented; seconded by Councilmember Jay Mattingly, no further discussion, motion passed unanimously.

Treasurer's Report – Rebecca Sothoron

Ms. Sothoron reported that the June financial information was distributed. There were no transfers of money to or from the Operating Account. The Income Statement is in draft form, not yet audited, but over the next several months there will be revenue and expense accruals.

On the recent utility billing, based on the total consumption, beginning March through June there was an increase of 70% of water use, which was much unexpected. We have received more calls and inquiries in the office than all combined from the previous quarters. We are working through this learning curve and helping the customers understand the real cost of their water use.

The tax billing will begin at the end of July and adjustments have been made for the new bill form, which will also be an adjustment period for our customers. It will look very much like the new utility bill form which we have received good feedback on so we hope this will also go smoothly.

As usual, through July, August, September and October we will be working on the Financial Statement Audit.

Councilmember Roberts inquired about the Highway User Funds.

Ms. Sothoron responded that we have had two payments. We just received the April payment and are expecting another payment soon.

Also, the server exchange is scheduled for July 10th.

Planning & Zoning Report– Laschelle McKay

The Planning and Zoning meeting last month was held on June 18, 2012. Two cases were on the agenda.

Case #50-12 Subdivision Request for the Board of Education's School Site at the Hayden Farm Property – This request received unanimous approval.

Case # 61-12 – Request for Approval – To make additions/changes to the communications tower at 41875 Baldrige Street – This request also received unanimous approval.

This month's Planning & Zoning meeting is scheduled for July 16, 2012. One case is scheduled to be heard:

Leonard's Grant – Phase 5B – Building Line Adjustment Plat between two proprietiers.

We are required each year to submit an annual growth report to the Maryland Department of Planning which we submitted on July 1st as required. It will need to go before the Planning Commission for approval and then forwarded to Town Council to finalize.

Packets have been sent out to the work group for the Sustainable Communities Application. Our first meeting with this group will be scheduled for mid-July.

Police Report - Deputy Smolarsky

Deputy Smolarsky noted that she did submit a written report although she has been out of the office on medical leave. She did receive the request for a traffic accident analysis and has already been working on one and will be adding some additional information and provide the Council with a complete report shortly.

Town Administrator Report – Laschelle McKay

Case # 65-12 - 22380 Greenbrier Road – Request for EDU Allocation

Applicant: Jeffrey Nieman, L.S. – Linear Surveys, Inc.
Owner: Michael Hutson
Present Zoning: R-SF

Ms. McKay introduced the project, stating that Mr. Jeff Nieman, surveyor for the property, and Mr. Michael Hutson, owner of Parcel 20, Map 12 on Greenbrier Road, is requesting that the Town Council consider allowing a three lot subdivision of this property. According to Ordinance No. 132 (enclosed in their packets), this project would need to meet the criteria spelled out in #2, page 2. No EDU's have been allocated to this parcel in the past.

This property was once part of the Leonard's Grant PUD. Some of these small leftover parcels, that are no longer part of that PUD, were rezoned in 2004 from PUD to R-SF. This parcel is also a residue of the Elizabeth Somerville Subdivision.

In 2008, the past owners of this property requested changing the zoning from R-SF to R-MF. The application was withdrawn at that time after we received a petition against the zoning change from the neighbors. This petition and two letters from 2008 are enclosed.

In 2010 a new request was made to the Town Council, requesting four EDU's so that four small 1,350 square foot homes could be built on this 1.94 acre property. This request was denied at that time because the Town was very limited on EDU's at that time. The minutes from that July 12, 2010 meeting were also enclosed in the packets.

Also included in the packets is the Residential Single Family (R-SF) zoning requirements. The parcels must meet the setback and minimum lot size requirements. The subdivision requirements are also included with a highlighted section spelling out the Planning and Zoning Commission's ability to require a public hearing during the process. Also included is a copy of an email from John Groeger from the St. Mary's County Dept. of Public Works. Greenbrier Road is a County road. We felt that the County would have an opinion regarding the needed improvements for this project, since the road is the major issue with the surrounding neighbors. John's response was pretty much to give control back to the Town regarding any requirements for upgrading Greenbrier Road.

Today's vote is strictly regarding the EDU request, to be able to move the subdivision request to the Planning and Zoning Commission. There are also copies of the applicant's proposed site plan in the packets today.

Council Member Roberts asked for clarification on whether they needed two EDU's or three. Ms. McKay stated that they would need three since none had been allocated before, because the site has a septic system right now.

Council Member Roger Mattingly asked if the town had EDU's available to allocate right now. Ms. McKay replied that yes, we do. Mayor Burriss pointed out that as far as infill development; it was a vacant, existing lot right now.

Ms McKay stated that one of the biggest concerns from the surrounding neighbors, as you can see from the letters and petitions we received in the past is the width and condition of Greenbrier Road. It is not a very wide road, a fire truck will take up the entire width of it, and the new owners of this lot are aware of our concerns. The County will be reviewing the applicant's plans, as they do all our plans, and making their recommendations.

Councilmember Roberts stated that she felt that the Planning and Zoning Commission will almost certainly hold a public hearing for this project since there has been opposition from the neighbors in the past. The town would like to see that road widened of course, but since it is a County road we really have no control over that. She didn't see that being done anytime soon by the County. She felt that this project would fit under the infill development definition.

Mr. Jeff Nieman spoke next, saying that his client is willing to do what he can to make the road situation better, but he was hoping that they could limit it to the frontage in front of his lot. They would be willing to give up a 5' easement along their property line to make it ultimately a 40' right-of-way, and that hopefully would appease some of the neighbors with the 'T' turnaround at the end of the road. They would also pay to widen the road in front of their lot.

The owner, Mr. Hutson, stated that he and his wife would like to provide affordable housing for the community with these houses. They would be within walking/biking distance of many of the Town's employers, such as the detention center, government offices, the hospital, etc. His goal is to provide housing in the \$259,000 range. This project will provide jobs for County citizens. Roughly 57 different local contractors worked on the previous houses he's built here in the county.

Mr. Nieman asked who would have the final authority on what upgrades to Greenbrier will be required. Ms. McKay answered that the Town would have the final authorization on whether the project could move forward or not, but with County input regarding the road, since it's a County road.

Council Member Roger Mattingly made a motion to approve the 3 EDU's and to send a recommendation to the Planning and Zoning Commission to hold a public hearing on this project before making a final decision. Council Member Roberts seconded the motion. Motion passed unanimously.

Bid Award for Surveillance System at the Wharf- In the FY 2012 budget we had \$4,000 budgeted to get proper cameras at the Wharf. We advertised and had 3 people at the pre-bid. I only received one bid from C&C Systems (Ron Cieka). I believe the other two felt our budget was too low and it wasn't worth proposing. Ron submitted two scenarios. The lesser would give us our coverage goals but would cost \$7,284, requiring an additional \$3,284 in funding.

Ms. McKay spoke with our IT Consultant who felt that C&C Systems bid offering was good. Mr. Cieka provided us with two proposals with the least proposal being \$7,284, which means we would be \$3,284 over budget and we would need to bring forward a budget amendment. We did work to try and eliminate some cameras to bring the cost down but it limits the coverage area which defeats much of the purpose of having surveillance at the Wharf to help deter vandalism. The cost to eliminate one camera is \$600.00.

Councilmember Roberts stated that she felt it would be best for the Town to do this right the first time and asked if there are available funds to do so.

Ms. Sothoron responded that we should have some surplus in the General Fund but we will not know this until the end of November.

Councilmember Roberts moved to approve Option #2 bid proposal from C&C Systems for the full amount and bring forward a budget amendment to transfer the appropriate funds; seconded by Councilmember Jay Mattingly, no further discussion, motion passed unanimously.

Ms. McKay reported that the additional agenda item mentioned by Mayor Burriss is Phase II of the Waterfront Plan that we completed several years ago working with Crozier and Associates. The same consultant is trying to help us plan as we move forward, both at the Wharf and Tudor Hall Farm, and getting a better understanding of protecting that resource that we do own and tying it in to the current downtown. Mr. Crozier's initial work and knowledge of the needs of Leonardtown is important to a successful melding of these projects.

Mr. Crozier has submitted a proposal between \$12,000 and \$15,000 depending on how many workshops and how many plans we ask him to do and he would provide monthly statements so that we could monitor it so as not to go over that amount.

Councilmember Roberts commented that she felt Mr. Crozier had Leonardtown's best interest at heart and he would keep all of Council's comments and ideas in mind and work them in to best suit the Town's needs.

Mayor Burris remarked that he and Ms. McKay met with a company that works with developers and they specifically asked the Town to address exactly what it is that the Town wants, so that is something we would need to clarify. The Town's needs and desires have changed since the original plan for Tudor Hall was designed over ten years ago.

Councilmember Hammett moved to approve moving forward to prepare a budget amendment to allow Crozier and Associates to continue the work they began, particularly in the areas of Leonardtown Wharf, Tudor Hall and the other areas outlined in the proposal, with a maximum budget of \$15,000; seconded by Councilmember Roberts, no further discussion, motion passed unanimously.

Ms. McKay reported that the Church Street demolition was cancelled due to the scheduling of the crane and is now scheduled to take place this week on Tuesday morning and will take two days to complete. The roof of the water tower will be saved and stored to be repurposed somehow in the future. The rest of the materials will be hauled off to salvage.

Mayor Report – Mayor Burris

Mayor Burris reported that he and Ms. McKay met with Kratos, a group of investors that help build public infrastructure. We are exploring our options for Tudor Hall and will bring them back to have some discussions with the Council to hear your ideas and concerns.

Council Reports

Events – Roger Mattingly

The summer edition of the “Beacon” newsletter is getting final revisions. Distribution is planned for late July.

A special “First Friday” event is being planned for August 3rd to kick-off our Beach Party on the Square event the following day. There will be music in the Square by the talented *Miles from Clever*, Info Share on the Square, and the Summertime Raffle drawing at 7:30 PM. Prizes include a hand-crafted coffee display table built by artisan carpenter Rob Seltzer of Herring Creek Furniture, unique selections from Leonardtown Arts Center and gift certificates from local Leonardtown businesses. Tickets are available at the Port of Leonardtown Winery, Fenwick Street used Books & Music, Fuzzy Farmers Market, and North End Gallery-\$1 each or 12 tickets for \$10.

Beach Party on the Square will take place on Saturday, August 4, 2012.

Upcoming Events of Interest/Meeting Reminders:

<u>Date</u>	<u>Time</u>	<u>Event</u>
Friday, July 13	8:30 AM	LBA Meeting @ TBD
Tuesday, July 17, 24 & 31	6:45 PM	CSM Twilight Performance Series @ the College of So. Md. – Leonardtown Campus
Wednesday, July 18	11:30 AM	Chamber Quarterly Members’ Luncheon @ Outback Steakhouse, California, MD

Upcoming Events of Interest/Meeting Reminders:

<u>Date</u>	<u>Time</u>	<u>Event</u>
Saturday, July 21	7:30 AM	Sunrise Yoga at Leonardtown Wharf
Sunday, July 22	10 AM – 3 PM	BSA Potomac Heritage Bike Ride @ the Wharf
Wednesday, July 25	5:30 PM	Chamber Business After Hours @ The Villages of Wildewood
Saturday, July 28	6 PM	Downtown Tunes – Acoustic music with the <i>Hamm-It-Ups</i> and <i>The Eds</i>
Friday, August 3	5 - 8 PM	Special “First Friday” Celebration to kick-off Beach Party on the Square
Saturday, August 4	4 - 9 PM	Beach Party on the Square
Tuesday, August 7	5 - 9 PM	National Night Out Celebration @ Leonard’s Freehold
Thursday, August 9, Friday, August 10, & Saturday, August 11	3 – 10:25 PM 1:10 – 10:15 PM 10:50 AM – 9:35 PM	“Lil” Margaret’s Bluegrass & Old Time Music Festival @ Goddard Farm
Friday, August 10	8:30 AM	LBA Meeting @ TBD
Friday, August 17	5 -8 PM	Rally to Leonardtown @ Town Square
Saturday, August 18	7:30 – 8:30 AM	Sunrise Yoga at Leonardtown Wharf
Saturday, August 25	6 – 9 PM	Downtown Tunes rock’n’roll with <i>GeeZer</i> & <i>Wiskers</i> @ Town Square
Monday, Sept. 3	HOLIDAY	Town offices CLOSED
Saturday, Sept. 8	10 AM – 3 PM	Fall Follies in the Leonardtown Square

Community Development and Strategic Planning - Hayden Hammett

Mr. Hammett reported that a Sustainable Communities committee meeting is planned for the near future.

Safety and Emergency Preparedness – Jay Mattingly

Councilmember Mattingly reported that he met with Ms. McKay and discussed updating and adding some public safety information. The Church Street neighborhood was notified about the upcoming water tower demolition.

Capital Projects – Tom Collier – Absent

Mr. Wheatley’s report briefed Council on the status of any on-going projects. There has been a discovery of a sink hole in the parking in front of the hotel which they believe is an old well. Mr. Wheatley is overseeing the filling of the well/sink hole to make it stable.

MML/SMMA – Leslie Roberts

Councilmember Roberts reported that most of the Council attended the MML Convention and came back with lots of good information for Council to digest and discuss as it best fits our Town’s need. The next SMMA meeting will be held the first Wednesday in September.

**Councilmember Roger Mattingly moved to adjourn the meeting at 5:04 pm;
Councilmember Hammett seconded, motion passed unanimously.**

Respectfully Submitted:

Teri P. Dimsey

Approved:

Daniel W. Burris, Mayor

Absent
Thomas R. Collier, Councilmember

Hayden T. Hammett, Councilmember

J. Maguire Mattingly IV, Councilmember

Roger L. Mattingly, Councilmember

Leslie E. Roberts, Councilmember