



Commissioners of Leonardtown

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DANIEL W. BURRIS
Mayor

LASCHELLE E. MCKAY
Town Administrator

Commissioners of Leonardtown **Town Council Meeting Minutes** **March 11, 2013**

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

Also in attendance were: Laschelle McKay, Town Administrator; Rebecca Sothoron, Treasurer; Frank Fearn, Joe Fearn, Eleanor Fearn, Katherine Pinkerton, Margaret Bean, Tana/Jay Battle; Duke Family, Chip Norris, Resident; Mr. Pete Wiggington, Resident; Mr. Chip Forbes, C. Forbes, Inc.; Dan Norris, LBA; Laura Clarke, LSA, Al Gough, Resident. A complete list of attendees is on file at the Leonardtown Town Hall.

Approval of Minutes

Meeting minutes for the February 11, 2013 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 February 11, 2013 minutes as presented; seconded by Councilmember Thomas Collier, motion passed unanimously.

Treasurer's Report – Rebecca Sothoron

Ms. Sothoron reported that there were no transfers to/from the Operating Account during the month of February. The final public utility tax certification was received and that account has met the budget projection. We did receive the income tax for the second quarter and the next quarterly payment will not be received until May but we are on target for meeting that budget projection. And, a reminder that all budget requests for all departments are due by April 5.

There is an agenda item today to approve Resolution 1-13 – Adoption of the Anti-Fraud Policy. At the previous meeting a copy was distributed for review and comment. No questions or comments were received. This policy was developed at the recommendation of our financial statement auditors. A significant amount of research was done by looking at other jurisdictions and other various reference materials. The Anti-Fraud Policy was then drafted and submitted to the auditors and the Town attorney for review. Today you have the final Anti-Fraud Policy for adoption.

Mayor Burris entertained a motion to adopt Resolution 1-13 – Anti-Fraud Policy.

Councilmember Roberts moved to adopt Resolution 1-13 – Anti-Fraud Policy as presented; seconded by Councilmember Hammett; no further discussion, motion passed unanimously.

Planning & Zoning Report – DeAnn Adler

Ms. Adler reported that no Planning and Zoning meeting was held in February as there were no agenda items to be heard.

The Planning and Zoning meeting for March 18, 2013 will also be canceled as we have no items on the agenda to be heard.

We are continuing to work on the Arts and Entertainment District application. Ms. McKay will be providing you an update and overview for the Public Hearing today.

Mayor Burris noted that as there were only a few minutes before the Public Hearing, he would ask Deputy Smolarsky to report after the public hearing and move on to Council reports until all the Duke family were present.

Events – Roger Mattingly

Councilmember Mattingly reported that Ms. Fleming is currently coordinating Earth Day 2013 to be held on Sunday, April 21st. He noted that Ms. Fleming was in attendance and thanked her for all her hard work on events.

Several new events have been added since the publication of the events calendar:

May 11 - The Hair Company is sponsoring a Mother's Day Fashion Show from 5 – 8 p.m. at the Wharf to introduce the owner's new clothing line, as well as the new Town clothing store, Bellarus. The proceeds will benefit Hospice of St. Mary's.

May 18th – Superheroes of Southern MD Battle Royale vs. Cancer – Super heroes of all kinds invade Leonardtown with the Sam Grow Band and other acts to raise money for local families whose children have cancer. The event is slated for 12 – 4 p.m.

Also on **May 18th**, the Commodores U.S. Navy jazz band performs at 6:00 p.m.

July 13 – 14 – American Power Boat Association returns boat racing to the Leonardtown Wharf with two days of racing with 13-14' lightweight outboard motorboats reaching speeds of up to 90 mph.

August 10 – The Cruisers U.S. Navy Cotemporary Ensemble performs at 6:00 p.m. in the Square

Upcoming Events of Interest/Meeting Reminders:

<u>Date</u>	<u>Time</u>	<u>Meeting</u>
Friday, Mar. 15	7:30 AM	Doctors' Day breakfast MedStar St. Mary's Hospital
Wednesday, Mar. 20	5:30 PM	Chamber Business After Hours (RSVP) Joint Session with Calvert Co. @ the Chamber Office 44200 Airport Road, California
Sunday, Mar. 31 Easter Sunday	7:30 AM	Leonardtown Church of the Nazarene Easter SonRise Service @ the Wharf
Friday, Apr. 5	5-8 PM	Celebration of First Fridays in Leonardtown Check www.leonardtownfirstfridays.com for details
Friday, Apr. 12	8:30 AM	LBA Meeting Location TBA
Saturday, Apr. 13	8:30 AM	18 th Annual Run and Fun Walk for Hospice Government Center and Leonardtown Square
Sunday, Apr. 21	12:30 PM	Leonardtown Earth Day Celebration 2013 Leonardtown Square and Wharf
Sunday, Apr. 29	8 AM – 4 PM	St. Mary's Rod & Classic Spring Fling Car Show Leonardtown Square

Community Development and Strategic Planning - Hayden Hammett

Councilmember Hammett reported that we are in the midst of a few projects, one of which is the preparation of an RFP for the Leonardtown Wharf and we are working towards budget planning. Last year Council voted on moving additional funds into repair and maintenance for some of the infrastructure around Town and we plan to move forward with some of those projects in the near future.

Capital Projects – Tom Collier

Councilmember Collier reported that so far we have had a mild winter and will be looking into what funds we have on hand should we have any type of snowfall, and what is left over for road repairs.

MML/SMMA – Leslie Roberts

Councilmember Roberts reported that the meeting was rescheduled, due to an anticipation of inclement weather, to March 13, 2013. She, along with Council Members Roger and Jay Mattingly plan to attend. We hope to hear more about the Governors Transportation Plan.

Safety and Emergency Preparedness – Jay Mattingly

Councilmember Jay Mattingly reported that on April 6, 2013 he will be attending the Hometown Preparedness Committee meeting which will be held in Laurel at the Prince George's County 911 Center. He thanked Corporal Clark of the Sheriff's office for his recent efforts on the traffic calming along Rt. 5, which has shown a big improvement.

4:15 – Public Hearing – Proposal to Submit an Application for the Creation of an Arts and Entertainment District

Mayor Burris stated that there were a few minutes before the opening of the Public Hearing and asked Ms. McKay to provide an overview of the Arts and Entertainment District Designation that is the subject of today's public hearing.

Ms. McKay reported that the Town is in the process of applying for the A&E District State Designation. April 1st is the application deadline. We applied back in 2001 but we realized then we were not quite ready. We have met with the Maryland Arts Council several times and it is widely believed that we are now ready. With the significant revitalization we have seen over the last 10-15 years we are fairly confident we can get the designation. From the State's perspective the goal of the designation is to develop, promote and support diverse artistic and cultural centers in communities that preserve a sense of place, provide authentic local experiences and spur economic development. We believe the direction Leonardtown has gone in supports those goals. There are currently 21 designated districts in Maryland. The non-profit arts sector alone has a one billion dollar impact on the state's economy.

Ms. McKay referred to a large draft map showing the proposed district. The statewide promotion of the area is one of the major benefits. Another benefit, but not the most important, are the tax benefits. The income tax subtraction modification is for income from work sold by qualified resident artists. There would also be an exemption from the Admissions and Amusement tax. There are also property tax credits for renovations to properties that create live/work space with the district or space for the arts and entertainment enterprises. Property tax credits are given to the property owner on the increased value, after renovations, for up to 10 years. These tax incentives are another tool for attracting artists and entertainers to live and work in Leonardtown and to encourage renovation of existing buildings in the downtown area to promote the arts. A minimal amount of credits statewide are utilized.

An important aspect of a successful district is the Management Team. We have had a working committee in place for the last several years dedicated to moving this initiative forward and they will serve in an oversight capacity once the designation is received. We feel that we have a very qualified committee put together, with a wealth of experience and they represent the entire region, not just St. Mary's County, as there is no other Southern Maryland Arts and Entertainment District. We have a few of those people in attendance today. The committee

includes an LBA Board Member, Barbara Bershon, who chairs the Maryland Arts Council, Carolyn Laray, St. Mary's County Tourism Director, Christine Bergmark, who is with the Southern Maryland Agriculture Development Commission, Roz Racanello, Southern Maryland Heritage Area Consortium and Susan McNeill, a member of the St. Mary's County Arts Council, along with Councilmember Leslie Roberts and some of our staff.

Mayor Burris entertained a motion to close the regular meeting and open the Public Hearing at 4:17 pm.

Councilmember Hammett moved to close the regular meeting and open the Public Hearing; Councilmember Roger Mattingly seconded; motion passed unanimously.

Mayor Burris opened the Public Hearing.

Ms. McKay reported that we have received several letters of support from different organizations and have received today, by email, a letter of recommendation from Opal Fine Art and Design.

Mrs. Fearn's inquired about the news she has heard about re-opening the theatre and wanted to learn more about it.

Councilmember Roberts, who is one of the founding members and a board member of the Friends of the Leonardtown Theatre, responded that there was much paperwork to complete to get started as a non-profit entity and we are applying for some grants. We are excited to have set up some movie viewing which we call Saturday Cinemas and the movies will tie into the weekend themes for the "Steppin' Out" Campaign. We are also working in conjunction with CSM to do five children's shows this summer. Mr. Phil Dorsey has been kind enough to donate the use of his conference center (the old St. Peters Church) until we build our audience to over 100, then CSM has graciously offered their facilities until we reach our fundraising goal. Our goals for this year are to come up with funding to do the environmental clean up inside the theatre and to put a new roof on. The owners are being very generous with us, and we have signed a Memorandum of Understanding, but the responsibility of the cost of the renovation falls on us so fundraising is very important to keep up the momentum of the project and to meet our goals. The showings do cost us; \$150 for fewer than 100 people, and for over 100 people it would cost us \$300 a showing. Our future goals also include providing live performances so we have very high ambitions for the future of the theatre. We have only heard good things about the project.

Ms. Laura Stone, a local business owner, suggested they look into doing a social media crowd sourcing.

Ms. Roberts responded that they do have a marketing person on board and will pass the idea along.

Mayor Burris asked if Ms. Laray would speak a moment about the Arts and Entertainment District for both Leonardtown and St. Mary's County Tourism.

Ms. Laray remarked that anything that is good for the Town is really good for the County also, as this is where we have a cluster of restaurants and shops. Tourists may visit many of our historic sites, but they then come into Leonardtown as a place to stay and dine or shop and browse the arts and enjoy the events.

Ms. McKay commented that the St. Mary's County Commissioners also voted last week during their meeting to support the tax benefits.

Mayor Burris noted that it is really the state-wide marketing program that comes along with this designation which helps to encourage people to visit our A&E district. Signage will soon be added to provide people with the location and directions of our shops etc.

Ms. Bershon stated that the Maryland Arts Council is excited to have this opportunity for Leonardtown. We have 21 Districts throughout the state and they have done very well with this opportunity and Leonardtown will be the only one in Southern Maryland.

Mayor Burris entertained a motion to close the Public Hearing at 4:25 pm and re-open the regular meeting.

Councilmember Roberts moved to close the Public Hearing on the Proposal to Submit an Application for the Creation of an Arts & Entertainment District; seconded by Councilmember Hammett, no further discussion, motion passed unanimously.

Mayor Burris opened the regular meeting and asked for any questions of Resolution 2-13.

Ms. McKay stated that Resolution 2-13 is for the Support of an Arts and Entertainment District designation. It describes the boundaries and includes a copy of the map as Exhibit 1, and lists all the properties that are in the District and further describes the three tax benefits.

Councilmember Roberts moved to pass Resolution 2-13 as presented; seconded by Councilmember Hammett; no further discussion, motion passed unanimously.

Council Member Roberts thanked Ms. McKay, Ms. Adler and the Town staff who worked on this application as it required an enormous amount of time and effort to complete the application.

Mayor Burris reiterated his thanks and expressed appreciation to everyone for their support.

Special Presentation by the Walter Francis Duke Committee

Mayor Burris introduced Mr. Wiggington who is a member of the committee of local people honoring Captain Walter Francis Duke.

Mr. Wiggington remarked that he is here today to make some special presentations to honor the memory of Captain Walter Francis Duke. These presentations today would not be possible without the generosity of Mr. Chip Forbes who was moved by the poignancy of Captain Duke's story and it is his business to produce commemorative medallions, coins, plaques and pictures.

He offered, as a gift to the Duke family and to the Town of Leonardtown, to make and produce two items, a commemorative coin and a print. Mr. Wiggington introduced Mr. Chip Forbes and thanked him profusely for his generosity.

Mr. Wiggington brought forth a large framed print that was painted by an artist, by the name of Mr. John Barbor, of the World War II Memorial on the Mall in Washington, DC. From that original, 1,000 prints have been made, of which this print presented today is number 12.

Mr. Wiggington stated that he is presenting this print to the Town as a memorial of the memory and recent finding of Capt. Duke's remains and his plane the Miss "V". Mr. Barbor, at the request of Mr. Forbes, personally signed the print and imprinted the following: Miss "V" a P38 Lighting Fighter Plane. The inscription reads: Presented by the Wiggington family to the Town of Leonardtown to honor the memory of Captain Walter Duke, a son of old St. Mary's County, who was killed in Burma, on 6, June 1944 while serving with the 459th Fighter Squad US Army Air Force. Captain Duke, Maryland's leading ace and scion of an old Leonardtown family served as both a Royal Canadian and American Air Forces and scored thirteen air victories. (He was officially credited with ten kills but it seemed appropriate to put thirteen kills because he shot down three more in the last few minutes of his life).

Mr. Wiggington produced the commemorative coins and presented, along with Mr. Forbes, one coin to each individual of the Duke family that was present along with a coin to each of the Council members. Those family members not present today will be mailed a coin.

Mayor Burris thanked Mr. Wiggington and Mr. Forbes for their very generous contribution of the commemorative coins and print to memorialize Captain Walter Duke.

Mr. Chip Norris noted that at the last school board meeting Dr. Martiano recommended that they name the school after Captain Walter Duke and there was a tremendous amount of community support to name the school after Captain Duke.

Mayor Burris reminded everyone that the Board of Education is holding a public hearing on Wednesday at 9:00 a.m. to hear comments about the naming of the new Elementary School in Leonardtown. He would encourage everyone to attend to show their support.

Mayor Burris also thanked the Duke family and friends for their support and for being present for today's special presentation.

Police Report – Deputy Smolarsky

Deputy Smolarsky reported that she had submitted a written report, but did have a special power point presentation to give to Council today. This power point presentation was given at the most recent Comstat meeting and provides a summary of and comparison of police statistics and how they relate within the boundaries of the Town. The Comsat meeting is held every Wednesday at 10:00 a.m. Also included are some Maryland State Police statistics but they are not as detailed as our departments. We do have one Officer with a tag reader on his car and periodically he works with her within the Town and anyone is found in the system with an issue, we can alert him and

take action. Overall, Leonardtown has minimal crime, but we continue to track and follow up on incidents and continue to be vigilant to maintain control. For 2013 we are looking to increase the use of Public Service Announcements. We have a sign board and other media to educate and inform the public.

Mayor and Council thanked Deputy Smolarsky for an outstanding presentation and keeping them informed.

Mayor Burris stated that Council will go into Executive Session regarding litigation immediately following this meeting and entertained a motion to adjourn.

Councilmember Collier moved to adjourn the meeting at 4:55 pm; Councilmember Roger Mattingly seconded, motion passed unanimously.

Respectfully Submitted:

Teri P. Dimsey

Approved:

Daniel W. Burris, Mayor

Leslie E. Roberts, Vice President

Thomas R. Collier, Councilmember

Hayden T. Hammett, Councilmember

J. Maguire Mattingly IV, Councilmember

Roger L. Mattingly, Councilmember