



Commissioners of Leonardtown

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DANIEL W. BURRIS
Mayor

LASCHELLE E. McKAY
Town Administrator

Commissioners of Leonardtown **Town Council Meeting Minutes** **May 13, 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; Teri Dimsey, Secretary, Jackie Post, Fiscal Clerk; Jessie Daugherty, Cedar Lane; Laura Clarke, LSA; John Brown, Frank Nuhfer, Gil Moore – Leonardtown Lions Club; Tom Mattingly, LVFD; Brad/Penny Brown, BTB Coffee Shop; Beverly Stickle/John Parlett, Cedar Lane; Aaron Smiley, Sakura Bar & Grill, and Larry Hartwick/Brad Clements, SMCPS. A complete list of attendees is on file at the Leonardtown Town Hall.

Mayor Burris stated that the first order of business was the invocation and Pledge of Allegiance.

Mayor Burris announced that members of the Leonardtown Lions Club were in attendance today and had asked to give a brief presentation.

Lions Gil Moore, Frank Nuhfer and John Brown introduced themselves and stated that they are here today to bring awareness to the upcoming Crab Festival to be held at the Fairgrounds on June 8, 2013 from 11:00 a.m. to 8:00 p.m. This year we have added a crab picking contest. The proceeds from this festival along with all of the other fundraising efforts the Lions are involved in goes directly towards the charities.

Mayor Burris thanked the Lions for their community support and wished them well for a great Crab Festival.

COUNCIL: THOMAS R. COLLIER HAYDEN T. HAMMETT
J. MAGUIRE MATTINGLY IV ROGER L. MATTINGLY LESLIE E. ROBERTS

Approval of Minutes

Meeting minutes for the April 8, 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 April 8, 2013 minutes as presented; seconded by Councilmember Thomas Collier; motion passed unanimously.

Treasurer's Report – Rebecca Sothoron

Ms. Sothoron reported that financial information was provided for April. There was no transfer of money to or from the operating account. We are 83% through the budget year. At the end of May we will receive the third quarter income tax receipts which will determine if we are on budget. Reminder tax bills were sent out; we still have about 45 accounts delinquent from the prior billing. A consumption water analysis report was prepared comparing March 2012 to March 2013 showing very little difference in consumption practices.

A copy of the Mayor's draft budget has been distributed. On today's agenda is the introduction of Ordinance No. 157 as required before the public hearing scheduled in June. If there are no changes to be made to the draft budget it can be adopted at the June Council meeting. At this point the tax rate, equal to the constant tax rate, as determined by the State Assessment Office is 12.66 cents per \$100 of value.

Also, a meeting was held with Goode Trash Removal, at their request, and they presented a plan to meet the recycling needs of our growing Town. They would like to keep recycling to one day a week but to split the Town into designated boundaries for a two-day pick up. Goode Trash Removal will communicate this to all the residents and work with us on making a formal announcement.

Mayor Burris clarified that they will pick up half the town on one day and the other half on another day.

Planning & Zoning Report – DeAnn Adler

The Planning and Zoning meeting last month was held on April 15, 2013 and we had one case on the agenda:

Case #38-06 – The Sterling House Project – on Washington Street, Tax Map 133, Block 4 Parcels 474, 476 & 477 – A request for final site plan approval, excluding architectural approval of the buildings, which they will need to obtain at a later date. This request was unanimously approved.

This month's Planning & Zoning meeting will be held on May 20, 2013 at 4:00 and we have one case on the agenda:

Case # 64-12 - The New Elementary School on the Hayden Farm – They have obtained all the necessary permitting requirements and are now requesting final site plan approval.

Community Development Block Grant (CDBG) Application - Cedar Lane Senior Living Community 1

Mayor Burris asked Ms. McKay to provide a brief summary on the Community Development Block Grant (CDBG) Application - Cedar Lane Senior Living Community 1

Ms. McKay reported that a public hearing was scheduled today as required by the Community Development Block Grant application and a notice of the Public Hearing, Resolution 3-13 in Support of the CDBG Application and the Citizen Participation Plan was advertised as required. Ms. Beverly Stickles, President and CEO of Cedar Lane and Board Member John Parlett are here today to discuss the project and answer any questions you or the public may have. The Town will be the vehicle for the grant funding but the project will be bid, constructed and managed by Cedar Lane staff. Action is needed after the Public Hearing to approve Resolution 3-13.

Mayor Burris entertained a motion to close the regular meeting and open the Public Hearing.

Councilmember Roberts moved to close the regular meeting and open the Public Hearing; seconded by Councilmember Hammett, motion passed unanimously.

Mayor Burris opened the Public Hearing and asked Ms. Stickles and Mr. Parlett to proceed with their presentation.

Ms. Stickles and Mr. Parlett explained that Cedar Lane Senior Living Community is a non-profit 501©3 organization serving senior citizens and 10% of our population is disabled under the age of 62. The building eligible for the grant is our oldest, built back in 1977, making it 36 years old this year. We are proposing to use the CDBG to upgrade this building to add an automatic fire sprinkler system beyond what is currently in place which is a sprinkler system only in limited common areas. Individual residential apartments do not have sprinklers, as well as the dining room and some other common areas.

Mr. Parlett noted that the apartments in the other two buildings in the facility have sprinklers installed for fire protection but this oldest building does not and the residents worry constantly about this danger.

He also mentioned that they do need the support of the Town but their applying for this grant application in no way affects the creditworthiness or credit rating or any liability to the Town.

Mayor Burris opened the floor up for any comments from the public.

Mr. Tom Mattingly stated that a letter of support will be forthcoming from the Fire Department in support of Cedar Lane's application for the Community Development Block Grant.

A resident of Cedar Lane spoke up to say that all the residents were very concerned about fire safety and that there was not a sprinkler system in place in their rooms in the event of fire.

Mayor Burris thanked the public for their comments and for attending today's hearing and entertained a motion to close the Public Hearing and reopen the regular meeting.

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

Mayor Burris asked for any comments from Council.

Councilmember Hammett remarked that as he serves as a board member for Cedar Lane he is abstaining from today's voting but he would like to add that he does support their filing for this grant application.

Councilmember Roberts stated that it is important to note that this is a pass through grant, that there is a bidding process which we are not involved in and that it does not affect the Town's ability to apply for a Community Development Block Grant.

Mayor Burris stated that he would like to add that when they do the other renovations that they look at the water consumption for this building, as it does use a large amount of water, to see if there are measures they can take to decrease their water usage.

Ms. McKay stated that the Citizens Participation Plan will require Mayor Burris' signature which language is included within the Resolution and will need approval by Council for him to do so.

Councilmember Roberts moved to support Resolution 3-13; seconded by Councilmember Roger Mattingly; Councilmember Hammett abstained; no further discussion, motion passed with four votes.

Police Report – Deputy Smolarsky

Deputy Smolarsky reported that we have the Click it or Ticket it campaign this weekend. She finished up on her quarterly analysis and presented it at the Comstat meeting. From the first quarter last year to the first quarter this year the accidents along Rt. 5 are down about 30 percent. She will be walking around various neighborhoods within the Town, handing out brochures on motor vehicle thefts and advising residents to keep their valuables out of sight and their cars locked.

Councilmember Roger Mattingly remarked that he noticed that Deputy Smolarsky had participated in a child seat safety program in LaPlata and he would like to see the Town hold a child safety seat program too.

Deputy Smolarsky responded yes, she attended as required for her certification but, yes, absolutely, a safety program can be held and she would be happy to coordinate that with the Town staff.

Mayor Burris stated that Ms. Sothoron is setting up a shred day for the Town residents and possibility this could be included at the same time.

Town Administrator Report – Laschelle McKay

Liquor License Letter of Support – BTB Coffee Bar – Brad Brown is purchasing the Brewing Grounds and is here today to request a letter of support to apply for a Class B On-Site Restaurant License for the coffee shop located at 41658 Fenwick Street.

Mr. Brown remarked that he is pleased to be opening soon, hopefully on June 1st, and plans to be open on Sundays. The menu has been redesigned and they also plan to make some minor renovations.

Councilmember Roberts noted that she hopes they will be sensitive to the age of their staff and be very diligent with the serving of alcohol.

Councilmember Hammett moved to approve the request for a letter of support for a Class B On-Site Restaurant Liquor License along with extended premises for outside seating; seconded by Councilmember Collier, no further discussion, motion passed unanimously.

Liquor License Letter of Support – Sakura Japanese Steak House – Aaron Smiley is in attendance today to request a Class B On-Site Restaurant license for the former Rustic River site. His family is opening a Sakura Japanese Steak House at 40874 Merchants Lane.

Mr. Smiley introduced himself and remarked that they will not be doing any remodeling only some aesthetic modifications. It will be a Japanese steakhouse and sushi restaurant. They do plan to utilize the outdoor premises that are already there for dining.

Councilmember Roger Mattingly moved to approve the request for a letter of support for a Class B ON-Site Restaurant liquor license to include the outdoor premises; seconded by Councilmember Roberts, no further discussion, motion passed unanimously.

St. Mary's County Board of Education Temporary Classroom Request – The new Captain Walter Francis Duke Elementary School is scheduled for completion in August 2015. Until that time the Board is requesting placement of an additional relocatable unit beside the existing two units and the restroom modular. A representative is on hand to give you an update on the new school status, with who will be attending which school and making the request for the additional unit. There is a possibility in the future another unit will be needed until the new school is completed. They will monitor the situation and come back if another one is needed.

Ms. McKay noted that Mr. Hartwick and Mr. Clements were in attendance to answer any questions.

Mr. Clements stated that the school is moving well, the contract documents have been submitted to the State and we are waiting for approval and once we receive that we will then be sending out for bids. In the meantime, we are hoping to add these re-locatables – one building for two classrooms until such time as the new school opens. There may be a need for an additional

trailer but that depends on the yield from the Leonard's Grant neighborhood being greater than most neighborhoods.

Ms. McKay remarked that consensus is needed if Council agreed to approve their request.

Council Members gave their consensus for the Board of Education to provide the use of an additional temporary trailer until the new Walter Francis Duke Elementary school was completed.

GHD Authorization of Task Order #8 ENR Upgrade Engineering and Design – In December 2011 we approved Task Order #6 in the amount of \$723,600 for the revised project of an ENR Upgrade only. We have had numerous design meetings with the group consisting of staff, Tom Collier and GHD representatives. Through this process changes have become necessary with the control building design and the dewatering building design. These changes have resulted in additional work by the engineers. This task order is authorizing that work to be completed in the amount of \$70,000. It is anticipated that the final design work will be completed in June. We will be bidding the project at the end of the summer. Construction is anticipated to take 2 years. We are working with MDE on the design and funding approval.

Mayor Burris entertained a motion on Task #8.

Councilmember Collier moved to approve the Task Order #8 on the ENR Upgrade Engineering and Design; seconded by Councilmember Roberts, no further discussion motion passed unanimously.

Mayor Burris asked Ms. McKay to provide an update on the water tower.

Ms. McKay stated that they began blasting last week. It is usually a 45 day to two month process and the conditions need to be right for them to meet this target.

Mayor's Report – Mayor Burris

Mayor Burris reported that he, along with Ms. McKay and Deputy Smolarsky, will be attending a meeting on Wednesday at 7:00 pm at Leonard's Grant as Quality Built will be handing over the HOA reins to the neighborhood. Anyone who would like to join them is welcome to attend.

Mayor Burris remarked that he noticed we have some Boy Scouts in attendance today and asked them the purpose of their visit.

The Boy Scouts responded that they are working towards obtaining their communications merit badge.

He reminded everyone that the Town is hosting a shred day on Saturday, June 22 for the Leonardtown residents.

Mayor Burris noted that PNC Bank is up for sale and they have included the Candela Building as part of the purchase price, which is not yet known. He will continue to monitor the information.

The draft RFP for the Leonardtown Wharf has been given to Council Members for your review and comment and we hope to get it out in the next week or two.

Mayor Burris moved on to the next order of business.

Events – Roger Mattingly

Councilmember Mattingly reported that the Steppin Out Campaign is in full swing. He thanked Ms. Fleming for all her hard work on the events and her outstanding “can-do” attitude.

Councilmember Roberts stated that the Catwalk for a Cause Fashion Show rocked! There was a huge attendance and it was a great success.

Councilmember Mattingly remarked that Earth Day had one of the largest crowds to date. The Classic Car show enjoyed a sunny day and the Southern Maryland Fire Association Parade had a 171 participants – it was huge.

Councilmember Roberts noted that the Bicycle Criterium approached the Friends of the Leonardtown Theater and asked if we would show the movie “Breaking Away” and also contributed funds, more than 50%, toward the showing. We will do an outdoor movie at dusk on June 1st. We have a steady crowd attending the showings and we hope to bring in more as we progress.

Upcoming Events of Interest/Meeting Reminders:

<u>Date</u>	<u>Time</u>	<u>Event/Meeting</u>
Saturday, May 18	10:00 AM	Cystic Fibrosis Great Strides 5K Walk @ Leonardtown Wharf
Saturday, May 18	10:00 AM	Heroes Welcome Concert Event In the Square (Superhero Event Relocated)
Wednesday, May 22	5:30 PM	Business After Hours @ Twist Wine and Spirits 22608 Three notch Rd., Lexington Park
Saturday, May 25	6:00 PM – 9:00 PM	Downtown Tunes in the Square Hamm-It-Ups and The Eds
Monday, May 27	HOLIDAY	Offices Closed
Sunday, June 2	8:00 AM – 5:00 PM	Bicycle Criterium in Town Square
Friday, June 7	5:00 PM	First Friday in Leonardtown
Saturday, June 8 <i>Rain date: June 9</i>	11:00 AM – 8:00 PM	Crab Fest @ SMC Fairgrounds

Upcoming Events of Interest/Meeting Reminders:

<u>Date</u>	<u>Time</u>	<u>Event/Meeting</u>
Friday, June 14	8:30 AM	LBA Meeting @ TBD
Friday, June 14	6:00 PM	Flag Day Celebration @ Governmental Center
Friday, June 22	6-9:00 PM	Downtown Tunes – Country Memories
Saturday, July 6	7:00 PM	River Concert Series on Location in the Square

Community Development and Strategic Planning - Hayden Hammett

Councilmember Hayden reported that the staff has done an outstanding job on the RFP for the Leonardtown Wharf and is looking forward to getting that out by the end of this month. We have had some early interest and hope to see them bid, the more the better.

Capital Projects - Tom Collier

Councilmember Collier reported that we have pretty much accomplished our mission with regard to road improvements this past budget year.

SMMA Update - Leslie Roberts

Councilmember Roberts reported that she and Councilmember Jay Mattingly attended the May meeting in LaPlata. The discussion was centered mainly on what had been accomplished during the legislative session and the biggest part was focused on getting a chunk of our road money back. MML worked very hard on this, especially with the gas tax issue. We are up to about half of what we used to get which is a big improvement over the 10% we were at for two years. Tom has done a great job on roads and streets with the money we put into last year's budget because we had been used to using the State money as our budget.

Safety and Emergency Preparedness – Jay Mattingly

Councilmember Mattingly reported the Hometown Emergency Preparedness Committee met in Frederick, MD on May 4. He was unable to attend in person but did participate by phone conference. This week is Law Enforcement Appreciation Week and he wanted to thank Deputy Smolarsky for her service to the Town and the County.

Mayor Burris entertained a motion to adjourn the meeting.

**Councilmember Roger Mattingly moved to adjourn the meeting at 5:15 pm;
Councilmember Hammett 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