



# Commissioners of Leonardtown

---

41660 Courthouse Drive  
P. O. Box 1, Leonardtown, Maryland 20650

301-475-9791 • FAX 301-475-5350  
leonardtown.somd.com

DANIEL W. BURRIS  
Mayor

LASCHELLE E. MCKAY  
Town Administrator

## **Commissioners of Leonardtown** **Town Council Meeting Minutes** **June 16, 2014**

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

Absent: Thomas M. Combs, Councilmember

Also in attendance were: Teri Dimsey, Secretary; Laschelle McKay, Town Administrator; Jackie Post, Fiscal Clerk; Maria Fleming, Events Coordinator, Taylor Pasini, Intern; and Dick Myers, The BayNet. 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 then the Pledge of Allegiance.

### **Approval of Minutes**

Meeting minutes for the May 12, 2014 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 May 12, 2014 minutes as presented; seconded by Councilmember Roberts; motion passed unanimously.**

### **Treasurer's Report** – Laschelle McKay

Ms. McKay reported that Ms. Sothoron is on vacation and she will be presenting her report. Financials were prepared and distributed to Council.

Councilmember Roger Mattingly inquired about the deposit noted in the financials for the awning at the Port of Leonardtown.

Ms. McKay responded that it was part of the Agriculture Commission Grant that we received last year for the Winery for improvements to the storage facility as well as the retaining wall which has been completed and the awning is the last improvement item. The money comes through the Town as the Town manages the Grant funds.

Ms. McKay reported that Ms. Sothoron is bringing forth two Budget Amendments for approval:

Budget Amendment BJ07-14 – Appropriation for Washington Street Survey Contract. This is to establish the appropriation for the contract for the survey work on South Washington St. which was approved at last month's meeting and this is to move the money into the Capital Project Account.

Budget Amendment BJ08-14 – Vendor Fees for War of 1812 Event. Because we received additional revenue from more sponsors and vendor's fees for the War of 1812 event we need to bring this forward to offset the expenses.

**Councilmember Hammett moved to approve BJ07-14 and BJ08-14 as presented; seconded by Councilmember Roberts; no further discussion, motion passed unanimously.**

Ms. McKay reported that Ms. Sothoron has prepared information on the new Trash Service Charges for FY15 per the recent awarding of the contract to Affordable Refuse and this requires Council approval.

**Councilmember Roberts moved to approve the Recommended Trash Rates effective July 1, 2014 to be billed September 30, 2014; seconded by Councilmember Roger Mattingly, no further discussion, motion passed unanimously.**

Mayor Burris noted that as the Town bills in arrears this is the reason residents will not notice the change in rates until September.

Councilmember Roberts asked Ms. McKay to explain why the Town was able to secure lower rates with the new Trash Service.

Ms. McKay remarked that the Goode Trash Removal contract was up for re-bid and Affordable Refuse came in offering a lower contract rate.

### **Planning & Zoning Report** – Laschelle McKay

Last month's Planning and Zoning Commission meeting was cancelled.

This month's Planning and Zoning Commission meeting is scheduled for Monday, June 23, 2014. We have one item on the agenda:

**Case # 42-14 – The Hamptons at Leonardtown – Tax Map 40, Block 6, Parcel 254 – Request for Concept Approval** - located on the property adjacent to Foxwell Condominiums, between Route 5 to the north, Foxwell to the south, and the church cemetery to the west. The applicant is proposing a two building, 142 unit rental apartment complex that we will be introducing later in the meeting today.

**Police Report** – Mayor Burris

Mayor Burris noted that Deputy Smolarsky was unable to attend today's meeting but has provided a written report on her activities.

**Town Administrator Report** – Laschelle McKay

Liquor License Letter of Support – Pal Liquors and Gas, Harold Starr and Sran & Sran, LLC have requested a transfer of the liquor license from Vijay Grover (Highway Liquors) located at 25965 Point Lookout road. The license would remain a Class A-1 off sale liquor license.

**Councilmember Roberts moved to send a letter of support; Councilmember Hammett seconded, no further discussion, motion passed unanimously.**

**The Hamptons at Leonardtown** – Council action is to move the project forward to the Planning and Zoning Commission if you feel it is a project that qualifies for EDU's.

Ms. McKay reported that today's action is to look at the project and its eligibility for EDUs. In 2008 because we were so limited in our sewer capacity that was available for future growth projects, the Council instituted a process by which all development projects had to come before Town Council before they went through the planning process. They had to meet a test of why they would be eligible to move forward under Ordinance No. 132 and would need to meet one of five different tests. This project meets the Economic Development as well as the Infill Development test.

Ms. McKay remarked that the project is located on the property adjacent to Foxwell Condominiums, between Route 5 to the north, Foxwell to the south, and the church cemetery to the west. This property was recently rezoned from PUD to Residential-Multi-Family. For EDU eligibility approval today the applicant is presenting two scenarios. One is *without* the density bonus and one is *with* a density bonus (allowed by special exception if certain criteria are met) that the applicant will request from the Leonardtown Board of Appeals at a future hearing. The plan without the density bonus is two 3 story buildings with a total of 119 rental apartments, mostly two bedroom and some 3 bedroom units. The buildings will have elevators to encourage rental by seniors and an on-site apartment manager. Elevations and floor plans are enclosed in your packets. For parking, 238 parking spaces are required and would be provided.

With the density bonus plan it will be the same two building footprints, but with 4 stories in each instead of 3 and 71 apartments in each, for a total of 142 units. The parking required would be 282 spaces and 299 spaces are provided.

Two entrances to the project are proposed. One would be off of Route 5 where a curb cut already exists, across from the Academy Hills entrance. A second access point off of Fenwick Street is

also proposed. This access will necessitate cutting across property owned by the Foxwell Condominium Homeowners Association. The details of that cut-thru are still to be worked out.

Regarding the plan with the density bonus - the plan will need approval from the Board of Appeals. To achieve a higher density the applicant is using our recently adopted Ordinance #160, Chapter 155-17, regarding special exception uses for a density bonus. This density bonus allows an increase in the density from 10 multi-family dwellings per acre to 12 EDUs per acre and/or from 3 stories to four stories in height, provided the developer meets the following requirements:

Provide additional recreation area or open space for use by all Town residents, which the applicant has provided with the 0.8 ac. park on the west side of the property and;

Provide common buildings for use by all Town residents, which the applicant has provided with the clubhouse, which will be open for use by Town residents.

Councilmember Hammett noted that when they go before the Planning Commission for approval of the concept plan they will ask for a recommendation to proceed before the Board of Appeals.

Mr. Saba remarked that he has worked with Mike and Debbie Mummaugh over the past thirty years. He is very excited to propose this project to the Town as it combines affordable living with walk able connectivity to the Town. We would like to increase the density to provide four floors with elevator access versus a three story walkup without elevator access. This community will have access to a swimming pool, a clubhouse, a nature trail along with a tot lot for children. Architecturally, we are working to maintain many of the features already prevalent around the Town of Leonardtown such as the dentils used on the buildings such as the Duke Building. A meeting is planned with the Foxwell Condo HOA to discuss use of their easement for exit/entrance onto Fenwick Street.

Mayor Burris remarked that this is the type of project the Town should embrace as it provides much needed workforce housing.

Councilmember Roberts agreed that the Town is deficient in providing affordable workforce housing and if we can get this to work it would be a great asset. It will also provide housing for some older residents who don't want the upkeep of a home and want the walk ability into Town.

Councilmember Roger Mattingly inquired about the rental rates.

Mr. Saba responded that the starting rate will be in the \$1,200 to \$1,300 range and depending on the number of bedrooms and features the rate increases but will be competitive with the surroundings apartment complexes within the County.

Councilmember Hammett remarked that they have done a good job of trying to work with the confines of the Ordinance, the PIRD and the density.

Ms. McKay reported that with regards to EDUs, the Ordinance approval in 2008 was designed to give Council the ability to make sure that future projects such as this one meet the criteria outlined in order to move forward.

Mayor Burris stated that he feels this project does meet the Infill Project criteria and it is important to the future economic viability of the Town.

Ms. McKay reported that what Council is looking for today is the eligibility of this project to move forward and that it will require however many EDUs that it ends up with at the end of the project per Ordinance No. 132.

**Councilmember Roberts moved to send forward the Hamptons project before the Planning and Zoning Commission. As per Ordinance No. 132, the project meets two criteria both as an Infill Project and as a project that would enhance the Town's future economic viability; seconded by Councilmember Hammett, no further discussion, motion passed unanimously.**

Ms. McKay reported that the Raiders and Invaders event received quite a few accolades from the State agencies and their representatives. The Star Spangled Banner and the St. Mary's Historical Society were extremely pleased with the turn-out and the variety of historical activities. We know there were many visitors from out of state and lots of folks who had never been to Leonardtown and numerous people continued with tourism activities throughout the County to take advantage of the Sunday events. Even though we may not have had as many people as we thought we did achieve the goal of more tourism exposure to Leonardtown and St. Mary's County.

A very big thank you to the entire staff for all their hard work before, during and after the event. They were instrumental in making this a successful event. Special thanks to Carolyn Laray and Andrew Ponti, St. Mary's County Tourism office for all their long hours of preparation and execution. They were a great team to work with along with all the steering committee members and all the extra volunteers.

Mayor Burris added his thanks as well to everyone.

Ms. McKay reported that the Town has once again received the prestigious national designation of a regional site from the National Veteran's Association. We were contacted recently by the Maryland Veteran's Administration.

Mayor Burris stated that he had the opportunity to run into Secretary Chow at the MML Convention and thanked him for his support of the Town and his attendance of our Annual Veteran's Day Parade.

Ms. McKay reported that the More to Explore Passport Program that was brought forward previously and that the St. Mary's Hospital received a grant for is now active. It highlights two different areas within Leonardtown, the downtown trail which starts at Tudor Hall and the second is the water trail from the Port of Leonardtown to Leonardtown Wharf. Each site has a

marker that visitors imprint in the passport. The passport went out and runs from June 16 to August 15 and is to encourage people to get out and be more active throughout the summer.

**Mayor's Report**

Mayor Burris reported that he attended the MML Convention along with Councilmembers Roger Mattingly, Jay Mattingly, Hayden Hammett and Tom Combs. Councilmember Roberts was unable to attend due to the change to an earlier date and school was still in. It is the first one she has missed since her installation.

Mayor Burris remarked that it was a very good conference with lots of excellent programs. Comptroller Franchot stopped by the Town's booth and specifically noticed the Captain Walter Francis Duke display. His father was a WWII veteran and was very much interested in learning more about Capt. Duke. There was a gubernatorial forum of all the candidates which was very informative.

**Events** – Roger Mattingly

Councilmember Mattingly reported that he attended the MML Convention arriving early to set up the booth on MainStreet. Attended Orientation and as many programs as possible, one in particular was entitled Active Shooter, How to Respond. We hope to never have to use this information but the knowledge gained is valuable. The keynote speaker this year was Cal Ripken and it was a fantastic presentation. It was a very successful convention. We spent our time attending educational classes to help us better understand how our small town government can work smoothly. The theme this year was Educate, Engage and Excel. Also, congratulations to our newest Council Member, Tom Combs, who, during his first MML Convention, attended a large number of classes.

Councilmember Roberts inquired about the status of the extension of the sidewalk out to Leonard's Grant.

Ms. McKay responded that the last meeting with the SHA was in March and they are revisiting the design because we asked them to extend out to Leonard's Grant. We met with DPW as well to show them what was available on site.

Raiders and Invaders was a great success. Special thanks to Maria Fleming and her intern, Taylor Pasini, Laschelle McKay, Town staff and Council Members.

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

<b><u>Date</u></b>	<b><u>Time</u></b>	<b><u>Meeting</u></b>
Tuesdays, June 17 & 24 Tuesdays, July 15 & 22	6:45 PM	Twilight Series @ CSM - Leonardtown
Saturday, June 21	7:30 AM	Sunrise Yoga @ the Wharf
Wednesday June 25	5:30 PM	SMC Chamber Business After Hours Hosted by the Greenwell Foundation @ 25420 Rosedale Manor Lane, Hollywood, MD

<u>Date</u>	<u>Time</u>	<u>Meeting</u>
Saturday, June 28	6 PM	Downtown Tunes country music with the <i>Sara Gray Trio</i>
Saturday, June 29	4 PM	Bluegrass Down by the River @ the Wharf Bluegrass Gospel Express and Leonardtown Nazarene Church
Friday, July 4	HOLIDAY	Independence Day – Town offices closed
Friday, July 4	5 - 8 PM	Red, White and Blues “First Friday” Celebration on the Square
Friday, July 11	8:30 AM	LBA Meeting @ TBD
Saturday, July 19	7:30 AM	Sunrise Yoga @ the Wharf
Saturday, July 26	6 PM	Downtown Tunes rocks with <i>HydraFX</i>
Friday, August 1	5 - 8 PM	Flip Flop “First Friday” Celebration to kick-off Beach Party on the Square
Saturday, August 2	4 - 9 PM	Beach Party on the Square

**Community Development and Strategic Planning** - Hayden Hammett

Councilmember Hammett reported that new home construction continues with inspections being performed and Clark’s Rest is installing curbs, gutters and roads are to be paved soon. Duke Elementary School has almost all the water and sewer lines installed and they are in the process of being tested and approved by the Town. The new bathroom facility at the Port of Leonardtown Winery has been completed. I also attended quite a few of the marketing and economic development classes offered at the MML Convention. One of the classes focused on social media and I am working with Ms. Dimsey to construct ideas for the Council to review on what is best way to utilize social media for the Town.

**ENR Upgrade** – Tom Combs (absent no report)

**SMMA Update** – Leslie Roberts

Councilmember Roberts reported that through grant funds, both Indian Head and North Beach were having market studies done by Mr. Basu. The next SMMA meeting will be hosted by Leonardtown and held on Wednesday, September 3<sup>rd</sup>.

**Safety and Emergency Preparedness** – Jay Mattingly

Councilmember Mattingly reported that he attended the MML Conference and was able to complete all his required classes for the Academy for Excellence in Local Governance. I had a meeting with Mr. Wheatley to go over the list former Councilmember Collier had established as a watch list of streets and roads that needed maintenance. I continue to monitor the streets and roads within Clarks Rest and their paving status.

A thank you to the Department of Public Safety and Emergency Communications, who lent us their radios for use during the Raiders and Invaders event which were extremely helpful, the Deputy’s, Sheriff’s office staff, and the EMS for all their help.

On June 14, I attended the Flag Day ceremony which had a great turnout. Street lights were out along the east side of Washington Street and SMECO was notified for repair.

Ms. McKay recognized Mayor Burriss for his recent recognition from the St. Mary's Chamber of Commerce as Business Person of the Year. Everyone applauded and gave their congratulations.

Mayor Burriss remarked that he was quite honored.

**Mayor Burriss reminded everyone that he will be available for discussion after the close of the meeting and entertained a motion to adjourn the regular meeting.**

**Councilmember Roger Mattingly moved to adjourn the regular meeting at 5:00 p.m.; seconded by Councilmember Hammett, no further discussion, motion passed unanimously.**

Respectfully Submitted:

---

Teri P. Dimsey

**Approved:**

---

Daniel W. Burriss, Mayor

---

Leslie E. Roberts, Vice President

Absent  

---

Thomas M. Combs, Councilmember

---

Hayden T. Hammett, Councilmember

---

J. Maguire Mattingly IV, Councilmember

---

Roger L. Mattingly, Councilmember