



Commissioners of Leonardtown

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DANIEL W. BURRIS
Mayor

LASCHELLE E. MCKAY
Town Administrator

Commissioners of Leonardtown **Town Council Meeting Minutes** **August 8, 2016**

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

Also in attendance were: Teri Dimsey, Secretary; Laschelle McKay, Town Administrator; Rebecca Sothoron, Treasurer; Jada Stuckert, Planning Assistant; Maria Fleming, Events Coordinator; John Wharton, The Enterprise; Guy Leonard, The County Times. A complete list of attendees is on file at the Leonardtown Town Hall.

Mayor Burris asked Councilmember Hammett to say the invocation and asked Ms. Dimsey to lead everyone to say the Pledge of Allegiance.

Mayor Burris noted that there is one additional item to add to the agenda which is the Annexation Agreement on the Hayden Farm.

Approval of Minutes

Meeting minutes for the July 11, 2016 Town Council were presented for approval.

Mayor Burris entertained a motion to accept the minutes as presented. Councilmember Roger Mattingly moved to approve the July 11, 2016 minutes as presented; seconded by Councilmember Combs; motion passed unanimously.

Mayor Burris moved on to the next order of business.

Treasurer's Report – Rebecca Sothoron

Ms. Sothoron reported that July financial was distributed and \$100,000 was transferred to the Operating Account during the month.

We are only 8% through the fiscal year 2017. Included are draft FY16 financial information. We will still receive revenue receipts in August that will accrue back to FY16. We continue to receive invoices for services provided for FY16.

Property taxes have been printed and are in the process of being stuffed and mailed. We have over 120 new taxable parcels since last year and specifically related to the most recently platted lots at Clark's Rest.

Mayor Burris noted that we have a new business owner in the audience. Jessica Cheng stated that they will be serving infusion type cuisine so a mix of Asian, American, France and Italian but not a very large menu more of a tapas style.

Liquor License Letter of Support- Jessie's Kitchen - Ms. McKay remarked that Jessica Cheng is opening a restaurant in the Washington Street Retail complex next to Urban Barbeque. She is requesting a Class B- BWL Restaurant license (which typically is on and off site sales) for her location at 22854 C Washington Street. The license will be in the names of Jessica Cheng and David Peachman.

Ms. Cheng said that she is anticipating opening mid- October or early November.

Councilmember Roger moved to approve sending a letter of support for a class B Restaurant Liquor License for Jessie's Kitchen to be located at 22854 C Washington Street; seconded by Councilmember Combs, no further discussion, motion passed unanimously.

Mayor Burris remarked that we have with us today Chris Kaselemis, Director of Economic Development for St. Mary's County. Mr. Kaselemis graciously accepted our offer to present on Public Art.

Mr. Kaselemis thanked Council for inviting him and explained that he is not actually a Public Art specialist but it is very much an important part of tourism and economic development. The theme is for us to be successful in economic development we really need a place like Leonardtown that can help us attract a talented and young workforce.

Mr. Kaselemis proceeded to provide informative information on how Public Art can help attract people and help facilitate and increase economic development.

Planning & Zoning Report – Laschelle McKay

The last Planning & Zoning meeting was held on July 18, 2016. There were four items on the agenda:

Case #37-16 - 25966 Point Lookout Road - Request for BLAP was approved for the Edwards farm.

Case #38-16 - 22694 Washington Street - Request for architectural review was approved for the former Reynolds Building.

The next Planning & Zoning meeting will be held on August 15, 2016, and we currently have two items on the agenda:

There is a BLAP for one of the parcels that the Wheatley's have just behind the Good Earth. The Hanger building is for sale and they are adding some of the area behind it to the parcel for parking.

We also have the concept plan for the Leonardtown Library at the Hayden Farm.

Police Report – Laschelle McKay

Deputy Smolarsky will provide Council with a written report but unfortunately she was out ill today. She did get the speed signs up and running in Town to make drivers take notice of their speed and pedestrians.

Town Administrator's Report – Laschelle McKay

Maryland Dept. of Planning Annual Report- During last month's Planning and Zoning Commission meeting the Board approved the annual report required to be submitted to MDP by the town. Part of the requirement is to present it to the Town Council after approved by the Planning Commission.

Library/Senior Center Use on Educational/Recreational Campus (Hayden Farm) - The new library/senior center is scheduled to be on the Planning and Zoning agenda on August 15th for concept approval. Per the March 12, 2012 Annexation Agreement between the Commissioners of Leonardtown, the Commissioners of St. Mary's County and the Board of Education of St. Mary's County, item #2.1.8 Significant Amendment- any significant amendment shall require approval by the Commissioners of Leonardtown after a public hearing, any amendment that is not significant may be approved by the Commissioners of Leonardtown. Whether an amendment constitutes a significant amendment shall be the determination of the Commissioners of Leonardtown.

The document states that the property is being proposed for use as an elementary school, a middle school and an early childhood center with the balance to be a public park. There is currently an elementary school and proposed future middle school but no early childhood center and instead a library/senior center. You were provided with the attachments for review.

Mayor Burris remarked that as everyone is aware this project was quite contentious. Some of us wanted the library downtown and I still feel strongly that it should have been downtown. They did move forward with the plan to build it out at the Hayden Farm and my concern is that if it is denied by this board and moves to an appeal that because the Library code falls under education and with them reducing a school and adding a library it still could be considered education. Even though I still believe it should have been downtown there is a good chance of losing this appeal so I would recommend that we go ahead and move forward and agree that there has not been a substantial change from the annexation agreement.

Councilmember Roberts moved to propose that the library/senior center to be located at the Leonardtown Education and Recreational Campus does not constitute a significant amendment to the March 12, 2012 Annexation Agreement and further approve the project

to proceed through the planning process as described in section 1.9 of the Annexation Agreement; seconded by Councilmember Roger Mattingly.

Discussion:

Councilmember Roberts noted that the two main reasons she is comfortable making this motion is that it is not a significant amendment; one, the new concept plan switches out the early childhood center for the library/senior center which does follow under that same educational umbrella. Also going back to the original concept plan that is in our planning document that had a library that only came out when the past County Commissioners had denied the library and that is why the early childhood center was put in there and, two, the fact that they are only adding about 4,000 sq ft of development. So we are now changing the use and not changing the square footage dramatically. Yes, the locations are moving around a little bit but because the change of use and very small change in square footage I am comfortable making that motion.

Councilmember Jay Mattingly abstained due to being a St. Mary's County employee.

Councilmember Combs noted that the buildings do fall within the educational range but they have done away with the sports field and when I was in construction that would be considered a major change in the contract. But, is this worth pursuing, no.

Councilmember Hammett thanked Mr. Kaselemis for his departments good work with the Town and mentioned that during his presentation he said the word "downtown" approximately twenty-six times and how important even the very little things are, as mentioned by the Mayor and Councilmember Combs, I strongly supported that the library be built downtown mainly because it is the largest public infrastructure investment project that we will see in the Town for the next fifty years. I remember why the clause was put in which was specifically for the reason the Town would not annex this large portion of land into the Town and end up with major draws and attractions that would take people away from the downtown and was a major concern. In the construction, banking and planning and development industry any time you are talking about moving buildings regardless of the use, altering the location or major square foot changes, or site changes, access changes, those are major changes. I would have to disagree with the majority of the Council and say that I believe this would be a major change to the annexation agreement. Whether it came back to the Council once we got a recommendation from our planning commission, that decision was not made in a bubble, we put the clause in there so that there would be another board that would look at it independent of the Town Council and they would have the ability and authority to make a strong recommendation. I did serve on the planning commission and the comprehensive planning committee that put that document together and I recall the discussion about that clause. If it came back to the Council, which I believe it should come back to the Council, I think the failure to make the final decision and to pass on it and pass it off to the planning commission would be a failure to our duty and representing the people who elected us. So in that case, I will summarize and say I believe it to be a major change and it should come back to us for final approval. We are getting a brand new library and senior center, as mentioned in Mr. Kaselemis' presentation, it is very difficult for me to accept that that large of an important project will be built on the peripherals of the Town.

Mayor Burriss asked if there was any further discussion.

Councilmember Roger Mattingly remarked that the new library will still be in Leonardtown, just not in the downtown, and he thinks it is close to the school and the largest neighborhood we have in Town and thinks it is the right place and right thing for us to do.

Mayor Burriss noted that there is a motion and a second on the floor.

Councilmembers Combs, Roberts and Roger Mattingly voted in favor. Councilmember Jay Mattingly abstained and Councilmember Hammett opposed.

Mayor's Report – Mayor Burriss

Mayor Burriss reported that the weekend was great starting with First Friday and going right in to Beach Party on the Square with some rain storms but the crowds made the most of it.

Events – Roger Mattingly

The Southern Maryland Film Festival planning committee is grateful to the Town, its businesses and residents for hosting their 2nd fest July 15-16. People who attended have commented on the quality of the films and appreciated that the event was easier to navigate this year. Filmmakers benefitted from the opening night panel and meet & greet as it provided information from industry professionals and freed up their Saturday schedule to be able to view other movies.

Downtown Tunes with Josh Airhart and Megan Nosek was postponed, but still drew a Sunday crowd of about 150 people. The final Downtown Tunes will feature local country singer Wesley Spangler on Saturday, August 27th.

The Southern Maryland Boat Club hosted a great weekend of racing starting with a meet-n-greet at The Rex and an outdoor showing of the movie *Madison* at the Wharf Friday night July 29th, then running heats a good portion of the day Saturday the 30th and Sunday the 31st. Food was provided by Kevin's Corner Cafe, Big Larry's Eatery, and Kona Ice. Many thanks to the Boat Club for running a safe, unique, and well-organized event.

We appreciate everyone who came out to enjoy National Night Out on Tuesday, August 2. Leonard's Freehold provided food and games, Maria and Cpl. Peggy handed out dozens of giveaway items, and the LVFD provided much needed relief with a fire truck hose down.

The St. Mary's County Public Schools will once again be hosting their New Teachers Welcome Picnic at the Leonardtown Wharf Park the evening of Monday, August 15th.

Dominion Apostolic Church is hosting a Gospel Concert at the Wharf on Saturday, August 20 from 5-9 p.m. They have invited local churches in the area to join the event, giving each location a portion of the program to talk about their church and highlight their music programs. The event is free to the public.

The final Sunrise Yoga at the Wharf will be held on Saturday, August 27 at 7:30 a.m.

The September First Friday on the 2nd will be a special Arts & Entertainment District Celebration, featuring artists around the Square, live music by Higher Standards, and the 4th Annual Art Walk competition. Thanks to Nell Elder, The St. Mary's County Arts Council and the First Friday Committee for spearheading this event while Maria is on vacation in Greece.

Taste of St. Mary's is Sunday the 18th from 12 noon until 4:30 p.m. The Square will be closed for this event which draws about 20-25 food establishments and over 2,700 guests to Town.

Upcoming Events of Interest/Meeting Reminders:

<u>Date</u>	<u>Time</u>	<u>Event</u>
Thursday, August 11, Friday, August 12, & Saturday, August 13	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 12	8:30 AM	LBA Meeting @ TBD
Saturday, August 20	5 – 9 PM	Dominion Apostolic Church Night of Worship @ Leonardtown Wharf
Wednesday, August 24	5:00 – 6:30 PM	SMC Chamber of Commerce Business After Hours Hosted by St. Clement’s Island Museum 38370 Point Breeze Road, Colton's Point 20602
Saturday, August 27	7:30 – 8:30 AM	Sunrise Yoga at Leonardtown Wharf
Saturday, August 27	6 – 9:00 PM	Downtown Tunes Country with Wesley Spangler
Friday, Sept. 2	5 – 8:00 PM	Arts & Entertainment First Friday & Art Walk
Monday, Sept. 5	HOLIDAY	Town offices CLOSED - Labor Day
Friday, September 9	8:30 AM	LBA meeting @ TBA
Sunday, Sept. 18	12 Noon – 4:30 PM	Taste of St. Mary’s in Leonardtown Square
Thursday, Sept. 22	3 - 9 PM	St. Mary’s County Fair @ Fairgrounds
Fri., Sept. 23, Sat., Sept. 24	9 AM – 9 PM	<i>Parade – Commissioners invited to Participate</i>
Saturday, Sept. 24	10:30 AM	
Sunday, Sept. 25	9 AM – 6 PM	

Community Development and Strategic Planning - Hayden Hammett

Councilmember Hammett reported that he is looking at the largest permit list we have seen. There are a ton of new commercial and residential renovations along with new commercial sign permits which encompass small decks to multi-million dollar renovations.

ENR Upgrade – Tom Combs

Councilmember Combs reported that there is nothing significant at this time to report. The lagoon repairs are moving along.

Councilmember Roberts asked if we had gotten any engineer recommendations to do any expansion.

Ms. McKay responded that they have been looking at this but do not have a final report at this time.

SMMA Update – Leslie Roberts

Councilmember Roberts reminded everyone that the next meeting is Wednesday, September 14th hosted by the Town of La Plata. The topic of the meeting will be dealing with dilapidated and abandoned buildings. MML will provide a speaker or recommend a speaker. We would like to hear how each of the Towns deal with this issue.

Safety and Emergency Preparedness – Jay Mattingly

Councilmember Mattingly reported that the sign board has been a big help around town. He will be attending his second MML Directors Board meeting in September and another at the October Fall MML Conference.

Ms. McKay also noted that the Hamptons have pulled permits for the Pool and Club House buildings and the concrete pads.

Councilmember Roberts mentioned that in the County Times they reported there was about 25 million additional funding for about local roads.

Ms. McKay stated that it was actually money already allocated and we just had to send in paperwork saying we still wanted the money allotted to our projects.

At 4:47 p.m. Councilmember Roger Mattingly moved to close the meeting, seconded by Councilmember Combs. Motion passed unanimously.

Respectfully Submitted:

Teri P. Dimsey

Approved:

Daniel W. Burris, Mayor

Leslie E. Roberts, Vice President

Thomas M. Combs, Councilmember

Hayden T. Hammett, Councilmember

J. Maguire Mattingly IV, Councilmember

Roger L. Mattingly, Councilmember