



# 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, 2019**

Attendees: Daniel W. Burris, Mayor  
Tyler Alt, Council Member  
Hayden T. Hammett, Council Member  
Christy Hollander, Council Member  
J. Maguire Mattingly IV, Council Member  
Mary Maday Slade, Council Member

Also, in attendance were: Laschelle McKay, Town Administrator; Rebecca Sothoron, Treasurer; Teri Dimsey, Executive Secretary; Brandy Blackstone, Events Coordinator; Jada Stuckert, Planning; Mike Hewitt, Commissioner, Mike Mummaugh, Paragon Properties; Lillie /Robert Mattingly, RCM; Deputy Moses; Jason VerNooy, GHD; Taylor Deville, Enterprise; Guy Leonard, County Times. A complete list of attendees is on file at the Town Hall.

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

**Mayor Burris moved ahead on the agenda and asked Deputy Moses to present the Police Report.**

### **Police Report**

Deputy Moses reported that the Sheriff's Department would like to remind residents to please lock their vehicles. There have been recent attempts and actual thefts of items taken from unlocked vehicles in the Academy Hills, Leonard's Grant and Clarks Rest neighborhoods. A suspect has been developed and we hope to have them apprehended very soon.

Deputy Nelson will be returning as Town Deputy sometime in mid-April.

Mayor Burris noted that Commissioner Hewitt has joined us today and welcomed him. Commissioner Hewitt remarked that he plans to attend frequently and bring Council up to speed on the County's agenda and happenings.

### **Treasurers Report** – Rebecca Sothoron

Ms. Sothoron reported that there was no transfer of funds between the LGIP and the Operating Account. We are 67% through the budget year. We did receive the second quarterly income tax distribution from the State of Maryland and it appears we will not reach the budgeted income tax. Hopefully, we will see a bump at the end of June after tax

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**COUNCIL:** TYLER ALT      HAYDEN T. HAMMETT  
CHRISTY HOLLANDER      J. MAGUIRE MATTINGLY IV      MARY MADAY SLADE

returns are filed. There are some other revenue sources that will have small surpluses but not enough to offset that.

There is an item called Interest Income on the first page there that looks like it's way over budget, but the majority of that gets allocated out at the end of the year to the Enterprise Fund. Snow removal is currently \$9,000 over budget so that will affect the road maintenance projects for the spring.

The Audit RFP will be distributed and available for vendors next week, will then be reviewed and brought back before Council.

Today we need Council's approval or disapproval of extending the trash contract. Based on the meeting that we had with the contractor, Goode Companies, we are recommending that we assign the contract from Affordable to Goode Trash Service and approve a two-year extension. Goode is committed to maintaining the recycling program. A link to a video about the problems that jurisdictions are having with recycling programs has been sent to you for your review. Some jurisdictions have taken out curbside recycling altogether. These changes wouldn't take effect until July 1, 2019, so we have time to decide if Council wants change to once a week trash collection and decide to maintain the once per week recycling for the residential customers. A decision does need to be made if Council wants to extend the contract to Goode Companies.

Councilmember Mattingly inquired if someone wanted to put out more trash, they could purchase an additional toter.

Ms. Sothoron responded that it would need to be in a Goode Companies toter and there would be a one-time charge of \$78.

Councilmember Mattingly inquired if we go to once a week and it doesn't work out, are we allowed to revisit the contract to get back to twice a week or are we locked in for those two years at once a week?

Ms. Sothoron remarked that we need to have an in-person meeting to know what the true answer is. My reasonable personal opinion is once they commit to once a week, they're going to adjust everything else on their side and it's going to be really hard and they probably wouldn't agree to keep the price that's in the bid documents for two times a week.

Mayor Burris remarked that this decision will come later and we really need to focus on the extension and we can make a more informed decision later on going one or two days with the service.

Ms. Sothoron noted that we can provide Council with more firm numbers versus the estimated numbers of what it would cost to the customer to make that change.

Councilmember Hammett inquired as to when the current contract expires?

Ms. Sothoron stated June 30<sup>th</sup>.

Mayor Burris stated that you've checked other sources and are recommending that we stay with the Goode Companies contract?

Ms. Sothoron noted that there has been some interest from smaller Southern Maryland trash companies in the area and they are keeping tabs on where we are with this extension process but we do have some concerns about their manpower to cover our service area.

**Councilmember Mattingly moved to assign the current Affordable Refuse and Recycling contract to Goode Companies, Inc. and to accept the proposed unit prices from the 3/20/14 bid adjusted by the CPI clause (excluding 2/19 adjustment); seconded by Councilmember Slade, no further discussion, motion passed unanimously.**

**Mayor Burris moved on to the approval of the minutes.**

#### **Approval of Minutes**

Meeting minutes for the February 11, 2019 Town Council were presented for approval.

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

**Councilmember Mattingly moved to approve the February 11, 2019 minutes as presented; seconded by Councilmember Alt, motion passed.**

#### **Planning & Zoning Report** – Jada Stucket

The last Planning & Zoning meeting was held on January 22, 2019 with one item on the agenda.

**Case No. 23-15 The Shoppes at McIntosh – 25805 Point Lookout Road** - Request for Final Site Plan Approval for an approximately 9,500+ sq. ft. addition

There being no items on the March agenda the next Planning and Zoning meeting will be held on Monday, April 15, 2019.

#### **Town Administrator's Report** – Laschelle McKay

#### **GHD Utility Study Presentation by Jason VerNooy**

The Council had requested a presentation by Town Engineers at GHD to review the Water Capacity Management Study and the Sewer Study as we move forward with prioritizing three major utility projects; Water Tower construction, Well construction and Wastewater Treatment Plant Expansion. Discussion is also needed to revise the impact fees to support growth related projects.

Ms. McKay introduced Mr. VerNooy of GHD who will present a detailed presentation on these three major utility projects for the Town.

Mr. VerNooy began by explaining that the Town just finished up on it's ENR Upgrade over a period of many years and that GHD has worked with the Town for over 20 years. He explained that he will be utilizing a power point presentation to go through the many details of the upcoming utility projects and their impacts to the Town, their residents and commercial businesses. He will explain how these improvements are both State mandated and well worth the investment the Town puts in now to continue to benefit the Town as the population and needs of the community grow.

Mayor Burris and the Council Members thanked Mr. VerNooy for taking time to provide this in-depth presentation.

Ms. McKay stated that from here on out there will be a lot of proposals coming forward based on this information and we need to move forward quickly. We are looking at the water tower first and part of that is the discussion of the impact fee for the water side at this time and Ms. Sothoron has done some work on that.

Ms. Sothoron stated that based on the estimate that Mr. VerNooy gave us today, using that plus the projected capacity, the water tower and the number to service, the recommendation would be \$3,000. In order to approve this, we will need to introduce an ordinance to modify this at the next Council meeting in April and approve it at the May meeting.

Ms. McKay noted that it is currently at \$1,800 and it's been that since 2004 so we are looking at a \$1,200 increase.

Ms. Sothoron stated that it is important for that to happen sooner than any change to the Sewer impact fee. Because, anything that has not been allocated out of the sewer capacity from the existing permitted flow, is set aside to pay for existing Debt Service. That's not the case for the water side. So, I have unallocated EDUs on the water side that can be used to pay for that service for the well and water tower projects. It's important for that to be changed first. For the sewer, as we get towards final design and have a better idea what the cost is going to be, then I can do the math there and all the EDUs that would be allocated out of a new capacity would pay the new charge.

Ms. McKay remarked that more recently we significantly changed the sewer impact in 2007.

Councilmember Hollander stated that we're going to use the estimates they've given us for budgeting purposes, but then our next step is to update the model basically and then hone in on our capacities.

Councilmember Hammett inquired of Mr. VerNooy if they had looked at using any alternative sources.

Mr. VerNooy responded yes. We see both surface water and groundwater and Leonardtown is actually fortunate in the quality of the groundwater. That actually saves you from having to do more extensive treatment of the raw water. In different locations we do see more treatment necessary based on usually surface water does require additional treatment steps. So that option would be available but the raw water quality for the existing well is adequate for minimal treatment at this point.

Ms. McKay stated that we do have two other wells that are for emergencies that we don't use on a regular basis.

Mayor Burris thanked Mr. VerNooy for an outstanding detailed presentation and very much appreciate his time and thoroughness to inform the Council and the Town.

#### **Adoption of Ordinance No. 189 Public Ethics**

An ordinance adding provisions to Chapter 9 - Ethics of the Code of the Town of Leonardtown as required by Public Integrity Act of 2017. This Ordinance was introduced last month at the February 11th meeting and no inquiries have been received.

**Councilmember Mattingly moved to approve Ordinance No. 189 for the purpose of updating Chapter 9- Ethics Code of the Town of Leonardtown; seconded by Councilmember Slade, no further discussion, motion passed unanimously.**

## **St. Mary's County Transportation Priority Letter**

Ms. McKay reported that Commissioner Hewitt wanted to provide some details on this subject.

Commissioner Hewitt remarked that he will be attending to bring County items of interest to the Town's attention. One of which is that the Annapolis delegates have switched priority from the Solomon's bridge to focusing more on the road infrastructure from Great Mills Road up to the Route 5 intersection, which is just outside of Leonardtown. Under the Transportation Plan we support the Town's request to extend the sidewalk project from Leonard Hall down to Leonard's Grant intersection. We are also working to set up a dedicated bus route/service that would run within the Leonardtown Town boundaries and are in the process of applying for grant money to make this happen. It would be a great benefit to our community especially for those wanting to get into downtown or uptown Leonardtown for lunch or shopping etc.

On another note, we had a Commissioner who had a request about the impact fees and other designates because some of us have been under the impression that these funds get designated for schools, for roads, for Recreations and Park. We recognized that the school system does not need any new schools for the next eight to ten years, so, we have something like five or six million dollars tied up in collected impact fees for schools. Some of these funds were contributed by the Town so you may want to get some clarification of how that money's going to be used.

We are also looking into Community Block Grants in the Lexington Park area and will keep the Town informed if they are interested.

You are probably aware that the minimum wage increases to \$15 an hour. This will impact our budget and possibly the Town's. Lastly, is the Kirwan Commission which will raise the cost of education which means that the County may be looking at anywhere from \$12 to \$16 million dollars more that the County has to come up with and it means raising income taxes or property taxes or some way of raising these funds.

Mayor Burris thanked Commissioner Hewitt for bringing this to the Town's attention and keeping us informed.

Mayor Burris noted that we just did a traffic study at Clark's Rest and Route 5 and with the connection to Leonard's Grant to Clark's Rest it appears we are going to meet the warrant for a traffic light.

Councilmember Slade inquired about how we can learn more about the bus route.

Ms. McKay responded that she sat on the County's Transportation Advisory Committee and was involved in the discussions about updating their transportation plan and will keep Council advised on the committees' activities.

Ms. McKay stated that the SHA has completed the design for Phase 2 of the Route 245 sidewalk project and we know that we have some issues to work out such as building of some stormwater management areas that we did not have to deal with in Phase 1 and how these facilities would impact some homeowners' properties. We need to get buy-in from all the homeowners and are planning a similar meeting with the homeowners along with representatives from SHA to discuss these impacts which will also affect the area in front of the Governmental Center and SMECO. Ms. Stuckert and I met with SMECO last week and

fortunately, they've designed around that so that's already taken care of. We are in the process of scheduling meetings in the evening with the homeowners at this time.

#### **Award Sidewalk Snow Removal Contract**

The original contractor Bowles Farm had requested that the sidewalk snow removal be separated from the road snow removal bid. The sidewalk snow removal was bid separately in October 2018 and Joe Goldsmith was the low bidder. Bay Country was the second bidder. Mr. Joe Goldsmith has never been able to supply the required labor to carry out the contract and submitted a request to cancel his contract 2/25/19. Bay Country has an hourly labor price of \$45 versus Goldsmith's which was \$35 per hour.

**Councilmember Mattingly moved to award the sidewalk snow removal contract to Bay Country Enterprises for a term ending November 12, 2020 plus two two-year options to coincide with the road snow removal contract. The original sidewalk contract was cancelled 2/25/19; Councilmember Alt seconded, no further discussion, motion passed unanimously.**

#### **Authorize Mayor to sign lease for Edward Jones**

The agreement of sale for condo unit #300 with Robert and Lillie Mattingly is still moving forward with closing scheduled prior to March 31, 2019. The proposed tenant is Edward Jones. The lease is ready to be signed and because the property has not transferred, we are being requested to sign the lease so that things can be finalized prior to sale. Similar to the Bank of America lease in unit #301, we do not feel there is a risk. If the sale fell through for some reason at least we would have income coming in and then can assign the lease later.

Mr. and Mrs. Mattingly are here today and stated that they are in agreement with the lease and ready to move forward.

**Councilmember Slade moved to authorize Mayor Burriss to sign the lease for rental of condo unit #300 to Edward Jones; Councilmember Hollander seconded, no further discussion, motion passed unanimously.**

Ms. McKay reminded everyone that The Town is hosting the St. Mary's Chamber of Commerce Business After Hours and is here in the Town Hall on Wednesday, March 27<sup>th</sup> and hope everyone can make it. We have asked for donations and the businesses have been quite generous and provided numerous door prizes. It should be a nice event.

The State of the Town was delayed as it is usually held in February but is now scheduled for Friday, April 12 at 7:30 in the morning at the College of Southern Maryland. So hopefully everyone will be able to attend that as well.

Also, we have several memorial benches located at the Wharf, dedicated by family and friends. Recently, Melissa Willey approached us about a bench dedicated to her daughter Jaelynn, the young girl shot at Great Mills High School. When we ordered the bench from the Victor Stanley company, who we have been doing business with for 20 years, recognized the name, they asked to donate the bench, which is about \$3,000 in her honor. The mother doesn't know it yet, and I am waiting to talk with her to let her know, we wanted everybody to know. Victor Stanley has been great to work with, all the benches in the square and at the Wharf are from Victor Stanley which is a local company out of Dunkirk.

**Mayor's Report** – Mayor Burris

The downtown plan committee will hold its first meeting next Tuesday. Also, the Facade Improvement grant deadline is May 30th. Clark's Rest now has about 25 homes under construction and Meadows at Town Run is going well but hindered by the recent rain.

Mr. Edwards of Quality Built Homes remarked that they have four houses sold to date.

The Pier/slips at the Wharf bid is planned to go out the end of this month. The Town dropped off some goodies bags for the Hampton management to distribute to new tenants and they now have 14 new leases signed.

**Events** – Tyler Alt

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

- Saturday's, March -April - Zumba Around Town, Various Locations alternating between Shepherd's Old Field Market, the Wharf and POL 8:30 a.m. – 9:30 a.m.
- Sunday, April 14<sup>th</sup> - Earth Day, 12:00 p.m. – 4:30 p.m.
- Saturday, April 20<sup>th</sup> - Coastal Arts Market, Wharf, 9:00 a.m. – 3:00 p.m.
- Sunday, April 28<sup>th</sup> - Car Show, Square, 8:00 a.m. – 4:00 p.m.

Ms. Blackstone commented that the US Navy Band Country Current will perform on square in honor of the Armed Forces Day. We're working with the organizers of the Potomac Jazz & Seafood Festival along with the businesses in Town tying in special events. There is a planned visit from Fox 5 Zip Trip that's going to take place on Friday August 2, 2019 the day Beach Party.

**Community Development and Planning** – Hayden Hammett

No updates at this time.

**Utilities** – Christy Hollander

No updates at this time.

**SMMA Update** – Jay Mattingly

Councilmember Mattingly reported that the Southern Maryland Municipal Association dinner meeting will be held on Wednesday, March 13 hosted by the Town of La Plata and the next MML Board of Directors meeting will be held at the end of April. Looking forward to having pizza at the Slice House once it opens.

**Business Development/Retention** – Mary Maday Slade

Councilmember Slade reported that she too is excited about the opening of the Slice House. Bourbon and Bows is moving to its own shop on Fenwick Street. Also, the Chamber of Commerce is hosting the Business Showcase and I think it would be a great idea for Leonardtown to participate.

**Mayor Burris entertained a motion to adjourn.**

**Councilmember Hammett moved to adjourn the regular meeting at 5:23 p.m.; seconded by Councilmember Mattingly, motion passed unanimously.**

Respectfully Submitted:

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Teri P. Dimsey

**Approved:**

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Daniel W. Burris, Mayor

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Tyler Alt, Councilmember

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Hayden T. Hammett, Councilmember

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Christy Hollander, Councilmember

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J. Maguire Mattingly IV, Councilmember

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Mary Maday Slade, Councilmember