



Commissioners of Leonardtown

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LASCHELLE E. McKAY
Town Administrator

DANIEL W. BURRIS
Mayor

Town Council Meeting Minutes March 8, 2021

On-site and Virtual Meeting Meeting recorded on YouTube – Town of Leonardtown Channel

Attendees: Daniel W. Burris, Mayor
J. Maguire Mattingly IV, Vice President
Tyler Alt, Council Member
Nick Colvin, Council Member
Mary Maday Slade, Council Member

On-line Zoom Christy Hollander, Council Member

Also, in attendance were: Laschelle McKay, Town Administrator; Rebecca Sothoron, Treasurer; Jada Stuckert, Planning; Teri Dimsey, Executive Secretary; Beth Sandberg, Office Manager; Kristi Nelson, Deputy; Will Moorehead, JustTech. A complete list of attendees is on file at the Town Hall. Viewers on Town of Leonardtown YouTube Channel.

Councilmember Colvin provided the invocation and Ms. Dimsey led the Pledge of Allegiance.

Approval of Minutes

Councilmember Mattingly entertained a motion to approve the minutes of February 8, 2021.

Councilmember Mattingly moved to approve the minutes of February 8, 2021 as presented; seconded by Councilmember Slade, no further discussion, motion passed.

Treasurers Report – Rebecca Sothoron

Ms. Sothoron reported that during the month there was no transfer to/from the LGIP. We are 67% through the budget year. We received two quarterly tax distributions and it appears we will reach our revenue projections but, we have been cautioned by the Comptroller's office that there may not be a second distribution. Additionally, the Maryland Relief Act is going to forgive income tax that would normally be required to be paid on unemployment insurance and this will affect the distributions. Snow removal year-to-date was approximately \$62,000. Facilities maintenance is over budget as we had storm damage at the Port of Leonardtown. We have requested reimbursement from FEMA. Facilities maintenance at the Wastewater Treatment Plant is also over budget due to the unanticipated replacement of the digester. The Collection System was also significantly overbudget due to the repair of the interceptor. Budget Amendments will need to be approved to bring reserve money forward to fully fund the department before the end of the year.

We were informed that the unemployment tax rate for Leonardtown is changing from .3% to 2.2% and it is the lowest amount in the State but everyone is now in a different chart due to funds needing to be replenished. We estimate an additional \$3,000 a year of unanticipated cost with this rate change.

Councilmember Slade noted that unemployment funds have been deemed non-taxable and any grant money that small business received have also been deemed non-taxable.

Extension of Goode Companies Trash/Recycling Contract

Ms. Sothoron reported that Council was provided with a lengthy packet of information outlining the trash collection contract with Goode Companies.

We requested Goode Companies submit their plans to honor the existing terms or not. Goode came back with a very detailed letter explaining why the anticipated CPI, which was 1.4%, would not be enough to cover their operating expenses. They explained how much of the fee relates to disposal and, in this case, it is about 60% of the fee that they charge to cover the disposal of trash and recycling. They detailed how the recycling component of their service has experienced significant increases in operating expenses and this has been touched on before. We are no longer, as a country, allowed to ship most of our recycling to China because of the levels of contamination. In order to bring a recycling load into compliance it takes more manual labor which is an additional cost. They are facing labor shortages, due to the low unemployment rate and the pressures of minimum wage increases and having to provide sign-on bonuses. They provided as much information as they could to explain why they were asking for an increase.

We provided Council with a summary/timeline along with a monetary perspective of our contract with Goode over the past years. This allows you to see, over a period of time, how their contract has increased and why the contract will pass along to our customers a 6.5% increase as we want the function of trash and recycling to pay for itself as this is the major component that makes up for this expense.

For customers outside of the Town, Goode charges \$99.00 per quarter for a once a week collection. Our residents pay \$74.00 per quarter and that is a \$25.00 per quarter savings just by living in Town. Our contract also provides an additional day per week of trash collection and an additional two recycling collections per month. The service is not even the same but as you can see the out-of-town customer is paying more for less service. Waste Management quarterly price is \$180.00 for once per week trash collection and every other week recycling.

Goode have requested that the existing service charge increase 6.5% and, of that, 5% would stay steady for two years and 1.5% of that is a disposal increase. They have reserved the right to come back, this time next year, with a letter of explanation if they want an additional increase. If they do not want an increase, we stay at this price for two full years. Given all this information it is important to note that we have never been able to get a lower price when we put trash collection out to bid, as very few companies are able to ramp up for the size of this contract.

Staff's recommendation is to accept the request for a year one increase of 6.5%, we would have the Town attorney execute the amendment to make sure we are covered for the first year and then see if they come back to Council to request an increase this time next year.

Councilmember Hollander confirmed that it would be an additional \$4.50 charge per quarter.

Ms. Sothoron responded yes that is correct but, this is only an estimate until we get through the budget cycle and begin to incorporate financial information that will enable us to know what our increases will be to cover everything but this is a reasonable estimate.

Councilmember Slade thanked Ms. Sothoron for providing such detailed information to help understand why trash collection and recycling is so expensive.

Ms. Sothoron stated that it has been a learning experience especially when recycling shipments to China were stopped, we learned that the amount of contamination that US customers put into recycling is extremely high. If food is on a container, they have to take it out, such as a pizza box because the grease contaminates the cardboard, hence food not rinsed off contaminates the recycling product.

Councilmember Alt expressed how impressed he was with the letter Goode Companies provided detailing the reasons for the expenses. He feels the price is reasonable for the services they provide the Town, especially compared to what those are paying outside of Town.

Councilmember Slade moved to approve a two-year contract extension of the trash and recycling contract with Goode Companies; seconded by Councilmember Alt, no further discussion, motion passed unanimously.

Mayor Burris moved on to the next order of business.

4:15 Public Hearing- Resolution 1-21 to Declare Certain Real Property, portions of Map 133, Parcel 228, containing 39.25 acres +/- as Surplus

Councilmember Mattingly moved to close the regular meeting and open the public hearing; seconded by Councilmember Slade, motion passed.

Ms. McKay provided a brief background:

This is the first step in the process to move forward with equally valued land swaps between the Town and the private developer, Tudor Hall Funding. There is a significant history to the Tudor Hall Project and an overview of that historical timeline is attached for further review. Significant occurrences include the Town obtaining ownership of 239 acres in January 2000 through Program Open Space. The deed restricts those acres to outdoor public recreation and open space and requires a like valued land to be provided to remove that restriction. As a conceptual plan is developing, it is obvious that the original parcel lines (drawn because of the golf course layout), needs to be modified to maximize the long-term planning and development goals of the Town and THF. A proposed property parcel map is attached to demonstrate the proposed changes.

Ms. McKay referred to the site plan to point out to the audience the changes.

This public hearing was advertised in the County Times, February 18, 2021 and on the Town website.

No comments were received but, we did receive an email from a Mr. Matt Mobley which is not about the land exchange itself but, a continued suggestion he has had for a while now for the Town of Leonardtown to include hiking trails in and around Town, especially trails that support 5K races. He believes that a trail could be integrated into the Tudor Hall

development connecting the Wharf to the Winery. His letter will be added to the record for future consideration.

Mayor Burriss opened the floor up for comments or discussion.

Hearing none, he entertained a motion to close the public hearing and open the regular meeting.

Councilmember Mattingly moved to close the public hearing and open the regular meeting; seconded by Councilmember Slade, motion passed.

Mayor Burriss asked Council if they had any questions?

Hearing none, Mayor Burriss entertained a motion.

Councilmember Alt moved to approve Resolution 1-21 To Declare Certain Real Property, portions of Map 133 Parcel 228, containing 38.65 acres =± as surplus and not needed for public purpose; seconded by Councilmember Colvin, no further discussion, motion passed unanimously.

Planning & Zoning Report – Jada Stuckert

Ms. Stuckert reported that the Planning and Zoning Commission met on January 16, 2021 with one item on the agenda which was approved.

Old Towne Pub – Request for Architectural Review and Approval

The next meeting will be held on March 15, 2021 and there is one item on the agenda:

Salsas – Architectural Review and Approval for Outdoor Seating

Police Report – Kristi Nelson

Deputy Nelson submitted a written report for Council's review. She was in attendance but had to leave unexpectedly.

Town Administrator's Report – Laschelle McKay

Introduction of Ordinance No. 207 - Sale and Acquisition of Certain Real Property, portions of Map 133, Parcel 228, containing 38.65 acres +/-

This Ordinance is being introduced as the next step in the process of the land swap for development of Tudor Hall. A public hearing will be scheduled for the April meeting.

Approve Task Order #22 GHD, Inc. Leonardtown Wharf Floating Dock Phase 2

At the February 8, 2021 meeting we awarded Phase 2 of the Wharf floating docks to SE Davis, Inc. This Task Order is for engineering support as needed through the construction process. We approved a similar task order for the first phase of construction.

Councilmember Colvin inquired as to when Phase 2 will start?

Ms. McKay responded that the contractor, SE Davis, is handling a large project in Indian Head and once they wrap that up, they will begin in late Spring.

Councilmember Mattingly moved to approve Task Order #22-GHD, Inc. for Leonardtown Wharf floating dock phase 2 engineering services not to exceed \$15,000; seconded by Councilmember Slade, no further discussion, motion passed unanimously.

Approve Task Order #23 Leonardtown WWTP Floodplain Study Services

As we have worked through the design for the expansion of the wastewater treatment plant, we have experienced more and more flooding issues. We are proposing a partnership with Federal, State and local partners to embark on a floodplain study for both Town Run and McIntosh Run. Ms. McKay presented detailed information through a power point presentation for explanation of the various flooding episodes throughout the years. They will begin right away and it should take about three months or less.

Councilmember Mattingly moved to approve Task Order #23 GHD WWTP Floodplain Study Services in the amount of \$67,200; seconded by Councilmember Colvin; no further discussion, motion passed unanimously.

MHAA Grant Application Letter of Support for LTOWN Alley Public Art

We received a \$4,000 MHAA grant for art planning in LTown Alley and work with the LTown Alley art committee is progressing nicely. We have identified 15 various public art projects that we would like to begin to develop for the project. We have chosen 5 areas to begin the project. The first (2 locations) would be pavers depicting the LTown logo at entrances at Washington St and Fenwick Street. Second is a mural on the wall of New View Fiber Works. The theme of this mural is "Where art and agriculture meet" and would include a selfie area. The third would be mural/murals along the walls of Duke Alley. This would have more of a historical theme utilizing the old drive up window. Finally, we have explored using the storage building/brick parking lot across from Good Earth as a venue for showing movies. We would like to incorporate some type of recycled art project on the building with an area to show movies.

We are requesting to apply for a \$50,000 MHAA grant to fund the projects. The grant requires a match. We believe \$18,000+ of the infrastructure funds could go toward match, much can also be in-kind, and we have budgeted \$10-15,000 annually in the last few years for public art and will propose to continue to do so in next year's budget. Additionally, we would request a St. Mary's Arts Council sponsorship and possibly find an outside sponsor. We also receive an A&E operating grant annually in the amount of \$10-15,000 so some of that could go toward the project. We have to re-apply for our A&E District designation in 2023 and this would be a big boost to the re-designation, and be the start to a larger project. This would be a big boost for our local artists.

Councilmember Colvin remarked that he is very excited about the project, he loves the layout and will be a great opportunity for local artists to showcase their artwork and will be a great addition to the Town.

Councilmember Slade moved to support the application of a MD Heritage Areas Authority grant up to \$50,000 for the LTown Alley artwork project; seconded by Councilmember Alt, no further discussion, motion passed unanimously.

State of the Town

Ms. McKay reminded Council that the State of the Town will be held on Friday, March 12, 2021 with the presentation to start promptly at 8:30 a.m. Due to Covid, the State of the Town will be held virtually and LBA has provided a Zoom link. We hope to see you all there.

Ms. McKay reported that we received an email asking us to report on what, if anything, has been done about improving the safety of pedestrians walking on Fenwick St. They witness a lot of speeding and have seen where light posts and trees have been taken down by accidents.

Councilmember Slade remarked that the recent accident included her Dad and her children. They are all okay. They were making a left-hand turn and a truck came speeding down Fenwick St and did not stop, ramming them from behind, pushing them into oncoming traffic where they hit another vehicle.

Ms. McKay stated that last month Council discussed installing bump-outs on both sides of the street and doing either a raised crosswalk or another option is a raised area just on the half of the hill coming up from Ryken but there was concern about impeding emergency vehicles. We are working on this problem and have painted SLOW signs on the roadway and talked about additional signage. We are working on this problem and will continue to look at ways to improve safety.

Mayor's Report – Mayor Burriss

Mayor Burriss introduced Tyler Radez as a new business owner in Leonardtown.

Mr. Radez happily announced that he is progressing forward in opening up a small brewery called the Everyday Saint which will be located in the old Duke house on Washington Street right next door to the Front Porch. He has been working with Ms. Stuckert on the permit process and things are moving forward.

Mayor Burriss announced that, unfortunately, there is no LBA representative today to provide a report.

Events – Tyler Alt

The Discovering Leonardtown Virtual Show hosted by Museum Division Marketing Manager, Andrew Ponti, returned with a series of Valentine's Day episodes that aired the week of Valentine's Day. The virtual series featured real-life couples on sample dates at local venues including Wine & Design, Do Dah Deli, Antoinette's Garden, Social Coffeehouse, Salsa's Mexican Café, Action Lounge & Billiards, Port of Leonardtown Winery, the Front Porch, and Escape Rooms Southern Maryland. Thank you to our wonderful couples who participated and helped show the amazing experiences that our local businesses offer.

There was a tremendous response to the Virtual Unveiling Ceremony for the move of the Moll Dyer Rock from the Old Jail Museum to Tudor Hall where it will be cared for and preserved by the St. Mary's County Historical Society and to the Town Council naming February 26th as Moll Dyer Day. The virtual ceremony, which aired on Friday, February 26th, reached over 9,000 people and the news releases were picked up widely by local news sources and a feature story was done by the Washington Times. Mayor Burriss read the proclamation for Moll Dyer Day on behalf of the Town Council, and Commissioner Jay Mattingly read a proclamation from Senator Van Hollen's Office.

Leonardtown's dynamic Arts & Entertainment scene is the focus of its latest virtual series, Leonardtown Arts & Entertainment. This unique series is presented in three parts – Feature Performances, Artist Spotlights, and Special Events and is funded in part by the St. Mary's County Arts Council and produced by the Commissioners of Leonardtown & Winson Media.

The new online series premiered on Valentine's Day weekend with the first Feature Performance, an intimate concert with local Country Singer/Songwriter Phillip Michael Parsons that was pre-recorded at the Olde Town Pub in Leonardtown.

The 2021 North End Gallery (NEG) Guest Artists Invitational, a visual art show held annually at the gallery, is the focus of the latest episode of the Special Events series.

The annual Earth Day event will be held virtually on Sunday, April 18th at 4:30 PM. Plans are to include as much of the annual programming as possible including the beloved Reptile World Show and Birds of Prey Exhibit, Waterman and Nature Tours as well as a variety of demos from a wide range of topics including exercise, cooking, gardening and art.

Community Development and Planning – Nick Colvin

Councilmember Colvin reported that a number of permits and U&Os have been processed. Work has begun to repair the water main break that happened a few weeks ago. He attended the Moll Dyer historical event. It is a beautiful display and they had quite the turnout of people in attendance.

Utilities – Christy Hollander

Councilmember Hollander thanked the staff and contractors during this time of numerous repairs and keeping things running smoothly.

SMMA Update – Jay Mattingly

Councilmember Mattingly reported that he attended a virtual MML Board of Directors meeting that was held on February 25th. We are trying to plan an in-person retreat on Kent Island in April but that has not yet been decided. He also attended and was very impressed with the Moll Dyer ceremony. Last week was Employee Appreciation Week. Thank you to all the Town staff for doing a great job. Lastly, Happy Birthday to our Town Administrator, Laschelle McKay.

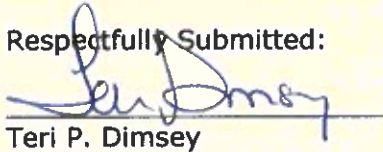
Business Development – Mary Maday Slade

Councilmember Slade reported that she is very excited to see all the outdoor spaces that are popping up around Town and all the outside expansions. A couple of things we need to pay attention to, in regards to the outdoor seating, is that we need to make sure there are a set of guidelines for outdoor seating and how the Town and the business addresses each venue. Whatever we put up, let's make it temporary so that we are not put in a position of permanency until things resolve into some normalcy after this pandemic. There is concern about the pergola going up at Sweetbay, in that it will sit on Town property, even though we have given them an easement. The Mayor suggested that the Town could be added to their insurance to give the Town a bit more confidence. Thank you to all those concerned

about my family during the recent car accident. Do Dah Deli brought sandwiches over to the hospital, Josh Mesh, my father's State Farm agent called to set things in action immediately. I love Leonardtown and love the support I received from all the businesses and friends. Thank you to all who helped out and to all the emergency responders.

Councilmember Mattingly moved to adjourn the meeting at 5:25 p.m.; seconded by Councilmember Slade, motion passed unanimously.

Respectfully Submitted:



Teri P. Dimsey

Approved:



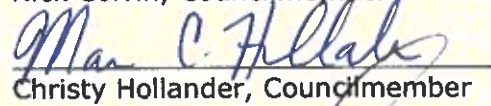
Daniel W. Burris, Mayor



Tyler Alt, Councilmember



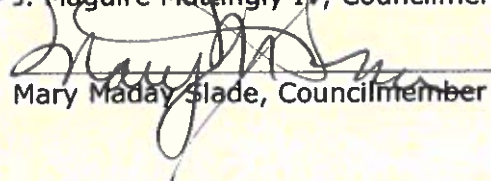
Nick Colvin, Councilmember



Christy Hollander, Councilmember



J. Maguire Mattingly IV, Councilmember



Mary Maday Slade, Councilmember