



Commissioners of Leonardtown

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DANIEL W. BURRIS
Mayor

LASCHELLE E. MCKAY
Town Administrator

Town Council Meeting Minutes March 13, 2023

**Live streamed video of the meeting can be found on
YouTube – Town of Leonardtown Channel**

Attendees: Daniel W. Burris, Mayor
J. Maguire Mattingly IV, Vice President
Nick Colvin, Council Member
Heather M. Earhart, Council Member
Christy Hollander, Council Member
Mary Maday Slade, Council Member

Also, in attendance were: Laschelle McKay, Town Administrator; Teri Dimsey, Executive Secretary, Angie Graves, Treasurer; Mike Bailey, Planning Coordinator; Cpl. Roszell, Town Deputy; Will Morehead, JustTech. A sign-up sheet was provided, there were no attendees to sign. A complete list of attendees is on file at the Town Hall.

Mayor Burris asked Councilmember Colvin to give the invocation and asked Ms. Dimsey to lead the Pledge of Allegiance.

Mayor Burris stated there are two public hearings today to be held at 4:15 p.m. and 4:30 p.m.

Approval of Minutes

Mayor Burris entertained a motion to approve the minutes of January 9, 2023 minutes.

Councilmember Mattingly moved to approve the minutes of January 9, 2023, as presented; seconded by Councilmember Colvin; no further questions, motion passed unanimously.

Treasurers Report – Angie Graves

Ms. Graves reported that the audit entries were all completed so all the reports are up-to-date. We had three properties advertised for tax sale but they were paid.

Budget Amendment #BJ-02-23 PZ Unused Salary to Travel and Training

Ms. Graves stated that this budget amendment is to cover the Asst Administrator Leadership So MD tuition when Ms. Casa was hired and as the salary income was not used from Planning and Zoning for the hours budgeted, we are moving the funds to travel and training for future use.

Councilmember Mattingly moved to approve Budget amendment BJ-02-23; seconded by Councilmember Colvin, no further discussion, motion passed unanimously.

Planning & Zoning Report – Mike Bailey

COUNCIL: NICK COLVIN HEATHER M. EARHART
CHRISTY HOLLANDER J. MAGUIRE MATTINGLY IV MARY MADAY SLADE

Mr. Bailey reported that the Planning Commission will hold a meeting on March 20, 2023 with one case to be heard:

Case No. 43-21 St. Mary's Assisted Living & Memory Care Facility – Final Site Plan and Architectural Approval -- Request Final Site Plan and Architectural Approval, 42156 Saint Andrews Church Road

Police Report – Mayor Burris

Mayor Burris thanked Cpl. Roszell for providing a written report.

Town Administrators Report – Laschelle McKay

Resolution 3-23 Resolution to adopt St. Mary's County Hazard Mitigation Plan Update

See attached memo for process. The adoption of the plan by the SMC BOCC is scheduled for March 21, 2023 agenda.

The first hazard mitigation plan for St. Mary's County was completed in 2005 and updates to the plan were completed and adopted by the county and the Town of Leonardtown in 2011 and 2017. The planning process for this version of the plan started in December of 2021 with plan approval and adoption in 2023.

Hazard mitigation is any action taken to permanently reduce or eliminate long-term risks to people and their property from the effects of hazards. Natural hazards can take many forms: tornadoes, floods, hurricanes, severe storms, winter weather, and droughts resulting from natural phenomena. To better prepare to face these natural hazards, communities can plan for and implement mitigation techniques for almost any type of hazard that may threaten its people and property.

The plan is required to be updated every five years. The Town of Leonardtown participated in this plan update. Town representatives provided information, reviewed draft plan elements, and completed questionnaires. Through their participation in the plan update, the Town of Leonardtown is eligible to adopt the plan, thereby ensuring that they have met the FEMA requirements alongside the county.

A website was developed for this planning project at <https://www.stmaryshazardplan.org> and has been shared with the public. To ensure that St. Mary's County and the Town of Leonardtown are covered by the 2022 St. Mary's County Multi-Jurisdictional Hazard Mitigation Plan Update, remaining eligible for grant funding, the County, as well as the Town of Leonardtown, must adopt the plan. The official Resolution of Adoption by the County and the Town must be submitted to Federal Emergency Management Agency (FEMA), which will result in an approval letter from FEMA. St. Mary's County DES staff will facilitate this submittal.

This plan update included various updates. Developed a new project website and added content continuously over the course of the plan update process. Developed and distributed new hazard risk perspective online public survey. Conducted a social media campaign in addition to print media. Two new hazards were added during this plan update: Dam Failure and Pandemic & Emerging Infectious Disease. New mitigation actions were added to the plan.

The Hazard Mitigation Plan forms the foundation for both St. Mary's County and the Town of Leonardtown's long-term strategy to reduce disaster losses and break the cycle of disaster damage, reconstruction, and repeated damage. The purpose of this plan is to identify, plan, and implement cost-effective hazard mitigation measures through a comprehensive approach known

as hazard mitigation planning. The 2022 plan is an update to the 2017 St. Mary's County Multi-Jurisdictional Hazard Mitigation Plan. The Federal Emergency Management Agency (FEMA) requires hazard mitigation plans to be updated every five years. The proposed updated St. Mary's County Multi-Jurisdictional Hazard Mitigation Plan was reviewed by the Maryland Department of Emergency Management (MDEM) on December 14, 2022, and the Federal Emergency Management Agency (FEMA) on February 14, 2023. The Town of Leonardtown must also adopt the 2022 St. Mary's County Multi-Jurisdictional Hazard Mitigation Plan. Final plan approval from FEMA will be awarded once St. Mary's County and the Town of Leonardtown approves and adopts.

Plan of Action - Recommend the Town of Leonardtown approve and adopt the 2022 St. Mary's County Multi- Jurisdictional Hazard Mitigation Plan dated February 14, 2023.

Councilmember Slade moved to approve Resolution 3-23 to adopt the 2022 SMC Multi-Jurisdictional Hazard Mitigation Plan Update; seconded by Councilmember Earhart, no further discussion, motion passed unanimously.

4:15 Public Hearing Resolution 2-23 Resolution in Support of Redesignation of Leonardtown as an Arts and Entertainment District

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

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

Ms. McKay reported that this is a public hearing on the re-designation of Leonardtown as an Arts and Entertainment District. In January, a group from the State A&E Committee came and toured Leonardtown's A&E District and last month I gave a presentation to the Board of County Commissioners upon which, we received the support of the St. Mary's County Commissioners to continue the property tax credit and other incentives previously approved for the A&E District. The application is being completed by our grant's writer, myself and members of the A/E Committee.

Today, we have a quick power point presentation to provide an overview of some of the accomplishments the Town has achieved since its original designation in 2013.

Ms. McKay stated that we are the only Southern Maryland A&E District and we are one of 29 A&E Districts across Maryland. Our variety of restaurant choices, along with the outdoor seating, has made a huge impact on the entire District making it a more vibrant community. We have events of all sizes such as Christmas on the Square, Veterans Day Parade, yoga at the Wharf, summer concerts at the Wharf and on our historic square, providing a wonderful variety of options for families and tourists. We started early on with First Fridays and they have grown into First Weekends which are important pieces to our Arts & Entertainment. They have a theme each month and our themed A&E First Friday in September is always very popular. Newly added, and very popular, is Movie Fest with several venues around Town for viewing which include the Alice in Leonardtown Mural in LTown Alley, which has a painted cut-out section specifically for movies. We have a large blow-up outdoor screen and a portable screen for smaller viewing for individual businesses. We are excited to have Shark Fest for the first time in August 2023 with a showing of the movie "Jaws". The Summer Music Festival has grown, especially in the last couple of years. The festival is held in the square and at various locations such as the Port of Leonardtown Public Park and Winery and Leonardtown Wharf in conjunction with the Water's Edge Concert Series. We added a lot of activities such as the chalk art contest along with themed concerts, and Plein Air events (held twice a year).

All of our wonderful galleries and studios, which don't just display or sell art but hold lots of workshops and special art projects. We have added quite a few venues, the Port of Leonardtown Winery, the Fenwick Inn (indoor/outdoor space) and most recently the Rex Theatre. LTown Alley was the big project last year and that will be another venue to hold smaller events throughout the year. We have several public art projects in place in LTown Alley and are ready to begin the next public art project: two archways designed specifically for designating the Wharf District and the other will cross over Fenwick Street, as they enter into Town, designating the Downtown District. We hope to have them completed by June 30th.

Leonardtown Wharf is an exciting place to be with the addition of Frogtown Ice Cream, seaplane rides, sunset cruises, kayaking, and many interesting classes specifically for kids, families and adults. A lot of new shops have opened like Shepherd's Old Field, another is Town Market in the old Bell Motor location who will offer affordable private vendor spaces, and then we have Good Earth Natural Foods, who have been around since about 1998. For social media use and ease of learning all about the Town's events, a website www.VisitLeonardtownMD.com was created and funded by the Leonardtown Business Association. It is updated and kept current by our Events Coordinator, Ms. Blackstone.

The Trolley was a huge hit last year and everyone keeps asking when it will be available so we have added new stops and a few more days and are ready for the upcoming event year. The downtown plan has been very important guide for the last three years and we are working on the new phase for the Wharf activities and a couple of properties in the West Fenwick extension.

We are excited to continue to offer property tax incentives for anyone who owns property within the district boundaries and those who renovate a building for art related purposes. We may petition to enlarge the area in the future once we have specific plans in place. Artists who sell work in Town also get an income tax subtraction. A few entertainment businesses such as Action Lounge and The Rex Theatre will qualify for eliminating the Admissions and Amusement tax.

The partnerships we have had over the years from LBA, Visit St. Mary's, the St. Mary's Arts Council and the St. Mary's County Commissioners have been a very important part of the Town's revitalization and improvements.

Ms. McKay reported that we did not receive any comments from the public and we do not have any attendees in the audience today.

Mayor Burris entertained a motion to close the public hearing and open the regular meeting.

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

Ms. McKay reported that this was the public hearing for the re-designation of Leonardtown as an Arts and Entertainment District. Resolution 2-23 is in support of the re-designation of Leonardtown as an Arts and Entertainment District by the Secretary of Commerce. We have provided an overview of the A&E District, the boundaries, the benefits and how successful the A&E District designation has been for the Town and the community.

Councilmember Colvin moved to approve Resolution 2-23 in support of the re-designation of Leonardtown as an Arts and Entertainment District by the Secretary of Commerce; seconded by Councilmember Slade, no further discussion, motion passed unanimously.

Extension of trash contract to WB Waste Solutions, LLC

This contract was last bid July 2014 and was for a 5-year term with 2 two-year extensions available. The last extension year is ending June 30, 2023. Affordable Refuse originally was awarded the 2014 contract and Goode and Waste Management had bid in addition to Affordable. In June of 2019 Goode bought Affordable and the contract was assigned to Goode. Goode changed names to WB Waste Solutions, LLC in January 2022. Since 2019, when Goode took over the contract, they have been an extremely good company to work with and goes above and beyond with their service to the Town. The Regional Supervisor, John McCloud, lives in the area and makes himself available any day of the week or weekend. This is the most onerous contract to bid and is very time consuming daily. Jackie Post is very knowledgeable and does a great job managing the day-to-day aspects of the contract as well as the billing. She is here today to help answer any questions you may have.

Knowing that the contract term was coming to an end and the fact that Rebecca Sothoron had always handled bidding the contract in the past, staff started the research and dialogue early with WB Waste. Because of the many changes in the waste collection and disposal industry over the last several years, but especially since Covid, staff is requesting that we do not go out to bid on the contract and instead extend the existing contract for two additional years like we have done with a few of our other contracts recently when we believe it will be detrimental to our residents to re-bid in the current environment.

Based on the 2021 memo by Rebecca, there was also a significant amount of research done at that time which showed that costs for in town residents were significantly lower than out of town residents with both Goode and other companies. Most companies have forced residents to go to one day per week service, which our residents did not want when we did a survey a few years ago. Additionally, the level of service we provide to our residents and the volume of homes and commercial customers requires a company large enough to be equipped to handle this contract.

In recent months costs have risen dramatically and the waste collection and disposal business has been hit extremely hard. Toters have risen from \$45 to \$80 per can, Dumpster cost rose from \$700 to \$1,500, front load trucks from 250k to 400k, fuel costs skyrocketed and trucks get 3 miles/gallon and of course disposal costs have risen dramatically. Also, during Covid more people were at home which meant more trash to collect, more cars to maneuver around and more confrontation with less people in the labor pool.

In speaking with a few towns who have bid their contracts in recent months many are being forced to go to what is called pay as you throw. Special coded bags are used and residents pay for each bag of trash they throw away. Many others across the country are seeing upwards of 50% increases in their rates. In FY22 and 23 budgets the Council has used surplus to offset increases in trash rates to customers. The reserve is now at \$18,016. New rates for FY24 will be set during the budget process. Staff has worked with WB Waste to reduce the initial expected increase to 26.15%. We believe this will still be more beneficial than going out to bid in this economic environment. We are going to be recommending a change to the commercial trash rate to be uniform across all types of service. Some commercial users will see the most impact to cost of service. We plan to send a notice with the March quarterly bills to notify customers of the upcoming changes. Residential rates are estimated to go up \$5.43/month (\$16.29/quarter).

I move to approve a two-year extension to the Municipal Solid Waste Collection and Disposal Contract with WB Waste Solutions, LLC (formerly known as The Goode Companies, Inc.). The term will be from July 1, 2023 through June 30, 2025 with the presented rate increase effective for the first year and contractor may request an increase for the second year beginning July 1, 2024. Such request would be made by February 1, 2024 with supporting documentation. Denial of the request will not void the remaining term of the contract.

Updates

Mayor's Report – Mayor Burris

LBA Report -

Events – Heather Earhart

Community Development and Planning – Nick Colvin

Utilities – Christy Hollander

SMMA Update – Jay Mattingly

Business Development – Mary Maday Slade

Mayor Burris reminded everyone that he is available after the meeting for discussions.

Mayor Burris entertained a motion to adjourn.

Councilmember Mattingly moved to adjourn the meeting at 4.51 p.m.; seconded by Councilmember Slade, motion passed unanimously.

Respectfully Submitted:

Teri P. Dimsey

Approved:

Daniel W. Burris, Mayor

Nick Colvin, Councilmember

Heather M. Earhart

Christy Hollander, Councilmember

J. Maguire Mattingly IV, Councilmember

Mary Maday Slade, Councilmember