



# Commissioners of Leonardtown

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J. HARRY NORRIS  
Mayor

LASCHELLE E. MILLER  
Town Administrator

## **Commissioners of Leonardtown** **Town Council Meeting Minutes** **March 9, 2009 ~ 4:00 P.M.**

Attendees: J. Harry Norris, Mayor  
Walter Wise, Vice President  
Dan Burris, Councilmember  
Thomas Collier, Councilmember  
Robert Combs, Councilmember  
Leslie E. Roberts, Councilmember

Also in attendance were: Laschelle Miller, Town Administrator; Rebecca Sothoron, Town Treasurer; DeAnn Adler, Plans Reviewer; Teri Dimsey, Recording Secretary; Jackie Post, Fiscal Clerk; Tony Wheatley, Capital Projects Coordinator; Mike Zabko, American Red Cross; Angela Healey/Anne Hooper, Hooper & Assoc; Mark Benedict, Resident; John Wharton, Enterprise; Jerome DuVal, Resident; KariAn Behrens Treyes, Resident; Bob Schaller, SMC Gov't. A complete list of attendees is on file at the Leonardtown Town Hall.

Councilmember Wise called the regularly scheduled meeting to order at 4:00 p.m. and called for the recitation of the Pledge of Allegiance.

Councilmember Wise proceeded to take up the first item of business.

### **Approval of Minutes:**

The meeting minutes for the February 9, 2009 Town Council meeting were presented for approval.

**Councilmember Roberts moved to approve the February 9, 2009 Town Council meeting minutes; seconded by Councilmember Collier; no further discussion, motion passed unanimously.**

Councilmember Roberts asked Mr. Mike Zabko, Director of the Southern Maryland Chapter of the American Red Cross to come forward and presented the American Red Cross Proclamation to him with the Town's appreciation for all their hard work.

Mayor Norris stepped into the meeting and thanked Mr. Zabko and continued to the next order of business.

### **Treasurer's Report – Rebecca Sothoron**

Ms. Sothoron reported that \$200,000 was transferred to the LGIP. We are 67% through the budget year. Budget requests are due April 10<sup>th</sup>. Since our last meeting two requests have been submitted to the Maryland Water Quality Administration. This agency is in charge of distributing the federal stimulus money for infrastructure projects. One was submitted for the Route 5 water main and the other is for the water tower maintenance. They have said they will decide by the end of March which projects are eligible and highest priority will be given to the projects that can be ready to start construction by the end of December. Our projects fit that criteria so we hope to get a favorable response.

Ms. Sothoron stated that she has begun drafting the fraud policy which was recommended by the audit firm.

Ms. Sothoron remarked that our health insurance plan is up for renewal. She will renew to continue coverage but as the premium will be increasing, she is looking into ways to maintain our current coverage or find a similar type plan for less cost.

Mayor Norris stated that he has spoken with Mrs. Crystal Brasel, owner of the Wine Bar and Café, located in the Town square about the parking problems she and other businesses are experiencing.

Mrs. Brasel remarked that she watched the parking in the square for over a week and accumulated information that showed that the majority of parking spaces were being filled from 8:00 a.m. to 4:00 p.m. by the Hospice employees, who have their own parking lot and many of the residents who live in the apartments above the businesses. This is severely limiting the number of parking spaces customers have available to attend to business or have a meal in the restaurants. There are a total of 37 diagonal parking spots around the square in front of the businesses and 16 parallel parking spots surrounding the middle of the square.

Mrs. Brasel indicated that her suggestion is to place a time limit on the diagonal parking, Monday through Fridays, 8:00 am to 4:00 p.m. to possibly include some type of enforcement, utilizing the services of the Town Deputy. The 16 parallel parking could then be the overflow and could be limited in the future if necessary. The evenings do not seem to be a problem at this time, only during the weekdays. Any collection of fines would be given over to the town and if anyone wanted to protest their fine, they could then come before the Town Council.

Mayor Norris noted that we would need to work out some of the details but in the meantime, we could immediately begin putting up signs limiting the time to park in the diagonal parking spaces to two hours, which I believe we already have an ordinance in place that was enforced years ago.

Councilmember Wise noted that if we decide to do two hour parking in the square then he suggests we do it for the entire square.

Councilmember Burris stated that it would be best if someone would contact Hospice to bring this to their attention. I also suggest that this subject be brought up before the LBA to hear their ideas.

Mayor Norris remarked that he has spoken to the owner of the Hospice building who will discuss this issue with the tenant, but it is only a short term solution for the needs of the businesses surrounding the square.

**Mayor Norris entertained a motion to close the regular meeting and open the Public Hearing on Case #110-08 – 22840 Lawrence Avenue – Request for PIRD Designation.**

**Councilmember Wise moved to close the regular meeting and open the Public Hearing; Councilmember Roberts seconded, no further discussion, motion passed unanimously.**

Mayor Norris opened up the Public Hearing and requested Ms. Adler to provide the details of the case.

Ms. Adler reported that this is a request for a PIRD Zoning overlay on a project that the Town Council first saw in January. This property consists of an existing, older two-story frame house with three apartments in it and an outdoor shed. The property is approximately 0.28 acres on Lawrence Ave. near the rescue squad building, but across the street. The applicant is requesting a P.I.R.D. designation to replace this somewhat dilapidated house with a new three story building with six apartment units in it.

The P & Z board voted to send a recommendation of approval for this project to the Town Council.

Ms. Hooper and Ms. Healey are present today to present the changes made, suggested by the Planning and Zoning Commission during the Public Hearing held last month.

Ms. Hooper and Ms. Healey made a presentation describing the modifications made as suggested. The PIRD Designation is required to get approval for the front and side setback and the additional three EDUs. It is zoned RMF which is not a different zoning but the density increases from the three apartments to the six apartments which requires a waiver of the density and meets the PIRD requirements.

Mayor Norris asked those in the audience if anyone had any comments or questions. No one responded.

Ms. Adler reported that this was posted for 15 days and anyone within 300 feet did receive a certified letter which Ms. Hooper and Ms. Healey have the receipts in hand to turn over to the town staff.

**Mayor Norris entertained a motion to close the Public Hearing.**

**Councilmember Roberts moved to close the public hearing, seconded by Councilmember Wise, motion passed unanimously.**

**Mayor Norris reopened the regular meeting.**

Ms. Adler reported that Council can move to approve, approve with conditions, deny or delay the decision for the PIRD Designation.

**Mayor Norris entertained a motion on the PIRD Designation and to move forward on the Concept approval.**

**Councilmember Roberts moved for approval of Case #110-08 – PIRD Designation as presented and modified, seconded by Councilmember Wise.**

*Councilmember Combs noted that this Case was presented very well and the project looks good.*

*Councilmember Collier noted that he agreed with Councilmember Combs but does have a concern about the use of additional EDUs and would not be in favor of allocating additional EDUs considering the circumstances we presently have with our system and should be holding the EDUs we do have available for public use projects.*

**Mayor Norris stated that there is a motion on the floor to approve the PIRD Designation and the concept plan, there was a second and called for a vote.**

**Four Council members voted in favor, Councilmember Collier opposed, motion passed, four to one.**

#### **Planning Department – DeAnn Adler**

#### **Previous Month - Planning and Zoning Meeting, February 17, 2009.**

**Case # 110-08 Hooper/PIRD Application – 22840 Lawrence Avenue** – This was a request for a PIRD Zoning overlay on a project that the Town Council first saw in January. The P & Z board voted to send a recommendation of approval for this project to the Town Council.

**Case # 17-08 B Ryken High School** – Mr. Mike Mummaugh, on behalf of Ryken High School, was requesting a building permit to construct a small building as part of the overall renovation project of portions of the school. The school has not received quite all of their final approvals from the various agencies yet, but are close, and would like to get started on this small portion of the project. This project received approval from P & Z.

#### **Upcoming Planning and Zoning Meeting – March 16, 2009**

**Case # 93-08 22699 Washington St. – Old Hospice Bldg./Washington Street Partners –** Request for Concept Plan approval for a redevelopment and expansion project for this site. This project was tabled at an earlier P & Z meeting to re-consider the architecture of the building to possibly make it more in keeping with the historic feeling of the downtown area. The architecture has been re-done with a new look and is now coming back before the Board for concept approval.

Councilmember Combs commented that on Case #93-08 he personally liked the first design. The second design does have brick but does feel that if the first design incorporated some brick it would be a much more attractive building and in keeping with the downtown look and would like his comments to be passed along to the Planning and Zoning Commission for consideration.

Councilmember Collier noted that he agreed with Councilmember Combs.

#### **Police Report – Deputy Simonds**

Deputy Simond's report was included in Council's packets and he was in attendance to answer any questions.

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

**Ordinance No. 143 – Property Acquisition** – This ordinance was introduced last month and is available to vote on this month. Phil Dorsey has made a few property description modifications. Ms. Miller noted that there are a few amendments to the original introduced Ordinance and read the Ordinance.

**Mayor Norris entertained a motion on Ordinance No. 143.**

**Councilmember Roberts moved to approve Ordinance No. 143 for the Property Acquisition as introduced on February 9, 2009 and as amended on March 9, 2009; seconded by Councilmember Wise, no further discussion, motion passed unanimously.**

**Leonard's Grant/Alvey Agreements** – Per the agreement from the October 2008 meeting regarding the outstanding items between Quality Built Homes and the Alveys, the attached agreement will be signed and recorded. Authorization for Mayor Norris to sign the document is required. Phil Dorsey has been working with Bill McKissick and Ernie Bell to finalize the agreement.

**Councilmember Collier moved to authorize the Mayor to sign the agreements; Councilmember Roberts seconded, no further discussion, motion passed unanimously.**

#### **Council Reports**

**Events - Councilmember Burris:**

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

<u>Date</u>	<u>Time</u>	<u>Meeting</u>
Tuesday, March 10	9:00 AM	Chamber Tourism Council meeting @ SM Airport Conference Room
Friday, March 13	8:30 AM	LBA Meeting
Friday, March 13	5-8 PM*	Friends of the Library Annual Book Sale
Saturday, March 14	10 AM – 5 PM	*Friday is members only – join at the door
Sunday, March 15	12 – 4:30 PM	
Wednesday, March 25	11:00 AM	Maryland Day @ St. Clement’s Island
Wednesday, March 25	5:30 PM	Chamber Business After Hours @ Wicomico Shores Golf Course Aviation Yacht Club Road, off Rt. 234 in Chaptico
Saturday, March 28	1-4 PM	Disability Awareness Day @ Leonard Hall Recreation Center
Sunday, March 29	10 AM – 5 PM	Maryland Day @ Historic St. Mary’s City Guest speaker will be Governor O’Malley
Friday, April 3	5-8 PM	First Friday in Leonardtown @ participating Town businesses

**Parks – Councilmember Combs:** No report

**Streets and Roads – Councilmember Wise:**

Councilmember Roberts remarked that she received many compliments about the efficient snow removal.

**MML/SMMA – Councilmember Roberts:**

Councilmember Roberts reported that she attended the SMMA meeting in February, the next meeting date has not been determined but at that time we will be sending forth our recommendations for District Vice President and other positions.

**Capital Projects – Councilmember Collier:**

Councilmember Collier reported that there is some maintenance work that needs to be done down at the Wharf such as repairing the gutters and clean up from the snow storm.

Councilmember Collier inquired if the RFP for the municipal parking lot #3 was placed in all the papers?

Ms. Miller responded that we did some research on the circulation and the costs as it can get very expensive to place ads in every paper so the Town places them individually at different times to ensure all the papers get ads.

Councilmember Collier remarked that he is concerned that we would not get as many responses if it was only placed in the County Times.

Ms. Miller stated that she received approximately thirty bid responses for the winery and another recent ad we received eight. In today's market, the contractors are really watching all of the papers.

Councilmember Collier stated that he just wanted to make sure we were receiving enough responses.

Ms. Miller stated that they have aerated the lawn at the wharf and Bill Wood has donated his time and materials to bring the Wharf Park lawn back to life.

Ms. Miller reported that the County Commissioners did have the winery project on their agenda and approved the additional \$35,000 and the first contract was signed today for the helical pilings to shore up the corners of the building.

Mr. Bob Schaller remarked that the lease came before Council's last meeting and it was not able to be brought before the County Commissioners and it has since been reviewed and we are requesting one change before it is signed. The lease, as it is written, acts as a grant to provide them very minimum start up fee of \$1.00 per year for a five year term. It was suggested that language be clarified that when the five year term is up, the lease will then be renegotiated.

### **Capital Projects – Tony Wheatley**

Mr. Wheatley reported that a copy of his report is enclosed in the Council's packet. He noted that placing two speed bumps along Lawrence Avenue would be helpful to slow vehicles down.

Councilmember Wise remarked that he was not in favor of speed bumps as they cause complications for the emergency vehicles, the street sweepers and the snow removal trucks.

Mayor Norris stated that they will discuss this with Council and talk about other options.

Councilmember Burris noted that this Friday, February 13 is the BECA 20<sup>th</sup> Anniversary dinner and asked Mr. Schaller to expand on this event.

Mr. Schaller remarked that BECA, Business, Education, Community Alliance turns 20 this year and works to bring business and community leaders together to support the school system, best known for the Passport to the Future Program. This year we are having a recognition dinner and hope you can attend.

**Mayor's Report**

Mayor Norris reported that he has been working closely with Ms. Sothoron and Ms. Miller to identify and submit applications for projects that meet the stimulus criteria and thanked them for their extra efforts.

**Mayor Norris entertained a motion to adjourn the meeting.**

**Councilmember Burris moved to adjourn the meeting; Councilmember Wise seconded the motion, which passed unanimously. The meeting adjourned at 5:05 p.m.**

Respectfully Submitted:

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Teri Dimsey, Recording Secretary

**Approved:**

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J. Harry Norris, III, Mayor

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Walter Wise, Vice President

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Daniel W. Burris, Councilmember

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Thomas R. Collier, Councilmember

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Robert C. Combs, Councilmember

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Leslie E. Roberts, Councilmember