



Commissioners of Leonardtown

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Mayor

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LASCHELLE E. McKAY
Town Administrator

Commissioners of Leonardtown **Town Council Meeting Minutes** **May 10, 2010 ~ 4:00 P.M.**

Attendees: J. Harry Norris, Mayor
Walter Wise, Vice President
Dan Burris, Councilmember
Roger Mattingly, Councilmember
Leslie E. Roberts, Councilmember

Absent: Thomas Collier, Councilmember

Also in attendance were: Rebecca Sothoron, Town Treasurer; DeAnn Adler, Plans Reviewer; Teri Dimsey, Recording Secretary; Jackie Post, Fiscal Clerk; John MacDonald, Olde Town Pub; Judy Atkins, Public Observation; Dina Kulp, Rustic River; Tony Wheatley, Capital Projects; George Abell, Resident; Cpl. Smolarsky, SMCSO. A complete list of attendees is on file at the Leonardtown Town Hall.

Mayor Norris called the regularly scheduled meeting to order at 4:03 p.m. and called for the recitation of the Pledge of Allegiance.

Mayor Norris stated that today we have three newly elected Council Members to be sworn into service and asked Ms. Leslie Roberts and Mr. Roger Mattingly to come forward. Mr. Thomas Collier was unable to attend today's swearing in but will be sworn in upon his return.

Mayor Norris officially congratulated Ms. Roberts on being re-elected and welcomed Mr. Mattingly as a new Council Member. He asked them to raise their right hands and confirm their acceptance of the Oath of Office. Ms. Roberts and Mr. Mattingly voiced the Oath of Office, accepted and signed the Oath of Office.

COUNCIL: WALTER WISE, *Vice President* DANIEL W. BURRIS
THOMAS R. COLLIER ROGER L. MATTINGLY LESLIE E. ROBERTS

Mayor Norris proceeded to take up the first item of business.

Approval of Minutes:

The meeting minutes for April 12, 2010 Town Council meeting were presented for approval.

Councilmember Burris moved to approve the April 12, 2010 Town Council meeting minutes; seconded by Councilmember Wise; no further discussion, motion passed unanimously.

Treasurer's Report – Ms. Sothoron

Ms. Sothoron reported that the April financial information is included in Council's packets. During the month \$20,000 was transferred from the checking account to LGIP. We are 83% through the budget year. At the end of May we do expect another quarterly income tax distribution. And, the audit process will begin soon.

Planning Report – DeAnn Adler

Planning and Zoning meeting was held on April 19, 2010. There were two cases to be heard:

Case # 75-09 - Mattingley – Gardiner Funeral Home – 41590 Fenwick Street - Request for final site plan approval. This request was approved.

Case # 13-10 – 22635 Washington Street – Request for a BOA recommendation for a special exception to build a new single family home in the Commercial Business district. A favorable recommendation was forwarded to the BOA and that hearing is scheduled for June 8, 2010 at 5:00 pm.

The next Planning & Zoning meeting is scheduled for Monday, May 17, 2010. There are two cases scheduled to be heard:

Case # 64-04.3 & 64.04.5A & 64-04.4 – Leonard's Grant Phases 3, 4 and 5A – Request for final site plan approvals.

Case # 110-08 – 22840 Lawrence Ave. – 6 Unit Apartment Building – Request for final site plan approval.

Deputy Report - Deputy Smolarsky

Deputy Smolarsky reported that this month she worked with Mr. Taxman with Desman and Associates and supplied him with information for the traffic study and referred him to the State Police for additional statistics. She also noted that she spent a week at bicycle training.

Town Administrator Report – Laschelle McKay

Rustic River Liquor License Letter of Support Request – Ms. McKay reported that they want to build an extension of premises to create a small outdoor seating area for their customers to enjoy. Ms. Dina Kulp is in attendance today to describe the project.

Ms. Kulp stated that they are looking to turn the area just to the right of the front of the building into an outdoor patio, which will be fenced in, for diners to enjoy light fare. They need a letter of support to be able to serve alcohol on the patio.

Councilmember Burris moved to approve sending a letter of recommendation for Rustic River to obtain an extension of premises to their liquor license; Councilmember Roberts seconded, no further discussion, motion passed unanimously.

Old Towne Pub Liquor License Letter of Support Request – Ms. McKay reported that they want to extend their premises for their patrons to take their drinks outside in a fenced in smoking area. Mr. John MacDonald is in attendance today to describe the project.

Mr. MacDonald stated that they presently have an outside area confined by a fence which is designated as the smoking area even though it does have tables, we plan to keep that area closed off as a smoking area and build out another area, which will hold four tables and be an extension of the restaurant with food and drink service. No outside access, you will only gain entrance through the main restaurant.

Councilmember Burris remarked that the Olde Town Pub holds a Class D liquor license, would they have any problem in changing to a Class B license.

Mr. MacDonald stated yes, they hold a Class D and noted that the liquor board made a mistake. He stated that ever since they have been open, they have had on/off sale of liquor, even though they are not set up for sales, they have had a few sales after midnight. The liquor board recently told him that the original letter from the Town to the liquor board specifically states they are only for on-site sales, that we should not have any off site sales. My liquor license is technically wrong which states on/off sales. I do not have any problem with changing back to a Class B license.

Councilmember Roberts noted that the other issue Council talked about is what goes into the building next to the Pub and if that may change. Presently, the building is not occupied but that could change in the future.

Mayor Norris stated that the Council has been very consistent with establishments that are primarily dining establishments but we want to be careful not to create just a bar establishment.

Councilmember Robert moved to recommend a letter of support to the liquor board for the extension of premises of the Olde Town Pub and request they change to a Class B license;

After some discussion regarding the use of the Class B license, Councilmember Roberts moved to amend her motion.

Councilmember Robert moved to recommend a letter of support to the liquor board for the extension of premises of the Olde Town Pub Liquor License and request they change to a Class B license with on/off sales; seconded by Councilmember Wise, no further discussion, motion passed.

Ms. McKay remarked that the winery had a “soft” opening just for the First Friday event. They had lots of attendance and their Facebook site has been very active, many comments about the quality and good taste of the selection of wines. Signage is up on the building, the landscaping has been completed and the Co-Op is gearing up for the Grand Opening on May 21st.

Mayor Norris stated that this weekend out at the Port of Leonardtown he saw a lot of activity at the winery and many folks were busy canoeing and kayaking and keeping McIntosh Outfitters very busy. There were also lots of activity happening down at Leonardtown Wharf; it is great to see folks enjoying the outdoors in Leonardtown. Many recent graduates were having their photos taken down at the Wharf.

Mayor Norris noted that with the recent elections, he has spoken with some of the Council Members and Mr. Wise will continue to assist on Streets and Roads. Mr. Mattingly will handle Events and work with the staff. Ms. Roberts agreed to serve as liaison for SMMA/MML. Mr. Collier has not been available but we plan to discuss his role for this term as soon as we can. Mr. Burris has been handling events but we will be talking about other areas he can assist in but will give the report on events for this month.

Council Reports

Events - Councilmember Burris:

Upcoming Events of Interest/Meeting Reminders:

<u>Date</u>	<u>Time</u>	<u>Meeting</u>
Tuesday, May 11	11:30 AM	Law Enforcement Appreciation Day @ Leonard Hall Recreation Center

Upcoming Events of Interest/Meeting Reminders:

<u>Date</u>	<u>Time</u>	<u>Meeting</u>
Wednesday, May 12	1:30 PM 5:00 PM	SMC Chamber of Commerce Business Showcase @ Southern Maryland Higher Ed Ctr Closing Reception
Sunday, May 16	8 AM- 4 PM	Leonardtown Bicycle Criterium Races
Friday, May 21	2:00 PM	Port of Leonardtown Winery Grand Opening
Saturday, May 22	6PM	Downtown Tunes
Monday, May 24		Memorial Day Holiday – Town Office closed
Wednesday, May 26	5:30 PM	Chamber Business After Hours Summerseat Farm
Friday, June 4	5-8 PM	First Friday in Leonardtown @ participating Leonardtown businesses
Sunday, June 13	11 AM-5 PM	SMC Crab Festival @ St. Mary's County Fairgrounds
Monday, June 14	6:00 PM	Flag Day Celebration @ Potomac Building Lawn (formerly Governmental Center)

MML/SMMA – Councilmember Roberts:

Councilmember Roberts reported that both she and Mr. Mattingly attended the recent SMMA meeting which moves on to the Town of LaPlata handling the SMMA duties for the next year. There was also discussion about the upcoming convention.

Mayor Norris entertained a motion to adjourn the regular meeting but Council will postpone the executive session for today and will hold a workshop and executive session, regarding personnel issues, on Monday, May 24, 2010 at 4:00 p.m.

Councilmember Burris moved to adjourn the meeting at 4:35 p.m.; Councilmember Roberts seconded the motion, which passed unanimously.

Respectfully Submitted:

Teri Dimsey, Recording Secretary

Approved:

J. Harry Norris, III, Mayor

Walter Wise, Vice President

Daniel W. Burris, Councilmember

Absent

Thomas R. Collier, Councilmember

Roger L. Mattingly, Councilmember

Leslie E. Roberts, Councilmember