



Commissioners of Leonardtown

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J. HARRY NORRIS III
Mayor

LASCHELLE E. MCKAY
Town Administrator

Commissioners of Leonardtown **Town Council Meeting Minutes** **March 14, 2011 ~ 4:00 P.M.**

Attendees: J. Harry Norris, Mayor
Walter Wise, Vice President
Daniel W. Burris, Councilmember
Thomas R. Collier, Councilmember
Roger L. Mattingly, Councilmember
Leslie E. Roberts, Councilmember

Also in attendance were: Laschelle McKay, Town Administrator; Rebecca Sothoron, Treasurer; DeAnn Adler, Plans Reviewer; Teri Dimsey, Recording Secretary; Jay Friess, The Enterprise; Guy Leonard, The County Times, Mike Zabko, Red Cross. 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 proceeded to take up the first item of business.

Approval of Minutes

The meeting minutes for the February 14, 2011 Town Council meeting were presented for approval.

Mayor Norris entertained a motion to accept the minutes as presented.

Councilmember Mattingly moved to approve the February 14, 2011 Town Council meeting minutes; seconded by Councilmember Collier; no further discussion, the motion passed unanimously.

Mayor Norris introduced Mr. Mike Zabko, Director, Southern Maryland Red Cross, here today to accept a Proclamation from the Town in honor of the American Red Cross month in March.

Councilmember Mattingly stepped up to read aloud and present the Proclamation to Mr. Zabko. He mentioned that as a volunteer fireman he knows firsthand the value of the services of the American Red Cross and the Southern Maryland Chapter.

Mr. Zabko accepted the award and thanked the Council and Town for the recognition.

Mayor Norris noted that he noticed we have a boy scout in attendance today and asked him his name and troop number.

Mr. Ethan Borden responded that he is with Troop #303 from Valley Lee and attending today for a merit badge.

Councilmember Mattingly commented that he obtained his Eagle Scout from Leonardtown Troop #420 a long time ago.

Treasurer's Report – Ms. Sothoron

Ms. Sothoron reported that during the month, \$225,000 was transferred to the LGIP in the beginning of the month and by the end of the month, \$200,000 was taken out to purchase a Certificate of Deposit. We are 67% through the budget year. We have received the second quarter income tax distribution which represents 50% of the budget year. We received and responded to 24 fiscal notes from the Department of Legislative Services. There were four accounts that were sent to the County Treasurer. We did have favorable results collecting prior taxes and some past tax due utility bills. We are continuing to do research on water rate structures and will provide monthly updates on the status. A workshop with Council will need to be planned to discuss the findings and get feedback about different types of rate structures and how they should be implemented.

Planning Report – DeAnn Adler

Last month's meeting was cancelled as there were no cases scheduled to be heard.

The next meeting is scheduled for March 21, 2011. We have one case on the agenda:

Case # 3-11 22530 Washington Street – Request for subdivision approval of Mr. Russo's property at the bottom of Washington Street into two lots. An additional EDU was granted last month at the Town Council meeting and the next step is approval by the Planning and Zoning Board.

Deputy Report – Deputy Smolarsky

No report. Deputy Smolarsky is still on light desk duty but expected to return to full duty in April.

Town Administrator Report – Laschelle McKay

Liquor License Letter of Support-Cahil's Café and Catering Company- A letter of request for Cahil's Café has been submitted to Council from the new owners operating the tea room at the Maryland Antiques Center. Ms. Dot Sparling is relinquishing her Class B (Restaurant) Beer, Wine and Liquor, On/Off Sales liquor license and Tammy Hilburn is reapplying for the same license. She is requesting a letter of support for the Liquor Board.

Councilmember Collier moved to approve a letter of support to the Liquor Board for a Class B license for Cahil's Café and Catering; seconded by Councilmember Roberts, no further discussion, the motion passed unanimously.

Introduction of Ordinance 149, 150, 151 and 152- The introduction of these ordinances will begin the public process for approving the zoning and text amendment issues we have been working on. The action needed today is for the Council to forward these amendments to the Planning Commission who will hold a public hearing at their April meeting. They will then send a recommendation back to the Council and then we will hold a public hearing in May.

- Ordinance 149- Zoning Code revisions. All revisions made within Chapter 155 are included in this ordinance.
- Ordinance 150- Includes the Sign Ordinance revisions for the electronic signs.
- Ordinance 151- Text amendment for Chapter 112 which is the Leonardtown Code outside of the Zoning Ordinance and deals with Property Maintenance.
- Ordinance 152- Text amendment for Chapter 147 in the Leonardtown Code and deals with the Removal and Storage of Vehicles.

Council Members reached consensus on the introduction of the Ordinances.

Kayak/Concession RFP Award- The concession RFP was publicly bid and the proposals were opened on March 1, 2011. Two proposals were received - one from McIntosh Outfitters and one from Patuxent Adventure Center. McIntosh Outfitters, owned by Jim Beasley, is the current operator, since 2008. Patuxent Adventure Center, owned by Dave Lane, has been operating in Solomons since 2003. A copy of the Request for Proposals is attached. Both proposals equally meet all requirements spelled out in the RFP. Below are the variations in the proposals for each operator:

- McIntosh Outfitters has included that he has done routine maintenance of McIntosh Run, minimizing the expense to the town. This was not a requirement in the RFP.
- Patuxent Adventure Center has included that he will provide Stand Up Paddle Boards for rent at Leonardtown Wharf. He is currently renting them in Solomons and they are very popular.

Councilmember Mattingly inquired as to the proposed opening and closing hours for the concession stand.

Mr. Lane responded that without knowing the specific demand, it will be open in the evening on a trial basis and he does have the appropriate staff to maintain it.

Councilmember Mattingly noted that he has been and heard from others the disappointment in the concession stand not being open to provide ice cream, sodas or snacks while visiting the wharf.

Mr. Beasley responded that they began this business three years ago. Monday through Friday business was extremely slim. Over the last couple of years we have successfully grown. The normal hours are 8 a.m. to sunset. This year, with weekday services required, their intention was to open from 12 p.m. to sunset, Monday to Friday and standard weekend hours. We are three years into a five year business plan, and we are at the point to grow the business more and address some of these concerns. In the past, the trade has not supported the longer hours but now is the time to support that and it was in their business model for this year to do so.

Councilmember Mattingly remarked that there were some incidents that happened during events that Council was disappointed in the way they were handled.

Mr. Beasley responded that there were a couple of miscommunications regarding the use of the concession stand during Town events that could have been handled better by both parties.

Mayor Norris entertained a motion to award the Kayak/Concession RFP.

Councilmember Mattingly moved to award the Kayak/Concession bid to Patuxent Adventure Center, seconded by Councilmember Roberts, no further discussion, motion passed unanimously.

Quality Built Homes-Phase 3 Sewer Trunk Line and Phase 5A Water, Sewer and Storm Drain Acceptance- In January 2009 the Council agreed to accept water, sewer and roads in phases instead of at the end of the entire project. We have already accepted items in Phase 1 and 2 as they are completed. The current requested items have been inspected by Tony Wheatley and signed off on. The items, once accepted, will then be covered by a two year maintenance bond per the Leonardtown Code.

Councilmember Collier moved to accept sewer trunk line for Phase 3 and the water, sewer and stormdrain for Phase 5A for the Leonard's Grant project, seconded by Councilmember Burris, no further discussion, motion passed unanimously.

Mayor's Report

Mayor Norris reported that Mr. Frank Fearn has resigned from the Planning and Zoning Board after serving for over 12 years. I will personally thank him and express my and Council's appreciation for providing his time and efforts throughout these past years.

Mayor Norris stated that this now leaves a vacancy and he has spoken with Mr. Hayden Hammett who lives in town and is a local businessman and has served on various boards and committees for the Town and County. I believe he would be an excellent candidate and would like to appoint Mr. Hammett to the Planning and Zoning Board with the Council's approval.

Council Members came to a consensus to approve Mayor Norris' appointment of Mr. Hammett to the Planning and Zoning Board.

Mayor Norris stated that we will send a letter to Mr. Hammett confirming his appointment.

Non-Permitted Signage

Mayor Norris noted that the Town Council has discussed, on many occasions, the illegal usage of signage throughout the Town, specifically at the intersection of Rt. 5 and Hollywood/Washington Road. This signage has become extremely unattractive.

Mayor Norris stated that he requested that Ms. Adler research signage issues that plague other towns.

Ms. Adler reported that she wrote up a brief report and suggestions for Council's consideration in handling these signage issues.

Councilmember Roberts commented that this has been talked about since she was elected on Council.

Mayor Norris asked Council to take some time to review this information. Some of this language may then be incorporated into the draft Ordinance to be introduced at a Public Hearing in April.

Discussion of Vacant/Derelict Buildings

Mayor Norris stated that there is a big difference between residences that are uninhabitable and derelict commercial buildings.

Ms. Adler reported that she had contacted the County regarding their regulations for handling this issue but they too are struggling with this same issue. Presently, they ask the owners to board up the derelict building and if they cannot be boarded up then they require them to fence in the building to help deter vagrants and/or vandalism.

Ms. Adler stated that she will send a request to MML for information on other municipalities and how they handle or are handling this issue.

Mayor Norris remarked that the owner of the Weiland Building called him after reading the article in the County Times and will be taking steps to put up some temporary screening and working towards demolishing the building.

Mayor Norris stated that he is asking for the Council's direction on this issue.

Councilmember Burris stated that he would like to get some research on how other jurisdictions are handling this issue before we move forward for reference.

Ms. McKay stated that she believes MML has a service that can provide us with that information and will contact them.

Council Members gave a consensus to move forward with gathering information on this issue before preparing an Ordinance on Vacant/Derelict Buildings.

Council Reports

Events - Councilmember Mattingly

Upcoming Events of Interest/Meeting Reminders:

<u>Date</u>	<u>Time</u>	<u>Event/Meeting</u>
March 1 – March 27		25 th Anniversary exhibit on display @ North End Gallery
Thursday, March 17	4:30-7PM	St. Patrick's Day Dinner @ LVFD
Saturday, March 19	6-8:30PM	Spring Paella Party w/Chef Loic @ Port of Leonardtown Winery
Friday, March 18	1-8 PM	Friends of the Library Annual Book Sale (Members Only) Friends of the Library Annual Book Sale
Sunday, March 20	Noon-4:30 PM	Friends of the Library Annual Book Sale @ SMC Fairgrounds
Wednesday, March 23	5:30 PM	Chamber Business After Hours @ So. Md. Higher Ed Center
Friday, March 25	5 PM	BECA 3 rd Annual Scholarship Dinner @ So. Md. Higher Education Center
Friday, March 25	11 AM	Maryland Day @ St. Clement's Island
Saturday, March 26	Noon-4PM	Maryland Day @ St. Mary's City
Friday, April 1	5-8 PM	First Friday in Leonardtown @ participating Town businesses
Saturday, April 2	6 PM	Comedy Show at Leonardtown Fire House Dinner @ 7PM, Show at 8:30 PM (\$50 per ticket, see Roger Mattingly for tickets)
Friday, April 8	8:30 AM	LBA Meeting @ TBD

Mayor Norris remarked that we have been doing the "If I Were Mayor...I Would" Essay Contest for about 15 years and continue to work with the local elementary schools, Leonardtown Elementary in particular, to hold a Mock Council session with the fourth graders as a learning tool about the operations of local government. It is always refreshing to hear from the children and their perspective of local issues.

Mayor Norris also mentioned that there was some major vandalism at the Leonardtown Wharf and we have filed a police report. Mr. Wheatley has covered up the graffiti and we will be repairing all of the affected areas immediately.

Economic Development – Councilmember Burris

Councilmember Burris reported that he is still working with a number of people interested in opening a new business here in Town. The Leonardtown Arts Center is planning to open May 1, 2011.

Streets and Roads – Councilmember Wise - No Report

Councilmember Wise stated that he would like to get some recommendations on streets and roads that may require some asphalt repair.

Capital Projects – Councilmember Collier - No Report

Councilmember Collier reported that there is a kick-off meeting this week with the engineer for the wastewater treatment plant. Besides the vandalism at the Wharf, he did an inspection of the Wharf and noticed a few maintenance items that need to be addressed.

MML/SMMA – Councilmember Roberts

Councilmember Roberts reported that she received notice that the next SMMA meeting schedule for May has been moved to the third Wednesday, which is May 18, 2011 at Chesapeake Beach. The Town of Leonardtown will take the lead for SMMA for the 2011/2012 year and she will be President, unless someone wants to volunteer. We will be hosting the annual Legislative dinner held each November. Ms. Dimsey will take over the role of secretary as she has done in the past.

Also, the MML has been working very hard in this session to get any extra pennies they can from the tight budget.

Ms. McKay related that she needs to confirm those who will be attending the Maryland Life award event that will be taking place at the Port of Leonardtown Winery on Friday, March 25, 2011.

Mayor Norris entertained a motion to adjourn.

Councilmember Collier moved to adjourn the meeting at 4:50 p.m.; Councilmember Burris 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

Thomas R. Collier, Councilmember

Roger L. Mattingly, Councilmember

Leslie E. Roberts, Councilmember