



Commissioners of Leonardtown

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DANIEL W. BURRIS
Mayor

LASCHELLE E. MCKAY
Town Administrator

Commissioners of Leonardtown **Town Council Meeting Minutes** **June 9, 2015**

Attendees: Daniel W. Burris, Mayor
Leslie Roberts, Vice President
Thomas M. Combs, Councilmember
Hayden T. Hammett, Councilmember
J. Maguire Mattingly IV, Councilmember
Roger L. Mattingly, Councilmember

Also in attendance were: Teri Dimsey, Secretary; Laschelle McKay, Town Administrator; Rebecca Sothoron, Treasurer; Cindy Williams, Planning Assistant; Mr. and Mrs. Reynolds, Resident; Andy Bice, Quality Built Homes; Elaine Phillips, Community Mediation. A complete list of attendees is on file at the Leonardtown Town Hall.

Mayor Burris asked that Councilmember Hammett lead the invocation and Ms. Dimsey lead the Pledge of Allegiance.

Mayor Burris noted that there are changes to the agenda and asked Ms. McKay to provide the change information.

Ms. McKay reported that we are deleting Capt. Walter F. Duke Elementary from the agenda as they have worked out their payment issues. We are adding the Port of Leonardtown to confirm the process of the Pavilion for clarification and for auditing purposes. We are going to re-introduce the Forest Conservation Ordinance. We introduced it last month as Ordinance No. 168 but it has been changed to Ordinance No. 170 and we will reintroduce today and hold a Public Hearing at the July meeting. Also, adding a right of entry agreement from the University of Maryland for usage of the Leonardtown Wharf.

Mayor Burris stated that we do have a Public Hearing scheduled for 4:15 p.m. today and moved on to the first order of business.

Approval of Minutes

Meeting minutes for the May 11, 2015 Town Council meeting were presented for approval.

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

Councilmember Roger Mattingly moved to approve the May 11, 2015 minutes as presented; seconded by Councilmember Tom Combs; motion passed unanimously.

Treasurer's Report – Rebecca Sothoron

Ms. Sothoron reported that no transfers were made to nor from the LGIP. We are 91% through the budget year. At the end of May we did receive the third quarterly income tax distribution. We will have two more distributions that will get charged back to FY15 but will not know until the end of August what the final number will be. All departments look good in total. There is not enough information at this time to determine if a Budget Amendment will be needed for the General Fund to yield a positive result for the fiscal year and this will be determined after some of the audit work is completed.

The loan closing for the ENR project is scheduled for some time in July.

Planning & Zoning Report – Laschelle McKay

No Planning and Zoning meeting was held last month and there is no meeting scheduled for this month. There are a lot of projects that are moving forward in various stages of approval. The next meeting will be held on July 20, 2015.

Police Report

Deputy Smolarsky is unable to attend today's meeting. A written report was provided to Council.

Ms. McKay noted that Deputy Smolarsky plans to hold meetings with local businesses to inform them about the increase in counterfeit money and methods they can use to identify these bills to deflect and decrease their potential losses.

Town Administrator's Report – Laschelle McKay

Introduction of Resolution 5-15 – Annexation of 241.5± acres on Hollywood Road. The petition was submitted on June 1, 2015; all properties that are affected signed the petition and we did verify that we had the right number of people that we needed to sign. Our attorney has reviewed all of the documents to date. We will be sending all the materials to the various agencies for review which takes approximately 30 days. We will schedule the Public Hearing for the August meeting. Next month we are bringing forward an Ordinance that codifies the zoning categories that we are recommending.

Along with this Resolution we will bring forward the Annexation plan and that has to be included with the documentation that goes to the planning agencies. It will get incorporated in to the Resolution which you will vote on in August. There will also be an Annexation Agreement between Quality Built Homes and the Town laying out what they are proposing and we will be working to limit it to 100 EDUs for the near term until the expansion is completed. Our attorney is reviewing this document now and will be presented to Council once it is returned. Quality Built has agreed to donate a Well and/or Water Tower site on the property, site to be determined by our engineer.

Liquor License Letter of Support for Quality Street Kitchen and Catering. Joann McKeowen is selling the business to Sharon Purcell. They will keep the same classification, Class B Restaurant and they are transferring their license from Quality Street Kitchen and Catering to Q Street Catering and Culinary Art LLC.

Councilmember Roberts moved to approve a letter of support; seconded by Councilmember Hammett, no further discussion, motion approved.

Construction at Port of Leonardtown Park utilized Contractors from other projects, specifically for the Pavilion we used Hilltop Welding for \$18,000 as a sole source it was very specific and unique work. We received three prices for the concrete floor and awarded it to the lowest bidder which was Downs Concrete for \$10,000. This was discussed previously but we do need consensus today from Council to confirm that this was an acceptable process.

Council gave consensus.

Reintroduce Forest Conservation Ordinance – This Ordinance was introduced last month under a different number but is being reintroduced as Ordinance No. 170 to adopt the State required changes to our Forest Conservation Ordinance and we will hold a Public Hearing next month and be able to take action.

UMD ROE Agreement - Ms. McKay reported that she was contacted by a researcher with University of Maryland UAS test site, based in St. Mary's County, who would like to use the Wharf to fly unmanned drones to take pictures of the wetlands to monitor and take inventory of the types of grasses and greenery. The drone is small, only one foot by one foot. They will only be there one to three times depending on what is needed. They have met all the requirements and have been approved by the FAA. They are requesting a Right of Entry Agreement from the Town. I would recommend an expiration date of December 31, 2015.

Councilmember Roger Mattingly moved to approve permission to use unmanned drones for the University of Maryland wetlands project; seconded by Councilmember Combs, no further discussion, motion passed unanimously.

CPP Grant - Ms. McKay noted that we just received word that we were granted the Parks and Playground Grant for the Leonardtown Wharf Park for a pavilion and playground equipment.

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

Councilmember Hammett moved to close the regular meeting and open the Public Hearing, seconded by Councilmember Roger Mattingly, motion passed.

Mayor Burris opened the Public Hearing on Adopting the Budget and Setting the Tax Rate for FY 2016 and asked Ms. Sothoron to provide background information.

Ms. Sothoron stated that this Budget hearing was advertised as required on-line, in the County Times, and the Enterprise and no written comments were received.

There is no recommended change to the Tax Rate which will remain at .1266 per hundred dollars of assessment. It does add one full time employee at the Wastewater Treatment Plant due to the ENR Upgrade. An additional part-time employee was added for Arts and Entertainment duties for six hours per week. All the budgets are balanced. The sewer service charges are recommended to increase by 2%. The water service charge is recommended to increase by 0% and the trash service charge is 0%. The one significant change that came out of the budget workshop is a change in the reserve percentage. We have typically had a 50% reserve in the operating fund but Council now determined that 40% is a more realistic goal. We have not been able to meet the 50% reserve goal in many years as some projects required the use of money from the fund balance to pay for them along with the decrease in Highway User Revenue. This FY16 budget gets us to 37.50% but within two years we should be to 40%.

Ms. Sothoron noted that every year the State of Maryland publishes municipal tax rates and there are only six towns with lower tax rates than Leonardtown.

Mayor Burris asked for any comments from the audience. Hearing none, he entertained a motion to close the Public Hearing and open the Regular meeting.

Councilmember Combs moved to close the Public Hearing and open the regular meeting; seconded by Councilmember Jay Mattingly, motion passed.

Councilmember Roberts moved to approve adoption of Ordinance No. 165 – Adopting the Budget and Setting the Tax Rate at .1266; seconded by Councilmember Hammett, motion passed unanimously.

Mayor's Report

Mayor Burris sadly reported that we lost a good friend Bob Combs, who was also a former Council Member and we extend our condolences to his brother Tom and Bob's wife Judy and family.

Secretary Gill, Maryland Department of Economic Development was in Southern Maryland recently and we plan to meet with him on some of our current issues to seek his support and help in bringing more economic dollars to Leonardtown. We already have a RFP out for a restaurant at Leonardtown Wharf.

Councilmember Roberts inquired about the RFP for a food vendor at the Wharf during the summer months.

Ms. McKay responded that we have one new request for a copy of the RFP and are exploring their interest.

Councilmember Roberts inquired about the zoning along Washington Street on the right hand side going down Wharf hill?

Mayor Burris responded that it is still considered residential but may be looked into changing in the future. Everyone agreed that redevelopment of this area should be a high priority.

Councilmember Roberts inquired about the status of State Highway Roads.

Ms. McKay remarked that for the Rt. 245 sidewalk project the property owners have received their right-of-entry agreement. The SHA agreement had some wrong language which is being corrected and we hope to have full consensus from the property owners after the change.

Ms. McKay noted there is no new news on the breakout project, on Rt. 5 other than we did send a letter to State Highway in regard to including a light at the entrance of Clarks Rest. They did respond that they are taking it under consideration to include in the breakout project. They are still in final design and anticipate final design by the end of the summer and it will then go out to bid so it will be another two to three years before completion.

Ms. McKay remarked that the Economic Development RFP is still in a holding status as the bids received were widely out of our budget, only one was close to our budget.

Mayor Burris stated that there is a lease now signed on the NG&O building.

Council asked about the demolition of the Pennies building and Mayor Burris mentioned that Mr. Davis and he are to meet very soon and he should have more information after that meeting.

Councilmember Roberts asked if we will meet the new building code update deadline.

Ms. McKay noted that we will begin to enforce them on July 1, 2015 but we are waiting on information from the County so that we can determine if we can coordinate our building codes to match their codes to meet the State requirements. We will introduce this in July and hold a Public Hearing in August.

Events – Roger Mattingly

Councilmember Mattingly thanked Ms. Fleming for doing such a great job. Flag Day is June 14 and he will be attending to present the Proclamation and invited everyone to attend.

Upcoming Events of Interest/Meeting Reminders:

<i>Date</i>	<i>Time</i>	<i>Meeting</i>
Tuesday, June 9 Social Hall	5:30 PM	SMC Chamber Annual Meeting @ LVFD
Friday, June 12	8:30 AM	LBA Meeting @ Yellow Door Art Studio
Saturday, June 13 Fairgrounds	11 AM – 8 PM	Annual Crab Festival @ the SMC
Sunday, June 14 Governmental Center	6:00 PM	Flag Day Celebration @ SMC
Sat & Sun, June 13 & 14 Commemoration	11:00 AM	Blue & Gray Days 150th Anniversary @ Point Lookout State Park
Saturday, June 20	7:30 AM	Sunrise Yoga @ the Wharf
Wednesday June 24	5:00 PM	SMC Chamber Business After Hours Hosted by Sleep! Testing /Treatment Center @ 23076 Three Notch Rd. California, MD
Saturday, June 27 & Megan Nosek	6 PM	Downtown Tunes acoustic with Josh Airhart
Friday, July 3 Celebration on the Square	5 - 8 PM	Red, White and Blues “First Friday”
Friday, July 4	HOLIDAY	Independence Day – Town offices closed
Tuesday, July 7 Groovespan @ CSM	6:45 PM	Twilight Series w/ Jennifer Cooper &
Friday, July 10	8:30 AM	LBA Meeting @ TBD
Saturday, July 11	11:00 AM	Southern Maryland Film Festival in Leonardtwn
Thurs. & Fri. July 9 & 10	6 – 8:30 PM	Vacation Bible School at Church of the Nazarene

Ms. Fleming remarked that the first annual Southern Maryland Film Festival is coming up and tickets are for sale at <http://www.smdfs.org>. We have over 40 submissions from 36 local film makers.

Community Development and Strategic Planning - Hayden Hammett

Councilmember Hammett reported that Leonard's Grant is down to the last 3 homes to be built. He thanked Ms. Williams for all her assistance in providing project updates. There are places along Washington Street for sale and the Town is looking at general public parking and how to help generate more interest. We attended the meeting introducing Secretary Gill and plans to set up future meetings to discuss in more detail how he can support Leonardtown's growth.

ENR Upgrade – Tom Comb

Councilmember Combs reported that Ms. McKay provided a brief update earlier but he will be actively involved as the ENR Upgrade meetings begin.

SMMA Update – Leslie Roberts

Councilmember Roberts reported that everyone is looking forward to attending the upcoming MML Convention in late June and focusing on the seminars and educational sessions that MML offers to keep municipalities informed and up-to-date on today's issues. We will meet with and introduce ourselves to the delegates in attendance to further enhance our communication with our legislators.

Safety and Emergency Preparedness – Jay Mattingly

Councilmember Mattingly reported that AB&H is scheduled to begin asphalt repairs next week, depending on weather and is budgeted for \$38,851 out of the FY15 budget. Striping also starts next month out of the FY16 budget for about \$18,546 and we piggybacked off of the contract for the Town of La Plata.

Mayor Burris reminded everyone that he will be available for discussion after the close of the meeting and entertained a motion to adjourn the regular meeting.

Councilmember Jay Mattingly moved to adjourn the regular meeting at 4:53 p.m.; seconded by Councilmember Roger Mattingly, no further discussion; motion passed unanimously.

Respectfully Submitted:

Teri P. Dimsey

Approved:

Daniel W. Burris, Mayor

Leslie E. Roberts, Vice President

Thomas M. Combs, Councilmember

Hayden T. Hammett, Councilmember

J. Maguire Mattingly IV, Councilmember

Roger L. Mattingly, Councilmember