



Commissioners of Leonardtown

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DANIEL W. BURRIS
Mayor

LASCHELLE E. MCKAY
Town Administrator

Commissioners of Leonardtown **Town Council Meeting Minutes** **April 11, 2016**

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; Jada Stuckert, Planning Assistant; Jackie Post, Fiscal Clerk; Maria Fleming, Events Coordinator;

A complete list of attendees is on file at the Leonardtown Town Hall.

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

Mayor Burris commented that there was an Executive Session held prior to the regular Town Council meeting today and entertained a motion regarding the business discussed in Executive Session.

Leslie Roberts moved to approve the business discussed in Executive Session held prior to this meeting regarding property acquisition in Leonardtown. Hayden Hammett seconded the motion. The motion passed unanimously.

Approval of Minutes

Meeting minutes for the March 14, 2016 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 March 14, 2016 minutes as presented; seconded by Councilmember Combs; motion passed unanimously.

Mayor Burris noted that there is a Public Hearing at 4:15 p.m. and moved on to the first order of business.

Treasurer's Report – Rebecca Sothoron

Ms. Sothoron reported that the March financials were provided. A transfer of \$175,000 was made to the Operating Account. We are 75% through the budget year.

Ms. Sothoron noted that there are Budget Amendments on the agenda and these are to put to paper actions that have already been approved by Council. To stay in compliance with the Charter we need to make sure that the budget reflects those actions. She provided a brief summary of each budget amendment.

Budget Amendments

BJ04-16 - Funding for Charles St. Slip Lining Project
BJ05-16 - Drs. Crossing Sidewalk Project
BJ06-16 - GHD Task Order #14 – Expansion Study
BJ07-16 - Funding for Sludge Management
BJ08-16 - Tractor Purchase

Councilmember Roger Mattingly moved to approve Budget Amendments BJ04, BJ05, BJ06, BJ07 and BJ08 for 2016; seconded by Councilmember Roberts; motion passed unanimously.

Planning & Zoning Report – Jada Stuckert

Ms. Stuckert reported that no meeting was held in March and there are no agenda items to be heard in April.

Police Report - Deputy Smolarsky

Deputy Smolarsky reported that she provided Council with a written report. The Hospice run was great on Saturday. She is happy to say that neither we, nor emergency services, received any complaints.

Town Administrator's Report – Laschelle McKay

Liquor License Letter of Support- Requesting approval to support the transfer of the existing Class B (Restaurant) Beer, Wine and Liquor license at Café des Artistes to the new owner, Brian Wilson, Crab and Bull Provisions, LLC. The business is located at 41655 Fenwick Street and includes support for the service of alcohol at the outdoor seating located in front of the restaurant. They did change the name to La Rive Breton. Translation: The Breton Shore.

Councilmember Combs moved to approve a letter of support for the transfer of the existing Class B Beer, Wine and Liquor license at Café des Artistes to the new owner, Brian Wilson of Crab and Bull Provisions, LLC; seconded by Councilmember Hammett, motion passed unanimously.

Wharf Playground Surface Final Decision- At the February 8, 2016 meeting the Council approved the playground equipment (which has been ordered) through Everything Amish as well as the 1,035 square feet of playground grass needed for the area under the playground. The price was \$10,000 from Forever Lawn. In the meantime we have met with the company a number of times on the site to determine the best configuration of the area. We can continue with the 45 by 23 foot area that would fill the site partially and we would need to add a handicap accessible

ramp at \$1,200 and a border at \$1,400 or we could expand the area to do the entire area for an additional cost of \$8,000. This would allow the grass to be installed flush up to the sidewalk edge and a ramp would not be needed, nor would edging be needed. This price is at cost. I was able to secure a second price from All Recreation just for the 45 by 23 area at a cost of \$30,885 as a comparison. The playground portion of the grant was \$34,000. So far the cost of the playground was \$7,594. If we approve \$18,000 for the grass we would be at \$25,594. This would leave \$8,406 toward other miscellaneous installation expenses.

Councilmember Roberts moved to amend the approval of the playground grass for \$10,000 at the February 8, 2016 meeting to expand the area to cover the entire proposed section of grass at the Wharf so that no ramp or edging is needed and no mowing would need to be done around the area. The new total is \$18,000 to Forever Lawn; seconded by Councilmember Combs; no further discussion, motion passed unanimously.

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

Councilmember Roger Mattingly moved to close the regular meeting and open the Public Hearing on Adopting the Budget and Setting the Tax Rate for FY17; seconded by Jay Mattingly, motion passed unanimously.

Ms. Sothoron reported that Council met on March 22 for a Budget Workshop to review the Recommended Budget and a few changes were made at that time. The Recommended Budget was posted in draft form on the Town website. The Tax Rate is recommended to stay the same at .1266 per \$100 of assessment. The budget ordinance was introduced at the March meeting so Council is free to approve it today if you so choose. We have not received any written comments, email comments or any other questions.

Mayor Burris opened the floor up to the public for any comments or questions.

Ms. Patricia Cheseldine, 41810 Eastwick Lane, Unit 2101, and my question is in regards to license and permits, that the building occupancy and sign permits is almost \$7,000 less than 2016 and because we are getting some condos and apartments, housing at Clark's Rest, I wonder why that cost was lowered.

Ms. Sothoron responded that for the past few years, we have had building permits that were issued for Leonard's Grant and for Clark's Rest which were the primary source of revenue for that. Leonard's Grant is completed and now we only have the residential units at Clark's Rest for this year.

Ms. Cheseldine inquired about the condos going in on top of the Seymour Building and the Hampton Apartments.

Ms. Sothoron responded that there has been some cushion built in for that. Commercial building permits, generally, for that location, have already been issued. The Hamptons will be a new building permit in FY17 but for the most part, the residential units make up the bulk of that. If we get additional collections then we will have that revenue to allocate for something different in the future. But generally we do not like to budget high.

Mayor Burris asked if there were any other comments or questions. There being none, he entertained a motion to close the Public Hearing and open the regular meeting.

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

Mayor Burris entertained a motion to approve Ordinance #173 - Adopting the Budget and Setting the Tax Rate for FY17.

Councilmember Roger Mattingly moved to approve Ordinance #173 – Adopting the Budget and Setting the Tax Rate for FY17; seconded by Councilmember Combs, no further discussion, motion passed unanimously.

Town Administrator's Report – Laschelle McKay (continued)

Capital Project to convert street lights to LED- As part of the FY16 budget we had a capital item to convert some of the street lights to LED. With the initial estimates we budgeted to only convert 54 of the lights for a total of \$18,500. As we prepared to complete the job Tony was able to locate a bulb that had the same 50,000 hour life and 5 year warranty as the original ones priced at St. Mary's Lighting for less money at Capital Tristate in White Plains. Sourcing the cheaper bulb and finalizing the numbers with Ryce Electric under our existing contract we were able to convert 77 lights instead of the 54. There are 13 remaining to be done at POL Park. Unfortunately, this is an after the fact approval as Tony did not realize that since the bulbs were over \$5,000 this needed to come to the Council for approval and he scheduled the work. The bulbs from Capital Tristate are \$90 each. The price from St. Mary's lighting was \$107 each and Rexel was \$136.29 each. We purchased 77 bulbs from Capital Tristate for a total of \$6,930.

Councilmember Combs moved to approve the purchase of 77 bulbs from Capital Tristate at \$90 each for a total of \$6,930 based on the three prices received and outside the bid process; seconded by Councilmember Roberts, no further discussion, motion passed unanimously.

Property Acquisition Authorization – Ms. McKay reported that today we are introducing Ordinance 174 – Purchase of Real Property for the Town Hall. This is the first reading and no action is required today. Action will be taken later to approve the Ordinance. Ms. McKay read the Ordinance out loud describing the purchase and giving the Mayor and Town Administrator signature authority (on file at the Town office). The final purchase of sale from Rainbow Construction Corporation of \$609,427.00 which does include renovation costs for interior and separation of the building. The actual sale cost is \$525,000. We are required to have a minimum of six days and there has been discussion of having a special meeting on Monday, April 18 at 5:45 p.m. to take action on the Ordinance.

Mayor Burris noted that the Town owns the two suites on the top floor of the Proffitt Building but rents the first floor reception/conference room. By purchasing the new building and selling these two units and releasing the rental suite, the Town will generate a positive cash flow. The appraisal we received, does indicate that the highest and best use value for the Candela building

is \$915,000 and the replacement value was \$855,000, so purchasing at \$525,000 to include the renovations at \$609,000 is a very prudent move on this Council's part.

Councilmember Roberts remarked that it has always been a long term goal to purchase a Town Hall as close to the square as we can be and this fits both the need for more space and close to the square.

GHD Scope of Work for Design Phase of Rt. 5 Water Loop- The initial report and investigation phase is complete. Tony, Jay, Tom and I have reviewed the report. We are ready to go into design. GHD has submitted Task Order #15 in the amount of \$56,362 for design work.

Councilmember Roger Mattingly moved to approve GHD Task Order #15. Rt. 5 Water Main Design, in the amount of \$56,362; seconded by Councilmember Roberts, no further discussion, motion passed unanimously.

Grinder Pump Installation at 25370 Point Lookout Road- In 2007 we made an offer to share expenses for installing a grinder pump at 25370 Pt. Lookout Road, equal to what he had done for other owners within town. The Town agreed to pay for the installation of the pump (today's estimate \$5,325) and for the owner to pay for the grinder pump and the electric hook up (today's estimate \$8,530). I am proposing that we on good faith make the same offer to the owners today. They continue to have problems when there are several tenants in the home and our staff goes out every couple of days and checks the line.

Councilmember Roberts moved to offer to the owners at 25370 Point Lookout Road a shared cost of installing a grinder pump on their property. The costs to be shared by the Town paying for the installation and the owner purchasing the grinder pump and paying for the electrician to hook up the pump; seconded by Councilmember Combs, no further discussion, motion passed unanimously.

Councilmember Roberts commented about the value added with the new stop sign at the top of Washington Street and asked Ms. McKay to provide explanation.

Ms. McKay responded that over the years we have had many complaints by people leaving Courthouse Drive that they are unable to see the cars approaching and have had numerous near misses. A mirror was added several years ago but that did not resolve the problem. The most recent complaint was from Printing Press and they say it would be very helpful if traffic could stop there to avoid mishaps. So a stop sign was installed and a few people have made comments about how helpful it has been to avoid creating accidents.

Deputy Smarlosky agreed that it has been helpful.

Mayor's Report – Mayor Burris

Mayor Burris reported that we presently have an alternate on the Planning and Zoning Commission and unfortunately the current alternate has some scheduling conflicts and felt it best to step down. I propose Tyler Alt for nomination as an alternate. Mr. Alt is resident of Leonard's Grant and has agreed to serve. I also propose adding Shawn Moses and Jeff Brown to fill the vacant Board of Appeals seats.

Council Members gave consensus.

Events – Roger Mattingly

Councilmember Mattingly offered congratulations to St. Mary’s County Woman of the Year Nominee Laschelle McKay and winner Carol Moody.

Thanks to St. Mary’s County Rec & Parks and The Front Porch for organizing community Easter activities, and to the LVFD for hosting the Leonardtown Code Home Rule Public Hearing.

St. Mary’s Ryken High School will be running the Blaine Whorl Memorial 5K this Saturday, April 16 starting at 8:30 a.m.

Saturday, April 9 was the 21st Annual Run for Hospice. Holding the 5K Run through Singletree continues to be a successful strategy for keeping the event safe and located in Leonardtown.

Please join us for the 16th Annual Earth Day Celebration on Sunday, April 17th. We are pleased to have Reptile World, Inc. as our children’s entertainment this year, and we are also adding a Living Green Demo Stage with 30-minute presentation on different ways to “going green”, including raising chickens, using solar power, going paperless, buying and cooking with local organic produce and cloth diapering.

The 31st Annual Spring Fling Car Show for Hospice rounds out the month of April, Sunday, April 24 from 8 a.m. – 4 p.m. Rain date is Sunday, May 1.

“Mind Your Business”, a legal seminar for artists, will be held in the CSM Leonardtown Auditorium on Thursday, April 28 from 1- 4:30 p.m. The event is being co-produced by PNC Bank, Maryland Volunteer Lawyers for the Arts, Maryland Citizens for the Arts, and the St. Mary’s County Arts Council, and the Leonardtown Arts & Entertainment District.

Mark your May calendars: 5/3 Leonardtown Election Day; 5/6 First Responders First Friday; 5/13 LHS Jazz Concert at the Wharf; 5/21 Cystic Fibrosis Walk at 11 a.m. and the U.S Navy Jazz Band concert at 6 p.m.; 5/28 Downtown Tunes and Cruisin’ Southern Maryland for Vets lunch break.

Upcoming Events of Interest/Meeting Reminders:

<u>Date</u>	<u>Time</u>	<u>Event/Meeting</u>
Friday, April 15 & 22	7 PM	Legally Blonde the Musical @ LHS
Saturday, April 16	1 PM & 7 PM	(no shows on the 23 rd)
Sunday, April 17 & 24	3 PM	
Sunday, Apr. 16	8:30 AM	St. Mary’s Ryken Blaine Whorl 5K Walk/Run St. Mary’s Ryken HS, Town roads & Wharf Park
Saturday, April 16	9 AM – 3 PM	Coastal Arts Market, Port of Leonardtown Park
Sunday, Apr. 17	12:30 – 4:30 PM	Leonardtown Earth Day Celebration 2016 Leonardtown Square & Leonardtown Wharf Park

Upcoming Events of Interest/Meeting Reminders:

<u>Date</u>	<u>Time</u>	<u>Event/Meeting</u>
Sunday, Apr. 24 (Rain Date: May 1)	8 AM – 4 PM	St. Mary's Rod & Classic XXXI Spring Fling Car Show @ Leonardtown Square
Wednesday, April 27	5:30 - 6:30 PM	Chamber Business After Hours (RSVP) Hosted by St. Mary's Landing Apts, 21590 Pacific Dr.
Thursday, April 28	1- 4:30 PM	Mind Your Business Seminar for Artists, CSM Auditorium
Thurs. & Fri., 4/28 & 4/29	5:00 PM – 11:00 PM	So. Md. Annual Spring Festival
Sat., April 30	10:00 AM – 11:00 PM	@ SMC Fairgrounds
Sun., May 1	10:00 AM – 6:00 PM	
Tuesday, May 3	Election Day	Office staff leaves at 12 noon; polls open until 7 PM
Friday, May 6	5 - 8 PM	First Responders First Friday
Wednesday, May 11	11:30 AM – 6 PM	2016 Business Showcase & Awards Luncheon So. Maryland Higher Education Center
Friday, May 13	8:30 AM	LBA Meeting @ TBD
Friday, May 13	6:00 PM	LHS Jazz Band Spring Concert @ the Wharf
Friday, May 20	8:30 – 10 AM	Tourism & Hospitality Master Plan Presentation Breakfast @ So. MD Higher Education Center
Saturday, May 21	9 AM – 3 PM	Coastal Arts Market, Port of Leonardtown Park
Saturday, May 21	11 AM	Great Strides Walk for Cystic Fibrosis @ Wharf
Saturday, May 21	6 – 7 PM	US Navy Band The Commodores Jazz Ensemble in the Square
Saturday, May 28	6 – 9 PM	Downtown Tunes with Latrice Carr
Saturday, May 28	11:30 AM – 1 PM	Cruisin' So. Md. For Vets Lunch Stop in the Square @ various restaurants

Community Development and Strategic Planning - Hayden Hammett

Councilmember Hammett reported that there are a great many projects going on around Town. The Seymour Building apartments are nearing completion. We have a number of single family Use and Occupancy permits being issued approximately 62 to 63 building permits and 27 lots remaining for Phase I in Clark's Rest.

ENR Upgrade – Tom Combs

Councilmember Combs remarked that they are moving along well. There is an ongoing sludge problem. The lagoon liner has collapsed, but they have come up with and are, working on long-term replacement solutions.

SMMA Update – Leslie Roberts

Councilmember Roberts reported that the next meeting will be held on May 4, 2016 in La Plata. Leonardtown is next in line to host the SMMA meetings beginning in September and we will also host the annual Legislative dinner. Ms. Dimsey will, as she has in the past, work as Secretary, coordinating and taking minutes for the meetings.

Safety and Emergency Preparedness – Jay Mattingly

Councilmember Mattingly reported that he and Mr. Wheatley continue to look at projects to be started this spring.

Mayor Burris reminded everyone that they will begin work to replace the water lines along Spalding Lane and Mile Post Lanes next week.

Councilmember Hammett moved to adjourn the meeting at 5:00 p.m., seconded by Councilmember Jay Mattingly. 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