



# Commissioners of Leonardtown

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DANIEL W. BURRIS  
Mayor

LASCHELLE E. MCKAY  
Town Administrator

## **Commissioners of Leonardtown** **Town Council Meeting Minutes** **July 11, 2016**

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

Absent: Thomas M. Combs, Councilmember

Also in attendance were: Teri Dimsey, Secretary; Laschelle McKay, Town Administrator; Rebecca Sothoron, Treasurer; Jada Stuckert, Planning Assistant; Maria Fleming, Events Coordinator; John Wharton, The Enterprise; Guy Leonard, The County Times. 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 everyone to say the Pledge of Allegiance.

Mayor Burris noted that there is a Public Hearing today at 4:15 p.m. on Ordinance No. 176 – Zoning Text Amendment – Adding Microbreweries to C-B and C-M Zoning Districts.

There are also a couple of additional items to today's agenda and asked Ms. McKay to report.

Ms. McKay responded that that we have a Sub-Recipient Agreement for the Community Parks and Playground Grant for Leonardtown Volunteer Fire Department and Resolution #1-17 a Community Legacy Grant for the elevator at the new Town Hall Building.

### **Approval of Minutes**

Meeting minutes for the June 13, 2016 Town Council were presented for approval.

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

**Councilmember Roger Mattingly moved to approve the June 13, 2016 minutes as presented; seconded by Councilmember Jay Mattingly; motion passed unanimously.**

Mayor Burris moved on to the next order of business.

**Treasurer's Report** – Rebecca Sothoron

Ms. Sothoron reported that financial information in draft form for June 30 was provided. There is some unexpected surplus that we have been able to receive in income tax. We may be able to use the surplus to pay for items associated with the new Town Hall instead of borrowing the funds. The annual property billing form is being revised. We are changing the remittance address to PO Box 1751 in order to separate the payments from the property function to the utility function. In the future if we move to an electronic receipting of property tax payments the banks can identify if it is a utility or property tax payment. PO Box 1 and PO Box 1751 use the same box. We are also working with our software vendor and a third party to try to automate the data sharing for the big escrow companies and help them and us to receive information electronically.

Councilmember Roger Mattingly inquired as to how the online pay system was working.

Ms. Sothoron responded that we do not have a lot of people using it just yet as about 25% of our customers use their on-line bill pay through their bank.

**Police Report** – Deputy Smolarsky

Deputy Smolarsky provided Council with a written report but noted that she did not have anything significant to report at this time.

Councilmember Roger Mattingly asked about the date of the upcoming National Night Out.

Deputy Smolarsky responded that it is the first Tuesday of August and will be held Tuesday, August 2 at Leonard's Freehold.

Mayor Burris asked Deputy Smolarsky if she could schedule the speed limit board, showing your speed compared to the speed limit, to be set up in Town along Rt. 5 and also in the neighborhood streets.

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 Roberts, motion passed.**

Mayor Burris asked Ms. McKay to proceed.

Ms. McKay reported that at last month's meeting we introduced Ordinance No. 176 and today we are holding a Public Hearing and Council is able to take action on it after the Public Hearing.

Ordinance No. 176 is the addition of the word Micro-Breweries as a permitted use in Commercial Business and Commercial Marine Zoning District. There have been some discussion about some local micro-breweries looking for a location and we currently do not have

them listed as a permitted use in any of our districts. This Ordinance would add them in just two districts; C-M strictly the wharf and C-B in the downtown business and the three shopping centers: Shops of Breton Bay, Breton Market Place and Leonardtown Centre. It would give vacant buildings in the downtown the option of marketing to this type of up and coming business. We have received no public comment. Prior to the meeting the Public Hearing was advertised in the June 30 County Times as required. The Planning and Zoning Commission did send a favorable recommendation after their June 20<sup>th</sup> meeting.

Mayor Burris opened the floor up to the public for comments.

**There being none, Mayor Burris entertained a motion to close the Public Hearing and open the Regular meeting.**

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

**Mayor Burris entertained a motion to take action on Ordinance No. 176.**

**Councilmember Roberts moved to approve Ordinance No. 176 as presented; seconded by Councilmember Roger Mattingly, no further discussion, motion passed unanimously.**

**Planning & Zoning Report** – Jada Stuckert

Ms. Stuckert reported that the last Planning & Zoning meeting was held on June 20, 2016.

**Case #34-15 PNC Bank – 41615 Park Avenue** - Request for final site plan approval was granted. Received recommendation to Town Council for Parking Fees-In-Lieu

**Case #25-16 Executive Inn Re-Zoning** - Request for recommendation to re-zoning property was tabled.

The next Planning & Zoning meeting will be held on June 20, 2016, and we currently have one item on the agenda:

**Case #25-16 Executive Inn Re-Zoning** - Request for recommendation to Town Council to re-zone property from C-B to R-MF

**Town Administrator's Report** – Laschelle McKay

Request from St. Mary's County Recreation and Parks for a Community Parks and Playground Grant. Only Municipalities can apply for the Community Parks and Playground Grant. They are wanting to replace the playground equipment at Miedinski Park at the Governmental Center. They have \$200,000 budgeted and are requesting applying through the Town for an additional \$200,000 requested by Brian Lowe, Parks and Recreation Director. They would apply for the grant and we would do a Joint Use Agreement which is required by Community Parks and Playground. The same as what we did with Leonardtown Fire Department. Both are also required to sign a Sub-Recipient Agreement.

**Councilmember Roberts moved to approve applying for the \$200,000 Community Parks and Playground's Grant for the replacement of the Miedinski Park playground equipment. It will be a pass-through grant to the St. Mary's County Recreation and Parks Department and once approved the County would need to sign a Sub-Recipient Agreement.**

Ms. McKay reported that added to today's agenda is the Sub-Recipient Agreement for the Community Parks and Playground Grant that we received for \$125,468 which is a pass-through to the Leonardtown Volunteer Fire Department. We modeled the Sub-Recipient Agreement after the one we had signed with Cedar Lane. It says that they have the same responsibilities that we do for spending the money and following all the grant agreement rules.

**Councilmember Roberts moved to authorize the Mayor to sign the Sub-Recipient Agreement for the Community Parks and Playground Grant; seconded by Councilmember Roger Mattingly; no further discussion, motion passed unanimously.**

**Parking Fees in Lieu for PNC Apartment Project-** At last month's Planning and Zoning meeting the PNC apartment project received final site plan approval as well as a favorable recommendation to move forward with parking fees in lieu for the 7 apartments on the 2<sup>nd</sup> and 3<sup>rd</sup> floor. Because these apartments are a change in use for the building, per article 155-51 of the Leonardtown Zoning Code the Town Council may approve parking fees in lieu in the C-B, C-O and C-M districts where practical difficulties prohibit the owner from providing parking. The Town Council had previously set the fee at \$1,200 per space. For 7 apartments, 14 spaces would be required. The total fee in lieu would be \$16,800. However, at the June 13<sup>th</sup> Town Council meeting Resolution 3-16 was approved. This resolution formalizes the plan to provide residential permit parking in the existing public parking lot behind town hall for residents of apartments on the town square. With this in mind and to move forward this important economic development project in a vacant building on the square it is recommended that these fees be waived for this project.

**Councilmember Hammett moved to accept parking fees in lieu for the PNC apartment project and to waive the fees in the amount of \$16,800 for economic development reasons; Councilmember Jay Mattingly seconded; no further discussion, motion passed unanimously.**

#### **Public Art Discussion**

The Public Art Grant is through Maryland Arts Council and we have to submit an intent to apply by July 22, 2016. Ms. Nell Elder will write the grant, if you are interested, and the grant is due October 21, 2016. There is a \$5,000 maximum and matching is required. There had been initial discussions with Arts Council contributing towards the match as well. We were thinking that we would form a small committee that would put together some guidelines, such as a St. Mary's County life or Leonardtown life theme and we would have artists submit proposals and the committee would choose a winning proposal. Potential location is the sidewalk between the Leonardtown Arts Center and the new Town Hall. Art projects such as a sculpture or a bench or some other types of art. We have the mural from the 1980s and the committee can seek out ideas for other locations.

Mayor Burris noted that he has spoken with Chris Kaselemis, Economic Director for St. Mary's County. Mr. Kaselemis was out west attending a convention where he saw a few presentations on cities expanding or proposing public art. Mayor Burris asked him to attend a Town Council meeting to give a brief presentation on this subject.

Councilmember Roberts remarked that she is very much in favor of this idea and how it will enhance our A&E District and promote tourism in and around the Town.

**Councilmember Roberts moved to approve the Town application for up to a \$5,000 grant for a public art project to be located outside of Town Hall on Washington Street and, this grant, if obtained, will require a local match; seconded by Councilmember Roger Mattingly, no further discussion, motion passed unanimously.**

**Resolution 1-17-** In support of submitting a Community Legacy Grant for Elevator and Sprinklers at 22670 Washington St - The original CDBG grant was submitted for \$168,233 with a local contribution of \$18,700 and in kind of \$15,000. I am proposing to add the estimated cost of sprinklers to the grant application. \$195,000 for the grant, \$21,925 local contribution, \$15,000 in kind. This number could be adjusted prior to submission of the application.

**Councilmember Roberts moved to approve Resolution 1-17 in support of the Community Legacy Application for an elevator and sprinklers at 22670 Washington Street for the new Town Hall. The grant request is currently \$195,000 with a match of \$21,925 locally and \$15,000 in kind. This number can be adjusted based on the estimate for the sprinklers prior to submission of the application July 15, 2016**

*Discussion:*

*Councilmember Roger Mattingly confirmed that we do have to sprinker the second floor as it will be a public meeting place but we are not required to sprinker the first floor. Although we may be potentially planning to do both.*

**Seconded by Councilmember Roger Mattingly, no further discussion, motion passed unanimously.**

**Mayor's Report** – Mayor Burris

Mayor Burris reported that the ribbon cutting was a great turnout for the new Dunkin Donuts. An RFP for the pier and slips at the Wharf will be going out shortly. We settled on the new Town Hall and are planning our move at the end of August.

**Events** – Roger Mattingly

Many thanks to the Town Commissioners and staff who attended and participated in the Flag Day Ceremony on June 14<sup>th</sup> and the Chamber of Commerce dinner to support Laschelle in her acceptance of the Public Servant award.

The US Navy Band Commodores graced the Square with smokin' hot solos and breezy cool vocals during their concert on June 17. The crowd of 200+ was a little smaller than last year due to the

re-schedule and other big concerts in the area, but the band was able to entertain quite a few folks from out of state. Thanks to the St. Mary's County Arts Council and Big Larry's for helping to sponsor advertising and dinner for the event.

Sunrise Yoga had its first session June 25 and will continue July 23 and August 27 at the Leonardtown Wharf Park. Kristen, a local trainer from Diezel Fit in Great Mills is now hosting Circuit training classes at the Wharf on select days throughout the year. Her next 2 classes will be July 16 and August 20.

Robbie Boothe brought 450 of his biggest fans to the Square on June 25, closing down the roads and creating a great party atmosphere. The Downtown Tunes Series continues with Josh Airhart & Megan Nosek for acoustic night on July 23 and more country with Wesley Spangler on August 27.

Postponed - South Point Church rescheduled their volunteer picnic at the Wharf to July 6, and the Enterprise ladies' wine tasting event at Port of Leonardtown Winery has been postponed until August 30.

Reminder that the CSM Leonardtown Campus will be starting their annual Twilight Series Performances on the lawn, Tuesday evenings, July 12. Other performances will be on July 19 and 26, and a special children's event August 2, all starting at 6:45 PM.

The Committee for the 2<sup>nd</sup> Annual Southern Maryland Film Festival wishes to thank the local business community for their support of the event scheduled for Friday evening, July 15 and all day Saturday, July 16. Commissioners are encouraged to RSVP if they are coming to the Friday evening opening reception. Advance Weekend, Full-day and Half-day tickets are available at a discounted rate online at [www.smdff.org](http://www.smdff.org) until July 14.

Ms. Fleming gave a brief summary of the upcoming Film Festival, logistics and expressed how talented the entries are and everyone is very excited to host this event again.

NEW - Patuxent Adventure Center Paddlesports is hosting a Men's and Women's SUP race at the Wharf on Saturday, July 23 at 9 a.m. \$20 entry fee; online pre-registration preferred; boards available for rent.

Plans are in place for the SMBC Summer Regatta at the Wharf the weekend of July 30-31. Races all day starting at 10 a.m. Meet and Greet at The Rex Friday night, July 29.

Rockin' First Friday will be on August 5<sup>th</sup> with cover band *The Lucky Few* and a "dress like your favorite singer, band or era" costume contest. Leonardtown's "Beach Party on the Square" will be held on Saturday, August 6<sup>th</sup>, from 4 PM – 9 PM. *The Latrice Carr Music Group* will be replacing the now-retired *25<sup>th</sup> Hour Band*, and Running of the Balls is returning, as well as the Balloon Nerd Brian Garner.

The Public Schools are once again hosting their new teacher picnic at the Wharf on August 15 and Dominion Apostolic Assembly has requested the Wharf for a Community Church and Gospel concert on the evening of August 20.

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

<b><u>Date</u></b>	<b><u>Time</u></b>	<b><u>Event</u></b>
Tuesdays, July 12, 19, 26 August 2	6:45 PM	Twilight Series @ CSM - Leonardtown
Friday, July 15 Saturday, July 16	6:00 PM 9 AM – 7 PM	So. MD Film Festival Opening Panel and Reception SMDFP Screenings, Panels and Awards
Fri. and Sat. July 22, 23, 29, 30 Sat. Matinees July 23, 30 Sun. July 24, 31	7:00 PM 1:00 PM 3:00 PM	Summerstock Presentation of <i>The Little Mermaid</i> @ Great Mills High School
Saturday, July 23	7:30 AM	Sunrise Yoga @ the Wharf
Saturday, July 23	9:00 AM	PAC Paddlesports SUP Race at the Wharf
Saturday, July 23	6 PM	Downtown Tunes with <i>Josh Airhart &amp; Megan Nosek</i>
Wednesday, July 27	5 PM	Chamber Business After Hours Hosted by Fish the Bay Charters @ 50176 Dove Cove Road Dameron, MD.
Friday, July 29 Saturday, July 30 Sunday, July 31	TBD 10 AM – 4 PM 10 AM – 3 PM	SMBC Meet & Greet @ The Rex Southern MD Boat Club Racing Boat Regatta @ the Wharf
Tuesday, August 2	TBD	National Night Out Celebration @ Leonard's Freehold
Friday, August 5	5 - 8 PM	Rockin' First Friday and Costume Contest
Saturday, August 6	4 - 9 PM	Beach Party on the Square
Thursday, August 11, Friday, August 12, & Saturday, August 13	3 – 10:25 PM 1:10 – 10:15 PM 10:50 AM – 9:35 PM	“Lil” Margaret’s Bluegrass & Old Time Music Festival @ Goddard Farm
Friday, August 12	8:30 AM	LBA Meeting @ TBD

**Community Development and Strategic Planning** - Hayden Hammett

Councilmember Hammett reported that the Dunkin Donuts is open and quite busy and they are a locally owned business by local people.

Mayor Burris noted that Leonardtown has over the years had a few franchises such as Western Auto, Ben Franklin and the Chevrolet Dealership.

**ENR Upgrade**

Mayor Burris asked Ms. McKay to update Council in Councilmember Comb's absence.

Ms. McKay reported that the project is going along smoothly. AB&H should be on site shortly to begin the lagoon repairs.

**SMMA Update** – Leslie Roberts

Councilmember Roberts reminded all that Leonardtown is the principal administrator for SMMA this year and the first meeting is September 14 hosted by the Town of La Plata. Council attended the MML Annual Convention where there were several very interesting workshops.

**Safety and Emergency Preparedness** – Jay Mattingly

Councilmember Mattingly reported that the patch work on Drs. Crossing was completed. He mentioned the new app on finding Pokémon has increased suspicious activity but they are just searching for Pokémon.

Ms. McKay remarked that we have received some positive remarks where a Mother brought her son into Town to search for Pokémon and visiting the monuments, Big Larry's, Kevin's Café, CSM, Leonard Hall and the Library. So it is bringing people out and about in the Town.

Mayor Burris remarked that the Café des Artistes sign has come down but Mr. Brian Wilson is still waiting on their State ID Number which is required before he goes before the Alcohol Board. To help out I sent an email to Ms. Foxwell at the State Comptroller's office to see if he can help facilitate getting the State ID number.



**At 4:53 p.m. Councilmember Roger Mattingly moved to close the meeting, seconded by Councilmember Hammett. Motion passed unanimously.**

Respectfully Submitted:

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Teri P. Dimsey

**Approved:**

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Daniel W. Burris, Mayor

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Leslie E. Roberts, Vice President

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Absent  
Thomas M. Combs, Councilmember

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Hayden T. Hammett, Councilmember

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J. Maguire Mattingly IV, Councilmember

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Roger L. Mattingly, Councilmember