



# Commissioners of Leonardtown

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DANIEL W. BURRIS  
Mayor

LASCHELLE E. MCKAY  
Town Administrator

## **Commissioners of Leonardtown Town Council Meeting Minutes December 10, 2018**

Attendees: Daniel W. Burris, Mayor  
Hayden T. Hammett, Council Member  
Christy Hollander, Council Member  
J. Maguire Mattingly IV, Council Member  
Mary Maday Slade, Council Member

Absent: Tyler Alt, Council Member

Also, in attendance were: Laschelle McKay, Town Administrator; Rebecca Sothoron, Treasurer; Teri Dimsey, Executive Secretary; Jackie Post, Fiscal Clerk; Roger Mattingly, Resident; Guy Leonard, County Times; Taylor DeVillie, Enterprise. A complete list of attendees is on file at the Town Hall.

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

### **Approval of Minutes**

Meeting minutes for the November 13, 2018 Town Council were presented for approval.

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

**Councilmember Mattingly moved to approve the November 13, 2018 minutes as presented; seconded by Councilmember Slade.**

*Councilmember Hammett inquired about Ms. Radar's comment concerning the Bond Modification in particular the line that said "that this would be a reissuance" and he understood it to be a modification.*

*Ms. McKay responded that Ms. Rader had remarked in her presentation that the State recognizes the technical wording of reissuance and modification as a legal exchange of language for Bond Modifications.*

**Mayor Burris asked Ms. Dimsey to review for accuracy and then asked for the vote. Motion passed unanimously.**

*Councilmember Hammett stated that last month during the vote to accept the contract of sale for Condo Unit #300 at 44160 Courthouse Drive, he meant to abstain. He would like to make this known for the record. This would not change the outcome.*

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**COUNCIL:** TYLER ALT      HAYDEN T. HAMMETT  
CHRISTY HOLLANDER      J. MAGUIRE MATTINGLY IV      MARY MADAY SLADE

**Mayor Burris moved on to the next order of business.**

**Best Dressed Business**

Mayor Burris announced that during Christmas on the Square the committee selected Crazy for Ewe as the Best Dressed Business and asked Ellen Lewis and Ginny Stein to come forward to accept the plaque.

Ms. Lewis and Ms. Stein accepted the plaque with enthusiasm and appreciation.

**Treasurers Report** – Rebecca Sothoron

Ms. Sothoron reported that during the month \$375,915 was transferred from the Sewer Impact Fee account to the General and LGIP account. This represents the FY18 Town share of debt service on the ENR project. Every year we have this number that is intended to come from Impact Fees that we collect that pays for the Debit Service on the ENR loan so it will recur every year.

There is a remaining transfer that needs to happen. The final accounting for the ENR is not complete.

The MEB final payment is still in limbo waiting to be signed off by the engineer. Once everything is complete it will be submitted to MDE. We will then do the final project accounting. There will be cost share between us and METCOM. We will have the final grant payment and then the remainder of the capital cost that comes from paying cash will then also transfer out of the sewer impact fee account.

Mayor Burris asked for everyone's edification what approximately was the total cost of the upgrade?

Ms. Sothoron responded that it was close to \$22 million dollars.

Ms. Sothoron noted that we are 42% through the budget year. Late notices were sent for property tax payments for the prior tax year and is happy to say that there were only seven that had not paid, one of the lowest we have ever had.

**Planning & Zoning Report** – Laschelle McKay

Ms. McKay reported that no meeting was held last month and we do not have anything on the agenda for this month.

**Police Report**

Corporal Nelson reported on past and upcoming Town event/activities and provided Council with a written report of all of her past month activities.

Corporal Nelson welcomed Sgt. Shawn Moses.

Sgt. Moses explained that he will be replacing Ms. Nelson while she has been reassigned to the D.A.R.E program.

Mayor Burris remarked that we would like to thank the sheriff's department for all the help they give us for especially our events, very much appreciated.

Corporal Nelson noted that last year the Town staff has joined with her to provide gifts for three families during Christmas. This year we have one family and the Town staff has again agreed to participate and has already collected quite a few of the items on the child's list. They will be delivered around December 22<sup>nd</sup> and will capture photos for all to see.

**Public Hearing on Ordinance #188 - Critical Area Map Amendment.**

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

**Councilmember Slade moved to close the regular meeting and open the public hearing; Councilmember Mattingly seconded, no further discussion, motion passed unanimously.**

Ms. McKay reported that the Town has been working with the State Critical Areas staff for over a year on the required updating of our Critical Area mapping for Leonardtown. The County is also moving forward with theirs as well. House Bill 1253, which was passed in 2008, required the state to update the maps. We are holding a public hearing today regarding this Ordinance. Today's hearing was advertised in the County Times and on the Town website. At the November 12th meeting we introduced Ordinance #188, which is adopting the new maps so that we can take action today.

We had a meeting on December 5, 2017 with the Critical Areas staff, who gave a presentation to any property owners that were affected by the re-mapping. We had a presentation and they then met one-on-one with anyone that had any questions regarding how this affected their properties. As of today, we have not received any other comments regarding the changes.

Ms. McKay provided a review of the properties affected.

Mayor Burris remarked that this is required by the State of Maryland for these updates. Did we get any inquiries or comments from the public written?

Ms. McKay responded that we did not receive any inquires or comments.

Mayor Burris asked if there was anyone in the audience today that would like to make a comment on the critical areas update?

Hearing none, he entertained a motion to close the public hearing and open the regular meeting.

**Councilmember Hollander moved to close the public hearing and open the regular meeting; Councilmember Hammett seconded, no further discussion, motion carried.**

Ms. McKay reported that today Council could now vote on Ordinance #188.

**Councilmember Mattingly moved to approve Ordinance No. 188 Critical Area Map Amendment as presented; Councilmember Slade seconded, no further discussion, motion passed unanimously.**

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

Resolution #6-16 was passed November 14, 2016 declaring Condo Unit #300 located at 41660 Courthouse Drive to be surplus property and to proceed with the sale of the property. Eventually the property was listed for sale with Brick House Realty in the amount of \$216,000, after the property did not move by For Sale by Owner. No offers have been received until now. The Town vacated the building 27 months ago and purchased the new Town Hall. Council approved the sale at the November 12, 2018 meeting and introduced this Ordinance. The Agreement of sale states that closing would occur prior to December 31, 2018 with a sale price of \$188,000 to Robert and Lillian Mattingly.

**Councilmember Hollander moved to approve Ordinance No. 187 Sale of Real Property finalizing the sale of the condo unit #300 at 41660 Courthouse Drive; seconded by Councilmember Mattingly; motion passed with Councilmembers Hollander, Mattingly, Slade voting in favor and one abstention by Councilmember Hammett.**

**Alley Easement for Utility Installation**

Ms. McKay reported that a request was received from Seymour LLC to place a grease trap and a propane tank in the alley the Town owns directly behind the building as they do not have any land upon which to put the grease trap. As they plan to lease to a restaurant, this is important. The Town attorney, Patrick Thomas, drew up an agreement which was presented to Council for review.

Councilmember Hollander asked to confirm that the easement goes with the property and the property owner of the grantee, so that if the restaurant went away and the LLC's went away it would still run with the property.

Ms. McKay stated yes that is correct and it will be deeded as such.

Mayor Burris asked for any comments from the audience.

Mr. Mummaugh, Seymour LLC partner and developer responded that they will be laying on six inches of concrete over the propane tank and grease trap so it will be even better than what is there presently.

Councilmember Hollander stated that the document was drafted by the Town Attorney but did the Town pay for this service? She feels that that grantee should pay for this service and not the Town.

Ms. McKay remarked that we did not have an agreement ahead of time and it was not a requirement but if Council wants to pass through that cost it can be done.

Councilmember Hollander stated that she would be in favor of the grantee paying for this service and not the Town.

Councilmember Hammett would like to see as-builts included.

Ms. McKay responded that language can be added to the agreement to include.

**Councilmember Mattingly moved to approve signing the easement with Seymour Town Properties, LLC and Washington and Park, LLC for installation of a grease trap and propane tank behind the Seymour Town Building off of Park Ave, along with the grantee paying the attorney for his services to draw up the agreement and to include language to provide as-builts; no further discussion; seconded by Councilmember Hollander**

**Motion passed, Councilmember Hollander, Mattingly, Slade voted in favor, Councilmember Hammett voted not in favor.**

Ms. McKay stated that we just received notice of renewal of the Town's Sustainable Community Designation. We are required to get this designation renewed every five years and this is important to obtain State grants.

We also just received the permits from the Army COE for the slips and pier at Leonardtown Wharf and we will begin moving this project forward in the new year.

The Mahan Rykiel presentation on Shape our Square had an impressive turnout for each meeting day with very positive feedback. There is a copy of their presentation on the Town website for those who would like to view.

**Mayor's Report** – Mayor Burris

Mayor Burris discussed the Mahan Rykiel presentation and the many ideas and suggestions they presented.

Councilmember Alt is unable to attend today's meeting as his youngest child had a minor accident but is okay.

Mayor Burris wished everyone a Merry Christmas, a Happy New Year and a safe and healthy holiday season.

**Events** – Brandy Blackstone

The 43rd Annual Veterans Day Parade and Memorial Ceremony was a great success. The event, sponsored by the Commissioners of St. Mary's County and Commissioners of Leonardtown, was held on Sunday, November 11, 2018 in Leonardtown Square, and was attended by over 1,000 people of all ages. This year's Ceremony commemorated the 100th Anniversary of World War I and the 50th Anniversary of the Vietnam TET Offensive with guest speakers (Mr. Anibal Delgado, Great Mills High School History Teacher and WWI Local Historian; and Mr. J. Ernest Bell, USMC, Vietnam Veteran and Local Historian; and honorable dignitaries: John C. Wobensmith, Maryland Secretary of State; Matthew Morgan, Local State Delegate; Gary D. Knight, Vice Chairman and Secretary, MD Veterans Home Commission; James R. Guy, President, Commissioners of St. Mary's County; and Captain Jason Hammond, Commanding Officer, Naval Air Station, Pax River), and the participation of family members of local fallen soldiers who attended as guests of honor and laid wreaths in honor of their loved ones during the Ceremony.

Representatives from the Harry Lundeberg School of Seamanship assisted with decorating the Town for Christmas on the Square on Saturday, November 17th. Twelve volunteers from the school helped remove the Veterans Day Flags and hang Christmas stars, banners and lighting in preparation for the event. Thank you to Commissioner Jay Mattingly for working with the volunteers and also assisting with the decorating.

The Christmas on the Square and Annual Tree Lighting, held on Friday, November 23, 2018 in Leonardtown Square, was a wonderful event. It is estimated that 9,000-10,000 people attended the family-friendly event and enjoyed the live entertainment, rides, face painting, living nativity, food and much more! Highlights of the evening were the horse and carriage rides provided by Suttler Post Farms, Firetruck, sleigh and train rides provided by the Leonardtown Fire Department, story time, cookies and entertainment in Mrs. Claus tent, which included balloon art, face painting and face tattoos courtesy of Kreative Kharacters, and a special Make and Take Craft courtesy of St. Mary's College of Maryland community art students who donated their time and love to create the craft with seniors at Cedar Lane Senior Living Community with guidance and assistance from Wine & Design, and CP Art Studio, and of course Santa's arrival and the lighting of the Town Christmas Tree! Thank you again to the Harry Lundeberg School of Seamanship volunteers for returning to assist with the event. Thank you to Mayor Dan Burris and the Commissioners of Leonardtown for assisting with the Best Dressed Business awards. The winning business will be announced at a later date. Thank you also to the Town staff and the Stuckert family for their hard work and great teamwork during the event.

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

<b><u>Date</u></b>	<b><u>Time</u></b>	<b><u>Event/Meeting</u></b>
Saturday, December 1 <sup>st</sup> , 8 <sup>th</sup> & 15 <sup>th</sup>	8:30 a.m.-9:30 a.m.	Zumba Fitness Around Town @ Shepherd's Old Field Market
Saturday, December 15 <sup>th</sup>	11:00 a.m.-1:00 p.m.	Santa & Mrs. Claus on the Square
Saturday, January 5 <sup>th</sup> , 12 <sup>th</sup> , 19 <sup>th</sup> & 26 <sup>th</sup>	8:30 a.m.-9:30 a.m.	Zumba Fitness Around Town @ Shepherd's Old Field Market

**Community Development and Planning** – Hayden Hammett  
No updates at this time.

**Utilities** – Christy Hollander  
No updates at this time.

**SMMA Update** – Jay Mattingly  
Councilmember Mattingly reported that he will be attending the SMMA Legislative dinner on Wednesday hosted by Chesapeake Beach. Deputy Nelson good luck with the DARE program, we look forward to having you return and welcome Sgt. Moses for stepping in. Merry Christmas, Happy Holidays and Happy New Year to all.

**Business Development/Retention** – Mary Maday Slade  
Councilmember Slade reported that local businesses were very active on Small Business Saturday but due to a rainy type day the turnout seemed a bit lighter than other years. There are a few businesses struggling at this time. There is also an issue of a faded crosswalk at SOF Market that needs to be addressed and some minor parking problems that need to be resolved.

**Mayor Burris entertained a motion to adjourn.**

**Councilmember Mattingly moved to adjourn the regular meeting at 5:09 p.m.; 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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Absent  
Tyler Alt, Councilmember

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Hayden T. Hammett, Councilmember

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Christy Hollander, Councilmember

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J. Maguire Mattingly IV, Councilmember

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Mary Maday Slade, Councilmember

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