



# Commissioners of Leonardtown

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DANIEL W. BURRIS  
Mayor

LASCHELLE E. McKAY  
Town Administrator

**Town Council Meeting Minutes  
July 13, 2020  
On-site and Virtual Meeting due to Covid 19  
Meeting recorded Live on YouTube – Town of Leonardtown Channel**

Attendees Onsite: Daniel W. Burris, Mayor  
J. Maguire Mattingly IV, Vice President  
Tyler Alt, Council Member  
Nick Colvin, Council Member  
Christy Hollander, Council Member  
Mary Maday Slade, Council Member

Also, in attendance were: Laschelle McKay, Town Administrator; Rebecca Sothoron, Treasurer; Beth Sandberg, Office Manager; Will Moorehead, Just Tech; Teri Dimsey, Executive Secretary; John Edwards, QBH; Sean Coogan, Social Coffeehouse. A complete list of attendees is on file at the Town Hall. Viewers on Town of Leonardtown YouTube Channel.

Councilmember Colvin provided the invocation and Ms. Dimsey led the Pledge of Allegiance.

Mayor Burris noted that a new item has been added to today's agenda – **Discussion of Paddleboat.**

### **Approval of Minutes**

Mayor Burris entertained a motion to approve the minutes.

**Councilmember Mattingly moved to approve the minutes of Monday, June 8, 2020 as presented; seconded by Councilmember Slade; no further discussion, motion passed unanimously.**

### **Treasurers Report** – Rebecca Sothoron

Ms. Sothoron reported that there were no transfers to or from LGIP. A non-audited income statement has been provided to you and through the course of the audit as work progresses and adjustments are made, we will continue to issue this report until everything is final.

As usual, at the end of the year, there will be revenue accruals that have to be booked. We continue to receive payments from State agencies through the months of July and August. We will also have accounts payable that will continue to come in as they relate to FY20.

We are waiting for the final database file to be released and once we receive, we will begin processing property tax bills.

## **Planning & Zoning Report – Jada Stuckert**

The last Planning & Zoning meeting was held on May 18, 2020 with one item on the agenda.

Case No. 100-15 Meadows at Town Run – Wathen Farm  
The request for Phase Two Final Site Plan Recommendation was forwarded.

The next meeting will be held on Monday, July 20, 2020 with eight items on the agenda.

Case No. 37-20 MedStar St. Mary’s Generator Project – 25500 Pt. Lookout Road  
Request for Architectural Approval of a 1,066 sq. ft. building.

Case No. 44-20 Community Corrections Center  
Request for Concept and Final Site Plan approval of a 4,800 sq. ft. building.

## **PUBLIC HEARING(S)**

Ordinance No. 198 Chapter 128, Streets and Sidewalks – Small Wireless Facilities  
Requesting favorable recommendation to Town Council.

Ordinance No. 199 Chapter 155, Zoning – Small Wireless Facilities  
Requesting favorable recommendation to Town Council.

Ordinance No. 200 Amendment to the Comprehensive Land Use Plan  
Requesting favorable recommendation to Town Council.

Ordinance No. 201 Comprehensive Plan Zoning Map Amendment  
Requesting favorable recommendation to Town Council.

Ordinance No. 202 Chapter 155, Zoning – Assisted Living  
Requesting favorable recommendation to Town Council.

Ordinance No. 203 Chapter 155, Zoning – Open Space & Multifamily Residential units in the PUD-M District  
Requesting favorable recommendation to Town Council.

## **Police Report**

Deputy Nelson is unable to attend but submitted a written report for Council’s review.

## **Town Administrator’s Report – Laschelle McKay**

### **Meadows at Town Run Final Site Plan Approval for Phase 2**

The Planning and Zoning Commission forwarded a favorable recommendation at their May 18, 2020 meeting (see draft minutes).

Mr. Brian Brookhart with Soltesz Civil Engineering is with us today to provide a brief presentation on the site plan, along with Mr. John Edwards with QBH to answer any questions.

Councilmember Mattingly inquired about lot #107, is that where the original homestead is located?

Mr. Edwards responded yes and it is currently occupied. An easement was needed for construction purposes, the road and driveway will be reconfigured once the construction has been completed.

Councilmember Hollander asked why there was no sidewalk along Daffodil Court?

Mr. Edwards responded that it is due to the stormwater management requirements.

**Councilmember Mattingly moved to approve Phase 2 final site plan for Meadows at Town Run which includes 47 single family lots for a total project of 107 lots; seconded by Councilmember Alt, no further discussion, motion passed unanimously.**

Ms. McKay added that she wanted to thank Quality Built Homes as they wanted to help out the businesses and they purchased \$9,000 in gift cards from a number of different businesses and they gave \$2,000 to continue our virtual programming. Mr. Rodney Gertz came to the Town Hall to offer some sort of assistance to help out the businesses which they also did for both Charles and Calvert counties. This meant a lot to the businesses and to the Town and we sincerely thank him and Quality Built Homes for their tremendous support and partnership.

#### **Liquor License Letter of Support for Brudergarten Extension of Premises**

Ms. McKay reported that they are wanting to extend their outdoor area which was divided for a children's area and want to remove the barrier, add ADA accessibility and make it one large area for customers enjoyment.

**Councilmember Alt moved to approve a letter of support for Brudergarten to expand their liquor license to include outdoor seating to an area adjacent to the existing outdoor seating; seconded by Councilmember Slade, no further discussion, motion passed unanimously.**

#### **EDU Request Community Corrections Center**

The Sheriff's Department received funding for this facility. The main mission of the facility is to facilitate COVID 19 compliance for disease control, address the pre-trial supervision programs and the incarcerated programs.

Present today to speak about this needed facility is Mr. Gary Whipple, Deputy Director, Public Works and Transportation and Ms. Mary Ann Thompson.

Captain Merican provided a brief description about the extreme need for this facility. His staff have been amazing in dealing with the overcrowded facility during an extremely difficult pandemic which requires all sorts of extra above and beyond type work to meet the needs of the staff, inmates and the requirements of the Health Department.

Mr. Whipple also explained the need for this facility and how it connects with the plans that were already in place for future expansion.

**Councilmember Alt moved to approve 1 EDU for the Community Corrections Center under authority of Ordinance No. 132 Section 2d "projects that are necessary to protect the health, welfare, safety or future economic viability of the Town and Section 2e - Public projects; seconded by Councilmember Mattingly, no further discussion, motion passed unanimously.**

### **Discussion of Signage at Leonardtown Library**

The Town sign ordinance allows for a 32 square foot ground sign, no higher than 8 feet above ground level. The sign was installed without a sign permit and did not go through the approval process. The sign is installed and measures 155 sq. feet and is 9 ft 2 inches tall which is well over our Ordinance. We have been in discussions with Dr. Bridgett, the County Attorney and the Town's Attorney to work together to come up with some type of a resolution.

### **Social Coffee Extension of Premise Request**

In conjunction with the downtown plan alley network I am working to connect the Fenwick Street district businesses as well. This request is in line with that plan. The structure would be similar to the structure Sweetbay built.

Sean Coogan is in attendance today to provide some reasoning behind the request and to answer any questions.

Mr. Coogan stated that he wants to continue with the plan proposed by Mahan Rykiel to showcase Fenwick Street as that feeling of entering into Leonardtown to tie into the Town feel of outdoor seating, to work in conjunction with the planned Leonardtown Alleyway. We will lose a parking spot but will gain the ability to have permanent outdoor seating area. In the current situation, having outdoor seating is a lifesaver for the business.

Ms. McKay remarked that the Town will work closely with Mr. Coogan to look at the prices on the alley network which he will fund but making sure it ties in with what we have planned. There were a lot of ideas that could be incorporated in the downtown plan and we feel this will be a nice tie in to the plan.

**Councilmember Colvin moved to allow Social Coffeehouse owner, Sean Coogan, to construct at his expense an elevated outdoor seating area utilizing one parking space directly in front of his building. An official easement needs to be prepared to address construction and maintenance; seconded by Councilmember Slade, no further discussion, motion passed unanimously.**

Ms. McKay reported that some of the Ordinances being brought forward today had been introduced a few months ago but with the shutdown due to Coved 19 they were delayed and now are being re-introduced and have added a few more.

Ms. Stuckert will provide a brief summary on each Ordinance.

### **Introduction of Ordinance No. 195, 196, 197, 202, 203 Zoning Text Amendments**

Town Council will hold a public hearing at the August meeting.

#### **Ordinance No. 195 – Property Maintenance**

The purpose of the amendment is to add the previous height limit of 12" to the section pertaining to grass and weed height.

#### **Ordinance No. 196 – Vehicles, Removal and Storage**

The purpose of the amendment is to utilize State language to further define "abandoned" vehicles and how they are handled within Town limits.

#### **Ordinance No. 197 – Forest Conservation**

The purpose of the amendment is to incorporate State Mandated language concerning fees-in-lieu per Senate Bill 234.

**Ordinance No. 202 – Assisted Living Facilities**

The purpose of the amendment is to include Assisted Living Facilities as a permitted use in the L-I/O District. P&Z Commission to hold public hearing on 7/20/2020.

**Ordinance No. 203 – Open Space and Multifamily Residential Units in the PUD-M District**

The purpose of the amendment is to increase the percentage of allowed multifamily units from 20% to 35% of the total number of residential units permitted in the development with an increase of open space to 50%. P&Z Commission to hold public hearing on 7/20/2020.

**Introduce Ordinance No. 198, 199, Resolution 1-20- Small Cell Facilities and Guidelines**

These ordinances and Resolution 1-20 are being introduced to regulate small wireless facilities. Town Council will hold a public hearing in August. See below.

**Ordinance No. 198 – Small Wireless Facilities for Chapter 128, Streets and Sidewalks**

The purpose of the amendment is to allow (with Town Council regulation) small wireless facilities on or over the Town’s streets and sidewalks. Design Guidelines are provided to protect the aesthetic character of Leonardtown. *P&Z Commission to hold public hearing on 7/20/2020.*

**Ordinance No. 199 – Small Wireless Facilities for Chapter 155, Zoning of the Code of the Town of Leonardtown**

The purpose of the amendment is to allow (with Town Council regulation) small wireless facilities as a special exception in all zoning districts. Design Guidelines are provided to protect the aesthetic character of Leonardtown. *P&Z Commission to hold public hearing on 7/20/2020.*

***Resolution 1-20- Guidelines for Small Wireless Facilities - This is a document with the guidelines for facilities within the town.***

**Introduce Ordinance No. 201 Comprehensive Rezoning Review**

This ordinance is being introduced to review the zoning of all parcels in town to make sure there are no mistakes or changes since the last zoning update (2017) and to establish zoning for the two parcels requesting annexation. Planning and Zoning will hold a public hearing 7/20/20 and Town Council in September if the annexation is approved.

**Introduction of Resolution 2-20 Annexation Petition of Bennett and Valli Investment Properties**

Resolution 2-20 is being introduced today to move forward the process for the annexation request of property owners of 23.1805 acres south on Rt. 5 at Rt. 4. The Planning Commission will hold a public hearing on the Comp Plan amendment and Comprehensive rezoning necessary to address the annexation at their July 20, 2020 meeting. Town Council will hold a public hearing at their September 14, 2020 meeting.

**Covid Update-Extend Outdoor Seating**

Ms. McKay reported that AB&H generously donated 2 months of barricade usage (\$2,100 per month). The rental is up July 23, 2020 and we are recommending that the Town fund two additional months from the funds of the canceled Beach Party.

**Councilmember Mattingly moved to approve using the remaining Beach Party funding for two more months of barricades at \$2,100/month; seconded by Councilmember Colvin, no further questions, motion passed unanimously.**

Ms. McKay reported that the LBA and Town ordered 80 cases of masks that contain 500 masks each and have been giving them out free to the businesses in Leonardtown and working along with St. Mary's County with the Cares money to assist businesses in need.

The virtual series is going really well and Ms. Blackstone has been working very hard on these programs. Instead of focusing on artists which was funded by the Arts Council, funding has been expanded and we are really bringing in a lot of different businesses and taping a lot of new shows.

Getting the word out that we are open and have started a new campaign "Welcome Back" Leonardtown and "Open for Business" and we are ramping that up. Ms. Dimsey worked up a great logo which you will see around Town.

LBA hosted a virtual call to discuss what kinds of issues they are dealing with in opening and let some of the businesses share some of the creative and unique things they have done. Different resources were discussed for the businesses from the County Economic Development and the Governors representative Gretchen Hardman. There was about 30 people on the call and it went on for over an hour. It was very well received.

The Façade Grant deadline has been extended due to Covid to September 30<sup>th</sup>. We hope we can then begin to roll out the second Façade Grant in late August.

We did receive our second phase grant from DNR for the slips.

We had a conference call with State Highway, they are retreating from putting a light at the intersection of Route 5 and Clark's Rest entrance. They are saying that there is not as much traffic due to people tele-working and do not want to go on estimations, they want to get the connection open from Clark's Rest to Leonard's Grant and then do another traffic count. We will send them a response letter to strongly reiterate our points.

SHA provided an update on the Route 5 widening and they are saying they will not be finished until July of next year. They have come across some issues that needed to be included.

The Route 245 sidewalk project was discussed recently and both the County government and the Town reiterated how important this project is for the connectivity to the Town and County and we asked them to please move forward on this project.

Obtaining costs for improvements to work on the LTown Alley project. We have a Community Legacy and Community Parks and Playground applications in place to submit in August for grant money for these projects.

**MHAA Grant and Discussion of Paddlewheel Boat**

We received \$100,000 from Maryland Heritage Authority for the purchase of a paddlewheel boat, the Black-Eyed Susan. The Captain has asked us to provide something in writing indicating our interest in pursuing the purchase of the paddleboat.

Our attorney recommended that Council provide authorization to Mayor Burris and myself to negotiate the terms of the contract of sale and then the contract would come back to Council for approval.

The full asking price for the paddleboat is \$320,000 and \$190,000 of that is a low-interest government loan and that would leave a balance of \$132,000 balance and as we have received a grant for \$100,000 this would leave a total \$32,000. We would then find out how much it would be to get the boat registered and other necessary details.

We are just asking to have authorization to move forward to negotiate and bring this information back to Council.

Councilmember Hollander asked if we had the balance budgeted?

Ms. McKay responded that it would need to come out of fund balance.

Mayor Burris has been to see the boat and can arrange a trip for Council to see it in person.

There is a lot of work to do to look into the operating costs, maintenance, insurance etc.

The boat has been surveyed and we did receive a copy of the report which was included in the A couple other people are looking at it, but the Captain said if he gets something in writing saying that we received the grant and are seriously interested, he will hold it for us to continue negotiations.

There are a lot of things to review such as who will run it, where it will be placed on the water, what maintenance and other details are involved.

Our intent is not to run it, possibly a non-profit, but we need to look at many options along with the cost of sustaining the paddleboat. It could be used to support St. Mary's Tourism here in Leonardtown along with a variety of events such as, weddings, receptions, schools, corporate events and even tours of the Breton Bay.

**Councilmember Slade moved to authorize the Mayor and Town Administrator to negotiate the terms of the contract of sale of the Black-Eyed Susan Paddlewheel boat. The contract would come back to the Council to approve; seconded by Councilmember Alt.**

*Councilmember Hollander stated that before the contract is signed, please make sure we do a full due diligence on the operating costs and what we are going to use it for.*

*Mayor Burris agreed.*

**Motion passed unanimously.**

## **Updates**

### **Mayor's Report** – Mayor Burris

Mayor Burris reported that the Cow and the Fish, located in Hollywood, which they are keeping, will be opening a new Italian restaurant in the Town. They will move into the old Smokey Joe's location.

## **Events – Tyler Alt**

Beach Party Cancellation: It's with heavy hearts that we relay the Commissioners of Leonardtown have made the difficult decision to cancel the Annual Beach Party on the Square event that was scheduled for Saturday, August 8, 2020.

The second episode of the Discovering Leonardtown Virtual Series aired on Friday, June 26th, and featured Part 2 of a Culinary Tour around Town that included highlights of many of our local restaurants including: The Front Porch, Antoinette's Garden, Botanic and the Brudergarten at Shepherd's Old Field Market, Ye Olde Towne Café and Social Coffeehouse. Upcoming episodes in development include a look at Leonardtown's Hidden Treasures (attractions and businesses off the Square that are well worth seeking) and an Arts & Entertainment Week! Air dates are TBA.

The last scheduled Leonardtown Virtual Artist Showcase took place on Sunday, June 28th. The featured artists included James Cornett, Janis Nowlan, John Vallandingham and Funkzilla – SOMD! We're excited to announce that plans are underway for a Live Finale for the Show. More details will be announced soon.

The Virtual Series the Robbie & Donovan's Friday Night Party came to a close with an exciting Finale on Friday, June 26th. The show kicked off with shout-outs from Country Music Superstars Matt Stell and Jake Owen. Highlights of the evening was the reunion of Robbie Boothe's Band who played together again for the first time since the COVID-19 restrictions. The evening also featured talented guest artists: Phillip Michael Parsons, Carly Zakutney, and Bradley Turner! The Town, LBA and the St. Mary's County Arts Council and our amazing sponsors including Quality Built Homes, Marrick Homes, and Leonardtown Chevrolet, Buick & GMC would like to thank Robbie Boothe and Donovan Farrell for the amazing job they did in hosting the 9-week musical variety show.

Leonardtown is launching Live! Streamed events. Events in development include a Fashion Show featuring a variety of Leonardtown beauty and apparel businesses, wine tastings and the Leonardtown Virtual Artist Showcase Finale. More details to come!

The virtual programming continued to drive traffic to the Town Tourism Website, social media and YouTube pages.

Facebook posts for the virtual content (online classes and shows) averaged between 1,000 - 2,000 views with a post about the Robbie & Donovan's Friday Night Party drawing almost 7,000 views.

The VisitLeonardtownMD.com website saw an increase of over 2,000 visitors since the creation of the virtual programming.

The Town's YouTube page had over 3,000 visitors during the month of June, over 17,000 minutes of content watched, and 25 new subscribers.

## **Community Development and Planning – Nick Colvin**

Councilmember Colvin reported that a number of U&Os and permits have been issued. The Route 5 widening is still a work in progress. The self-storage building construction continues and they are moving along very smoothly. Some road striping will be done shortly in the Leonard's Grant and Singletree neighborhoods. Lastly, I was able to attend my first MML Conference and SMMA meeting.



**Utilities** – Christy Hollander

Councilmember Hollander reported that the Route 5 watermain work looks like it is moving along well and traffic appears to be adjusting with no complications.

**SMMA Update** – Jay Mattingly

Councilmember Mattingly stated that he sends a shout out to the MML staff for adjusting from a physical conference to a virtual one and it was done extremely well and he was amazed at how they put this together so quickly and efficiently. Also, kudos to the staff working so quickly with AB&H on the Moakley Street repairs. The MML Fall Conference is being looked at by the Directors to decide what direction to go, either virtually or physically, to be determined.

**Business Development/Retention** – Mary Maday Slade

Councilmember Slade reminds all the small businesses to file their property tax return.

Mayor Burris delivered sad news that Jan Norris, wife of former Mayor Chip Norris, passed away last night.

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

**Councilmember Mattingly moved to close the regular meeting at 5:10 p.m.; seconded by Councilmember Slade, motion passed.**

Respectfully Submitted:

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Teri P. Dimsey

Approved:

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Daniel W. Burris, Mayor

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Tyler Alt, Councilmember

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Nick Colvin, 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