



# Commissioners of Leonardtown

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DANIEL W. BURRIS  
Mayor

LASCHELLE E. McKAY  
Town Administrator

**Town Council Meeting Minutes  
August 10, 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  
Nick Colvin, Council Member  
Christy Hollander, Council Member  
Mary Maday Slade, Council Member

Virtual: Tyler Alt, 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; Roger Mattingly, Resident; Kyle Bockery, Resident. 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 an additional item has been added to today's agenda – Renew Old Line Environmental Contract for Sludge Removal and we do have a public hearing at 4:30.

### **Approval of Minutes**

Mayor Burris entertained a motion to approve the minutes.

**Councilmember Mattingly moved to approve the minutes of Monday, July 13, 2020 as presented; seconded by Councilmember Slade; no further discussion, motion passed unanimously.**

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

Ms. Sothoron reported that during the month \$3,000 was transferred from the LGIP to the Operating Account and that due to the timing of the cash receipts. We have the utility billing receipts from July and August and we will start to receive cash from tax receipts and we anticipate that will go back into the LGIP in the next few weeks. On the FY 21 Income Statement there is not much activity as it the beginning of our fiscal year.

Property tax bills were mailed on Friday and we do already have customers making payments. That entry into the general ledger for the revenue you will see in the August reports.

There are still revenue accruals which we anticipate will yield a surplus revenue in the general fund. The next income tax receipt will be the end of August and that's the last one that will apply to FY20 so you can see from that line item we've already met the projected budget but a lot of the calculations to project the fund balance at the end of FY20 and FY21 was assuming of a \$100,000 surplus and I won't know if that's going to happen until the end of August.

There still will be some accounts payable invoices that will get accrued over the next few weeks back to the general fund. As of right now all departments except Rec & Parks are below budget and the Enterprise fund to the trash department looks like it's going negative. But there are two things in play revenue was higher than anticipated and we subsidized customer service charges for trash with a surplus that existed so we still believe will be in the positive for that department as a whole after the audit is completed

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

Planning and Zoning met on July 20, 2020 to hear a large agenda.

MedStar St. Mary's Generator Project – approved.

Community Corrections Center Project – approved.

They heard a series of text amendments – favorably recommendations for each.

There is only one item to be heard for the August meeting which may be pushed back to the September meeting, so it is unclear if an August meeting will be held.

### **Police Report**

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

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

#### Liquor License Letter of Support for Slice House II

Slice House II located at 22745 Washington Street is requesting a Class B Restaurant license with an extended premise for four (4) outdoor tables and a refillable/non-refillable container permit. Their new location offers whole pizzas and bagels. The license will be under The Slice House II, LLC with Maegyne Held as the licensee.

**Councilmember Mattingly moved to approve a liquor license letter of support for Slice House II for a restaurant Class B license with extended premise for four (4) outdoor tables and a refillable/non-refillable container permit; seconded by Councilmember Colvin, no further discussion, motion passed unanimously.**

#### Liquor License Letter of Support for Il Picco Morso

Il Picco Morso, LLC is requesting a Class B restaurant license with an extension of premise for outdoor seating located at 22845 Washington Street. The restaurant will feature traditional family style Italian food. The licensee will be Silvia Chase. Silvia and her husband, Michael, also own Cow and the Fish located in Hollywood.

**Councilmember Slade moved to approve a Class B restaurant license with outdoor seating to Il Picco Morso located at 22845 Washington Street; seconded by Councilmember Hollander, no further discussion, motion passed unanimously.**

### Acceptance of Clarks Rest Pump Station II Access Public Type Action Recommended Action

The second pump station at Clarks Rest is complete and ready for the town to take into their system and operate. A 2-year maintenance bond will be required. The property contains 2,987 sq ft and is located at 41494 Rocky Trail Way.

*Discussion:*

*Councilmember Hollander inquired if the guys have gone down and walked around and checked it out extensively?*

*Ms. McKay responded yes, we have had engineers, our staff, electricians and there has been an on-going punch list for a number of months.*

**Councilmember Mattingly moved to accept the pump station II at Clarks Rest into the town sewer system; seconded by Councilmember Colvin, all voted in favor, motion passed.**

Ms. McKay noted that the deed will be recorded once we have received the maintenance bond.

### Renew Old Line Environmental Contract for Sludge Removal

At last year's renewal there was lengthy discussion about our options for sludge disposal. I have attached last year's minutes for your information. At this time there is no other option and staff recommends a one-year renewal to Old Line Environmental's contract. We have added a sludge disposal study in the expansion contract with GHD.

**Councilmember Colvin moved to extend Old Line Environmental sludge removal contract for one year with a slight price increase from \$127.25 to \$127.40 per wet ton;**

*Discussion:*

*Councilmember Mattingly inquired as to why we do this contract yearly?*

*Ms. McKay responded because we are looking at other options but do not have at this time.*

*Councilmember Slade asked what the amount would be going from \$127.25 to \$127.40 over a course of a year? How much was it last year? How much sludge do we take out?*

*Ms. McKay said that it really depends on the amount of sludge we haul.*

*Ms. Sothoron remarked that we are way over budget for FY20. The process just creates a huge amount of sludge and the FY21 budget did incorporate an increase because we started to see the volume go up but, with our digester issue we are not sure how they are going to end up volume wise. We take out hundreds of tons, probably between 500 and 1,000 tons.*

**Seconded by Councilmember Slade, motion passed unanimously.**

Mayor Burris remarked that we did not have any over flow from the recent storm.

Ms. McKay stated that we had some flood water come in but our staff did an outstanding job of making sure no solids went out and kept it maintained.

### **Mayor's Report – Mayor Burris**

Mayor Burris reported that we were hit with a big storm and had nine inches of rain at the treatment plant and there was quite a bit of damage around Town especially in the surroundings around the Port of Leonardtown Winery, they had a foot and half of water and five feet of water in the storage building. The Antique Center got hit with four feet of water in their building.

Ms. McKay noted that she and Mayor Burris have been on numerous calls with ECO (Emergency Operations Center) and we are now doing cost estimates for damage and clean up has begun and we are waiting to see if we receive any money from FEMA before any construction begins.

Mayor Burris stated that there is a Paddlewheel Boat Committee, which is meeting this week. The boat will be surveyed this week and we should have more details soon. We did talk with the non-profit organization that previously runs the Susquehanna boat and they will provide us with their financials to show how profitable the boat has been.

### **Events – Tyler Alt**

The Town launched a virtual platform, Leonardtown A&E Online, in April with a series of online classes, workshops, demos and original shows. On Saturday, August 8th, the platform will expand to offer live stream special events.

This exciting event is hosted by local business owners and will broadcast live from undisclosed locations beginning at 7:30 PM. Online access is FREE and everyone is invited to tune in at [VisitLeonardtownMD.com](http://VisitLeonardtownMD.com) website and the Town of Leonardtown Facebook Page.

Live Watch Party and After Party (starting at 9:30 PM) will premiere three exciting shows:

Discovering Leonardtown - the next episode of this popular virtual series takes you on a tour of hidden treasures around Leonardtown. Lauren Zimmerman, the wine grower at Port of Leonardtown Winery (located off Newtown Neck Road), hosts a three-part miniseries and takes you on a tour of some exciting attractions and businesses found off the Square (the center of this small, eclectic Southern Maryland Town) that are well worth seeking.

LTown Style - a new lifestyle show hosted by Dawn Campbell, owner of Style by Dawn at Shepherd's Old Field Market on Duke Street (one of Leonardtown's Hidden Treasures), kicks off with a breathtaking fashion show that was shot at beautiful Leonardtown Wharf. The show, in development, will highlight the Leonardtown "LTown" lifestyle and culture including health, beauty and wellness, fashion and interior design, the arts & entertainment scene, and more.

Welcome to the Garden – Jonathan Boss, co-owner of Antoinette's Garden, a Gourmet Coffee and Wine Café located right in Leonardtown Square, hosts the wine tasting after party for the upcoming Leonardtown Live! Watch Party this Saturday. This will be the first of a series of special, Leonardtown Live! events hosted by the Garden. Stay tuned for announcements for other exciting events and happenings so you don't miss the party!

The Leonardtown Live! Watch Party is produced by Winson Media and the Commissioners of Leonardtown and sponsored by: The Commissioners of Leonardtown, Leonardtown Business

Association, St. Mary's County Arts Council, Quality Built Homes, Marrick Homes, Leonardtown Chevy, Buick & GMC, Cheseldine Tire & Auto, Visit St. Mary's, the County Times and Berkshire Hathaway Home Services McNelis Group Properties.

Tune in this Saturday, August 8th from 7:30 PM – 10:30 PM for the Leonardtown Live! Watch Party on [www.VisitLeonardtownMD.com](http://www.VisitLeonardtownMD.com) or the Town of Leonardtown Facebook page.

**Community Development and Planning** – Nick Colvin

Councilmember Colvin reported that Route 5 project, Self-Storage, and the SMECO building are moving right along. The Library is open but with restrictions limiting the number of people.

**Utilities** – Christy Hollander

Councilmember Hollander thanked all the staff for their diligent work during the storm.

**SMMA Update** – Jay Mattingly

Councilmember Mattingly stated that unfortunately the MML Retreat was canceled due to the pandemic and has been rescheduled for April 2020. The MML Fall Conference in October will be held virtually. And to echo Councilmember Hollander my thanks for the staff for their work during the storm and protecting the Town.

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

Councilmember Slade reported that she encourages everyone to support all the small businesses as they continue to get hit with so many unusual happenings in 2020. She is still helping businesses with the St. Mary's County grant, please let her know if you need assistance. It has been a joy to walk and shop at SOF and they are doing a fantastic job.

Mayor Burris asked Ms. McKay to provide her summary of the Zoning Text Amendments and we will then proceed to the public hearing.

Ms. McKay So reported that we have a number of text amendments. They were introduced in April and we reintroduced them at the July meeting. They were forwarded to the Planning Commission who held a public hearing on July 20th and sent a favorable recommendation on them. Today's public hearing was advertised in the County Times as well as on our website and we have not received any public comment as of the deadline of 4:00 p.m. today.

Following today's public hearing the ordinances are available for passage. We're going to walk through each of these and give you a brief description on them before we start taking public comments.

Ms. Stuckert provided a brief summary on the following:

**Ordinance No. 195 Property Maintenance** - add the previously used height limit of grass and weeds to 12 inches.

**196 Vehicle Removal and Storage** – unregistered/abandoned vehicle removal, we are following the same as the State language.

**197 Forest Conservation** - incorporate the state-mandated language concerning fees-in-lieu as set forth via Senate Bill 234.

**198 Streets and Sidewalks** - to allow, with Town Council regulation, Small Wireless Facilities on and over town streets and sidewalks.

**199 Chapter 155-4 and 155-48 Small Wireless Facilities** - to allow with Planning and Zoning and Town Council approval, Small Wireless Facilities to be allowed as an allowed use with conditions in all zoning districts. This ties into Resolution 1-20 which is a set of guidelines for the building of these facilities what they'll look like or aesthetic purposes.

**200 to amend the Comprehensive Plan** – update the section of the land use plan for future growth in Town along with a new map.

**202 Chapter 155-23** - to allow assisted living facilities as a permitted use and 203 Chapter 155-23 to allow a greater percentage of multi-family housing in PUD zoning.

**203 Chapter 155-23** - to allow a greater percentage of multi-family housing in PUD zoning.

4:30 Public Hearing for Zoning Text Amendments Ordinance No. 195-200, 202, 203

These ordinances were introduced at the July 13th Town Council meeting. The Planning Commission held a public hearing at their July 20th meeting and forwarded a favorable recommendation on all ordinances. Today's public hearing was advertised as required and no public comment has been received to date. Following today's public hearing the ordinances are available for passage.

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

**Councilmember Hollander moved to close the regular meeting and open the Public Hearing; seconded by Councilmember Slade, motion passed.**

Mayor Burris asked for any comments from the public?

Mr. Roger Mattingly inquired if the Wilkinson farm was annexed into the Town?

Ms. McKay responded yes; it came in at the same time as the Wathen farm.

Mr. Roger Mattingly asked what happens regarding the water and sewer there?

Ms. McKay responded, that the Wathen farm is already under construction for the Meadows at Town Run development and the water and sewer goes out past the Town boundaries, which METCOM oversees in that area. When we annexed the seven small homes before Meadows of Town Run, that then became part of the Town system, which METCOM did not oversee, but there are still some homes that are overseen under METCOM. We have a water tower site on the Wilkinson farm that is currently under design. There will be a connection with Meadows to include a wide trail.

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

**Councilmember Mattingly moved to approve Ordinance No. 195 Property Maintenance, 196 Vehicle Removal and Storage, 197 Forest Conservation, 198 Streets and Sidewalks, 199 Chapter 155-4 and 155-48 Small Wireless Facilities, 200 to amend the Comprehensive Plan, 202 Chapter 155-23 to allow assisted living facilities as a permitted use and 203 Chapter 155-23 to allow a greater percentage of multi-family housing in PUD zoning; seconded by Councilmember Colvin, no further discussion, motion passed unanimously.**

Resolution 1-20 Small Cell Guidelines

This Resolution establishes guidelines for small cell facilities and does not require a public hearing.

Ms. McKay noted that Ms. Stuckert spent an enormous amount of time, researching with other Towns, going through other ordinances, and working with our attorney and trying to make sure that when these facilities do come, we will have guidelines and ordinances in place to have a say in where and how they will be located.

Mayor Burris remarked that this was a top priority with MML to direct the Towns to take action to be prepared when they do move in.

**Councilmember Colvin moved to approve Resolution 1-20 Small Cell Guidelines; seconded by Councilmember Mattingly, no further discussion, motion passed unanimously.**

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

**Councilmember Hollander moved to close the regular meeting at 4:48 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