



# Commissioners of Leonardtown

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DANIEL W. BURRIS  
Mayor

LASCHELLE E. MCKAY  
Town Administrator

## Town Council Meeting Minutes December 14, 2020

### On-site and Virtual Meeting due to Covid 19 Meeting recorded on YouTube – Town of Leonardtown Channel

Attendees: 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; Jada Stuckert, Planning; Teri Dimsey, Executive Secretary; Kristi Nelson, Deputy; Roger Mattingly, Resident; Kevin Mattingly, 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 reminded everyone that a Public Hearing on Resolution 4-20 was scheduled for 4:15 pm today.

#### Approval of Minutes

Mayor Burris presented the minutes of November 9, 2020 for approval.

**Councilmember Mattingly moved to approve the minutes of November 9, 2020 as presented; seconded by Councilmember Slade, motion passed.**

#### Treasurers Report – Rebecca Sothoron

Ms. Sothoron reported that we are 42% through the budget year.

Council received a memorandum that is distributed annually as a reminder that whenever the Town has outstanding tax-exempt debt obligations that Council needs to be consulted to make sure we're in compliance with the IRS regulations.

We are close to the bid phase for the new Water Tower which will require financing to proceed. It will likely be a private placement. A water project generally does not allow you to utilize water quality project financing because you cannot prove that it is a water quality problem and growth projects just do not get that funding. There is another State investment vehicle through the Community Development Administration that provides low insurance



financing. Another IRS requirement is that if you intend to pay expenses in advance of a borrowing, you have to declare official intent to do that. This will require a Resolution to come forward to Council as we would plan to advance funds for some of these expenses. We plan to continue working with Funk and Bolton who have been our bond counsel in the past.

Water shut-offs are scheduled to start this week as we return to water shut-offs which have been halted for a year now. A memorandum was distributed to Council with details on how things have happened and how we expect things to go. We were working with about 19 residential accounts who all had outstanding balances all the way back from December 2019. We have worked up some mathematical calculations and sent letters regarding payment plans. Seven accounts have been paid in full, we have one awaiting a payment pledge and seven or eight that are in compliance with the payment plan with four accounts that are not. We feel this is a pretty good result. Tomorrow is water shut off day and we won't know until early in the morning, after we receive overnight payments, of what the list will look like.

**Planning & Zoning Report – Jada Stuckert**

The last meeting was held September 21, 2020 with one item on the agenda.

**Case No. 100-15 Meadows at Town Run - Request for Phase Two Plat Approval** was approved.

Currently there are three items on the agenda for the December 21, 2020 meeting.

Today we are introducing Ordinance No. 204 Critical Area Ordinance Chapter 60 and Ms. McKay will provide more information during the public hearing.

We took into effect growth allocation when it's not adjacent to IDA or LDA. We wanted to make sure that that particular portion functioned as well when it comes time to develop Tudor Hall. These changes are very basic and straightforward. We also made sure that the Town attorney reviewed all the changes.

As Ms. McKay stated, 2002 was the last update to our Critical Area Ordinance. The State Ordinance supersedes our Ordinance so we have to go by the State's requirements to bring this up to the State's standard. They do allow a little bit of flexibility to make sure we are meeting needs in our community. This Ordinance does require a Public Hearing which is scheduled to be held after the December P&Z meeting for the members to make a recommendation. To be prepared, we met with the Critical Area Commission and went over the document word for word. It was also reviewed by their supervisors so we do not expect any problems for final approval. There is no action today as we are just introducing Ordinance No. 204 Critical Area Chapter 60 of the Leonardtown Code.

Ms. Stuckert remarked that we are happy to report that the Hamptons bought their final U&O's for both buildings as they now have a 95% capacity.

**Police Report – Kristi Nelson**

Deputy Nelson submitted a written report for Council's review. She remarked that they had a food drive which was really successful and very much appreciated as the need is extremely high this year. They will be holding an additional food drive. Ms. McKay has been helpful in promoting a food truck food drive to be held at the Dunkin Donuts on December 17, 2020. If you drop off canned goods you receive a free cup of coffee. We invite Council and Staff to please stop by and join us as this helps provide a presence and we hope generate some business for Do Dah Deli, Jessie's Kitchen, and State Farm.



**Mayor Burris stated it is now 4:15 pm and entertained a motion to close the regular meeting and open the Public Hearing on Resolution 4-20 to declare a portion of real property, Tax Map 133 Parcel 360 consisting of 970 square feet more or less, surplus.**

**Councilmember Mattingly moved to close the regular meeting and open the public hearing; seconded by Councilmember Alt, motion passed.**

**Resolution 4-20 to declare a portion of real property, Tax Map 133 Parcel 360 consisting of 970 square feet more or less, surplus**

Ms. McKay provided a site map of the property to point out the parcel to be purchased, the parcel for sale and the easement to be provided. She explained that we must be able to store one day's flow at the WWTP. Luckily, we can purchase this property which is so close to our facility and will provide additional land for us to build a third tank in the future to meet our next expansion sometime in the future to accommodate the Town's growing population.

Ms. McKay pointed out on the site map, the property to be purchased along with the small piece of property to be sold that includes an easement for both the seller and the purchasers. This will also be used to address the storm water that comes down the hill that currently floods the plant.

Councilmember Mattingly inquired if Van Wert, LLC, would be responsible for maintaining their easement?

Ms. McKay stated yes. The Town will only be using it for storm water management and for the easement we are granting, they can build parking. If they ever develop the other site, the Town could build storm water facilities under that parking structure. Anything they build on it, has to be approved by the Town and anything the Town builds on it has to be approved by Van Wert, LLC.

Mayor Burris asked the audience if they had any questions. There being none, he entertained a motion to close the public hearing and resume the regular meeting.

**Councilmember Mattingly moved to close the public hearing and resume the regular meeting; seconded by Councilmember Colvin. Motion passed.**

Mayor Burris asked Council if they had any questions. There being none, Mayor Burris entertained a motion to approve Resolution 4-20.

**Councilmember Mattingly moved to approve Resolution 4-20 to declare 970 square feet +/- of a parcel described as Map 133, Parcel 360 as surplus property and no longer needed for public purpose or use; seconded by Councilmember Slade, no further discussion, motion passed unanimously.**

**Ms. McKay introduced Ordinance No. 205 - Approving the sale of a portion of certain real property, Map 133 Parcel 360, containing 970 square feet +/- and approving the purchase of property, Map 133 Parcel 364, consisting of 16,190 square feet +/- and matters relating to these transactions.**

The first paragraph spells out the various items. It would approve the sale of a certain portion of real property, part of parcel 360, consisting of 970 sq. ft for a sum of \$4,268.00.



And to approve the purchase of certain real property for the Town to purchase consisting of 16,190 sq. ft from Van Wert LLC for the sum of \$192,391 for the public purpose of expanding the Town's waste water treatment plant.

And approving the exchange of the easements from Van Wert, LLC for the purpose of stormwater management and parking for the Town and Van Wert, LLC.

Authorizing the Mayor and the Town Administrator to execute all documents and take all action necessary and incidental to effectuate the foregoing sale and purchase of the real property and the exchange of easements.

This is only the introduction, it is available for review, and we will hold a public hearing at the January meeting.

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

#### **Award Survey Contract for Proposed Land**

Ms. McKay reported that we need to get both easements, the parcel we are purchasing and the parcel we are selling surveyed with documentation prepared, along with a metes and bounds description.

We approached three local surveyors who are all extremely busy but interested in being given the project. As we need to get to closing as soon as possible and have \$100,000 plus worth of engineering that's getting ready to happen on that parcel, we want to make sure to close before that engineering gets started.

We reached out to Linear, they could probably have it completed by the end of April. Loiederman Soltesz Associates Inc. could probably get it started in late January with a couple month process. Chesapeake Trails is available and would be able to have it completed in February. We did not approach LSR because they are the company that did all the site work for the seller. To facilitate getting this done in a timely manner, we have asked our attorney to perform the title searches for the survey to try to get this completed by February. The proposal is for \$4,080 to do the surveys on all the properties and to get the boundary line adjustment plat for the piece we are selling.

We need Council approval, if you are agreeable, to use Chesapeake Trails.

Councilmember Mattingly stated that they can pretty much start on this project as soon as possible.

Ms. McKay responded, yes, they will get a crew right away to start the field work and told us that he would be able to get it finished by mid to late February.

Councilmember Hollander noted that the cost on the proposal has a different figure.

Ms. McKay stated that the \$4,080 is the correct amount, there was a cost for some title work but as our attorney will be handling the title work that cost was removed. We will have the proposal corrected to reflect this.

**Councilmember Mattingly moved to authorize the Town Administrator to contract with Chesapeake Trails Surveying to prepare a survey for the land acquisition on Van Wert Lane for expansion of the wastewater treatment plant; seconded by Councilmember Slade, no further discussion, motion passed unanimously.**



### **Authorize the Purchase of Two Utility Vehicles**

Ms. McKay reported that we are asking Council to authorize the purchase of two new vehicles for the wastewater treatment plant utility staff. In the FY21 budget, we approved the purchase of two new trucks for the utilities department in the amount of \$55,000. Ms. Sandberg has been working on this and has provided Council with a memorandum outlining the details.

We went through a contract with a company called National Auto Fleet group. During discussions with Council you strongly suggested we buy local as we have done in the past. Ms. Sandberg worked very closely with Leonardtown Chevy and also with Leonardtown Ford. Leonardtown Chevy has agreed to match the contract pricing with the National Auto Fleet. Leonardtown Chevy has gone above and beyond and also provided bed liner spraying for no cost. We priced out a four-wheel drive Chevy Silverado and a two-wheel drive. Everything that is in the National Auto Fleet proposals are in your packets showing what they would meet. The trucks will not be ready until sometime in the spring as they are being built. We came in really close to the budget with only a couple hundred over.

Council thanked everyone for doing a great job at keeping it close to budget and buying local.

The final total cost is \$55,202.45

**Councilmember Slade moved to approve the purchase of two utility vehicles from Leonardtown Chevrolet in the amount of \$55,202.45; seconded by Councilmember Alt.**

*Discussion: Councilmember Colvin stated that the numbers did not add up correctly.*

**Councilmember Slade amended the motion to approve the purchase of the two utility vehicles from Leonardtown Chevrolet up to \$55,202.45; seconded by Councilmember Alt, no further discussion, motion passed unanimously.**

### **Approval of the Façade Grant Applications**

Ms. McKay reported that this year we received \$25,000 to re-grant and we had eight different buildings/owners that applied for the façade grant. We did have to cut a significant amount from each but the committee did recommend something for each project. The process is that the committee makes their recommendation and then we send everything to the State and it has to go through Maryland Heritage Trust review to make sure it does not affect any historic properties. We received approvals for everything except the Duke building. We are still working with them and they want to know what type of windows and what the grant is going to pay for because the Duke building is not on the historic register but it could be. Everyone else was approved, Dorsey Law Firm, Jane Nau, Fenwick Inn, SOF Market, Brudergarten, Tyler Radiz for the Aiken building. We should be seeing the new projects being started soon. All the projects in Phase I have been completed except one.

### **Mayor's Report – Mayor Burris**

Mayor Burris reported that there are three vacancies on the Board of Appeals and he is putting forward some member recommendations. They are Tawny LaQuay, Sean Lawson and Eric Zilberman. Unfortunately, Mr. Zilberman is active military and may require sudden travel so he is unable to join us at this time. But he hopes to bring forth another member recommendation at the next meeting.

**Council gave consensus to approve Mayor Burris' member recommendations of Ms. Tawny Laquay and Sean Lawson.**



### **Events – Tyler Alt**

We had a very successful Virtual Veterans Celebration. Lt. Governor Rutherford attended along with several St. Mary's County Commissioners. We had readings from fifth graders from Leonardtown Elementary and Walter Francis Duke elementary on "What Veterans Days Means to Me". The Memorial Wreath Laying Ceremony that aired live during the second hour of the program commemorated the 75<sup>th</sup> anniversaries of the victory at Iwo Jima and the end of World War II with guest speaker, Mr. J. Ernest Bell, USMC, Vietnam Veteran and Local Historian; and honorable dignitaries: Steny Hoyer, Congressman, 5th District, U.S. House of Representatives; Boyd K. Rutherford, Lt. Governor of Maryland; Peter Franchot, Comptroller of Maryland; Gary D. Knight, Vice Chairman and Secretary, MD Veterans Home Commission; James R. Guy, President, Commissioners of St. Mary's County; the Commissioners of St. Mary's County: Eric Colvin, Michael L. Hewitt, John E. O'Connor, and Todd B. Morgan; Brian Crosby, Local State Delegation; Captain John Brabazon, Commanding Officer, Naval Air Station, Pax River; Daniel Burris, Leonardtown Mayor; and the Commissioners of Leonardtown: Tyler Alt, Nick Colvin, Christy Hollander, J. Maguire Mattingly, and Mary Maday Slade, 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. Thank you again to everyone who participated in or viewed the event and the kind supporters below who helped make the day possible.

Local restaurants, food contributors and florists participated in a virtual Thanksgiving event called Giving Thanks in Leonardtown. The virtual Thanksgiving Dinner was held and filmed at the Fenwick Inn on Fenwick Street and featured amazing dishes prepared by the restaurant owners, chefs and experienced cooks. The Inn was beautifully decorated by the owners Donna O'Connor and Noelle Jackson with the assistance of local florists, Mary Bell from Towne Florist and Priscilla Wentworth Leitch from Anchored Roots. The special event also included musical performances and inspirational stories. The virtual Thanksgiving event aired on Saturday, November 21st. Content posted regarding the event reached between 1,100- almost 5,000 people.

### **Upcoming Events:**

As it's not possible to gather in the Square this year for the annual holiday events, we have reimagined the beloved events (Christmas on the Square, Santa & Mrs. Claus on the Square and the Town's newest tradition, Meet-and-Greet with Santa) virtually this year. To help everyone get in the holiday spirit, a full day of festive holiday programming is planned. On Saturday, December 12th beginning at 1 PM, join us for the A Christmas in Leonardtown Virtual Event.

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

Councilmember Colvin reported that permits and U&Os are being issued. The Route 5 work continues and Meadows at Town Run continues to build more homes that are selling fast. Wishing everyone a Merry Christmas and a Happy New Year.

### **Utilities – Christy Hollander**

Councilmember Hollander reported that unfortunately some water services may be shut off. She thanked staff and volunteers for putting up all the wonderful decorations, the Town looks lovely. Wishing everyone a very Merry Christmas.

### **SMMA Update**

Councilmember Mattingly reported that the MML Legislative meeting will be held virtually on January 26, 2021. He watched the virtual Christmas event and a big thanks to Ms. Blackstone and all staff who assisted and were involved as it turned out great and thanks to the Fire Department for the annual tree lighting. Wishing everyone Merry Christmas and Happy Holidays.



**Business Development – Mary Maday Slade**

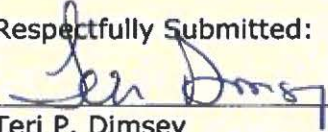
Councilmember Slade reported that she went around Town during Small Business Saturday and brought some folks from outside businesses to do some shopping. They went to the Craft Guild, Heritage Chocolates, New View Fiber Works and it was really fun to see people who don't shop in Leonardtown on a regular basis. She learned a lot about where they parked, something she doesn't think too much of living here. And seeing what other people experience being in Leonardtown was a great opportunity for new ideas.

We are revising the Economic Development Committee with the LBA and are very excited about bringing in business owners to attend Town Council meetings so they can actually tell us, in their words, what we can do to help out the businesses. In the words of Ellen Lewis: "We are going to help these businesses not just survive but thrive through this pandemic". I want to compliment the Town on the Christmas lights and all of Leonardtown looks so bright and inviting. Wishing everyone a nice Christmas. She suggests you follow Clements Cuties as she watched the Clements Cuties deliver gifts to three children, who they collected funds for and seeing their delight was very moving especially after this most difficult year.


Mayor Burris remarked that the LBA did have a meeting last Friday and the Town presented the Downtown Plan to them and the Wayfinding signage which they were happy to hear about.

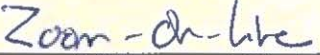
**Councilmember Mattingly moved to adjourn the meeting at 4:50 p.m.; seconded by Councilmember Slade, motion passed unanimously.**

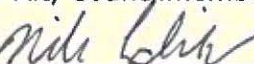
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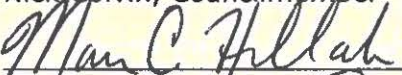
  
Teri P. Dimsey

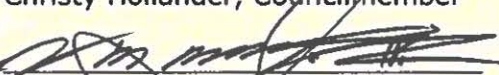
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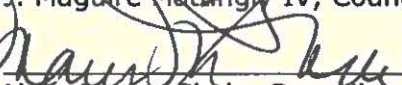
  
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