



# Commissioners of Leonardtown

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DANIEL W. BURRIS  
Mayor

LASCHELLE E. McKAY  
Town Administrator

## **Town Council Meeting Minutes October 12, 2021**

**Live streamed video of the meeting can be found on  
YouTube – Town of Leonardtown Channel**

**Attendees:** Daniel W. Burris, Mayor  
Tyler Alt, Council Member  
Nick Colvin, Council Member  
Christy Hollander, Council Member  
Mary Maday Slade, Council Member

**Absent:** J. Maguire Mattingly IV, Vice President

Also, in attendance were: Laschelle McKay, Town Administrator; Rebecca Sothoron, Treasurer; Jada Stuckert, Planning; Teri Dimsey, Executive Secretary; Beth Sandberg, Office Manager; Sean Coogan; Social Coffeehouse. Teri Branch, Resident; Denny and Tommy Mattingly Sr; LVFD; Kevin Mattingly, Resident. A complete list of attendees is on file at the Town Hall.

Councilmember Colvin provided the invocation and Mayor Burris asked Ms. Dimsey to lead the Pledge of Allegiance.

Mayor Burris stated that Councilmember Mattingly is unable to attend tonight's meeting as he is attending the MML Fall Conference. Councilmember Slade was detained and should be arriving shortly.

Ms. McKay stated that we are deleting from today's agenda the W&W Striping request as we will be re-bidding the contract. We added extending the Beacon newsletter contract for Printing Press and Awarding the Contract for the Boardwalk re-decking at the Wharf, all under the Town Administrators report.

### **Approval of Minutes**

Mayor Burris entertained a motion to approve the minutes of September 13, 2021 as presented.

**Councilmember Alt moved to approve the minutes of September 13, 2021 as presented; seconded by Councilmember Colvin, motion passed unanimously.**

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

Ms. Sothoron reported no money was transferred to or from the LGIP. We are 25% through the budget. They are working to complete the State required reports with an October 31 deadline. We are projecting that both the Enterprise and General Fund will yield a surplus. The Auditor will make his presentation during the November meeting.

**Planning & Zoning Report – Jada Stuckert**

The Planning and Zoning Commission last met on September 20<sup>th</sup> with one item on the agenda which was approved.

**Case No. 63-00 Wendy’s Restaurant – 40804 Merchant’s Lane**  
Request for Architectural Review and Approval

The next meeting, scheduled for October 18, 2021, has no items for the agenda and will be cancelled.

**Police Report – Kristi Nelson**

Corporal Nelson reported that traffic safety reached out to SHA to study the intersection of Route 5 and Washington St. as there have been some long backups. She provided a written report to Council of her actions and various happenings around Leonardtown.

**Town Administrators Report – Laschelle McKay**

Ms. McKay noted that Mr. Sturdevant of GHD has been detained so we will move onto other business until he arrives.

**Extend Beacon Newsletter Contract with Printing Press**

The Beacon printing contract was bid February 2020 and awarded to The Printing Press. There are two one-year extensions remaining and staff recommends extending the contract for one year at \$2,158 per issue. The Printing Press has held their price at \$1,998 since 2017 and there have been significant cost increases totaling \$320 per issue. They are reducing the increase to \$160 per issue.

**Councilmember Colvin moved to extend the Beacon printing contract with Printing Press for one year at \$2,158 per issue; seconded by Councilmember Alt, no further discussion, motion passed unanimously.**

**Leonardtown Floodplain Study for Town Run Presentation by GHD, Inc.**

The Town funded a flood plain study for Town Run in conjunction with the Silver Jackets Team which is funding a study of McIntosh Run. We moved forward sooner to be able to modify the expansion drawings for the wastewater treatment plant if needed. GHD will present the findings from the study and the recommendation we would proceed with to reduce the impact of flooding in the future.

Mr. Jeff Sturdevant and Mr. Aston Rogers are here today to provide a summary of the process, the findings, the recommendations and how it impacts the Town. Also, they will present an update on some treatment plant issues.

Mr. Rogers, who completed the study, walked Council Members through a power point presentation which summarized the study and the findings.

At the end of the presentation Mr. Rogers stated that GHD recommends moving forward as soon as possible to implement flood mitigation with option number three to begin flood proofing the critical infrastructure. For example, we propose raising the doors of the electrical room of the treatment plant to a height above the flood level. This can be achieved along with the current expansion. The next action would be to look at the stream restoration and take a look at armoring the banks adjacent to the treatment plant as they seem to be eroding and raise the banks of the stream to a three-foot level to protect the treatment plant more efficiently.

Councilmember Hollander asked if they knew if FEMA would be updating their maps to take into account newer storm intensities that we are getting now?

Mr. Rogers responded that we do know that MDE is working on that in coordination with other agencies and we hope to see the results in the near future.

Councilmember Slade stated that she has seen the sandbar grow over the past 15 years as she lives in that area and understands that the sandbar is not causing this problem but will it continue to evolve and cause further damage. Do we need to be more proactive to avoid future problems?

Mr. Rogers responded that it is difficult to answer that question but it may need to be dredged in the future and something the Town would need to explore.

Ms. McKay noted that once we learn more from the Silver Jackets about their findings for both Breton Bay and McIntosh Run this will be a topic of discussion for the Town to act on as it has been many years since the last dredging occurred and we would need to work with the Army Corp of Engineers and other agencies to do so.

Mr. Joe Bucior, Superintendent for the Town's Waste Water Treatment Plant, is here today, as he has worked closely with GHD throughout the work of the Silver Jackets as well as daily interaction with GHD.

Mr. Sturdevant remarked that it was through Mr. Buciors' actions of sending him a photo of the flood at the waste water facility, that was quite startling, that pushed this process to move forward quickly.

GHD determined that as we are getting higher intensity rainstorms much of the areas in Maryland are subjected to more and higher flooding.

Mr. Sturdevant stated that unfortunately the treatment plant experienced some very high nutrient levels, over and above the State permitted levels. They found there was a piece of equipment not operating correctly, replaced it and the nutrient levels immediately lowered to lower than acceptable levels which is what we all like to see.

Councilmember Hollander inquired if the Town will be fined for going over the permitted levels.

Mr. Sturdevant responded that the State may or may not cite the Town as they will take into account the faulty equipment and that the Town quickly worked with the manufacturer to fix the problem right away. Normally, the State will not render any violation fee if the problem has been noted and corrected but it is not a 100% guarantee.

**Change Order for Task Orders #18 Expansion Engineering, #21 Maintenance and Assistance General Task Order for GHD, Inc.**

Based on the previous presentation we need to add design changes to flood proof critical infrastructure within the expansion design approved in Task Order #18. Additionally, we are utilizing Task Order #21 for daily maintenance and assistance with the utilities with GHD and need to add additional funding to cover those expenses. Rebecca has recommended doing this on a Fiscal Year, and she tracks it between the water and sewer departments.

Mr. Rogers presented the Town with the final result of the suggested solutions to be proactive to the flooding dilemma to safeguard against future flooding.

Mr. Sturdevant noted that we are taking the opportunity to re-route the water flowing down from Park Avenue to maneuver it to flow around the treatment plant, it does not get into the tanks, but this re-direction will help it to flow out to Breton Bay to alleviate any potential flooding in the treatment plant site itself.

Ms. McKay stated that this is part of the reason the Town purchased the lot on Van Wert Lane for the benefit of the shellfish protection tanks to utilize the easements to re-route the water to relieve the flooding.

Ms. Sothoron stated that it takes cash now for us to advance fund this but it is just a small part of the overall expansion project which we can only estimate at this time. The ARPA funds will assist us in paying for some of the expansion. The other task order for the current operating budget has a small amount for services but over the course of the year we do not know how this fund will play out but it is just a manner of managing this through the course of the fiscal year.

**Councilmember Slade moved to approve Task Orders 18 and 21 for GHD in the amount of \$172,800 and \$25,000 respectively; seconded by Councilmember Alt, no further discussion, motion passed unanimously.**

**Slice House Liquor License Letter of Support for Expanded Outdoor Seating**

Mr. Ken Held recently purchased a parcel behind his existing business and has added additional picnic tables. He is going before the Liquor Board and is requesting a letter of support to serve alcohol at those tables.

**Councilmember Slade moved to approve a liquor license letter of support for Slice House for an expanded outdoor seating area behind their existing store at 41565 Park Ave; seconded by Councilmember Colvin, no further discussion, motion passed unanimously.**

**Social Coffeehouse Letter of Support Request for Liquor License Transfer and Outdoor Seating**

Social Coffeehouse is relocating to the Duke Building and requesting to add some outdoor seating. The configuration would match the Sweetbay end of Washington Street. Council has been provided some graphics depicting the proposed looks. While we would lose one ADA parking space, it is not a legal ADA space as there is a storm grate there and the slope is too much. We recently restriped and added an ADA space in front of the Hurry Parkette just up the street and we would propose doing a shared access area and creating a double ADA space. Social proposes building a wooden raised platform on Fenwick Street and keeping more of the sidewalk open for pedestrians than previous occupants of the building.

Mr. Sean Coogan is present and available for questions.

Mayor Burris inquired of Mr. Coogan as to his time frame?

Mr. Coogan responded that he hopes by January 2022.

Councilmember Slade remarked that she reached out to the other adjacent businesses to see if they had any concerns and they were supportive. She also reached out to the fire department but they have some concerns regarding Fenwick Street as they use that to swiftly get to Route 5. This could be a potential problem with the tables and pedestrians being so close to the road.

Mr. Coogan stated that this is a valid concern and he also has some concerns as well as the Fire Department could use Lawrence Avenue to get to Route 5 instead of using Fenwick Street. Also, where the seating would be there would normally be cars so it is not really that different.

Mayor Burris remarked that we looked at State regulations and we currently have 12 feet on each lane but it can go down to 10 feet and meet the State required regulation.

Mr. Tommy Mattingly Sr stated that for years they have been experiencing an increase in the volume of calls they receive which prompted the Fire Department to set into place an active long-term committee to look at various new locations for a potential move but they are having difficulties finding a suitable location that fit their needs and response times and/or they may be looking at making modifications or expansion to their current location but this could be 3 to 5 years down the road.

There is increased traffic along Route 5 and those lanes are blocked from the traffic signal down to Lawrence Avenue which forces the fire trucks to go into on-coming traffic in order to get through the intersection. As our calls increase, it increases more risk for the Fire Department and the community which is why we use Fenwick Street to go out of Town. It speeds up our response time and not have to deal with traffic on Route 5 hence our concerns with sidewalk seating along Fenwick Street.

The Fire Department is very strongly opposed to outdoor seating on Fenwick Street because we think it will increase the opportunity for accidents to occur. We are seeing more demands everyday and it has become very challenging for the Fire Department. It is very tight for our apparatus to move down Fenwick Street along with the other outdoor seating areas that are of concern to us.

Councilmember Colvin asked if that instead of the barrels, Social Coffeehouse could use planters, would that make a difference?

Mr. Tommy Mattingly responded that as more of the planters are being used in the Downtown, they do impede access to the buildings for their equipment to maneuver and be operational. One of their biggest concerns is the turning radius of the fire trucks. Mr. George Duke used to be very engaged in the placement of the fire hydrants and we need to ensure that planning is happening to be proactive to avoid any calamities.

Ms. McKay stated that we do submit our plans to the Fire Department for review and will provide Mr. Mattingly with the name of the reviewer.

Mayor Burris responded that we have placed no parking signs in areas where it is difficult to see if blocked by trucks or cars and have moved the planters more inward to ensure more turning radius for vehicles and have spaced the planters three feet apart and placed them on blocks so that they are moveable if needed.

Mr. Kevin Mattingly remarked that the planters will not deter a vehicle from veering into them and they are not that sturdy.

Councilmember Slade is concerned that they are not well seen in the dark and would like to see them illuminated somehow to be more visible at night.

Mr. Coogan stated that nothing he has proposed actually extends beyond the sidewalk or parking spaces as presently used. We have worked with the Town to implement ways to slow

the traffic down Fenwick Street. Other ways have been looked out to mitigate traffic, such as rumble strips, but they impede snow removal, are too loud for residents, or interfere with emergency vehicles.

Councilmember Slade noted that as a parent she is worried that as a family sits at the outdoor seating that they may have young kids that could potentially dart out into traffic.

Mr. Coogan agreed that there are plenty of concerns as there is a lot of risk involved in most anything we do but safety concerns can be addressed.

Councilmember Colvin inquired if, as another option, the tables could be moved onto the bump outs, keeping it ADA compliant, it seems there would be enough room. You would then not need additional seating along Fenwick Street. Looking at this at another way to add more tables at the bump out and then some in the alleyway itself.

Mr. Coogan responded that that is an option but they will also be utilizing the old space previously occupied by Fenwick Used Books which faces Fenwick Street and it has access to the LTown Alley which will become both a focal and an access point for pedestrians so we are trying to keep the connectivity as one really nice area.

Ms. McKay made a recommendation to keep the seating against the wall and use the planters as a barricade and to form a walkway using the street parking. Outdoor seating has become a draw to Leonardtown and the residents and visitors are all complimentary and really want the outdoor seating to continue.

The idea of switching the tables to the sidewalk and forming a walkway along the street parking was acceptable to most and for safety reasons it was agreed to see if this would work. There may need to be some modifications such as adding a ramp from the sidewalk to the street but this could be workable. We just need to figure out how to make it safer as we may well have other businesses wanting to also utilize outdoor seating and we need to make it fair for all.

**Councilmember Alt moved to approve a liquor license letter of support for the transfer of Social Coffeehouses existing Class B Liquor License to 41655 Fenwick Street along with outdoor seating to include the sidewalk and 1 ADA parking space on Washington Street and 2 parking spaces on Fenwick Street.**

*DISCUSSION:*

*Councilmember Slade remarked that she is not totally comfortable with this as safety is her first priority. She would like to see what can be done and there are good opportunities, excited to see Mr. Coogan move to the Duke Building, but she wants to ensure the people are safe.*

*Councilmember Hollander agreed but this allows Mr. Coogan to move forward with the Alcohol Board and still come back to Council for final approval on an outdoor seating plan that addresses more safety.*

**Councilmember Alt amended his motion to add:**

**...on Fenwick Street to move forward but return and provide additional drawings showing outdoor seating tables lined up on the sidewalk against the exterior wall and showing the parking spaces outlined with barricades exhibiting pedestrian walkway for discussion and final approval; seconded by Councilmember Colvin.**

**Councilmembers Alt, Colvin, Hollander voted aye, Councilmember Slade voted nay, motion carried three to one.**

Ms. Teri Branch, Hanover Drive, Leonardtown, remarked that Mr. Coogan should not be disparaged for being supported by his staff and customers during last month's meeting.

**St. Mary's County Historical Society's Request for Support to Fund Lighting for Tudor Hall Mansion**

The Town received a request from SMCHS to aid in adding lighting to the outside of the building. It has always been an issue with taking the carriage rides over by Tudor Hall at Christmas and trying to add lighting. Additionally, the Town has been working closely with SMCHS with the Wayfinding signage and better connectivity.

**Councilmember Colvin moved to contribute \$800.00 to St. Mary's County Historical Society to upgrade the lighting to this historic tourism asset; seconded by Councilmember Colvin, no further discussion, motion passed unanimously.**

**Award Contract for Boardwalk Re-decking at Wharf SE Davis Construction**

The Council budgeted \$105,061 in the FY22 budget to replace the aging deck boards on the elevated boardwalk at the Wharf Park. SE Davis has given us a price of \$91,637 plus \$150 per stringer if any need replaced. They would do the work when they mobilize to do the next phase of the floating docks. Bay Country is not equipped to do this kind of work under our general maintenance contract.

**Councilmember Slade moved to award the boardwalk decking replacement project to SE Davis Construction in conjunction with the Phase 2 Wharf Slips project in the amount of \$91,637.00 plus \$150 per stringer that is discovered that needs replaced; seconded by Councilmember Colvin, no further discussion, motion passed unanimously.**

**Update**

Ms. McKay reported that we received notice that we were granted \$20,000 for the artwork for Duke Alley from MD State Arts Council.

The Photo Scavenger Hunt is being promoted soon to take place over the Veteran's Day weekend. There are 15 subjects that people can submit photos for per a 24-hour day. We are excited to get this started and see the entries.

We have a new SHA, District 5 Engineer, Kim Tran, who we have worked with over many years so we should see some improved communication on our projects.

We received an update on the vehicle charging stations located in the parking lot across from Good Earth and happy to report that it has had over 66 charging sessions in a quarter so we are delighted to hear it is being used frequently. They will send us quarterly reports on the usage.

**Mayor's Report – Mayor Burris**

Mayor Burris reported that he was unable to attend the LBA meeting but Ms. McKay attended.

Ms. McKay stated that there was a complaint about parking and events so we updated the LBA regarding the parking study that the Town had completed a few years ago was referenced. It was explained that the parking lot where the Town's storage building is located was designed to handle a three-story parking garage should the need arise in the future. They were unaware that the Town collects parking fees-in-lieu for businesses of redevelopment of buildings that cannot provide parking with a change in use. That money is set-aside into a fund for a future parking garage. The Town is aware of parking concerns and expressed that we continue to have the same problem of getting people to utilize the parking lots throughout the Town. The Wayfinding signage will help with locating the parking and we are also working on a new parking map to be put on our website, FB pages and to use for different events. The LTown Alley will be a huge benefit to draw people to use the parking lots and make the short walk into Town.

**Events – Tyler Alt**

Councilmember Alt reported that there was a really great turnout for the Taste of St. Mary's on Saturday, September 11<sup>th</sup>.

Robbie Boothe performed for the Leonardtown Summer Music Festival at the Port of Leonardtown Winery on Saturday, September 18<sup>th</sup> with Latrice Carr performing at POL this past Saturday.

The Virtual Programming series continues with The North End Gallery Learn & Share Series with all the classes being open and shared free to the public.

The Antique Power Tractor Parade was held this past Sunday to a great crowd.

We have Trick or Trick on the Square on Saturday, October 23<sup>rd</sup>.

Saturday, October 16<sup>th</sup> is the Finale of the summer concert series. Join us in Leonardtown Square when the Amish Outlaws take the stage from 3 PM – 9 PM!

Volunteer assistance is needed to help with activities leading up to and on the day of events. There are opportunities for volunteers age 16 and up.

**Upcoming Events**

- The Veterans Day Parade & Memorial Ceremony, Thursday, November 11, 2021
- Christmas on the Square, Friday, November 26, 2021
- Meet-and-Greet with Santa, Tuesday, December 14, 2021
- Meet-and-Greet with Santa, Saturday, December 18, 2021
- Santa & Mrs. Claus on the Square, Saturday, December 18, 2021

**Community Development and Planning – Nick Colvin**

Councilmember Colvin stated that SHA has been working on Hollywood Road to resurface and repave parts of the road. Please use caution and take it slow. They hope to complete the work by the end of the week.



**Utilities** – Christy Hollander

Councilmember Hollander noted that with the addition of outdoor seating continuing through the various seasons, the impact of EDUs should be looked at and monitored.

Ms. McKay responded that we do look at this and presently we have not experienced any issues.

**SMMA Update** – No report

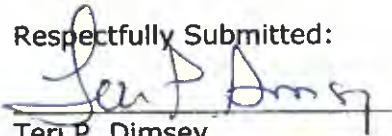
Councilmember Mattingly is not with us today as he is attending the MML Fall Conference and the MML Board of Directors meeting.

**Business Development** – Mary Maday Slade

Councilmember Slade reported that she attended First Friday in Leonardtown enjoying many of the businesses and taking time to sit and swing in the Hurry Parkette. The LBA Marketing Committee has a lot of great ideas for the holiday season so stay tuned. The Keeping it Local shop re-opened in Morganza and they have some really neat butterfly jewelry and lots of local merchandise, please stop by and visit them as some of the vendors are from Leonardtown.

**Councilmember Slade moved to adjourn the meeting at 5:47 p.m.; seconded by Councilmember Alt, motion passed unanimously.**

Respectfully Submitted:

  
Teri P. Dimsey

Approved:

  
Daniel W. Burris, Mayor

  
Tyler Alt, Councilmember

  
Nick Colvin, Councilmember

  
Christy Hollander, Councilmember

Absent

J. Maguire Mattingly IV, Councilmember

  
Mary Maday Slade, Councilmember