



Commissioners of Leonardtown

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DANIEL W. BURRIS
Mayor

LASCHELLE E. MCKAY
Town Administrator

Town Council Meeting Minutes January 10, 2022

**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

Virtual: 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; Ellen Lewis, LBA; Roger Mattingly, Resident; Ken Held, Slice House; Annette Hodges/Douglas Ostazeski, St. Mary's Nursing Center; Amanda Woods, Developer. A complete list of attendees is on file at the Town Hall.

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

Approval of Minutes

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

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

Treasurers Report – Rebecca Sothoron

Ms. Sothoron reported that there was no transfer to or from the Operating Account. There were several transfers from the Debt Service to the Sewer Impact Fees to the General MLGIP account for the ENR project which comes out at the end of each year. There was a transfer for the expenses incurred to date for the treatment plant expansion for the new water tower. We are 50% through the budget year and the insurance allocations were completed. We sent a letter to the County Treasurer regarding the County handling the Town's Property Tax billing. Four accounts have been sent to the County Treasurer for tax sale which will not happen until March so there is time for customers to pay. A reminder that budget requests are due before the next Council meeting February 11th. We have received numerous requests for fiscal notes.

Mayor Burris noted that he spoke with County Treasurer, Christy Kelly earlier today and the County submits their tax rate in May, possibly even earlier, and the Town submits in June. Ms. Kelly was wondering if we could move it to May?

Ms. Sothoron responded that it would depend on if we have an election year which we do this year so it will be approved in April but in an off-election year it would not be approved until June. This will be something we will need to work out.

Planning & Zoning Report – Jada Stuckert

The last Planning & Zoning meeting was held on December 20, 2021 with four (4) items on the agenda.

- Case No. 70-16 Dogwood Subdivision – Cedar Lane Road and Route 5
Request for favorable recommendation to Town Council for Concept Plan Approval. – Recommended
- Case No. 43-21 Assisted Living and Memory Care – 42156 Saint Andrews Church Rd.
Request for Concept Plan review and approval of a new 31,955 sq. ft. building. - Approved
- Case No. 43-21 Assisted Living and Memory Care – 42156 Saint Andrews Church Rd.
Request for favorable recommendation to Board of Appeals for Special Exception Use. - Recommended
- Case No. 83-21 Dairy Queen – 22875 Washington Street
Request for Concept Plan review and approval of a new 2,662 sq. ft. building. - Delayed

There are currently three (3) agenda items for the Tuesday, January 18, 2022 meeting.

- Case No. 83-21 Dairy Queen – 22875 Washington Street
Continued from the 12/20/2021 Meeting
Request for Concept Plan review and approval of a new 2,662 sq. ft. building.
- Case No. 1-13C McDonalds – 40950 Merchant’s Lane
Request for architectural review and approval for a 200 sq. ft. addition.
- Case No. 100-15A Meadows at Town Run II – Hollywood and Dry Dock Lane
Request for favorable recommendation to Town Council for a 303 unit Planned Unit Development.

Police Report – Rachael Roszell

Corporal Roszell is unable to attend today’s meeting but she did provide Council with a written report. She is doing a lot of traffic enforcement in both Leonard’s Grant and Clark’s Rest and some community policing.

Town Administrators Report – Laschelle McKay

Appoint Election Judge

Each January of an election year, the Town Charter dictates that Council appoint an election judge for the upcoming May election. This year the election will be held on May 2nd for three Council seats. Staff recommends Mr. Ernie Bell, who has served as Election Judge over these past many years.

Councilmember Colvin moved to appoint J. Ernest Bell, II as election judge for the May 2022 Town election; seconded by Councilmember Alt, no further discussion, motion passed unanimously.

Woods Subdivision Request to modify Academy Hills PUD

Parcel 1 of the Academy Hills PUD was originally slated for commercial use. In March of 2008 a medical office building, known as Ellenborough Ridge, was approved but never moved forward. The property was then purchased in 2014 by the Advanced Life Support Unit but that project did not move forward. Dollar General then had a contract on the property in 2020 but the Council decided at that time that the location was disconnected from the downtown and did not further the redevelopment of the downtown which was our priority. The project was delayed obtaining an EDU until the wastewater treatment plant expansion was completed. At this time the property is back under contract with Amanda and Quentin Wood. They are proposing 6 single family homes in keeping with the homes they built on Greenbriar Road over the last couple of years.

The plan presented has access off of Cedar Lane and not connecting to the existing Academy Hills development. State Highway has approved this entrance for the other projects in the past. However, if SHA does not approve, we would need to go back and look at access from Academy Hills. Access from Cedar Lane would probably be the preferred access at this time.

The Planning and Zoning Commission sent a favorable recommendation for this change at their December 20, 2021 meeting.

Section 155:24- 5d states that any deviation from the original PUD approved plans must be approved by the Town Council.

For the EDU allocation, per Ordinance No. 132 the remaining capacity of the wastewater treatment facility may be used for 5 different reasons and one being Projects deemed by the Town Council, upon a majority vote, with concurrence of the mayor as necessary to protect the health, welfare safety or economic viability of the Town. There is a demand for moderate single-family homes within the town as the original Woods Development on Greenbrier Road has shown and based on the previous Dollar General proposal, commercial development on this site does not enhance the downtown viability which has been our focus.

Councilmember Colvin moved to approve a change in the use designated for Academy Hills PUD, Parcel 1, from commercial to single family residential homes.

Additionally, Councilmember Colvin moved to approve use of 6 EDUs as an infill project for 6 single family homes; seconded by Councilmember Slade, no further discussion, motion passed unanimously.

Recommendation to Critical Area Commission for use of 10.91 Acres of Growth Allocation for St. Mary's Nursing Memory Care Facility

This project has been a multi-step process to bring to fruition. The property was annexed into the town March 26, 2021. The Council approved allocation of EDUs for phase 1 of the project as part of the annexation agreement declaring it an important public health project for the entire community. The Planning Commission gave Phase 1 concept site plan approval to the project at the December 20, 2021 meeting. Phase 1 includes a 32-unit, 31,995 square foot building. The Planning Commission also sent a favorable recommendation to the Board of Appeals for the project at their December 20, 2021 meeting. The use requires a special exception from the BOA in the Institutional Office (I-O) Zone category. That hearing is scheduled for January 24th at 5 p.m.

The next step is a public hearing with the Critical Area Commission. The entire parcel is 21.06 acres (Parcel A and B). Of the 21.06 acres, 10.91 acres lies in the Critical Area and is classified as RCA or Resource Conservation Area. To develop the project requires use of 10.91 acres of the Leonardtown Growth Allocation to change the classification to IDA or Intensely Developed Area. In September 2018 the Commissioners of St. Mary's County granted 200 acres of the County allocated growth allocation to the Town for their use in future Critical Areas projects.

Councilmember Alt moved to approve using 10.91 acres of Leonardtown Critical Area growth allocation for the St. Mary's Nursing Memory Care Facility located at 42156 St. Andrews Church Road in Leonardtown; seconded by Councilmember Colvin, no further discussion, motion passed unanimously.

Award contract for roof work in Duke Alley for LTown Alley Project

The LTown Alley project is underway but has been held up with waiting for the elevation survey and stormwater design. One portion of the overall project that is not affected by the survey is the roof overhang in the Duke Alley. This roof is in need of repair and has been part of the original scope of the project. The project timing is very important to be done before some of the work that is being done for the opening of Social Coffeehouse in the Duke building.

Three prices were received from contractors:

Southern Maryland General Contracting- \$10,200
Premiere Construction- \$19,500
Guy and Guy Masonry- \$34,900

So. Md. General Contracting is familiar with the roof structure as they did the work on the structure many years ago for Mr. Duke. I believe that is one reason for the large discrepancy in estimates as they are comfortable with underlying conditions.

Councilmember Alt moved to award the contract for the roof repair in Duke Alley for the LTown Alley project to the low bidder, Southern Maryland General Contracting in the amount of \$10,200; seconded by Councilmember Colvin, no further discussion, motion passed unanimously.

Update

Ms. McKay stated that there was discussion about the possibility of doing a Formula Business Restriction Ordinance restricting certain types of chain stores in the downtown area. A committee has been formed and a meeting is scheduled is for later this week. The committee

has a representative from LBA, the Planning Commission, Town Council, Board of Appeals, who are all residents as well, and the Town attorney will be sitting on the committee, along with Ms. Stuckert and myself. We will then bring recommendations back to Council.

Mayor's Report – Mayor Burris

Mayor Burris inquired of Ms. Lewis on news from the LBA.

LBA Report

Ms. Lewis, President, LBA reported that the LBA has established its first candidate forum which will be held on Monday, April 4th and are inviting the public and those standing for election to have an opportunity to present themselves to take questions from the community. This will be held at the Leonardtown Library at 6:00 p.m. on Monday, April 4th.

Ms. Lewis introduced Ken Held, Owner, Slice House, who asked to have a moment to brief the Town Council on his project. Mr. Held stated that they have decided to move in a different direction and want to tear down the existing Slice House and relocate the Slice House to the new building being built. We wanted to know if Council had any issues in regards to this project? It will be a 2,000 sq. ft. enclosed building, with heat and air conditioning and a 1,000 sq. ft. patio out front.

Mayor Burris noted that this move would provide the Slice House with adequate parking.

Mr. Held stated that they do have the SWM and architectural plans ready to be submitted.

Ms. Stuckert remarked that, with a very preliminary review, it does appear to look as if this decision will work out best for the Slice House for both the indoor and outdoor space, they need but also best for the Town to retain the parking and get some SWM in place.

Ms. Lewis remarked that during the first of the year LBA sends out a survey to hear from the members to provide the LBA with an update on where they are with their businesses, what they would like to see more or less of from the LBA. The idea is to make sure that the LBA is fulfilling our role as a voice to the leadership of the Town.

Events – Tyler Alt

The Jolly old elf and his lovely wife participated in three beloved holiday events throughout Town. A special thank you to Ye Olde Town Café for helping to host the annual Santa & Mrs. Claus on the Square event on Saturday, December 18th. There were private Meet-and-Greets with Santa held for local families with disabilities and for families who were celebrating a baby's first Christmas. Thirty-six families registered for the heartwarming private sessions.

The Photo Scavenger Hunt winners were announced and were posted on FB and VisitLeonardtownmd.com website. The winners received a gift card to Leonardtown Businesses, inclusion on the Photo Contest page of VisitLeonardtownMD.com, a feature story in the County Times Newspaper and they will also be featured in an Art Show at the St. Mary's County Arts Council on Friday, February 4th (time TBA). One adult winner and one under 16 winner were chosen. Sarah Pobst won the adult gift basket, valued over \$500 and Ellie Aina won the under-16 gift basket, valued over \$150.

Upcoming Events:

Plans are underway for the 2022 event season.

Community Development and Planning – Nick Colvin

Councilmember Colvin reported that lots of permits and U&Os continue to be processed. Happy New Year to everyone and stay safe and healthy.

Utilities – Christy Hollander

Councilmember Hollander reported that things are quiet at the moment but a thank you to the staff for handling the snow days and to Mr. Wheatley for handling the snow removal.

SMMA Update – Jay Mattingly - Absent

Business Development – Mary Maday Slade

Councilmember Slade reported that she also wanted to thank Mr. Wheatley as she had a sewer pipe issue and he helped tremendously in resolving that issue. Sadly, another small non-profit just closed today and it just goes to show that businesses continue to be affected by Covid and struggle. Please continue to support our small businesses as much as you can.

Mayor Burris entertained a motion to adjourn.

Councilmember Alt moved to adjourn the meeting at 4.39 p.m.; seconded by Councilmember Colvin, 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