



Commissioners of Leonardtown

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DANIEL W. BURRIS
Mayor

LASCHELLE E. McKAY
Town Administrator

Town Council Meeting Minutes October 11, 2022

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

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

Virtual: Nick Colvin, Council Member

Also, in attendance were: Laschelle McKay, Town Administrator; Angie Graves, Treasurer; Teri Dimsey, Executive Secretary; Mike Bailey, Planning Coordinator; Beth Sandberg, Procurement; Joe Kurley, The Rex; Sean Coogan, Social Coffeehouse; John MacDonald, Olde Town Pub; Charles Fabbri, JustTech; Earhart family; Residents; Deputy Roszell, Gordy Stellway, Realtor. A complete list of attendees is on file at the Town Hall.

Mayor Burris proceeded with the swearing in of newly appointed Heather Earhart to the Town Council as a Council Member.

Mayor Burris asked Councilmember Hollander to give the invocation and Ms. Dimsey to lead the Pledge of Allegiance.

Approval of Minutes

Mayor Burris entertained a motion to approve the minutes of September 12, 2022, as the August meeting was cancelled there are no minutes.

Councilmember Mattingly moved to approve the minutes of September 12, 2022, as presented; seconded by Councilmember Slade; no further questions, motion passed unanimously.

Treasurers Report – Angie Graves

Ms. Graves reported that the Auditors were here two weeks ago and will be coming back next week to finalize by the end of October. Mr. Karl Hogan, of BBD LLP, will present his findings at the November Town Council meeting.

Ms. Graves also reported that our short-term interest rates have increased which has benefited our income accounts.

Planning & Zoning Report – Mike Bailey

Mr. Bailey reported that the Planning Commission did not have a meeting on September 19th and currently has no items on the agenda for October 17th. The meeting will be cancelled and the next meeting is scheduled to be held on Monday, November 21st.

Police Report – Mayor Burris

Mayor Burris thanked Cpl. Roszell for providing a written report and for all the premise checks around Town and all her efforts and support.

Mayor Burris moved on to the next order of business.

4:15 Public Hearing- Ordinance No. 211- Chapter 62 Development Impact Fees

Ms. McKay provided a brief summary regarding Ordinance No. 211. She stated that we advertised public hearings for both of two Ordinances No. 211 and No. 212, both of which were advertised in the local paper and both were introduced during last month's Town Council meeting.

This Ordinance was introduced at the September 12, 2022 meeting and was advertised in the County Times on September 22nd and on the Town website. The Town currently charges an impact fee for water, sewer and the County's Board of Education fee. The water and sewer fees are directly tied to and reserved for paying for growth related projects. These fees are assessed when projects are added to the town water or sewer system and did not have previous allocations. This increase follows the awarding of the contract to expand the wastewater treatment plant to 1 million gpd from the existing .68 million gpd. The total cost of the expansion is \$18,066,289; however, one million dollars of the cost is to flood proof the existing plant, which benefits all users and is therefore not included in the impact fee calculation. 992 additional EDUs will be gained by the expansion for future projects. This new fee of \$18,000 would be charged to any project that had not been allocated sewer capacity prior to its effective date of October 31, 2022. Previously the impact fee was increased in January 2007 for the ENR Upgrade.

Public Hearing- Ordinance No. 212- Late Fees for Delinquent Utility Accounts Type

This Ordinance was introduced at the September 12, 2022 meeting. This Public Hearing was advertised in the County Times on September 22nd and also on the Town website. As described in the staff memo attached, there is a lengthy multi contact effort for late utility bills prior to shut off. This is very labor intensive and for the last 22 years plus we have charged \$25. Staff is proposing increasing the late fee to \$75. Keep in mind we bill for the previous quarter and then shut off is nearly 3 months after that.

Mayor Burris entertained a motion to close the regular meeting and open the Public Hearing.

Councilmember Mattingly moved to close the regular meeting and open the public hearing; seconded by Councilmember Slade, motion carried.

Mayor Burris asked if we had received any comments and Ms. McKay stated no.

Mayor Burris asked the audience if anyone had any questions.

There being none, he entertained a motion to close the public hearing and open the regular meeting.

Councilmember Mattingly moved to close the public hearing and open the regular meeting; seconded by Councilmember Slade, motion carried.

Councilmember Earhart moved to approve Ordinance No. 211 - Chapter 62 Development Impact Fees to increase the impact fee from \$13,000 to \$18,000 per EDU; seconded by Councilmember Slade, no further discussion, motion passed unanimously.

Councilmember Slade moved to approve Ordinance No. 212-Late Fees for Delinquent Utility Accounts; seconded by Councilmember Colvin, no further discussion, motion passed unanimously.

Ms. McKay moved on to the next order of business.

Town Administrators Report – Laschelle McKay

Introduction of Ordinance No. 213 - Code of Ethics of the Town of Leonardtown Type Introduction

The State of Maryland is requiring modifications to Ethics Ordinances across the State. Our Town Attorney has prepared Ordinance No. 213 to change our Ethics Code to meet those requirements. The changes are highlighted in the attached Ordinance. Ordinance No. 213 is being introduced this month and a public hearing will be held at the November meeting.

Brudergarten, LLC Expansion Liquor License Letter of Support.

Bru is on the Liquor Board agenda to extend the premises of their Class D license to the approved expansion of their kitchen with an expanded second story service area. The Planning Commission approved the expansion project at their June 21, 2022 meeting.

Councilmember Mattingly moved to approve a liquor license letter of support for Brudergarten, LLC's request to expand their Class D license into the new kitchen and 2nd story addition at their current location at 22725 Duke Street; seconded by Councilmember Slade, no further discussion, motion passed unanimously.

The Rex Expansion Liquor License Letter of Support

The Rex is completing renovations to the existing theatre space in their building and is requesting a liquor license letter of support to expand their existing Class D license into that space.

Councilmember Colvin moved to approve a liquor license letter of support for The Rex's request for an extension of premise of their existing Class D license; seconded by Councilmember Slade, no further discussion, motion passed unanimously.

Easement for 10 and 15-foot Pathways for 22555 Breton Bay Drive Type

In December 2014, Mr. Alex Dulude purchased the property at 22555 Breton Bay Drive. There was an old pier on the property when he purchased the home. When he went to sell the property recently it was discovered that the pier was actually built-in front of a 10-foot pathway that was deeded to the town in the 1980's (for what we believe was access to the sewer interceptor built there in the 1980's). There is also a similar 15-foot pathway on the northern side of the property where a shed, driveway and part of a small backyard is located on that is also owned by the Town. A recent survey shows the pathways. To resolve this issue the Town attorney has been working with staff to give an easement to Mr. Dulude to be able to use his property as he has been since 2014 and yet preserve the access to the sewer line if the town ever needs access.

Councilmember Mattingly moved to approve an easement for the property owner at 22555 Breton Bay Drive to utilize the ten foot and fifteen-foot paths adjacent to the property; seconded by Councilmember Slade, no further discussion, motion passed unanimously.

Accept Water, Sewer and Storm drain for Phase 3, 4 and 4a Clarks Rest

Phase 3, 4 and 4a water, sewer and storm drain has been completed and is ready for acceptance into the Town system. Once accepted there is a 2-year maintenance bond period.

Councilmember Colvin moved to accept the water, sewer and storm drain system in Clarks Rest Phase 3,4 and 4a into the town system and transfer to a 2-year maintenance bond; seconded by Councilmember Mattingly, no further discussion, motion passed unanimously.

Updates – Laschelle McKay

We are working very hard on LTown Alley and it is looking really great. The artist team from North End Gallery have two murals that will be installed on Thursday and Friday. A Ribbon Cutting for the mural reveal is scheduled for Thursday, November 3 at 2:00 p.m. in Duke Alley. We do have some State officials from the Maryland State Arts Council and Arts and Entertainment Districts who granted us \$25,000 toward these particular murals. The Arts Council is in Town for a meeting, as well as, North End Gallery has a Board meeting that day and they will all join us during the Ribbon Cutting ceremony. We will be wrapping up the construction in the alley within the next couple weeks. The marketing committee and LBA have been discussing how the alley will be used, certainly it is not meant to take away from the square, but to enhance the users experience, from the parking behind and focus on holding small events and highlighting art/music entertainment.

Mayor's Report – Mayor Burris

Mayor Burris asked Mr. Kurley to report on the LBA.

LBA Report – Joe Kurley

Mr. Kurley mentioned that the main focus of late has been the events and working on lots of planning for the next year, taking lots of pointers from the past events held. They put out an open call to the LBA businesses to find out where they are putting their resources. There is a lot of momentum and LBA is working hard to keep everyone involved and on the same page.

Mayor Burris stated that he coordinated with Mr. Kurley for the Rotary Club to tour the Rex and the new theater and they will also tour Marie and Nash.

Events – Heather Earhart

Mr. Kurley mentioned that the Fall Crawl along with Oktoberfest was very popular. The Trolley has been popular for families just to come to Town to ride the Trolley.

Councilmember Earhart reported that she and Councilmember Mattingly walked in the parade on Saturday which was really popular. The Brudergarten was packed, along with the Rex too. The next big thing is the Reagan Years playing in the square on October 15th and on October 22nd the Halloween Movie Fest will be held at the Port of Leonardtown Public Park. Lastly, the Veterans Day Parade will be held on November 11th with a 9:45 a.m. kick off time.

Community Development and Planning – Nick Colvin

Councilmember Colvin reported that we had 12 permits and 8 U&Os come through last month. This weekend was truly a great time and remember to check out the scarecrows and vote for your favorite. Everyone has enjoyed taking photos and having a good time in Leonardtown.

Utilities – Christy Hollander

Councilmember Hollander noted that the Route 5 widening is continuing and it is great to see the sidewalks being installed. Just a reminder to drive safety and slowly through the construction zone.

SMMA Update – Jay Mattingly

Councilmember Mattingly reported that he attended, along with Mayor Burris and Ms. McKay, the MML Fall Conference in Annapolis. There was a very nice sendoff reception for Mr. Scott Hanock, acknowledging his retirement after 26 years of service. We learned much from Scott during his tenure and wish him the best in retirement. MML has hired Ms. Teresa Kuhn as Executive Director and we wish her the best as she takes the helm of MML.

Business Development – Mary Maday Slade


Councilmember Slade loved seeing the small businesses participate in creating scarecrows. There were so many to see all around Town. Today was Amazon Prime Day and this is a great time to remind everyone to shop local as you help your own community stay vital.

Mayor Burris stated that the old Bank of America building is now open for bids to purchase and December 7, 2022 is the deadline for bids.

Mayor Burris entertained a motion to adjourn.

Councilmember Mattingly moved to adjourn the meeting at 4.52 p.m.; seconded by Councilmember Slade, motion passed unanimously.

Respectfully Submitted:

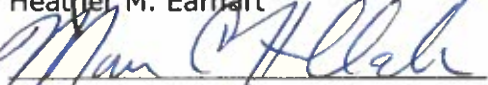

Teri P. Dimsey

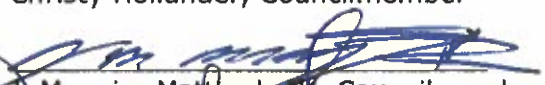
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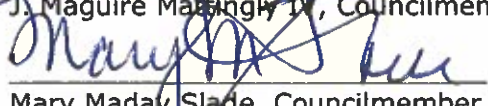

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