



Commissioners of Leonardtown

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DANIEL W. BURRIS
Mayor

LASCHELLE E. MCKAY
Town Administrator

Town Council Meeting Minutes January 8, 2024

**Live streamed video of the meeting can be found on
YouTube – www.youtube.com/c/TownofLeonardtown**

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

Also, in attendance were: Laschelle McKay, Town Administrator; Teri Dimsey, Executive Secretary; Mike Bailey, Planning; Will Morehead, JustTech; Emily Stagner, Main Street Manager, Cpl. Roszell, Town Deputy; Kristy Parker, Mattingley Gardiner; Ken Held, Slice House, Roger Mattingly, Resident; Rodney Gertz, QBH; Laura Clarke, Clarke Consulting LLC; James Horstkamp; Teresa Rossi; Cedar Lane Tenants Association. A complete list of attendees is on file at the Town Hall.

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

Mayor Burris noted that there were changes to the agenda and asked Ms. McKay to proceed.

Ms. McKay stated that a revised agenda was sent out indicating that item b. under Town Administrators report was a Resolution on Rezoning Request which we are hearing today but it is actually an Introduction of an Ordinance for which we have a public hearing on today at 4:15 p.m. Another public hearing was scheduled for 4:30 p.m. today for the Franchise Agreement with Comcast which has been rescheduled for next month due to a procedural issue that needed to be resolved.

Approval of Minutes

Mayor Burris entertained a motion to approve the meeting minutes of December 11, 2023

Councilmember Mattingly moved to approve the minutes of December 11, 2023, as presented; seconded by Councilmember Colvin; motion passed unanimously.

Treasurers Report – Angie Graves

Ms. Graves reported that the Audit has been completed and submitted, along with the UFR report and the single Audit. We transferred \$500,000 to checking. We are in the budget preparation mode and the budget calendar is on today's agenda for your review and approval.

Ms. McKay remarked that the County has been handling our property tax collections and they require the Town to report earlier, meaning we will continue to follow an earlier budget calendar every year to meet the County's timeline.

Mayor Burris asked Council for consensus and stated that Council is in consensus of approval of the proposed budget calendar.

Planning and Zoning Report – Mike Bailey

Mr. Bailey reported that the Planning Commission had a meeting scheduled for December 18, 2023 with two items to be heard.

Case No. 45-16 D – Property Known as Land of Old Gum Supply, LLC – public hearing held on property across the street from Cedar Lane Senior Living and Board gave recommendation of approval for rezoning.

Case No. 100-15 A – Meadows at Town Run – Section 2 – Phase - 2 – 74 Town Homes. Board gave recommendation for approval to Council.

As there are no items to be heard, the January 16, 2024 meeting has been canceled with the next meeting planned for Tuesday, February 20 the office will be closed on Monday in observance of Presidents Day.

Police Report – Deputy Roszell

Cpl. Roszell provided a written report of her activities and stated that, due to minor surgery, she had been off on light duty and this is her first day back to work.

Town Administrator Report – Laschelle McKay

Final Site Plan Approval- Case #100-15A- Meadows at Town Run II Phase 2

Meadows at Town Run II concept development plan was approved February 14, 2022. A revision to the Phasing Plan was approved December 12, 2022. Phase 1 (Wildflower Drive) is currently under construction. Phase II contains 74 townhome units at the rear of the site. Planning and Zoning Commission sent a favorable recommendation for approval at their December 18th meeting.

Mr. Rodney Gertz gave a warm welcome to the Mayor and Council and provided a brief overview of the site plan, the renderings of the designs of the planned homes and a general outlook of community recreation center, amenities and the trail connection to Meadows of Town Run. As parking is always a main concern, he mentioned that they have built in 250 more parking spaces than required to accommodate all the homeowners, apartment tenants and their visitors.

Councilmember Earhart moved to approve Case No. 100-15A Meadows at Town Run II- Phase 2 final site plan and architectural approval for 74 townhome units; seconded by Councilmember Slade, no further discussion, motion passed unanimously.

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 passed.

4:15 Public Hearing- Rezoning Request- Case #45-16D- 22675 Cedar Lane Court- Residential Single Family(R-SF) to Commercial Office (C-O)

Ms. McKay reported that a request was received to rezone the property located at 22675 Cedar Lane Court from Residential Single family to Commercial Office. A public hearing was held December 18, 2023 before the Planning and Zoning Commission and a favorable recommendation was sent to the Council. A public hearing is being held today and if the Council believes that the case was made to show a change in the neighborhood since the last comprehensive rezoning in March of 2021 then the decision would be passed by ordinance.

Mr. Steve Vaughn from LSR is here today to walk Council through the facts.

Mr. Vaughn explained the zoning through the site rendering and described how the property has changed over a long period of years from the 1970s to include commercial business in the properties surrounding Cedar Lane Senior complex along with the adjacent sites and the reasoning for the zoning change request from residential single-family to commercial office. This request is made due to changes in the neighborhood surrounding the property.

Introduction of Ordinance No. 218-Decision on Request for 22675 Cedar Lane Court from Residential Single Family to Commercial Office

Based on the public hearing for the rezoning request a decision would be made by ordinance. This ordinance would be introduced today and acted on next month.

Mayor Burris asked if we received any comments?

Ms. McKay responded that we have not received any comments. At the Planning Commission meeting Mr. Eric Golden commented that he did not have any issues with this request. He would prefer that it not be a higher density usage, such as Commercial Business and felt that Commercial Office was more compatible.

Ms. Teresa Rossi came forward and introduced herself as the President of the Tenants Association for Cedar Lane Senior Living and explained that Mr. Horstkamp gave a presentation to the association and answered all their questions and concerns and we feel they would be a very good neighbor and do approve the request.

As there are no more comments to be heard, Mayor Burris 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 passed.

Ms. McKay stated that the case is being proposed as a change in the neighborhood and this is since the last Comprehensive Zoning Plan of 2021. There has not been a change in the zoning around the property but there has been a major change with the addition of commercial businesses such as the UPS Store and Cedar Lane Pharmacy.

Mr. Horstkamp is in attendance and has indicated that one of the homes will be a rental and the other home has not yet been decided on what it is to become due to its condition.

The property is currently not served by Town water and sewer as they have a well and septic but it is one of two or three properties in Town that it is available should they decide to connect in the future and this has already been taken into account.

Today, we introduce Ordinance #218 and then we will come back for approval next month and we will continue to accept public comments until that point. Council can close the public hearing next month and then vote on Ordinance #218 at the February meeting. It is a Comprehensive Zoning Map change that will be sent to the State and we will update our zoning map accordingly.

For the purpose of amending the Comprehensive Zoning Map for the Town of Leonardtown to change the zoning classification of a parcel of real property known as 22675 Cedar Lane Court, shown on Tax Map 40, Grid 6 as Parcel 17, consisting of 60,548 square feet of land, more or less, Tax Identification No. 03-009262, from Residential Single Family to Commercial Office; provided that the title of this Ordinance shall be deemed a fair summary, and generally relating to the Comprehensive Zoning Map for the Town of Leonardtown.

Council heard the introduction of Ordinance No. 218 today with the public hearing being held open for comments on Ordinance No. 218 for final determination during the February Town Council meeting.

RESCHEDULED-4:30 Public Hearing- Franchise Agreement Request with Comcast of Maryland, LLC – waiting to receive additional information.

Memorandum of Understanding between Commissioners of Leonardtown and ThinkBig Networks, LLC Providing Fiber Optic Broadband Services to Leonardtown

ThinkBig Networks, LLC. is interested in establishing a broadband network in Leonardtown. They signed an MOU with St. Mary's County in 2022 and would like to start in Leonardtown. The MOU allows them to work with the Town of Leonardtown in our right of ways to lay fiber cable or add to existing overhead poles to establish a network available to residents within the Town's municipal boundaries. The Town attorney has reviewed the MOU.

We have been working with Mark Wagner, CEO of ThinkBig Networks and one of the founders/owners. Mr. Wagner is with us today to introduce the company and answer any questions.

Mr. Wagner explained that they are excited to work with the Town. He explains that they are working to put as much cabling as possible underground but there may be many cases where that is not possible. They can use the poles, as they do have regulatory permission. but will not own the poles. They can hook up with the DOIT infrastructure.

Ms. McKay explained that the reason this is an MOU and not a franchise agreement is because this is considered a telecom and not a cable company. St. Mary's County Government also has a similar agreement with ThinkBig providing the infrastructure and they also have franchise agreements with Breezeline and Comcast as well.

Mr. Wagner remarked that they began this company back in 2017 and have now serviced over five counties. They began with private/public contracts with the State starting with more rural areas that did not have the necessary infrastructure and kept building that network out to more areas of need. They appreciate being able to service Leonardtown and during their analysis, Leonardtown was one of the top contenders. They are very happy to be working with the Town and hope to begin work this year.

Mayor Burris inquired about the possibility of getting better service around the Town Square and Leonardtown Wharf.

Mr. Wagner responded that yes, they will do so.

Councilmember Colvin moved to authorize Mayor Burris to sign the MOU with ThinkBig Networks, LLC for providing fiber optic broadband service in Leonardtown; seconded by Councilmember Mattingly, no further discussion, motion passed unanimously.

Acceptance of Final Streets in Phase 4 and 4A of Clarks Rest

Phase 4 and 4A roads are the only remaining streets in Clarks Rest that have not been turned over to the Town. These phases are now complete and the roads are ready to be accepted into the Town system. Attached is a deed transferring the streets. Marrick Properties will now provide a two-year maintenance bond on the roads.

Councilmember Mattingly moved to accept the final streets and roads in Clarks Rest, including Phase 4 and 4A, into the Town system; seconded by Councilmember Slade, no further discussion, motion passed unanimously/

Appoint Election Judge for May 7, 2024 Election

Consensus is needed to appoint J. Ernest Bell, II to serve as Election Judge again this year. Additionally, we have asked Katie Werner to assist this year as well.

Council gave consensus to appoint Mr. Ernest Bell as Election Judge along with Ms. Katie Werner to assist for the 2024 Election.

Updates

Ms. McKay stated there have been conversations with SHA regarding striping for the crosswalks along Rt. 5 which have not yet been re-painted, but they do have them scheduled to paint and finish all the markings this week. We are also in discussion with SHA to remove the Singletree neighborhood sign at the entrance of Moakley off of Rt. 5 as it hinders and blocks the view of the on-coming cars and is a safety hazard. They are also looking into a water hazard area there which was first thought to be a water leak but is not and we are hoping, again for safety reasons, to get this corrected.

Today was the deadline for the RFI responses for the food hall at the Wharf. We did receive four responses, so the next step is to invite those interested parties to a public meeting where we will answer questions and discuss in more details about the scope of the project so they can then prepare a more formal proposal based on the provided information.

Mayor's Report – Mayor Burris

Mayor Burris attended the annual Leonardtown Volunteer Fire Department Installation which was a very nice event with a great turnout and thanked them for everything they do. It was also nice to see my brother Fred Burris recognized for his 65 years of service. Also, the new restaurant Mac's Tap and Table is opening tonight.

LBA Report – Kristy Parker

Ms. Parker reported that the LBA has contracted with Nutter Photography to work on five different short videos, highlighting different segments and areas within Leonardtown which can be used as reels on FB to help people discover, promote and learn more about Leonardtown businesses through social media.

Events – Heather Earhart

Councilmember Earhart reported that she also attended the LVFD annual Installation and offered congratulations to everyone who was recognized. The Moll Dyer Day and other local legends is coming up on February 24th and continuing with the “Be Kind” theme.

Community Development and Planning – Nick Colvin

Councilmember Colvin reported that he too attended the LVFD annual Installation and offered his congratulations. Sadly, we have learned that David’s Flowers will be closing after 35 years as Mr. David Mattingly is retiring. He has been a pillar of our community with lots of wonderful memories from those whose weddings, birthdays and other events he provided flowers for we will miss him.

Utilities – Christy Hollander

Councilmember Hollander reported that the treatment plant upgrade continues to run smoothly to date. She echoed the sentiment that it is sad to see David’s Flowers close and sends best wishes to David Mattingly on his retirement.

SMMA Update – Jay Mattingly

Councilmember Mattingly reported that the Town of Chesapeake Beach is hosting the SMMA meeting on Wednesday, January 10th and which will be held at Garvey’s in Annapolis. He attended the annual legislative opening day event hosted by MML in Annapolis at the Governor Calvert House. He attended the LFVD Installation and thanked them for inviting us and gave congratulations to all the newly installed officers and to those who were recognized for their many years of service. Congratulations to David Mattingly.

Business Development – Mary Maday Slade

Councilmember Slade reported that it is very sad losing David’s Flowers but everything changes in Leonardtown and that just means there is an opening for something new. The best part about working with small businesses is that you can reach out and talk to the owner or an associate. For the small businesses there is a new improved website for those that e-file. For those that own property, the property tax rates in the county will go up 28% which means higher taxes, so please take a moment to fill out your homestead credit which will limit your tax increases by 3% in St. Mary’s County.

Mr. Ken Held asked if there will be a public announcement for the May 7th election. Do you have to register for a particular party?

Ms. McKay remarked that we will send out a public announcement indicating that one Mayor and two Council Member seats will be up for election. The deadline for candidate filing is April 15th and voter registration deadline is April 19th. The Town is non-partisan so party affiliation is not applicable but everyone is required to be registered to vote, and suggests everyone confirm with the Board of Elections that they are registered. The Town receives a list of those voters who are registered within the Town’s municipal boundaries.

Mayor Burris noted during two past LBA meetings he announced he would be running for Mayor.

Mayor Burris entertained a motion to adjourn.

Councilmember Mattingly moved to adjourn the meeting at 4.47 p.m.; seconded by Councilmember Colvin, motion passed unanimously.

Respectfully Submitted:

Teri P. Dimsey

Approved:

Daniel W. Burris, Mayor

Nick Colvin, Councilmember

Heather M. Earhart, Councilmember

Christy Hollander, Councilmember

J. Maguire Mattingly IV, Councilmember

Mary Maday Slade, Councilmember

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