



Commissioners of Leonardtown

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DANIEL W. BURRIS
Mayor

LASCHELLE E. McKAY
Town Administrator

Town Council Meeting Minutes
February 12, 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, Kristy Parker, Mattingley Gardiner/LBA; Charles Eible, Resident; Mr./Mrs. Ludwig, Residents; Theresa Kuhns, CEO, MML; Justin Fiore, MML; Mayor John Carroll, President, MML; Mayors Celina Benitez, Mt. Rainer/Mike Benton, North Beach; Wayne Hunt, LSR; James Horstkamp, Energy Select; Chris Mulhall, Comcast. 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 announced that we have a delegation of guests from the Maryland Municipal League and asked Mayor Carroll, President, MML to make the introductions.

Mayor Carroll introduced himself as Mayor of the Town of Galina and also serving as the President of MML and noted that with us today are Mayors Benitez of City of Mt. Rainer and Mayor Benton, Town of North Beach, Ms. Theresa Kuhns, CEO of MML, Justin Fiore, Advocacy and Public Affairs of MML.

Mayor Burris thanked everyone for visiting Leonardtown and attending **tonight's** Town Council meeting. It is our pleasure to have you here with us today.

Approval of Minutes

Mayor Burris entertained a motion to approve the meeting minutes of January 8, 2024

Councilmember Mattingly moved to approve the minutes of January 8, 2024 as presented; seconded by Councilmember Slade; motion passed unanimously.

Treasurers Report – Angie Graves

Ms. Graves reported that \$200,000 was transferred into the checking account. We are currently working on the budget in preparation of the budget workshop in March.

COUNCIL: NICK COLVIN HEATHER M. EARHART
CHRISTY HOLLANDER J. MAGUIRE MATTINGLY IV MARY MADAY SLADE

Planning and Zoning Report – Mike Bailey

Mr. Bailey reported that the Planning and Zoning meeting will be held on Tuesday, February 20th as **the office will be closed on Monday for President's Day**. Two cases will be heard:

- Case No. 05-05 A - Splash-In Carwash – Lot 2 – Gordon Ragan Subdivision - Request for a Concept approval for site development plans for a 3,543 sq. ft. Car Wash.
- Case No. 70-16 – Dogwood7 Development – Lot 1, Map 32, Parcel 0402 – Part of Academy Hills PUD - Request for final site plan, architectural and façade recommendation to Town Council.

Police Report – Mayor Burris

Cpl. Roszell provided a written report of her activities **but was unable to attend today's meeting**.

Town Administrator Report – Laschelle McKay

Introduction of Ordinance No. 219 - Commissioners of Leonardtown Infrastructure Bonds, 2024 Series A - This ordinance is being introduced this month. A public hearing will be held at the March 11, 2024 Council meeting. This ordinance is required for the proposed borrowing from the Community Development Administration for the Meadows at Town Run Water storage tank and Well project.

Debt Affordability Report - Resolution 1-10 passed February 8, 2010 met the state requirements for all municipalities to adopt a debt management policy. The policy requires the Town Council to receive a debt affordability report for each capital project requiring the Town to acquire debt. This debt affordability report is meant to inform you of the potential ramifications of the debt issuance for the Meadows water storage tank and well project.

4:15 Public Hearing- Rezoning request for 22675 Cedar Lane Court from Residential Single Family to Commercial Office - At the January 8, 2024 meeting a public hearing was held regarding the rezoning request for 22675 Cedar Lane Court from Residential Single Family to Commercial Office. We held the record open and advertised the hearing two (2) additional times to meet the requirements. The ad ran in the County Times February 1st and 8th and has been posted on the Town website. We will reopen the public hearing at this meeting and give the opportunity for anyone to speak. Following the public hearing action can be taken on the rezoning request. The only comment received at last month's meeting was from Teresa Rossi, President of Tenants Association at Cedar Lane stating she and the members had no issues with the rezoning. The only comment from the Planning and Zoning public hearing was from Mr. Golden, Director of Cedar Lane, and he stated that he had no issues with the zoning change as long as it wasn't Commercial Business. Mr. Wayne Hunt of LSR is in attendance today to answer any questions. A copy of an anonymous letter regarding the re-zoning was given to the Council regarding the site conditions.

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 on Rezoning request for 22675 Cedar Lane Court from Residential to Single Family to Commercial Office; seconded by Councilmember Slade, motion passed.

There being no comments from the public, 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 Colvin, motion passed.

Ordinance No. 218 - Decision on Rezoning request for 22675 Cedar Lane Court from R-SF to C-O - Town Council may make a decision on the rezoning request for 22675 Cedar Lane Court from R-SF to C-O if the evidence was shown that there has been a change in the neighborhood since the last Comprehensive Zoning which was in 2021.

Councilmember Slade moved to approve Ordinance No. 218 Request to rezone property at 22675 Cedar Lane Court from Residential Single Family to Commercial Office based on a change in the neighborhood since the UPS Store and Pharmacy have opened next to the property; seconded by Councilmember Mattingly, no further discussion, motion passed unanimously.

Ms. McKay stated that this Ordinance will go into effect 20 days from now which will be March 4, 2024. Ms. McKay then moved on to the next order of business.

Approve Purchase of Locater Equipment as Sole Source
This equipment was funded in the FY24 capital Public Works budget at \$16,000. This equipment is capable of locating underground utilities without tracer wire being present. In many cases tracer wire is not present. Because the equipment cost is over \$5,000 Council approval is needed.

Councilmember Mattingly moved to approve the purchase of the ground penetrating radar from US Radar, Inc in the amount of \$15,500 as the only local supplier; seconded by Councilmember Colvin, no further discussion, motion passed unanimously.

Updates

RFI for Wharf Food Hall – We had five interested parties attend the informational meeting and they now have an opportunity to submit a proposal by March 15th.

Mayor's Report – Mayor Burris

Mayor Burris noted that he will be attending the Maryland Mayor Association Winter Conference the last week of February which will be held in Annapolis.

LBA Report – Kristy Parker

Ms. Parker reported that during the recent LBA meeting they encouraged members to work with Nutter Photography to create social media reels to create more buzz about Leonardtown businesses.

Events – Heather Earhart

Councilmember Earhart reported that she is looking forward to the upcoming Moll Dyer and Other Local Legends Weekend on February 23, 24 and 25th. The Summer Concert series was announced and along with the new event titled Tuesday Tunes on the Square. Thank you to Jimmy Hayden for consistently supporting us.

Community Development and Planning – Nick Colvin

Councilmember Colvin reported that he attended the ribbon cutting for the Main Street Designation with all the legislative representatives and Lt. Governor Miller and it was great to be recognized and to highlight Leonardtown.

Utilities – Christy Hollander

Councilmember Hollander reported that SHA has wrapped up some of the small necessary grading items, some of which were along her street, and please let Mr. Wheatley know if anyone notices something that looks like it needs attention.

SMMA Update – Jay Mattingly

Councilmember Mattingly reported that he attended the SMMA meeting January 10th in Annapolis and also attended the MML legislative open session in Annapolis. He attended the MML Board of Directors meeting and the next one is scheduled for May 27th also in Annapolis. Thanks to Ms. Stagner, Ms. McKay and all the staff for making the ribbon cutting such a great event and turnout.

Business Development – Mary Maday Slade

Councilmember Slade reminded every one how difficult it is for small businesses and please be patient as they are experiencing difficulties with hiring and retention and staying in business. Also, a reminder that there is a corporate transparency act for anyone that owns a business, has an LLC as you are required to report your Beneficial Ownership Information through Financial Crimes and if you do not do this you can be significantly fined.

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 on Franchise Agreement request from Comcast of Maryland, LLC; seconded by Councilmember Slade, motion passed.

4:30 Public Hearing- Franchise agreement request from Comcast of Maryland, LLC - Comcast of Maryland has requested that Town Council grant them a franchise. The franchise request letter has been received and the \$5,000 franchise fee has been invoiced. The Town of Leonardtown has a non-exclusive franchise with Breezeline for cable services in the Town. The franchise has been in place for more than 20 years and was last renewed in 2012 for a 15-year term. As mentioned last month during the Think Big broadband discussion, there has been an outcry for competitive services in Leonardtown for years. These are the first opportunities that have been made available to offer additional options to residents. The public hearing was advertised in the County Times on January 18th and 25th. If Council decides to grant the franchise agreement to Comcast following the public hearing, then terms of the agreement must be met within 90 days. Then the agreement terms will be made public and another public hearing must be held on the agreement. Following the second public hearing the Council may approve the Franchise by resolution.

Mr. Chris Mulhall, Sr. Manager Government Affairs with Comcast remarked that we are very excited to come to Leonardtown and provide our services to your community. We strongly believe in being community partners and look forward to beginning the infrastructure process and offering our services. We anticipate about 100 miles of cable with 66 miles to micro-trench underground with the remainder on the poles. We expect to begin ground work late spring and reaching out to customers about 30 days after lines have been laid.

Mr. Ludwig, resident, 22365 Margrave Court, asked if the community will have the choice of a provider.

Ms. McKay responded that we will have Breezeline, Comcast and ThinkBig franchises so the residents/businesses would choose their provider for themselves.

Mrs. Ludwig noted that they have been with Breezeline for years and with all the present changes we lost our local contact. Will Comcast have a local contact.

Mr. Mulhall responded that the closest office will be located in Waldorf.

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

Councilmember Colvin inquired as to the length of years.

Ms. McKay remarked that the agreement is still being worked on and that will need to be determined but usually runs roughly for 15 years.

Councilmember Colvin moved to grant Comcast of Maryland a franchise for the Town of Leonardtown; seconded by Councilmember Earhart, no further discussion, motion passed unanimously.

Mayor Burris entertained a motion to adjourn.

Councilmember Mattingly moved to adjourn the meeting at 4.45 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