

Council of the Town of La Plata
Town Hall, La Plata, Maryland
Regular Meeting – 7:00 PM
March 24, 2009

Present: Councilman James Goldsmith, Councilman Scot D. Lucas, Councilwoman Paretta D. Mudd, Councilman Vic E. Newman; Daniel J. Mears, Town Manager; Judith T. Frazier, Town Clerk

Town Staff: Robert W. Oliphant, Treasurer; Cassin B. Gittings, Chief, La Plata Police Department

Pursuant to the requirement of Annotated Code of Maryland State Government Article Section 10-509(c)(2), these statements are included in these minutes:

A closed session of the Council of the Town of La Plata was held at 9:16 PM, Tuesday, March 10, 2009, in the La Plata Town Hall.

Present: Mayor Hale, Councilmen Goldsmith, Lucas and Newman; Daniel J. Mears, Town Manager; Judith T. Frazier, Town Clerk; Robert W. Oliphant, Treasurer

On a motion made by Councilman Lucas, seconded by Councilman Newman, and by unanimous consent of the members present, the session was closed. The authority under which the session was closed was Annotated Code of Maryland State Government Article Section 10-508(a)(14) – Before a contract is awarded or bids are opened, discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process. The purpose of the meeting was to discuss negotiation of a contract to lease Town property to American Red Cross Southern Maryland Chapter. The Town Council directed the Town Manager on a course of action to take regarding terms of the contract to lease the Town property. The meeting adjourned at 9:32 PM.

A closed session of the Council of the Town of La Plata was held at 6:19 PM, Tuesday, March 17, 2009, in the La Plata Town Hall.

Present: Mayor Hale, Councilmen Goldsmith, Mudd and Newman; Daniel J. Mears, Town Manager; Judith T. Frazier, Town Clerk; Frederick C. Sussman, Town Attorney

On a motion made by Councilman Goldsmith, seconded by Councilwoman Mudd, and by unanimous consent of the members present, the session was closed. The authority under which the session was closed was Annotated Code of Maryland State Government Article Section 10-508(a)(7) – Consult with counsel to obtain legal advice. The purpose of the meeting was to discuss appeal of action taken by the Board of Supervisors of Elections. Action taken: Following discussion with the Town Attorney, the Town Council agreed on a course of action to be taken in open session. The meeting adjourned at 6:40 PM.

Minutes:

Due to the absence of Mayor Hale, Councilwoman Mudd acted as mayor pro tem, called the meeting to order at 7:00 PM, and then led the Pledge of Allegiance.

Approval of February minutes

Councilman Goldsmith moved to approve the minutes of the February 10 special meeting, February 10 work session, February 10 closed session, February 17 special meeting, February 17 work session, February 17 closed session, and February 24 regular meeting. Councilman Newman seconded the motion and it passed by unanimous vote.

Treasurer's Report

Councilwoman Mudd acknowledged receipt of the Treasurer's Report dated February 28, 2009.

Petitions, Communications, Appearances and Public Forum

Public Forum (No speakers.)

La Plata Police Department monthly report – Chief Gittings

Chief Gittings reported on the department's activities during the month of February, 2009.

Chief Gittings also reported that (1) Officers Hittafer and Maynard will be attending bike training in May; (2) the department is sponsoring a 40-hour seminar on Spanish for Law Enforcement Officers; (3) Officers Posey and Bartnick are looking into the department sponsoring an Explorers Post; and (4) he is exploring the availability of federal grant funds. Chief Gittings invited all to the community clean-up event to be held in Phoenix Run on April 21.

Legislation

Ordinance 09-2 Limitations on Outdoor Irrigation (For Adoption) – For the purpose of limiting the daily hours during which the irrigation or other watering of outdoor plant material may occur within the Town of La Plata, with certain exceptions; removing the requirement of installing a moisture sensor in the spray zone; specifying penalties for violations; authorizing the suspension or revocation of an irrigation system permit under certain circumstances; and all matters generally relating thereto.

Mr. Mears provided a brief explanation of the purpose of Ordinance 09-2. Information regarding the provisions of this ordinance will be included in an upcoming edition of *Town Notes*.

Councilman Goldsmith moved to adopt Ordinance 09-2. Councilman Lucas seconded the motion and it passed by unanimous vote.

Ordinance 09-3 Community Grant Policy (For Introduction) – For the purpose of establishing terms and conditions under which the La Plata Town Council may make certain grants of money to certain entities for public purposes; and all matters generally relating thereto.

Mr. Mears provided a brief explanation of the purpose of Ordinance 09-2. It was noted that various typographical errors will be corrected prior to adoption.

Emergency Ordinance 09-4 Extension of Temporary Moratorium on Enforcement of Certain Sign and Fee Regulations (For Introduction and Consideration of Adoption) – For the purpose of extending temporary moratoria, for a certain duration of time, upon the enforcement of certain regulations regarding the placement, location and duration of certain temporary signs in the CB, CBT and CH zoning districts, and upon the payment of certain fees for the issuance of certain sign permits; providing for the effective date of this Ordinance and the termination of the moratoria established by this Ordinance; and all matters generally related to the extension of a temporary moratorium upon the enforcement of certain regulations relating to certain temporary signs in the Town of La Plata.

Mr. Mears provided a brief explanation of the purpose of Emergency Ordinance 09-4.

Councilman Lucas stated he was the owner of two small businesses in La Plata, and then recused himself from the discussion and the vote.

Councilman Newman moved to adopt Emergency Ordinance 09-4. Councilman Goldsmith seconded the motion. In discussion prior to the vote, Councilman Newman pointed out that other provisions of the sign regulations which are not subject to the temporary moratorium on enforcement, need to be enforced. Councilman Goldsmith noted that this ordinance was a way of showing support for the businesses in the Town. Councilwoman Mudd indicated her agreement with both statements. Vote on the motion: Councilmen Goldsmith, Mudd and Newman voted aye; Councilman Lucas did not vote. The motion carried.

Resolution 09-2 Town of La Plata Investment Policy (For Introduction and Consideration of Adoption) – For the purpose of adopting the Town of La Plata Investment Policy by amending the Town of La Plata Investment Policy as originally adopted by Resolution 95-4 on September 26, 1995, and as amended by Resolution 96-1 on January 23, 1996, and by Resolution 05-12 on November 8, 2005; and all matters generally relating thereto.

Mr. Mears provided a brief explanation of the purpose of Resolution 09-2 and a brief description of the investment policy.

Councilman Lucas moved to adopt Resolution 09-2. Councilman Goldsmith seconded the motion and it passed by unanimous vote.

Unfinished Business (None)

New Business

Appointment to Beautification Commission

Councilman Newman moved to appoint Rose Goldsmith to the Beautification Commission to fill an unexpired term which began May 22, 2007. Councilman Lucas seconded the motion. Vote on the motion: Councilmen Lucas, Mudd and Newman voted aye. Councilman Goldsmith recused himself from discussion and vote. The motion carried.

Commission Reports

Councilman Goldsmith reported on topics discussed at the Planning Commission's March 3 meeting.

Councilman Lucas reported that the Design Review Board did not meet in March.

Councilwoman Mudd reported that the Beautification Commission is moving forward with plans to spruce up the Town for the "Celebrate La Plata" Spring Festival event on April 25, including the purchase of American and Town of La Plata flags to be posted along La Grange Avenue during that event. Councilwoman Mudd also reported on the topics discussed at the Kent Corridor Partnership's March 19 meeting and their upcoming community events.

Councilman Goldsmith reminded all that the "Celebrate La Plata" Spring Festival event on April 25 would include the return of bed races, which will be sponsored by the Chamber of Commerce.

There being no further business, Councilman Goldsmith moved to adjourn at 7:21 PM. Councilman Newman seconded the motion and it passed by unanimous vote.

Submitted by:

Judith T. Frazier
Town Clerk