

Council of the Town of La Plata  
Town Hall, La Plata, Maryland  
Work Session  
December 19, 2006, 7:00 PM

Present: Mayor Gene Ambrogio, Councilman R. Wayne Winkler, Councilman C. Keith Back, Councilman Vic E. Newman; Joseph W. Norris, Acting Town Manager; Judith T. Frazier, Town Clerk; Cassin B. Gittings, Chief, La Plata Police Department

Minutes:

Mayor Ambrogio called the meeting to order at 7:00 PM.

#### Matters of Council Discussion

##### Presentation by Tom O'Farrell, Chairman, Parks and Recreation Commission

*Description: Chairman O'Farrell wishes to discuss scheduling in January the joint facilitated session of the Parks and Recreation Commission and the Beautification Commission, and the possibility of including the Planning Commission.*

Following discussion, the Council agreed that Mr. Norris is to schedule a meeting of the chairmen of the Parks and Recreation, Beautification, and Planning Commissions with Jo Anne Ellison, that a joint facilitated session be scheduled for the three groups, and acknowledged that additional individual facilitated sessions may be needed for each group.

##### Charles County Indenture on the property known as the Conner-Garner Annexation

*Description: Current development on this property includes Alban Tractor and Southern Maryland Trade Center/La Plata Commerce Center. Future development includes a proposal for a commercial building ("High Road School") south of the existing Commerce Center building. When the 169 acres were annexed in 1978, the petitioners agreed to an Indenture placed on the property by the Charles County Commissioners, which included a restriction to provide for a 200' setback from Rt. 301. The Council will discuss options proposed by the Town Attorney to address the 200' setback required by the Indenture.*

Following discussion, the Council directed Mr. Norris to ask the State Highway Administration (SHA) the actual distance from the highway that SHA wishes to be preserved. Mr. Norris will be guided by this information as to whether a draft Resolution will be prepared regarding waiving the requirements of the County's Indenture.

##### Placement on the agenda of "Public Forum"

*Description: The Council will discuss where "Public Forum" should be placed on the Town Council regular meeting agenda.*

Following discussion, the Council agreed to leave "Public Forum" at the beginning of the meeting agenda.

Dog Park at Silver Linden Park

*Description: Mr. Norris will provide a review of results of the survey of residents adjacent to the proposed dog park.*

Mr. Norris gave the Council written copies of the results of the Town survey to residents adjacent to the proposed dog park area, and reviewed those results. In response to the question, "Are you in favor of the proposed Dog Park?" there were 3½ "yes", and 9½ "no." During discussion, Paul Filardi advised he has asked the Clarks Run Citizens Association executive board to include the question on a bylaws question survey being sent to all 309 homes in January, and asked the Town Council to postpone their decision until those responses are obtained.

Following discussion, the Council agreed to postpone a decision until results of the Clarks Run Citizens Association survey are provided, but asked Mr. Filardi to give Mr. Norris the exact phrasing of the question to be placed on the survey.

La Grange Avenue parking

*Description: Mayor Ambrogio wishes to discuss additional parking on La Grange Avenue in the area of Dr. Ferrero's office.*

Mayor Ambrogio advised that Dr. Ferrero needs a response from the Town regarding whether additional parking will be provided on La Grange Avenue.

Following discussion, the Council directed Mr. Norris to write a letter to Dr. Ferrero advising that the Town will not provide additional parking on La Grange Avenue.

Amendment to Chapter 161 – Smoking and Tobacco Products

*Description: Councilman Back wishes to discuss an amendment to Chapter 161 – Smoking and Tobacco Products that would allow smoking in a separate area which has no food or drink service, for all establishments.*

Mr. Norris provided copies of an email from the Town Attorney regarding this proposed amendment. Noting that Councilwoman Mudd is also interested in this amendment, Councilman Back explained the proposal to amend the smoking regulations to allow smoking in a completely enclosed area that is well ventilated, physically separated from any food and beverage service area and receives no food or beverage service, and where no patron has to pass through. Councilman Back noted that the health of employees and patrons would be protected while accommodating smokers. He noted that examples could be the members' only room in the American Legion and the enclosed patio area at Casey Jones. During discussion, the Council heard brief remarks from Kathleen Quade regarding the room at the American Legion and from Paul Bales regarding the enclosed patio area at Casey Jones.

Following discussion, the Council agreed that Councilman Back will work with the Town Attorney to prepare a draft ordinance for review by the Town Council at a future work session.

In response to Councilman Back's request, Mr. Norris advised he would forward Mr. Sussman's email to him for his use in working with Mr. Sussman on the draft ordinance.

Mr. Norris displayed samples of business card size replicas of the "No Smoking" signs, which could be used by business persons to hand to people who are not complying with the regulations. He advised that 1000 would cost \$1,000 if done professionally or \$100 if done in-house by Town Staff. The Town Council agreed these cards may be useful to distribute to businesses, and to the Town police department and code enforcement official, and agreed to have them done in-house.

#### Location of SMECO substation – Heritage Green

*Description: Mr. Norris will provide an update on discussions with SMECO regarding locating a substation on Heritage Green property.*

Mr. Norris provided copies of photographs of examples of a substation which SMECO hoped would encourage Council support of locating a substation on the Heritage Green property. Mr. Norris reminded the Council that the Heritage Green property zoning does not provide for this is a by-right use, the developer does not wish to have the substation located there, that Industrial zoned land in the County is located just north of the Heritage Green property, and that the Industrial zoned land allows for this as a by-right use.

Following discussion, the Council agreed they do not support locating a substation on the Heritage Green property.

#### Matters of Information

Grace Lutheran Group Homes - proposed community outreach project; as presented by Don Zimmer at November 28 work session

Mr. Norris explained that the Town Attorney advised that this use does not meet the Town Code definition of "family." Mr. Norris noted that Cathy Flerlage, Director of Planning and Zoning, asked for a response from the Town Council which may be provided in writing to Mr. Zimmer.

Following discussion, the Council directed Mr. Norris to send a letter to Mr. Zimmer advising him that his proposal does not meet the definition of "family", as presented.

#### New snow plowing and salting plan

Mr. Norris provided copies of the Town's snow plowing policy, which contained information regarding Charles County's snow removal schedule, and explained there may be a need to change the Town policy due to a need to cooperate with the County's policy in order to continue to get sand and salt from the County. He noted that the County won't limit supplying sand and salt to the Town as long as they have the supplies.

Following discussion, the Council agreed that Mr. Norris and/or Mr. Murphy should contact the new supervisor at the La Plata SHA Shop to determine if an arrangement can be made for the Town to obtain sand and salt from them. It was also agreed that a press release be sent to the newspaper regarding the Town's snow plowing policy, and that the information be included in the February-March 2007 issue of the Town newsletter.

Facilitated meeting of the Town Council with the Planning Commission

Mayor Ambrogio explained that the new chairman of the Planning Commission, Rich Gilpin, asked to meet with him and that he suggested to Mr. Gilpin that the Planning Commission should meet with the entire Council. The question before the Council was whether they wished to have a facilitated meeting with the Planning Commission.

Following discussion, the Council agreed to conduct a joint work session with the Planning Commission before the Council's facilitated work session on the Planning element. Mr. Norris is to work on scheduling the joint work session between the Council and Planning Commission.

Recommendation of amendments to minutes of the Town Council's April 4, 2006 work session

The Council was in receipt of a memorandum from the Town Clerk explaining a request by Don McGuire for amendments to the minutes of the April 4, 2006 work session, pertaining to statements attributed to him under the "Faison Annexation" topic. The Town Clerk recommended the amendments be approved by the Town Council at the January 9, 2007 regular meeting.

Council consensus: The Council agreed to approve the recommended amendments at the January 9, 2007 regular meeting.

Mr. Norris advised the Council that an ordinance regarding ward boundary map amendments would be presented for introduction at the January 9 meeting. The boundary amendments will address the properties subject of the Potomac/SHA and Rosewick annexations.

There being no other business, Mayor Ambrogio moved to adjourn the meeting at 8:30 PM. Councilman Newman seconded the motion and it carried.

Submitted by:

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Judith T. Frazier  
Town Clerk