

Council of the Town of La Plata
Town Hall, La Plata, Maryland
Regular Meeting
April 26, 2005, 7:00 PM

Present: Mayor William F. Eckman, Councilman Wayne Winkler, Councilman C. Keith Back, Councilman Gene Ambrogio, Councilman Roy G. Hale; Douglas R. Miller, Town Manager; Judith T. Frazier, Town Clerk

Town staff: Patricia L. Bembe, Assistant Town Manager; Michelle D. Miner, Director of Community Development; Carol L. Rollins, Administrative Assistant; Cathy Flerlage, Director of Planning and Zoning; Gale E. Crooks, Accounts Administrator; Carolyn Johnson, Utility Billing Clerk II; B. Gayle Curry, Permits Clerk; Danielle Warring, Customer Service Representative; Steven F. Schroeder, Project Manager; Jorge Thompson, Town Inspector; Cassin B. Gittings, Chief, La Plata Police Department; Joseph W. Norris, Town Treasurer; Stephen A. Murphy, Director of Public Works; Jeffrey S. Garner, Assistant Public Works Director; Mike Plumer, Public Works Specialist II; Joseph Garner, Public Works Crew Leader

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

A closed session of the Council of the Town of La Plata was held at 4:01 PM, Tuesday, April 19, 2005, in the La Plata Town Hall.

Present: Mayor Eckman, Councilmen Hale, Winkler, Back, and Ambrogio; Douglas R. Miller, Town Manager; Judith T. Frazier, Town Clerk; Joseph W. Norris, Town Treasurer.

On a motion made by Councilman Ambrogio, seconded by Councilman Hale, 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)(1)(i) – Discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction. The purpose of the meeting was to discuss a personnel matter. Action taken: The Town Council and Town Manager mutually agreed upon a course of action to reduce an increasing financial liability created by a clause in the Town Manager's employment contract which provides for any unused annual leave being paid at time of separation. The meeting adjourned at 4:14 PM.

Minutes:

Mayor Eckman called the meeting to order at 7:00 PM and then led the Pledge of Allegiance.

Treasurer's Report

Mayor Eckman acknowledged receipt of the Treasurer's Report dated March 31, 2005.

Petitions, Communications and Appearances (none)

Public hearings

Constant Yield Tax Rate

Mayor Eckman opened the hearing. Mr. Miller and Mr. Norris advised that the notice of the hearing was properly advertised in the Maryland Independent and that proof of advertising had been sent to the State.

Mayor Eckman explained that the State calculates that the Town tax rate should be \$0.307 in order to produce the same revenue as the previous year. He noted that the Town proposes to keep the tax rate at \$0.32, and that to lower it would mean the Town would have to reduce the level of service the Town provides. He also noted that inflation has driven up costs to the Town.

Mayor Eckman asked if anyone wished to speak.

Jim Goldsmith, Washington Avenue, asked how much the assessable base has increased since the significant developments which have occurred in the last two years, such as Safeway, and advised he believed the Town should acknowledge that increase and reduce the tax rate by even as little as one cent.

There being no other speakers and no further discussion by the Council, Mayor Eckman closed the hearing.

Traditional Neighborhood Development (TND) designation request by Lenhart Development Corporation on Parcels 1 and 2 of Steeplechase Subdivision

Mayor Eckman called the hearing to order. Mr. Miller entered into the record the Certification of Publication that the notice of the hearing was properly advertised in the April 8, 2005, edition of the Maryland Independent newspaper. Mr. Miller briefly explained TND and advised that Ms. Flerlage would provide a brief review of the request and the report of the La Plata Planning with their recommendation that the TND designation for Parcels 1 and 2 of Steeplechase Subdivision be granted.

Ms. Flerlage gave a brief overview of the request and advised that the applicant has met the tests required to obtain TND designation, and referred to the documents included in the Town Council meeting packets: minutes of the March 1, 2005 Planning Commission meeting, the Planning Commission's report to the Council, which recommends approval, and the Town Staff report regarding this TND designation request.

Mayor Eckman asked if anyone in the audience wished to speak regarding the TND designation request. No one wished to speak.

There being no speakers and no further discussion by the Town Council, Mayor Eckman closed the hearing.

Councilman Back made a motion to grant the TND designation requested for Parcels 1 and 2 of Steeplechase. Councilman Hale seconded the motion and it passed by unanimous vote.

Legislation

Ordinance 05-4 Major Facilities Fees (For Adoption) – For the purpose of excluding certain properties from the “Old Town Utility District” in the Town; subjecting those properties excluded from the Old Town Utility District to payment of the Town’s Major Facilities Fee; providing for the use of monies currently in the Town’s Major Facilities Fund and revenues to be contributed to the fund on and after a certain date; providing for the retroactive application of this Ordinance; providing for the severability of the provisions of this Ordinance; and all matters generally related to the Town’s Major Facilities Fee.

Councilman Winkler made a motion to adopt Ordinance 05-4. Councilman Ambrogio seconded the motion and it passed by unanimous vote.

Ordinance 05-5 Rate of Compensation for the Legislative Body (For Adoption) – For the purpose of specifying the rate of compensation to be paid to the Mayor and Council of the Town of La Plata for the terms of office commencing on May 10, 2005 and May 8, 2007; and all matters relating to said compensation.

Mayor Eckman briefly explained the ordinance, noting that compensation of an elected official cannot be raised during their term of office, so the proposed 10% increase would apply to the next term of office. He further pointed out that the rate of compensation has not been changed for four years.

Councilman Hale stated that since he felt that the compensation paid to the members of the Town Council is not exorbitant based on the amount of time that each person dedicates to the position, the amount paid is very small in relation to the work that is done, and does not increase the compensation for the current Town Council but is only for those who serve after the next election, he would move that Ordinance 05-5 be adopted. Councilman Winkler stated he would second the motion so it could go into discussion.

In discussion before the vote, Councilman Winkler stated that the current salary is \$8,000 for the Council and \$12,000 for the Mayor, there has been no pay raise in four years, and this increase will apply to those in office after the election. However, Councilman Winkler noted that he believed two Council members have some difficulty with this increase and he would vote with the majority. Councilman Ambrogio stated he could not vote for the increase, noting he was not doing the job for the money. He further stated that he would vote against the increase at this time, especially when the Town is talking about raising the tax rate “so to speak” and the Town is paying some of the Public Works employees poverty wages. Councilman Back stated that he gave thought to the proposed salary increase, which he noted sounded like a lot but calculates out to minimum wage to do the Council job, but also considered that the Town is keeping the current tax rate in order to improve services to the Town. Councilman Back further stated that if the \$4,400 slated for the proposed Mayor and Council salary increase was in the budget, he would ask that the Treasurer put that money toward our lower paid employees in the Town. Councilman Hale stated he would go along with the consensus of the Council, but reiterated that he felt the amount paid to members of the Council is quite reasonable for the amount of effort and time they put in, and that even with the increase the salaries are not increased substantially. Councilman Hale also pointed out that the Town Council reviews all salaries across the

board every year during the budget cycle, traditionally give a cost of living increase to all employees, have substantially raised police department salaries to make them more competitive, and actively try to take care of Town employees on an annual basis. He further stated he did not believe the proposed salary increase would take anything away from the employees.

Mayor Eckman called for a roll call vote: Councilman Hale voted yea; Councilmen Back, Ambrogio and Winkler and Mayor Eckman voted nay. Motion to adopt Ordinance 05-5 failed by a 4-1 vote against the ordinance.

Councilman Ambrogio asked for confirmation regarding Councilman Back's suggestion to use the money towards a pay raise to be given to lower paid employees. Councilman Back asked Mr. Norris if the \$4,400 was included in the budget. Mr. Norris advised it will be in reserve or fund balance.

Ordinance 05-6 Town of La Plata FY2005-2006 Tax Rate (For Introduction) – For the purpose of adopting the Town of La Plata FY2005-2006 Tax Rate; and all matters generally relating thereto.

Mr. Miller briefly explained Ordinance 05-6, which proposes to set the tax rate at \$.32 per \$100.00 of assessed valuation for the fiscal year 2005-2006, and noted that the Town needs to set the tax rate now so it can be provided to the County Treasurer's Office for preparation of tax bills, and the Town must identify the time when the tax rate will be set as part of the constant yield tax hearing process.

Unfinished Business

Council reports

Councilman Hale raised a question regarding an amendment to the agenda, noting he was exercising his limited power as Vice Mayor to take charge of the meeting and invited the evening's guests to enter the room. Councilman Hale noted two other items of business that needed to be taken care of under New Business.

New Business

Primary Election Results

The Clerk read into the record the results of the Primary Election held April 18, 2005. Mayor candidates: Gene Ambrogio received 234 votes; Roy G. Hale received 284 votes; Harlan F. Lang received 36 votes; Ralph Wayne Winkler received 164 votes. Councilman, Ward III candidates: Thomas Shaw Fenner received 22 votes; Lynn D. Gilroy received 28 votes; Paretta D. (Paddy) Mudd received 64 votes; Mike Murphy received 30 votes.

Cancel May 3, 2005 work session

Councilman Ambrogio made a motion to cancel the May 3, 2005 Council work session. Councilman Winkler seconded the motion and it passed by unanimous vote.

Celebration of Mayor William F. Eckman's Service in Municipal Government

Councilman Hale welcomed all of the special guests and thanked them for coming. Councilman Hale explained to Mayor Eckman that the Council and Town Staff had taken the liberty of revising the agenda of Mayor Eckman's last regular meeting. Councilman Hale explained that there were many guests from around the state who wished to be part of the program and recognize Mayor Eckman's many years of service to the Town and around the state.

Karen Smith, Commissioner, Public Service Commission, thanked Mayor Eckman for the good advice he gave her when she was first appointed as the Governor's Director of Intergovernmental Affairs, and noted her great respect and fondness for Mayor Eckman.

Audrey Scott, Secretary of Planning, acknowledged having first met Mayor Eckman through involvement in local government and the MML. Secretary Scott praised Mayor Eckman as a hard worker, diligent, conscientious and always with La Plata uppermost in his mind. Secretary Scott noted that Mayor Eckman's commitment and dedication was an expression of his love for local government and that he would be leaving a legacy that will be very difficult to replicate. Secretary Scott read and presented a proclamation/citation from Governor Robert L. Ehrlich.

Wayne Cooper, President, County Commissioners of Charles County, praised Mayor Eckman's honesty, trust and leadership qualities, and read and presented a proclamation from the County Commissioners of Charles County, which proclaimed April 26, 2005 as "Bill Eckman Day in Charles County".

Delegate Sally Jameson, and on behalf of fellow Delegates Murray Levy and Danny Mayer, praised Mayor Eckman for doing a wonderful job for the Town, the county, and the community, and praised his vision, direction and leadership after the 2002 tornado. Delegate Jameson presented a citation to Mayor Eckman.

Scott Hancock, Executive Director, Maryland Municipal League (MML); Barrie Tilghman, Mayor of the City of Salisbury and President of the MML, and past presidents of the MML, Mark Frazer, Mayor of North Beach; Libby Tolbert, former Mayor of the Town of Barnesville; Lynn Raufaste, Mayor of the Town of Kensington; and Andy Hanko, Mayor of the City of New Carrollton were present to honor and thank Mayor Eckman for his service to the MML. MML President Tilghman remarked that Mayor Eckman is a former president of the MML and praised Mayor Eckman for his personal involvement and deep commitment to the Town of La Plata in the rebuilding after the tornado. She further remarked that all of the help given to La Plata by all of the municipalities around the state was due to the esteem in which they hold him. President Tilghman presented a gift of a jacket with the MML logo and a proclamation from the MML in recognition of his past service to the MML Board of Directors as president, immediate past president, first vice president, member at large, legislative committee chair and member, convention planning committee member, and his generous service as the MML representative in the Hellman Commission and numerous other state task forces.

Mayor Eckman acknowledged the importance of the MML to municipal governments in Maryland, noting he has known some of those present for 20 years. Mayor Eckman also announced the death this morning of "Mr. Municipal Government", Gerry Glaubitz, who was the Mayor of the

Town of Morningside for 43 years and who started the Southern Maryland chapter of MML in 1970. Mayor Eckman asked for a moment of silence in memory of Mayor Glaubitz.

Dave Jenkins, Executive Director of Tri-County Council, presented a letter from the chair of the Tri-County Council, and thanked Mayor Eckman for his leadership, energy and focus, and service to La Plata, Southern Maryland, and the state.

Emily Ferren, Charles County Library, presented a gift to Mayor Eckman and thanked him for his years of service.

Fred Sussman, Town Attorney, praised Mayor Eckman for his vision that has lead La Plata from what it was when he first met Mayor Eckman in 1987 to the thriving town with the fantastic future that La Plata has today. Mr. Sussman also praised Mayor Eckman for having given more to La Plata in terms of his long-standing dedication and hard work than just about any public official he knows.

Pastor Eric Peterson and Margaret Steffens, Grace Lutheran Church and School, praised Mayor Eckman for his dedication to the Town and for his work in the church. Ms. Steffens read and presented a letter from the Board of Servant Leaders thanking him for his 30 years of service to the citizens of the Town of La Plata and his excellent leadership.

Charles County Sheriff Fred Davis remarked that he first met Mayor Eckman when he joined the La Plata Volunteer Fire Department many years ago and Mayor Eckman was the deputy chief. Sheriff Davis noted that Mayor Eckman has always been a very good friend of the Charles County Sheriff's Office, and that they have worked together, along with the Town Council, on projects for the Town of La Plata. Sheriff Davis read and presented a plaque in appreciation of Mayor Eckman's friendship and support of the Charles County Sheriff's Office during his 35 years of service to the Town, and praising his leadership, vision and determination as Mayor which enriched the lives of the residents and transformed the county seat into a community filled with enthusiasm and pride.

Victor B. Bowling, Jr., former Mayor of La Plata, remarked that Mayor Eckman served with him on the Town Council for several years, and said that when it was time for him to leave office he asked Mayor Eckman to put his name in the hat for Mayor, which he said was the best thing he ever did.

Mayor Eckman praised former Mayor Bowling for having the foresight to annex property so La Plata's children would have a place to live, and for instituting the major facility fee program that would be paid by the new people for any increases needed in the Town's water and wastewater infrastructure. He noted that the wastewater treatment plant built in 1977, the 750,000 gallon water tank on Kent Avenue, and three new wells were all funded by major facility fees, not tax dollars or user fees, and that we all owe former Mayor Bowling a note of thanks.

As an introduction to the next presentation, Councilman Hale read his article in the April-May 2005 *Town Notes* newsletter, which praised and thanked Mayor Eckman for his devotion to the Town, and which thanked Mrs. Eckman, who has stood by his side. Councilman Hale announced that in recognition of Mayor Eckman's many years of service to the Town of La Plata and the outstanding

manner in which he has carried out his office, the Town Council, Town Staff and citizens of La Plata wished to honor him by naming the meeting room in his honor. The plaque was unveiled which named the meeting room the “*William F. Eckman Conference Room*”.

Mayor Eckman said his 34 years in Town government had been a joy and a pleasure, that La Plata is the kind of town which is very special in many ways, and that he is grateful to the people in La Plata who elected him to the Town Council six times and as Mayor six times. He noted that several people had referred to the vision of the Town, which he noted came from the people in the Town of La Plata, and credited the excellence of the Planning Commission over the years for doing a wonderful job helping to make La Plata the great place to live that it is today. He remarked that in the late 1990s the Town decided we needed to be more proactive in determining what the people of the Town wanted the Town to look like, so a group of 80 people were brought together to help create a Vision Plan, followed by a Vision Implementation Team which met once a month for years working on it. Mayor Eckman credited the State of Maryland for their support of the Vision Plan. He also remarked that the existence of the Vision Plan enabled the Town to form a rebuilding plan immediately after the 2002 tornado rather than wait for a plan to be developed, as is normally the first step after a disaster occurs. Mayor Eckman invited everyone to the third Celebrate La Plata on April 30, which he said celebrates our town and what it is, and how it has reacted to and rebuilt after the destruction of the tornado. In closing, Mayor Eckman thanked everyone for allowing him to be their “mayor for all of these years – your patience is amazing.”

Senator Thomas M. Middleton, and on behalf of the entire Charles County delegation, thanked Mayor Eckman and praised him as an exemplary leader whose leadership made La Plata a great place for all of the people who live here. Senator Middleton read and presented a citation recognizing Mayor Eckman’s unsurpassed dedication to the citizens of La Plata.

Douglas R. Miller, Town Manager, and on behalf of all Town Staff, thanked Mayor Eckman for all of the support he’s given to Town Staff for many years, and presented him with a 3-D Town Hall in a bottle made from Mayor Eckman’s business cards.

Councilman Hale thanked everyone for attending and turned the meeting back over to Mayor Eckman.

Public Forum (none)

There being no further business, Councilman Back made a motion to adjourn at 8:22 PM. Councilman Winkler seconded the motion and it carried.

Submitted by:

Judith T. Frazier
Town Clerk