

Council of the Town of La Plata
La Plata Town Hall
Tuesday, October 26, 2010, 7:00 p.m.
Regular Meeting

Present: Councilman R. Wayne Winkler, Councilman C. Keith Back,
Councilwoman Paretta D. Mudd, Councilman Joseph W. Norris; Daniel J. Mears,
Town Manager; Michelle D. Miner, Assistant Town Manager;

Town Staff: Robert W. Oliphant, Treasurer; Lt. Wayne Wathen, La Plata Police Department;
David M. Jenkins, Director of Municipal Development

Guests: Jason Moore, Chief La Plata Volunteer Fire Department

Minutes:

In the absence of Mayor Hale, Councilman Winkler acted as Mayor Pro Tem and called the meeting to order at 7:00 PM, and then led the Pledge of Allegiance.

Approval of September minutes

Councilman Back moved to approve the minutes of the September 14 work session, September 21 work session; and the September 28 regular meeting. Councilman Norris seconded the motion and it passed by unanimous vote.

Treasurer's Report [No Report]

Petitions, Communications, Appearances and Public Forum

1. Public Forum (No speakers.)
2. La Plata Police Department (LPPD) monthly report – Chief Gittings

Lt. Wathen reported on the department's activities during the month of September 2010.

3. La Plata Volunteer Fire Department monthly report

Chief Moore summarized the report regarding the La Plata Volunteer Fire Department activities of September 2010, as provided by email.

Public Hearings:

Hearing 1: Proposed Planned Redevelopment and Infill District (PRID)
Master Site Development Plan, Ashraf Medical Clinic – 6 Oak Avenue.

Mayor Pro Tem Winkler called the hearing to order and explained that the purpose of the hearing was to hear public comment on the Proposed Planned Redevelopment and Infill District (PRID), Master Site Development Plan, Ashraf Medical Clinic – 6 Oak Avenue, and reviewed the Public Hearing Procedures. The acting Clerk entered into the record the Certification of Publication that the notice of the hearing was properly advertised in the October 8, 2010, edition of the Maryland Independent newspaper, the affidavit of Kevin Dragoo, with Lorenzi, Dodds & Gunnill, affirming the posting of the sign giving notice of the public hearing, and the affidavit of Danielle Mandley, Town Clerk that notice was mailed to adjacent and contiguous property owners.

Mr. Mears briefly summarized the PRID overlay zone requirements, and what the application includes.

Mayor Pro Tem Winkler acknowledged receipt of the staff reports of Cathy Flerlage, Director of Planning and Zoning, dated August 4, September 7, and September 14, 2010 to the Planning Commission and Town Council. The Clerk entered the staff reports into the record.

Mayor Pro Tem Winkler acknowledge the written recommendation from the La Plata Planning commission, contained in a memorandum dated September 23, 2010, in which they recommended approval with conditions to the Town Council. The Clerk entered the recommendation into the record.

Mayor Pro Tem Winkler invited the applicant to make a presentation of the Proposed Planned Redevelopment and Infill District (PRID), Master Site Development Plan, Ashraf Medical Clinic – 6 Oak Avenue. Louis Jenkins, Esq., attorney for the applicant, provided a power point presentation for those present.

Mayor Pro Tem Winkler called for questions of the Council. There were not questions raised.

Mayor Pro Tem Winkler asked if anyone in the audience has written documents for the record, regarding the Proposed Planned Redevelopment and Infill District (PRID), Master Site Development Plan, Ashraf Medical Clinic – 6 Oak Avenue. The acting clerk entered into the record written correspondence from:

- Harlan Lang, email dated October 13, 2010, in opposition of the Ashraf Medical Clinic, PRID Master Site Development Plan.
- Jack D. Warren, 8 Oak Avenue, submitted a written statement in opposition of the proposed use of 6 Oak Avenue as a Medical Clinic.
- Kate Clough, 604 Wicomico Street, La Plata, letter dated October 21, 2010, stating the desire to not have the proposed buffer extended along her property line.
- Janet Tew, 8 Oak Avenue, La Plata, submitted a printed copy of a presentation, which speaks in opposition to approval of the proposed Ashraf Medical Clinic, and a petition, signed by 40 residents of Oak Avenue, Wicomico Street, Worcester Street, Washington Avenue, and Spruce Street.

Mayor Pro Tem Winkler asked if anyone in the audience wished to speak regarding the Proposed Planned Redevelopment and Infill District (PRID), Master Site Development Plan, Ashraf Medical Clinic – 6 Oak Avenue.

- Mark Dumais, MD., Civista Medical Center, 5 Garret Avenue, spoke in favor of the approval of the Ashraf Medical Clinic due to the benefit to the patients of Civista Medical Center.
- Jack D. Warren, Jr., 8 Oak Avenue, P.O. Box 1454, La Plata, spoke in opposition to the use of the proposed site for the Ashraf Medical Clinic.
- Janet Tew, 8 Oak Avenue, P.O. Box 1454, La Plata, spoke in opposition to the Medical Clinic, and to more commercialization of the area.
- CDR James D. Cox, 603 Wicomico Street, La Plata, spoke to oppose the proposed PRID project, due to the effect on the existing residential community.
- Mary Rice, P.O. Box 1554, La Plata, spoke to oppose the proposed Ashraf Medical Center, stating that the project does not meet the purpose and intent of the PRID Ordinance.
- Lisa Chapman, 602 Wicomico Street, La Plata, spoke in opposition to the Ashraf Medical Clinic, due to the effect on the residents of the surrounding area.

Mayor Pro Tem Winkler asked for any additional questions of the Council. There were none.

There being no other speakers, the applicant provided closing comments. Mayor Pro Tem Winkler *concluded* the hearing at 8:07 PM, and announced that the record will remain open for comments for 14 days, until November 9, 2010, at 4:00 PM.

► **Legislation**

Resolution 10-18 Town of La Plata's Reasonable Expectation to Reimburse from Borrowed Funds Costs Paid in Connection with Enhanced Nutrient Removal (ENR) Upgrades to, and Capacity Enhancement of, the Town's Wastewater Treatment Plant (for introduction and consideration of adoption) – For the purpose of making a declaration of official intent pursuant to U.S. Treasury Regulation Section 1.150-2 regarding the intention of the Town of La Plata to reimburse from the proceeds of one or more series of obligations to be issued by the Town prior expenditures made in connection with Enhanced Nutrient Removal (ENR) upgrades to, and increasing capacity of, the Town's wastewater treatment plant.

Councilwomen Mudd moved to adopt Resolution 10-18 Town of La Plata's Reasonable Expectation to Reimburse from Borrowed Funds Costs Paid in Connection with Enhanced Nutrient Removal (ENR) Upgrades to, and Capacity Enhancement of, the Town's Wastewater Treatment Plant. Councilman Norris seconded the motion and it passed unanimously.

► **Unfinished Business** [None]

► New Business

1. Commission Reports

- Councilman Norris reported on the activities of the Design Review Board, which included approval of the Master Sign Plan for the Argyle Building, sign approval for T.J. Murray, and the review and amendments of the Design Guidelines.
- Councilwoman Mudd reported on the activities of the Beautification Commission, and the Fall Landscape Maintenance and the intent to install the Christmas decorations on November 29.
- Councilman Back reported that the Planning Commission is working on enhancing the CBT Ordinance, reviewed the PRID recommendations, and reviewed Public Hearing Procedures.
- Councilman Winkler provided an update on the joint meeting with the Council, Planning Commission, and the Parks and Recreation Commission.

2. Appointments to Boards and Commissions

Councilman Norris move to reappoint:

- Hank Payton to a 3 year term as Alternate of the Design Review Board
 - Jim Goldsmith to a 1 year term as Chairman of the Parks and Recreation Commission
 - Freddie Curry to a 3 year term as Chairman of the Board of Appeals
 - Burkey W. Boggs to a 3 year term on the Board of Appeals
 - Pierre Dickson to a 3 year term on the Board of Appeals
- Councilwoman Mudd seconded the motion and it passed unanimously.

3. Upcoming Events – Mayor Pro Tem Winkler

- Saturday October 30, 2010: Children's Harvest Halloween Party; 11AM to 1PM at La Plata Town Hall
- Sunday, October 31, 2010: Trick or Treat, 6:00 PM to 8:00 PM
- Sunday November 7, 2010: "Salute To Veterans" Parade and Ceremony. Parade at 1PM from County Courthouse complex to Town Hall
- Sunday December 5, 2010: Olde Tyme Holiday Gathering; 3PM to 6PM at La Plata Town Hall

There being no further business, Councilwoman Mudd moved to adjourn the regular meeting. Councilman Norris seconded the motion and it passed by unanimous vote.

Submitted by:

Michelle D. Miner, Assistant Town Manager