

Mayor and Council Meeting
Town Hall, La Plata, Maryland
May 28, 2002, 7:00 PM

Present: Mayor William F. Eckman, Councilman Wayne Winkler, Councilman Thomas W. Fritz, Councilman Gene Ambrogio, Councilman Roy G. Hale; Douglas R. Miller, Town Manager; Patricia L. Bembe, Assistant Town Manager; Judith T. Frazier

Guests: (See attached roster)

Minutes:

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

Approval of April minutes

Councilman Hale made a motion to approve the minutes of the April 9 meeting. Councilman Winkler seconded the motion and it passed by unanimous vote.

Councilman Winkler made a motion to approve the minutes of the April 23 meeting. Councilman Fritz seconded the motion and it passed by unanimous vote.

Treasurer's Report

Mayor Eckman acknowledged receipt of the Treasurer's Report dated April 30, 2002.

Petitions, Communications and Appearances (none)

Public Hearing: Ord. 02-15 FY03 Budget

(THE FOLLOWING IS A SUMMARY OF THE PUBLIC HEARING PROCEEDINGS. AN AUDIOTAPE OF THE COMPLETE HEARING IS ON FILE AT TOWN HALL.)

Mayor Eckman opened the public hearing concerning Ordinance 02-15, FY03 Budget. Mr. Miller noted for the record that the hearing had been properly advertised in the Maryland Independent. Mr. Miller provided a brief overview of the budget, noting that the real estate tax rate will remain \$.32 per \$100 of assessed valuation and that water and sewer rates are increasing by 3%. Mr. Miller remarked that the Town has not yet fully assessed the loss in revenue due to tornado damage and that this budget will need to be amended after that information is obtained.

After determining that no one in the audience wished to speak and that the Council members had no comments, Mayor Eckman closed the public hearing.

Legislation (none)

Unfinished Business

Council Reports

Councilman Hale reported that the Planning Commission will meet on June 4. He asked Mr. Miller to provide an update on the debris removal program. Mr. Miller advised that SHA resources end this week and we will be asking other municipalities for help. SHA is loaning a chipper to the Town and a stump grinder to be shared with Charles County. We are still working on a plan to remove trees and stumps in residents' yards. Councilman Hale remarked that there has been remarkable improvement in the Town in the last 30 days.

Councilman Fritz reported that Town parks are open and functioning and that the Parks and Recreation Commission will meet in June.

Councilman Ambrogio reported that the May meeting of the Beautification Commission was cancelled.

Councilman Winkler reported on several topics: (1) the caboose will receive a primer coat on Saturday, June 1, at 8:00 AM; (2) Wayne Wilkerson of Wilkerson Construction installed a new roof on the train station; (3) Debbie Linder, of Lakeside United Methodist Church, contacted him regarding their youth group working with the Town to replant trees; (4) Milton Somers School's 6th grade band gave a wonderful concert on the front lawn of Town Hall during lunch hour on Friday, May 24; (5) he obtained a copy of the Beaufort, South Carolina Architectural Review guidelines and Preservation Manual during a recent visit and offered it for the use of the Town's new architectural review board; and (6) displayed a "disaster t-shirt" purchased at cost from *Somethin' Special* in White Plains, which he plans to sell at the Town concerts as a fund raiser for the La Plata Disaster Relief Fund.

Mayor Eckman reported that the Vision Implementation Team met last week, and advised that the Maryland Department of Planning brought a team from the Washington Architectural Foundation, who toured the town last Saturday and looked at the areas of damage, which have been designated as A, B and C. They talked to business owners in areas A and B about how to rebuild to the Vision Plan. They will be meeting with business owners in area C this Saturday, and will show owners in areas A and B the ideas they have come up with. They will bring their ideas for area C to the meeting scheduled for June 8. Mayor Eckman noted the Town is working with the State to address the new stormwater management requirements, and that he hopes the State will issue waivers to the requirement of replacing 20% of impervious surfaces in our downtown. Mayor Eckman reported that the vision plan and rebuilding are going along quite well.

New Business

Appointment of Treasurer

Mayor Eckman asked for a motion from members of the committee who were tasked with selection of a candidate for the job of Treasurer. Councilman Hale remarked that he was pleased to offer a motion to nominate Joe Norris as Treasurer. Councilman Fritz remarked he felt Mr. Norris would be a great asset to the Town and seconded the motion. Mayor Eckman called for a roll call vote: Councilmen Winkler, Fritz, Ambrogio and Hale and Mayor Eckman voted aye. The motion carried by unanimous vote.

Tax Differential

Mayor Eckman explained how Town residents receive the tax differential on their real estate tax bills, and advised that this year's tax differential has been computed to be 7.2¢ per \$100 assessed valuation. He further advised that when the County and Town met on this topic last week, the County offered to the Town the option of paying the tax differential (approximately \$300,000) directly to the Town to help offset the revenue loss due to the tornado damage. Mayor Eckman noted that the downside to that option is that Town residents' taxes would be higher, and noted that a house assessed at \$100,000 would have added to the annual tax bill approximately \$70.00. He asked the Town Council to discuss this and come to a decision on it.

Councilman Winkler advised he was adamantly opposed to accepting the County's offer. He noted that while the intent was good, he felt it would be taxing the residents twice and Town residents have suffered enough. He felt that the Town should work with its own money and fund raise in other ways. Councilman Fritz agreed with Councilman Winkler, and advised he would rather work within the Town's budget. Councilman Hale agreed with their comments, but stated he felt the Town should accept the County's offer. He pointed out that the Town has suffered a major loss in revenue and that this would be a one time only method of receiving the tax differential money. Councilman Ambrogio was opposed to taxing the residents twice and offered a motion to keep the tax differential on the tax bills. Councilman Fritz seconded the motion. Councilman Hale voted nay. The motion passed by majority vote.

MTA Meeting - Park and Ride

Mr. Miller explained that MTA would be conducted a meeting in the Town Hall on Wednesday, May 29, 7:30 PM, regarding a proposed Park and Ride lot on Washington Avenue, south of Washington Square.

Tree replacement

Regarding a tree replacement program in La Plata, Mayor Eckman remarked that so many organizations want to help with this program that he felt a committee should be formed, with a representative from each of the groups who wish to work with the Town on this project. He asked that Joe Harrison, chairman of the Beautification Commission, be asked to come to the Town Council's next work session to talk about this. Debbie Linder, Lakeside United Methodist Church, briefly described their idea to fund raise by selling certificates to sponsor replacement trees. Mayor Eckman advised the Town would discuss this at their work session and contact Ms. Linder.

Historic district

Mayor Eckman invited Jack Warren, Historic Preservation District Committee, to make a presentation on a proposed historic district ordinance. Mr. Warren described the help that could be received from Maryland if the Town passes an ordinance to establish an historic district/zoning overlay that includes the State designated district. Mr. Warren will provide to the Town Council a copy of the Maryland Historical Trust's sample historic district ordinance. He noted that the Maryland Historical Trust is being very supportive of our efforts and will provide help retroactive to the time of the tornado if we are able to enact the ordinance by mid-July. Mr. Warren was asked to schedule a meeting this week with the Town's Historic Preservation District Committee, identify properties to be included in the historic district, and advise the Town Council of their findings.

Public Forum

In response to questions from Bob Jacobs regarding the water tower and complaints about insurance reimbursements, Mayor Eckman replied that (1) the tower was full when it collapsed and that the Town will be conducting fire hydrant water pressure flow tests on Wednesday to determine if we need to replace the tower; and (2) the Maryland Insurance Commissioner's office representative is working with people who have complaints about their insurers' response to their claims.

Jake Mitchell asked if debris removal help would still be available later on for people who are having problems with their insurance companies and can't take their buildings down until they are resolved. He was advised that the Town is working on continuing the debris removal. Mr. Mitchell also questioned the application of the Vision Plan to the area south of Charles Street, noting he thought the Vision Plan was for the area north of Charles Street. Mayor Eckman replied that it had been planned to start on the north side first as the south side was already built up, but that this was seen as an opportunity to include the south side. Responding to another question from Mr. Mitchell, Mayor Eckman advised that the Town is trying to obtain financial help for business owners to rebuild to the Vision Plan, but noted that the Town is not requiring total compliance if a business owner is unable to do so.

In response to Sandra Mitchell's question about how fast the permit process is, Mayor Eckman advised that the permit process is almost instant for buildings that can be repaired; however, for those buildings which need to be replaced, the State's stormwater management issues must be resolved before we can issue a permit.

In response to Joe Norris' question about parking mitigation for lots which cannot meet the requirements, Mayor Eckman and Mr. Miller advised that the Town is trying to get realistic parking ratios information from other municipalities, and is trying to create a municipal parking lot.

In response to Tom Higdon's remark that insurance companies would not pay to rebuild the buildings as multi-use as provided for in the Vision Plan, Mayor Eckman advised that the Town is working with the Insurance Commissioner on that. Mr. Higdon stated he had spoken with that office and was told they wouldn't make any exceptions for that. Mayor Eckman reiterated his earlier statement that the Town will not insist that business owners build what their insurance won't pay for.

Pat Howe expressed appreciation for the Town's Memorial Day Ceremony held on Monday, May 27. Regarding the proposed Park and Ride lot on Washington Avenue, Mr. Howe asked the Town to address the traffic problem on Washington Avenue. Councilman Winkler asked if the Mayor and Council would be taking a yes or no stand on this lot, noting that 350 cars will be added to the traffic on that street. Councilman Winkler suggested the MTA use the State-owned land on Turkey Hill Road for the park and ride lot.

Motion for Executive Session

Councilman Hale made a motion to have an executive session immediately following this meeting pursuant to *Annotated Code of Maryland* Section 10-508(a)(3), to discuss the acquisition of real property for a public purpose and matters directly related thereto. Councilman Ambrogio seconded the motion and it passed by unanimous vote.

There being no further business, Councilman Winkler made a motion to adjourn at 8:10 PM. Councilman Hale seconded the motion and it carried.

Respectfully submitted,

Judith T. Frazier