

Council of the Town of La Plata  
Town Hall, La Plata, Maryland  
Regular Meeting – 7:00 PM  
August 23, 2005

Present: Mayor Gene Ambrogio, Councilman Wayne Winkler, Councilman C. Keith Back, Councilwoman Paretta D. Mudd, Councilman Vic E. Newman; Douglas R. Miller, Town Manager; Judith T. Frazier, Town Clerk

Town staff: Patricia L. Bembe, Assistant Town Manager; Cassin B. Gittings, Chief, La Plata Police Department; Joseph W. Norris, Town Treasurer

*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 from 8:36 to 9:25 PM, Tuesday, August 9, 2005, in the La Plata Town Hall.*

*Present: Mayor Ambrogio, Councilmen Winkler, Back, Mudd and Newman; Douglas R. Miller, Town Manager; Patricia L. Bembe, Assistant Town Manager; Judith T. Frazier, Town Clerk.*

*On a motion made by Councilwoman Mudd, seconded by Councilman Back, 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 and Annotated Code of Maryland State Government Article Section 10-508(a)(3) – Consider the acquisition of real property for a public purpose and matters directly related thereto. The purpose of the meeting was to discuss appointments to Boards and Commissions and consider acquisition of property for future parking lot expansion. Action taken: (1) Appointments to Boards and Commissions: Agreed to continue the closed session to discuss appointments to Boards and Commissions to the next work session on August 16, 2005, at 5:30 PM. (2) Acquisition of property for future parking lot expansion: Directed the Town Manager to pursue acquisition of the property.*

***Continuation of closed session*** of the Council of the Town of La Plata was held from 5:50PM to 6:02 PM, Tuesday, August 16, 2005, in the La Plata Town Hall, for the purpose of continuing discussion of appointments to Boards and Commissions.

*Present: Mayor Ambrogio, Councilmen Winkler, Back, Mudd and Newman; Douglas R. Miller, Town Manager; Patricia L. Bembe, Assistant Town Manager; Judith T. Frazier, Town Clerk.*

*Action taken: Agreed to continue the closed session to discuss appointments to Boards and Commissions to 6:45 PM before the next regular meeting on August 23, 2005.*

*Continuation of closed session of the Council of the Town of La Plata was held at 6:45 PM, Tuesday, August 23, 2005, in the La Plata Town Hall, for the purpose of continuing discussion of appointments to Boards and Commissions.*

*Present: Mayor Ambrogio, Councilmen Winkler, Back, Mudd and Newman; Douglas R. Miller, Town Manager; Patricia L. Bembe, Assistant Town Manager; Judith T. Frazier, Town Clerk.*

*Action taken: Agreed to appoint Mayor Ambrogio's nominees to Boards and Commissions. The meeting adjourned at 6:50 PM.*

#### Minutes:

Mayor Ambrogio called the meeting to order at 7:00 PM and asked Joseph W. Norris, Treasurer, to lead the Pledge of Allegiance.

#### Treasurer's Report

Mayor Ambrogio acknowledged receipt of the Treasurer's Report dated July 31, 2005.

#### Petitions, Communications and Appearances (none)

#### Unfinished Business

##### St. Mary's Avenue Streetscape

Mr. Miller provided a brief update on the St. Mary's Avenue Streetscape project and advised that a late issue has been raised by a property owner along St. Mary's Avenue who wants underground utilities, which could delay the project until spring of 2006.

##### Grasso Annexation Agreement

Mr. Miller advised that the petitioners have signed the agreement and it is ready for action by the Town Council. Councilman Winkler made a motion to approve the Grasso Annexation Agreement. Councilwoman Mudd seconded and the motion passed by unanimous vote.

#### Legislation

Resolution 05-1 Grasso Annexation – 31.5 Acres (For Adoption) – For the purpose of authorizing the annexation of 31.5 acres, more or less, of contiguous land into the corporate limits of the Town of La Plata by amending the corporate limits of the Town; establishing certain terms, conditions and circumstances applicable to such land and to the owners thereof; providing for the zoning of such land upon annexation; and all matters relating to the annexation of such 31.5 acres of land, more or less, into the Town of La Plata.

Councilman Newman made a motion to adopt Resolution 05-1. Councilwoman Mudd seconded the motion. In discussion before the vote, Councilman Newman remarked that several meetings had been held with Clarks Run residents and the builder, that there would be a buffer of almost 60' in depth, and nice homes were to be built on the property. Councilman Winkler advised he was not comfortable with this annexation and felt it would not add much to the Town's tax base. He pointed out that if the homes were built under the County's jurisdiction they would be subject to their architectural controls, which the Town does not have. Councilman Newman pointed out that the homes across Charles Street were built under the County's jurisdiction and vary in size. Roll call vote on the motion: Councilman Back, Mudd and Newman voted aye; Councilman Winkler and Mayor Ambrogio voted nay. The motion passed by majority vote.

Ordinance 05-13 Revision to Sediment Control Plan and Forest Harvest Operation Plan review fees (For Introduction) – For the purpose of approving and adopting the revised fee schedule set by the Charles Soil Conservation District Board of Supervisors for Erosion and Sediment Control Plan and Forest Harvest Operation Plan review fees; and all matters generally relating thereto.

Mr. Miller briefly explained the purpose of Ordinance 05-13, noting that the Charles Soil Conservation District wishes to adjust their fees.

Ordinance 05-14 Design Review Board Membership and Procedures (For Introduction) – For the purpose of increasing the number of members of the Design Review Board by providing for the addition of a member of the Town Council; amending procedures for applications; and all matters generally relating thereto.

Mr. Miller briefly explained the purpose of Ordinance 05-14, noting this ordinance reflected the discussion held at the August 16 work session.

## New Business

### FY 05 Budget Amendments

Councilman Winkler made a motion to amend the FY 05 Budget by increasing the General Fund Revenue by \$990,960.00 under Developer Contributions and increasing the General Fund Expenditures \$ 990,960.00 with \$968,833.00 being in Public Works- Capital Outlay and \$27,112.00 being in Public Safety-Capital Outlay, and to make said amendments effective June 30, 2005. Councilman Back seconded the motion and it passed by unanimous vote.

Councilman Back made a motion to amend the FY 05 Budget by increasing the revenue in the Water and Sewer Fund by \$244,844.00 under Contributed Capital and increasing expenditures by \$244,844.00 in the Water and Sewer Fund Capital Outlay, and to make said amendments effective June 30, 2005. Councilman Newman seconded the motion. In discussion before the vote, Mr. Norris confirmed for Councilman Winkler that the Town is not raising taxes, that we are accepting contributions from developers. Vote on the motion: passed by unanimous vote.

Councilwoman Mudd made a motion to amend the FY 05 Budget by reallocating \$2,500.00 from General Fund Public Works-Street Lighting to General Fund Debt Service, and to make said

amendment effective June 30, 2005. Councilman Back seconded the motion. In discussion before the vote, Mr. Norris confirmed for Councilman Newman that the money is being moved from one account to another. Vote on the motion: passed by unanimous vote.

Commission Appointments

Mayor Ambrogio read his recommendations of appointments to certain commissions and boards. Councilman Back made a motion to approve the recommendations. Councilman Newman seconded and the motion passed by unanimous vote.

Design Review Board

Joann M. Baierlein	(architect)	appoint to a 4-year term beginning October 1, 2005
Judy Hamilton	(business person)	appoint to a 4-year term
Tim Berres		reappoint to a 4-year term
Cheryl McGuire	Chair	reappoint to a 2-year term
Tim Hart	Vice Chair	appoint to a 2-year term

Parks and Recreation Commission

Tom O'Farrell		reappoint to a 4-year term
Joe Keys		appoint to a 4-year term

Planning Commission

Mark Rose	full member	appoint to fill an unexpired 5-year term which began 9/30/03
Debra W. Posey	alternate member	appoint to fill an unexpired 2-year term which began 1/25/05

Board of Appeals

Roy G. Hale	alternate member	appoint to a 3-year term
-------------	------------------	--------------------------

Kent Square Request

Councilwoman Mudd asked the Council to reconsider their consensus reached at the August 16 work session to deny the grant request for \$750.00, noting that Kent Square plans to include the rest of the neighborhood in this event planned for August 27, and that she hopes to convince them to combine this with the National Night Out activities in the future. At Councilwoman Mudd's request, Mike Murphy, President of the Kent Square Homeowners Association, was present to describe the back to school fun night they are planning. He noted that it would have a carnival theme, with a moon bounce, some rides and music. Mr. Murphy also noted that it was open to and planned for the entire Kent Avenue corridor neighborhood, and that many have been contacted and that more will be contacted to invite them to this event.

Mayor Ambrogio remarked that he had been concerned that the event was not open to the rest of the community and noted that there had been no indication on the grant application of it being open. In response to Mayor Ambrogio's question, Chief Gittings remarked that previous Town Councils had set aside funds for this area, which has undergone much improvement. He further noted it was his understanding that fliers have been sent to the other neighborhoods.

Councilman Newman remarked that he believed the grant should be approved since it is open to the rest of the community and would show that the Town cares about the children. Councilman Back remarked that the grant application was written as a Kent Square event, but agreed it should be approved as long as it is a public event.

Councilwoman Mudd made a motion to approve the request of Kent Square Homeowners Association for funding for the Kent Square Back to School Fun Evening in the amount of \$750.00. Councilman Newman seconded the motion. In discussion before the vote, Councilman Winkler noted that public money was used to make Phoenix Run a better place and asked what would happen if other communities in the town asked for \$750.00. Councilman Newman remarked that this is a continued investment in our community and that future requests would be considered on a case by case basis. Vote on the motion: Mayor Ambrogio and Councilmen Back, Mudd and Newman voted aye; Councilman Winkler voted nay. The motion passed by majority vote.

#### Vision Plan

Mr. Miller announced that the Town Council has decided to reactivate the Vision process to revisit the Vision Plan and determine if it is or is not current. He advised that Councilman Winkler would chair the Vision Team.

#### Public Forum

Chief Gittings noted that school would be beginning soon and that the La Plata Police Department would increase vigilance at schools and crossings. He asked drivers to increase their awareness of and stay alert regarding children walking to school. Councilman Winkler commended Chief Gittings and Mayor Ambrogio for the additional red flags at crosswalks in town. Councilman Newman noted he hoped that homeowners associations will include information in their newsletters about being alert regarding children walking to school and pedestrians in crosswalks.

Burkey Boggs, Clarks Run, remarked he stopped for a pedestrian in the crosswalk at Civista and watched 15 to 20 cars continue through.

Councilman Winkler remarked he believed the Town needs to do some research into a better system of alerting drivers to pedestrians in crosswalks. In response to Councilwoman Mudd's request to have a police officer posted at the crosswalk at Charles Street and Oak Avenue, Chief Gittings advised it was possible but that the officer would have to leave if he received a call. Councilman Newman asked if they could also be posted in the subdivisions to enforce speed limits.

Mayor Ambrogio remarked that the Town is in the process of starting up the Charles Street Taskforce next month, with Greg Welker, State Highway Administration, as facilitator.

Harlan Lang asked for a written status report on citations and fines regarding enforcement of sign regulations. Mr. Miller advised him one citation has been issued and that he would provide a written report.

Harlan Lang advised he found out today that he should not be selling t-shirts with the Town logo on them and asked why this is so after he has been selling them for a year. Mr. Miller advised that his original t-shirts had an art design on them and were okay, but that use of the Town's corporate seal is not allowed. The Town Seal is the official seal of the Town of La Plata and cannot be used without permission.

Paula Winkler asked if the topic "Council Reports" had been discontinued as an item on the agenda. Mayor Ambrogio advised it had but that Council members may bring up any item under "New Business". Councilman Winkler noted he was interested in the activities of the Town's commissions and felt it was appropriate to continue "Council Reports". The Council agreed to discuss this at the next work session.

Councilman Winkler remarked that the Council is discussing amending the building code to reflect regulations regarding how structures are built to withstand certain wind speeds. Mr. Miller noted that we need to adopt the 2003 edition of the International Building Code, and that the Town will also replicate the County's wind strength feature.

Mike Runfola, 113 Morris Drive, noted that he addressed the sustainable water supply issue at the August 9 meeting. He asked the Town how they are going to address this issue, noting he believes we don't have the water supply for what we have now and that the Town should place a moratorium on building until a solution is devised. Mr. Miller advised that the Town must find water sources as we need them, and that the Town continues to plan for water needs for 7 to 10 years in the future. He further advised that before a building permit is issued, the water and sewer capacity has to exist for that unit. If there is no water and sewer capacity, there are no permits issued. Mayor Ambrogio noted that the Vision Team may be tasked with this issue.

There being no further business, Councilman Back made a motion to adjourn at 8:05 PM. Councilwoman Mudd seconded the motion and it carried.

Submitted by:

---

Judith T. Frazier  
Town Clerk