

Council of the Town of La Plata
Town Hall, La Plata, Maryland
Regular Meeting
February 22, 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; Chief Cassin B. Gittings, La Plata Police Department; Steve Murphy, Jeff Garner, Mike Plumer, and Joey Garner – Public Works Department

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 7:54 PM, Tuesday, February 8, 2005, in the La Plata Town Hall.

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

On a motion made by Councilman Winkler, 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)(8) – Consult with staff, consultants, or other individuals about pending or potential litigation. The purpose of the meeting was to discuss pending litigation. No action was taken. The meeting adjourned at 8:06 PM.

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 4:47 PM, Tuesday, February 15, 2005, in the La Plata Town Hall.

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

On a motion made by Councilman Winkler, 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)(8) – Consult with staff, consultants, or other individuals about pending or potential litigation, 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 pending litigation and consider acquisition of real property for a public purpose and matters directly related thereto. Action taken: (1) Pending litigation: Agreed on an offer that the Town Manager was instructed to advise the Town Attorney to make; (2) Acquisition of property for widening of Oak Avenue: Agreed to proceed to obtain the property; (3) Acquisition of property for Wastewater Treatment Plant expansion: Instructed the Town Manager to advise the Town Attorney to discuss purchase/trade options with the property owner’s attorney, provide that information to the Town Council, who will then meet with the property owner. The meeting adjourned at 8:06 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 January 31, 2005.

Petitions, Communications and Appearances

Public Works Recognition

Mayor Eckman announced that the Town wished to publicly recognize and thank the employees of the Town’s Public Works Department for the work they perform. He pointed out that in the twenty years he’s served as Mayor he has received only good comments from residents about snow removal and trash removal in the Town. He noted that because of their snow removal efforts, a couple of years ago the Maryland Independent wrote that the streets in La Plata looked like rivers of asphalt. Mayor Eckman pointed out that these employees also perform duties that residents don’t normally see, such as going down into manholes to make repairs, standing in water and mud in ditches to make emergency repairs to breaks in water lines, which generally break in freezing weather, and noted that they respond on holidays, weekends, and evenings.

Mr. Miller introduced Steve Murphy, Director of Public Works and longest tenured employee of the Town, and three of his department’s employees: Jeff Garner, Mike Plumer, and Joey Garner. Mr. Miller noted that about half of the employees in the Public Works Department have earned a yellow jacket, awarded for performing their jobs above and beyond the call of duty, and also noted that this award is named for Steve, “The Stephen A. Murphy Public Works Service Award”, who believes the job comes first and instills that in his employees.

Mayor Eckman and Mr. Miller presented Ledo’s gift certificates to all of the employees of the Public Works Department and thanked them for the service they provide to the Town of La Plata.

Proclamation of March as American Red Cross Month

Mayor Eckman read a Proclamation declaring March as American Red Cross Month, which will be sent to Mike Zabko of the Charles County Chapter.

John Bales - concerns regarding Design Review Board

Mr. Bales expressed concern regarding the experience of a potential tenant with the Design Review Board and questioned their interpretation of the sign regulations and definitions of “roof” and “canopy”.

Elizabeth Escobar, the potential tenant, described her experience before the Design Review Board.

Members of the Town Council thanked Mr. Bales and Ms. Escobar for their feedback, but pointed out that the appeals process is to the Board of Appeals. Mayor Eckman agreed that was the appeals process, but noted that the Town Council may need to discuss the role of the Design Review Board regarding the interpretation issue. Mayor Eckman thanked Mr. Bales and Ms. Escobar for coming to the Town Council meeting and said they would take their comments into consideration.

Legislation

Resolution 05-3 School Seat Allocation Pools (For Adoption) – For the purpose of establishing School Seat Allocation Pools for the allocation of available school seat capacity that the Town will make available for allocation for new residential development in the Town during the Town’s ensuing fiscal year; and all matters generally relating thereto.

Prior to providing a brief description of Resolution 05-3, Mr. Miller remarked that the Town Council adopted the School Seat Allocation Policy ordinance at the last meeting, which provides for the establishment of School Seat Allocation Pools and categories. He noted that after April 1, he will be asking for a shift in the allocations.

Councilman Winkler made a motion to adopt Resolution 05-3. Councilman Hale seconded the motion. In discussion prior to the vote, Mr. Miller clarified the location of two of the developments listed in the pool categories. Vote on the motion: the motion passed by unanimous vote.

Unfinished Business

Council reports

Councilman Winkler reported on a brochure he was working on with Cathy Hardy, which would contain photographs and descriptions of historic sites in La Plata. He noted that there is

grant money in the amount of \$1500, and that he needs the Council to approve spending another \$1500 for the 6000 brochures. He will bring the brochure information to the next work session. Councilman Winkler had no report on the La Plata Business Association or Historic District as there have been no meetings since his last report on them.

Councilman Ambrogio reported that the Kent Avenue Neighborhood Partnership would be meeting on March 9. The Beautification Commission did not meet in February.

Councilman Hale had no report on the Planning Commission, which meets next on February 1. Councilman Hale announced two upcoming Town events: Celebrate La Plata and Memorial Day program.

New Business (none)

Public Forum

Paul Bales described his recent experience presenting his proposed addition to the Crossing at Casey Jones to the Design Review Board, noting he had been part of the Vision Implementation Team which developed the design guidelines. Mr. Bales remarked that he felt the Board's emphasis was not on the enhancements he was making as they asked what more he could do, which he felt seemed to be outside of the parameters of the guidelines.

Mayor Eckman thanked Mr. Bales for his comments and advised that the Council would discuss this with the Design Review Board at a future work session.

Jim Turner, owner of the Brewhouse, remarked he has heard comments about the Design Review Board's interpretation of the guidelines and the negative effect it has on what applicants are trying to do.

Charity Higgs, owner of a small sign company, remarked she had been trying since October or November to obtain a copy of the amendments to the sign regulations and only received a copy a few days ago. Ms. Higgs was encouraged to call the Town Manager or a member of the Town Council if she has any future difficulty dealing with the Town.

Harlan Lang asked for the status of when signs will be placed on Facchina's buildings. He was advised that the Town cannot require Mr. Facchina to install signs.

Susan Styles stated she had also experienced difficulty getting a copy of the sign ordinance and didn't have one before she had to go before the Design Review Board. Ms. Styles praised Town employee Carol Rollins, whose knowledge and help enabled her to prepare for her appearance before the Board.

Councilman Winkler advised that the deadline is approaching for spending the Maryland Forestry \$60,000 matching grant for replacing trees destroyed by the 2002 tornado. The money

is to be used for planting trees on public land. He must file an action plan with Maryland Forestry by this Friday.

Mr. Miller announced that Mayor Eckman would be going to Johns Hopkins on Wednesday for surgery, and on behalf of the Town Council and Town staff, wished him a speedy recovery.

There being no further business, Councilman Hale made a motion to adjourn at 8:07 PM. Councilman Winkler seconded the motion and it carried.

Submitted by:

Judith T. Frazier
Town Clerk