

Council of the Town of La Plata
Town Hall, La Plata, Maryland
Work Session – 6:00 PM
Regular Meeting – 7:00 PM
April 12, 2005

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; Cassin B. Gittings, Chief, La Plata Police Department

Minutes:

Work Session - 6:00 PM: Budget Session

Mayor Eckman called the meeting to order at 6:00 PM.

Mr. Miller provided an overview of the budget. The Council agreed on budget items that needed to be kept in the budget, to be funded by the \$95,050 available, including the Planning Assistant, sidewalk maintenance program, move into the new police station, community center, stormwater management, and land data base. Regarding an increase in the Mayor and Council salaries for the next terms of office, the Council agreed with Councilman Winkler's suggestion that the salaries be increased by 10%, which would bring the salary of the Mayor to \$13,200, and the salary of the Council members to \$8,800. Regarding an additional police officer, the Council agreed they want to see the study that was done before they approve an addition. Mr. Miller will provide better dollar figures on budget items at next week's work session.

Regular meeting – 7:00 PM

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

Approval of March minutes

Councilman Hale made a motion to approve the minutes of the March 1, 2005 work session, March 1, 2005 closed sessions, March 8, 2005 special meeting, March 8, 2005 closed session, March 8, 2005 regular meeting, March 15, 2005 work session, and March 22, 2005 regular meeting. Councilman Winkler seconded the motion and it passed by unanimous vote.

Petitions, Communications and Appearances

Proclamation – 2005 Maryland Chiefs' Challenge – A Lifesaving Campaign

Mayor Eckman read the proclamation.

Public hearing

Request of George R. Morris to amend an Annexation Agreement to allow a fast food restaurant in the La Plata Village Center.

Mayor Eckman opened the public hearing. Mr. Miller entered into the record the Certification of Publication confirming the hearing notice was advertised in the March 2, March 9, March 16, and March 23, 2005 editions of the Maryland Independent. Mr. Miller briefly explained that Mr. Morris was asking for an amendment to the annexation agreement in order to allow construction of a Popeye's fast food restaurant.

Mayor Eckman asked if anyone in the audience wished to speak.

Don McGuire, 104 Oriole Lane, spoke in opposition to the amendment, noting the number of fast food restaurants within a 1.2 mile distance on Route 301. He further noted that fast food restaurants bring trash problems to the area, and that the owner has failed to comply with requests by the Town to clean up the property. Mr. McGuire stated he believed the Town has enough fast food restaurants and that the property should be cleaned up before anything more is allowed there. Mr. McGuire provided photographs displaying trash in the area, marked "tire today-since Saturday", "Wal Mart-Winter", "Wal Mart today", "Panquia Oaks", "near gym", "today-since Saturday".

Paula Winkler, Washington Avenue, spoke in opposition to the amendment, noting there have been complaints from the other tenants regarding the trash, and stated that the entire shopping center appears to be in a slovenly condition. Ms. Winkler also noted the national concern regarding obesity, and that fast food restaurants promote fatty foods. Ms. Winkler stated her opinion that the Town would be sending the wrong message if another fast food restaurant is allowed.

There being no other speakers, Mayor Eckman closed the hearing and explained that no action would be taken at this meeting.

Legislation

Emergency Ordinance 05-3 Correction to Election Ward Boundaries Description of Ward IV (For Adoption) – For the purpose of correcting an omission by the publisher of the Town Code in the description of the Election Ward Boundaries description of Ward IV; and matters generally relating to the correction of the description of the Ward IV Election Ward Boundaries.

Mayor Eckman briefly explained the purpose of Emergency Ordinance 05-3.

Mayor Eckman asked for a motion to suspend the provisions of Town Charter § C6-4 Ordinances and enact this as an emergency ordinance.

Councilman Winkler made a motion to suspend normal procedures and enact this as an emergency ordinance. Councilman Hale seconded the motion and it passed by unanimous vote.

Mayor Eckman asked for a motion to adopt Emergency Ordinance 05-3.

Councilman Ambrogio made a motion to adopt Emergency Ordinance 05-3. Councilman Hale seconded the motion. In discussion before the vote, Councilman Hale requested an explanation be provided to the audience regarding the ordinance. Mayor Eckman directed the Clerk to explain the purpose of Emergency Ordinance 05-3, which was to correct an omission by the publisher of the Town Code of a portion of the text specifying the boundaries of Ward IV. Vote on the motion: passed by unanimous vote.

Ordinance 05-4 Major Facilities Fees (For Introduction) – 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.

Mr. Miller briefly explained Ordinance 05-4.

Resolution 05-6 Potomac Investment Group, LLC and Maryland State Highway Administration Annexation – 22.38 Acres (For Introduction) – For the purpose of authorizing the annexation of 22.38 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 22.38 acres of land, more or less, into the Town of La Plata.

Mayor Eckman explained that the Town has to react according to State law when an annexation petition is received. He further explained that introduction of the resolution does not indicate approval or disapproval of the petition.

Ordinance 05-5 Rate of Compensation for the Legislative Body (For Introduction) – 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.

Mr. Miller briefly explained that Ordinance 05-5 would provide for an increase of 10% in the salaries of the next term of Mayor and Council members, bringing the Mayor’s salary to \$13,200 and the Council members’ salaries to \$8,800.

Unfinished Business

Council reports

Councilman Hale reported on topics discussed at the April 5 Planning Commission meeting and announced the upcoming Celebrate La Plata event to be held on April 30.

Councilman Back had no report on the Parks and Recreation Commission, which meets next on April 13, and again encouraged all to contact him with any recommendations or suggestions they have.

Councilman Ambrogio reported on topics discussed at the April 11 Beautification Commission meeting.

Councilman Winkler reported that the candidate forum hosted by the La Plata Business Association had been well attended. Councilman Winkler noted that he had spoken to Louis Grasso this morning, who advised him that P. F. Summers is working with Cathy Hardy, Historic Planner with Charles County, regarding restoration of the Grasso house, and further noted that he would obtain a copy of the document describing the restoration so it may be sent to the Town Attorney.

Mayor Eckman reported that he had spoken to Carl Rhodes of CSX in Florida regarding the GP Homes railroad crossing situation. Mayor Eckman advised he was working with Mr. Rhodes and CSX to obtain approval of a plan to have GP Homes upgrade/improve some existing crossings that need improvements. He noted that Mr. Rhodes seemed open to the concept. Mayor Eckman further noted that he hoped to accomplish this in his last weeks as Mayor, and stated he believes the Town must have that direct access to Route 301 from Heritage Green.

Mayor Eckman announced some changes to the Celebrate La Plata event: the Prayer Breakfast has been moved to ANS school, all of the activities scheduled to be held on Maple Avenue have been moved to the Town Hall property, and a parade has been added to the events.

New Business

Councilman Hale reminded all of the Primary Election to be held on Monday, April 18, from 12:00 noon until 8:00 PM.

Public Forum

Paddy Mudd passed along a concern of some neighbors that the weather vane on the Town Hall does not appear to be working and seems out of proportion to the size of the cupola. Mayor Eckman assured her that the architect designed it to be in proportion and noted that he would remind Mr. Facchina that the weather vane needs to be repaired.

Mrs. Mudd also asked about other concerns regarding her property:

(1) A family member who is an engineer has remarked that the sidewalk the Town installed along her property is a dam for water on her property, and noted that the Town had installed a drain for the Town property but not for hers. Mayor Eckman advised the Town would remedy that.

(2) The water drainage at the rear of the Town Hall property floods the Raymond property and her property. Mr. Miller advised that the Town is aware that the bio-retention facility is not working properly and that we are working with Mr. Facchina to remedy the problem.

(3) Re-grading and seeding of her property has not been done as per her agreement with the Town. Mayor Eckman and Mr. Miller advised that the Town would have that done.

(4) Trash cans are needed along the sidewalk when activities are held at the Town Hall. Mayor Eckman and Mr. Miller advised that the Town will provide the trash cans. Councilman Ambrogio advised that the Beautification Commission reviews the need for trash receptacles placed around Town, and agreed to Mayor Eckman's request that the Beautification Commission put a priority on this area.

Bob Boyce provided a brief update on the Carousel Museum project, which they hope to build by 2008.

Mike Runfola thanked Mayor Eckman for his public service to the Town. He also asked about whether the Town would bear part of the cost of the road at Route 6 and Willow Lane, as he read in the paper, and stated it was his understanding that the developer was to bear the costs of the road and golf course before any building permits were issued. Mayor Eckman advised him that the Town Council has not agreed to bear any part of the cost of the road and that all provisions of the annexation agreement remain in place, to which statement the other Council members added their agreement.

There being no further business, Councilman Hale made a motion to adjourn at 7:48 PM. Councilman Back seconded the motion and it carried.

Submitted by:

Judith T. Frazier
Town Clerk