

Mayor and Council Meeting
Town Hall, La Plata, Maryland
December 10, 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, Town Clerk

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 November minutes

Councilman Hale made a motion to approve the minutes of the November 12 meeting. Councilman Winkler seconded the motion and it passed by unanimous vote.

Councilman Ambrogio made a motion to approve the minutes of the November 26 meeting. Councilman Fritz seconded the motion and it passed by unanimous vote.

Petitions, Communications and Appearances (none)

Public Hearing

Ordinance 02-19 Historic District Landmark Designations - For the purpose of designating certain properties as historic district landmarks in the Town of La Plata; requiring the Historic District Commission to hold a public hearing prior to recommending historic district landmarks to the Mayor and Council; and all matters generally relating to said historic district designations.

Mayor Eckman opened the public hearing concerning Ordinance 02-19 Historic District Landmark Designations. Mr. Miller noted for the record that the hearing had been properly advertised in the November 22, 2002, edition of the Maryland Independent, and gave a brief summary of the ordinance. Mr. Miller advised that the Planning Commission held a public hearing on this ordinance on December 3, 2002, and passed a motion by majority vote to recommend that the Town Council approve the ordinance.

Noting that Councilman Winkler serves as chairman of the Historic District Commission, Mayor Eckman asked that he remark on the status of their work. During his brief presentation, Councilman Winkler acknowledged he was aware of the concern regarding the property at the corner of North Oak Avenue and Charles Street. He remarked that Mrs. Lawlor is in the process of selling the property to Mike Pellegrino, and noted that, if necessary, the property's historic district landmark designation could be removed at a later date if no tax credits have been received. Councilman Winkler thanked Patti Bembe, Assistant Town Manager, for her guidance regarding

historic district landmark designations.

Councilman Hale remarked that a member of the Planning Commission had expressed concern that designating the property at 600 Charles Street as an historic district landmark could create problems for the Port Tobacco Players Theater expansion and for correcting the problem with North Oak Avenue and the intersection with Charles Street. Mayor Eckman commented that the Town has discussed future plans to close Kent Avenue and open up North Oak Avenue. Councilman Winkler also noted he did not believe this ordinance will hamper the streetscape project.

Mayor Eckman thanked Councilman Winkler and the Historic District Commission for accomplishing a great amount of work on a short time schedule.

Mayor Eckman asked if anyone in the audience wished to speak for or against the ordinance.

Paula Winkler provided clarification that the streetscape project will work within existing parameters.

There being no other speakers and no further discussion by the Town Council, Mayor Eckman closed the hearing.

Mayor Eckman asked for a motion on Ordinance 02-19. Councilman Winkler made a motion to adopt Ordinance 02-19. Councilman Fritz seconded the motion and it passed by unanimous vote.

Legislation

Ordinance 02-18 Redistricting (For Introduction) - For the purpose of repealing the existing ward boundary descriptions in the Town of La Plata and adopting new ward boundary descriptions; and matters generally relating to the description of wards in the Town of La Plata.

Mr. Miller provided a brief explanation of this ordinance and noted that the Town's Board of Supervisors of Elections had met and recommended the Town Council approve the election ward changes contained in the ordinance.

Ordinance 02-20 Design Review (For Introduction) - For the purpose of defining certain terms; requiring review, comment and approval by the Design Review Board for certain projects in the C-B Central Business District before certain permits may be issued; providing that certain decisions of the Design Review Board may be appealed to the Board of Appeals by certain persons, and, thereafter, to the Circuit Court for Charles County; setting forth the powers, duties, purpose, jurisdiction, appeal process and enforcement provisions granted to the Design Review Board; providing that certain provisions of this Ordinance do not become effective until the Town has adopted Community Design Guidelines; and matters generally relating to the Design Review Board.

Ordinance 02-21 Community Design Guidelines (For Introduction) - For the purpose of

adopting Community Design Guidelines for the Town of La Plata; and all matters relating to said guidelines.

Mr. Miller briefly described Ordinance 02-20 and Ordinance 02-21, noting that these ordinances put into motion the design review provisions and guidelines on which the Vision Implementation Team has been working. Councilman Winkler praised Cheryl McGuire and Susan VanBuren for their work on the design review provisions and guidelines.

Ordinance 02-22 Setback-Urban Highway Characteristics (For Introduction) - For the purpose of establishing and defining the required setback of structures in a particular area of the Commercial Highway District zone, where the properties in that district are abutting properties in the Central Business District zone; and all matters generally relating to said setback requirements.

Mr. Miller briefly explained this ordinance and advised that public hearings have been scheduled for the Planning Commission on January 7, 2003, and for the Mayor and Council on January 14, 2003.

Ordinance 02-23 Dwellings in C-B Central Business District (For Introduction) - For the purpose of allowing dwellings in the C-B Central Business District, subject to certain conditions; specifying the conditions under which those dwellings may be allowed in the Central Business District zone; and all matters generally relating to said setback requirements.

Mr. Miller briefly explained this ordinance and advised that public hearings have been scheduled for the Planning Commission on January 7, 2003, and for the Mayor and Council on January 14, 2003.

Resolution 02-7 Automated Clearing House Agreement (For Adoption) - For the purpose of authorizing the Town Treasurer to enter into an Automated Clearing House Agreement with Mercantile-Safe Deposit and Trust Company ("Mercantile") and appoint Authorized Persons to provide information and instructions to Mercantile regarding Entry Data; and all matters relating to said Agreement.

Joe Norris, Town Treasurer, explained this resolution was needed to authorize him to sign an agreement to conduct certain on-line banking transactions.

Councilman Hale made a motion to adopt Resolution 02-7. Councilman Fritz seconded the motion and it passed by unanimous vote.

Unfinished Business

Council Reports

Councilman Hale reported on topics discussed at the December 3 Planning Commission meeting. He also congratulated Joe Harrison on the successful Christmas tree lighting ceremony held December 8.

Councilman Fritz reported that the Parks and Recreation Commission would be meeting on December 11. He also praised the Town's recent snow removal efforts.

Councilman Ambrogio reported that the Beautification Commission would not have a regular meeting in December, but would be judging the Christmas Decorations Display Contest registrants and businesses. Joe Harrison reported on the Christmas tree lighting ceremony. Mayor Eckman commented that he thought it was "outstanding" that the Christmas lights were back up on the streets in Town.

Councilman Winkler reported on several topics: (1) He presented a video of the previous meeting and reported that Mike Goggi, our cameraman from Comcast, has offered to make copies of his tapes if the Town provides blank video tapes. (2) He attended the National League of Cities conference held last week in Salt Lake City. He noted that topics included budgets and recovering from disasters. (3) Southern Maryland Works received a \$1.5 million grant from the Department of Labor. They are working on creating an inventory of Town businesses, which will be turned over to the Town to maintain, and are working on a template for emergency procedures.

Mayor Eckman reported on several topics: (1) The Southern Maryland Municipal Association will hold their annual legislative dinner on Wednesday, December 11. (2) He went to Annapolis recently and met with Governor-elect Ehrlich's transition team. It will be necessary to provide information to them regarding the needs of municipalities. (3) He met with the County regarding the courthouse project. The County is very supportive of the streetscape project. (4) Regarding the pictures posted on the meeting room walls, he noted that the Vision Implementation Team met this morning and used the new design guidelines to see how much needs to be applied to CB and CH properties. A draft of CH design guidelines may be available to the Vision Implementation Team in January and may be introduced by the Town Council in January.

Councilman Winkler also reported that attendees at the National League of Cities conference were also very concerned with Homeland Security and unfunded mandates. He also questioned Governor Glendening's recent executive order regarding wastewater treatment plants meeting higher standards, noting that if the Town's new state of the art plant will not meet those new standards, then many older plants in the state will have serious problems. Mr. Miller advised that Maryland Department of the Environment will be making recommendations in the first part of next year, and that it is unknown what action the new governor will take.

New Business (none)

Public Forum

Cliff and Nancy Cary, 123 Myrtleleaf Circle in Willowgate Subdivision, were present to discuss their concerns regarding activities at Willing Helpers Hall. Mr. Cary described an incident at his home on Thanksgiving day, at approximately 11:30 PM, when someone threw a cinder block through their living room window. He advised that the Charles County Sheriff's Office deputy, who responded to his call to 911, advised him that Willing Helpers Hall is known to law enforcement as a problem area with drugs and other problems. Mr. Cary believes this is a matter of public safety which needs the attention of the Town and the La Plata Police Department.

During the discussion which followed, Chief Gittings advised that the State's Attorney is working to improve the language in some of the Town's ordinances to help the police better enforce the ordinances. Councilman Ambrogio asked Mr. Cary to describe the location of his house in relation to the location of Willing Helpers Hall, and asked why he thought anyone from Willing Helpers Hall was involved in throwing a cinder block through his window. Mr. Cary explained that it was the first thing the Charles County Sheriff's Office deputy said to him, he had been told the same thing by another police officer, and there was an event at Willing Helpers Hall that night. Councilman Ambrogio suggested that Chief Gittings check with the Charles County Sheriff's Office to determine if any other incidents occurred in that area on November 28.

There being no further business, Councilman Hale made a motion to adjourn at 7:55 PM. Councilman Fritz seconded the motion and it carried.

Respectfully submitted,

Judith T. Frazier
Town Clerk