

Council of the Town of La Plata
Town Hall, La Plata, Maryland
Regular Meeting
May 11, 2004, 7:00 PM

Present: Mayor William F. Eckman, Councilman Wayne Winkler, Councilman Thomas W. Fritz, Councilman Gene Ambrogio; Douglas R. Miller, Town Manager; Judith T. Frazier, Town Clerk

Town staff: Joseph W. Norris, Town Treasurer; Sgt. Wayne Wathen, La Plata Police Department

Guests: (see roster)

Minutes:

Mayor Eckman called the meeting to order at 7:00 PM and called for a moment of silence in honor of the Maryland State Police officer who died in the line of duty the previous weekend. Mayor Eckman then led the Pledge of Allegiance.

Approval of April minutes

Councilman Winkler made a motion to approve the minutes of the April 13 and April 27, 2004 regular meetings. Councilman Ambrogio seconded the motion and it passed by unanimous vote.

Petitions, Communications and Appearances

Proclamation – Click It or Ticket Mobilization

Mayor Eckman read the proclamation and presented it to Sgt. Wayne Wathen, La Plata Police Department. Sgt. Wathen spoke briefly about the seat belt use enforcement campaign, noting that the Town of La Plata has posted 96% to 100% compliance at some intersections.

Public hearing

Ordinance 04-5 2004 Comprehensive Rezoning Map – For the purpose of adopting a new comprehensive rezoning map for the Town of La Plata; and all matters relating to said Map.

Mayor Eckman opened the hearing. Mr. Miller entered into the record the Certification of Publication that the hearing notice was properly published in the April 23 and April 30 editions of the Maryland Independent.

Mr. Miller provided an overview of the ordinance, and used the map on display to point out the properties proposed to be comprehensively rezoned.

Mayor Eckman asked if anyone in the audience wished to speak regarding Ordinance 04-5 2004 Comprehensive Rezoning Map. No one wished to speak.

In response to Councilman Ambrogio, Mr. Miller confirmed that notices of the hearings had been mailed to owners of property proposed to be comprehensively rezoned, and to the owners of properties adjacent to those that are subject of the rezoning. In response to Councilman Winkler, Mr. Miller confirmed that a tea room is proposed for the Christ Church rectory building, and that churches do not pay real estate taxes on church-owned property.

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

Legislation

Ordinance 04-7 Design Review Board Membership (For Introduction) – For the purpose of increasing the number of members of the Design Review Board; eliminating the alternate member position on the Design Review Board; and all matters generally relating thereto.

Mr. Miller briefly explained that the Design Review Board needs additional members to assure a quorum when Board members need to recuse themselves to avoid potential conflict of interest issues.

Resolution 04-1 Appreciation and Support of the County Commissioners of Charles County (For Adoption)

Mayor Eckman explained that this resolution was in response to the County Commissioners asking if the Town Council still supported their construction of Talbot Street. Mayor Eckman read the resolution.

Councilman Fritz made a motion to adopt Resolution 04-1. Councilman Ambrogio seconded the motion. In discussion before the vote, Councilman Winkler expressed concern regarding the route the County wants to take through the Hermitage property, and the increase of central business zoning along Washington Avenue. In response to Councilman Ambrogio, Mayor Eckman confirmed that the vote only pertained to Resolution 04-1. Mayor Eckman called for a roll call vote: Mayor Eckman and Councilmen Fritz and Ambrogio voted yea; Councilman Winkler voted nay. The motion carried by majority vote.

Unfinished Business

La Plata star

Mayor Eckman acknowledged the April 20, 2004 letter from the Beautification Commission regarding their recommendation. Paula Winkler, chairman of the Beautification Commission, advised that their recommendation was to have the star; however, they recommend that it be placed on the water tower behind the Public Works Department or on the water tower at Wills Park, due to expense, safety and maintenance issues at the former site. Councilman

Ambrogio advised that he did not vote on the issue at the Beautification Commission, of which he is ex officio member, and had reserved his vote for the Council meeting.

In response to Mayor Eckman's question regarding access to the pole for maintenance purposes, Kenny Hayden advised that SMECO has access to contractors who would be able to access the 90' pole.

Thomas F. Mudd, who was asked by Bobbie Baldus to act as spokesman, described the history of the star and Mrs. Baldus' attempts to restore it to its former location. During his presentation, he made reference to documents provided by Mrs. Baldus: (1) 1949 newspaper article regarding the Lions Club and town merchants providing the first star; (2) 1983 newspaper article regarding the efforts of Tom Higdon to create the star, and the efforts of Ed Drinks and Jimmy Smith to install the star on top of the water tower; (3) pole and installation specifications; (4) topography map of the area showing it to be the highest point above sea level in the Town; and (5) star construction specifications. Mr. Mudd pointed out that after the 2002 tornado, the Town encouraged businesses to rebuild bigger and better, and that he believes the star should be rebuilt at the old site as well. Mr. Mudd also advised they have determined there are three fire departments in Charles County with ladder trucks whose ladders are long enough to access the pole, including La Plata Volunteer Fire Department, which has a 100' ladder. He further noted that Mrs. Baldus has raised \$9,000.00 to purchase and install the pole and star, but only at the old site.

During the discussion which followed, Mrs. Baldus advised she would like to proceed with installing the star so the Garden Club may plant their garden wherever they wish. Mrs. Baldus also advised that she had spoken to members of the La Plata Garden Club, who told her they have no problem with erecting the star at the former site. Mrs. Baldus also noted that Mary Beth Chandler, of the La Plata Garden Club, informed her that the Garden Club had written a letter to the Town Council stating that.

Mrs. Baldus pointed out that they are only asking that the Town maintain the star after it is installed. She advised that there is a warranty of one year on the transformer. Mrs. Baldus also noted that transformers usually last about twelve years, and that the on-off sensor (on at night, off during the day) will improve the lifespan of the transformer. Mayor Eckman received confirmation that the Town Council is only being asked for permission to install the star on Town property and pay for its maintenance.

Councilman Ambrogio expressed concern that a ladder truck may have to drive on the garden to perform maintenance, and indicated his desire to have an agreement of some kind from the Garden Club that they don't object. Mayor Eckman noted he had experience with fire trucks and advised that the truck would have to be parked a distance from the pole in order to reach it, such as from the alley surface. Don McGuire agreed with Mayor Eckman, noting that the owners of such expensive equipment as a ladder truck would keep it on a hard surface. He further noted that a 100' ladder should be able to reach the 80' pole from 15' away from the pole.

Councilman Ambrogio remarked that another issue is people who are concerned that the pole will fall on their buildings. Mr. Hayden advised that he has had no experience with poles

going over in a storm, and noted that the star is less wind resistant. Carl Baldus pointed out that 14' of the 100' pole will be in the ground, and that it is 22" at the base and tapers to the top of the pole.

Gladys Jenkins, Peggy Stone and Jean Barbour, members of the audience, spoke in support of installing the star at the original site.

Councilman Winkler indicated that he had previously been opposed to installing the star, but noted he had based his opposition on the belief that the Town was paying \$8,000 for the project, and that he was not aware that there was a ladder truck capable of reaching the pole for maintenance purposes. Councilman Winkler stated he would advise his Ward 1 email recipients list regarding the misinformation he had previously provided to them.

Councilman Fritz stated he believed the Town's concerns have been satisfied and made a motion to approve installation of the star and pole as described by Mrs. Baldus, with future maintenance by the Town to be dealt with on a case by case basis due to financial considerations. Councilman Winkler seconded the motion. In discussion before the vote, Mr. Miller noted that utility lines will need to be marked prior to the installation. Vote on the motion: unanimous.

Jack Salyers, a member of Am Vets, asked about the status of the armed services memorial which was on the Town Hall front lawn. Mayor Eckman advised that the company that installed it had removed it and put it in temporary storage until it is placed in a similar location at the new Town Hall site.

Design Review Board alternate member appointment (To be on a future agenda.)

Council reports

Councilman Winkler reported on the status of replacing the "Business of the Year" banner displayed on the Facchina building. He advised that a sign company is making a permanent metal sign and it would be installed soon. Councilman Winkler also noted that SMECO had only charged \$2,000 to install all three poles for the warning sirens, rather than the \$6,000 he had received approval for from the Council.

Councilman Ambrogio reported on topics discussed at the Kent Avenue Revitalization Committee (KARC) meeting last week, noting that the citizen representatives are happy with the way things are going in their community. Councilman Winkler noted he had spoken to some couples who had positive comments about living in the apartment buildings. Councilman Winkler commended Councilman Ambrogio, the KARC and police department for the good work they have done in the community.

Mayor Eckman reported on the status of the new Town Hall project.

New Business

Mayor Eckman announced, with regret, the resignation of Rick Baldus from the Design Review Board and the Parks and Recreation Commission in order to spend more time with his family. Mayor Eckman praised Mr. Baldus as having gone the extra mile since he's been involved with Town government. Mayor Eckman advised that appointments will be made at the next meeting.

In response to Councilman Ambrogio's request for an update on the St. Mary's Avenue project, Mr. Miller advised that it will be done in phases: overlay from the Town boundary to at least Forest Lane this fiscal year and from Forest Lane to Charles Street in the next fiscal year.

Public Forum

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

Submitted by:

Judith T. Frazier
Town Clerk