

Council of the Town of La Plata  
Town Hall, La Plata, Maryland  
Regular Meeting  
July 13, 2004, 7:00 PM

Present: Mayor William F. Eckman, 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

Town staff: Chief Cassin B. Gittings, Sgt. William Brooks, Officer Robert Bagley - La Plata Police Department

Guests: (see roster)

*Pursuant to the requirement of Maryland Annotated Code 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 5:00 PM, Thursday, July 1, 2004, in the La Plata Train Station, 101 Kent Avenue.*

*Present: Mayor Eckman, Councilmen Winkler, Fritz, Ambrogio and Hale; Douglas R. Miller, Town Manager; Joseph W. Norris, Town Treasurer*

*On a motion made by Councilman Hale, seconded by Councilman Fritz, and by unanimous consent of the members present, the session was closed. The authority under which the session was closed was Maryland Annotated Code Section 10-508(a)(1)(i): The appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation or performance evaluation of appointees, employees, or officials over whom it has jurisdiction. The purpose of the meeting was continuation of the annual performance evaluations of the Town Manager and Town Treasurer. Action taken: continuation of performance evaluations of the Town Manager and Town Treasurer. The meeting adjourned at 6:28 PM.*

Minutes:

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

#### Approval of June minutes

Councilman Fritz made a motion to approve the minutes of the June 8, 2004 regular meeting, June 3, 2004 special meeting, June 3, June 5 and June 7, 2004 closed meetings, and the June 22, 2004 regular meeting. Councilman Hale seconded the motion and it passed by unanimous vote. Councilman Hale made a motion to open the minutes of the June 3, June 5, and

June 7, 2004 closed meetings. Councilman Ambrogio seconded the motion and it passed by unanimous vote.

### Petitions, Communications and Appearances

#### Representatives from Kent Avenue Corridor

Mayor Eckman invited Councilman Ambrogio to speak about the revitalization efforts in the Kent Avenue Corridor. Councilman Ambrogio provided a brief history of these efforts, noting in particular the recent work done to spread 70 cubic yards of mulch on Caroline Drive Park, for which he thanked the volunteers from that neighborhood: Joseph Keys, Earl Woodland, James Davis, Eric Fox, and a group of about 25 children. Councilman Ambrogio pointed out that the savings their volunteer work provided, about \$500.00, enabled the Town to purchase another piece of park equipment for Caroline Drive Park.

#### Oath of Office - Officer Thomas R. Johnston

Mayor Eckman administered the taking of the Oath of Office by Thomas R. Johnston, Police Officer of the Town of La Plata. Chief Gittings presented Officer Johnston with his badge and identification card.

### Public hearing

Ordinance 04-6 Traditional Neighborhood Development – For the purpose of creating Traditional Neighborhood Development (TND) as a floating zone within the Mixed Use District; specifying criteria and regulations for TND, defining certain terms; and all matters generally relating thereto.

Mayor Eckman opened the hearing. Mr. Miller entered into the record the Certification of Publication that the hearing notice was properly published in the June 23, 2004 edition of the Maryland Independent.

Mr. Miller provided an overview of Ordinance 04-6, noting that the Planning Commission had recommended approval with certain amendments, and that a due process provision will be provided in the final document.

Mayor Eckman asked if anyone in the audience wished to speak regarding Ordinance 04-6. A member of the audience was given clarification as to the difference between TND and regular development.

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

### Legislation

Resolution 04-2 Rupard/Brandt Construction Co., Inc. – Zoning Reclassification (For Adoption) – For the purpose of denying the application of Calvin H. Rupard and Brandt Construction Co., Inc., for the reclassification of 3.03 acres of land located on the west side of Dorchester Street, Tax Map 109, Parcel 63, in the Town of La Plata, from the CB Central Business district to I Industrial district.

Mr. Miller provided an overview of Resolution 04-2, which denies the rezoning application of Calvin H. Rupard and Brandt Construction Co., Inc. based on not meeting the “change or mistake rule”.

Councilman Ambrogio made a motion to adopt Resolution 04-2. Councilman Fritz seconded the motion and it passed by unanimous vote.

Resolution 04-4 Eighth Amended and Restated Local Government Insurance Trust Agreement (For Adoption) – For the purpose of consenting to, approving and accepting the Eighth Amended and Restated Trust Agreement of the Local Government Insurance Trust (“the Trust”); and all matters generally relating to said trust agreement.

Mr. Miller provided an overview of Resolution 04-4 and provided copies of the Executive Summary outlining the changes. Mr. Miller advised that the Town Attorney reviewed the trust agreement and had no problems with it.

Councilman Fritz made a motion to adopt Resolution 04-4. Councilman Hale seconded the motion and it passed by unanimous vote.

### Unfinished Business

#### Council reports

Councilman Ambrogio advised he had no reports from the Beautification Commission and the Kent Avenue Revitalization Committee.

Councilman Fritz advised that he had no report from the Parks and Recreation Commission, whose next meeting is August 11.

Councilman Hale thanked all who made the third annual July 4 event successful, and thanked all who attended. Councilman Hale also noted he attended the tour of the new Safeway store prior to arriving for the Council meeting, and remarked that it is an outstanding store which he believes will be a big plus for the Town.

### New Business (none)

Public Forum

Jim Turner, owner of the Brewhouse, expressed concern about the effect of the new sign regulations on retail businesses in the central business district, and asked the Town to relax the regulations and provide some consideration for retailers, noting they need to advertise on their storefronts. After a brief discussion with the Council, Mr. Turner was invited to review the sign ordinance and comment on where the regulations are restrictive. Mr. Turner agreed to provide his comments within two weeks.

Mr. Turner also reported that his customers tell him they can't walk across Charles Street, and asked what the Town is doing to enforce crosswalk regulations. Mayor Eckman and Chief Gittings described the ongoing enforcement program being conducted by the La Plata Police Department. Mayor Eckman also pointed out that the Town has been trying to get the State to allow signage in the street. In response to Mr. Turner's request as to how he could help, Mayor Eckman remarked he could write to his legislators.

Harlan Lang asked about signage for the new location of the Charles County Chamber of Commerce, tree replanting at Safeway, and a rumor that Safeway is holding up redevelopment of their former location in the La Plata Shopping Center. He was advised that a master sign plan is being reviewed for the building in which the Chamber will have offices, that the Safeway tree replanting is ongoing and must meet an approved plan, and that the prospective owner of the La Plata Shopping Center is very optimistic about redevelopment there. Mayor Eckman also pointed out that Safeway controls the remainder of their 15-year lease at the La Plata Shopping Center, which the Town can't do anything about, but the Town is concerned about that shopping center. In response to Mr. Lang's remark about other plans for development, such as Giant, Perkins and Ruby Tuesday, and the Town being blamed whenever a business decides not to locate in La Plata, Mr. Miller remarked that the Giant proposal is part of an annexation proposal which will be processed when a valid petition is received.

In response to Councilman Hale, Chief Gittings provided a brief update regarding the arson case at Silver Linden Park.

There being no further business, Councilman Hale made a motion to adjourn at 7:50 PM. Councilman Fritz seconded the motion and it carried.

Submitted by:

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Judith T. Frazier  
Town Clerk