

Council of the Town of La Plata
Town Hall, La Plata, Maryland
May 13, 2003, 7:00 PM

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

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 7:06 AM, Tuesday, May 6, 2003, in the Town Hall Conference Room.

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

On a motion made by Councilman Fritz, seconded by Councilman Hale, 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 to conduct performance evaluations of the Town Manager and Town Treasurer. Action taken: performance evaluations of the Town Manager and Town Treasurer. The meeting adjourned at 9:31 AM.

Minutes:

Mayor Eckman called the meeting to order at 7:00 PM and asked Ann Taylor and students from Milton M. Somers Middle School to lead the Pledge of Allegiance.

Ann Taylor and the students from Milton M. Somers Middle School presented a donation of \$200.00 to the La Plata Disaster Relief Fund.

Petitions, Communications and Appearances

Proclamation of May, 2003 as Poppy Month

Mayor Eckman read and presented a Proclamation of May as Poppy Month to Eileen Morgan, Poppy Chairperson, and Angela Hindle, Vice President, American Legion Auxiliary Unit 82, La Plata. Ms. Morgan briefly described the Poppy program. Ms. Hindle presented a plaque to Mayor Eckman expressing their appreciation to the Town for supporting the Poppy program.

Proclamation of May 19 – 31, 2003 as “Click It or Ticket Mobilization”

Mayor Eckman read and presented a Proclamation of May 19 – 31, 2003 as “Click It or Ticket Mobilization” to Chief Gittings, La Plata Police Department. Chief Gittings briefly described the purpose of educating the public about using seatbelts and the stepped up enforcement planned for the May 19 – 31 timeframe.

General Election Results

Mayor Eckman read for the record the results of the General Election held May 6, 2003: Ward I Councilman Ralph Wayne Winkler received eleven votes; Ward II Councilman Thomas Wayne Fritz received five votes.

Oath of Office

Mayor Eckman administered the Oath of Office to Councilman Winkler and Councilman Fritz.

Southern Maryland Heritage Area Tourism Management Plan

Joanne Roland, County Tourism Director, made a brief presentation regarding the Southern Maryland Heritage Area Tourism Management Plan and asked the Town for a resolution indicating the Town’s agreement with and support of this effort.

Approval of April minutes

Councilman Fritz made a motion to approve the minutes of the April 8, 2003 meeting. Councilman Ambrogio seconded the motion and it passed by unanimous vote.

Councilman Winkler made a motion to approve the minutes of the April 22, 2003 meeting. Councilman Fritz seconded the motion and it passed by unanimous vote.

Legislation

Ordinance 03-2 Town of La Plata Financial Plan/2003-2004 Budget and Tax Rate (For Introduction) - For the purpose of adopting the Town of La Plata Financial Plan/2003-2004 Budget and Tax Rate; and all matters generally relating thereto.

Ordinance 03-3 Fee Schedule (For Introduction) - For the purpose of adopting the Fee Schedule, dealing with fees set by the Town of La Plata; and all matters generally relating thereto.

Mayor Eckman noted that Ordinance 03-2 and Ordinance 03-3 were scheduled for public hearing later during this meeting.

Ordinance 03-4 Design Review - Commercial Highway District (For Introduction) - For the purpose of requiring review, comment and approval by the Design Review Board for certain projects in the C-H Commercial Highway District before certain permits may be issued; providing that certain provisions of this Ordinance do not become effective until the Town has adopted Commercial Highway District Design Guidelines; and matters generally relating to design review.

Mayor Eckman briefly explained this ordinance. Ms. Bembe provided clarification that these guidelines deal only with the Commercial Highway District and are similar to guidelines in place for the Central Business District.

Ordinance 03-5 Commercial Highway District Community Design Guidelines (For Introduction) - For the purpose of adopting Commercial Highway District Community Design Guidelines for the Town of La Plata; and all matters relating to said guidelines.

Mayor Eckman briefly explained this ordinance and noted that public hearings have been scheduled on June 3 before the Planning Commission and on June 10 before the Town Council.

Resolution 03-3 Schedule of Holidays (For Adoption) - For the purpose of adopting the schedule of holidays to be observed by employees of the Town of La Plata for FY 2003-2004; and all matters relating to said holidays.

Mr. Miller provided a brief explanation of this resolution, noting that the holidays listed are the same as those approved in past years. Councilman Fritz made a motion to adopt Resolution 03-3. Councilman Winkler seconded the motion and it passed by unanimous vote.

Resolution 03-4 EPA Grant (For Adoption) – For the purpose of authorizing the Chief Executive Officer of the Town of La Plata to execute and deliver on behalf of the Town of La Plata documents related to the “EPA Appropriations Act Fiscal 2003, Town of La Plata, Maryland” Grant; and all matters relating to said Grant.

Councilman Winkler made a motion to adopt Resolution 03-4. Councilman Fritz seconded the motion. In discussion prior to the vote, clarification was provided that this resolution only authorizes the Chief Executive Officer to sign certain documents relating to the grant. Mr. Miller advised that the Town is not replacing the tornado-destroyed water tower due to its size and location. He noted that the Town is allowed to use the insurance proceeds from that tower to remove a smaller tower on Radio Station Road and replace it with a standpipe-type water tower. The Town wishes to replace the smaller tower due to concerns regarding maintenance needs and lead-based paint issues. Vote: the motion passed by unanimous vote.

Public Hearing

Ordinance 03-2 Town of La Plata Financial Plan/2003-2004 Budget and Tax Rate - For the purpose of adopting the Town of La Plata Financial Plan/2003-2004 Budget and Tax Rate; and all matters generally relating thereto.

Ordinance 03-3 Fee Schedule - For the purpose of adopting the Fee Schedule, dealing with fees set by the Town of La Plata; and all matters generally relating thereto.

Mayor Eckman opened the hearing concerning Ordinance 03-2 and Ordinance 03-3. Mr. Miller entered into the record the certification of publication that the hearing for both of these ordinances had been properly advertised in the April 30, 2003 edition of the Maryland Independent. Mayor Eckman and Mr. Miller provided a brief overview of these ordinances, noting there will be a loss in state revenues, no increase in the property tax rate, and an increase in utility fees based on the 3% inflation rate. Mayor Eckman further noted that this year’s tax differential is to be 7 ½ cents,

which will be reflected on Town residents' county tax bills. Councilman Fritz remarked that he and Councilman Hale, the Council's finance committee, met several times with the Town Manager and Town Treasurer to prepare this budget, and that they plan to meet every second month in FY 03-04.

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

Glendora Rogers, 121 Kalmia Court, asked if the Town planned to do anything to fill an area where water ponds behind her property, noting her concern that it would draw mosquitoes and her concern about the West Nile virus associated with some mosquitoes. She also remarked that someone is shooting birds as they land on her fence. Ms. Rogers also asked if there are still plans to complete the street lights project in the island at her neighborhood. Councilman Ambrogio remarked that the original lights were too bright but that the Kalmia Court homeowners association president and Town staff still plan to do a review on this project. Mayor Eckman assured Ms. Rogers that the Town Council is still committed to the lighting project. Councilman Fritz remarked that the Town needs to identify water ponding sites and use a product to reduce/remove the potential for mosquitoes carrying West Nile virus.

Regina Clark, 813 Cedar Court, remarked that she was also having a problem with finding dead birds on her property and asked that the police department look into and address the problem.

Mary Drake, Washington Avenue, asked who would be legally and financially responsible when trees fall from the Safeway project and damage her property. She advised that another tree fell today. Mr. Miller advised he would ask the Town Attorney who is legally and financially responsible. Mr. Miller also advised he had spoken to an arborist, who will visit Ms. Drake's property next week to review the damage.

Bob Drake, Washington Avenue, asked who would trim the tree damaged on his property by the tree that fell on it from the Safeway project. Mayor Eckman advised that the arborist would also look at that tree.

Sandra Mitchell asked about the budget item for a concert master. Mr. Miller and Councilman Fritz explained that the Town has budgeted \$800.00 to staff the Friday night concerts held in the spring and summer.

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

Unfinished Business

Council reports

Councilman Fritz reported that the next meeting of the Parks and Recreation Commission would be in June.

Councilman Ambrogio reported on the May 7 meeting of the Kent Avenue Revitalization Committee. They plan to have a ceremony on June 13 to announce the new name of the community. They are conducting training for Citizens on Patrol. An attorney is doing pro bono work to try to activate a homeowners association. They are trying to address street lighting concerns and are trying

to get someone to clean up the felled trees in the park on Caroline Drive, which they would like to have professionally landscaped.

Councilman Winkler reported on the status of funds in the Charles County Disaster Relief Fund and the La Plata Disaster Relief Fund. They are working with Don McGuire to obtain more warning sirens for coverage in the entire town. Councilman Fritz asked that an amount be determined so developers may be advised as soon as possible. Mayor Eckman remarked that a survey is needed to determine the number of sirens needed for full coverage in the town rather than be limited to four or five locations.

Mayor Eckman reported on several items: (1) Work is being done on the Commercial Highway District design guidelines; (2) He met last week with State Highway Administration. The Centennial Street crossover is just about finished; (3) A copy of bid documents was received this week for the crosswalks project at Routes 6 and 301; (4) It is hoped that the La Grange Avenue repaving project will go out to bid soon.

New Business

Contract for Police Department-Community Center building

The Town received only one response, from Mike Pellegrino/PAS, to the request for proposals for design and architecture services for the Police Department-Community Center building. After a brief discussion, the Council agreed they wished to discuss this further at the next work session.

Councilman Ambrogio forwarded complaints from employees of Civista that they are having difficulty crossing Charles Street, even with the use of the flags. He asked if Chief Gittings could educate the public regarding stopping for pedestrians in crosswalks. Chief Gittings advised he had monitored the crosswalk but had not witnessed any motorists' violations and had not seen any pedestrians use the flags. He further noted he would research and continue to monitor the crosswalk. Councilman Ambrogio asked if it would be possible to expand the use of the flags to other crosswalks.

Public Forum (no speakers)

Motion for Closed Session

Councilman Fritz made a motion to have a closed session on May 20, 2003, at 6:00 PM, pursuant to *Annotated Code of Maryland* Section 10-508(a)(1)(i), for the purpose of continuing the performance evaluation of the Town Manager. Councilman Ambrogio seconded the motion and it passed by unanimous vote.

There being no further business, Councilman Winkler made a motion to adjourn at 8:25 PM. Councilman Ambrogio seconded the motion and it carried.

Respectfully submitted,

Judith T. Frazier
Town Clerk