

Council of the Town of La Plata
Town Hall, La Plata, Maryland
Regular Meeting
January 25, 2005, 7:00 PM

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; Chief Cassin B. Gittings, La Plata Police Department

Guests: (see roster)

Minutes:

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

Treasurer's Report

Mayor Eckman acknowledged receipt of the Treasurer's Report dated December 31, 2004.

Petitions, Communications and Appearances (none)

Legislation

Ordinance 05-1 School Seat Allocation Policy (For Introduction) – For the purpose of establishing a policy, a methodology and a process for the Town to determine and allocate available school seats in the Charles County Public Schools; prohibiting the approval of certain final plats of subdivision unless sufficient school seats are available for allocation to the proposed subdivision in accordance with the allocation policy and process; requiring as a condition of approval and issuance of a building permit for a residential dwelling unless sufficient school seats are available for allocation to the proposed dwelling in accordance with the allocation policy and process; providing certain exemptions from the requirements of this Ordinance; providing appeals from certain determinations and decisions relating to the allocation of school seats; establishing a temporary moratorium on the approval of final plats of subdivision and the issuance of certain residential building permits; providing that the provisions of this Ordinance are severable; and all matters generally relating thereto.

Mr. Miller briefly described Ordinance 05-1, noting that copies were sent to major developers asking for technical comment. Mr. Miller advised that only Jerry Lenhart had given a response, which was positive. He also noted that no public hearing is required and that the Town Council may adopt this ordinance at the February 8 meeting.

Ordinance 05-2 Election Ward Boundaries Map Update (For Introduction) – For the purpose of updating the Election Ward Boundaries Map to include within certain councilmanic wards those properties annexed into the Town known as the “Wawa Annexation – 8.774 Acres” and “McPhee Annexation – 23.62 Acres”; and matters generally relating to the updating of the Election Ward Boundaries Map.

Mr. Miller briefly described Ordinance 05-2, noting that it proposes to place the Wawa acreage into Ward I and the McPhee acreage into Wards III and IV.

Unfinished Business

Popeye's elevation approval

Mayor Eckman explained that George Morris, developer of the La Plata Village Shopping Center, has asked the Town Council to amend the annexation agreement to allow a fast food restaurant, Popeye's, and was advised that it may be allowed with certain changes. Mayor Eckman asked the Town Council if they were willing to amend the annexation agreement to allow this fast food restaurant. During the discussion which followed, Councilman Ambrogio spoke in opposition to amending the annexation agreement. Mr. Miller noted that if the Council says that the proposed Popeye's elevation is okay, this would only initiate the amendment process, which requires a public hearing. Following this discussion, Councilman Hale made a motion to initiate the annexation agreement process, look at the proposed project and decide if the Town Council wishes to amend the annexation agreement. Councilman Back seconded the motion. In discussion before the vote, Councilman Winkler questioned whether the Council is saying they would amend the agreement for a Popeye's. Mayor Eckman responded that the issue is does the Town Council want to allow fast food restaurants, not just Popeye's. Councilman Back asked if making upgrades to the existing property could be included. Mayor Eckman advised that the Town Council could include anything they wish. Councilman Ambrogio reiterated his opposition to amending the agreement that the then-Town Council believed should include no fast food restaurants. Councilman Hale noted he disagreed with Councilman Ambrogio, noting that things have changed in the fifteen years since the agreement was created, and further noting he believes a public hearing should be held to give Town residents a chance to speak on the issue. Roll call vote: Mayor Eckman and Councilmen Winkler, Back and Hale voted yea; Councilman Ambrogio voted nay. The motion carried by majority vote.

Council reports

Councilman Hale had no additional report on the Planning Commission, which met January 4, but noted that the next meeting will be February 1.

Councilman Back reported on topics discussed at the Parks and Recreation Commission meeting held January 12, noting that a local Eagle Scout presented a proposed project for Tilghman Lake. Councilman Back asked that Town residents contact him via email if they would like to volunteer to help the Town's Parks and Recreation Commission.

Councilman Ambrogio reported that the Kent Avenue Neighborhood Partnership would be meeting on March 2 at 4:00 PM, and on March 9 at 7:00 PM, and asked Paula Winkler to report on Beautification Commission activities. Ms. Winkler advised that the landscaping plan for the Train Station has been finalized and planting will be done this spring, and that the Commission will be looking at companies to provide the clock, which would be purchased with the bequest left to the Town by Kathryn Newcomb. They will narrow the list down to two or three companies and bring the information back to the Council.

Councilman Winkler reported on topics discussed at this morning's La Plata Business Association meeting. He noted that the LPBA will be asking Mr. Miller to use the Town Hall on April 7 to have a forum for Mayor candidates, and to introduce Council candidates.

In response to Councilman Ambrogio's request, Mr. Miller provided a progress report on the St. Mary's Avenue project.

In response to Mayor Eckman, Mr. Miller advised that the sewer relief project will go out this week if approval is received from EPA and MDE.

In response to Councilman Winkler, Mr. Miller explained that the police station project will be put out to bid again, and that an extension was received from FEMA regarding the grant money. Mayor Eckman noted that the Town is putting this project out to bid again to reduce the cost of the project.

New Business

Appointment of Planning Commission members

Following a discussion by the Town Council, Mayor Eckman recommended appointment of Rich Gilpin as regular member and Mark Rose as alternate member on the Planning Commission and asked for a motion to approve the appointments. Councilman Hale made a motion to approve the appointment of Mr. Gilpin as regular member. Councilman Winkler seconded the motion and it passed by unanimous vote. Councilman Ambrogio made a motion to approve the appointment of Mr. Rose as alternate member. Councilman Back seconded the motion and it passed by unanimous vote.

Public Forum

Cheryl McGuire advised that the Design Review Board would like to know when the Town will be hiring a Code Compliance Officer. Mr. Miller advised that he would be meeting with the Town Treasurer and department heads to discuss whether the position should be part-time or by contract, and this should occur in approximately one month.

In response to Robert Jacobs, Mayor Eckman provided an update on the water tower project.

There being no further business, Councilman Winkler made a motion to adjourn at 8:13 PM. Councilman Back seconded the motion and it carried.

Submitted by:

Judith T. Frazier
Town Clerk