

Council of the Town of La Plata
Town Hall, La Plata, Maryland
Regular Meeting
May 24, 2005, 7:00 PM

Present: Mayor Gene Ambrogio, Councilman Wayne Winkler, Councilman C. Keith Back, Councilwoman Paretta D. Mudd, Councilman Vic E. Newman; Douglas R. Miller, Town Manager; Judith T. Frazier, Town Clerk

Town staff: Patricia L. Bembe, Assistant Town Manager; Chief Cassin B. Gittings and Lt. Wayne Wathen, La Plata Police Department; Joseph W. Norris, Town Treasurer

Pursuant to the requirement of Annotated Code of Maryland 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 7:28 PM, Tuesday, May 10, 2005, in the La Plata Town Hall.

Present: Mayor Ambrogio, Councilmen Winkler, Back, Mudd and Newman; Douglas R. Miller, Town Manager; Patricia L. Bembe, Assistant Town Manager; Judith T. Frazier, Town Clerk.

On a motion made by Councilman Back, seconded by Councilwoman Mudd, and by unanimous consent of the members present, the session was closed. The authority under which the session was closed was Annotated Code of Maryland State Government Article Section 10-508(a)(3) – Consider the acquisition of real property for a public purpose and matters directly related thereto. The purpose of the meeting was to consider acquisition of real property for a public purpose and matters directly related thereto. Action taken: Agreed to proceed to purchase the property. The meeting adjourned at 7:42 PM.

Minutes:

Mayor Ambrogio called the meeting to order at 7:00 PM and asked Councilwoman Mudd to lead the Pledge of Allegiance.

Treasurer's Report

Mayor Ambrogio acknowledged receipt of the Treasurer's Report dated April 30, 2005.

Petitions, Communications and Appearances

Proclamation – Click It or Ticket Mobilization

Mayor Ambrogio read the proclamation. Chief Gittings commented that the La Plata Police Department hopes to continue to lead small departments in this enforcement program as they have done for the last four years, and receive recognition for that in August.

Proclamation – Pedestrian Safety Awareness and Enforcement Month

Mayor Ambrogio read the proclamation. Chief Gittings commented that the La Plata Police Department would conduct an enforcement program similar to previous years' programs.

Public hearing

Resolution 05-6 Potomac Investment Group, LLC and Maryland State Highway Administration Annexation – 22.38 Acres – For the purpose of authorizing the annexation of 22.38 acres, more or less, of contiguous land into the corporate limits of the Town of La Plata by amending the corporate limits of the Town; establishing certain terms, conditions and circumstances applicable to such land and to the owners thereof; providing for the zoning of such land upon annexation; and all matters relating to the annexation of such 22.38 acres of land, more or less, into the Town of La Plata.

Mayor Ambrogio called the hearing to order and explained the purpose of the hearing. Mr. Miller entered into the record the Certification of Publication of the hearing notice in the April 15, April 22, April 29 and May 6, 2005 editions of the Maryland Independent, the petitioner's affidavit regarding posting signs on the properties, and a letter from the County Commissioners of Charles County dated May 17, 2005.

Mr. Miller briefly described the proposed annexation.

Steve Scott, Steve Mote and Gore Bolton, representing Potomac Investment Group, and Sue Bauer and James Erdman, representing Maryland State Highway Administration (SHA), presented information about their petition to annex and answered questions posed by the Town Council.

Mayor Ambrogio asked if anyone in the audience wished to speak.

Eileen Aloisi-Morgan, 112 Dulles Street, expressed concern about the impact on existing homes of truck traffic, reduction in water pressure, environmental issues, and future use of the SHA property on the east side of Washington Avenue if they decide to sell.

In response to Ms. Morgan's remark that more information is needed, Councilman Winkler offered to speak to Mr. Mote and Ms. Bauer to schedule a meeting with the Washington Square Homeowners Association to provide more information and answer their questions.

Cathleen M. Lyon, owner of rental property next to the SHA property on the west side of Washington Avenue, expressed concern about the current high level of traffic on Washington Avenue and asked if any thought had been given to widening Washington Avenue.

Mr. Bolton responded to the concerns expressed by Ms. Aloisi-Morgan and Ms. Lyon.

Councilman Back advised that the Planning Commission held a public hearing on this annexation petition on May 17 and will have a zoning recommendation as a future agenda item. Mr. Miller advised that the Planning Commission meets June 7 and will forward their zoning recommendation. He further advised that the Town Council will begin discussing provisions of the annexation agreement at their June 7 work session, which will be provided to the Town Attorney to prepare a draft agreement.

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

Legislation

Ordinance 05-7 Town of La Plata FY2005-2006 Financial Plan/Budget (For Adoption) – For the purpose of adopting the Town of La Plata FY2005-2006 Financial Plan/Budget; and all matters generally relating thereto.

Ordinance 05-8 Fee Schedule (For Adoption) – For the purpose of adopting the Fee Schedule, dealing with fees set by the Town of La Plata; and all matters generally relating thereto.

Mr. Miller briefly explained the purpose of Ordinance 05-7 and Ordinance 05-8.

Mayor Ambrogio briefly described the meeting with the County Commissioners regarding the tax differential, noting that the Town received the full amount of \$0.097. Councilman Winkler commented that Town property owners receive this reduction and that none of the money comes to the Town. He further commented that perhaps the Town should give consideration to raising the tax rate next year by \$0.02 to help fund upgrades to the police department and bring the number of officers up to what it should be.

Mr. Miller and Mr. Norris remarked that the budget reflects an amendment due to an increase of \$28,260 in federal grants.

Councilman Winkler made a motion to adopt Ordinance 05-7 and Ordinance 05-8. Councilwoman Mudd seconded the motion. In discussion before the vote, Mr. Norris confirmed there had been no changes to expenses since the last review by the Council. Councilman Winkler remarked that Mr. Miller, Michelle Miner and he had spoken to Don McGuire regarding obtaining homeland security funding. After Mr. McGuire reviewed the budget, the Town was able to obtain a grant of approximately \$28,000 for the 800 MHz radio system. Vote on the motion: passed by unanimous vote.

Ordinance 05-9 Biannual Rental Operating License and Inspection (For Adoption) – For the purpose of providing that rental operating license and inspections and payment of associated fees be conducted on a biannual basis; and all matters generally relating thereto.

Mr. Miller briefly explained the purpose of Ordinance 05-9.

Councilman Back made a motion to adopt Ordinance 05-9. Councilman Winkler seconded and the motion passed by unanimous vote.

Unfinished Business

Council reports

Councilman Winkler reported no meeting was held by the Historic District Commission and that the La Plata Business Association meets next Tuesday. He also reported that the Maryland Municipal League (MML) had given him an award recently and noted that former Mayor Eckman and Councilman Hale had received MML awards in the past. He further noted that MML also gave awards to Senator Middleton and Delegate Levy, and said that they support municipal issues.

Councilman Back reported on topics discussed at the May 17 Planning Commission meeting.

Councilman Newman had no report.

Councilwoman Mudd reported on topics discussed at the May 16 Beautification Commission meeting.

DNR Grant - \$60,000

Councilwoman Mudd explained that the Beautification Commission reviewed the proposals of Denison Landscaping, Inc. and Ed's Plant World, and recommends that the Town Council accept the proposal of Denison Landscaping, Inc. in the amount of \$59,247.

Councilwoman Mudd made a motion that the Town Council accept the Denison Landscaping, Inc. proposal for the DNR grant. Councilman Winkler seconded the motion. In discussion before the vote, Mr. Miller and Paula Winkler provided clarification regarding the proposals, noting that the Town asked for proposals as no specifications could be provided in order to obtain bids, and that Denison provided a complete proposal. Vote on the motion: passed by unanimous vote.

New Business

Councilman Winkler referred to an article given to him by Cheryl McGuire, "Tame the Big Box", which describes options regarding size of buildings, and noted he obtained a copy of the Calvert County ordinance. Councilman Winkler recommended that the Town make anything over 75,000 square feet a special exception, and also recommended that the Vision team be reactivated and have them review and recommend how large these buildings may be. It was agreed that this would be put on a work session agenda. Councilman Winkler will provide the other Council members with copies of the article.

Public Forum

In response to Harlan Lang's question, Mr. Miller provided clarification regarding the budget issue of the St. Mary's Avenue Streetscape project.

Joe Harrison explained that there were three Leyland cypress trees planted as memorials at the Garrett Avenue town hall property, and that Mayor Eckman said new trees would be planted at the new property. Mr. Harrison asked when the trees would be planted. Ms. Winkler advised that Leyland cypress trees are not scheduled to be planted at the new property. In response to Mr. Harrison's comment that there were two other memorial trees at the old property, Ms. Winkler advised that they had been removed and replanted at Wills Park. Councilman Winkler noted he believed the Town should honor what Mr. Harrison was told and that this should be discussed with the Beautification Commission. It was agreed that the Council needed to discuss this further and that the Beautification Commission should also discuss this issue.

Bob Boyce remarked that he bought 5,000 of the bricks at the old town hall property for the memorial garden at his church.

Burkey Boggs asked the Town Council to ban Wal-Mart's use of their parking lot for their lawn and garden sales, noting that they are using up a lot of parking spaces.

There being no further business, Councilman Back made a motion to adjourn at 8:58 PM. Councilman Newman seconded the motion and it carried.

Submitted by:

Judith T. Frazier
Town Clerk