

Council of the Town of La Plata  
Town Hall, La Plata, Maryland  
Regular Meeting – 7:00 PM  
January 10, 2006

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

Town staff: Cassin B. Gittings, Chief, La Plata Police Department; B. Gayle Curry, Town Staff liaison to Beautification Commission; Joseph W. Norris, Town Treasurer

Minutes:

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

#### Approval of December minutes

Councilman Winkler moved to approve the minutes of the December 6, 2005 work session, December 6, 2005 joint work session with Planning Commission, December 13, 2005 regular meeting, and December 20, 2005 work session. Councilman Newman seconded the motion and it passed by unanimous vote.

#### Treasurer's Report

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

#### Petitions, Communications and Appearances

##### Beautification Commission presentation of Certificates of Appreciation (2005 Christmas Decorations)

Paula Winkler, Chairperson of the Beautification Commission, Mayor Ambrogio, and Gayle Curry, Town staff liaison, presented certificates of appreciation to those present of the people who won the 2005 Christmas Decorations Display contest in the residential and commercial categories:

**Residential 1<sup>st</sup> Place**

•Linda Deakins and  
Robert Gregory  
100 Peachleaf Court

**Honorable Mentions**

•Chastity Banvanlanding  
689 Piscataway Court  
•Kevin Bobish  
923 Laurel Lane  
•Jean L. Turner  
325 Jennie Run Drive  
•Donald A. Simpson  
110 Quail Court

•Ralph and Ina Connatser  
510 Scarlet Oak Road  
•Glenn and Christie Frank  
1326 Redwood Circle  
•Robert H. Boyce  
201 Oak Avenue  
•Bobbie Baldus  
8870 Old Stagecoach Road

**Commercial 1<sup>st</sup> Place**

•Optical Shoppe of La Plata  
403 Charles Street

**Honorable Mentions**

•Charles Street Boutique  
403 Charles Street  
•The Baldus Centre  
101 Charles Street  
•Abell and Associates  
314 E. Charles Street  
•Dr. Charlene Letchford  
404 E. Charles Street  
•Sycamore Accents  
406 Charles Street

**Christmas street decorations**

Bobbie Baldus provided an update on the street decorations and thanked all of the volunteers who help to prepare, install and remove the decorations. Mrs. Baldus also remarked that she would be speaking with the Beautification Commission about ordering new decorations, traditionally done in February to take advantage of a discount, and that some of the older decorations need to be replaced.

**Continued public hearing**

Petition by Rosewick Limited Partnership to annex certain parcels of land located in the Sixth Election District of Charles County, including a 2.0 ac., more or less, portion of Washington Avenue roadbed located in the First and Sixth Election Districts of Charles County. The annexation petition has been amended to reduce the acreage from 97.0 acres, more or less, to 72.6 acres, more or less.

*[Councilman Winkler recused himself from participating in the hearing and discussion, due to a possible conflict of interest arising from having an interest in a business similar to one proposed; and left the Council table until the subject concluded.]*

Mayor Ambrogio called the hearing to order. Mr. Miller entered the following documents into the record (1) the Certification of Publication of the notice of the continued hearing in the December 30, 2005 edition of the Maryland Independent; (2) Affidavit from Faison and Associates that signs were posted on the property on December 30, 2005, giving notice of the time and place of the continued public hearing; (3) memorandum from the La Plata Planning Commission, dated January 10, 2006, recommending that, if annexed, the recommended zoning be CH Commercial Highway for the parcels of land and MUD 2 on the portion of Washington Avenue which is part of the petition; (4) email from Burkey Boggs, dated December 13, 2005, in support of the annexation; (5) letter from Nina Cuevas, 105 Live Oak Court, dated December 14, 2005, withdrawing her signature from a petition signed by 33 people in support of the annexation, which was submitted at the December 13, 2005 hearing; (6) letter from Mary M. McMahon, 107 Live Oak Court, dated December 14, 2005, withdrawing her

signature from a petition signed by 33 people in support of the annexation, which was submitted at the December 13, 2005 hearing; (7) email from Cheryl E. Thomas, Welcome, Md., dated December 16, 2005, in opposition to the annexation; and (8) letter from Patricia Goucher, Director, Local Planning Assistance, Maryland Department of Planning, dated January 10, 2006.

Thomas F. Mudd, attorney for the applicant, Roger Wright, of Faison, and David Cooksey, of Loiederman Soltesz Associates, Inc., were present to provide information about the amended petition to annex. It was noted that the area previously shown as proposed to be senior housing is now shown as office building. Mr. Mudd advised they had one new exhibit to enter into the record, a letter from Mr. Cooksey to Douglas R. Miller, Town Manager, dated January 10, 2006, regarding "the location of the northern edge of the area designated Future Annexation Area on the 1997 Charles County Comprehensive Plan map." Mr. Cooksey advised he worked for the County when the Comprehensive Plan and map were developed and described his recollection that it was their intent to use Jenny's Run as the line of delineation. Mr. Cooksey further advised that this would mean the Town would have input on what land use to put on this area.

Following the applicant's presentation, Mayor Ambrogio asked Mr. Miller how the line location issue can be resolved. Mr. Miller advised that Mr. Cooksey's letter would be taken under advisement.

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

Kathleen Quade, 9604 Kline Drive, La Plata (north of Rosewick Road), spoke in opposition to the annexation and rezoning and expressed concern regarding the impact that this project's use of 100,000 gallons of water per day will have on wells in the neighboring areas, and suggested that the Town Council or Town Staff research water consumption of similar sized businesses as are proposed in this annexation and not accept at face value the information submitted by the applicant. Ms. Quade also expressed concern with the increased traffic this will bring. Ms. Quade further remarked that the Town has developable land for this type of project, which will also have an impact on water supply, and that annexing this property would create additional development and water use.

Thomas P. O'Farrell, 104 Oak Avenue, La Plata, read from a prepared statement signed by him and his wife, Jane E. O'Farrell [*copies given to the Town Council and original given to the Town Clerk for the record*], in which they express their opposition to the annexation and rezoning.

Tina Hieb, 100 Westmorland Court, La Plata, read and presented a petition containing 47 signatures of Town residents/registered voters who oppose the annexation and rezoning. [*Original petition given to the Town Clerk for the record.*]

Debra W. Posey, 510 Dogwood Court, La Plata, expressed concern about the annexation in respect to sewage discharge and the capacity at the Town wastewater treatment plant. Ms. Posey noted that the Faison study says the Town doesn't have sewer capacity if all currently

planned to be built is built-out, and expressed concern that this annexation would take away capacity from current taxpayers. Ms. Posey further expressed concern regarding the environmental impact and noted that increasing the wastewater treatment plant's capacity is a long and drawn-out process.

Amy Alexander, 148 Thomas Jefferson Street, La Plata, spoke in support of having a shopping center nearby her home in Washington Square.

Mike Runfola, 113 Morris Drive, La Plata, spoke in opposition to the annexation and rezoning. Mr. Runfola stated that Faison didn't provide adequate information at their public information meetings and that he questioned the validity of any petition in support of the annexation because he doesn't know whether or not those who signed it were informed about the proposed annexation and development. Mr. Runfola also expressed concern that the additional asphalt on this property would create storm water management issues and may cause spills at the wastewater treatment plant. Mr. Runfola further expressed concern regarding the impact that pumping 100,000 gallons of water per day will have on an aquifer which is not recharging. Mr. Runfola supports developing on land already within the Town.

Mayor Ambrogio remarked that he received a petition of support three hours before the meeting and that he called twelve of the signers and explained what was proposed. Mayor Ambrogio stated that those signers said they were unaware of that information when they signed the petition. A brief discussion ensued regarding what information Mayor Ambrogio provided and whether he was speaking for the Town when he spoke to the signers of that petition.

In closing remarks, Mr. Mudd asked that the Town Council adopt the resolution to approve the annexation at this meeting and continue working on the annexation agreement.

There being no other speakers and no further discussion by the Town Council, Mayor Ambrogio closed the hearing at 7:55 PM.

### Legislation

Resolution 06-1 - Reimbursement from Local Government Infrastructure Finance Program – 2006 Series A Bond Issue (For Adoption) – For the purpose of declaring the official intent of the Town of La Plata to reimburse expenditures to be incurred with respect to certain projects or programs or from certain funds with the proceeds of debt; and all matters relating to said reimbursement.

Mr. Miller explained the purpose of Resolution 06-1 and recommended its adoption.

Councilman Newman moved to adopt Resolution 06-1. Councilwoman Mudd seconded the motion. In discussion before the vote, Councilman Winkler asked for clarification that this would provide for replacing money the Town is currently taking from the General Fund. Mr. Miller noted that was correct. Vote on the motion: the motion passed by unanimous vote.

Ordinance 06-1 - Town of La Plata Infrastructure Bonds, 2006 Series A (For Introduction) – For the purpose of providing for the issuance and sale of an aggregate principal amount not to exceed Four Million One Hundred Thousand Dollars (\$4,100,000) of bonds of the Town of La Plata, Maryland, to be known as “The Town of La Plata, Maryland Infrastructure Bonds, 2006 Series A”, to be issued and sold pursuant to the authority of Sections 4-101 through 4-255 of the Housing and Community Development Article of the Annotated Code of Maryland, as amended, for the purpose of providing all or a portion of the funds necessary for the purpose of the following projects: Washington Avenue Sidewalks, St. Mary’s Avenue Streetscape, Well Number Eleven, Pugh Property Purchase, refunding its outstanding Infrastructure Bonds, 1996 Series A and paying the costs of issuing the bonds (as hereinafter defined); providing that the bonds shall be issued upon the full faith and credit of the Town of La Plata, Maryland; providing for the disbursement of the proceeds of the sale of the bonds and for the levy of annual taxes upon all assessable property within the Town of La Plata for the payment of the principal of and interest on the bonds as they shall respectively mature; providing for the form, tenor, denomination, maturity date and other provision of the bonds; providing for the sale of the bonds; providing that this Ordinance shall be an Emergency Ordinance, effective from the date of its passage; and providing for related purposes, including the method of fixing the interest rate to be borne by the bonds.

Mayor Ambrogio read the purpose clause of Ordinance 06-1. Mr. Miller noted that a public hearing before the Town Council has been scheduled for February 14. Councilman Winkler reminded the Town Council and Town Manager that prior to the 2002 tornado, the previous Board of County Commissioners advised they were willing to pay for half of the costs of the Washington Avenue sidewalk. He noted that while the current Board of County Commissioners still advise they are willing to pay for half of the costs for this sidewalk project, it should be included as a topic on the January 24 joint work session the Town Council will have with the County Commissioners.

### Unfinished Business

#### Budget amendment

Mr. Miller reminded the Town Council of their consensus at the last work session to provide a 5% across the board salary increase, effective February 1, and to hire an additional officer this fiscal year. He asked the Town Council for a budget amendment of \$31,000 from fund balance to the police department. Councilman Winkler moved to approve a budget amendment of \$31,000 from fund balance to the police department. Councilman Newman seconded the motion. In discussion before the vote, Councilman Winkler noted that he understands that a certain number of officers are needed in order to cover shifts, taking into account officers in court or on leave, and asked Chief Gittings what ratio of officers to residents is recommended. Chief Gittings responded that the ratio is 1 officer per 500-550 residents, to which Councilman Winkler responded that the Town would probably need about 16 officers. Councilman Newman noted that the County Commissioners say they provide about 4,000 hours of coverage for La Plata and that he wants the Commissioners to know the impact on this figure

that will occur due to the Town hiring more officers. Vote on the motion: the motion passed by unanimous vote.

New Business

Commission Reports

Councilman Newman reported that the Parks and Recreation Commission will make a recommendation regarding the skateboard facility after they receive another publication from Michelle Miner.

Councilman Back reported on topics discussed at the January 3 Planning Commission meeting and provided clarification for Mayor Ambrogio regarding the zoning recommendation the Commission made regarding the Rosewick Crossing annexation petition.

Councilman Winkler advised that the next meeting of the La Plata Business Association is scheduled for Thursday, January 12, at 8:00 AM.

Public Forum

Harlan Lang, 310 Caroline Drive, said the microphones don't work and the audience can't hear speakers. Mr. Lang also questioned why the Town Attorney is not present at meetings to answer any questions.

There being no further business, Councilman Back moved to adjourn at 8:15 PM. Councilman Winkler seconded the motion and it carried.

Submitted by:

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Judith T. Frazier  
Town Clerk