

Council of the Town of La Plata  
Town Hall, La Plata, Maryland  
May 27, 2003, 7:00 PM

Present: Mayor William F. Eckman, Councilman Wayne Winkler, 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 6:00 PM, Tuesday, May 20, 2003, in the Town Hall Conference Room.*

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

*During the regular monthly meeting of the Council of the Town of La Plata on May 13, 2003, a motion was made by Councilman Fritz, seconded by Councilman Ambrogio, and passed by unanimous consent of the members present to conduct a closed session on May 20, 2003, at 6:00 PM. 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 the continuation of the performance evaluation of the Town Manager. Action taken: continuation of performance evaluation of the Town Manager. The meeting adjourned at 7:30 PM.*

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 April 30, 2003.

#### Petitions, Communications and Appearances

Mayor Eckman read and presented a Town Seal to Joe Harrison, expressing the Town's appreciation of the fifteen years he served as Market Master of the La Plata Farmers Market.

#### Legislation

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

Councilman Hale made a motion to adopt Ordinance 03-2. Councilman Winkler seconded the motion and it passed by unanimous vote.

Ordinance 03-3 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.

Councilman Ambrogio made a motion to adopt Ordinance 03-3. Councilman Winkler seconded the motion and it passed by unanimous vote.

Resolution 03-5 Support for the Southern Maryland Heritage Area Tourism Management Plan (For Adoption) - For the purpose of expressing support for the Southern Maryland Heritage Area Tourism Management Plan; and all matters relating to said support.

Councilman Hale made a motion to adopt Resolution 03-5. Councilman Winkler seconded the motion. In discussion prior to the vote, Councilman Winkler expressed concern that La Plata was not included and noted he was only supporting this Resolution because it is a state versus county program. Mayor Eckman noted that the Town may have been asked during a time when the Town was very busy in other matters and that the Town can apply to be included. Vote: the motion passed by unanimous vote.

Resolution 03-6 Support of the Maryland Department of Housing and Community Development Neighborhood Business Development Program Financing for KNS Associates (For Adoption) - For the purpose of expressing support of the Maryland Department of Housing and Community Development Neighborhood Business Development Program financing for KNS Associates; and all matters relating to said support.

Councilman Winkler made a motion to adopt Resolution 03-6. Councilman Hale seconded the motion. In discussion prior to the vote, Mayor Eckman, Mr. Miller and Ms. Bembe responded to Councilmen Winkler's and Hale's request for more information, noting that the Town had advised property owners that the Town would support their efforts to obtain low interest loans. This Department of Business and Economic Development program requires a resolution indicating the local jurisdiction's support of their application for low interest financing. Vote: the motion passed by unanimous vote.

Resolution 03-7 Designation of Resident Agent (For Adoption) - For the purpose of designating a Resident Agent to accept service of process for the Town of La Plata; and all matters relating to said designation.

Councilman Hale made a motion to adopt Resolution 03-7. Councilman Winkler seconded the motion and it passed by unanimous vote.

### Unfinished Business

#### Council reports

Councilman Hale reported on the Memorial Day service held on the Town Hall's front lawn on Monday, May 26.

Councilman Winkler displayed a stalk of grass which was over 36" long, and advised he had removed it from the lawn at 209 Washington Avenue, property that is owned by the County Commissioners. He described a phone conversation he had with a Charles County employee regarding

the lack of grass cutting at that property, and said he was told by the County employee that, due to budget cuts and the fact that the house is to be razed, grass cutting on the property was not a high priority. Councilman Winkler also noted that the Town sent the property owner the standard letter regarding the Town's requirement that the grass be cut within a certain timeframe.

Councilman Ambrogio reported that the Kent Avenue Revitalization Committee would be meeting on May 28. They plan to have a ceremony on June 13 to install the new community sign and to announce the new name of the community. Councilman Ambrogio also reported that the Town Council would be going for a tour of the Heritage Place Apartments after this meeting. Councilman Ambrogio asked Joe Harrison to report on the Beautification Commission meeting held May 19. Mr. Harrison reported on the proposal from the La Plata Garden Club to plant a memorial garden at the old historic firehouse site. The Beautification Commission will meet with Mary Beth Chandler to get more details. The Commission also discussed placing the new star in the immediate vicinity of the memorial garden. In response to questions from Councilmen Winkler and Hale, Mr. Harrison advised: (1) The Commission declined Don McGuire's offer of a tower for the star as they only need a 90' pedestal for the star; and (2) Melwood has asked the Town to give them a project. It is planned to have them work on steps/path to Wills Park at the intersection of St. Mary's Avenue and Glen Albin Road. Discussions will also be held regarding having Melwood take care of the plantings at the two Town entrance signs along Crain Highway.

Mayor Eckman reported on his meeting with members of the Willing Helpers Society, which was arranged by Sandy Washington. They are working on some issues and solutions and will meet again soon.

#### Award architect contract for Police Department-Community Center Building

Mr. Miller advised that only one response was received to the Town's request for proposals, and recommended that the Council approve the proposal from PAS. Councilman Winkler made a motion to award the contract to PAS. Councilman Ambrogio seconded the motion and it passed by unanimous vote.

Councilman Hale asked for the status on the revisions to the Town's noise ordinance and expressed concern that the ordinance be enforceable. Mr. Miller advised that the Mayor and Chief Gittings are working on the revisions. Mayor Eckman remarked that he is working with Willing Helpers Society and looking at changes to our noise ordinance. Chief Gittings advised that our current ordinance is valid and enforceable, and that the issues being looked at include the noise levels threshold and who is to be held responsible and be the focus of enforcement.

#### New Business

##### Budget Amendments

Councilman Hale explained that Joe Norris, Town Treasurer, had prepared supporting documents and requested amendments to the FY 03 budget.

Councilman Hale made a motion to amend the FY 03 General Fund Budget by increasing anticipated revenues by \$1,373,800 in the categories outlined in the document labeled "FY 03 Revenue Amendments" and by increasing appropriations for expenditures in the amount of \$1,373,800 as

outlined in the document labeled "FY 03 Expenditure Amendments." Councilman Ambrogio seconded the motion and it passed by unanimous vote.

Councilman Hale made a motion to approve increasing appropriations in certain major categories of the General Fund, and decreasing appropriations in other major categories, as outlined in the document labeled "FY 03 Budget Amendments General Fund." Councilman Winkler seconded the motion and it passed by unanimous vote.

Councilman Hale made a motion to approve increasing appropriations for two accounts in the Major Facilities Fund as outlined in the document labeled "FY 03 Budget Amendments Major Facilities Fund." Councilman Ambrogio seconded the motion and it passed by unanimous vote.

Councilman Hale made a motion to approve increasing appropriations in certain major categories of the Water and Sewer Fund, and decreasing appropriations in other major categories as outlined in the documents labeled "FY 03 Budget Amendments Sewer Fund" and "FY 03 Budget Amendments Water Fund." Councilman Winkler seconded the motion and it passed by unanimous vote.

Councilman Hale made a motion to adopt the Fund Balances, both restricted and non-restricted as of June 30, 2002 per the audited Financial Statements, as outlined in the document labeled "Fund Balances Per Audited Financial Statements June 30, 2002." Councilman Ambrogio seconded the motion and it passed by unanimous vote.

#### Design Review Board funding recommendations

Five funding recommendations were forwarded by the Design Review Board to the Town Council:

Nancy Gasparovic, 114 La Grange Avenue, \$19,500: Councilman Hale made a motion to approve the payment of \$19,500. Councilman Winkler seconded the motion. In discussion prior to the vote, Councilman Ambrogio asked how they arrived at this amount. Cheryl McGuire, Chairman of the Design Review Board, explained that the amount was based on Ms. Gasparovic's actual expenses, and noted that if an amount is \$25,000 (the maximum funding) it would be likely that their expenses are higher than that. Vote: the motion passed by unanimous vote.

Mudd, Mudd & Fitzgerald, 106 St. Mary's Avenue, \$25,000: Councilman Ambrogio made a motion to approve the payment of \$25,000. Councilman Winkler seconded the motion and it passed by unanimous vote.

Murphy Family LLC, 106 and 108 La Grange Avenue, \$25,000: Councilman Winkler made a motion to approve the payment of \$25,000. Councilman Hale seconded the motion. In discussion prior to the vote, Councilman Hale asked for the status of building construction plans submittal. Ms. McGuire, Ms. Bembe and Mr. Miller acknowledged that plans have not yet been submitted. Mr. Miller remarked that he would provide information at a future Council meeting regarding a different procedure for entering into contracts with those who haven't done the actual construction by the June 30 deadline set by the Department of Business and Economic Development. Vote: the motion passed by unanimous vote.

Joseph Norris, 109 La Grange Avenue, \$5,000 (additional): Councilman Winkler made a motion to approve the payment of \$5,000. Councilman Hale seconded the motion and it passed by unanimous vote.

Pat Simpson, Carroll Street and Maple Avenue, \$5,000 (additional): Councilman Hale made a motion to approve the payment of \$5,000. Councilman Winkler seconded the motion. In discussion prior to the vote, Councilman Winkler asked what plans had been submitted. Ms. McGuire advised that plans were submitted for an apartment building. Vote: the motion passed by unanimous vote.

In response to Councilman Hale's question regarding the remaining balance in this fund, Ms. McGuire advised that they have one application pending and all funds will be spent.

### Public Forum

In response to a question from a member of the audience, Mayor Eckman explained that the Town is working with the State's Attorney's office and others regarding the Town's noise ordinance.

There being no further business, Councilman Winkler made a motion to adjourn at 7:46 PM. Councilman Hale seconded the motion and it carried.

Respectfully submitted,

Judith T. Frazier  
Town Clerk