

Council of the Town of La Plata  
Town Hall, La Plata, Maryland  
April 8, 2003, 7:00 PM

Present: Mayor William F. Eckman, Councilman Wayne Winkler, Councilman Thomas W. Fritz, Councilman Gene Ambrogio, Councilman Roy G. Hale; Douglas R. Miller, Town Manager; Judith T. Frazier, Town Clerk

Guests: (See attached roster)

Minutes:

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

#### Approval of March minutes

Councilman Fritz made a motion to approve the minutes of the March 11 meeting. Councilman Hale seconded the motion and it passed by unanimous vote.

Councilman Winkler made a motion to approve the minutes of the March 25 meeting. Councilman Ambrogio seconded the motion and it passed by unanimous vote.

#### Petitions, Communications and Appearances

##### William Webb, Northchase resident

Mr. Webb was present to discuss the ongoing problems caused by activities at the Willing Helpers Society on Washington Avenue. Some of the problems described included noise and parking on the streets. Mr. Webb questioned the effectiveness of the Town's noise ordinance, noting that noise ordinance citations that were issued by the police had been thrown out in court last December by the presiding judge. Mr. Webb advised he had polled some of the area neighbors and presented a petition in which "...the neighbors of *The Willing Helpers Society*, request that musical events cease at 8:00 P.M., and that all other events be kept at a reasonable noise level so as not to disturb the neighborhood."

During the discussion which followed, Chief Gittings reported that there had been 57 police calls to that location since January 2002. Chief Gittings reported that this topic had been discussed at a staff meeting held in the morning, and that it has been decided that the police department will research and enforce the appropriate state violation.

During the discussion with the Council and members of the audience regarding who should be charged, it was suggested that the ordinance should be changed to include that the owner of the property be charged. The Town Council assured Mr. Webb that the Town is committed to doing whatever is needed to assure that the noise ordinance is effective and would act as quickly as possible to accomplish that, including scheduling a meeting with the Town Attorney, the State's Attorney, and a representative of the court to discuss the noise ordinance. It was further noted that

the Town would have the La Plata Police Department check on and enforce parking violations.

### Public Hearings

#### Constant Yield Tax Rate

Mayor Eckman opened the public hearing concerning the Constant Yield Tax Rate. Mr. Miller noted for the record that the hearing had been properly advertised in the March 26, 2003, edition of the Maryland Independent. Mayor Eckman explained that the Town is required by the State of Maryland to advertise a hearing notice which makes it appear the Town is raising the property tax rate. Mayor Eckman explained that property assessments are increasing by 6.3%, creating an additional \$88,288 of property tax revenues for the Town, and that the Town is not reducing its tax rate to provide for a constant yield of tax revenue.

Mayor Eckman asked if anyone in the audience wished to speak for or against the constant yield tax rate.

In response to a question from a member of the audience, Mayor Eckman explained that while there would be \$88,288 of additional tax revenues, the Town will be losing revenue in other areas due to cuts by the State of Maryland: \$105,000 of State Highway Revenue, \$25,000 of State Income Tax, and other cuts in local aid.

In response to a question from a member of the audience, Joe Norris, Town Treasurer, explained that the FY 02-03 budget was \$3.8 million, and that the FY 03-04 budget would be approximately the same amount.

It was suggested by a member of the audience that the Town extract some sort of benefit from the Wawa annexation since Wawa will be receiving a benefit in the increase of their property value (over \$400,000 increased value) if they are annexed.

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

Ordinance 03-1 Parking Requirements in the C-B Central Business District and C-H Commercial Highway District - For the purpose of amending off-street and off-lot parking requirements in the C-B Central Business District and C-H Commercial Highway District, subject to certain conditions; specifying the conditions under which those off-street and off-lot parking spaces may be allowed in the Central Business District and Commercial Highway District zones; and all matters generally relating to said parking requirements.

Mayor Eckman opened the public hearing concerning Ordinance 03-1. Mr. Miller noted for the record that the hearing had been properly advertised in the March 21, 2003, edition of the Maryland Independent. Mr. Miller provided a brief summary of the ordinance and advised that the Planning Commission held a public hearing on this ordinance on April 1, 2003, and passed a motion to recommend that the Town Council adopt the ordinance, with the hope that handicap accessible parking spaces be provided on-site of the use where space is available, and not be located at an off-site facility 800 feet away from the use. Mr. Miller also described a suggestion to amend the requirement for restaurant uses in C-B. Restaurants are required to provide one space per 100 square feet of floor area. The amendment would require one space per 100 square feet of public accommodation area.

During the discussion which followed, Councilman Winkler suggested that businesses be required to pay for the parking spaces if they are not providing enough or any on-site of their business. Councilman Hale remarked that this was considered as another part of helping businesses in the Town. Mayor Eckman remarked that one of the goals of the Vision Plan was a walking downtown and a transition from all parking on-site to none required on-site of the business. He also pointed out that the ordinance does not give businesses dedicated spaces in lots off-site, but will reduce the need for providing all of the spaces on-site of the business. In response to Councilman Winkler's point of charging for use or putting time limits on the spaces, Mayor Eckman noted that there has always been consideration to having time limits of some type.

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

In response to a question from a member of the audience, Mayor Eckman advised that the Town currently leases about 100 spaces at the Sacred Heart Church parking lot, we will have approximately 35 at the old post office building, and are looking to lease 30 behind La Plata Liquors and 30 behind the Charles County Rescue Squad.

A member of the audience recommended that parking meters be used. Another member of the audience voiced support of the ordinance.

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

Legislation (none)

Unfinished Business

Council Reports

Councilman Ambrogio reported that the Kent Avenue Revitalization Committee held two successful community clean-up days on March 22 and March 29, and received support from the Town and County crews in hauling trash and bulk items and cutting down trees. The next

community clean-up day is scheduled for April 12 and is a joint venture with the Charles County Sheriff's Office. There will be activities for the children. An Easter egg hunt is scheduled for April 13, at 1:00 PM.

Councilman Winkler reported that Mark Rose, who is with Rural Conservation and Development and has been involved with tree and stump removal and tree replacement, began efforts to replant trees. He advised that 1500 were replanted in Morgan's Ridge on Saturday, April 5, and more are to be planted in King's Grant, around the wastewater treatment plant, and on Wicomico Street, Worcester Street and Hemlock Court. The many volunteers included members of the GFWC Shining Stars Juniorette Club. Mayor Eckman remarked that in March members of the local 4-H Club planted trees along Willow Lane in front of the school.

Councilman Hale reported on topics discussed at the April 1 Planning Commission meeting. He also remarked that a member of the Planning Commission discussed life safety codes and the need to review our codes, and a motion was passed to recommend that the Town Council conduct a review. The Council agreed to discuss this at the next work session.

Councilman Fritz reported that the Parks and Recreation Commission was scheduled to meet on April 9, and would discuss options on the park proposed at the Train Station. Councilman Fritz reported that Town crews were cleaning all of the parks in Town. He also advised he received a telephone call from the County indicating approval of connecting the northwest area of our new park at Tilghman Lake with Laurel Springs Park.

Councilman Hale reported that the committee working on the Celebrate La Plata Spring Festival was scheduled to meet April 10, and read the list of events that are being planned to celebrate what everyone has done to rebuild in the year since the tornado. Mayor Eckman noted that he was sponsoring a Prayer Breakfast as one of the events, to thank God for the way He spared lives and for guidance in putting the Town back together. The Prayer Breakfast will begin at 7:30 AM on Saturday, April 26, and will be held at Sacred Heart Church on St. Mary's Avenue. Congressman Steny Hoyer will be guest speaker. Mayor Eckman also noted that Maryland's governor, lieutenant governor and cabinet members will be at the memorial ceremony at the Charles County Government Building on Monday, April 28, 3:30 PM. An interfaith group service will conclude the events on April 28, at 7:00 PM.

Mayor Eckman reported that the Vision Implementation Team met this morning to finalize the design guidelines for the C-H Commercial Highway District, and that the Planning Commission should have that on their May agenda. He noted that sign regulations are to be removed from the individual zoning district regulations and be put in a separate ordinance.

Mayor Eckman reported that the Town is advertising a request for proposals to remodel and design the conversion of the old post office building to the La Plata Police Department and Community Center. The Town hopes to get the work done this summer.

New Business (none)

Public Forum

A resident of Northchase asked what the regulations were regarding having basketball court equipment in the streets and on the sidewalks. Chief Gittings advised that it had been researched in the past and determined that such equipment is not allowed on streets; however, he advised he would need to research whether or not such equipment is allowed on sidewalks. It was further noted that the streets and sidewalks in Northchase have not yet been turned over to the Town. Mayor Eckman explained that the Town does not take title to the infrastructure until construction is substantially complete. Mr. Webb remarked that he had spoken to someone with the Town to ask for a residents only parking sign on streets in Northchase. That person advised him that the Town could not impose parking restrictions on streets the Town doesn't own. Mayor Eckman further explained that such a restriction has never been placed on Town streets and would require a major policy change by the Town.

Councilman Winkler remarked to Mr. Webb that the Town Council works hard to enact laws to protect the public and the police work to assure that everyone abides by those regulations. He noted that it was unfortunate that after the police department enforced the laws the judge threw the case out of court.

Paula Winkler asked where the alarm systems would be installed. Mayor Eckman advised that the Town does not know and has asked Don McGuire, Charles County Emergency Services, to meet with the siren company to obtain that information.

There being no further business, Councilman Fritz made a motion to adjourn at 8:10 PM. Councilman Hale seconded the motion and it carried.

Respectfully submitted,

Judith T. Frazier  
Town Clerk