

Council of the Town of La Plata  
Town Hall, La Plata, Maryland  
Regular Meeting – 7:00 PM  
July 12, 2005

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

Town staff: Patricia L. Bembe, Assistant Town Manager; Cassin B. Gittings, Chief, 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 5:44 PM, Tuesday, July 5, 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 pursue acquisition of the property. The meeting adjourned at 5:55 PM.*

Minutes:

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

#### Approval of June minutes

Councilman Winkler made a motion to approve the minutes of the June 7, 2005 work session, June 14, 2005 regular meeting, and June 21, 2005 work session. Councilman Back seconded the motion and it passed by unanimous vote.

Petitions, Communications and Appearances (none)

### Legislation

Resolution 05-8 Civista Medical Center Wall Sign (For Adoption) – For the purpose of determining that the wall sign to be located on the north side of the proposed Civista Medical Center is of significance to the Town of La Plata and not contrary to the public interest; specifying a design and square footage allowance for a certain sign; requiring the materials, lighting and colors of a certain sign be submitted for approval by the Design Review Board; requiring an amendment to the Master Sign Plan of Civista Medical Center; and all matters generally relating to said sign.

In response to Councilman Winkler, Mr. Miller explained that the sign regulations provide for this determination and noted it is not considered a variance.

Councilman Back made a motion to adopt Resolution 05-8. Councilman Newman seconded the motion. In discussion before the vote, Mayor Ambrogio recused himself, stating he is an employee of Civista. Councilman Newman expressed concern regarding the amount of signage Civista is planning and regarding how much of this attached sign will be viewable from Charles Street. Councilman Winkler read a letter from Cheryl McGuire, Chairman of the Design Review Board, [*copy attached to original minutes*] which expressed concern with applying §191-64(t) to allow additional signage in this case. In the letter, Ms. McGuire also offered her opinion that 75 sq. ft. of illuminated building signage was adequate for way finding from Charles Street, noted the location and size of other proposed signs at Civista, and expressed concern that it may be inappropriate to do so for a “profit making concern”. Mayor Ambrogio advised he didn’t believe that Civista is a “for profit”, that it is a “not for profit.” Councilman Winkler questioned Mayor Ambrogio’s participation in the discussion before the vote, from which Mayor Ambrogio previously recused himself.

Following a brief discussion, Councilman Back made a motion to table the matter until a later date. Councilman Newman seconded the motion. Vote on the motion: Councilmen Winkler, Back and Newman voted aye; Mayor Ambrogio did not vote. The motion passed.

### Public hearing

Ordinance 05-11 Dimensional Requirements for Two-Family Dwellings – For the purpose of amending dimensional requirements for Two-Family Dwellings; and all matters generally relating to said dimensional requirements.

Mayor Ambrogio opened the hearing. Mr. Miller entered into the record the Certification of Publication of the hearing notice in the June 24, 2005 edition of the Maryland Independent.

Mr. Miller provided a brief explanation of this ordinance.

Mayor Ambrogio asked if anyone in the audience wished to speak regarding Ordinance 05-11. No one wished to speak.

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

### Unfinished Business

#### Council reports

Councilman Winkler reported on a meeting he had with Michelle Miner, the president of the La Plata Business Association, Rev. Trigg, and the County's office of tourism regarding a walking tour of La Plata and bringing more activities to the downtown area, noting they discussed possibly having at least twelve activities per year. He also reported he had distributed 2800 of the La Plata brochures to various sites.

Councilman Back reported on topics discussed at the July 5 Planning Commission meeting.

Councilman Newman reported that the Parks and Recreation Commission will meet tomorrow and will be bringing a recommendation to the Council regarding a skateboard park at Wills Memorial Park.

Mayor Ambrogio reported that the Council and some Town staff went to the Maryland Municipal League convention in June and obtained information useful to the Town.

### New Business

#### Trash Cans and Benches

Mr. Miller explained the need to suspend regular bidding procedures to accept the price quote of Victor Stanley, Inc., a company in Calvert County and the vendor recommended by the Beautification Commission. Paula Winkler, chairman of the Beautification Commission, provided descriptions of the trash cans and benches and noted that they had looked at a great many vendors, whose prices were all relatively the same.

During the discussion which followed, the Council agreed that they trusted the Beautification Commission's efforts and recommendation; however, the Council wished to see documents displaying the location plan for the cans and benches, the number of each item to be purchased, and the price of the items before voting on this expenditure. Mr. Miller advised that the Council would have the information for the next regular meeting.

#### Paving Overlay

Mr. Miller explained the need to amend the budget, suspend regular bidding procedures, amend budget, and accept the price quote from All Pro Asphalt in the amount of \$275,400.00, for the paving overlay on Redwood Circle, Potomac Street, Worcester Street, Quince Court, and Heritage Green Parkway. He noted that the Town has been successful over the years with

advertising for price quotes, which include the information that those interested should contact Steve Schroeder, Project Manager, for a description of the work and site visit. Councilman Newman asked if Silver Linden Lane and Prince Charles Drive could be included. Mr. Miller noted that additional quotes could be obtained and that an additional motion would be needed.

Councilman Back made a motion to amend the FY 06 Budget to authorize spending an additional \$59,400 from fund balance, for the purpose of paving overlay on Redwood Circle, Potomac Street, Worcester Street, Quince Court, and Heritage Green Parkway. Councilman Newman seconded the motion and it passed by unanimous vote.

Councilman Winkler made a motion to suspend regular bidding procedures pursuant to Section 43-5 of the Town Code, for the purpose of accepting the price quote of All Pro Asphalt for paving overlay on Redwood Circle, Potomac Street, Worcester Street, Quince Court, and Heritage Green Parkway. Councilman Back seconded the motion and it passed by unanimous vote.

Councilman Newman made a motion to accept the price quote from All Pro Asphalt in the amount of \$275,400.00, for the paving overlay on Redwood Circle, Potomac Street, Worcester Street, Quince Court, and Heritage Green Parkway. Councilman Winkler seconded the motion and it passed by unanimous vote.

Councilman Newman made a motion to include Silver Linden Lane and Prince Charles Drive in the paving overlay. Councilman Winkler seconded the motion. In discussion before the vote, Councilman Winkler asked if any other work was needed on Heritage Green Parkway. Mr. Miller responded that cut and patch work is needed and would cost \$43,000. Mayor Ambrogio asked if it could also be lined. Mr. Miller responded it could. Vote on the motion: passed by unanimous vote.

#### Kitty Newcomb's clock bequest

Councilman Winkler reported that the Beautification Commission needs additional funding in order to purchase the clock, which is planned to be installed in front of the new Police Station. Councilman Winkler made a motion that additional funding be provided for the clock, not to exceed \$10,000, to be installed after the Police Station is completed. Councilman Back seconded the motion. In discussion before the vote, Council members asked about the length of the warranty (3 years, plus possibility of purchasing extended warranty) and about how the clock is set (GPS). Mayor Ambrogio expressed concern regarding the need to provide additional funding to the bequest and asked what would prevent future bequests that would need additional funding. Councilmen Winkler and Back indicated that the Council would discuss and vote on them on a case by case basis. Councilman Newman noted that the clock will add to the streetscape. Vote on the motion: passed by unanimous vote.

Public Forum

In response to Robert Jacob's request, Mr. Miller provided an update on the status of the water storage facility within the Tilghman Lake property, near Radio Station Road.

In response to Norman Shelton's question regarding the proposed removal of the library, Councilman Winkler noted that Emily Ferren advised him she does not know where the library is to be moved. The Council agreed that there should be a library in the county seat and will discuss this with the County Commissioners when they meet with them in September or October.

Chief Gittings reported that additional pedestrian crossing flags have been installed at crosswalks and that the police department has extended through July the Pedestrian Safety Awareness and Enforcement program. Chief Gittings also announced that August 2 is National Night Out and encouraged those interested to contact Sgt. William Brooks for assistance in organizing the event for their community.

James Abbott, 102 Centennial Street, thanked the Town for providing the additional crosswalk flags and noted he has seen cars speeding by when pedestrians are in the crosswalk. Mr. Abbott commented he attended the recent Planning Commission meeting, during which a hearing was held regarding the TND request for Stagecoach, and stated he believed it seemed that the development would occur regardless of comments at the hearing. Councilman Back explained to him that Stagecoach already has Mixed Use Development zoning and was only before the Planning Commission requesting TND designation, which affords the Town more ability to require additional amenities and allows the developer more flexibility of housing types. Councilman Back also pointed out that the Planning Commission may only recommend to the Town Council, and the Town Council may grant or not grant the TND designation.

Councilman Newman asked if the police department could do more in enforcement at crosswalks, such as a heavy fine. Chief Gittings explained that the fine is set by the State and the Town can't increase it. He further noted that they will be actively enforcing pedestrian crossing laws.

There being no further business, Councilman Winkler made a motion to adjourn at 8:00 PM. Councilman Newman seconded the motion and it carried.

Submitted by:

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Judith T. Frazier  
Town Clerk