

Council of the Town of La Plata
Town Hall, La Plata, Maryland
Regular Meeting
July 26, 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; Cassin B. Gittings, Chief, La Plata Police Department; Joseph W. Norris, Town Treasurer; Cathy Flerlage, Director of Planning and Zoning

Minutes:

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

Treasurer's Report

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

Petitions, Communications and Appearances

Presentation by Paula Winkler, Chair, Beautification Commission – street furnishings

Ms. Winkler acknowledged the information packages given to the Council on July 21, thanked Michelle Miner for preparing them, and advised that Ms. Miner has been working with the Town Public Works Department to keep them apprised of how the products work. Ms. Winkler provided product samples for the Council to examine. Noting that the Council has reviewed the information packages, Ms. Winkler requested as chair of the Beautification Commission that the Council make a motion at this meeting to approve purchase of the trash cans and benches. Mayor Ambrogio stated that if a motion was made, it would be handled under Unfinished Business.

Legislation

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

Mr. Miller briefly explained the purpose of Ordinance 05-11.

Councilman Back made a motion to adopt Ordinance 05-11. Councilwoman Mudd seconded the motion. In discussion before the vote, Councilman Newman asked if this was for the duplexes in Agricopia. Mr. Miller noted that they were the catalyst. Councilman Back noted that the existing duplexes in Agricopia were built under the existing regulations and explained that this amendment would not change the allowed density, only allow larger duplexes. At

Councilman Back's request, Ms. Flerlage displayed the pictures (provided by Stuart Kret) which show examples of the larger duplexes. Vote on the motion: passed by unanimous vote.

Resolution 05-4 Amendment of the Morris, et al., Annexation Agreement (For Adoption) – For the purpose of approving and authorizing the amendment of a certain Annexation Agreement between the Town of La Plata, George R. Morris and others; and all matters relating to the amendment of the annexation agreement.

Mr. Miller briefly explained the purpose of Resolution 05-4, and noted that if the prohibition on a fast food restaurant is lifted for the one lot it still must go before the Planning Commission, Board of Appeals and Design Review Board.

Councilwoman Mudd made a motion to adopt Resolution 05-4. Councilman Back seconded the motion. In discussion before the vote, Councilman Winkler asked Councilman Back for his opinion on this fast food restaurant. Councilman Back stated that families are running between school, soccer and home and need someplace like this to eat. He also noted that the Town is trying to attract younger families and young professionals, and as the population grows the Town needs to look at all types of restaurants. Councilman Newman stated he didn't believe that fast food restaurants are family restaurants and pointed out that Outback and other restaurants are going to be opening in Town. In response to Mayor Ambrogio's question, George Morris described the location of the parcel which is the subject of the amendment. Councilwoman Mudd questioned Mayor Ambrogio's decision to allow discussion with Mr. Morris with a motion and second on the floor. Councilman Winkler stated he felt the Town could get better restaurants than the fast food restaurant proposed. Councilman Back stated that the Town is trying to get better restaurants in the downtown area rather than the highway area. Councilwoman Mudd stated she felt the proposed Popeye's fast food restaurant would fit that area. Councilman Back further stated that the prohibition on fast food restaurants was originally included in the annexation agreement because it was believed that fast food restaurants would ruin the neighborhood. He acknowledged that the La Plata Village Center needs to be cleaned up. Mayor Ambrogio reminded the Council that they were not voting for or against Popeye's, that the vote is whether to lift the ban on fast food restaurants.

Mayor Ambrogio called for a roll call vote on the motion to adopt Resolution 05-4: Councilmen Back and Mudd voted aye; Councilmen Winkler and Newman and Mayor Ambrogio voted nay. The motion failed.

Unfinished Business

Council reports (none)

Trash Cans and Benches

Mr. Miller explained that a motion would be needed to suspend bid procedures to allow the Town to spend more than \$10,000 to purchase trash cans and benches from the preferred vendor, Victor Stanley. Mayor Ambrogio asked for a motion. Councilwoman Mudd made a

motion to suspend regular bidding procedures pursuant to Section 43-5 of the Town Code, in order to accept the price quote of Victor Stanley, Inc. for trash cans and benches. Councilman Newman seconded the motion. Discussion before the vote: Councilwoman Mudd pointed out that the price quoted is \$13,558.20. Vote on the motion: passed by unanimous vote.

New Business

Visit by Lt. Governor Steele on August 2

Mr. Miller noted that the State Highway Administration (SHA) had been of tremendous assistance to the Town after the tornado and had then conducted the streetscape project. The SHA wishes to conduct a ceremony marking the completion of the streetscape project on Tuesday, August 2, at 2:30. Lt. Governor Steele will preside and will be bringing cabinet secretaries with him and will brief the Town about what Maryland can do for the Town. A walking tour is planned, with visits of businesses along the way, and a tour of Civista's expansion.

Public Forum

In response to questions from Tom Fenner, Mr. Miller explained what streets that state funds were used on in the streetscape project; advised the Town is working to correct the problem with the stormwater management pond behind Town Hall; advised he could speak with Ms. Flerlage regarding the status of Edelen Station; and provided a brief update on the St. Mary's Avenue project.

Joe Boswell, Activities Director of the Charles County Amateur Radio Club, thanked the Town for the use of the Train Station for two days in June while they participated in a test of maintaining radio contact during emergencies. He invited all to their next meeting at the Train Station on August 5, 7:30 p.m.

Councilman Winkler read an email from Earl Ging to Letters to the Editor, Maryland Independent, and his response to Mr. Ging. Councilman Winkler advised he would provide a copy for the record. [*Copy attached to original minutes.*]

Councilman Newman complimented Chief Gittings on the enforcement action in the crosswalks.

There being no further business, Councilman Winkler made a motion to adjourn at 7:43 PM. Councilman Newman seconded the motion and it carried.

Submitted by:

Judith T. Frazier
Town Clerk