

Council of the Town of La Plata
Town Hall, La Plata, Maryland
Regular Meeting
November 9, 2004, 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; Patricia L. Bembe, Assistant Town Manager; Judith T. Frazier, Town Clerk

Town staff: Carol L. Rollins, Administrative Assistant; Joseph W. Norris, Town Treasurer; Chief Cassin B. Gittings, La Plata Police Department

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 4:00 PM, Monday, November 1, 2004, in the La Plata Train Station, 101 Kent Avenue.

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

On a motion made by Councilman Hale, seconded by Councilman Fritz, and by unanimous consent of the members present, the session was closed. 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 continuation of the annual performance evaluation of the Town Manager. Action taken: concluded performance evaluation of the Town Manager. The meeting adjourned at 5:37 PM.

Minutes:

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

Approval of October minutes

Councilman Winkler made a motion to approve the minutes of the October 12, 2004 and October 26, 2004 regular meetings. Councilman Ambrogio seconded the motion and it passed by unanimous vote.

Petitions, Communications and Appearances

Presentation to Bob Thompson

Mayor Eckman read and presented a Town Seal and a framed print of the new Town Hall to Bob Thompson in appreciation of his service on the Planning Commission and the Building Committee for the new Town Hall.

Presentation to Charles McPherson [Mr. McPherson unable to attend this Council meeting.]

Mayor Eckman read a Town Seal which will be presented to Charles McPherson in appreciation of his service on the Design Review Board.

Public hearing

Ordinance 04-13 Sign Regulations – For the purpose of defining certain terms; specifying certain signs that are exempt from these regulations; providing that window signs are not considered part of the business' overall allowed signage; increasing the time allowed for public event signs; providing that a sandwich board sign must be on-site and does not require a permit; providing for building identification signs under a Master Sign Plan; providing corner lots with additional signage; providing buildings with multiple public entrances additional signage; providing walk-up restaurants with additional signage; providing for "grand opening" signs; clarifying detached signs; providing for signage in residential and senior living communities; providing that the provisions of this Ordinance are severable and all matters generally related thereto.

Mayor Eckman opened the hearing. Mr. Miller advised for the record that the hearing notice was properly published in the October 22, 2004 edition of the Maryland Independent, and a Certification of Publication is on file.

Mayor Eckman briefly described Ordinance 04-13. A brief discussion ensued regarding the recommendations of the Planning Commission and the changes made to address the concerns of the business community.

Mayor Eckman asked if anyone in the audience wished to speak regarding Ordinance 04-13. No one wished to speak.

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

Legislation

Ordinance 04-10 Dimensional Requirements in Senior Living Communities (For Adoption) – For the purpose of amending dimensional requirements in Senior Living Communities; and all matters generally relating to said dimensional requirements.

Mr. Miller briefly described Ordinance 04-10.

Mayor Eckman asked for motions on Amendments 1 through 3 and Ordinance 04-10.

Councilman Hale made a motion to adopt Amendments 1 through 3. Councilman Winkler seconded the motion and it passed by unanimous vote.

Councilman Fritz made a motion to adopt Ordinance 04-10 as amended. Councilman Hale seconded the motion. In discussion before the vote, Councilman Ambrogio asked for an explanation of the amendments, which Mr. Miller provided. Vote on the motion: passed by unanimous.

Ordinance 04-11 Development Plan Review Fee (For Adoption) – For the purpose of levying a Development Plan Review Fee for the review of development plans for Mixed Use Developments (MUD) and Traditional Neighborhood Developments (TND); and all matters generally related to the MUD and TND Development Plan Review Fee.

Mr. Miller briefly described Ordinance 04-11.

Councilman Hale made a motion to adopt Ordinance 04-11. Councilman Fritz seconded the motion and it passed by unanimous vote.

Unfinished Business

Council reports

Councilman Hale reported on topics discussed at the November 2 meeting of the Planning Commission. Councilman Hale also thanked all who helped organize the Veterans Salute Ceremony, noting there had been an outstanding turnout.

Councilman Fritz reported that the Parks and Recreation Commission would meet on November 10 and reported that the lowest bid received to repair the arson fire damage at Silver Linden Park is \$18,000.

Councilman Ambrogio reported on topics discussed at the November 3 Kent Avenue Revitalization Committee meeting. Councilman Ambrogio advised that one of the residents found a copy of his homeowners' association bylaws, which has been inactive since 1994. Councilman Ambrogio advised he would like guidance from the Town Attorney regarding this.

Councilman Winkler reported that the La Plata Business Association met, and also reported that the Historic District Commission will be meeting November 18 to discuss the Lawlor building on Charles Street. Councilman Winkler also reported that the La Plata Star has been installed and that the Christmas street decorations will be put up Thanksgiving week.

Mayor Eckman noted that this would be the last meeting of the Town Council in this room, and that the next meeting, December 14, will be in the new Town Hall. Mayor Eckman also noted that the new Town Hall dedication and open house is scheduled for December 21, and invited all Town residents to the open house. Mayor Eckman also reported that the 501c3 documents would be ready soon for the Charles County Fire Department Museum.

Councilman Hale announced that Breakfast with Santa was scheduled for December 18 at the new Town Hall. Mayor Eckman explained we would not be able to have our traditional Christmas tree lighting ceremony this year.

In response to Joe Harrison, Mayor Eckman advised there are no plans as yet for digging up the time capsule at the 5 Garrett Avenue Town Hall.

New Business

Planning Commission appointment

Mayor Eckman recommended that Zakary A. Krebeck, the current alternate member of the Planning Commission, be appointed to full member to fill the unexpired term of Robert W. Thompson. Councilman Hale made a motion to approve the appointment. Councilman Fritz seconded the motion and it passed by unanimous vote.

Mayor Eckman advised that an article would be included in the next issue of *Town Notes* to invite those interested in appointment to the Planning Commission alternate member position to send a letter of interest and application to the Town Clerk by January 1. The appointment will be made in February.

Design Review Board appointment

Mayor Eckman recommended that Timothy Berres be appointed to the Design Review Board to fill the unexpired term of Charles McPherson. Councilman Winkler made a motion to approve the appointment. Councilman Ambrogio seconded the motion and it passed by unanimous vote.

Budget amendments

Mr. Norris provided a brief explanation of the budget amendments. Mayor Eckman clarified that the Town is not spending more money and that this is paperwork required by the auditors.

Councilman Hale made a motion to amend the FY 04 Budget by reallocating the amount of \$1,395,000 from General Government-General Services (Capital Outlay) to the following accounts: Public Works–Streets and Stormways (Capital Outlay) \$1,300,000.00, Parks and Recreation (Capital Outlay) \$5,000.00, Miscellaneous (Insurance) \$40,000.00, and Debt service \$50,000.00; and to make said amendments effective June 30, 2004. Councilman Fritz seconded the motion. In discussion prior to the vote, Councilman Ambrogio asked for and received clarification from Mr. Norris regarding the \$40,000 expenditure for the old firehouse. Vote on the motion: passed by unanimous vote.

Presentation to Councilman Thomas W. Fritz

Mayor Eckman announced that Councilman Fritz would be resigning effective December 1, 2004, and that he and his wife would be moving to Florida to be near their children and grandchildren. Mayor Eckman read and presented a Town Seal and a plaque to Councilman Fritz in appreciation of his service to the Town. Mayor Eckman advised Councilman Fritz that he would also be receiving a framed print of the new Town Hall for his service on the Building Committee, and advised he hoped he would return for the dedication ceremony.

Public Forum

Burkey Boggs asked for information regarding the storm water management fountain by CVS, noting he has been trying to get one installed at Redwood Lake. He was advised that it belongs to the developer, who is planning to replace it with a larger one. Councilman Winkler advised he would contact John Bessey regarding the cost and vendor information.

Mr. Boggs advised he would be bringing information to the Town regarding the carousel museum project, and noted that a simple resolution from the Town Council with a letter to the Historical Trust would be helpful in obtaining grants.

In response to Jim Turner, Mayor Eckman and Mr. Miller explained that in-street pedestrian paddles would be installed by SHA in existing crosswalks on Charles Street.

Chief Gittings provided a brief update on the guilty verdict in the prosecution of the person responsible for the arson damage at Silver Linden Lake. In response to Councilman Ambrogio's request to perform another survey after the pedestrian paddles are installed, Chief Gittings advised he was applying for another pedestrian safety grant.

There being no further business, Councilman Winkler made a motion to adjourn at 7:52 PM. Councilman Ambrogio seconded the motion and it carried.

Submitted by:

Judith T. Frazier
Town Clerk