

Council of the Town of La Plata
Town Hall, La Plata, Maryland
Regular Meeting – 7:00 PM
January 9, 2007

Present: Mayor Gene Ambrogio, Councilman R. Wayne Winkler, Councilman C. Keith Back, Councilwoman Paretta D. Mudd, Councilman Vic E. Newman; Joseph W. Norris, Acting Town Manager; Judith T. Frazier, Town Clerk

Town Staff: B. Gayle Curry, Administrative Assistant; Cassin B. Gittings, Chief, La Plata Police Department

Minutes:

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

Approval of December minutes

Mayor Ambrogio moved to approve the minutes of the December 12 regular meeting and December 19 work session. Councilman Newman seconded the motion and it passed by unanimous vote.

Amendment of April 4, 2006 work session minutes

Mayor Ambrogio moved to amend the minutes of the April 4, 2006 work session, by removing all references to “Board of Fire and Rescue Commissioners” and “fire tax monies” and by replacing the first reference to “Board of Fire and Rescue Commissioners” with the word “County”, in the first paragraph under the topic “Faison Annexation.” Councilman Back seconded the motion. Following brief discussion, the motion passed by unanimous vote. The amended text is as follows:

Faison Annexation

[The Council agreed to consult with legal counsel in open rather than closed session regarding this topic.]

Prior to consulting with the Town Attorney regarding the annexation agreement, the Town Council acknowledged Donald P. McGuire, Director of Charles County Government Emergency Services Department, who reported that he was asked to represent the ~~Board of Fire and Rescue Commissioners~~ COUNTY in a meeting with Mr. Wright regarding construction of a 10,000 sq. ft. facility for the Emergency Medical Services Division (EMS) on the south side of Rosewick Road in the area of the proposed business park. Mr. McGuire stated that they were in need of a training facility and that this would house the administrative area for EMS and a location from which to respond to areas north of Rosewick Road. He advised that funding would be provided by the County, ~~Board of Fire and Rescue Commissioners, and fire tax monies~~, and that this use meets the County’s definitions to be included in a business park.

Treasurer’s Report

Mayor Ambrogio acknowledged receipt of the Treasurer’s report dated December 31, 2006.

Petitions, Communications, Appearances, and Public Forum

Beautification Commission presentation of Certificates of Appreciation (2006 Christmas Decorations)

Paula Winkler, Chairperson of the Beautification Commission, Mayor Ambrogio, and Gayle Curry, Town staff liaison, presented certificates of appreciation to those present of the people who won the 2006 Christmas Decorations Display contest in the residential and commercial categories:

Residential

1st Place

Frederic and Catherine Smith
1108 Cornwall Drive

2nd Place

Kevin and Lorin Bobish
923 Laurel Lane

3rd Place

Wayne and Linda Davis
1366 Redwood Circle

Residential Honorable Mentions

•Michael and Kristina Raymond

208 St. Mary’s Avenue

•James and Betty Williams

303 Arlington Drive

•Michael and Monica Easter

233 Williamsburg Circle

Commercial 1st Place

Raymond Funeral Service, P.A.

5635 Washington Avenue

Commercial Honorable Mentions

•Abell and Associates

314 E. Charles Street

•Charles Street Boutique

403 Charles Street

•Optical Shoppe of La Plata

403 Charles Street

•Title Professionals, LTD.

114 La Grange Avenue

Public Forum

Harlan Lang, 310 Caroline Drive, stated he had four items: (1) He would like to have the minutes posted to the web page sooner than a month after the meeting, noting that he checked other towns and learned they post copies marked draft before posting the approved minutes. (2) There has been no update regarding the hiring of a Town Manager. (3) He requested a waiver to the fee of \$500, which he stated Mr. Norris advised was a deposit required in advance, for his Public Information Act request for 6 months of emails. Mr. Lang stated it was done free the last time and he believes it should be part of the administrative costs of running the organization. (4) The Town conducts the Pledge of Allegiance before meetings. Congress also has prayer before their meetings. Has the Town considered including this, or the National Anthem?

Tom Fenner, 308 Prince Georges Street, spoke about the need for additional sidewalks in the Town.

Legislation

Ordinance 07-1 Election Ward Boundaries Map Update (For Introduction) – For the purpose of updating the Election Ward Boundaries Map to include within a councilmanic ward the properties annexed into the Town known as the “Potomac Investment Group, LLC and Maryland State Highway Administration Annexation – 23.02 Acres” and the “Rosewick Limited Partnership Annexation – 74.6032 Acres”; and matters generally relating to the updating of the Election Ward Boundaries Map.

Mayor Ambrogio acknowledged receipt of the letter to the Town Council from the Town of La Plata Board of Supervisors of Elections, dated December 21, 2006, recommending the

councilmanic ward assignments. In response to Councilman Winkler's question, the Town Clerk advised that even though these annexed properties were not zoned for residential development, they must be assigned to councilmanic wards, which the Town's Board of Supervisors of Elections recommends to the Town Council for their approval.

Ordinance 07-2 Regulation of Smoking and Tobacco Products – Exceptions (For Introduction) – For the purpose of defining certain terms; providing certain exceptions from certain prohibitions against smoking or possessing lighted tobacco products under certain circumstances; and all matters generally related thereto.

Councilman Back provided information regarding the purpose of this ordinance and advised that Councilman Newman also wishes to be included in the "Introduced By:" line.

Councilwoman Mudd asked that a special meeting be scheduled rather than wait until the next regular meeting on February 27 to adopt this ordinance. Mr. Norris advised that he may also have items that may need to be addressed prior to the February 27 meeting. Mayor Ambrogio disagreed with scheduling a special meeting, preferring to discuss the ordinance at a work session and vote on it at the next regular meeting. Councilman Back stated that waiting seven weeks until the next meeting would delay providing relief to private clubs and bars, and noted that special meetings had been scheduled in the past to vote on other topics. In response to Councilman Newman's question regarding how to bring this to a vote in a special meeting, the Town Clerk advised that a motion could be made to conduct a special meeting prior to a work session on a specified date and time. Mayor Ambrogio stated for the record that he was against holding any additional work sessions, that the Council can discuss it at upcoming work sessions, and that a notice could be put out to the La Plata Business Association and through the newspaper that we would like to hear some resident input.

Councilwoman Mudd moved to schedule a special meeting before the work session on February 13, at 6:00 PM, at which time to bring this ordinance to a vote. Councilman Newman seconded the motion. Following discussion, a roll call vote was taken: Councilmen Back, Mudd and Newman voted aye; Mayor Ambrogio voted nay; Councilman Winkler abstained. The motion passed by majority vote.

Resolution 07-1 Waiving Town's Right to Enforce Indenture (For Introduction and consideration of adoption) – For the purpose of waiving the Town's right to enforce a certain August 22, 1978 Indenture involving the La Plata Commerce Center with respect to a proposed Site Plan submitted on behalf of Levin Construction Corporation for the construction of a building to house the High Road School; and matters generally related to the Town's right to enforce this Indenture.

Mr. Norris briefly described the purpose of Ordinance 07-1, noting that he was instructed at the last work session to ask the State Highway Administration (SHA) how much of a setback they needed for any possible future additional lane on Rt. 301. Mr. Norris advised that SHA responded they would need 28' for a single additional lane on Rt. 301. Mr. Norris also noted that the proposed building on the property will be 71' from Rt. 301, further noting that this is more of a setback than provided by an existing building on this property.

Mr. Norris explained that the Town Council does not have to adopt this resolution at this meeting, but that this project has been delayed while waiting for the Town Council to address the 200' setback as contained in the Indenture. If the Town Council adopts the resolution, the project will then go before the Planning Commission.

Councilman Winkler moved to adopt Resolution 07-1. Councilwoman Mudd seconded the motion and it passed by unanimous vote.

Unfinished Business (None)

New Business

Commission Reports

Mayor Ambrogio reported on topics discussed at the Beautification Commission's January meeting.

Councilman Winkler complimented the Beautification Commission members and Gayle Curry, staff liaison, for the outstanding job they did on the Town Hall Christmas decorations and the landscaping work along La Grange Avenue. Councilman Winkler also suggested that a special award be given to Barbara and Carl Baldus for all of the work they do regarding the street decorations.

Councilwoman Mudd reported on topics discussed at the Design Review Board's January 3 meeting. Councilwoman Mudd expressed concern regarding the black lamp posts, which she noted include some that don't work, some that lean, and some that have different colored bulbs which cast different colors of light. Councilwoman Mudd requested that Town Staff review the lamp posts for repairs and consistency of lighting.

Councilman Newman stated he believed that there was a lot of development in the Town for pharmacies, fast food restaurants and gas stations, and questioned how the Town could encourage developers to build specialty stores and more upscale restaurants and shops. Councilman Winkler suggested that the Town work with John Reardon, Director of the Charles County Economic Development Department, to attract more high end businesses to the Town.

Councilman Back reported that the guest speaker, Bill Eckman, had been unable to make a scheduled presentation at the January 2 meeting of the Planning Commission, but that the presentation was being made this evening in the Town Hall's 2nd floor conference room.

Chief Gittings provided an update on the robbery at the BB&T bank the morning of January 3, noting that the suspect was apprehended by the joint "text book response" efforts of the La Plata Police Department and Charles County Sheriff's Office. Chief Gittings advised that La Plata Police Officers Cunningham and Jones did an excellent job and that letters of commendation had been given to these officers and placed in their personnel files. The Town

Council agreed with Councilwoman Mudd's suggestion that the Town Council send letters of appreciation to Officers Cunningham and Jones.

Councilman Newman made brief remarks as follow-up to comments from Mr. Lang and Mr. Fenner during Public Form.

There being no further business, Mayor Ambrogio moved to adjourn at 7:59 PM. Councilman Winkler seconded the motion and it passed by unanimous vote.

Submitted by:

Judith T. Frazier
Town Clerk