

Council of the Town of La Plata  
Town Hall, La Plata, Maryland  
Regular Meeting  
June 22, 2004, 7:00 PM

Present: Councilman Roy G. Hale, mayor pro tem, Councilman Wayne Winkler, Councilman Thomas W. Fritz, Councilman Gene Ambrogio; Douglas R. Miller, Town Manager; Patricia L. Bembe, Assistant Town Manager; Judith T. Frazier, Town Clerk

Town staff: Joseph W. Norris, Town Treasurer; Chief Cassin B. Gittings and Officers Brooks and Schubert, La Plata Police Department

Guests: (see roster)

Minutes:

Due to the absence of Mayor Eckman, Councilman Hale acted as mayor pro tem. Councilman Hale called the meeting to order at 7:00 PM and then led the Pledge of Allegiance.

#### Treasurer's Report

Councilman Hale acknowledged receipt of the Treasurer's Report dated May 31, 2004.

#### Petitions, Communications and Appearances

##### Promotion – William Brooks

Acknowledging and praising his work history with both the Prince George's County Police and the La Plata Police Department, Chief Gittings presented a Certificate of Promotion, sergeant stripes and badge to Sgt. William Brooks, whose wife then pinned the badge onto his uniform.

#### Legislation

Ordinance 03-19 Traditional Neighborhood Development (To be withdrawn) – For the purpose of creating Traditional Neighborhood Development (TND) as an overlay zone within the Mixed Use District; specifying criteria and regulations for TND, defining certain terms; and all matters generally relating thereto.

Mr. Miller brief briefly explained that a motion was needed to withdraw Ordinance 03-19, after which an updated version will be introduced.

Councilman Winkler made a motion to withdraw Ordinance 03-19 Traditional Neighborhood Development. Councilman Ambrogio seconded and the motion passed by unanimous vote.

Ordinance 04-6 Traditional Neighborhood Development (For Introduction)– For the purpose of creating Traditional Neighborhood Development (TND) as a floating zone within the

Mixed Use District; specifying criteria and regulations for TND, defining certain terms; and all matters generally relating thereto.

Mr. Miller briefly explained Ordinance 04-6 and advised that public hearings will be held during the July 6, 2004 Planning Commission meeting and the July 13, 2004 Town Council meeting. In response to Councilman Winkler, Mr. Miller explained the process to obtain TND designation.

### Unfinished Business

#### Council reports

Councilman Winkler reported on the La Plata Business Association meeting held this morning, noting concern had been expressed about the traffic in La Plata. Councilman Winkler also discussed the notice in the Maryland Independent, written by Jon Johnson, describing why he went out of business. Councilman Winkler referred to Mr. Johnson's statement that a Town Council member had threatened to close Kent Avenue and that would close his business. Councilman Winkler pointed out that the Town Council had only held discussions regarding a potential realignment which would close a portion of Kent Avenue by the drugstore, widening of North Oak Avenue, and placement of a traffic signal at that intersection, and noted that research had revealed that the realignment would not work. Councilman Winkler further pointed out that the Town Council did not try to close Mr. Johnson's business, and noted it is hoped another small drugstore that makes prescription medicine deliveries will operate in La Plata. Councilman Winkler also reported that the three warning sirens will be installed next week.

Councilman Ambrogio gave an update on the Kent Avenue community, noting that the playground equipment is in and that community members spread some of the 70 cubic yards of wood chip. Councilman Ambrogio further noted that the Town has been asked to help move the rest of the wood chip further off the street and that it is hoped that community members will be able to finish spreading it by tomorrow evening. Councilman Ambrogio also reported on topics discussed at the Beautification Commission meeting held June 21, noting that concern has been expressed regarding the poor condition of a couple of the large oak trees planted on Oak Avenue, which Russell Watson feels is due to a water maintenance issue.

Councilman Fritz reported that the Parks and Recreation Commission approved funding for parks at Phoenix Run, Hemlock Court, and the Train Station, and that Wills Park is next. Councilman Fritz also noted that Parks and Recreation has \$100,000 available to spend. Councilman Fritz announced that the planned open date for Tilghman Lake Park is Saturday, September 4, and that the pier must be removed before the park can be opened. Councilman Fritz acknowledged that the Town still lacks a park on the western side of La Plata, and pointed out that the Town has been unsuccessful in locating land to purchase to develop a park, for which Program Open Space money is still available.

Councilman Hale received confirmation from Don McGuire that the weather service confirmed we had a class F-0 tornado the evening of June 17.

Councilman Hale reported that the Town Council will be attending the Maryland Municipal League convention in Ocean City next week. Councilman Hale announced that the Town will hold the annual July 4 event at the Train Station.

### New Business

#### Budget amendments

Joe Norris, Town Treasurer asked the Council to approve amendments to the FY 04 budget by increasing the appropriation in the following General Ledger Accounts, as contained in a document dated June 22, 2004, and provided to each Council member:

#### Department 301 Tornado

Account 090 Capital Outlay: increase \$51,000 to a total of \$69,290.

Account 102 Professional Services: increase \$31,000 to a total of \$31,000.

#### Department 320 Protective Inspection

Account 010 Operating Expense: increase \$20,000 to a total of \$150,000.

#### Department 620 Streets and Stormways

Account 042 Repairs and Maintenance: increase \$42,000 to a total of \$52,000.

Account 099 Equipment Replacement: increase \$8,000 to a total of \$19,000.

Account 624 Overlay: increase \$10,000 to a total of \$60,000.

#### Department 630 Parks and Recreation

Account 090 Capital Outlay: increase \$13,000 to a total of \$103,973.

Councilman Fritz advised that he and Councilman Hale met with Mr. Norris and reviewed the requested budget amendments.

Councilman Fritz made a motion to approve the FY 04 budget amendments, dated June 22, 2004. Councilman Winkler seconded and the motion. In discussion before the vote, Mr. Norris responded to Councilman Winkler's request to explain Department 320 Protective Inspection. Mr. Norris noted that due to the increased building activity, the Town is paying more to Middle Department Inspection Agency for inspections. He further noted that the Town has revenues to cover the expenses, but that he must have approval for the increase. Vote on the motion: unanimous.

### Public Forum

Jim Goldsmith described the damage and passed around photographs of trees felled during the storm the evening of June 17 between his and his neighbors' Washington Avenue homes and the Safeway property. Mr. Goldsmith remarked that he believed the loss would not be as great if the Safeway property had not been developed. Mr. Goldsmith also described deficiencies in the buffer yard plantings and asked the Town to enforce the approved landscape plan. He asked for the Town's support and asked that the occupancy permit not be issued for Safeway until everything is complete. Councilman Winkler remarked that Cathy Flerlage, Director of Planning and Zoning, met with Mr. Goldsmith and measured trees in the buffer yard and another meeting is scheduled on June 23, with the developer, Town officials and neighboring property owners. Councilman Hale recommended the Town wait until after the June 23 meeting,

and also recommended that an occupancy permit not be issued to Safeway until all requirements are complete and concerns are addressed.

La Plata Police Department

Chief Gittings reported that as of Thursday, the La Plata Police Department offices will be at 400 Dorchester Street, near the Town Public Works building. Chief Gittings also reported on the first pedestrian crosswalk enforcement activity conducted earlier today in front of Civista. He advised that in a 2-hour period, 52 vehicles in violation of the crosswalk laws were stopped. The drivers were given educational material. In response to questions from Mr. Norris, Chief Gittings briefly discussed the crosswalk use protocol for pedestrians and drivers.

There being no further business, Councilman Ambrogio made a motion to adjourn at 7:54 PM. Councilman Winkler seconded the motion and it carried.

Submitted by:

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Judith T. Frazier  
Town Clerk