

Council of the Town of La Plata
Town Hall, La Plata, Maryland
Regular Meeting – 7:00 PM
March 27, 2007

Present: Mayor Gene Ambrogio, 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: Cassin B. Gittings, Chief, La Plata Police Department

Pursuant to the requirement of Annotated Code of Maryland State Government Article Section 10-509(c)(2), these statements are included in these minutes:

▶ A closed session of the Council of the Town of La Plata was held at 5:40 PM, Tuesday, March 6, 2007, in the La Plata Town Hall.

Present: Mayor Ambrogio, Councilmen Winkler and Back; Joseph W. Norris, Acting Town Manager; Judith T. Frazier, Town Clerk

On a motion made by Mayor Ambrogio, seconded by Councilman Back, 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 discuss acquisition of property for Public Works Building. Action taken: A motion was adopted to authorize Mr. Norris to negotiate for the purchase of property, at a specific purchase amount and with stipulations. The meeting adjourned at 6:18 PM.

▶ A closed session of the Council of the Town of La Plata was held at 6:47 PM, Tuesday, March 13, 2007, in the La Plata Town Hall.

Present: Mayor Ambrogio, Councilmen Winkler, Back and Mudd; Joseph W. Norris, Acting Town Manager; Judith T. Frazier, Town Clerk; Frederick C. Sussman, Town Attorney

On a motion made by Mayor Ambrogio, 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; and 10-508(7) – Consult with legal counsel to obtain legal advice. The purpose of the meeting was to discuss acquisition of property for utility easements and consult with legal counsel to obtain legal advice. Action taken: A motion was adopted to accept the terms and conditions of the Turner/Hayden and the Tilghman/Hayden properties acquisition, and to authorize the Town Manager to sign the letter. The meeting adjourned at 6:59 PM.

► *A closed session of the Council of the Town of La Plata was held at 8:32 AM, Saturday, March 24, 2007, in the La Plata Town Hall.*

Present: Mayor Ambrogio, Councilmen Winkler, Back, Mudd and Newman; Joseph W. Norris, Acting Town Manager; Patricia L. Bembe, Assistant Town Manager; Michelle D. Miner, Assistant Town Manager; Judith T. Frazier, Town Clerk

On a motion made by Mayor Ambrogio, seconded by Councilman Back, 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)(1)(i) – Discuss 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 to discuss Town Manager recruitment process and to interview prospective candidates for the position of Town Manager. Action taken: The Council consulted briefly with Robert E. Slavin, President, Slavin Management Consultants, and interviewed five candidates for the position of Town Manager. Following the interviews, the Council agreed upon a course of action regarding the top two candidates. The meeting adjourned at 3:00 PM.

Minutes:

Mayor Ambrogio called the meeting to order at 7:00 PM and asked the La Plata High School Wrestling Team to lead the Pledge of Allegiance.

Approval of February minutes

Mayor Ambrogio moved to approve the minutes of the February 13 work session, February 20 work session, February 26 special meeting, February 26 closed session, and February 27 regular meeting. Councilwoman Mudd seconded the motion and it passed by unanimous vote.

Treasurer's Report

Mayor Ambrogio acknowledged receipt of the Treasurer's report dated February 28, 2007.

Petitions, Communications, Appearances, and Public Forum

Proclamation – Municipal Government Works Month – April 2007

Mayor Ambrogio read the Proclamation declaring April, 2007 as Municipal Government Works Month.

Proclamation of Congratulations to the La Plata High School Varsity Wrestling Team

Mayor Ambrogio read the Proclamation of Congratulations to the La Plata High School Varsity Wrestling Team for their achievements during the 2006 and 2007 seasons and he and the Council presented it to the team.

Public Forum (No one wished to speak.)

Legislation

Resolution 07-2 Charter Amendment – Purchasing – Competitive Bidding (For Adoption) – For the purpose of amending the Charter of the Town of La Plata to amend the amount of expenditure exempt from certain competitive bidding and advertising requirements; and all matters generally relating thereto.

Councilman Newman moved to adopt Resolution 07-2. Councilman Back seconded the motion. Roll call vote: Mayor Ambrogio and Councilmen Back, Mudd and Newman voted aye. Motion carried by unanimous vote.

Ordinance 07-4 Purchasing – Competitive Bidding (For Adoption) – For the purpose of amending the amount of expenditure exempt from certain competitive bidding and advertising requirements; providing that the provisions of this Ordinance are severable; and all matters generally relating thereto.

Mayor Ambrogio moved to adopt Ordinance 07-4. Councilwoman Mudd seconded the motion and it passed by unanimous vote.

Resolution 07-3 Charter Amendment – Separation of Title of Clerk-Treasurer to Town Clerk and Town Treasurer (For Adoption) – For the purpose of amending the Charter of the Town of La Plata to provide for the separation of the title Clerk-Treasurer to the titles of Town Clerk and Town Treasurer; and all matters generally relating to the separation of the title of Clerk-Treasurer to Town Clerk and Town Treasurer.

Mayor Ambrogio moved to adopt Resolution 07-3. Councilwoman Mudd seconded the motion. Roll call vote: Mayor Ambrogio and Councilmen Back, Mudd and Newman voted aye. Motion carried by unanimous vote.

Ordinance 07-5 Separation of Title of Clerk-Treasurer to Town Clerk and Town Treasurer (For Adoption) – For the purpose of amending the Code of the Town of La Plata to provide for the separation of the title Clerk-Treasurer to the titles of Town Clerk and Town Treasurer; defining certain terms; providing that the provisions of this Ordinance are severable; and all matters generally relating thereto.

Councilwoman Mudd moved to adopt Ordinance 07-5. Councilman Back seconded the motion and it passed by unanimous vote.

Resolution 07-4 Pipeline Crossing Agreements with CSX Transportation, Inc. (For Introduction and Adoption) – For the purpose of authorizing Joseph W. Norris, Acting Town Manager of the Town of La Plata, to execute and deliver on behalf of the Town of La Plata documents related to the Pipeline Crossing Agreements; and all matters relating to said Agreements.

Mr. Norris provided a brief explanation of Resolution 07-4.

Councilman Newman moved to adopt Resolution 07-4. Councilwoman Mudd seconded the motion and it passed by unanimous vote.

Resolution 07-5 Adoption of “Hazard Mitigation Plan, Charles County, Maryland, April 2006” (For Introduction and Adoption) – For the purpose of adopting the “Hazard Mitigation Plan, Charles County, Maryland, April 2006”; and all matters relating to adoption of said Plan.

Mr. Norris provided a brief explanation of Resolution 07-5.

Mayor Ambrogio moved to adopt Resolution 07-5. Councilman Newman seconded the motion. Following discussion, the motion passed by unanimous vote.

Mayor Ambrogio introduced the following ordinances.

Ordinance 07-6 Town of La Plata FY2007-2008 Tax Rate (For Introduction) – For the purpose of adopting the Town of La Plata FY2007-2008 Tax Rate; and all matters generally relating thereto.

Ordinance 07-7 Town of La Plata FY2007-2008 Financial Plan/Budget (For Introduction) – For the purpose of adopting the Town of La Plata FY2007-2008 Financial Plan/Budget; and all matters generally relating thereto.

Ordinance 07-8 Fee Schedule (For Introduction) – For the purpose of adopting the Fee Schedule, dealing with fees set by the Town of La Plata; and all matters generally relating thereto.

Mr. Norris noted that the water and sewer fees and major facilities fees may increase, which will be done by way of amendments to the ordinance. It was further noted that public hearings are scheduled on April 24, 2007, on the Constant Yield Tax Rate, Ordinance 07-7 and Ordinance 07-8.

Ordinance 07-9 Traditional Neighborhood Development – Frontage on Public Green Space; Thoroughfare Designs (For Introduction) – For the purpose of allowing a principal building’s front door to open directly to a frontage line on a public green space, under certain circumstances; providing clarification as to the location within the Code of design criteria for standard Town thoroughfares; specifying that the Planning Commission shall have flexibility to consider and approve alternative thoroughfare designs within a designated TND only; providing that the provisions of this Ordinance are severable; and all matters generally relating thereto.

Mr. Norris and Councilman Back provided a brief explanation of Ordinance 07-9. It was announced that hearings are scheduled on this ordinance on May 2 by the Planning Commission and on May 22 by the Town Council.

Public Hearing

Ordinance 07-3 Board of Appeals – Notice of Hearings and Time Limitations – For the purpose of altering the filing procedures and time required to set a hearing date for matters to come before the Town Board of Appeals; altering the length of time when certain decisions of the Board of Appeals shall lapse; providing that the provisions of this Ordinance are severable; and all matters generally relating thereto.

Mayor Ambrogio called the hearing to order at 7:25 PM. Mayor Ambrogio read the memorandum to the Town Council from the La Plata Planning Commission, dated March 7, 2007, which contained the motion made at their March 6, 2007 meeting, recommending that the Town Council adopt Ordinance 07-3. Councilman Back reported that no one spoke for or against the ordinance at the Planning Commission hearing and that the Commission supports the amendments. The Clerk entered into the record the memorandum from the Planning Commission and the Certification of Publication of the notice of the hearing in the March 7, 2007 edition of the Maryland Independent.

Mayor Ambrogio asked if anyone wished to speak. No one wished to speak.

There being no speakers, Mayor Ambrogio closed the hearing at 7:27 PM.

Unfinished Business (None)

New Business

Commission Reports

Councilwoman Mudd reported on topics discussed at the Design Review Board's March meeting. Councilwoman Mudd also reported that the Kent Avenue Corridor neighborhood would hold a clean-up day and spring party on Saturday, April 14, with clean-up beginning at 8:00 AM and the party at 12:00 noon.

Mayor Ambrogio reported that Paula Winkler, Chair of the Beautification Commission, has resigned from the Beautification Commission effective after their April meeting. Mayor Ambrogio also reported that John Reardon attended the La Plata Business Association meeting and he invited Mr. Reardon to address the Town Council in May. Mayor Ambrogio announced that Celebrate La Plata Day will be held on April 28, and that the dedication of the Star Memorial Courtyard and Garden will be held at 11:00 AM.

Councilman Back reported on topics discussed at the Planning Commission's March 6 meeting.

Councilman Newman reported that work is continuing on the parks plan.

There being no further business, Mayor Ambrogio moved to adjourn at 7:32 PM. Councilwoman Mudd seconded the motion and it passed by unanimous vote.

Submitted by:

Judith T. Frazier
Town Clerk