

Council of the Town of La Plata
Town Hall, La Plata, Maryland
June 10, 2003, 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

Guests: (see roster)

Minutes:

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

Approval of May minutes

Due to the number of sets of minutes and the amount of material, Councilman Hale advised that more time is needed for review. Councilman Hale made a motion to table approving the May minutes until the next meeting, which will be in July. Councilman Fritz seconded the motion and it passed by unanimous vote.

Petitions, Communications and Appearances (none)

The agenda was corrected by Mayor Eckman to indicate that Sandy Washington-Kent Avenue Corridor Survey Results would be on the July 8 agenda.

Public Hearing

Ordinance 03-4 Design Review - Commercial Highway District - For the purpose of requiring review, comment and approval by the Design Review Board for certain projects in the C-H Commercial Highway District before certain permits may be issued; providing that certain provisions of this Ordinance do not become effective until the Town has adopted Commercial Highway District Design Guidelines; and matters generally relating to design review.

Ordinance 03-5 Commercial Highway District Community Design Guidelines - For the purpose of adopting Commercial Highway District Community Design Guidelines for the Town of La Plata; and all matters relating to said guidelines.

Mayor Eckman opened the hearing. Mr. Miller entered into the record the Certificate of Publication verifying that the hearing had been properly advertised in the May 23, 2003 edition of the Maryland Independent. Mr. Miller advised that the Planning Commission held a hearing June 3, 2003, on Ordinance 03-4 and recommended that the Town Council adopt Ordinance 03-4. Mr. Miller provided a brief explanation of both ordinances.

Mayor Eckman asked if anyone in the audience wished to speak for or against the ordinances. No one wished to speak.

In response to questions from Councilman Winkler and Councilman Hale, Mr. Miller explained the "certain" projects and permits wording in the purpose clause, and noted that these guidelines cannot be applied to any permits until the guidelines are adopted and are in effect.

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

Legislation

Ordinance 03-4 Design Review - Commercial Highway District (For Adoption) - For the purpose of requiring review, comment and approval by the Design Review Board for certain projects in the C-H Commercial Highway District before certain permits may be issued; providing that certain provisions of this Ordinance do not become effective until the Town has adopted Commercial Highway District Design Guidelines; and matters generally relating to design review.

Councilman Winkler made a motion to adopt Ordinance 03-4. Councilman Hale seconded the motion and it passed by unanimous vote.

Ordinance 03-5 Commercial Highway District Community Design Guidelines (For Adoption)- For the purpose of adopting Commercial Highway District Community Design Guidelines for the Town of La Plata; and all matters relating to said guidelines.

Mayor Eckman expressed concern about adopting Ordinance 03-5 due to his belief that the design guidelines need to be amended to include the new sign ordinance. He noted that it was possible to adopt and then modify the guidelines at a later date. Mayor Eckman also remarked that the Planning Commission had expressed concern and noted a need to take time to look at the document. Councilman Hale remarked that the Planning Commission had concerns which included buffers, and noted he agreed that the Town Council should delay adoption and discuss this at the next work session. Councilman Winkler advised that he felt the ordinance should be adopted and modified later due to the CVS and other projects which will soon come before the Town. Cheryl McGuire, Chairman of the Design Review Board, remarked that the Kentucky Fried Chicken project is a major issue coming before them and that the design guidelines are needed now.

Councilman Fritz made a motion to adopt Ordinance 03-5. Councilman Hale seconded the motion and it passed by unanimous vote.

Unfinished Business

Council reports

Councilman Ambrogio reported that the Kent Avenue Corridor Revitalization Committee will hold an event on June 13, at 6:00 PM, to announce the new name of the community and display the new sign. He advised they were working on getting new lights installed on Caroline Drive and looking at improving the lighting on Kalmia Court. Councilman Ambrogio also advised that more trees have been removed from the park on Caroline Drive, and that the work is progressing well.

Councilman Winkler reported on several topics: (1) The Town Council will be meeting with the La Plata Business Association on June 17 to discuss ways the Town can support their efforts; (2) He asked Mark Rose to advise how to best spend the approximately \$100,000 remaining in the Charles County Disaster Relief Fund; and (3) Don McGuire gave him a copy of the warning sirens RFP, which he will review Wednesday.

Councilman Fritz reported that the Parks and Recreation Commission would be meeting June 11, at 5:00 PM, and will be discussing the status of the Tilghman Lake park project, upgrade to the parks at the Train Station and on Caroline Drive, and maintenance issues in all Town parks. Councilman Fritz accepted Councilman Winkler's offer to contact someone regarding a fence for the Train Station. Councilman Fritz announced that Civista is one of the sponsors of the annual Relay for Life cancer fund raiser at La Plata High School on Friday, June 13.

Councilman Hale reported on the June 3 Planning Commission meeting. Councilman Hale announced that the Town will have the 4th of July Celebration again this year at the Train Station, from 11:00 AM to 1:00 PM.

Mayor Eckman reported that the Crain Highway/Centennial Street crossover is open, and noted that the delay in opening was due to rain preventing the striping part of the job. Mayor Eckman also reported that the Centennial Street extension/La Grange and Maple Avenues upgrade project is being delayed due to having to wait for approval from Maryland Historic Trust

Councilman Winkler reported that he met recently with Thomas Pete Hayden, whose father was a photographer with the Times Crescent, and who has 3800 negatives of Charles County events covering an extensive period of time. Councilman Winkler plans to research the ability and cost of putting the images on CDs, and will be looking for financial help via grant money from the Maryland Historic Trust, money from Charles County Historic Society, and from the Town if many of the images are La Plata-related.

New Business

Grant application – Kent Square Homeowners Association

The Council discussed Kent Square Homeowners Association's request for \$300.00, to be used for a cook-out for the Kent Square community and invited guests. It was noted that the Town has not approved grants for individual neighborhoods and approving this would be precedent-setting. Regina Clark, a member of the Kent Avenue Corridor Revitalization

Committee, advised that Mike Murphy, President of the Kent Square Homeowners Association, has told her that Kent Square does not wish to participate with the rest of the neighborhood. Ms. Clark urged the Town Council to deny the grant.

Following this discussion, Councilman Fritz made a motion to reject Kent Square Homeowners Association's grant request. Councilman Hale seconded the motion and it passed by unanimous vote.

Grant application – La Plata Blue Knights

The Council discussed La Plata Blue Knights' request for \$1,800.00, to be used to pay for the rental of a storage unit for uniforms and equipment, which the Town has been financially supporting for several years. Councilman Hale remarked that this organization serves children from neighborhoods throughout La Plata, and noted that the cost of the storage unit had increased from \$1,500.00 to \$1,800.00. Councilman Hale made a motion to approve this grant request. Councilman Winkler seconded the motion. In discussion prior to the vote, Councilman Ambrogio expressed his support of what this organization does for youth, but noted that he would only agree to a grant of \$1,500.00, with the difference made up by fund raising activities by the La Plata Blue Knights. Vote on the motion: Mayor Eckman and Councilman Winkler, Fritz and Hale voted aye; Councilman Ambrogio voted nay. The motion carried by majority vote.

Road overlay bids

Mr. Miller explained that bids were received from All-Pro Asphalt (\$97,600.00) and Francis O. Day Co., Inc. (\$125,146.00), for the road overlay project on Butternut Court, Aspen Court, Scarlet Oak Road, and Quailwood Parkway. Mr. Miller recommended accepting All-Pro Asphalt's low bid of \$97,660.00, money for which is in the FY03 budget. Councilman Hale made a motion to accept All-Pro Asphalt's low bid of \$97,660.00. Councilman Fritz seconded the motion and it passed by unanimous vote.

June 24, 2003 meeting

Mayor Eckman explained that a motion was needed to cancel the June 24 meeting due to the Council's attendance of the Maryland Municipal League Convention in Ocean City during that week. Councilman Fritz made a motion to cancel the June 24 meeting. Councilman Winkler seconded the motion and it passed by unanimous vote.

Councilman Fritz remarked that his homeowners insurance policy increased after the tornado and that he discovered his insurance policy would pay \$500.00 to the volunteer fire department for responding to calls at his property. He noted that this is a great loss of income for the volunteer departments, and said they need to bill him so his insurance company will pay them. He also pointed out that this is something all homeowners pay for in their policies. Don McGuire advised the same situation exists with billing for ALS service, and that the County is attempting to do third party billing.

Councilman Ambrogio advised that the next issue of the newsletter may be mailed by the end of the week, remarked that he hopes we will get on a better schedule, and noted that we have a new printing company preparing our newsletters.

Councilman Ambrogio noted that he asked Chief Gittings for information about the laws regarding pedestrians and crosswalks, and advised he wants the Town to declare September as Pedestrian Safety Month and to provide the public with pedestrian/crosswalk education.

Councilman Winkler asked about repairs to Hawthorne Drive due to the CVS and Safeway projects. Mr. Miller advised that occupancy permits will not be issued until all repairs are done to the Town's satisfaction.

Public Forum

William Webb, resident of Northchase Subdivision, asked about the status of the Town's efforts to resolve the problems caused by loud music at activities held at Willing Helpers Hall. Mayor Eckman described his recent meeting with representatives of the Willing Helpers Society. He also noted that the Town is working to amend our noise ordinance to provide for using a meter for measuring decibels of sound. He reminded that the judge threw out the ticket written previously as not proper because it should have been issued to the band and not to the people running the dance event. In response to Mr. Webb's request for confirmation, Sgt. Wathen advised that the band would be charged this weekend if necessary.

Jim Goldsmith asked for an update on the activity behind his Washington Avenue property and to the response to Mary Drake's questions regarding liability for damages caused by trees falling from the construction project onto her property. Mr. Miller explained that the Town has no liability and that Philips Edison has no liability to provide a wind buffer.

In response to a question from Bob Jacobs, Mr. Miller explained he believed that the clearing north of town was part of the Rosewick Road extension project. He noted that the Town has been asked to annex in that area for a Giant store.

There being no further business, Councilman Hale made a motion to adjourn at 8:33 PM. Councilman Ambrogio seconded the motion and it carried.

Respectfully submitted,

Judith T. Frazier
Town Clerk