

Mayor and Council Meeting  
Town Hall, La Plata, Maryland  
March 26, 2002, 7:00 PM

Present: Mayor William F. Eckman, Councilman Wayne Winkler; Councilman Thomas W. Fritz, Councilman Gene Ambrogio; Douglas R. Miller, Town Manager; Judith T. Frazier

Guests: (See attached roster)

Minutes:

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

#### Treasurer's Report

Mayor Eckman acknowledged receipt of the Treasurer's Report dated February 28, 2002.

#### Petitions, Communications and Appearances

Mayor Eckman presented a Proclamation of March as Red Cross Month to Mike Zabko, Executive Director, American Red Cross-Charles County Chapter, and thanked Mr. Zabko for the work done by the Red Cross. Mr. Zabko spoke briefly about the services provided by the Charles County Chapter.

#### Public Hearing: Constant Yield Tax Rate

(THE FOLLOWING IS A SUMMARY OF THE PUBLIC HEARING PROCEEDINGS. AN AUDIOTAPE OF THE COMPLETE HEARING IS ON FILE AT TOWN HALL.)

Mayor Eckman opened the public hearing concerning the Constant Yield Tax Rate. Mr. Miller noted for the record that the hearing had been properly advertised in the Maryland Independent. Mayor Eckman explained that the wording of the notice was required by the State, and that the notice makes it seem that the Town is raising its property tax rate, which is not the case. Mayor Eckman explained that assessments are increasing, creating an additional tax revenue, and that the Town is not reducing its tax rate to provide for a constant yield of tax revenue.

After determining that no one in the audience wished to speak on the subject, and that the Town Council had no comments, Mayor Eckman closed the hearing at 7:07 PM.

#### Legislation

Ordinance 02-12 2002 Comprehensive Plan (For Introduction) - For the purpose of adopting a new comprehensive plan for the Town of La Plata; and all matters relating to said plan.

Mr. Miller provided a brief explanation and advised that this ordinance may be adopted in two weeks. He noted there are some minor corrections to be made.

### Unfinished Business

Councilman Winkler provided an update on the **caboose project**, advising that Joe Husick will move it to our track in about two weeks, at a cost of \$2800. Councilman Winkler also advised he sent an e-mail to the Town Manager regarding having the paint sandblasted off the caboose at the same time as the tower is being sandblasted. This was considered to be a good idea if the price is reasonable. The issue of lead base paint was briefly discussed.

### New Business

Mayor Eckman asked the Town Council to approve hiring Ben Dyer Associates to do the engineering on the **St. Mary's Avenue upgrade project**, as discussed at the work session. Councilman Winkler made a motion to authorize the expenditure out of the visioning plan money. Councilman Fritz seconded the motion and it passed by unanimous vote.

Mayor Eckman announced that **Benjamin Norton**, of Matula Elementary School, won the Maryland Municipal League's "If I Were Mayor I Would" contest in our district.

### Public Forum

Rocky Spalding and Susie Spalding were present to express their concerns regarding the **negative impact of the Facchina office building project** on their parents, Charles and Irene Spalding, 109 Howard Street. They pointed out that work there has started very early in the morning and ended very late in the evening, in some instances starting as early as 3:30 AM and lasting until 10:00 PM. They pointed out that there is a lot of noise and bright lights. Mr. Spalding remarked that the Town's Noise Ordinance prohibits this. Ms. Spalding also pointed out that the noise awakened two sleep-in crews at the nearby Charles County Rescue Squad, noting that these are volunteers serving the community. Mr. Miller explained the process of issuing a noise permit when it is felt to be an emergency or public necessity, as was the case for the concrete pours.

Phil Mueller, of Facchina Construction Company, explained that the poor nature of the soils there required them to pour a concrete mat footing, which required a massive amount of concrete. The amount of time it takes to pour that much concrete necessitated an early start. He noted that they planned three pours but accomplished it with two. Mr. Mueller advised that they will work from 7:00 AM until 5:00 PM from now on, noting there should be no other reasons to start earlier or work later, and that the work crews have been advised to be aware of the neighbors and do all they can to minimize disruptions in the neighborhood. Ms. Spalding remarked that work began at 6:15 this morning. Mr. Mueller advised he would make sure the work crews strictly adhere to the times allowed for work.

Mr. Spalding expressed deep concern that no one bothered to call his parents and tell them in advance of the need to issue a noise permit to allow some of the work. Mayor Eckman apologized profusely for not notifying them. Councilman Ambrogio stated that he was told the week before that they would be notified, and apologized that notification was not made.

During the discussion, it was explained that there would be no privacy fence behind the building, as required behind WalMart, because the buffer regulations do not require one if a commercial zoned property abuts another commercial property. WalMart's commercial property abuts a residential property. Howard Street is zoned commercial. In response to Ms. Spalding's concern about the safety of fire and rescue personnel in case of a building collapse at this project, Mayor Eckman explained that the buildings plans were reviewed by BOCA and welcomed Ms. Spalding to look at the plans.

Responding to a comment made regarding the potential of the new courthouse project creating the same noise and disturbance problems in that neighborhood, Councilman Fritz remarked that there would be an underground parking lot which may require the same type of concrete pours. He advised that he would bring this to the County's attention

Mayor Eckman apologized again and stated that in the future the Town will notify neighbors of this type of situation.

Paula Winkler remarked about the amount of mud on Centennial Street. She pointed out that she knew they were trying, but asked if mud could be washed off the trucks before they leave the site. Mr. Mueller remarked that they brought in a flusher truck and sweeper truck. Mayor Eckman advised Mr. Mueller that they could be doing a better job than they currently are doing.

Councilman Winkler asked that the floodlights not be directed at the Spalding residence. Mayor Eckman advised Mr. Mueller to be sure they don't.

There being no further business, Councilman Fritz made a motion to adjourn at 7:29 PM. Councilman Ambrogio seconded the motion and it carried.

Respectfully submitted,

Judith T. Frazier