

Council of the Town of La Plata
Town Hall, La Plata, Maryland
Work Session – 7:00 PM
August 10, 2010

Present: Mayor Roy G. Hale, Councilman R. Wayne Winkler, Councilman C. Keith Back, Councilwoman Paretta D. Mudd, Councilman Joseph W. Norris; Daniel J. Mears, Town Manager; Danielle Mandley, Town Clerk; Frederick C. Sussman, Town Attorney

Town Staff: Robert W. Oliphant, Treasurer; David M. Jenkins, Director of Municipal Development;

Minutes:

Call to Order

Mayor Hale called the meeting to order at 7:02 PM.

Matters of Council Discussion

- Presentation: Mike Chopp – Kent Avenue and Charles Street intersection concerns.

Mayor Hale introduced Mr. Chopp, and briefly explained his concerns regarding the intersection of Kent Avenue and Charles Street.

Mr. Chopp presented pictures and diagrams of the County Drug, Port Tobacco Players, and Mimi's Dry cleaner's parking lot. Mr. Chopp's recommendation was to move the current parking spaces to the front of the building to eliminate the blocked view of Charles street from Kent Avenue. Mr. Chopp further stated that Mary Trollinger, Administrative Assistant for Public Works should be commended for her efforts to schedule tree removal following a storm.

- Draft Resolution: In support of petitioning the Administration and the Maryland General Assembly to reinstate, State shared revenues

Mayor Hale provided a summary of the State Shared Revenue Recovery Action Kit that was sent to him from the Maryland Municipal League. Included in the action kit was a request for all Maryland Municipalities to support the League's efforts to reinstate Highway User Revenues.

Council consensus: Following discussion, the Town Council agreed consider the resolution at the August 31, 2010 Regular Meeting.

- Johel Limited Partnership and FCD-Development, LLC
Petition for Annexation and Supplements to Annexation Petition
La Plata Crossing / Walmart Supercenter.
[Description: Discuss Draft Annexation Agreement.]

Mr. Mears briefly discussed the updated Draft Annexation Agreement item pertaining to a Vacancy Penalty that would be assessed in the event the existing Walmart remained vacant for an extended period of time following the move to the new location (if Annexation Adopted and approved).

- Vacancy Penalty

Thomas Klein, representing Wal-mart, briefly described the counter offer in regards to the Council's proposed Vacancy Penalty. The Vacancy Penalty counter offer consisted of:

- 0-18 Months: No Penalty incurred
- 18-36 Months: \$5,000 per month penalty incurred
- 36-46 Months: \$10,000 per month, with a maximum of \$100,000 in penalties incurred
- The total maximum penalties potentially incurred to be \$190,000

Council consensus: Following discussion, the Town Council agreed that any incurred penalties would be appropriated for Economic Development; require regular updates pertaining to the sale and/or tenanting of the existing building, to include a confidentiality agreement; and that the building would be considered vacant until at least 75,000 square feet of space is occupied. All parties agreed that the Petitioners representatives would provide the Draft Annexation Agreement to include the changes as stipulated.

- Ordinance No. 10-7 – Senior Living Communities
[Description: Discuss public comment and Planning Commission Recommendation.]

Mr. Mears provided an overview of the Planning Commission Recommendation for adoption of Ordinance No. 10-7 Senior Living Communities.

Council consensus: Following discussion, the Town Council agreed to consider adoption of Ordinance No. 10-7, as amended, and to further amend the ordinance by striking “unrelated” in line 133, and striking line 134 in its entirety, at the August 31, 2010 Regular Meeting.

- Implementation of Code and Comprehensive Plan elements

Mr. Mears opened discussion pertaining to the implementation of Code and Comprehensive Plan elements.

Council consensus: Following discussion, the Town Council agreed to conform to the aspects of the 2009 Comprehensive Plan, and not to replace damaged or fallen bollards, such as those on Prince George's Street, or in other locations as situations arise. Following further discussion the Council agreed to support staff on enforcement issues, and Mr. Mears would draft a response to a letter received from Mr. Zuiderhof.

- Southern Maryland Municipal Association (SMMA)

Councilman Back briefly discussed potential agenda items, and Catering options for the upcoming SMMA meeting, and the meeting schedule for the 2010-2011.

Council consensus: Following discussion, the Town Council agreed to hire Texas Roadhouse for the Catering and to include a speaker regarding Economic Development issues, in addition to the standard agenda items.

Matters of Information

- GP Homes intends to supply funding, in the amount of \$35,000, and to petition CSX Railroad for an at grade railroad crossing at Heritage Green Parkway.
- The first draft of the Comprehensive Parks and Recreation Master Plan is expected to be completed in October.
- Councilman Back will serve on the Maryland Municipal League Convention Committee.
- Mayor Hale will serve on the Maryland Municipal League Communication Committee.

Future Work Session Topics

Discussion will continue regarding the Council's desire to conduct a one day retreat at the end of October.

There being no further business, Councilman Winkler moved to adjourn the meeting at 9:28 PM. Councilman Norris seconded the motion and it passed by unanimous vote.

Submitted by:

Danielle Mandley
Town Clerk