

Council of the Town of La Plata  
La Plata Town Hall  
Tuesday, December 20, 2011, 7:00 p.m.  
Business Meeting [*rescheduled from December 27, 2011*]

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

Town Staff: Robert W. Oliphant, Treasurer; Cassin B. Gittings, Chief, La Plata Police Department; David M. Jenkins, Director of Municipal Development

Minutes:

*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 7:45 PM, Tuesday, November 22, 2011, in the La Plata Town Hall.*

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

*On a motion made by Councilman Norris, seconded by Councilman Winkler, 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)(7) Consult with counsel to obtain legal advice. The purpose of the meeting was to discuss pending litigation, and a petition for referendum. Action: None taken. The meeting was adjourned at 8:47 p.m.*

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

#### Approval of Minutes

\_\_Councilman Back moved to approve the minutes of the November 8 work session, November 15 special meeting, November 15 work session, November 15 closed session, November 22 business meeting, and November 22 closed session. Councilman Winkler seconded the motion and it passed unanimously.

#### Petitions, Communications, Appearances and Public Forum

##### 1. Town Seal Presentation: Keith Hettel, Planning Commission

Mayor Hale presented a Town Seal to Mr. Hettel in recognition for Mr. Hettels many years of service on the Planning Commission.

Mr. Hettel spoke about the Town, the events following the tornado, and the pleasure of working with the Town Council, staff, and the residents of La Plata.

2. Beautification Grant Award: Walter J. Mitchell Green Team

The Beautification Commission presented a grant award check in the amount of five hundred dollars (\$500.) to the Walter J. Mitchell Green Team, for the Green Team Beautification Project.

Tara Zeier, representing the Walter J. Mitchell Green Team, spoke about the project and that 93 students have signed up to participate.

3. Holiday Lights Contest Recognition: Beautification Commission

The Beautification Commission briefly described how the contest was conducted this year and called on those that signed in on the roster to be recognized for their outstanding holiday decorations, and provided each with a yard sign.

4. La Plata Police Department (LPPD) monthly report – Chief Gittings

Chief Gittings reported on the department's activities during the month of November 2011.

Chief Gittings also reported on the siren testing, the new members to join the Explorer Post, and the beware of internet scams.

5. La Plata Volunteer Fire Department monthly report

Fire Chief Matt Gilroy reported on the activities of the department during the month of November 2011.

Chief Gilroy also reported on the "Santa Runs".

6. Public Forum

Jim Jarboe, 9270 Crescent Lane, La Plata, Maryland, spoke regarding a petition for referendum that was submitted to the Town, and asked what gave the Town Manager the power to hold up the validation of signatures. Mr. Jarboe also requested a motion from the Council to move the referendum forward.

Michael J. Runfola, 113 Morris Drive, La Plata, spoke to request an explanation regarding the reason for the petition for referendum not moving forward to a special election.

Chris Cease, 6470 Cease Place, Hughesville, Maryland, spoke regarding the collection of signatures for the petition for referendum.

Following the comments and questions regarding the Petition for Referendum, Mayor Hale made a statement regarding (1) the authority the Town Manager has to receive and process any petition for referendum (2) the Town has only had one other petition for referendum (3) there were no procedures in place for a petition for referendum until recently created (4) the procedures that were created did not effect signature collection, only how the petition was handled once submitted.

Councilwoman Mudd requested justification that the Chief Executive Officer has the power to turn a Council issue over to the legal counsel of both sides (in favor of referendum and in opposition of referendum) of the petition for referendum.

**► Legislation**

Ordinance No. 11-15 Electronic Signs (for introduction) – For the purpose of revising the Town’s existing sign regulations; altering certain purposes of the regulations, and; altering provisions relating to the sign design, construction and maintenance standards of electronic signs.

Mr. Mears briefly described the proposed changes to the Town’s Sign Ordinance, specifically for electronic signage.

**► Unfinished Business [None]**

**► New Business**

1. Appointments to Boards and Commissions

Councilman Winkler moved to re-appoint Helen Lucas to serve on the Beautification Commission for a 4 year term, until December 20, 2015. Councilwoman Mudd seconded the motion and it passed by unanimous vote.

Councilman Back moved to appoint James Breitingger, to serve as alternate, on the Planning Commission, to fill an unexpired term until May 24, 2013, and to appoint Mary Grant to serve as regular member of the Planning Commission for a 5 year term, until December 20, 2016. Councilman Winkler seconded the motion and it passed by unanimous vote.

2. Commission Reports

Councilman Norris reported on the actions of the Design Review Board, and the review of a sign for La Plata Village Square, the Sleep Inn conversion to a Holiday Inn Express, the modifications to the Drury Drive McDonald’s drive-thru, façade painting at 500 Charles Street and façade changes to 201 Charles Street.

Councilwoman Mudd reported on the Beautification Commission’s Holiday Lights Contest and the upcoming 10<sup>th</sup> Anniversary of the Tornado.

Councilman Back reported on the Planning Commission review of the zoning ordinance.

Councilman Winkler reported that the Parks and Recreation Commission meeting was cancelled.

Mayor Hale discussed the Olde Tyme Holiday gathering and Breakfast with Santa events, and spoke about the upcoming Tornado Anniversary.

There being no other business to discuss, Councilman Winkler moved to adjourn the business meeting at 7:46 p.m. Councilman Norris seconded the motion and it passed by unanimous consent.

Submitted by:

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Danielle Mandley, Town Clerk