



Town of Berwyn Heights

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Worksession Minutes January 4, 2016

The meeting was called to order at 7:00 p.m. Present were Mayor Jodie Kulpa-Eddy, Mayor Pro Tem (MPT) Chris Rasmussen, Councilmembers (CMs) Patricia Dennison, Maria Robles and Lynn White. Also present were Town Administrator (TA) Jessica Cowles, Code Supervisor Freddie Glass and Clerk Kerstin Harper.

1. Mayor

Announcements: There were none.

Calendar: The starting time for the April and May Town meetings was corrected to 7:30 p.m.

Minutes: On a motion by CM Dennison and second by CM White, the December 21 worksession minutes were approved 5 to 0.

Department reports: CM Rasmussen reported that he received an inquiry as to whether the Town is looking into obtaining permission for residents, who are not students or faculty, to ride UMD buses. College Park and Greenbelt have MOUs contracting with the University of Maryland to permit their residents to use the buses at a cost of \$6,000 per year per community. He has asked TA Cowles to come up with a rough estimate of the subsidy per Berwyn Heights rider, and to check with the University if Berwyn Heights might qualify for a lower annual fee based on its smaller size and fewer riders. Mayor Kulpa-Eddy said that people can already purchase UMD shuttle passes at a cost of \$150 per year.

CM Dennison announced a first time re-gifting party sponsored by the Recreation Council on January 23. She also reported the winners of the holiday decorating contest, who will receive a gift certificate: 5804 Ruatan Street had the best decorated house, 8502 Paxton Court the best decorated yard, and 8708 60th Avenue was the best overall.

Mayor Kulpa-Eddy said that a video of a Berwyn Heights police officer has been posted on the web by a person who thought the officer acted in an aggressive manner. The case was litigated and the complaint was dismissed. Further, Private Hollowell will be promoted to Private 1st Class this week. Lastly, the police station had water from an overflowing toilet on the floor above run through the ceiling onto the receptionist desk. Computers were damaged and will have to be replaced. A cleanup team has disinfected the affected areas, but carpets, paneling and ceiling tiles may have to be replaced. This raises a question that has come up again recently: whether the police department should be moved to a location over which the Town has control. It is something she would like the Council to consider during the budget season.

Citizen comments: Mayor Kulpa-Eddy received a request to place an announcement about an aerobics class at the Community Center into the next Bulletin. The class may be cancelled if not enough people sign up. CM White received a complaint about a safety hazard on a private driveway that may affect Town property as well. She has referred the matter to the Public Works Department.

DPIE presentation on zoning: Mayor Kulpa-Eddy welcomed Bill Edelen, Code Officer in the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE), and Renee Blasio, Supervisor and expert on rental issues. Mr. Edelen said that the Town requested a visit from DPIE representatives to answer some questions about commercial vehicles and multifamily homes, which he will try to answer. He will begin with an overview of DPIE's zoning enforcement function, noting that zoning regulations are adopted by the Prince George's County Council and the Park & Planning Department.

Mr. Edelen said that DPIE has had several conversations with former Mayor Calvo on the issue of commercial vehicles, which generally are not allowed to be parked in a residential zone per County code. However, in a municipality, Prince George's code officers only come out upon request. If a complaint is filed, a County code officer will investigate the situation and, if a violation is found, will issue a notice with instructions to remedy the violation. Normally, the code enforcement division will attempt to work with the property owners or tenants to solve the problem. Failing that, a fine of between \$250 and \$1,000 can be given. If the violation continues after fines have been exhausted, the matter will be taken to court to obtain formal permission to remove the vehicle.

Mr. Edelen then explained which commercial vehicles are in violation of residential zoning rules:

- More than 800 lbs in weight
- load space greater than 300 cubic feet
- dual rear axels
- lettering greater than 4inches tall advertising a business
- box trucks, dump trucks, tow trucks, trucks with trailers, commercial buses possessing above characteristics

An exception is made for a commercial vehicle of this type if it is parked in a wholly enclosed garage. However, only one such vehicle is allowed under this circumstance. The exception does not apply to vehicles covered with a fitted car cover, or tarp. Recreational vehicles, and boats and trailers are generally permitted.

In response to questions, Mr. Edelen said that zoning regulations are established by the County Council for various reasons, some because of safety concerns. The Code Enforcement Division only enforces commercial vehicle violations on private property, while the police enforce them on public streets. The enforcement process can take from several days to several months, depending on the quality of the information received with the initial complaint. Mr. Edelen said the County wants to work with municipalities on enforcing zoning violations and has different arrangements with different cities. If Berwyn Heights is so inclined, DPIE can notify the Town when a complaint is received. The Council and Code Supervisor indicated that they would like to be informed.

Code Supervisor Glass raised the issue of multi-family homes. He said that Berwyn Heights administers its own program of rental licensing and inspections. Most rental homes in town are converted single family homes, where rooms are rented to up to five unrelated tenants.

There are a few houses, however, that likely qualify as multi-family homes and may exist in violation of the zoning code.

Ms. Blasio and Mr. Edelen said that multi-family homes have a separate entrance to each apartment. They require a Use of Occupancy Permit to certify that the apartment house meets local zoning and safety requirements and operates legally. DPIE has Use of Occupancy permits on file, some going back to the 1950s. He can check to see if any of the Berwyn Heights homes in question have one. Mayor Kulpa-Eddy thanked Mr. Edelen and Ms. Blasio for explaining the County's zoning enforcement process.

Four Cities agenda: Mayor Kulpa-Eddy noted that Chad Williams will give a presentation on the Prince George's County zoning regulations rewrite, which is likely to take up the entire meeting. She suggested, and the Council agreed, to add approval of the FBI promotional video to the agenda.

2. Administration

Bulletin cover: The following items were approved for the February Bulletin cover: theme Town Council Elections; announcements of candidate filing deadline, family arts & crafts event; Boys & Girls Club registration.

MML convention hotel reservations: Hotel reservations at the Princess Bayside for 5 councilmembers and one staff were confirmed.

Guidance on the FY 2017 budget: Mayor Kulpa-Eddy said that re-assessments of real property are coming in between 9%-10% higher than in previous years. In recent years, department directors have been asked to provide budget options for level funding of programs and 5% and/ or 10% funding reductions because of low real estate tax revenues. This year, directors might be asked to provide alternative budgets reflecting a 4% and 7% increase, in addition to a hold-the-line option, based on a more positive revenue picture.

TA Cowles said she has not gained the impression that the directors are planning major new initiatives. She recommended keeping the budget requests simple and asking for only one alternative to a flat-line budget, such as a 5% increase. The Council agreed.

In discussions, the following points were made: The police department is looking into purchasing body cameras for its officers and related IT upgrades. Directors will be asked to look for grants to help pay for new initiatives. An alternative to increasing spending is to lower the real property tax rate--to keep it at a constant yield rate--which would maintain resident's property tax bills at their current amount. Apart from funding department level initiatives, competitive salary increases, a Town-owned public safety building and road repairs were mentioned as possible budget goals.

At 8:41 p.m., the Council took a 5 minute break.

Citizen comments, continued: MPT Rasmussen said he received a complaint from a resident about unusually high water bills and asked who the owners might contact to seek redress. TA Cowles and CM Dennison said they also heard complaints from residents who have received very high WSSC bills. TA Cowles will contact the WSSC municipal liaison and try to find out how to appeal such bills.

FBI Headquarters letter: Mayor Kulpa-Eddy explained that she has written a letter to comment on the draft Environmental Impact Statements (EIS) for the future FBI Headquarters locations released by the General Services Department (GSA) in December. She came to the conclusion that it would be best to focus on the impact the FBI Headquarter would have on

Berwyn Heights, rather than point out all the advantages of Greenbelt Station over the other locations (as the developer, the media and other municipalities have already done so). Referencing Berwyn Heights' EIS scoping letter, she confined her comments to impacts on three areas.

- 1) Water Resources: Berwyn Heights agrees with the finding that impacts would be positive as the new headquarters would be built on the existing Metro parking lot, and new stormwater mitigation installations added to reduce runoff into Indian Creek and Narragansett Run.
- 2) Hazardous Materials/ Public Health & Safety: Berwyn Heights does not object to the finding that a projected increase in bicycle volumes would have no measurable long-term impact on the areas bicycle network.
- 3) Transportation, Traffic & Parking: Berwyn Heights appreciates that likely negative traffic impacts on the intersections of Greenbelt Road at 60th and 62nd Avenues have been brought to our attention. To address possible difficulties of accessing Greenbelt Road, a dedicated left turn lane has been proposed within the northbound 60th Avenue road space.

Mayor Kulpa-Eddy continued that the draft BH letter also suggests the EIS incorporate the likely positive impact of the Purple Line and disagrees that the FBI headquarters would have an adverse visual impact due to building height. Berwyn Heights does not expect a dramatic change to the visual landscape if 8 or 17 story buildings are added to already existing 18 story building in the vicinity. The issue of inadequate natural gas supply to the area, cited in the EIS as an adverse impact, is not mentioned in this letter, as Greenbelt and the Greenbelt Station developers are more knowledgeable about the matter and in a better position to address it.

The Council had no objections to the letter. TA Cowles was asked to finalize it and send it out by the deadline, copying the cities of Greenbelt and College Park.

Nothing was discussed under, **3. Code Compliance, 4. Parks and Recreation, 5. Public Safety and 6. Public Works.**

The meeting was adjourned at 9:03 p.m.

Kerstin Harper, Town Clerk