



# Town of Berwyn Heights

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## MAYOR

Stephen D. Isler

## COUNCIL MEMBERS

Jason W. Papanikolas (Mayor Pro Tem)

Amanda M. Dewey

Ethan D. Sweep

VACANT

## Worksession Minutes January 7, 2019 7:00 pm

Present were Mayor Stephen Isler, Mayor Pro Tem (MPT) Jason Papanikolas, Councilmembers (CMs) Amanda Dewey and Ethan Sweep. Also present were Town Manager (TM) Maria Broadbent, Clerk Kerstin Harper, Code Supervisor Freddie Glass, Men's League representatives Jim McGinnis, Harold Whitaker, Steve Becker and citizens.

### 1. Announcements

Mayor Isler read a statement regarding the passing of Code Compliance Officer Adrien Forbes on January 5, 2019 after a brief illness.

### 2. Variance Request

**Variance 37-15 - 6216 Quebec Street driveway expansion:** Mayor Isler said this item was placed on the agenda to give the applicants a chance to present their case in the variance request. Since the applicants are not present, the Council will discuss the item later.

### 3. Discussion Items

**Men's League Community Center Use Agreement (discussed out of order):** Mayor Isler welcomed Jim McGinnis and other members of the Men's League. He said the Town and the Men's League have met with representatives of the Maryland-National Park & Planning Commission (M-NCPPC) over the last month to renew an agreement for the use of the Berwyn Heights Community Center gymnasium by the Men's Basketball League for games and practices. TM Broadbent now has a presumed final version of the agreement approved by M-NCPPC's Legal Department.

TM Broadbent explained that the Town has had an agreement with Park & Planning for the use of the gym for many years. The last agreement dates from March 2014 and expired in December 2018 but was never fully executed. The new agreement is very similar to the last agreement; however, the hours of use have been adjusted to align more closely with the hours of the Community Center's staffing, since the Men's League normally plays when the Center is closed. Additionally, Park & Planning has asked that cash flow be demonstrated for the use of the gym and a certificate of insurance filed with the agreement. There are 3 options for insuring the Men's League, with the first being the easiest:

1. Designation of the Men's League as a Town organization, which makes it eligible to be covered by the Town's insurance;
2. A donation from the Town to the Men's League for the purchase of insurance that names both the Town and Park & Planning as insured;
3. The Men's League purchasing its own insurance that names the Town and Park & Planning as additionally insured.

Lastly, the new agreement would be for a 3-year term, with options to renew for additional years. Previously, agreements were valid for 5 years.

In discussion, members of the Men's League said one of their concerns is the adjustment in hours of use on Sundays, which could be a problem if league games go into overtime. The change in hours from 8 – 10 pm to 7 – 9 pm on Tuesdays and Thursdays might interfere with other scheduled programs at the Center and make it more difficult for members to participate after work. The League would consider paying for keeping the Center open until 10 pm. TM Broadbent advised that hours might be worked out with the facility director, however, Park & Planning will not amend the agreement.

Mayor Isler said the Community Center is concerned about a budget deficit due to staffing the Center during hours when it is closed, and no revenue is received. An offer to pay for the additional hours may change their calculus. The Men's League said its 55 members could make a point of purchasing their yearly passes at the Berwyn Height Community Center, which would provide considerable revenue that would not otherwise flow through the Community Center.

Mr. McGinnis asked whether there are any requirements or obligations resulting from being designated an official Town organization in order to qualify for Town insurance coverage. Mayor Isler said there would be none except to comply with the agreement and to work through the Town to resolve any issues regarding use of the gym. TM Broadbent and the Councilmember heading the Town's Parks & Recreation Department would be intermediaries in dealing with Park & Planning. CM Dewey noted that the Council plans to resume working on a Town organizations policy, when the vacant Council seat has been filled. Currently, there are no formal parameters defining a Town organization.

Mr. McGinnis thanked the Council and TM Broadbent for helping with renewing the agreement.

***Variance 37-15 - 6216 Quebec Street driveway expansion (discussed out of order):*** Code Supervisor Glass explained the resident first applied for a variance to widen his driveway in 2015 and discussed it with the Council at a worksession. The construction requires a variance because Prince George's County zoning code prohibits the construction of a driveway directly in front of a dwelling.

The Town Council at that time opposed the variance, unless a set of conditions were met. The resident eventually submitted a revised variance request, which was reviewed by the County's Board of Zoning Appeals and forwarded to the Town for comment in October 2018. The variance was on the agenda for the November 19 worksession, but the applicant did not appear. The Council postponed a decision on the variance to give the applicant another opportunity to explain the reasons for requesting the variance. The applicant has not appeared this evening.

Mayor Isler read the conditions the Town previously required:

- The driveway and any connecting walkways shall be constructed of pervious pavers.
- The additional 4' of width shall be permitted in the area between the existing drive-way and the dominant tree in the front yard of 6216 Quebec Street. The driveway shall not encroach towards the property line shared with 6214 Quebec Street.
- The new driveway shall utilize the existing curb cuts on Quebec Street and the existing curb cuts shall not be enlarged.
- The dominant tree in the front yard of 6216 Quebec Street shall be protected from harm during driveway construction and preserved to the best of the homeowners' ability after driveway construction.
- A maximum of one commercial vehicle and trailer may be parked in the driveway at any given time. Any commercial vehicle and trailer parked in the driveway shall be in compliance with all Town ordinances.

The Council agreed that these conditions should remain in place for approving the variance. A decision on the variance will be made at the January 9 Town meeting, at which time the applicants may offer any comments they may have.

***Charter Amendment on Mayor Pro Tem Authority:*** Mayor Isler said the Council postponed adoption of the Charter Amendment defining when the Mayor is absent and the Mayor Pro Tem assumes the duties of the office due to citizen concerns expressed at the December Town meeting. A couple of changes to the Charter Amendment were made at the following worksession to refine Section C. Mayor Isler asked if the Council had any additional comments or changes to Section C. None were offered but CM Dewey requested Chapter III 'The Council' of the Charter be included in the packet for context.

***Code staffing changes:*** TM Broadbent explained, with the passing of Code Officer Forbes and the retirement of Code Administrative Assistant Bell, both of whom worked part-time, there is an opportunity to create one full-time Code Officer position. Additionally, she plans to make changes to the property maintenance code, utilize the Department's code software to perform business licensing as well as personal property tax collection functions, and switch the scheduling of inspections to an Interactive Voice Recording system. Inspection routines may also change to discontinue after-hours inspections, especially if they happen after sunset. TM Broadbent plans to have a position description for the full-time officer available soon and the Council approving the change by resolution at a Town meeting.

***Mid-month e-newsletter:*** Mayor Isler provided a draft of the first mid-month e-newsletter. He said he envisions the newsletter to be a standard agenda item for the first worksession of the month. Councilmembers would submit departmental news by the date of the Town meeting, with any breaking news added before finalization and release the Monday after the Town meeting. In terms of format, the first page of the newsletter would have a feature article, list upcoming events, important announcements, and reminders. The second and third page would contain highlights on employees and departmental news. Mayor Isler said he will assume responsibility for coordinating and finalizing the content and send the final version to Clerk Harper for posting on the Town website. The Council had no objections to the format and added a few items for the first issue.

***Loose leaf collection:*** The Council discussed an email from a resident containing several complaints about the Public Works Department. The resident suggested that fines should be issued for raking leaf piles into the street since it is prohibited in Town code. Further, street sweeping dates should be announced if residents are expected not to park in the street.

In discussion, the following points were made:

- There is no fine set forth in the code for raking loose leaves into the street;
- The Town has not issued and does not plan to issue fines for improper disposal of leaves;
- The Town plans to send out a postcard with reminders on how to dispose of leaves and other refuse.

***Rain garden revitalization:*** CM Dewey said the Green Team has scheduled a rain garden renewal event for March 30 in coordination with the Anacostia Watershed Society. The goal is to beautify it, make it work better, and at the same time educate residents. As Chair of the Green Team, she attended a 2018 worksession and requested some funds for this undertaking, since it relates to the upkeep of Town property. The Green Team budget is intended for education and events. It is hoped plants will be purchased by the Town or the County, which originally installed the rain garden, or with grant money. TM Broadbent said the Town can finance plant and landscaping expenses related to the project.

***Holiday decorating contest:*** Mayor Isler said Councilmembers have been looking at holiday decorations around Town in order to award a prize to the best ones and asked for nominations. The following homes

were chosen: 5804 Ruatan Street, best decorated house, 5820 Quebec Street best decorated yard, and 3 homes in the 5900 block of Pontiac Street designated as 'Cheer Central'. The winners and exact addresses will be formally announced at the Town meeting.

#### **4. Minutes**

On a motion by CM Sweep and second by MPT Papanikolas, the December 3 worksession minutes were approved 4 to 0. The December 12 Town meeting minutes were reviewed for adoption at the January 9 Town meeting. On a motion by CM Dewey and second by CM Sweep, the December 17 worksession minutes were approved 4 to 0.

#### **5. Department Reports**

Mayor Isler said the holidays weeks were quiet. He received a citizen comment regarding the assignment of departmental responsibilities of Councilmembers. An announcement on that will be made once the vacant Council seat has been filled. MPT Papanikolas said he discussed Code Department staffing changes with Supervisor Glass and TM Broadbent. CM Dewey thanked BHPD for patrolling the Town over the holidays. She reminded residents to be prepared for snow the coming weekend and to watch out for neighbors and their pets. She also asked residents fishing at Lake Artemesia not to leave their lines and hooks in the Lake as birds and other animals living in the water can get entangled and hurt.

#### **6. Town Council Schedule**

The 2<sup>nd</sup> work session in January was moved from January 19 to January 14 due to Martin Luther King, Jr. Day. The second work session in February was moved from February 18 to 19 due to Presidents' Day. An all-day budget workshop was scheduled for Saturday, March 23. Department directors and Town organizations will present their budget requests. The next electronics recycling date is January 26, 9 a.m. to 12 noon.

#### **7. Citizens Discussion**

The Council continued discussing the resident's email begun under 'Leaf Collection'. Regarding the supposed lack of announcements of street sweeping times, it was noted that the street sweeping schedule is published in the Bulletin. Additionally, a yearly Four Cities street sweeping schedule could be made available on the Town website and yard signs could be posted on street corners before an upcoming street sweeping week. For monitoring whether all streets in Town are swept, the sweeper may have a GPS system to track its movements.

As to the question whether the Town plans to reduce taxes if it implements once-a-week trash collection, it was noted there are no plans to go to once-a-week trash collection in the near future. This Council is focused on increasing recycling output and acquiring the equipment needed to do so.

Phil Ventura, 57<sup>th</sup> Avenue, commented he thinks the driver of the street sweeper does not sweep up to the intersections with Greenbelt Road or Greenbelt Road proper, and that the Town is swept fairly thoroughly on the first couple of days of street sweeping week, but less so on subsequent days. He said when the driver finishes sweeping early, he sometimes spends the remaining time at 7 Eleven. The Council asked Mr. Ventura to report to the Town when this happens so they can follow up.

Mr. Ventura also commented on the electric vehicle charging station the Town had installed in December and issues with street marking on the newly resurfaced 60th Avenue cul-de-sac.

The meeting was adjourned at 9:30 p.m.

Signed: *Kerstin Harper*, Town Clerk