



# Town of Berwyn Heights

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## Minutes Worksession November 2, 2015

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. CM White arrived late. Also present were Town Administrator (TA) Jessica Cowles, Clerk Kerstin Harper, and resident Mike Attick.

### 1. Mayor

**Announcements:** The cities of College Park and Greenbelt will hold elections tomorrow, November 3. CM Robles may attend a Sustainable Maryland leadership training workshop for municipal leaders on November 18 at the University of Maryland.

**Calendar:** No changes or additions were made.

**Minutes:** On a motion by CM Dennison and second by CM Robles, the October 5 worksession minutes were approved 4 to 0. The October 14 Town meeting minutes were distributed.

**Department reports:** Mayor Kulpa-Eddy reported that the Council attended the Four Cities Coalition meeting in Greenbelt on October 22. College Park proposed to hold a joint meeting of Four Cities Education Advisory Councils (EACs) to pool educational resources and support public schools in the area. The Four Cities still have many vouchers left from a grant to provide free spay/ neuter services. Interested residents can apply online at <http://www.greenbeltmd.gov/spayneuter> or call 301-345-5417 for more information. Prince George's County has reauthorized food truck sales near public transportation hubs under a new regulatory framework that provides more oversight. Greenbelt asked College Park and Berwyn Heights to write a letter to SHA to support a redesign of the Greenbelt Road streetscape. After several years of inaction, money may now be available to move forward.

Mayor Kulpa-Eddy further reported that she attended a County Zoning regulations rewrite focus group where mayors and city managers were briefed on the Module 1 of the rewrite effort, which proposes to simplify zoning categories and establish standards for residential, commercial and industrial zones. Those attending were asked to give feedback on the proposal.

CM Robles reported, at the same Four Cities meeting, Safeguard Properties gave a presentation about a

service it provides to cities and towns, working with lenders to identify properties undergoing pre-foreclosure and foreclosure proceedings and to provide maintenance services. TA Cowles said that Code Supervisor Glass has already contacted the company. At the MML fall conference CM Robles took a number of workshops about the fundamentals of municipal government. She also took a class on the Public Information Act at LGIT Academy, where Public Works foreman Juan Thorpe received an award for helping save a life at a house fire that occurred in Town.

MPT Rasmussen reported that the Town's new Treasurer Michelle Rodriguez started today. She previously was the Clerk/ Treasurer for the Town of Edmonston and brings valuable experience to the job. CM Dennison reported that Trunk or Treat went well and announced upcoming events.

***Citizen comments:*** Mayor Kulpa-Eddy received a comment on an incident of vandalism during Halloween, and on the deteriorating shoulder of 56th Avenue. The Council received an email on County regulations for commercial vehicle parking.

Mike Attick, 62nd Avenue, asked when the grass at the corner of Ruatan and 56th Avenue will be restored. Mayor Kulpa-Eddy replied that WSSC is using the place as a staging area after the sidewalks contractor removed its materials and equipment. WSSC is not expected to finish the water main replacement project until 2017, at which time it would revert to its original use. Mr. Attick also noted that the Town asked the County to refrain from ticketing commercial vehicles in Berwyn Heights the last time this issue came up.

***Economic development discussion:*** Mayor Kulpa-Eddy said she would like the Council to begin defining a vision for what Berwyn Heights should look like in the future. This will serve as the basis for an economic development study the Council is planning to undertake and may be of use for giving input on the zoning regulation rewrite. Initially, she would just like to brainstorm the issue to come up with a framework that can be presented to the residents for input. For example, would councilmembers look favorably at 12 story buildings in the commercial district along Greenbelt Road, or would they endorse a change in the residential zoning to allow multi-story apartment buildings.

In discussion councilmembers made the following points: The Route 193 commercial corridor should be seen holistically. Any re-development of the commercial district on the Berwyn Heights side should be coordinated with neighboring communities. The impact of new development on local schools should be considered. Students living in the new Greenbelt Station development attend Berwyn Heights Elementary School, Greenbelt Middle School and Parkdale High School. A more diverse mix of businesses in the commercial district is desirable and should satisfy the needs of Berwyn Heights residents, as well as attract visitors and commuters that pass by on Greenbelt Road. Ballew Avenue may become suitable for retail or offices as the Greenbelt Station development fills in. Tax revenues should be a factor in evaluating proposed zoning changes. Existing businesses might be protected through grandfathering provisions. In the absence of zoning authority and direct control over what kinds of business can locate in the Town, incentives might be offered to attract desired businesses.

Mayor Kulpa-Eddy asked Councilmembers to spread the word and invite comments and feedback when they attend the meetings of Town committees and clubs. Publishing a survey in the Bulletin would be another good method for soliciting initial feedback. The framework for soliciting input from residents should be open-ended, and might pose the question: what do you imagine Berwyn Heights' to look like in the future?

At 8:10 p.m., the Council took a 5 minute break. CM White joined the meeting.

Nothing was discussed under 2. **Code Compliance**, 3. **Parks and Recreation**, and 4. **Public Safety**.  
**5. Public Works**

## **6. Administration**

**Website vendor:** MPT Rasmussen said that the Council appropriated \$6,000 for redesigning the Town's website. The appropriation does not include annual maintenance. TA Cowles explained that she received 4 good proposals for redesigning the Town's website. The proposals are comparable in the services provided and include data migration, an online payment system and an online calendar, among others. They differ in the type of content management system (CMS) used, ranging from fully proprietary systems to fully open-source software systems. The advantage of using open-source software is that the Town would not be tied to one particular vendor but could switch to another vendor if a redesign is needed.

Of the two lowest bidders, Virtual Towns & Cities (VTS) uses an open-source CMS, whereas Revize's is semi-proprietary. VTS' annual maintenance costs are slightly higher than Revize's, but both proposals would allow for shifting a portion of the funding to the human resources study, as was decided at the previous worksession. The Town's current webmaster, who in a professional capacity works on maintaining the University of Maryland's websites, recommended using VTS. In addition, VTS already has a presence in Maryland and is highly recommended by the cities using it. Therefore, she recommends selecting this vendor.

In response to questions, TA Cowles said that all vendors provide websites that are mobile compatible. The VTS Content Management System (CMS) allows for extensive customization and permits updating by multiple editors. It would allow Town departments and Town organizations to keep their web pages current. A fully operational website would take 3 to 4 months to implement. MPT Rasmussen moved to award the contract to VTS. CM Dennison seconded. The motion passed 5 to 0.

**Ordinance 109 revision:** Clerk Harper said that she reviewed the Council's remarks from the last worksession and incorporated the changes in the latest draft of the Ordinance. There were a couple of unresolved issues the Council may want to decide today.

Section 3 - Definitions: Definitions for *Registration* and *Universal Registration* were combined under *Universal Registration*. The definition for *Statement of Election Results* was deleted.

Section 4 - Voter Registration: It was decided there is no conflict between the Town requiring a voter to be at least 18 years of age, as set forth in the Town Charter, and to be duly registered to vote in Prince George's County, where the County allows a voter to register at age 16 and to vote at age 17 if turning 18 in the year of the election. Town Attorney Shay had advised that the Town Charter takes precedence.

TA Cowles provided a brief explanation of the charter amendment process should the Council be inclined to change the voting age. The charter amendment process, as set forth in the Local Government Article of the Maryland Annotated Code, can take two forms: 1) by initiation of the legislative body, i.e. the Town Council; and 2) by petition of the Town's qualified voters. Adoption occurs by Charter Resolution, which is no different than adoption of any other municipal legislation. However, a Charter Resolution can only deal with one subject at a time, and, once adopted, has to be filed with the Maryland Department of Legislative Services.

Section 6 E - Campaign Material: It was decided to permit campaign signs in the Town right-of-way of

a private property with permission of the owner, starting 3 weeks prior to Election Day, provided they do not impair drivers' sight lines or pose other safety risks. However, campaign signs may not be posted on Town or public property until Election Day. This includes the Town Center and the Town's parks and playgrounds.

Section 6 F - Write-In Candidates: It was agreed to strike the clause "but not within the voting booth" from provision F (3) permitting the names of write-in candidates to be posted inside and outside the polling station. The prohibition against posting the names within the voting booth was maintained under Section 7 A - Preparing the Polling Station.

Clerk Harper was asked to include the above changes in the amended Ordinance 109, which will be ready for adoption at the November Town meeting.

### ***Charter Resolution process (discussed under Ordinance 109 revision)***

***Bulletin Cover:*** The following items were selected for the December Bulletin cover: Holiday theme; announcements for the Holiday Tree Lighting and Holiday Decorating Contest.

***Urban Forest initiative:*** MPT Rasmussen explained that the Council appropriated \$15,000 for a consultant to perform a study of the Town's tree canopy and to make recommendations on managing and preserving the trees. The study would include a review of the Town's current tree care policies set forth in Ordinance 122 - Urban Forest. Ordinance 122 was adopted in 1986 when the Town joined the Tree City, USA program, and was amended in 2000 to clarify that all trees within 25 feet of a street's center line are Town trees.

Ordinance 122 provides for a Shade Tree Board charged with making a plan for maintaining the tree canopy and supervising the planting, removal and maintenance of Town trees. It is proposed to re-establish a Shade Tree Board or, alternatively, charge the Green Team with such responsibilities. A revised Urban Forest Ordinance might also add new permit requirement for cutting down trees above a certain size on private property, and incorporate new State of Maryland and Town of Berwyn Heights regulations on tree management and invasive species. MPT Rasmussen suggested TA Cowles speak with former members of the Shade Tree Board and seek their input in revising the Ordinance.

Mayor Kulpa-Eddy said she agrees that the Town's tree canopy is an asset and makes Berwyn Heights a nicer place to live. Several neighboring communities have taken up the issue of tree maintenance recently and might be consulted. It might also be advisable to explore if there is an interest among residents in serving on a Shade Tree Board before charging it with various tree care responsibilities. It was agreed that MPT Rasmussen and TA Cowles draft a revised Urban Forest Ordinance for the Council to discuss at an upcoming worksession.

### **7. Executive Session (9:15 p.m. - 10:05 p.m.)**

On a motion by CM White, seconded by CM Dennison, the Council went into executive session to discuss a personnel and a legal matter. With matters discussed CM White moved and CM Dennison seconded to end the executive session.

The meeting was adjourned at 10:05 p.m.

Kerstin Harper