



# Town of Berwyn Heights

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## Minutes Worksession October 17, 2016

### **Executive Session (6:00 p.m. – 7:02 p.m.)**

Present were Mayor Cheryl Jewitt, Mayor Pro Tem (MPT) Jodie Kulpa-Eddy, Councilmember (CMs) Patricia Dennison, Chris Rasmussen, and Gerald Shields. On a motion by CM Rasmussen and second by CM Dennison, the Council went into executive session to discuss the Town Administrator's performance evaluation and Councilmembers roles and expectations. CM Rasmussen moved and CM Dennison seconded to end the executive session.

### **Regular Meeting**

The meeting was called to order at 7:05 pm. Present were Mayor Cheryl Jewitt, Mayor Pro Tem (MPT) Jodie Kulpa-Eddy, Councilmembers (CMs) Patricia Dennison, Chris Rasmussen and Gerald Shields. Also present were Town Administrator (TA) Jessica Cowles, Clerk Kerstin Harper, and citizens.

#### **1. Announcements**

Town offices will be closed October 31, 2:00-4:00 p.m. for a staff meeting.

#### **2. Minutes**

On a motion by CM Dennison and second by CM Shields, the September 19 worksession minutes were approved 5 to 0. On a motion by MPT Kulpa-Eddy and second by CM Dennison, the October 3 worksession minutes were adopted 5 to 0.

#### **3. Department Reports**

Mayor Jewitt thanked the Police, Public Works and Volunteer Fire Department for their participation in Trunk-or-treat. MPT Kulpa-Eddy announced the upcoming Four Cities meeting in Greenbelt, early voting starting on October 27, and Election Day taking place on Tuesday, November 8. CM Rasmussen announced that the beginning of the in-depth review of Ordinance 120 – Rental Housing will be postponed to the next worksession. He, Code Supervisor Glass and TA Cowles will meet this week to discuss the proposed changes. He, TA Cowles and Code Supervisor Glass also checked on a fence that had been called in as a non-conforming use. While the fence is unusual, having been erected on top of deck that is 2 feet above the ground, it is in compliance with County zoning law. The Code Department plans to follow up on the matter with the County because it essentially circumvents the 6' height limitation on fences.

CM Shields reported that he attended the MML fall conference where he participated in an orientation for new Councilmembers and learned about the requirements for becoming an MML banner city. He

also spoke with the heads of various Town organizations. The Berwyn Heights Playgroup currently has 8 member families, which includes a number of families from outside of the Town. The Recreation Council hosted a successful ice cream social attended by over 100 guests. The Recreation Council continues to seek volunteers to help organize such events in the future.

**Citizen Comments:** Mayor Jewitt received a complaint about party noise coming from the Town Center. Apparently, the doors to the outside staircase were left open. The police stopped by to check on the party. MPT Kulpa-Eddy received a question on when loose leaf vacuuming would begin in Town. It will begin on November 1 and goes through the end of December.

#### 4. Action Items

**PGC zoning rewrite, Berwyn Heights letter of comment:** MPT Kulpa-Eddy said that she attempted to draft a letter summarizing Berwyn Heights' comments on Modules 1- 3 of a revised Prince George's County zoning ordinance. However, she concluded there is not enough information to know how the proposed zoning changes will impact Berwyn Heights and hence to make pertinent comments. She has therefore requested clarification on various new zoning provisions and for a meeting with Park & Planning staff engaged in the rewrite to answer questions from the Council and residents.

For example, in Module 1, which sets forth the new zoning categories and land uses, information is lacking about how an area transitions from the old to the new zones. A map showing the proposed new zones and their uses is therefore requested. Also requested is information about what happens when 1) a business located in Town, such as the scrap yard, no longer conforms to the uses proposed for the new zone; 2) how new *neighborhood compatibility standards* would be implemented; and 3) how a *neighborhood commercial zone* might be applied to Berwyn Heights. The letter also expresses concerns about the lack of influence municipalities would seem have on proposed new developments in their jurisdictions, and joins Greenbelt in proposing Beltway Plaza as a test project for the new zoning ordinance.

Mayor Jewitt asked if this type of letter is better sent jointly with the Four Cities Coalition. MPT Kulpa-Eddy said that both the Four Cities and Berwyn Heights should send letters of comment. Berwyn Heights may want to raise some concerns that are specific to Berwyn Heights. TA Cowles noted that Director Cox reviewed the zoning modules and had similar concerns as MPT Kulpa-Eddy. CM Rasmussen said he had a couple of minor grammatical corrections. He very much appreciates MPT Kulpa-Eddy's efforts to track the zoning rewrite and determine what it means for Berwyn Heights. No other corrections to the letter were offered by the Council.

MPT Kulpa-Eddy moved to send the letter to the Park & Planning rewrite team, including the proposed grammatical corrections. CM Dennison seconded. The motion passed 5 to 0. TA Cowles will format letter for official correspondence and share it with the Four Cities as the basis for discussing a Four Cities response.

**Position classification pay plan:** TA Cowles said, with the adoption of the employee handbook, the Council has completed phase 1 of human resources reforms drafted with the assistance of McGrath Consultants. Phase 2 proposes to implement a new pay plan for FY 2017 based on McGrath's compensation study of comparable jobs in the region. The new pay plan comprises pay grades A – Q and establishes a minimum-maximum range as well as a position point for each pay grade. Newly hired employees would normally start at the minimum pay, then move to the position point and maximum pay based on performance and length of service. The position point serves as a guidepost for evaluators

as to how much an employee should be paid after a few years of satisfactory performance.

Phase 3 of the personnel reforms proposes a 3% Cost of Living Adjustment (COLA) for all employees, retroactive to July 1, 2016. The annualized cost of the 3% COLA is \$31,000, of which \$4,300 go to social security and pension benefits. The cost of the COLA in the Public Safety Taxing District budget is approximately \$2,000, with \$270 going to social security and pension benefits. The COLA can be sustained in FY 2018 by moving some capital expenditures from the operational to the capital budget, and tapping into a \$50,000 reserve of Town contributions to 401k plans that remained unused after the Town joined the Maryland State Retirement System.

MPT Kulpa-Eddy expressed concerns about being able to sustain the pay increases beyond FY 2018. CM Rasmussen noted that an additional \$35,000 in funds set aside in a Health Reimbursement Account would also be available because the Town switched to a new health insurance system. In short, the Town has \$83,000 in extra funds for the COLA, as well as for bringing all employees up to the minimum pay of the new pay plan proposed in phase 4.

TA Cowles said that the Town already appropriates between \$29,000 and \$32,000 each year for salary increases. This is a recurring expense and, this year, would fund the COLA. An un-budgeted expense of \$13,000 is proposed to bring those employees, who remain below the minimum salary range of the new pay plan, to the minimum by January 1, 2017. She recommends doing this for equity reasons. If it is not done, new hires would be paid at a higher rate than some current employees.

After some further discussion about the Town's ability to afford the increases in the long run, CM Dennison moved and CM Rasmussen seconded to approve the new pay plan. The motion passed 5 to 0. CM Rasmussen moved, and CM Dennison seconded to approve a 3% COLA retroactive to July 1, 2016. The motion passed 4 to 1, with CM Shields opposed. The Council postponed a decision on spending \$13,000 to bring all employees up to the minimum salary range until TA Cowles can provide more detailed projections of the annualized cost of this measure.

***Four Cities agenda:*** The following items were proposed for the Four Cities agenda: restoration of Highway User Revenues (HUR); 2) Improve communications between utilities; 3) Zoning rewrite letter of comment.

## **5. Discussion Items**

***Legislative dinner agenda:*** Based on previous legislative dinners, Berwyn Heights will give an update on the State of the Town and include an overview of the strategic planning exercise. Other items approved for discussion included: 1) SHA Greenbelt Road improvements proposed in the Greenbelt Station Sector Plan; 2) status of stormwater management engineering study; 3) urban tree legislation; and 4) possibly regulating short-term rentals (e.g., Airbnbs).

***Charter amendment on boundaries:*** MPT Kulpa-Eddy said that the Town in 2005 annexed several properties along Branchville Road, which is not yet reflected in the Charter description of the Town's boundaries. She has been pushing to get this done before a decision on the FBI headquarters is made. TA Cowles said that the annexations are fully legal, having been approved by the Town Council and the State of Maryland in 2005. Changing the Charter description is more of a procedural issue. She will meet with the land use attorney and engineer, who helped the Town with the annexations, to go over the requirements for redefining the boundary.

**Ordinance 120 – Rental Housing:** CM Rasmussen said that the review of a revised Ordinance 120 was postponed to the next worksession so that he, Code Supervisor Glass and TA Cowles have more time to discuss the proposed changes.

**Strategic planning workshop debriefing:** TA Cowles said that the University of Maryland consultants who conducted the strategic planning workshop provided a summary of the results, including a consolidated draft “vision and mission” statement and list of strategic issues for discussion at a follow-up workshop that is yet to be scheduled.

CM Rasmussen said he thought that employees should not have participated in the workshop, and probably contributed to employee safety being identified as the top strategic issue. In his opinion, this is a narrow area of concern and not of the same order as other strategic issues, such as the revitalization of the Route 193 corridor and improving relations with the business district. However, he finds the summary document provided by the consultants useful as the basis for completing a strategic plan.

Mayor Jewitt said, while security cameras and employee safety may not be strategic issues, a larger universe of safety-related concerns was identified that merits that designation. Among those issues are building safety, street lighting, policing strategies, sidewalks, traffic safety, emergency response and more. A second set of concerns centered on infrastructure - that is: roads, utilities, buildings, and grounds - which may eventually be addressed with a capital improvement plan.

MPT Kulpa-Eddy said that the list of issues and concerns from which participants were asked to select strategic goals were too numerous to compare and probably should have been narrowed down before being voted on. She also asked that employees be allowed to participate in the follow-up workshop because they will be largely responsible for implementing the strategic plan. CM Rasmussen responded that employees might be consulted before or after a strategic planning session to bring their expertise and knowledge of day-to-day operations to bear on the Council’s vision. Overall, he thought their concerns tend to be more parochial and focused on their role within the government rather than the wellbeing of the community.

The Council briefly discussed the consolidated vision and mission statements. There was agreement that the vision statement is somewhat generic and should emphasize Berwyn Heights’ unique features, such as community spirit and park-like setting. The mission statement was deemed to be wordy but acceptable.

**Trunk or Treat safety protocol:** Mayor Jewitt said that she and CM Dennison attended the Trunk-or-Treat Halloween celebration held in the BHES/ Community Center parking lot. It was very well attended and the marshmallow roasting over an open fire was a highlight. However, the fire pit lacks safety precautions. While the Volunteer Fire Department was present, there were no water buckets or fire blankets nearby. Small children in costumes sometimes got too close to the flames and adults needed to be present to supervise the activity at all times. It was agreed that TA Cowles should reach out to the M-NCPPC community center staff, who host the bonfire, and ask them to help make the event safer.

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

The Council reviewed the calendar. No changes were made.

The meeting was adjourned at 9:22 p.m.

Signed: *Kerstin Harper, Town Clerk*