



Town of Berwyn Heights

5700 Berwyn Road
Berwyn Heights, MD 20740
Tel. (301) 474-5000
Fax (301) 474-5002

Minutes Town Meeting May 14, 2014

The meeting was called to order at 7:30 p.m. Present were Mayor Calvo, Mayor Pro Tem (MPT) Wilkinson, CMs Almoguera, Dennison, and Kulpa-Eddy, and Councilmembers-elect Chris Rasmussen and Anthony Schreiber. Also present were Town Administrator (TA) Murphy, Chief of Police Antolik, Treasurer Lape, Clerk Harper and citizens.

Mayor Calvo led the Pledge of Allegiance.

1. Hearings

FY 2015 Town budget: Mayor Calvo gave a summary of the FY 2015 budget. The key feature is an increase in the real property tax rate of 1.4 cents per \$100 of assessed value to make up for the drop in real property tax revenues resulting from the January 2013 reassessment. The budget also continues the 3 cents road tax to help finance future road repairs bringing the total real property tax rate to 53 cents per \$100 of assessed valuation. Income tax revenues are set to go up by 10% to \$380,000 and are one of the few bright spots in the revenue picture. Combined revenues will fund an operating budget of \$2,572,000, a 5% increase over FY 2014. On the expenditure side, the budget reinstates an 8th full-time police officer, which was cut last year, and funds one promotion of a police officer to corporal. Also funded are a full-time Public Works director and part-time Public Works administrative assistant, as well as additional hours for the part-time code officers and code clerk in a restructured Code Department.

Mayor Calvo said the more significant changes are in the capital budget. He is pleased that the Council adopted a funding plan for the construction of priority 1 sidewalks. The money comes principally from 3 sources: speed camera revenue, the Greenbelt Station impact compensation fund and the surplus for a total of \$540,000. The projected cost includes a 20% contingency, which he hopes will not be needed. Other important capital investments include a new Public Works dump truck, a new police car, new events furniture, and a new speed monitor. The Council also agreed to set aside a \$10,000 contribution for an animal shelter study and a \$10,000 contribution to the Berwyn Heights Volunteer Fire Department (BHVFD).

Despite the substantial capital investments, the Town's reserves and overall financial condition remain strong, with money continuing to flow into the infrastructure, vehicle replacement and cable reserves, and a surplus in the amount of \$567,000.

MPT Wilkinson highlighted additional items in the Public Works budget. He said the new truck is a 1-ton dump truck with a more powerful diesel engine and all wheel drive. The truck is

intended to be used as a snow plow, especially in cul-de-sacs and other tight spaces. The budget also increases the tree service appropriation to better maintain trees in the public right of way, and funds a part-time administrative assistant to take some of the load off the now full-fledged Public Works director.

At 7:41 p.m., Mayor Calvo opened the public hearing. With no comments, the hearing was closed at 7:43 p.m.

Public Safety Taxing District budget: Mayor Calvo gave an overview of the Public Safety Taxing District (PSTD) budget. This budget has not changed much in recent years because the commercial tax base has been stable. A small increase of \$1,000 will bring the FY 2015 PSTD budget to \$72,800. The PSTD levies a special 10 cent real property tax and a 15 cent personal property tax on businesses in Town. It funds one police officer, which happens to be Detective Unger.

At 7:44 p.m., Mayor Calvo opened the public hearing. With no comments, the hearing was closed at 7:45 p.m.

Ordinance No. 108: Mayor Calvo explained that the Council decided to amend this Ordinance to increase the monthly stipend of Councilmembers from \$150 to \$250 per month, effective January 2015. The budget impact will be \$3,000 this fiscal year and another \$3,000 next fiscal year.

At 7:46 p.m., Mayor Calvo opened the public hearing. With no comments, the hearing was closed at 7:47 p.m.

2. Minutes

Clerk Harper read a summary of the April 9 Town meeting minutes. On a motion by MPT Wilkinson and second by CM Dennison, the minutes were approved 5 to 0.

3. Treasurer's Report

Treasurer Lape gave the Treasurer's report for the month of April.

4. Unfinished Business

Ordinance No. 165 - 2nd Reading & Adoption of FY 2015 Town Budget: Clerk Harper read the adopting language of the Ordinance. MPT Wilkinson moved to adopt it. CM Dennison seconded. TA Murphy noted an error in the reported personal property tax rate, which should read \$1.365 per \$100 of assessed personal property.

Mayor Calvo commented that this has been the second tough budget in a three-year period of lower real property assessments. Last year, the Town was able to absorb the drop in real property tax revenues without increasing the tax rate, largely by cutting one full-time police officer position. But this year, a 1.4 cents tax rate increase was needed to make ends meet. To keep the tax increase small, the Council has been creative in holding the line on expenditures. In Public Works, the smart use of part-time employees has yielded savings that helps fund the new part-time clerk position. In the Code Department, the hiring of a code supervisor instead of a director will save approximately \$12,000.

He is pleased, however, that the Council stepped up to fund the completion of the sidewalks project that has been in the works for three years. It has been a difficult process, from the technical aspects of design and engineering to navigating the bureaucracy for project approval. He looks forward to walking on the new sidewalks when they are finished. Also of note are the many smaller investments the Council was able to make due to the Town's strong cash reserves, including a new speed monitor, Town Center events furniture and start-up funds for a community garden. While this was not an easy budget, it is a good budget given the circumstances.

With no further comments, the FY 2015 budget was adopted in a 5 to 0 vote.

Ordinance No. 166 - 2nd Reading & Adoption of Public Safety Taxing District Budget: Clerk Harper read the adopting language of the Ordinance. MPT Wilkinson moved to adopt it. CM Dennison seconded. Without further comments, the Ordinance was adopted in a 5 to 0 vote.

Ordinance No. 108 - 2nd Reading & Adoption of Council Compensation: Clerk Harper read the Ordinance. CM Dennison moved to adopt it. CM Almoguera seconded. Mayor Calvo said that the raise in the Council stipend was overdue. They have not been raised since 2002 and are one of the lowest in Prince George's County. The stipend should at least attempt to cover expenses that might result from serving on the Council, even if it cannot compensate Councilmembers for the amount of time spent serving the Town. With no further comments, the Ordinance was adopted in a 5 to 0 vote.

Ordinance No. 121 - 2nd Reading & Adoption of Executive Powers & Duties: Mayor Calvo explained that this Ordinance clarifies the roles and responsibilities of the various executive functions in the Town government. To date, it has functioned as a commission-style government, as defined in a series of Council Rules. This Ordinance implements a hybrid commission-style/weak Mayor (strong Council) form of government. The Town Council continues to serve as the Chief Executive Officer and councilmembers continue to oversee departments, but are limited to policy decisions. The Town Administrator now takes on responsibility for overseeing and coordinating the daily operations of the departments, while ensuring that the Town Council's policies, goals and priorities are carried out. In addition, the Ordinance usefully delineates the specific duties of the Town Administrator and his interaction with the Town Council and the directors. This will be especially helpful when the Council starts to look for a new Town Administrator.

At 8:10 p.m., Mayor Calvo opened the public hearing. With no comments, the hearing was closed at 8:11 p.m. Clerk Harper read a summary of the Ordinance. CM Almoguera moved to adopt it and MPT Wilkinson seconded. Mayor Calvo and CM Kulpa-Eddy offered a couple of corrections of typographical errors.

CM Almoguera commented, as an economist, she places a high value on efficiency. She believes this Ordinance will greatly improve the efficiency of the Town government. While Berwyn Heights has generally had effective governments, it has often operated in an ad-hoc manner. Spelling out the roles of the Council, Councilmembers and Town Administrator will help smooth out the operations of government. She is proud to have been a member of the Council that adopted this change.

MPT Wilkinson said another important aspect of this Ordinance is that the lines of communication have been clarified, which should improve the accountability of all executive functions. This is an important addition to the Town's organizational framework.

Mayor Calvo stated that he appreciated all Councilmembers engaging in this issue. He did not envision writing an Ordinance clarifying the executive powers and duties of the Council and the Town Administrator when he asked the Council to discuss the future of the Code Department, and how to create a more unified organizational structure. But after many long, and ultimately productive conversations, the Council arrived at this stage. While the subject matter is somewhat obscure to the casual observer, it will be a valuable addition to the rules guiding the Town government in the future.

The Council voted 5 to 0 to adopt Ordinance No. 121.

5. New Business

Ordinance No. 167 - 1st Reading & Introduction of FY 2014 Budget Amendments: Mayor Calvo said that this pertains to the perennial business of reconciling actual expenses and receipts with the budgeted amounts in a given fiscal year. Clerk Harper read a summary of the Ordinance. MPT Wilkinson moved to introduce it, and CM Dennison seconded. With no comments, the Ordinance was introduced in a 5 to 0 vote.

Resolution 04-2014 - Rental Housing Ordinance Fee & Fine Schedule: Clerk Harper read the Resolution. MPT Wilkinson moved to introduce it. CM Kulpa-Eddy seconded. Mayor Calvo explained that this Resolution raises the fines for missed appointments for re-inspections of a rental home and for incomplete re-inspections. The fines for the first instance of a missed re-inspection appointment or incomplete re-inspection goes up from \$25 to \$50, for the second instance from \$50 to \$100, and for the third instance from \$100 to \$200. The higher fines are intended to put some teeth into the inspections process, and reduce the number of missed appointments, which waste time and money. With no further comments, the Resolution was adopted in a 5 to 0 vote.

6. Recognitions

Mayor Calvo said that the 45th Council has been a very productive Council, in which each Councilmember made meaningful contributions. First, he wishes to recognize CM Almoguera, who was responsible for renovating the Pop's Park playground, and the first Councilmember to give birth while serving. Bringing her baby boy Matthew to Council meetings set a new precedent and highlighted the theme for this Council: retooling the Town for a new generation of young families. CM Almoguera was presented with a commemorative plaque.

CM Almoguera first thanked her husband for supporting her and looking after their other children when she attended Council meetings. She also thanked the employees of the Administration Department and the Public Works Department, who helped with every one of her initiatives. She recognized the Berwyn Heights Playgroup, which grew from a few families to well over a hundred during her time as coordinator. It was the basis for her community engagement. She greatly enjoyed her time on the Council and thanked everyone who voted for her.

Mayor Calvo recognized MPT Wilkinson, whom he first met over 10 years ago, when he served as chair of the Education Advisory Committee (EAC). Then a new father, MPT Wilkinson

attended EAC meetings to advocate for the newly re-opened Berwyn Heights Elementary School. He also served on the Safe Streets Committee and the Boys & Girls Club, demonstrating an interest in making the community better for children. When there were a couple of resignations on the Town Council, he asked James Wilkinson to consider applying for a vacant seat, which he did. Once on the Council, MPT Wilkinson anchored the family constituency and became the spokesperson for pedestrian safety. During his last term, he invested much time and effort in putting together the Safe Routes to School grant that resulted in a \$62,000 award to construct sidewalks along the 8900 block of 63rd Avenue. Thanking him for his contributions, Mayor Calvo presented MPT Wilkinson with a commemorative plaque.

MPT Wilkinson said it is fitting that School Board Member Peggy Higgins informed him last week that the sidewalks through the Greenbelt bus depot, for which he has long lobbied, will finally be built in June. He thanked his wife, mother-in-law and children for supporting him serving on the Town Council. He is proud of the progress in making the community safer for children. He thanked the employees of the Public Works Department and other Town staff for helping him implement many projects and improvements. He cited a list of accomplishments as evidence of the big impact a resident can have on the community as a member of the Town Council. He encouraged residents to think about serving and thanked everyone for entrusting him with this job.

7. Election Results

Clerk Harper read the Town Council election results. Cheye Calvo was re-elected as Mayor with 84% of the vote. Jodie Kulpa-Eddy received 55% of the vote and will become Mayor Pro Tem (MPT). Patricia Dennison received 44% of the vote, Anthony Schreiber 31% and Chris Rasmussen 28%.

8. Swearing-in of Town Council

Shirlock Grigsby of the Prince George's Circuit Court first swore in Mayor Calvo, then Mayor Pro Tem Kulpa-Eddy, and then the other Councilmembers.

9. Mayor's Remarks on the Organization of the Council

Mayor Calvo thanked the residents of the Town for re-electing him to a 6th term as Mayor, which he regards as a singular honor. He also thanked his wife Trinity Tomsic for supporting him and being a wonderful 1st Lady. When he was first elected he did not have it in his mind to serve as Mayor this long, but thought this would be a stepping stone to higher office. He has grown out of this ambition and cannot think of a better way to serve this community than as a Mayor alongside Councilmembers, who are also his neighbors.

Mayor Calvo reflected on the principles and considerations that should guide the Council in setting priorities and making decisions. This includes 1) being aware of and fostering the strong sense of community that characterizes Berwyn Heights; 2) making investments in infrastructure, facilities and programs that maintain property values and make Berwyn Heights an attractive place to purchase a home; 3) delivering Town services in a way that improves the quality of life of residents; and 4) maintaining Berwyn Heights' financial strength, which has enabled the Town to weather the recent economic downturn without major disruptions. He is proud of the fact that the Town's financial assets are four times greater when he took office and that it is debt free. It behooves the Council to be good stewards of taxpayers' money and to spend it with a long-term vision in mind.

Mayor Calvo congratulated all Councilmembers on being elected and looks forward to have Ms. Kulpa-Eddy, as his first female Mayor Pro Tem. Her experience will be valuable when transitioning to a new Town Administrator. Mayor Calvo then announced department assignments, as far as they have been made. MPT Kulpa-Eddy will serve as the head of the Administration Department, CM Dennison will serve as head of the Parks and Recreation Department, and he will continue to head the Police Department. The other departments will be assigned once he has spoken with the newly elected Councilmembers.

10. Remarks of the Council

MPT Kulpa-Eddy said she is honored to be on this Council. She will miss her retiring colleagues but looks forward to serving with Mr. Schreiber and Mr. Rasmussen. CM Dennison thanked the residents for re-electing her and looks forward to heading the Department of Parks and Recreation again. CM Schreiber thanked the residents for electing him and looks forward to serving.

CM Rasmussen said that he is honored to have been elected to serve on this Council. He explained that he initially did not plan to run because he knew that he would not be able to be here for the candidates' forum or the election due to prior commitments. But he put his name in the hat when he learned there was a chance for a write-in candidacy. He moved here from Minnesota two years ago for his partner's job at the University of Maryland. They settled in Berwyn Heights because they found an unusual house they wanted to own. Since then, they have become active in the community and helped out with the Recreation Council and Berwyn Heights Day. As a member of Hope Lutheran Church, he met former Councilmember Richard Ahrens, who encouraged him to seek a seat on the Council.

Mr. Rasmussen said that he was able to keep his job in Minnesota with the Midwestern Higher Education Compact (MHEC), a non-profit organization that seeks to improve access, affordability and quality of higher education in 12 states of the upper mid-west. He spends most of his time in Maryland while telecommuting to his job, but visits Minnesota once a month. Mr. Rasmussen further noted that he owns a rental home in addition to the Osage Street house where he resides. In connection with the rental, he has had a number of interactions with the Code Department. This has led him to conclude that there is a need to balance the interests of home owners and renters, many of whom are University students and make up a substantial portion of Town residents. To conclude, he thanked the residents who voted for him without knowing much about his background. He will strive not to make them regret their vote.

11. Citizen Comments

There were none.

The meeting was adjourned at 9:23 p.m.

Signed: *Kerstin Harper, Town Clerk*