



# Town of Berwyn Heights

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

## Minutes Town Meeting December 14, 2016

The meeting was called to order at 8:00 p.m. 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, Treasurer Michelle Rodriguez, Clerk Kerstin Harper, Detective Sergeant Unger, Officer Krouse, Code Compliance Supervisor Freddie Glass, Public Works Director Stevie Cox, and citizens.

Mayor Jewitt led the Pledge of Allegiance.

### 1. Minutes

Clerk Harper read a summary of the November 9 Town meeting minutes. On a motion by CM Shields and second by CM Rasmussen, the minutes were approved 5 to 0.

### 2. Mayor's Report

Mayor Jewitt reported that the Council held its annual legislative dinner at The Common in the College Park Marriott, where State and County delegates gave an outlook of the upcoming legislative session, and discussed the availability of funding for facility improvements among other topics. The Council also attended the Prince George's County Municipal Association (PGCMA) legislative dinner and approved as legislative priorities the restoration of Highway User Revenues, police body camera legislation, and better communication with and among utilities.

Mayor Jewitt said that the Town was notified by the State Comptroller's Office that the Town received excess income tax revenue in the amount of \$159,000 between 2010-2014, which it must start paying back to the State in 2024. The overpayment is due to an accounting error by the Comptroller's Office, and affects other municipalities in Maryland. The Council will discuss the issue at its next worksession. Mayor Jewitt wished everyone happy and safe holidays and encouraged residents to reach out to neighbors, who are alone and may be having a difficult time.

### 3. Department Reports

**Code Compliance:** Code Supervisor Glass reported that in November there were a high number of clean lot violations, ranging from improperly stored building materials to litter and tall grass.

In the next month, the Code Department will focus on enforcing hazardous conditions of accessory structures, such as sheds, garages, fences and dog kennels to ensure that they are safe.

In response to questions, Supervisor Glass said that the Code Department first approaches residents about any violations by knocking on doors, leaving door hangers and warning notices before issuing fines. When home owners undertake exterior improvements, the Department checks with the County's permit office to ensure the proper permits have been obtained. Recent animal violations have included a barking dog and feral cats.

CM Rasmussen reported on the ongoing revision of Ordinance 120 – Rental Housing, which sets forth regulations to ensure the health, safety, and well-being of occupants of rental homes, and to supervise this business activity. An amended Ordinance 120 should be ready for introduction at the January 9 Town meeting, when residents have an opportunity to give input. Important changes to the Ordinance thus far include:

- Adoption of the *Prince George's County Housing Code, Division 1, Sub-division 1 and 2*, whereby the housing and property standards of *International Property Maintenance Code* are adopted. These continuously updated standards will replace the Town's current housing code set forth in Section 6 of Ordinance 120.
- Narrowing exceptions from the rental licensing requirements. It is proposed retain the exemption for renting to immediate family members, but eliminate the exemption for renting just one room, or dwelling unit in an owner-occupied house.
- Eliminating the right of at least 3 home owners within 500' of a rental property to obtain a hearing before the Town Council about code violations occurring at the rental property. All residents already have the right to report code violations to Councilmembers and/ or the appropriate Town departments.
- Simplifying the rental license application forms, leaving out the forms that touch on landlord-tenant relations, as these are matters for the State to regulate.

CM Rasmussen thanked the many residents who attended the November Town meeting to discuss the tree removals along Edmonston Road with Pepco and SHA representatives. He hopes that these residents will help with replanting the Kenilworth Avenue buffer that has filtered noise and pollution from this State highway. He also reported on a recent visit to Greenbelt Park and its invasive plant removal program, the College Park 5k Park Run, in which he participated, and a day shelter run by *Congregations United* at University Christian Church.

**Administration:** Treasurer Rodriguez gave the Treasurer's report for November. Town Administrator Cowles reported that the work on this year's human resources reforms are nearing an end with the recent adoption of a new pay plan and job descriptions. The Council and senior staff had a successful second strategic planning workshop where specific goals were set and implementation strategies mapped out. The strategic plan will inform the FY 2018 budget, which is already in the initial stages of preparation. TA Cowles is also working with the Council on amending Ordinance 120 and is preparing a Charter Amendment on the Town's boundaries. Implementation of video streaming Council meetings has begun after the Council selected the vendor at the last worksession.

In response to CM Rasmussen, TA Cowles explained that the Charter amendment will update the Town's boundaries to include the 2005 and 2006 annexation of Branchville Road properties

and clarify the boundary with the City of Greenbelt in the 6300 block of Greenbelt Road. Instead of revising the metes and bounds of the Town, the boundary description will rely on the most recent maps filed with State and County agencies.

MPT Kulpa-Eddy reported that she attended the PGCMA legislative dinner with several other Town Councilmembers, and sat at the table with County Councilwomen Glaros. Ms. Glaros said that the legislation she sponsored allowing bee-keeping in residential zones has been adopted. MPT Kulpa-Eddy participated in the first of a series of *Time to Talk* forums hosted by the Maryland Municipal League exploring the topics of diversity and inclusion. The Prince George's Planning Department completed an analysis of stakeholder comments on Module 1 of the rewrite of the County zoning ordinance. Berwyn Heights is mentioned several times for raising issues that were of general concern. Provisions on urban agriculture and accessory dwellings have been identified as needing further clarification. County Planner Chad Williams has offered to come back to Berwyn Heights to discuss impacts of the new zoning regulations on the Town.

***Parks and Recreation, Education and Civic Affairs:*** CM Shields reported that the Tree Lighting was a success and thanked everyone who came out. The Karate Club had a successful Turkey drive and donated 8 Turkeys to needy families. The Neighborhood Watch/ Emergency Preparedness Committee will meet on December 30 to work on the Standard Operating Procedures for the emergency trailer. The Recreation Council will host a re-gifting party on January 21. At the PGCMA legislative dinner, he enjoyed conversing with several County representatives.

***Public Works:*** Director Cox reported that he has instituted an on-call system for weekends and holidays to ensure that either he or his Supervisor of Operations Luis Cardenas is available to respond in weather emergencies or to other problems. Residents are reminded not to park in front of leaf piles because it makes it difficult to vacuum up the leaves. The DPW Department is gearing up for winter weather and had a Town staff meeting to discuss procedures for communications and notifying residents. DPW staff will work in shifts during snow storms to avoid becoming overtired. He is checking with Prince George's County about disposal of Christmas trees.

In response to Mayor Jewitt, Director Cox said that Councilmembers should call him if there is a problem on weekends, and he will notify Mr. Cardenas to address it, if he is on-call. In response to Mike Attick, Mr. Cox said that the leaf collecting team is focusing on collecting leaf piles raked to the curb, and waits for the street sweeper to pick up leaves blown into the street. However, if the Department is notified of particular issue with leaves, the crew will make an effort to come and collect them. MPT Kulpa-Eddy noted that leaf piles should not be placed into the street but kept near the curb on the property itself.

***Public Health and Safety:*** Officer Krouse gave a synopsis of a November 17 traffic detail. Berwyn Heights police were joined by 4 Edmonston officers to monitor the Town for moving violations, especially around the school. Ninety-five citations, including warnings, were written for going through stop signs, speeding, suspended licenses and equipment repair orders, among others. Berwyn Heights plans to reciprocate this type of coordinated enforcement.

Detective Unger gave the police activities report for November. There were 8 Part I offenses, slightly below the 5-year average of 8.6. The year-to-date count of 67 was somewhat above the

5-year average of 63.6. Police officers issued 228 state and municipal citations and 163 speed camera tickets, all on Greenbelt Road. Detective Unger also reported that the *Sober Ride* program, offering free night-time cab rides to people who have been drinking, will again be in effect over the holidays, starting this weekend. Prince George's County has started to test a new technology in high-crime areas for marking valuables with *smart water* so that they can be identified if stolen. This solution is available to anyone at a monthly fee of \$4.99.

In response to questions, Detective Unger said the police continue to perform checks on seniors and handicapped residents during the holidays. No suspect has been identified in a burglary of a bike, which is counted as a Part I offense. The Uniform Crime Report (UCR) of serious crimes a Police agency has to submit to the FBI will not change substantively but will require additional information to be submitted.

#### **4. Committee Reports**

**Green Team:** CM Shields reported that the Green Team continues to work on obtaining re-certification of the Town's Sustainable Maryland designation.

**Historical Committee:** The Historical Committee will next meet on January 24, 2017.

**Neighborhood Watch/Emergency Preparedness:** Co-chair Mike Attick announced that the next NW/EP meeting will be held on Wednesday, January 4, and that a CERT training class will be held on February 4 and 5, starting at 8:30 a.m. A bag with CERT supplies will be given to all who attend. NW/EP is in need of new members and invites residents to attend one its meetings.

**Recreation Council:** The Recreation Council will host a Re-gifting Party on January 21, 2:00 p.m. at the Town Center.

#### **5. Unfinished Business**

There was none.

#### **6. New Business**

**Resolution 05-2016 – Adopting a Vision and Mission Statement for the Town:** Clerk Harper read the Resolution. Mayor Jewitt explained that the vision and mission statement formalized in the Resolution is an outcome of the strategic planning exercise the Council and senior staff undertook a month ago and represents everyone's input. CM Shields expressed approval of the term "neighborly charm" to describe the Town. MPT Kulpa-Eddy said that the vision and mission statement should help the Council focus on what is important and which projects to pursue. On a motion by CM Dennison and second by CM Shields, the Resolution was adopted in a 5 to 0 vote.

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

Mike Attick, 62<sup>nd</sup> Avenue, said he hopes the Council is not thinking about moving to once-a-week trash collection, as it would be difficult to collect all trash in Town that way. He also suggested that the Council may have adopted an ordinance or resolution that conflicts with the mandates of the Berwyn Heights Charter, and that the Council not spend more money on the old call-a-bus if the County has offered to furnish a new one for a nominal fee. MPT Kulpa-Eddy said the Council in 2013 rejected an offer to purchase the call-a-bus to avoid additional costs resulting from ownership. [PGC offered to sell the Town the old call-a-bus for \$1]

Mr. Attick further suggested that the Town purchase no trees for replanting the Edmonston Road buffer, unless it is certain that Kenilworth Avenue will not be widened. MPT Kulpa-Eddy said, as far as she knows, plans to widen Kenilworth Avenue are limited to north of Greenbelt Road. Mr. Attick requested that clean copies of the amended Rental Housing Ordinance be provided to citizens because the tracked changes are hard to follow, and he asked for clarification on the State Comptroller's letter. Mayor Jewitt read the relevant portions of the letter.

MPT Kulpa-Eddy asked if Mr. Attick can cite a specific instance in which a Council action is in conflict with the Town Charter. Mr. Attick said he would provide proof later. TA Cowles reported that John Biddle, Berwyn Road, called to complain of helicopter noise in the area. MPT Kulpa-Eddy thought it might have been related to an accident. Joan Hayden called to ask when the conference phone will be operational in the Council chamber. TA Cowles said it would be installed in January or February. Ann Latham, Seminole Street, called to state that the helicopter noise was due to an accident.

The meeting was adjourned at 9:40 p.m.

Signed: *Kerstin Harper, Town Clerk*