



# Town of Berwyn Heights

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## Minutes Worksession January 22, 2018

The meeting was called to order at 7:00 p.m. Present were Mayor Cheryl Jewitt, Mayor Pro-Tem (MPT) Jodie Kulpa-Eddy, Councilmembers (CMs) Patricia Dennison and Christopher Rasmussen. CM Gerald Shields had an excused absence. Also present were Town Administrator (TA) Jessica Cowles, Clerk Kerstin Harper and citizens.

### 1. Action Items

**BHES funding request:** TA Cowles said that Berwyn Heights Elementary School (BHES) Principal Amanda Alerich submitted a request to help fund a hands-on learning opportunity for students. The school plans to hire the Maryland ZOOMobile for a 3-day visit in April to teach students of different grade levels about animals and their environment. The total cost is \$1,352 and could be paid from the education budget, which currently contains \$4,500. The Town Council previously funded this activity, and has regularly contributed to other enrichment activities at BHES, as well as Greenbelt Middle and Parkdale High Schools.

In discussion, Councilmembers said it would be preferable if they had all such funding requests by a specific date so they can make decisions more equitably for an entire portfolio of applications. CM Rasmussen wondered if this activity fits into a larger curriculum. At one point the Council had plans to draft a comprehensive policy for making grants, and reached out to the Educational Advisory Committee about reviewing and making recommendations on educational grants. However, this did not come to pass. TA Cowles was asked to invite Principal Alerich to a Council meeting to discuss educational needs of the school. On a motion by CM Dennison and second by MPT Kulpa-Eddy, the Council voted 4 to 0 to approve the \$1,352 funding request.

### 2. Discussion Items

**Animal Ordinance:** MPT Kulpa-Eddy said at the last worksession, the Council agreed broadly on how to approach the revision of the Animal Ordinance; that is, to adopt the Prince George's County Animal Ordinance as the minimum standard and to reference certain provisions of the Town's Noise and Clean Lot Ordinances. It was also agreed to invite the Director of the County's Animal Management Division, Rodney Taylor, for a discussion of County regulations, preferably for one of the February worksessions.

MPT Kulpa-Eddy provided a 'clean' version (no strike-throughs or underlined additions) of the amended Ordinance to facilitate the review process. She then highlighted the important changes:

Sections 1 and 2: Purpose and authority were separated into different sections.

Section 5 – Adoption of Codes: Adopts Prince George’s County (PGC) Code, Subtitle 3, Divisions 1-7 as minimum standard, and PGC Zoning Code, Subtitle 27 regarding breeding of animals. Designates PGC Animal Management Division and the Department of Permitting, Inspections and Enforcement (DPIE) as agencies for licensing and enforcement actions.

Section 6 – Standards: Adopts the Prince George’s County Society for the Prevention of Cruelty to Animals (PGSPCA) guidelines as standards for the humane treatment of animals, including provision of food, water and shelter. Includes standards for maintaining sanitary conditions based on provisions from Ordinance 107. Retains standards for restraining domestic animals based on the current Ordinance 101. Adopts standards for noise set forth in Ordinance 153.

Section 7 – Enforcement: Adopts enforcement provisions from Ordinance 107 pertaining to notices of violations. Thought needs to be given as to who should be served a violation notice (property owner, animal owner, or custodian) and whether the Town should retain the authority to impound animals.

In discussion, the following concerns were raised:

- Should there be provisions pertaining to handling animals in an emergency or should this be addressed in the Emergency Operations Plan?
- Should noise disturbances by animals be regulated on the basis of being annoying or preventing the peaceable enjoyment of one’s property? Should there be other considerations, besides decibel level, to identify noise violations?
- Does the prohibition against animals being at large apply to cats and feral cat colonies?
- Is it humane to keep a dog outside at all times?
- Should a current enforcement provision requiring a sworn statement from 2 or more neighbors attesting to a violation be retained in the revised Ordinance?
- Is an animal-related incident/ violation occurring on a public street, such a dog biting a passerby, covered by this Ordinance, or other civil code? Who would be liable?
- Should complaints about animals filed anonymously be investigated?
- Should the Town retain impoundment authority, in the absence of trained staff and appropriate transportation to confiscate and transfer an animal to a shelter?
- Should problems with wild animals, apart from prohibiting animal cruelty, be addressed in this Ordinance?

MPT Kulpa-Eddy will make some changes to the Ordinance based on tonight’s discussion. Unanswered questions could be posed to the representative from the County’s Animal Management Division when he attends a meeting.

***Four Cities agenda items:*** No items were identified. The date for the Four Cities meeting in Berwyn Heights was set for July 25.

***MML attendance:*** MPT Kulpa-Eddy recommended using a different hotel than in previous years. Five reservations will be made at the La Quinta Inn.

### **3. Minutes**

The minutes of the January 8 Town meeting were distributed for adoption at the February Town meeting.

### **4. Announcements/ Department Reports/ Citizen Comments**

Mayor Jewitt reported she received comments on Public Works doing a good job clearing snow during the last storm, as well as questions on how and when roads are plowed and salted. The February Bulletin will have a detailed explanation of the snow removal process. Further, the Council received a letter from the Seniors’ Club commenting on the Town organizations policy.

MPT Kulpa-Eddy reported a downed speed limit street sign on 63<sup>rd</sup> Avenue and another “Coffee with Cops” event scheduled for Saturday, April 7, 9 a.m. – 11 a.m. She asked if WSSC has been notified to check on a water leak on 60<sup>th</sup> Avenue at Greenbelt Road that she reported on at the last worksession. TA Cowles said she will look into it.

CM Rasmussen reported that he had a wonderful trip to Israel and Palestine and requested an update on the decisions made during the last worksession, including plans for road repairs. TA Cowles informed that no decisions were made. The Council will be asked whether to proceed with road repairs in phases, with each phase financed by savings in the infrastructure reserve, or by issuing bonds. She noted that the Maryland Department of Housing & Community Development has a low-cost bond program that municipalities can tap into and that she plans to inquire about. She confirmed that streets can also be funded through a special assessment or tax increase, which must follow a strict process of notices.

CM Rasmussen also said he regrets MPT Kulpa-Eddy’s decision not to run for re-election to the Council and will miss her as a colleague.

### **5. Town Council Schedule**

The Council reviewed the schedule of events and activities. Tuesday, February 20 was set as the date for the 2<sup>nd</sup> worksession of the month.

The meeting was adjourned at 8:28 p.m.

Signed: *Kerstin Harper*, Town Clerk