



BERLIN MAYOR AND COUNCIL
Meeting Agenda

Berlin Town Hall
10 William Street
Monday, May 14, 2018

6:00 PM EXECUTIVE SESSION – Conference Room

- a. Pursuant to Section §3-305(b) (1) To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; or any other personnel matter that affects one or more specific individuals;
- b. Pursuant to Section §3-305(b)(7) – To consult with counsel to obtain legal advice on a legal matter;
- c. Pursuant to Section §3-305(b)(10) To discuss public security, if the public body determines that public discussion would constitute a risk to the public or to public security, including: (i) the deployment of fire and police services and staff; and (ii) the development and implementation of emergency plans.

7:00 PM REGULAR SESSION – Council Chambers

1. Approval of the Minutes for:
 - a. Executive Session of 04/23/18
 - b. Statement of Closure for Executive Session of 04/23/18
 - c. Regular Session of 04/23/18
 - d. Utility Fund Work Session 04/30/18
 - e. Executive Session of 04/30/18
 - f. Statement of Closure for Executive Session of 04/30/18
2. Motions:
 - a. Motion 2018-13 – Motion approving a Park Reservation Fee Waiver for Stephen Decatur High School for the remainder of the school year – A SDHS representative
 - b. Motion 2018-12 – Motion approving a Park Reservation Fee Waiver for the summer of 2018 for Worcester Youth and Family – Executive Director Steve Taylor
3. Draft Bee City Resolution & Presentation – Salisbury Students
Staff Contact – Town Administrator Laura Allen
4. Motion 2018-14 – Motion approving TeePee Development, LLC to transfer one equivalent dwelling unit (EDU) to lot one, transfer one EDU to lot two, transfer five EDUs to lots three through seven, and approving the methodology of averaging the EDU pricing for the seven EDUs to \$8585.71 per EDU – Mark Cropper, Esq.
5. Tattoo Ordinance Committee recommendation and moratorium extension & staff report

Staff Contact – Town Administrator Laura Allen

6. Introduction/First Reading of Ordinance 2018-03 – Ordinance setting the real property tax rate

Staff Contact – Town Administrator Laura Allen

7. Departmental Reports:

- a. Finance Director – Natalie Saleh
- b. Administrative Services Director – Mary Bohlen
- c. Water Resources/Public Works – Jane Kreiter
- d. Electric – Tim Lawrence
- e. Chief – Arnold Downing
- f. Planning – Dave Engelhart
- g. Economic and Community Development – Ivy Wells
- h. Managing Director – Jeff Fleetwood

8. Town Administrator's Report

9. Comments from the Mayor

10. Comments from the Council

11. Comments from the Public

12. Comments from the Press

13. Adjournment

Anyone having questions about the meetings mentioned above or needing special accommodations should contact Laura Allen, Town Administrator at (410) 641-4144. Written materials in alternate formats for persons with disabilities are made available upon request.

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TTY users outside Maryland dial 1-800-735-2258*



BERLIN MAYOR AND COUNCIL
Meeting Minutes
Monday, April 23, 2018

7:00 PM REGULAR SESSION – Berlin Town Hall Council Chambers

Present: Mayor Gee Williams, Vice-President Elroy Brittingham, Councilmembers Thom Gulyas, Zackery Tyndall, Dean Burrell, and Troy Purnell.

Staff Present: Town Administrator Laura Allen, Managing Director Jeff Fleetwood, Administrative Services Director Mary Bohlen, Water Resources/Public Works Director Jane Kreiter, Police Chief Arnold Downing, Electric Utility Director Tim Lawrence, Planning Director Dave Engelhart, Town Attorney David Gaskill, and Town Clerk Kelsey Jensen.

Following the Lord’s Prayer and Pledge of Allegiance, Mayor Williams called the meeting to order at approximately 7:00 PM.

1. Approval of the Minutes for:

a. Executive Session of 04/09/18:

On the motion of Councilmember Gulyas, the Executive Session minutes of April 9, 2018 were approved by the following vote:

Name	Counted toward Quorum			Recused	Absent
	Aye	No	Abstain		
Elroy Brittingham, VP	X				
Dean Burrell	X				
Troy Purnell	X				
Thom Gulyas	X				
Zackery Tyndall	X				
<i>Voting Tally</i>	5				

b. Statement of Closure for Executive Session of 04/09/18:

Mayor Williams read the Statement of Closure.

c. Regular Session of 04/09/18:

On the motion of Councilmember Gulyas, the Regular Session Minutes of April 9, 2018 were approved by the following vote:

Name	Counted toward Quorum			Recused	Absent
	Aye	No	Abstain		
Elroy Brittingham, VP	X				
Dean Burrell	X				
Troy Purnell	X				
Thom Gulyas	X				
Zackery Tyndall	X				
<i>Voting Tally</i>	5				

d. Executive Session of 04/12/18:

On the motion of Councilmember Gulyas, the Executive Session minutes of April 12, 2018 were approved by the following vote:

Name	Counted toward Quorum			Recused	Absent
	Aye	No	Abstain		
Elroy Brittingham, VP	X				
Dean Burrell	X				
Troy Purnell	X				
Thom Gulyas	X				
Zackery Tyndall	X				
<i>Voting Tally</i>	5				

e. Statement of Closure for Executive Session of 04/12/18:
Mayor Williams read the Statement of Closure.

f. General Fund Work Session of 04/16/18:

On the motion of Councilmember Gulyas, the General Fund Work Session Minutes of April 16, 2018 were approved by the following vote:

Name	Counted toward Quorum			Recused	Absent
	Aye	No	Abstain		
Elroy Brittingham, VP	X				
Dean Burrell	X				
Troy Purnell	X				
Thom Gulyas	X				
Zackery Tyndall	X				
<i>Voting Tally</i>	5				

2. Stephen Decatur Park Fee Waiver for the Stephen Decatur High School Math Honor Society on May 22, 2018

Layla Mezza was present on behalf of the Stephen Decatur Math Honor Society and asked that the Stephen Decatur reservation fee be waived for May 22, 2018 for their end of year cookout. Councilmember Burrell asked how much the fee is; Town Clerk Kelsey Jensen explained that it is \$50, but \$25 is returned if the park is left in good condition.

On the motion of Councilmember Burrell, the fee waiver for Stephen Decatur Park on May 22, 2018 was approved by the following vote:

Name	Counted toward Quorum			Recused	Absent
	Aye	No	Abstain		
Elroy Brittingham, VP	X				
Dean Burrell	X				
Troy Purnell	X				
Thom Gulyas	X				
Zackery Tyndall	X				
<i>Voting Tally</i>	5				

3. Motion 2018-11 – Motion approving the placement of a small café table, two chairs, and small flower containers on the sidewalk of Pitt Street in front of The Burley Florist – Michael Vadella

Mr. Vadella explained his request and Mayor Williams asked if they would be out all the time; he said he can move them in on busy nights. Vice President Brittingham asked if there was enough space for ADA compliance; he said there was. Planning Director David Engelhart said he included a letter in the packet explaining that the tables are 30", the sidewalk is 79", and you only need 36" to be ADA compliant, so he meets the requirements.

On the motion of Vice-President Brittingham, Motion 2018-11 was approved by the following vote:

Name	Counted toward Quorum			Recused	Absent
	Aye	No	Abstain		
Elroy Brittingham, VP	X				
Dean Burrell	X				
Troy Purnell	X				
Thom Gulyas	X				
Zackery Tyndall	X				
<i>Voting Tally</i>	5				

4. Berlin Fire Company – President David Fitzgerald and Assistant Fire Chief Robert “RJ” Rhode were present to discuss the one day special permit, and the budget. Councilmember Gulyas asked Mr. Rhode about the fire on Main Street today. He said it was a kitchen fire and is under investigation by the Worcester County Fire Marshal.

- a. One Day Special Permit – Pig Pickin & Clam Bake – May 19, 2018 4pm-10pm

Mr. Fitzgerald explained the event and said this would be the second year of holding the event.

On the motion of Councilmember Purnell, the one day special permit was approved by the following vote:

Name	Counted toward Quorum			Recused	Absent
	Aye	No	Abstain		
Elroy Brittingham, VP	X				
Dean Burrell	X				
Troy Purnell	X				
Thom Gulyas		X			
Zackery Tyndall	X				
<i>Voting Tally</i>	4	1			

- b. Berlin Fire Company Budget Presentation

Mr. Fitzgerald explained their requests for the EMS budget. Councilmember Tyndall asked about membership; Mr. Fitzgerald said it is listed as \$40/year and they will not bill for the balance, he referred to it as a form of co-insurance. Town Administrator Laura Allen asked if the County pays for Workers Comp; he said only for the volunteers. Councilmember Tyndall asked if we can get numbers for individuals to attend GEMS or FDIC training; he said he would work on those numbers. Councilmember Tyndall asked how much do you pay providers for a second run call if it’s not covered in-house; he said if they are a driver they get \$25, and if they are an attendant they get \$50, but they should be in compliance each year, it is seen as an incentive for the volunteers. Mayor Williams commented on the call percentages and stated that there is no way to know how many were emergencies.

Mr. Fitzgerald then explained their budget requests for the Fire Budget. The request went from \$430K to \$410K they were able to move some things around. Councilmember Tyndall asked if there is a donation made, will it go to Fire or EMS; he said it goes to Fire unless they specify that they would like it to go to EMS. Mayor Williams thanked them and stated that he would like to work together and work towards a contract of services to set goals to keep things transparent and accountable. Mr. Fitzgerald stated that EMS is as transparent as can be, if the funds are not available they will have to do cut-backs. Mayor Williams said he

thinks it is more important to focus on the main station first before the secondary station. Mr. Fitzgerald said he will send information by the end of the week pertaining to visitation days to the fire house, specialty vehicle costs for main street events, and stand by crew information.

5. Davis, Bowen & Friedel, Inc. Updates – Associate Josh Taylor
 a. Tennis Courts

DBF Associate Josh Taylor discussed the Stephen Decatur Tennis Courts and the Staff Report. The two eastern courts subgrade and sublayers are failing because substandard materials and practices were used. DBF and Town Staff recommend option one, which will include removing the existing layers and laying two 1 & ½” layers of asphalt; Councilmembers Purnell and Burrell asked if this will take care of the issue, or will it just be another band-aid; Mr. Taylor said he is confident that it will fix the issue if done properly. Councilmember Tyndall asked about removing the asphalt and using the space for volleyball courts; Ms. Allen stated that if we repurpose the courts we risk losing the \$215,000 tennis court grant we had received. Mayor Williams asked if a volleyball court could be an option elsewhere in the park; Mr. Taylor said it is possible. Mayor Williams asked if we can make drainage corrections to the areas around the courts; Mr. Taylor said there are options, and he plans to have them install swales before the final coats on the courts are done. Vice-President Brittingham asked how much time this change will add; Mr. Taylor said a week at most.

On the motion of Councilmember Purnell, Terra Firma option one change order was approved by the following vote:

Name	Counted toward Quorum			Recused	Absent
	Aye	No	Abstain		
Elroy Brittingham, VP	X				
Dean Burrell	X				
Troy Purnell	X				
Thom Gulyas	X				
Zackery Tyndall	X				
<i>Voting Tally</i>	5				

b. Roadway Report

DBF Associate Josh Taylor discussed the roadway report in detail and explained that they looked at every aspect of the road. He stated that this gives the Town a systematic approach to preparing for future improvements. Ms. Allen said we will also look at replacing utilities once the roadways are open so we do not need to do it later down the road. Councilmember Tyndall stated that the Highway User Revenues Bill was passed and will help municipalities. Ms. Allen stated that all the roads in the poor category add up to \$1.2M and we typically estimate \$100K-\$200K per year. Ms. Allen suggested coordinating this with other projects to save funds. She also mentioned that Grace, Showell, and Bottle Branch are all in the FY19 budget and all in the poor category, Bottle Branch will be funded out of Wastewater.

On the motion of Councilmember Purnell, the roadway report was accepted by the following vote:

Name	Counted toward Quorum			Recused	Absent
	Aye	No	Abstain		
Elroy Brittingham, VP	X				
Dean Burrell	X				
Troy Purnell	X				
Thom Gulyas	X				
Zackery Tyndall	X				
<i>Voting Tally</i>	5				

6. Lease Agreement Billboard Contract July 1, 2018- June 30, 2019 – Sun TRS Fort Whaley LLC - \$18,000 (\$1,500/month)

Town Administrator Laura Allen explained the annual contract. Councilmember Gulyas noted that in paragraph five the wording should read “the lessee shall pay the lessor”. Ms. Allen said we will get a revised contract. Vice-President Brittingham said he would really like to see the arrow changed on future signs because it is not clear where to turn. Mayor Williams said we can look into that for future signs. Councilmember Tyndall said we should get digital files of past signs and post it online to see if people notice it; Mayor Williams said without the sign people that do not know about us will not know where we are.

On the motion of Councilmember Gulyas, the Billboard Lease Agreement with the changes noted was approved by the following vote:

Name	Counted toward Quorum			Recused	Absent
	Aye	No	Abstain		
Elroy Brittingham, VP	X				
Dean Burrell	X				
Troy Purnell	X				
Thom Gulyas	X				
Zackery Tyndall	X				
<i>Voting Tally</i>	5				

7. Departmental Reports:

a. Administrative Services Director – Mary Bohlen

Ms. Bohlen stated that it is Take Pride in Berlin Week. The 21st was clean-up day and they had about 40 volunteers in attendance. The business open house will be on the 28th and there will also be a hide and seek scavenger hunt taking place.

b. Water Resources/Public Works Director – Jane Kreiter

Ms. Kreiter presented photos from William and Cedar; Councilmember Gulyas asked if we can make these available online; Ms. Allen said it will be posted.

c. Electric Utility Director – Tim Lawrence

Mr. Lawrence stated that on the 16th they had major outages due to the heavy rain and wind, so they will re-sag the primary lines. At Bowen Circle they repositioned the transformer and installed a “no-outlet” sign. On the 17th there was another outage caused by a squirrel. They assisted Public Works with bulk pick-up, they removed a dead tree in the church parking lot, they installed a new air compressor at the power plant, and they are reading meters this week. Managing Director Jeffrey Fleetwood stated that Russell Goehringer is in the next phase of his formal linesman training.

d. Police Chief – Arnold Downing

Chief Downing stated that he and Lieutenant Fisher attended the MML Police Executive Training last week. He said it is also prom season.

e. Planning and Zoning Director – David Engelhart

Mr. Engelhart said the public has been asking what will be done with the property at 412 South Main Street where the house caught fire, and building plans have recently been submitted.

f. Managing Director – Jeffrey Fleetwood

Mr. Fleetwood stated that the final numbers have come in for insurance, we are expecting a 3.68% increase with health and no change in dental or vision.

8. Town Administrator’s Report – Laura Allen
Ms. Allen reported on the Worcester CARES event and thanked the volunteers and committee members.
9. Comments from the Mayor:
Mayor Williams had no comments.
10. Comments from the Council:
Councilmember Burrell thanked Mr. Lawrence for his forward thinking with the new air compressor and having two systems in place.
11. Comments from the Audience – none.
12. Comments from the Press – none.
13. Adjournment:
On the motion of Councilmember Burrell, the Mayor and Council meeting was adjourned at approximately 8:40PM.

Name	Counted toward Quorum			Recused	Absent
	Aye	No	Abstain		
Elroy Brittingham, VP	X				
Dean Burrell	X				
Troy Purnell	X				
Thom Gulyas	X				
Zackery Tyndall	X				
<i>Voting Tally</i>	5				

Respectfully Submitted,

Kelsey Jensen
Town Clerk



BERLIN MAYOR AND COUNCIL
UTILITY FUNDS BUDGET WORK SESSION
Meeting Minutes
Monday, April 30, 2018

5:30 PM WORK SESSION – Utility Funds Budget Work Session
Berlin Town Hall Council Chambers

Present: Mayor William Gee Williams, III, Vice-President Brittingham, Councilmembers Thom Gulyas, Zackery Tyndall, Dean Burrell, and Troy Purnell.

Staff Present: Town Administrator Laura Allen, Managing Director Jeff Fleetwood, Finance Director Natalie Saleh, Police Chief Arnold Downing, Water Resources and Public Works Director Jane Kreiter, Wastewater and Public Works Superintendent Jamey Latchum, Water Superintendent Marvin Smith, Electric Utility Director Tim Lawrence, and Town Clerk Kelsey Jensen.

Mayor Williams called the Utility Funds Work Session to order at 5:35 PM. Finance Director Natalie Saleh gave an overview of the agenda, she stated that we will be hearing from the Police Department, Water Resources, and the Electric Department.

Police Chief Arnold Downing and Ms. Saleh discussed the proposed police budget in detail. The budget is about \$2M which is a decrease from FY18 because the new facility is completed. Chief Downing stated that he would like to hire an Administrative Assistant to assist with grants, reports, scheduling training, etc., which is not reflected in this budget. Town Administrator Laura Allen stated that she requested more information about their workload and call log from Chief Downing before it would be added to the budget and had not received it yet, so at this point there is no justification for the position. Mayor Williams asked how many sworn officers they currently have, and how many civilian employees; Chief Downing said they have 14 sworn officers, 5 full time civilian employees, and 3 part-time civilian employees. Mayor Williams asked if he has considered making use of existing civilian officers; Chief Downing stated that they already have a full workload. Councilmember Tyndall asked the Chief if he has ever missed deadlines on filings because of a lack of personnel; Chief Downing said he has. Councilmember Burrell asked for Chief Downing to send the Council a job description, workload information, and any other information about the position; he said he will.

Overall, there was an increase in salaries for the Police Department because they included a 3% increase across the board, and the Mayor has recommended changing the one-time payment from \$500 to \$750. Which would bring the total for the one-time payment for all departments from \$36,247 to \$56,347. Councilmember Tyndall stated that he would prefer the additional \$250 be used as a match to a deferred compensation plan; Mayor Williams said he would rather employees have a choice. Managing Director Jeffrey Fleetwood said he would explore that possibility. Councilmember Burrell stated it may be worth looking at only giving the \$750 to the hourly employees; Mr. Fleetwood said that will only leave nine employees without it. Councilmember Gulyas asked how long we have been doing the one-time payments for employees; Mr. Fleetwood said this will be year six; Councilmember Gulyas said he thinks employees need it, and it should be in the form of a payment. Councilmember Tyndall asked if the 3% increase is an actual increase for employees after taxes; Ms. Allen stated that it depends on their tax status, but should be an increase.

Chief Downing continued with his budget. He discussed changes in budget items, including an increase in employee training, he has three officers in college currently. Vice-president Brittingham asked

about fingerprinting; Chief Downing said it is basically a wash, we charge a fee, but also pay the state, we are ultimately left with \$20 per fingerprinting. Councilmember Burrell asked why the Worker's Compensation is so high; Mr. Fleetwood said it is broken down by department and they factor in the last three years of claims. Councilmember Purnell asked what the total increase for all departments was for Worker's Compensation; Mr. Fleetwood said overall 30%, but it is charged accordingly to the departments. Chief Downing discussed the ATV they are requesting for special use; Councilmember Tyndall asked if this can be shared equipment between the Berlin Fire Company and the Police Department rather than purchasing two; Mayor Williams said we should explore that possibility, we should leave it in the budget for now. Chief Downing said he is meeting with LGIT on May 15th about body cameras, but they have included them in the budget. Chief Downing said they included a new Chevy Tahoe to replace one they currently have. They included a new in-car camera; Councilmember Tyndall asked if the purchase of this camera will give all police vehicles cameras, he said this one is for Lieutenant Fisher, his vehicle and one other still do not have them, but all patrol cars do. They also included a Sharp Display interactive board for their training room, they are negotiating the price; Councilmember Gulyas asked if this can be used for other departments trainings; he said it can be.

Water Superintendent Marvin Smith and Water Resources and Public Works Director Jane Kreiter presented the Water Administration proposed budget. They indicated that the revenues for water have decreased, but they are being on the conservative side with revenues. They are planning for 30 commercial special connections, 5 residential, 20 at the Cottages, and 7 at Purnell Crossing. Ms. Saleh mentioned that if you see (CF) that means carried forward from FY18.

Ms. Kreiter and Ms. Smith explained the Water Distribution proposed budget. Ms. Saleh stated that overall, there was an increase of 26.69%. Councilmember Tyndall asked if we were including a rate study in the budget; Ms. Allen said it is in this year's budget and DBF is currently working on it, it should be completed by the summer.

Ms. Kreiter and Wastewater and Public Works Superintendent Jamey Latchum presented information on Wastewater. Ms. Kreiter said there is a 14.82% decrease in revenues because they are unsure of the plans at Ocean's East at this point, Ms. Allen thinks they are waiting until their current units are filled. Vice-President Brittingham asked if they have a sprinkler irrigation system in place; Ms. Kreiter stated that they have been asking the County for a well permit, and the Town told the County they are opposed to it, so they are not issuing a permit. Ms. Kreiter stated that Bottle Branch Road repairs will come from Wastewater and Stormwater, most of the damage is from Haulers. Mr. Latchum noted that on the vertical Capital Budget form the "Lift Station William Street Rehabilitation" should read "Lift Station Broad Street Rehabilitation". Wastewater then asked for a new employee, they said they need a wastewater treatment operator, right now they pull from other departments to get the job done. Mayor Williams asked why the cost doubled for employees; Mr. Fleetwood said they moved a Spraysite employee in the books to treatment because that's how he should have been listed to begin with, plus they added the requested position. Ms. Allen asked Ms. Saleh if the fund could support that new position; she said she believed so. Councilmember Tyndall asked if we could look into pass alarms for employees at the Spraysite so we could find them if needed; Ms. Kreiter said we would. Ms. Kreiter said they are also considering raising hauler fees to make up for fees associated with that service; Mayor Williams asked when; Ms. Kreiter said hopefully by late summer. Ms. Allen asked what the Forrest Management Plan was; Mr. Latchum said it is required every five years and will allow them to see if they can bring in revenue from lumber. Councilmember Gulyas left the meeting at 7:00 PM.

Ms. Kreiter and Mr. Latchum presented information on Stormwater. There is a 17.42% increase in revenues from prior year surplus because they have been setting funds aside for 6 years to help offset future costs. Ms. Allen said we are waiting to hear about the DNR Trust Fund Grant and the Community Resilience Grant; Mayor Williams said we can plan the budget as if we will be awarded

the funds, and adjust the budget if we are not. Councilmember Burrell asked if we budget for maintenance or upkeep of projects that have already taken place; Ms. Kreiter said most upkeep is in the form of labor, but they do have some funds if needed for maintenance of projects. Vice-President Brittingham asked if we have plans to do anything with the area behind Towns of Berlin II where trash is always dumped. Ms. Kreiter said it is very bad in that area, and she is looking into changing the fence so it is more difficult to dump there. Councilmember Burrell asked how old our Vac Truck is; Mr. Latchum said it was purchased in 2009 and they put funds aside for the purchase of future trucks. Ms. Allen said she and Ms. Saleh are going to work on a vehicle replacement schedule. Mr. Smith and Ms. Latchum thanked the Mayor and Council for their work.

Electric Utility Director Tim Lawrence presented the proposed Electric Utility Funds budget. Ms. Saleh mentioned that the revenues have increased by 2.12% but fees are not rising for consumers. Mr. Lawrence stated that there is a decrease in the Electric Administration budget of 8.98% due to bond reductions. He mentioned that all of the telephone, travel, and training fees are now under Admin.

Mr. Lawrence presented the Power Plant budget, he said the major expenses in this category are for engines two and four needing major repairs. He said due to Public Service Commission regulations, they are not able to put away funds for future expenses like the Water Department currently does; Mayor Williams said the Town needs to continue fighting that.

Mr. Lawrence presented the Power Distribution proposed budget. He indicated the need of a new position, a relay and substation technician who will also serve as a lineman. He said five of his eight employees are eligible for retirement, and he wants to hire someone now to begin shadowing them. Mr. Lawrence mentioned that there is \$70K in the budget for a new hauling dump truck, but after this replacement, all major vehicles will be up-to-date. Councilmember Burrell asked what happens to the vehicles that are replaced. Ms. Saleh replied that they are either scrapped, sold on gov deals, traded, or kept until they die. Mr. Fleetwood said some are repurposed in another department. Mr. Lawrence said they budgeted for new Sensus readers, which will be compatible with water's readers if they needed to borrow from one another. Mayor Williams asked if the technology existed to have one meter that is compatible with water, electric, and billing; Mr. Lawrence said they are close, but not yet. Mr. Lawrence mentioned the need for a new ice machine; Councilmember Burrell asked if it can be a shared expense with other departments. Ms. Saleh said she can do that. Councilmember Tyndall asked if they can get brighter shirts and reflective tape on vehicles; Mr Lawrence said he was ordering gray, but they should be wearing reflective gear when they are out in the streets, and they will have reflective tape on trucks.

Mayor Williams asked for the overall numbers, Ms. Saleh said she will send it because it may change more. Councilmember Tyndall asked if Mr. Fleetwood can get him the wellness program numbers soon; he said he would.

The Utility Funds Work Session adjourned at 8:20 PM.

Respectfully Submitted,



Kelsey Jensen
Town Clerk



MOTION OF THE MAYOR AND COUNCIL 2018-13

A MOTION OF THE MAYOR AND COUNCIL OF THE TOWN OF BERLIN APPROVING A PARK RESERVATION FEE WAIVER FOR STEPHEN DECATUR HIGH SCHOOL FOR THE REMAINDER OF THE SCHOOL YEAR.

APPROVED THIS ____ DAY OF _____, 2018 BY THE MAYOR AND COUNCIL OF THE TOWN OF BERLIN, MARYLAND BY AFFIRMATIVE VOTE OF ____ TO ____ OPPOSED, WITH ____ ABSTAINING AND ____ ABSENT.

ELROY BRITTINGHAM, SR. VICE PRESIDENT

APPROVED THIS ____ DAY OF _____, 2018 BY THE MAYOR OF THE TOWN OF BERLIN.

WM. GEE WILLIAMS, III, MAYOR

ATTEST: _____
LAURA ALLEN
TOWN ADMINISTRATOR



Stephen Decatur High School

A Maryland Blue Ribbon School

9913 Seahawk Road
Berlin, Maryland 21811

Phone: 410-632-2880
Guidance: 410-641-2207

Fax: 410-641-1135
Fax: 410-641-3494

Principal: Thomas D. Zimmer

Co-Principals: Katherine G. Cater, Ryan M. Cowder, Leland D. Green, Trevor L. Hill

Mayor Williams,

As the end of the school year approaches Stephen Decatur High School has several school based organizations that will be requesting to hold an event at the Stephen Decatur Park pavilion. We therefore are requesting a fee waiver for each individual event. Thank you for considering this request. We appreciate the continued support and generosity from the city of Berlin.

Sincerely,

A handwritten signature in black ink that reads "Thomas Zimmer". The signature is written in a cursive style with a long horizontal stroke at the end.

Mr. Thomas Zimmer

Principal

Stephen Decatur High School



MOTION OF THE MAYOR AND COUNCIL 2018-12

A MOTION OF THE MAYOR AND COUNCIL OF THE TOWN OF BERLIN APPROVING A PARK RESERVATION FEE WAIVER FOR THE SUMMER OF 2018 FOR WORCESTER YOUTH AND FAMILY.

APPROVED THIS ____ DAY OF _____, 2018 BY THE MAYOR AND COUNCIL OF THE TOWN OF BERLIN, MARYLAND BY AFFIRMATIVE VOTE OF ____ TO ____ OPPOSED, WITH ____ ABSTAINING AND ____ ABSENT.

ELROY BRITTINGHAM, SR. VICE PRESIDENT

APPROVED THIS ____ DAY OF _____, 2018 BY THE MAYOR OF THE TOWN OF BERLIN.

WM. GEE WILLIAMS, III, MAYOR

ATTEST: _____
LAURA ALLEN
TOWN ADMINISTRATOR



WORCESTER YOUTH AND FAMILY COUNSELING SERVICES, INC.

A Private Non-Profit Provider Since 1975

BOARD OF DIRECTORS

President

Robin Walter

Vice President

Greta Del Corro

Treasurer

Cindy Ostrowski

Secretary

Karen Bush

Members

Karen Clayland

Tyler Dark

Arnold Downing

Gwen Lehman

Brittany Lindsey

Marcea Redden

Betsy Williams

Executive Director

Steven Taylor

Location

124 N. Main Street,

Suite C

Berlin, MD 21811

Phone

410-641-4598

FAX

410-641-4696

Website

www.gowoyo.org

May 3, 2018

Berlin Town Council
10 William Street
Berlin, MD 21811

Dear Mayor Williams and Town Council Members,

I am writing on behalf of Worcester Youth and Family Counseling Services to inquire about having our park reservation fee waived for Henry Park on June 21, 2018 for our Berlin Youth Club Summer Kick-Off and Meet and Greet. The Kick-Off event allows us to solidify our relationship with current BYC members and their families and to welcome new members into the program. Additionally, I am requesting an extended fee waiver for the summer of 2018.

Throughout the summer, the Berlin Youth Club introduces the children of Berlin to many different activities in their community and surrounding areas. On certain days throughout the summer, the Berlin Youth Club utilizes many of our Town's beautiful parks and looks forward to having educational, ecological and fun activities there. This allows the children to experience activities essentially in their own backyard.

In addition to the June 21st event, two more additional days are needed this summer. All of our outings occur during the work week, so we will not interfere with the busy weekend reservations requested by fellow community members. Granting us an extended waiver of the park reservation fees for the summer of 2018, will allow us to utilize our funds in other ways to benefit the children of Berlin.

Thank you for your consideration and time.

Sincerely,

Steven Taylor
Executive Director



RESOLUTION NO. _____

A Resolution of the Town Council of Berlin, MD
designating Town of Berlin as a BEE CITY USA® affiliate.

WHEREAS, the mission of BEE CITY USA is to galvanize communities to sustain pollinators, responsible for the reproduction of 90% of the world's wild plant species, by providing them with healthy habitat, rich in a variety of native plants and free to nearly free of pesticides; and

WHEREAS, due in part to the tremendous diversity of wild native bees, along with the honey bees that were brought to the United States from Europe in the 1700s, we have very diverse dietary choices rich in fruits, nuts, vegetables and even dairy products--one in every three bites of food we eat is courtesy of insect pollination; and

WHEREAS, bees and other pollinators have experienced population declines due to a combination of habitat loss, use of pesticides, and the spread of pests and diseases; and

WHEREAS, pollinator-friendly communities can benefit local and regional economies through healthier ecosystems, increased vegetable and fruit crop yields, and increased demand for pollinator-friendly plant materials from local nurseries and growers; and

WHEREAS, an ideal pollinator-friendly habitat:

- Provides diverse and abundant nectar and pollen from plants blooming in succession throughout the growing season;
- Provides water for drinking, nest-building, cooling, diluting stored honey, and butterfly puddling;
- Provides undisturbed spaces (leaf and brush piles, un-mowed fields or field margins, fallen trees and other dead wood) for nesting and overwintering for wild pollinators
- Is pesticide-free or has pesticide use carried out with least ill effects on pollinators;
- Is comprised of mostly, if not all, native species of annual and perennial forbs, grasses, vines, shrubs, and trees in landscapes because many wild pollinators prefer or depend on the native plants with which they co-adapted;
- Includes, where possible, designated pollinator zones in public spaces with signage to educate the public and build awareness; and,
- Provides for safe and humane removal of honey bees when required.

WHEREAS, supporting pollinators fosters environmental awareness and sustainability, and increases interactions among community stewards, backyard beekeepers, farmers, children, educators, Master Gardeners, local businesses, faith-based organizations, and nature-related organizations; and

WHEREAS, to enhance understanding among local government staff and the public about the vital role that pollinators play and what each of us can do to sustain them, the Town of Berlin

DRAFT

chooses to support and encourage pollinator habitat creation and enhancement on both public and private land; and

WHEREAS, the Town of Berlin should be certified a *BEE CITY USA* community because:

- The Town of Berlin is actively taking steps to increase and enhance pollinator habitats,
- Sustainability is a top priority for the Town of Berlin, and is often promoted at community events and meetings, and
- Building on the Town of Berlin's previous success, this certification would enable the Town of Berlin to increase sustainability initiatives.

NOW, THEREFORE, the Town of Berlin resolves as follows:

1. The Town of Berlin Water Resources and Public Works Department is hereby designated as the BEE CITY USA sponsor.
2. The Water Resources and Public Works Director of the Town of Berlin is designated as the BEE CITY USA liaison.
3. Facilitation of the Town of Berlin BEE CITY USA program is assigned to the Green Team.
4. The Green Team is authorized to, and should:
 - a. **Celebration:** Annually celebrate National Pollinator Week (third full week of June) or some other appropriate occasion with educational events, pollinator habitat plantings or restoration, proclamations or promotions that showcase the Town of Berlin's commitment to enhancing pollinator health and habitat.
 - b. **Publicity & Information:** Install and maintain at least one authorized Bee City USA street sign in a prominent location, and create and maintain a webpage on the Town of Berlin website which includes, at minimum, a copy of this resolution, links to the national Bee City USA website, contact information for the local government's Bee City USA liaison Water Resources and Public Works Director, contact information for the "Green Team," and reports of the pollinator-friendly activities the community has accomplished the previous year(s).
 - c. **Habitat:** Develop and implement a program to create or expand pollinator-friendly habitat, which can include, but is not limited to:
 - i. Identification and inventory the Town of Berlin's real property that can be enhanced with pollinator-friendly plantings.
 - ii. Creation of a recommended locally native species list to include forbs, grasses, vines, shrubs, and trees and a list of local suppliers for those species.
 - iii. Creation of a least toxic integrated pesticide management plan,
 - iv. Dissemination of informational and educational materials to the public, and
 - v. Tracking annual area of pollinator habitat created or enhanced by square footage and/or acreage.

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- d. **Policy:** Establish, through the Town of Berlin, a policy in the Town of Berlin's Comprehensive Plan to acknowledge and commit to the BEE CITY USA designation.
- e. **Plan Review:** Review the Town's pesticide management policies and practices as they relate to pollinator conservation, identify appropriate locations for pollinator-friendly plantings, and consider other appropriate measures.
- f. **Renewal:** After completing the first full year as a BEE CITY USA affiliate, each January, apply for renewal of the Town of Berlin's BEE CITY USA designation following the format provided by BEE CITY USA, including a report of the previous year's BEE CITY USA activities, and paying the renewal fee based on the Town of Berlin's population.

Adopted by the Mayor and Council of the Town of Berlin, this ____ day of _____, 2018.

Wm. Gee Williams
Mayor

Approved as to form:

Attest:

Town Attorney

Town Clerk

Planning your garden – think like a pollinator.

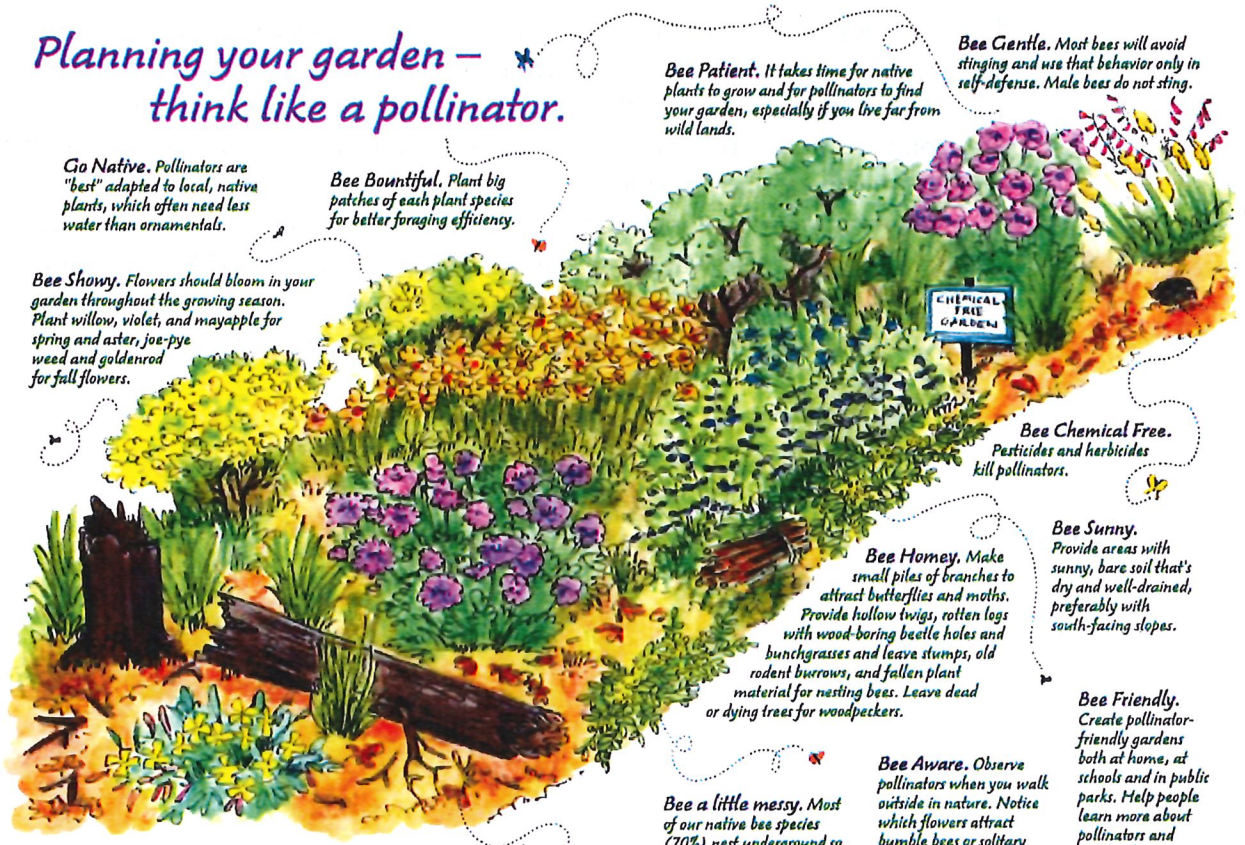
Go Native. Pollinators are "best" adapted to local, native plants, which often need less water than ornamentals.

Bee Showy. Flowers should bloom in your garden throughout the growing season. Plant willow, violet, and mayapple for spring and aster, joe-pye weed and goldenrod for fall flowers.

Bee Bountiful. Plant big patches of each plant species for better foraging efficiency.

Bee Patient. It takes time for native plants to grow and for pollinators to find your garden, especially if you live far from wild lands.

Bee Gentle. Most bees will avoid stinging and use that behavior only in self-defense. Male bees do not sting.



Bee Chemical Free. Pesticides and herbicides kill pollinators.

Bee Sunny. Provide areas with sunny, bare soil that's dry and well-drained, preferably with south-facing slopes.

Bee Homey. Make small piles of branches to attract butterflies and moths. Provide hollow twigs, rotten logs with wood-boring beetle holes and bunchgrasses and leave stumps, old rodent burrows, and fallen plant material for nesting bees. Leave dead or dying trees for woodpeckers.

Bee a little messy. Most of our native bee species (70%) nest underground so avoid using weed cloth or heavy mulch.

Bee Aware. Observe pollinators when you walk outside in nature. Notice which flowers attract bumble bees or solitary bees, and which attract butterflies.

Bee Friendly. Create pollinator-friendly gardens both at home, at schools and in public parks. Help people learn more about pollinators and native plants.

Bee Diverse. Plant a diversity of flowering species with abundant pollen and nectar and specific plants for feeding butterfly and moth caterpillars.

Southern Living

PLANT COLLECTION

Inspired Gardening for the Way You Live

SOUTHERNLIVINGPLANTS.COM

HUES THAT ATTRACT

ATTRACT HUMMINGBIRDS

Plant Reds, Oranges, Yellows, Pinks, & Purples



JOY OF LIVING®
HIGH VOLTAGE™ DAYLILY

SOLAR GLOW™
SUNBOW® AZALEA

LYDIA™
TECOMA

CRAZY PINK™
ECHINACEA

'LOVE AND WISHES'
SALVIA

ATTRACT BUTTERFLIES

Plant Pinks, Purples, Reds, Yellows, & Oranges



RAINBOW SENSATION™
WEIGELA

'PRINCESS DARK LAVENDER'
VERBENA

STARS AND STRIPES™
PENTAS

'REAL CHARMER'
LEUCANTHEMUM

BELLS OF FIRE™
TECOMA

ATTRACT BEES

Plant Blues, Purples, Violets, Whites, & Yellows



EVER SAPPHIRE™
AGAPANTHUS

'AMISTAD'
SALVIA

ULTRA VIOLET™
BUDDLEIA

CRAZY WHITE™
ECHINACEA

SOLAR FLARE™
SUNBOW® AZALEA



MOTION OF THE MAYOR AND COUNCIL 2018-14

A MOTION OF THE MAYOR AND COUNCIL OF THE TOWN OF BERLIN APPROVING TEEPEE DEVELOPMENT, LLC TO TRANSFER ONE EQUIVALENT DWELLING UNIT (EDU) TO LOT ONE, TRANSFER ONE EDU TO LOT TWO, TRANSFER FIVE EDUS TO LOTS THREE THROUGH SEVEN, AND APPROVING THE METHODOLOGY OF AVERAGING THE EDU PRICING FOR THE SEVEN EDUS TO \$8585.71 PER EDU.

APPROVED THIS ____ DAY OF _____, 2018 BY THE MAYOR AND COUNCIL OF THE TOWN OF BERLIN, MARYLAND BY AFFIRMATIVE VOTE OF ____ TO ____ OPPOSED, WITH ____ ABSTAINING AND ____ ABSENT.

ELROY BRITTINGHAM, SR. VICE PRESIDENT

APPROVED THIS ____ DAY OF _____, 2018 BY THE MAYOR OF THE TOWN OF BERLIN.

WM. GEE WILLIAMS, III, MAYOR

ATTEST: _____
LAURA ALLEN
TOWN ADMINISTRATOR

Teepee Development, LLC
PO Box 460
Ocean City, Md. 21843
troyburn@aol.com
410-726-8043 (cell)

April 30, 2018

Mayor and Council of Berlin
Laura Allen Town Administrator
Jane Kreiter Public Works

RE: Establish EDU fees for 7 lot subdivision Purnell Crossing South

Dear Mayor and Council,

At the last planning and zoning meeting we gained approval to resubdivide 2 parcels of land into 7 lots off of Prospect Drive. I have met with Laura and Jane and discussed how the sewer and water can be reallocated based on the ready to serve fees and when they began. We verified all this with Melissa (email attached) .

First acct 22-1520101 was mistakenly never included in the original RTS (ready to serve) fees established in 2003 and was never billed. In 2011 when the property transferred it was discovered and began paying RTS fees then. Upon asking what the connection fee would be Melissa used 2011 fee of \$16,686. I assert that the fee should be from 2003 and offer to make up the arrearage $8 \text{ yrs} \times 12 \text{ mos} \times \$32.27 = \$3097.92$ and establish the EDU fee at \$5800 for that account. This EDU would be allocated to lot #1 in the new subdivision.

Second acct 11-3570001 has 2 EDUs est. In 2003 at \$5800 ea. We wish to transfer 1 EDU to the newly created lot #2

Third acct 33-990202 has 47 EDU's est. In 2005 at \$9700 ea. We wish to transfer 5 EDU's to the newly created lots 3-7

If we use 2 @ \$5800 plus 5 @ \$9700 = \$60100 and divide by 7 = \$8585.71. We request the connection fee be established at \$8586.00 for each lot. The same RTS fees would continue.

Sincerely,
TEEPPEE Development, LLC

G. Troy Purnell
Managing member

Encl: various

Purnell Crossing 7 lot subdivision

	Year est.	acct #	# EDU's	water	sewer	total
corner broad	Aug 2011?	22-1520101	1	4425	12261	16686
corner broad	Aug 2003	22-1520101	1	1800	4000	5800
Townhomes	Aug 2003	11-3590001	20	1800	4000	5800
farm	Aug 2003	11-3570001	2	1800	4000	5800
Asst. living	May 2005	33-990202	47	2400	7300	9700
			70			

Proposed reallocation

corner broad	Aug 2003	22-1520101	0	1800	4000	5800
transfer to lot #1						
Townhomes	Aug 2003	11-3590001	20	1800	4000	5800
remains same						
farm	Aug 2003	11-3570001	1	1800	4000	5800
transfers to lots #2						
Asst. living	May 2005	33-990202	42	2400	7300	9700
transfers to lots #3,4,5,6,7						
New 7 Lot subdivision			7			
			70			

2	5800	11600
5	9700	48500
7		\$60,100.00
cost each		\$8,585.71

UNRECORDED

PROSPECT DRIVE

PHASE III

POND

PARCEL #1706
TAX MAP #300

PARCEL #1705

AD STREET

703

LOT AREA: 10,985 S.F.
BUILD ENV.: 7,050 S.F.

LOT AREA: 10,723 S.F.
BUILD ENV.: 6,929 S.F.

LOT AREA: 10,725 S.F.
BUILD ENV.: 6,934 S.F.

LOT AREA: 10,707 S.F.
BUILD ENV.: 6,920 S.F.

LOT AREA: 10,691 S.F.
BUILD ENV.: 6,905 S.F.

LOT AREA: 10,694 S.F.
BUILD ENV.: 6,907 S.F.

LOT AREA: 10,847 S.F.
BUILD ENV.: 4,555 S.F.

25-FOOT FRONT YARD SETBACK (TYP.)
5-FOOT SIDE YARD SETBACK (TYP.)
15-FOOT REAR YARD SETBACK (TYP.)

Proposed
2/1/18
Approved.
3/14/18
Berlin
P+2.

PARCE

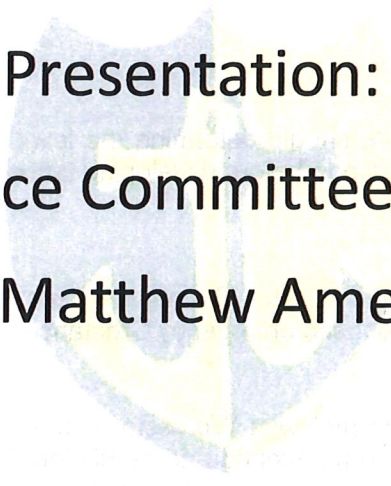
From: Jane Kreiter jkreiter@berlinmd.gov
Subject: FW: Lots and Dates For Troy
Date: Mar 23, 2018 at 3:31:48 PM
To: Troy Purnell tpurnell@berlinmd.gov
Cc: Melissa Coffey mcoffey@berlinmd.gov

From: Melissa Coffey
Sent: Friday, March 23, 2018 9:46 AM
To: Jane Kreiter <jkreiter@berlinmd.gov>
Subject: Lots and Dates For Troy

11-3570001-00 Broad parc 1694 8/6/2003 \$ 1800 water \$4000 sewer
22-1520101-00 Broad & Prospect 8/1/2011 \$4425 water \$12261 sewer
11-3590001-00 RT 346 Parc 1279 8/6/2003 \$1800 water \$4000 sewer
33-0990202-00 rt 346 100 BED 5/5/2005 \$2400 water \$7300 sewer




Melissa Coffey
Customer Service Supervisor
410-641-2770 office
410-641-2316 fax
mcoffey@berlinmd.gov



Presentation:
Tattoo Ordinance Committee & Staff Report
– Matthew Amey



STAFF REPORT

TO: Tattoo Ordinance Committee
FROM: Town Administrator Laura Allen 
SUBJECT: Tattoo Parlor Licensing Options

RECOMMENDATION

The Tattoo Ordinance Committee should determine the level of Council support for seeking a change in the Worcester County Code before developing tattoo parlor regulations.

SUMMARY

The Mayor and Council established a Tattoo Ordinance Committee in the fall of 2017 in response to community concerns that a proposed emergency Ordinance was out of date and not in the best interests of the Town.

In January 2018, the Committee met with Worcester County Health Officials to discuss their interest in providing health related monitoring and regulation if the Town adopted an ordinance allowing tattoo parlors. In order for the County Health Department to provide health and safety support to the Town's tattoo parlors, the County Code would need to be changed by the County Commissioners.

After the meeting, staff was asked to determine what it would take for the Town to license tattoo parlors, as well as how that program would be funded, implemented and managed, including the feasibility of having a contractor perform these services.

FISCAL IMPACT

None. If the Mayor and Council agree to adopt an ordinance allowing tattoo parlors to operate in Town, staff would design the program fees to recover all the costs from the licensees. Research indicates the cost could range from \$5,000 to \$20,000 depending on the number of tattoo parlors and level of regulation adopted.

BACKGROUND

The Committee met with the County Health Department staff on January 25, 2018. The relevant sections of those minutes are below:

Ms. Jones (Director) and Mr. Potez (Environmental Health Director) provided background information to the committee regarding the regulations passed by the state and the county. They explained the state regulations provide for a complaint driven response only. They further explained the Town's regulations would need to be approved by the County Commissioners acting as the Board of Health for the Town to have the inspection and related health services support from the Worcester County Health Department for its tattoo regulations.

Mr. Potez explained the cost of the body piercing program is borne by the licensees.

The committee asked if the state would establish standards for tattooing. Mr. Potez indicated the tattoo artist would be held liable for health issues that developed after the service was provided.

The committee discussed the use of sterile dyes. Mr. Amey and Mr. Helmuth explained challenges with that approach, specifically the high amount of waste.

Mr. Amey and Mr. Helmuth provided sample devices used in the tattoo process and explained the sterilization and disposal process.

As a follow up to this meeting, Town Administrator Laura Allen discussed the feasibility of contracting with Worcester County Health Department to monitor and regulate tattoo parlors under Town adopted regulations. Rebecca Jones, County Health Director, indicated she would need to obtain an opinion from the Maryland State Attorney General regarding this request. Ms. Allen also asked Ms. Jones if she was aware of a company the Town could contract with for inspection services. Ms. Jones indicated that she was not aware of a company that would and she thought it would be hard to find one because the regulation and monitoring of tattoo parlors is usually handled by a health department. She indicated the type of position the Town would need is called a sanitarian.

During subsequent conversations between County Health Department staff and Town staff, it was determined that if the Town proceeded to license tattoo parlors, the County would respond to complaints. They are legally obligated to do so under Maryland State Law.

Ms. Allen also spoke with representatives from Baltimore City and Allegany County regarding their approach to regulating and monitoring tattoo parlors.

Baltimore City – Jessica Speaker Director, Environmental Inspection Services

Ms. Speaker indicated they have 21 Environmental Health Specialists (inspectors) for 25 parlors. The average salary is \$70,000 with benefits. They are licensed and trained sanitarians; the City updated the title a couple of years ago to more accurately reflect the work they do.

The inspectors handle other businesses in addition to tattoo parlors. Their regulations focus on the facility rather than the artist. They do not allow mobile tattoo parties or kitchen parties and have issued citations from time to time. They charge a \$100 fee per facility. Ms. Speaker estimated one inspector could handle all 25 facilities and related complaints if that's all they did.

Ms. Speaker agreed with Ms. Jones' assessment that it would be hard to find a sanitarian under contract. She was not aware of anyone or any firm doing this work.

Baltimore City issues a license and performs a plan review inspection and an inspection of the facility before the tattoo parlor opens. They require the business owner to register all artists (name, years of experience, age, other employment, certification of blood born pathogens). All employees must be at least 18 years old. All customers must be at least 18 years old.

The City also performs an annual inspection of the facility, focused on cleanliness. They examine the service area and facility checking for:

1. privacy screen,
2. appropriate level of lighting,
3. hot and cold running water,
4. sharps disposal,
5. disinfectant,
6. review blood borne pathogens protocols, and
7. customer records (they review for completeness; records must be kept for three years).

Ms. Speaker said they generally don't have any issues. The most frequent complaint they've received has been tattooing of a minor.

Allegany County - Brian Dicken, Environmental Health Director

Mr. Dicken indicated they inspect annually and perform a pre-zoning review. They also respond to complaints. The County has new regulations in place to address complaints they received regarding the quality of the artwork. Mr. Dicken stated the Town should not include a qualitative assessment of the tattoo art in any ordinance.

The County focuses on public health in their inspection process. They ensure the facility is clean, that the employees have blood borne pathogens training, and they have protocols for needle disposal.

The County has less than 10 tattoo parlors and employs one full-time Environmental Health Specialist (inspector), who handles other businesses as well. Mr. Dicken indicated he would need at least a half-time (50%) employee if the inspector only focused on tattoo parlors. That position would cost about \$20,000 with benefits.

Mr. Dicken also indicated it would be hard to find a sanitarian to work for the Town under contract to perform inspections. The companies he's aware of work with developers to get parcels to perk. He also stated that this function really should be under the County Health Department.

When asked what he thought about the Town licensing tattoo parlors without any health and safety regulations in place, Mr. Dicken responded as follows, "you wouldn't have increased liability but think about what you are telling the public. They will see the license and assume the Town has vetted the business from a health and safety

perspective. You'll give people a false sense of security. It's not the responsible approach to take."

Planning and Zoning Director Dave Engelhart contacted Wicomico County.

Wicomico County – Clark Meadows, County Zoning Officer, Henry Eure, City of Salisbury Zoning Director

Staff contacted Wicomico County to determine if they monitor tattoo parlors for health and safety purposes. They do not. They issue business licenses and ensure the tattoo parlors are appropriately zoned.

ANALYSIS

Maryland State Law (COMAR section 10.06.01.06) grants authority for Infection Control of Skin-Penetrating Body Adornment Procedures to the Health Secretary or Health Officer. The Town does not have a Health Officer. That function is handled by Worcester County.

At the first meeting of the Tattoo Ordinance Committee, the key requirements of tattoo regulations were discussed. At the top of the list was health and safety.

The Town is not in a position to address the health and safety aspects of the Committee's concerns. There appears to be no option to contract with a local sanitarian to provide that support. Even if there was, the Town doesn't have the expertise to interpret reports from a contracted inspector.

It is staff's determination that the support of the County Health Department is essential to the effective monitoring of this business activity. While the Committee could recommend not regulating tattoo parlors for health and safety purposes, that approach would be inconsistent with the Committee's and Council's stated concerns.

CONCLUSION

The Tattoo Ordinance Committee should determine the level of Council support for seeking a change in the Worcester County Code before developing tattoo parlor regulations.

CC: Town Attorney David Gaskill

ORDINANCE 2018-03

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF BERLIN, MARYLAND, A MARYLAND MUNICIPAL CORPORATION, SETTING THE REAL PROPERTY TAX RATE

WHEREAS the Town Charter § C3-10 requires that the Mayor and Council pass an Ordinance setting the real property tax rate necessary to sustain the Town's budget; and

WHEREAS the Mayor and Council have determined what the real property tax rate shall be.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Berlin, Maryland that the tax rate for fiscal year 2018-2019 shall be \$.068 per \$100.00 of assessed value of real property located within the Town limits of Berlin, Maryland.

THIS ORDINANCE was introduced and read at a meeting of the Town Council held on the _____ day of _____, 2018, and thereafter a statement of the substance of the Ordinance having been published as required by law was finally passed by the Town Council on the _____ day of _____, 2018.

Adopted and effective this _____ day of _____, 2018 by the Mayor and Council of the Town of Berlin, Maryland, by affirmative vote of _____ to _____ opposed, with _____ abstaining.

Elroy Brittingham, Vice-President

Approved and effective this _____ day of _____, 2018 by the Mayor of the Town of Berlin.

Wm. Gee Williams, Mayor

ATTEST: Laura Allen, Town Administrator