

# PARKS COMMISSION AGENDA

June 6, 5:30 PM  
Berlin Town Hall Conference Room

1. Approval of Minutes of May 2, 2017
2. Update on Berlin Falls – David Deutsch
3. Code Updates
4. Events:
  - a) Outdoor Movie Nights
    - a) June 17 – *Tuck Everlasting*; downtown
    - b) July 1 -*Grease* ; Stephen Decatur Park
    - c) July 15 – *Raiders of the Lost Ark*; Henry Park
    - d) July 29 – *Back to the Future*; Stephen Decatur Park
    - e) August 12 - *Sandlot*; Henry Park
    - f) August 26 – *Runaway Bride*; downtown
  - b) National Night Out – August 1
5. Updates on Ongoing Projects/Issues:
  - a) Edible Forest – Chair Mike Wiley
  - b) Henry Park Permanent Restrooms
  - c) Tennis Courts
6. Berlin Youth Program Update
7. Other

MINUTES – PARKS COMMISSION  
May 2, 2017

The meeting of the Parks Commission for Tuesday, May 2, 2017 was called to order at 5:30 PM. Parks Commission members Chair Mike Wiley, Loretta Brown-Briddell, Patricia Dufendach and Bruce Wiley were present as well as Administrative Services Director Mary Bohlen, and Ms. Amanda Chaffee of Worcester Youth & Family. Sarah Hooper had notified Ms. Bohlen that she would be absent.

Ms. Dufendach moved to approve the Minutes of March 7, 2017 as presented and approval was unanimous. Ms. Brown-Briddell moved to approve the Minutes of April 4, 2017 and approval was unanimous.

Ms. Bohlen noted that there were 62 volunteers on Clean-Up Day and, despite the weather, quite a lot was accomplished. Public Works would continue to place the play surfacing and mulch and plant several trees that did not get planted during the event.

Ms. Bohlen noted that Spring Just Walk was scheduled for Saturday May 6, 2017 and asked that everyone meet at Stephen Decatur Park at 8:30 AM.

Ms. Bohlen noted that Friday, May 5, 2017 was the last day for voting for movies on Facebook. Once the votes were in, she would finalize the dates and licensing with Fun Flicks and the license holders.

Mr. Wiley indicated that the students would be prepping the ground for the Edible Forest the following Tuesday and would be effectively doubling the size of the area. Ms. Bohlen noted that a Request for Waiver of sign permit fee would be presented at the Mayor and Council Meeting on Monday, May 8<sup>th</sup>. She had requested that some of the students come to the meeting to make the presentation, but did not yet know if they would be present.

Ms. Bohlen had nothing new to report on the Henry Park Restroom project or the tennis courts project; she reminded the Board of the budget shortfalls on the tennis courts project and noted that she was still awaiting information from the United States Tennis Association regarding a grant.

Mr. Wiley noted that Get Ramped was scheduled to start at the end of May. Ms. Bohlen read an email from Tres Denk thanking the Parks Commission for their support in getting this event started.

Ms. Chaffee reported on the recent and upcoming events for Worcester Youth. She noted that WYFC had appeared before the Mayor and Council at their April 24<sup>th</sup> meeting and requested additional funds for FY18. Applications for participation in the program were due on May 1<sup>st</sup> and any new applicants would be placed on a waiting list. She also discussed planned events for the coming months.

Mr. Jack Orris asked about the status of the water report for Berlin Falls and Ms. Bohlen indicated that she did not have an update.

The Commission briefly discussed the possibility of community compost.

Ms. Bohlen noted that the next meeting was scheduled for Tuesday, June 6, 2107.

Ms. Dufendach moved to adjourn the meeting and approval was unanimous. The meeting adjourned at approximately 6:25 PM.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Mary T. Bohlen".

Mary T. Bohlen  
Administrative Services Director  
Liaison to the Parks Commission



ORDINANCE NO. 2017-03

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF BERLIN, MARYLAND,  
A MARYLAND MUNICIPAL CORPORATION, AMENDING CHAPTER 22, "PARKS AND  
RECREATION".

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF BERLIN THAT Chapter 22, Parks and Recreation be amended as follows:

Chapter 22 - PARKS AND RECREATION

ARTICLE I. - IN GENERAL

Secs. 22-1—22-18. - Reserved.

ARTICLE II. - PARKS COMMISSION

Sec. 22-19. - Purpose.

The purpose of the parks commission shall be to:

- (1) Advise the Mayor and Council on the provision of quality recreational facilities for the citizens of the town without regard to age, physical ability or economic circumstance.
- (2) Assist in the provision of well-designed and maintained park facilities that will be utilized to improve the quality of life of citizens through the provision of a variety of recreational, educational, and cultural activities.
- (3) Develop and coordinate cooperative working relationships with town officials and staff, local and state public agencies and civic clubs with a common interest in the development of public recreational facilities.
- (4) Assist the Mayor and Council in the planning and provision of recreational facilities to meet current and projected needs through recommendations for land acquisition, facility development and funding sources.
- (5) Assist the town in maximizing the public use and appeal of existing public recreation facilities through the development of a comprehensive program of facility maintenance and management.

(Code 1977, § 18-1; Ord. No. 1992-1, 1-27-1992)

Sec. 22-20. - Establishment; membership; vacancies; quorum; meetings.

- (a) The Mayor and Council do hereby create a commission to be called the Berlin parks commission, hereinafter referred to as the parks commission.
- (b) The commission shall consist of five voting members appointed by the mayor with the consent of the council and such other ex officio members as shall be deemed necessary by the commission itself from time to time for the ad hoc purposes of obtaining expert advice or volunteer services for individual projects or programs. Of the five voting members, three shall be appointed for two-year terms and two shall be appointed for a one-year term. Thereafter, all members of the commission shall be appointed for terms of two years. Members of the commission are eligible for reappointment.
- (c) No less than three of the voting members of the commission shall reside within the corporate limits of the town, as those corporate boundaries shall exist at the time of the members' appointments. Ad hoc or ex officio members may be residents of any area, so long as, in the discretion of the commission, they demonstrate a commitment to the best interest of the parks within the town.

- (d) Any vacancy on the commission shall be filled by appointment by the mayor with the consent of the council for the unexpired term of the particular position. It is the express intent of the Mayor and Council to have a majority of voting members representative of residents of the town at all times; thus appointments to fill vacancies must maintain at least three residents.
- (e) The members of the commission shall serve without monetary compensation, except for the reimbursement of bona fide personal expenses that may be incurred in the course of conducting officially sanctioned business.
- (f) Three voting members of the commission shall constitute a quorum for the transaction of business, and a vote of three voting members shall control the action of the commission.
- (g) The commission shall meet at least six times per calendar year, with additional meetings as necessary in the discretion of a majority of the voting members. The absence for three meetings of any member of the commission during the calendar year without excuse shall create a vacancy on the commission.  
(Code 1977, § 18-2; Ord. No. 1992-1, 1-27-1992)

Sec. 22-21. - Bylaws; officers.

- (a) Bylaws.
  - (1) This article shall serve as the bylaws for the parks commission.
  - (2) The commission shall establish its own rules of order and procedures, subject to the approval of the Mayor and Council, and not otherwise inconsistent with the terms of this article.
  - (3) A copy of the bylaws shall be kept on file with the town administrator, and any amendment proposed thereto shall be presented to the Mayor and Council for approval prior to its adoption and effectiveness.
- (b) ~~The officers of the commission shall consist, at a minimum, of a chairperson, secretary and safety director.~~ At a regular meeting of the commission following the appointment or re-appointment of members by the Mayor and Council, the members of the commission shall nominate one member as chair of the commission and shall approve the nomination by affirmative vote of at least three members, excluding the nominee. Such other offices and standing or ad hoc committees may be created by the commission at its discretion for the purposes of carrying out its duties and responsibilities under the provisions of this article.  
(Code 1977, § 18-3; Ord. No. 1992-1, 1-27-1992)

Sec. 22-22. - Powers and duties.

- (a) The parks commission shall be advisory in nature, and all plans, programs and funding applications shall be submitted to the Mayor and Council for approval prior to implementation or submission to any funding agency.
- (b) The commission ~~will~~ may consider, evaluate, advise and recommend to the Mayor and Council on any matter relating to the following:
  - (1) Recreation and parks policies, rules, regulations, programs and finances.
  - (2) The acquisition and disposal of lands and properties related to the community recreation, educational and cultural programs occurring on those lands and properties.
  - (3) The improvement and expansion of public recreational, educational and cultural facilities under the jurisdiction of the Mayor and Council.
  - (4) The maintenance of parks and facilities.

- (5) The future plan for recreation and parks development needs outlined in the town comprehensive plan, chapter 108, zoning, or other applicable sections of the Berlin Code relating to recreation and parks.
- (6) The coordination of publicly sponsored activities and events held in or involving public park facilities or privately sponsored activities which are open to the public.
- (7) The seeking of funds, through public and private sources, to establish, develop or improve public parks and recreation facilities within the corporate limits of the town as those boundaries may be amended from time to time.
- ~~(c) The commission will establish, through its own procedures, monthly safety inspections of existing parks facilities and report its findings to the town administrator for corrective action needed to ensure public safety in the public parks.~~
- ~~(cd)~~ The commission will develop and submit to the Mayor and Council an annual park improvement plan prior to the adoption of the annual budget on July 1 of each year.
- ~~(de)~~ The commission may hold such public hearings meetings and solicit public input as may be necessary to develop an adequate representation of all Berlin citizens in the planning and development of parks and recreational facilities.
- ~~(ef)~~ The authority for any final approval, direction to staff or policy decision shall rest with the Mayor and Council or, at the Mayor and Council's direction, with the town administrator or other officially designated representative of the Mayor and Council.  
(Code 1977, § 18-4; Ord. No. 1992-1, 1-27-1992)

Secs. 22-23—22-4647. - Reserved.

### ARTICLE III. - PARKS

#### Sec. 22-47. Definitions

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Controlled parking area* means a land surface or building structure owned, leased or rented by the town, designated for public parking.

*Motor vehicle* means any vehicle commonly known as a car or truck as well as any motorized minibikes, motorized bikes, motor scooters, go-carts or other mechanically propelled vehicles of a similar nature, except bicycles as defined herein or in Md. Transportation Code Ann. § 11-104.

*Park or Parks* means those areas of Town-owned property designated as such by the Mayor and Council.

*Special Event* means any social occasion or activity occurring on the grounds of a Town park, having more than 50 persons in attendance, including, but not limited to fairs, bazaars and outdoor shows or exhibitions, parades and concerts. For the purposes of this chapter, Special Event shall be further defined as requiring services of the Town of Berlin, such as the provision of additional trash cans, traffic equipment, trash collection and the like. The Town of Berlin reserves the right to designate an event or activity as a Special Event requiring additional services at its discretion.

Sec. 22-48. - Hours.

The public parks in the town shall not be occupied, except as hereinafter set forth, between the hours of one-half hour after sundown to one-half hour before sunrise in each day.

The lighted tennis courts and handball courts located in the Stephen Decatur Park shall be permitted to be used after sunset up to and including the hour of 11:00 p.m. Any play on said courts after the hour of 11:00 p.m. and prior to sunrise shall be prohibited.

(Code 1977, § 71-1; Ord. No. 80-2, 10-6-1980; Ord. No. 84-5, 6-18-1984)

Sec. 22-49. - Rules and regulations.

The rules and regulations for the use of the parks are as set forth herein:

- (1) The washing, waxing, cleaning or repairing of any type of motor vehicle shall be prohibited in the parks.
- (2) The operation and/or parking of unauthorized motor vehicles as defined herein in any area of the parks not designated as a parking area or otherwise authorized by the police department of the town or its authorized agent shall be prohibited.
- (3) All applicable provisions of chapter 4, animals, shall apply.
- ~~(4) No bicycles or other pedal-operated vehicles shall be allowed in the parks except in the parking lots or in areas designated for the riding of said vehicles.~~
- ~~(45) No motor vehicle shall be parked in the parks, whether in the parking areas or otherwise, overnight.~~
- ~~(56) No mobile home or any other type of structure shall be used for sleeping in the parks, including the parking areas thereof, without permission being obtained from the Mayor and Council.~~
- ~~(67) No open container of alcoholic beverages shall be possessed in any of the parks, unless explicitly approved in advance by the Mayor and Council as part of during an organized Special Event. The organizer of said event shall be responsible for obtaining any additional permitting required by Worcester County or the State of Maryland regarding the possession, distribution/sale, and/or consumption of alcohol.~~
- ~~(8) The lighted tennis courts and handball courts located in the Stephen Decatur Park shall be permitted to be used after sunset up to and including the hour of 11:00 p.m. Any play on said courts after the hour of 11:00 p.m. and prior to sunrise shall be prohibited.~~
- ~~(9) The lighted tennis courts and handball courts located in the Stephen Decatur Park shall be permitted to be used after sunset up to and including the hour of 11:00 p.m. upon the prior reservation request's being granted by the police department. Any play on said courts after the hour of 11:00 p.m. and prior to sunrise shall be prohibited.~~
- (7) Organizers of Special Events shall file a Special Event Application and any associated documents as appropriate a minimum of sixty (60) days prior to the scheduled event. Such application shall be subject to review and approval by the Mayor and Council.
- (8) Special Events must be free to all attendees unless a Business Use of Park form, along with all other appropriate documentation, has been submitted and explicitly authorized by the Mayor and Council.

(Code 1977, § 71-2; Ord. No. 80-2, 10-6-1980; Ord. No. 84-5, 6-18-1984; Ord. No. 2013-06 , 11-25-2013; Ord. No. 2016-06 , 7-11-2016)

Sec. 22-50. - Violations and penalties.

Any violations of the provisions of this chapter shall be punishable, upon conviction, as a municipal infraction as set forth in article IV of chapter 2 of this Code.

Any vehicle violating any rules or regulations as herein set forth shall be removed and towed at the expense of the owner or operator.

(Code 1977, § 71-3; Ord. No. 80-2, 10-6-1980; Ord. No. 84-5, 6-18-1984; Ord. No. 2013-06 , 11-25-2013)

THIS ORDINANCE was introduced and read at a meeting of the Town Council held on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, and thereafter a statement of the substance of the Ordinance was published as required by law.

A PUBLIC HEARING was held and this Ordinance was adopted this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, by the Mayor and Council of the Town of Berlin, Maryland, by affirmative vote of \_\_\_\_\_ in favor to \_\_\_\_\_ opposed, with \_\_\_\_\_ abstaining.

\_\_\_\_\_  
Elroy Brittingham, Vice President

This Ordinance was approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_ by the Mayor of the Town of Berlin and was therefore effective twenty (20) calendar days later on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Wm. G. Williams, III, Mayor

ATTEST:

\_\_\_\_\_  
Laura Allen, Town Administrator





ORDINANCE NO. 2017-04

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF BERLIN, MARYLAND, A MARYLAND MUNICIPAL CORPORATION, AMENDING CHAPTER 32, "VEHICLES AND TRAFFIC", ARTICLE III, DIVISION 2 "BICYCLES", SECTION 32-72.

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF BERLIN THAT Chapter 32, Vehicles and Traffic, Article III, Division 2, Section 32-72 Bicycles be amended as follows:

Sec. 32-72. - Riding in parks and playgrounds.

~~It shall be unlawful for any person, operator or group of persons to ride or operate a bicycle or motor vehicle as defined in this division in any park or playground owned, operated and maintained by the town, except in those areas designated by the parks commission as "riding areas" or except in such areas as are public ways or public highways or roads, and commonly used as such in said park or playground areas. The rider or operator of a bicycle in the parks and playgrounds owned and operated by the Town of Berlin shall have said vehicle under proper control at all times and shall not operate or propel the bicycle recklessly or at a rate of speed greater than is reasonable and proper and shall not operate the bicycle so as to endanger the well-being or property of any person or the facilities, equipment and property of the Town of Berlin.~~

THIS ORDINANCE was introduced and read at a meeting of the Town Council held on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, and thereafter a statement of the substance of the Ordinance was published as required by law.

A PUBLIC HEARING was held and this Ordinance was adopted this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, by the Mayor and Council of the Town of Berlin, Maryland, by affirmative vote of \_\_\_\_\_ in favor to \_\_\_\_\_ opposed, with \_\_\_\_\_ abstaining.

\_\_\_\_\_  
Elroy Brittingham, Vice President

This Ordinance was approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_ by the Mayor of the Town of Berlin and was therefore effective twenty (20) calendar days later on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Wm. G. Williams, III, Mayor

ATTEST:

\_\_\_\_\_  
Laura Allen, Town Administrator