



BERLIN MAYOR AND COUNCIL
Meeting Agenda

Berlin Town Hall
10 William Street
Monday, June 11, 2018

6:30 PM EXECUTIVE SESSION – Conference Room

- a. 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.
- b. Pursuant to Section §3-305(b)(14) Before a contract is awarded or bids are opened, to discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.

7:00 PM REGULAR SESSION – Council Chambers

1. Approval of the Minutes for:
 - a. Executive Session of 05/29/18
 - b. Statement of Closure for Executive Session of 05/29/18
 - c. Regular Session of 05/29/18
2. Public Hearing: Ordinance 2018-04 – Ordinance amending Chapter 22, “Parks and Recreation”. Staff Contact – Administrative Services Director Mary Bohlen
3. 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
4. Town Administrator’s Report
5. Comments from the Mayor

6. Comments from the Council
7. Comments from the Public
8. Comments from the Press
9. 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
Tuesday, May 29, 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, Finance Director Natalie Saleh, Water Resources/Public Works Director Jane Kreiter, Police Chief Arnold Downing, Electric Utility Director Tim Lawrence, Planning Director Dave Engelhart, Economic and Community Development Director Ivy Wells, 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 05/14/18:

On the motion of Councilmember Gulyas, the Executive Session minutes of May 14, 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 05/14/18:

Mayor Williams read the Statement of Closure.

c. Regular Session of 05/14/18:

On the motion of Councilmember Gulyas, the Regular Session Minutes of May 14, 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 05/15/18:

On the motion of Vice President Brittingham, the Executive Session minutes of May 15, 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>	4		1		

e. Statement of Closure for Executive Session of 05/15/18:
Mayor Williams read the Statement of Closure.

2. Special Event Request

a. Trinity Holiness Church 5K – 07/28/18 7:00am-1:00pm at SDP– Crystal Lockwood
Crystal Lockwood was present on behalf of Trinity Holiness Church and explained their event request. Councilmember Burrell asked if it sponsored by the church and if there is a fee; Ms. Lockwood said it is sponsored by the church and there is no fee.

On the motion of Councilmember Burrell, the special event request 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. National Night Out – 08/07/18 4:00pm-7:00pm at HP – Berlin Police Department
Chief Downing was present on behalf of the Berlin Police Department and explained their event request.

On the motion of Councilmember Tyndall, the special event request 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. Berlin Bikeways Presentation – Davis, Bowen & Friedel, Inc. Tim Metzner
Planning and Zoning Director David Engelhart

Mr. Metzner presented information on the Berlin Bikeways project and discussed options that could be included in the grant request. Councilmember Tyndall asked what the life expectancy is

on the asphalt surface for the bikeways; Mr. Metzner said 10-15 years or longer. Vice President Brittingham asked how thick it would be; Mr. Metzner said it will be two inches of asphalt over six inches of aggregate. Ms. Allen explained that the project has been phased into three sections because there are limited grant funds available and there is a match portion which is not clear at this time, so nothing has been included in the budget. Ms. Allen explained options with lighting and brick overlay. Councilmember Tyndall asked Mr. Metzner to price out emergency buttons at the intersections. Councilmember Purnell said he would like to see low lighting along the whole path; Mayor Williams said it will also add to safety and security, he would like to see the Victorian lights because it is a historic area. Ms. Allen said they are looking for a motion today that would allow the Town to apply for the Maryland Department of Transportation (MDOT) grant to move forward with applying for the section between Berlin Falls Park and Broad Street and what options the Council would like to see. Resident Suzanne Parks asked how they can get the width in areas where there are old railroad buildings; Mr. Metzner said the buildings do encroach in some areas and in those areas the path is five feet wide. Mayor Williams said we will do our best to work around buildings and if one became an issue they would simply discuss moving it if needed, but there are no foreseen issues right now. Ms. Parks then asked if the Town decided to do a train depot would the path be an issue; Mayor Williams said it would not be, there would be crossing areas. Ms. Allen stated that if the Council is interested in moving forward with applying for the MDOT grant with lighting and emergency buttons a motion would need to be made.

On the motion of Councilmember Burrell, the request to move forward with applying for the MDOT grant and including the lighting and emergency button options 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				

- Resolution 2018-02: Resolution designating Berlin as a Bee City USA affiliate
Town Administrator Laura Allen explained the Bee City USA Resolution and that Water Resources/Public Works Director Jane Kreiter will be taking the lead on this initiative with the help of The Green Team.

On the motion of Vice President Brittingham, Resolution 2018-02 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				

- Public Hearing Ordinance 2018-03 – Ordinance setting the real property tax rate
Mayor Williams explained the Ordinance and opened the public hearing at 7:48pm. He asked if anyone had any questions or concerns, with no comments, the public hearing was closed at 7:49pm.

On the motion of Councilmember Burrell, Ordinance 2018-02 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				

- Introduction/First Reading of Ordinance 2018-02 – Ordinance approving the FY19 Budget as submitted

Town Administrator Laura Allen gave a summary of the budget and stated that it was about 5.7% less than FY2018’s budget. Councilmember Burrell asked why the Police Department’s Administrative Assistant Position was not included in the budget; Mayor Williams stated that the Town Administrator requested information and did not receive what she was looking for, therefore, could not make a recommendation about the position, he stated that departments are expected to follow a process when requesting new positions and it was not done in this instance. Councilmember Burrell made a motion that the position be included in this years proposed budget; Ms. Allen asked Mr. Fleetwood what the total salary request was; Mr. Fleetwood stated about \$44K with benefits. Councilmembers Gulyas and Tyndall stated that if the information requested was not received and the Town Administrator did not feel she had enough information to support the position that they could not support it at this time. Chief Downing said he provided what was requested originally by the Town Administrator. Councilmember Burrell asked Mayor Williams to call to question his motion.

On the motion of Councilmember Burrell, the Motion to add an Administrative Assistant position with a salary of \$44K which includes benefits was denied 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>	2	3			

Mayor Williams stated that he would like to see things done differently in the future and that he hopes Departments will put in their requests in February leaving time for additional requested information to be provided.

- Introduction/First Reading of Ordinance 2018-04 – Ordinance amending Chapter 22, “Parks and Recreation”

Town Administrator Laura Allen explained Ordinance 2018-04 and that this came up when Worcester Youth and Family requested a park fee waiver. Administrative Services Director Mary Bohlen stated that this will give the Town Administrator the authority to waive park fees for non-profit organizations, it will be voted on, on June 11, 2018 at the public hearing.

8. Departmental Reports:

a. Water Resources/Public Works Director – Jane Kreiter

Ms. Kreiter reported that they will be doing meter reads this week. There will be a temporary water shut-off on Pine, Maple, and Cedar tomorrow, May 30th from 9:30am-3:30pm while they work on the water lines. Lastly, Friday, June 1st at noon at Henry Park lunch will be served and everyone is welcomed, they will be dedicating a tree to Wendell Purnell for his time with the Town.

b. Electric Utility Director – Tim Lawrence

Mr. Lawrence stated that AT&T is installing their generator at the water tower and they will have to schedule a short outage when they are complete to connect it. The trip savers are in and need to be installed. Meter reads will take place this week. And lastly, the boring at the tennis courts for the lighting is complete.

c. Police Chief – Arnold Downing

Chief Downing reported that during the storm three vehicles were stuck and rendered inoperable; they had to help those individuals with the military vehicles. He stated that Public Works and Water Resources did a great job helping with the water issues. The Memorial Day event was a huge success and he thanked the American Legion for their donation. Graduation parties are starting, they hope everyone remains safe. Councilmember Tyndall asked if we can have police presence at the crossing near 113 and Uncle Willies next year for the parade; Chief Downing said they did plan to have State Police there, but they received a call for an accident and could not assist.

d. Economic and Community Development Director – Ivy Wells

Ms. Wells stated that the new Farmers Market will be taking place on Sundays from 9am-1pm at Artisans Green next to Go Organics.

e. Managing Director – Jeffrey Fleetwood

Mr. Fleetwood stated that open enrollment is completed. They have onboarded four seasonal employees already and the rest will start in the next 30-45 days.

9. Town Administrator's Report – Laura Allen

Ms. Allen asked that the press make note that they are asking people to have trash out to the curbs for pick-up by 6am. She also mentioned that they will be holding a non-profit grant process orientation meeting on June 20th at 4pm in the Council Chambers. Also, on June 5th at 6:30pm there will be a public hearing at Berlin Intermediate School where Matrix will present the Fire and EMS study and answer any questions. Ms. Allen then addressed past stormwater projects and their success during the recent rainfall. Ms. Parks asked if the ditch on Baker was railroad property or town property because it needs cleaned out, it was overflowing during the rain storm; Ms. Kreiter said it is railroad property and she would reach out to them.

10. Comments from the Mayor – none.

11. Comments from the Council:

Vice-President Brittingham thanked the Public Works crew for picking up furniture when he received a call from an ill resident’s daughter who was unable to dispose of the furniture.

Councilmember Burrell said he is very thankful that we have been taking action and attempting to address issues with stormwater because it is very sad to see what has happened in Ellicott City. He also asked that Departments stop including acronyms in their weekly reports.

12. Comments from the Audience – Ms. Parks thanked the Council for their work on Baker Street.

13. Comments from the Press – none.

14. Adjournment:

On the motion of Councilmember Burrell, the Mayor and Council meeting was adjourned at approximately 8:35PM.

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, *mjb for*

Kelsey Jensen
Town Clerk



ORDINANCE NO. 2018-04

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 §49.7, Parks and Recreation be amended as follows:

Chapter 22 - PARKS AND RECREATION
ARTICLE III. - PARKS

Sec. 22-49. - Rules and regulations.

(7) The following parks facilities are available for reservation upon completion of a Park Reservation Form and by payment of associated fees as established by the Mayor and Council and detailed on the Park Reservation Form:

- (a) The pavilion at Stephen Decatur Park during regular park hours.
- (b) One or more of the tennis courts at Stephen Decatur Park during the hours as set forth in Section 22-48.
- (c) The pavilion at Dr. William Henry Park during regular park hours.
- (d) One or more of the basketball courts at Dr. William Henry Park during regular park hours.

Individuals or organizations desiring to reserve these facilities must complete a reservation form as provided by the Town of Berlin and make payment of associated fees, which shall be established by the Mayor and Council and set-forth on the reservation form. Fees shall be waived only by the express permission of the Mayor and Council or, in the case of reservation by a certified non-profit agency or organization, by the Town Administrator upon request and with verification of non-profit status.

Reservation of the above facilities takes precedence over any other use. If no prior reservation of any of the above named facilities exists, all facilities are available on a first-come-first-served basis.

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_____.

ATTEST:

Wm. G. Williams, III, Mayor

Laura Allen, Town Administrator