



Mayor & Council of Berlin

10 William Street, Berlin, Maryland 21811

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BERLIN, MARYLAND

MAYOR AND COUNCIL MEETING

MONDAY, MARCH 9, 2015

**COUNCIL CHAMBERS – BERLIN TOWN HALL
10 WILLIAM STREET
BERLIN, MD 21811**

Mayor

Wm. Gee Williams, III

Vice President

Elroy Brittingham, Sr.

Council Members

Dean Burrell, Sr.

Lisa Hall

Troy Purnell

Thomas L. Gulyas

Town Attorney

David Gaskill

Town Administrator

Laura Allen

EXECUTIVE SESSION.....6:00 PM

REGULAR SESSION7:00 PM

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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**BERLIN MAYOR AND COUNCIL
COUNCIL MEETING
AGENDA
Monday, March 9, 2015**

6:00 PM EXECUTIVE SESSION - Berlin Conference Room

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

1. Approval of the Minutes for:
Regular Session of the Mayor and Council on February 23, 2015
2. Request for Special Event – Cool Berlin Day
Saturday, April 18, 2015; 1:00 p.m. – 6:00 p.m.
3. Request for Special Event – Berlin Heritage Festival
Saturday, April 25, 2015; 11:30 a.m. – 4 p.m.
4. Public Hearing - Arts & Entertainment District Re-designation
 - a. Approval of Resolution 2015-002
5. Motion to Approve – Contract with Department of Agriculture for Mosquito Control Work for 2015 Mosquito Season
6. Motion to Approve – Contract with EA Engineering, Science and Technology, Inc. for consulting & remediation
7. Request for Special one-day permit- Berlin Fire Company Casino Night
Saturday, March 28, 2015; 7:00p.m. – 1:00a.m
8. Request for Special one-day permit- Berlin Fire Company – Corn Hole Tournament
Saturday, April 11, 2015; 12:00p.m. – 7:00 p.m.
9. Departmental Reports
 - a. Finance – Natalie Saleh
 - b. Deputy Town Administrator – Mary Bohlen
 - c. Water Resources & Public Works – Jane Kreiter
 - d. Electric – Tim Lawrence
 - e. Police – Arnold Downing
 - f. Planning – Dave Engelhart
 - g. Human Resources – Jeff Fleetwood
 - h. Economic and Community Development – Ivy Wells
10. Town Administrator's Report
11. Comments from the Mayor
12. Comments from the Council
13. Comments from the Public

14. Comments from the Press

15.. Adjournment

MAYOR AND COUNCIL OF BERLIN, MARYLAND
Regular Session Council Minutes
Monday, February 23, 2015

The meeting of the Mayor and Council for Monday, February 23, 2015 was called to order by Mayor Williams at approximately 7:05 p.m. Councilmembers Brittingham, Hall and Gulyas were present, as well as Town Attorney David Gaskill, Town Administrator Laura Allen, Deputy Town Administrator Mary Bohlen, Finance Director Natalie Saleh, Director of Water Resources and Public Works, Jane Kreiter. Resources Director Jeff Fleetwood, Police Chief Arnold Downing, Economic and Community Development Director Ivy Wells, Planning Director Dave Engelhart, Electric Utility Director Tim Lawrence and Administrative Assistants Sharon Timmons and Vicki Magin. Councilmember Purnell arrived late to the meeting. Councilmember Burrell was absent.

Following the recitation of the Lord's Prayer and the Pledge of Allegiance, Mayor Williams asked for a motion to approve the Regular Session minutes of February 9, 2015. Councilmember Gulyas made a motion to approve the Regular session minutes February 9, 2015 and Council voted to approve 4 to 0. Mayor Williams asked for approval of the Executive Session minutes of February 9, 2015 and Councilmember Brittingham made a motion to approve the Executive Session minutes of February 9, 2015. Council voted to approve 3 to 0 with Councilmember Purnell abstaining. Mayor Williams stated that the Executive Session was closed for consideration of acquisition of real property and obtain legal advice on a legal matter.

Request for Special Event: (High Heel Race) to be held Friday June 5, 2015 from 5pm to-9pm. Mary Henderson - Women Supporting Women. Ms. Henderson presented Mayor Williams with a belated 2014 trophy for participation in last year's race. Ms. Henderson reviewed services and provided an overview of free services offered by Women Supporting Women, and challenged each member of the Council to join in 2015's race. Ms. Henderson also reminded the Council that there would be an AGH Health Fair Screening by the Chamber and encouraged all participants to have vital signs checked. Councilmember Hall motioned to approve request for special event and Council voted to approve 4 to 0. Motion was approved.

Carol Jacobs of Worcester County GOLD made their annual presentation: Members of the Board of Directors (Nancy Howard, Barry Law & student volunteer Max Mariner) were also present. Worcester GOLD thanked the Mayor and Council for time to present their program; A 12 page packet was made available to Mayor and Council prior for their review. It was noted that 32.5% of Worcester GOLD's assistance went to residents in Berlin and Ocean Pines. It was noted that .92 of every \$1.00 was able to be put back into the County. Councilmember Hall commended Worcester GOLD on teamwork and contributions to the county. Ivy Wells (Community Economic Director offered to have drop off locations in Town, at this point Chief Downing assured that any coats collected would be relayed to Worcester GOLD.

Mayor William introduced Vicki Magin as the new Administrative Assistant to Laura Allen, Town Administrator. Outgoing Administrative Assistant Sharon Timmons was recognized for her time of service. It was noted that Sharon will be joining Ivy Wells as Administrative Assistant at the Visitors/Welcome Center.

Having completed all items on the agenda, Mayor Williams asked for Departmental Reports.

Finance – Natalie Saleh

The new finance software has not been selected as of yet, they are still reviewing. She also reported the year-end Public Service Commission Report still in progress and that the budget work sessions are on schedule, Mayor Williams asked that dates be sent to him.

Deputy Town Administrator – Mary Bohlen

CodeRed system was used more frequently than usual because it was used to promote the strategic planning meetings. Of the 1,900 calls made only two complaints were received.

Water Resources & Public Works – Jane Kreiter

She reported that due to recent extreme cold weather the department has responded to 30 emergency calls for broken pipes. The previous Monday, Tuesday and Wednesday a majority of staff time was spent clearing snow. During this weather event, the department was also able to patch windows and put a coat of paint on the multipurpose building. Councilmembers gave kudos to staff for their great work.

Electric – Tim Lawrence

He reported that the town hit its winter peak on Friday and that the new phone system has been installed in Town Hall.

Police – Arnold Downing

Chief Downing noted that the CodeRed alert system was extremely helpful in advising residents to stay off streets if possible to allow plowing. A great team effort was noted.

Planning – Dave Engelhart

Met 2/13 with County Commissioners regarding annexing of Seahawk Road and they concluded that the Town's proposed zoning. The public hearing has been changed from 2/23/15 to 3/23/15. Councilmember Brittingham inquired on the status of the Cannery Village Project. Mr. Engelhart reported that permitting was 10-14 days out.

Economic and Community Development – Ivy Wells

The department has been working on the Main Street Website. A change in the date for the special event of the Peach Festival was announced. Date has been changed from 8/5/15 to 8/1/15. Ms. Wells also reported that she had updated the rack cards at the Visitors Center located off of I-95. She announced a spur of the moment snow day photo contest, it reached over 9,000 people with 125 likes and 45 photos submitted. A winner was selected and the winner received a \$25 gift certificate applicable to any downtown merchant.

Town Administrators Report – Laura Allen

Ms. Allen announced the Seahawk Road Annexation meeting has been moved to 3/25/15. She added the four Strategic Planning Meetings had concluded, and will be a survey online on the Town's website as well as a paper version available in the lobby of Town Hall. Surveys need to be completed and returned by 3/5/15.

Three outstanding Purchase Orders were presented:

201501901

201501925

201501943

Councilmember Brittingham made a motion to approve the three PO's as submitted. Council voted to approve 4 to 0.

Mayor Williams thanked members of the community that participated in the Strategic Planning meetings. A work session of Councilmembers & Department Directors is scheduled for March 11 & 12, 2015. The public is invited to attend, however no public participation will be allowed. The dates for meetings will be back to back, Town Administrator Laura Allen will email dates for this work session.

There being no comments from either the press or the public; Councilmember Guylas made the motion to adjourn the meeting. The meeting ended at 7:58pm.

Respectfully submitted,

A handwritten signature in cursive script that reads "V. Magin".

Vicki Magin
Administrative Assistant

RESOLUTION 2015-02

BERLIN ARTS AND ENTERTAINMENT DISTRICT

WHEREAS, Berlin has applied to the Secretary of Business and Economic Development of the State of Maryland for re-designation of the Berlin Arts and Entertainment District(the "District") within certain boundaries shown on the map attached to this Resolution, and

WHEREAS, under State law, the designation of an arts and entertainment district: (1) provides an income tax subtraction modification for qualifying residing artists under § 10-207(v) of the Tax – General Article; (ii) a property tax credit under § 9-240 of the Tax – Property Article; and (iii) an exemption from the admissions and amusement tax under § 4 – 104 of the Tax – General Article.

NOW, THEREFORE BE IT RESOLVED THAT the Town of Berlin agrees to the following:

1. The geographic boundaries of the Berlin Arts and Entertainment District shall be as depicted on the attached map titled "Berlin Arts and Entertainment District" and including the parcels listed on the attached sheet; and
2. The Town of Berlin fully approved and supports the re-designation of the District; and
3. The Town of Berlin understands that the income tax subtraction modification under 10-207(v) of the Tax-General Article for qualifying residing artists in the District might affect its income tax receipts; and
4. If the Secretary approves the District re-designation, the Town of Berlin shall provide the following incentives to eligible persons in the District:
 - a. During the entire re-designation period approved by the Secretary, exemption from the Admission and Amusement Tax gross receipts from any admissions or amusement charge levied by an arts and entertainment enterprise or qualifying residing artist in the District, pursuant to Section 4-104 of the Tax General Article, and Section 4-701 of Article 83A of the Annotated Code of Maryland; and

b. During the entire re-designation period approve by the Secretary, a real property tax credit further described in §9-240 of the Tax-Property Article against the Town of Berlin property tax imposed on the eligible assessment of an eligible building. The real property tax credit amount shall be the following percentage of the amount of property tax imposed on the eligible assessment of the property entitled to the credit:

- (i) 100% in each of the first 3 taxable years after the calendar year when the property initially is entitled to the credit;
- (ii) 75% in the 4th and 5th taxable year;
- (iii) 50% in the 6th and 7th taxable year;
- (iv) 25% in the 8th and 9th taxable year; and
- (v) 0% after the 10th taxable year.

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Town of Berlin do hereby endorse the re-designation of the Berlin Arts and Entertainment District.

ADOPTED BY THE MAYOR AND COUNCIL OF BERLIN BY A VOTE OF _____ TO _____ WITH _____ ABSTAINING THIS _____ DAY OF _____, 2015.

Elroy Brittingham, Vice President

ATTEST: _____
Laura Allen, Town Administrator

Wm. Gee Williams, III, Mayor

TOWN ADMINISTRATOR'S REPORT
March 9, 2015

Purchase Orders

PO # 201502034 in the amount of \$1,200 to MD.DC Utility Association for Miss Utility Fee, to be distributed among 4 departments (10-4230-4060, 20-4310-4060, 24-4360-4060, 30-4300-4060)

PO # 201502047 in the amount of \$3,874.00 to Hach Company for replacement of dissolved oxygen probe (24-4380-4073)

PO # 201502077 in the amount of \$8,343.00 to Xylem Dewatering Solutions Inc for Rental of pump. (24-4380-4092)

PO# 2050278 in the amount of \$41,750.00 to A.C Schultes of Delaware Inc. to Re-build 2 spray irrigation pumps. Pumps are 20+ years old.
(24-4380-4092)