



Town Council Workshop Minutes April 1, 2024

Present: Mayor Jeffrey Schomisch, Vice Mayor Jeannette Ripley, Councilmembers Joe Williams, Todd Over, Michael Walker, Kathy Walker and Glenda Johnson. Also present were Town Manager Rommel Pazmino, Sgt. Elnos Gomez, Town Treasurer Fredy Aguilar, Code Enforcement Officer Michael Thompson, Town Attorney Karen Ruff.

Call to Order: Mayor Schomisch reopened the Public Hearing Regarding Annexation Resolution (R-01-2024) and Annexation Plan Resolution (R-02-2024) and discussion at 7:10 p.m.

Mayor Schomisch stated that he, Councilmember Mike Walker, Town Manager Pazmino and the Town Attorney Karen Ruff met with the Board at Ascension Lutheran Church to discuss the annexation. He said there was no resolution to the concerns the Church had. Mayor Schomisch noted there is division on the Council regarding the annexation as proposed, and he doesn't want to move forward with a divided Council. He would like the Council to discuss their concerns and see if consensus can be reached.

Vice Mayor Ripley objected to delaying or changing the annexation.

Town Attorney Ruff stated that taking Ascension Lutheran out of the annexation will not negate the annexation of the other properties.

Vice Mayor Ripley asked how much time will be lost and at what additional cost to take Ascension out of the annexation.

Town Manager Pazmino stated that he contacted the survey company, Meekins, and they said the cost will be \$1,200.00 to revise the survey and documents and that they should be able to have the materials ready by Council's April 15th meeting.

Town Attorney Ruff stated that an advertisement would have to be in a publicly circulated newspaper and the public hearing would continue at the April 15th meeting and a vote on the resolution.

Councilmember Johnson asked what was the reason that Ascension does not want to be included in the annexation.

Mayor Schomisch responded that their reasons were given at the last Council meeting.

Councilmember Mike Walker stated that Ascension Lutheran Church President Darrell Dockery had not received the Town's letters regarding the proposed annexation. He stated that Mr. Dockery stated on January 8th that he didn't want to be in the Town. Councilman Walker stated that the Town does not need Ascension to annex the remaining properties and that Ascension should be removed from the proposal.

Councilmember Johnson asked how much it would cost to bring Ascension in at a later time.

A discussion about cost continued between the Council Members.

Councilman Walker asked if the Mayor has the receipts for the certified letter. Mayor Schomisch said he has copies but would have to check for Ascension's.

Town Attorney Ruff stated that there was no requirement to send by certified mail. The first letters sent out were to see if there was interest by commercial property owners in being annexed into the Town. She stated that there was no negative feedback. An additional letter was sent. Councilman Walker was asked to speak to the Ascension Board directly in lieu of sending a letter. The consensus was this would be a more friendly way to communicate with them since he had a connection with them. He was told there was no interest.

Councilmember Kathy Walker stated that she and Councilmember Mike Walker were not privy to most of what the Ascension Board spoke about. She said they said they didn't receive the letters that were sent.

Councilmember Over stated that since Ascension does not want to be in the Town and doesn't affect the annexation why would we want to push them into something they don't want.

Vice Mayor Ripley stated why don't they want to come in since it won't cost them anything.

Mayor Schomisch asked if there is consensus with the annexation without Ascension Church. The Council response was yes.

Mayor Schomisch turned the floor over to Town Attorney Ruff on how to move forward with the annexation.

Town Attorney Ruff offered the following ways to move forward.

- 1) Vote down the current resolution or table it forever and introduce a new resolution.

- 2) Amend the present resolution by removing the Ascension property and at the same time making minor corrections in the documents that were suggested by the Prince George's County Department of Public Works.

Mayor Schomisch stated that the optimal thing to do would be a motion to amend the resolution, but noted it was a Council decision.

Town Attorney Ruff stated that if the amended resolution is filed and Meekins completes its work in time, the resolution could be considered for adoption at the Council's April 15th meeting.

Mayor Schomisch asked for a motion to direct the Town Attorney, Ms. Ruff, to amend the resolution to remove Ascension Lutheran and make the technical changes that the County requested.

Councilmember Mike Walker made the motion and Councilmember Over seconded it. All voted aye.

Mayor Schomisch moved into the Council Workshop.

Approval of the Agenda: Mayor Schomisch asked if there were any corrections to the agenda. Hearing none, he called for a motion to approve the workshop agenda as written. Councilmember Williams moved to approve the agenda. Councilmember Over seconded. All voted aye to approve the agenda as written.

Correspondence and Announcements: Mayor Schomisch said the Town Manager needs to know who is going to the Summer Maryland Municipal League Conference. Please let the Town Manager know as soon as possible.

Mayor Schomisch stated that Chief Liberati was leaving Landover Hills and going to the Bowie Police Department for a strictly administrative job. There will be a luncheon April 5 at noon if Council can attend.

Mayor Schomisch nominated Sgt. Elnos Gomez as Interim Chief of Police. He asked for a motion to nominate Sgt. Gomez. Councilmember Williams made a motion to appoint Sgt. Gomez as Interim Chief for a year, and Councilmember Walker seconded the motion. All voted aye.

Councilmember Kathy Walker asked about new hires for the police department. Sgt. Gomez updated the Council on a timeline for three recruits who will begin academy on April 22nd. Upon graduation this will be followed by a Field Training Officer program with a trained, experienced officer.

Mayor Schomisch announced that 6545 Annapolis Road is once again holding events after being shut down by the County's Nuisance Abatement Board (NAB). Calls have been made to the

County's Department of Permitting, Inspections and Enforcement and the NAB by Chief Liberati. Sgt. Gomez, Chief Liberati and Code Enforcement Officer Thompson met with the manager of the DMV Events and advised them that they were in violation of the NAB order, and that they had to abide by it. A hearing has been requested with the NAB for the violation.

Sgt. Gomez reported that the AMF Bowling Lanes have been having "pay one price and bowl all night" events and this has led to an increase in calls for service. He believes it is because they also serve alcohol.

Sgt. Gomez stated that there have been three stolen autos in the past month. Two were taken because keys were left in them, and one was a stolen vehicle from the Holiday Inn.

There was a question about the sound of gun shots over the weekend. After researching calls for service, the only call found was in Riverdale.

There were two loud music calls, one on Taylor St. and Beall St. and one in the 4200 block of 70th Avenue. Compliance was made by asking residents to turn down the music.

The stop sign camera has been deployed at 70th Avenue and Taylor St. It will be moved in two weeks to Shepherd and 72nd Avenue and then to Buchanan St and 72nd Avenue.

ARPA Expenditure Plan Discussion:

Mayor Schomisch stated that all American Rescue Plan Act (ARPA) funds have to be obligated by the end of this year and spent by the end of 2026. An ARPA Spending Plan was attached to the Council packet.

Town Manager Pazmino asked that the Council review the proposed plan and advise what they want to keep and what they want to delete. He stated the Town will follow Federal procurement procedures.

Town Treasurer Aguilar stated that the funds had to be obligated by the end of the year or the Town could lose the unobligated funding.

Councilmember Johnson asked about using ARPA funding for improved IT services. Town Manger Pazmino stated once a quote comes in, the project could be added it to the expenditure plan.

Discussion about the different categories continued. There may be some added categories. Town Manager Pazmino suggested reopening the Town's grocery gift card program. He also requested Council approval to put any unobligated ARPA funds into salary and general operating expenses.

Town Attorney Ruff stated that if the proposed plan is adopted by resolution, any changes will have to be made by resolution.

Mayor Schomisch asked if it would be better to have a resolution to allow the Town Manager and Treasurer to put any remaining monies into the payroll and general operating expenses.

Town Manager Pazmino said he would ask the Town's ARPA consultant to join in the next meeting by Zoom to answer questions.

Councilmember Over moved to continue both the gift card and senior assistance programs. The motion was seconded and all voted aye. Gift cards will be the same as last time. Senior Assistance will be two thousand dollars.

Animal Ordinance Review:

Mayor Schomisch reviewed the changes to the Animal Ordinance.

Page 3 under Cruelty. Has been changed to: any act or failure to act whereby excessive psychological, emotional, physical harm, pain, suffering, or death is caused or permitted including the failure to provide adequate shelter when the effective outdoor wind chill index is 32 degrees or lower or the heat index is 90 degrees or higher or failure to provide adequate food, water, and or health care.

Page 8 Section 6132 B Disturbing the peace. It shall be unlawful for any person to keep with the Town of Landover Hills a dog or other animal which shall, by excessively barking, whining, or howling or in any other manner, disturb the peace and quiet of any person or neighborhood.

Page 8 6154 B Animals which are found to be abused, neglected, or otherwise in poor health as determined by the Town, may be impounded by the Town and delivered to the Prince George's County Animal Control Facility, an animal hospital or veterinarian. Associated costs are the responsibility of the animal or property owner.

Previous section b will be made c.

Mayor Schomisch opened the discussion to the public in attendance.

Dana Williams of Varnum Street asked if her neighbor's dogs will be grandfathered in. Code Officer Thompson replied yes. She asked about the condition of the yard.

Mr. Thompson explained that he has a full inspection scheduled for the middle of the month. He needed the adoption of the Animal Ordinance so that he can cite the property owner if necessary. He explained that the court will ask for the Town's Ordinance and if there isn't one, the case will be thrown out of court.

Ms. Williams stated that the County has an ordinance that there must be grass in the backyard and her neighbor doesn't have any.

Code Officer Thompson stated that he was unaware of that County ordinance but would check with the County. He said the Town has an ordinance concerning erosion.

He stressed the need to file a complaint with the Animal Control Commission.

Mayor Schomisch asked if there were any other comments.

Ms. Adams of Taylor Street said she had a question about dogs being allowed off of the leash as long as their owner was with them on their property. She is very concerned about her neighbor's Cane Corso dogs. She said she and her son are afraid if the dogs aren't under the control of a fence or leash.

Ms. Adams said there are times that the dogs aren't with their owner. Mr. Thompson said if it's during the day he would respond but he needs evidence.

Councilmember Williams suggested taking pictures or videos.

Ms. Williams asked if the code could contain a clause about having a privacy fence if you have four dogs or more.

Mr. Thompson stated that any fence discrepancy has to be determined by a survey to determine property lines.

Mayor Schomisch asked for a motion to introduce Ordinance O-O 5-2024. Councilmember Williams made a motion to introduce Ordinance O-O-5-2024, an Ordinance of the Council of Landover Hills, Chapter 6 Animal Control to clarify enforcement authority, amend the definitions to include animal, confinement, cruelty, dangerous animal and potentially dangerous animal, clarify public nuisance provisions, add restraint provisions, add complaint provisions and increase penalties associated with violations of Chapter 6. It was seconded by Councilmember Over. All voted aye.

Adjournment:

Councilmember Over made a motion to adjourn. It was seconded by Councilmember Williams. All voted aye. The meeting was adjourned at 8:48 p.m.