



# Town of Berwyn Heights

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## MAYOR

Amanda M. Dewey

## COUNCIL MEMBERS

Jodie A. Kulpa-Eddy (Mayor Pro Tem)  
Christopher S. Brittan Powell  
Jason W. Papanikolas  
Ethan D. Sweep

## Worksession Minutes August 16, 2021 | 7:00p.m.

This meeting was held by videoconference due to the ongoing COVID-19 health emergency and was broadcast on Berwyn Heights cable TV channels and streamed on the Town website. Residents could comment by calling (443) 646-3529 or e-mailing Mayor Dewey at [adewey@berwynheightsmd.gov](mailto:adewey@berwynheightsmd.gov)

### Call to Order

Mayor Dewey called the meeting to order at 7:00PM. Present were Mayor Amanda Dewey, Mayor Pro Tempore Jodie Kulpa-Eddy, Councilmember Jason Papanikolas and Councilmember Ethan Sweep. Also present were Town Manager Laura Allen, Town Clerk Melanie Friesen, Police Chief Kenneth Antolik, Chad Williams of M-NCPPC, Ron Saunders of altumint, and Patricia O'Brien of National Ready Mixed Concrete Association. Councilmember Chris Brittan-Powell joined the meeting at 7:07PM.

### 1. Announcements

Mayor Dewey announced that Labor Day is coming up on September 6 and that Town Offices will be closed. She also said there is a change in the Town Council meeting schedule due to the holiday and that there is no first Worksession in September, so the first meeting of the month will be the Town Meeting on September 15, 2021. Mayor Dewey reported that COVID cases are up and hospitalizations are where they were last summer making vaccination more important than ever. She highlighted a vaccination clinic that will be happening on August 21, from 10-2 at Friends Community School for teenagers. Second Doses will be available on September 11 from 10-2. There were no further announcements from Council.

### 2. Approval of Agenda

MPT Kulpa-Eddy made the motion to approve the agenda. CM Sweep seconded the motion. After no discussion, the motion passed unanimously.

### 3. Discussion Items

#### a. Zoning Presentation with Chad Williams of M-NCPPC

Chad Williams, Master Planner with the Prince George's County Planning Department joined the meeting to give a presentation and update on the multi-year rezoning ordinance rewrite as well as the County Wide Map Amendment. The County mailed notices of the upcoming virtual joint Public Hearing to almost 400,000 addresses. These hearings are on September 13 and 14 at 5PM each day and you must register in advance at [PGCCouncil.us/speak](http://PGCCouncil.us/speak) to give testimony. Written testimony is also permitted and can be submitted at the same website. Written testimony may only be submitted electronically and is accepted through September 29<sup>th</sup>. No late testimony will be accepted. The Planning Board will review the testimony on October 23<sup>rd</sup> and the

County Council may approve it as early as November 16 of this year. MPT Kulpa-Eddy asked about the possibility of Branchville Road being rezoned. Patricia O'Brien with the National Ready Mix Concrete Association joined the meeting to ask for more information. Mr. Williams explained that the recommendation is that this area (currently zoned as Mixed Use Transit, or M-X-T) be rezoned as Residential Multi-Family (RMF48). The approved, licensed use for each property is determined by its zoning. Due to their proximity to Greenbelt Station, the rezoning on the north side of Branchville Road would be changed to predominantly residential, RMF48. However, all uses that are legal as of the effective date of the ordinance will be allowed to continue as conforming uses. Mr. Williams noted that zone RMF48 is primarily residential but allows for some commercial uses, such as grocery stores, restaurants, etc. It is possible to submit testimony and request rezoning, but the CMA, and State Law prevent the Planning Board and County Council from rezoning property that is substantially different than the decision matrix. Ms. O'Brien asked for clarification on this again. Mr. Williams summarized and stated that the Concrete Plant will be deemed conforming and allowed to continue as long as it stays in operation.

MPT Kulpa-Eddy asked about the Greenbelt concerns regarding the north side of Branchville Rd. being rezoned to RMF48, stating that they had sent a letter to their County Council Member expressing their belief that this was the wrong zone for this area. Mr. Williams expressed that they did not clarify their concerns or suggest a more appropriate zone. Mr. Williams continued that municipalities and government special taxing districts have a little more influence in comprehensive rezoning than a regular property owner does. The (County) Council will need to vote on each recommendation made by a municipality and must have a supermajority to overrule a municipal recommendation. Because of State law and the fact that there is no recommendation made by Greenbelt on this, the County will have to decide if there was a mistake in the zoning matrix. Mr. Williams believes the assessment is correct. MPT Kulpa-Eddy stated that she could not see a problem with the zoning if it allows for restaurants, grocery stores, and similar to be opened. However, she was unsure if there were parcels big enough to build the type of buildings that the new zoning would allow for. Mr. Williams suggested that it may be difficult to do a multifamily unit, but non-residential or artist studios could be possible.

Mayor Dewey read some questions that had been put in the chat by CM Brittan-Powell. The first question was "is PG Scrap in the same group". Mayor Dewey stated she believes that PG Scrap is in the same group. The second question was "Are there any hints in this process about the possibility of the FBI building?" Mayor Dewey stated that no, she didn't think there was anything in this that hinted about the FBI building. Mr. Williams confirmed both of Mayor Dewey's statements. TM Allen stated that she had reached out to PG Scrap but they had not responded.

MPT Kulpa-Eddy asked about the Greenbelt neighborhood conservation overlay zone. Mr. Williams stated that this is a flexible and utilitarian zone that can be used for a variety of purposes.

CM Papanikolas expressed gratitude for Mr. Williams walking the Council through this. He asked that if the properties in question on Branchville Road are essentially grandfathered in, would a change in ownership change that. Mr. Williams said that a change in ownership won't drive a change in compliance, but a change in use would. CM Papanikolas expressed that if the properties were sold that the new owners would likely take on some environmental challenges if they were to try to change the usage.

There were no further questions or comments from Council.

**b. Red Light Camera**

TM Allen presented a staff report on the possibility of adding red-light cameras at a couple of locations in Town. Chief Antolik shared that there is a history of considering red-light cameras in Town but that due to the pandemic things had been delayed. Chief Antolik also shared that the possible locations being considered for red-light cameras are 58<sup>th</sup> Ave and Greenbelt Road and at the school crossing at 63<sup>rd</sup> Avenue and Greenbelt Road. Mr. Ronald Saunders of altumint shared how the cameras work. Mr. Saunders presented two options, one being a pole mounted design and the other is a trailer mounted option. The device is called the RedHawk and it is a two camera system. This design stands out from competitors because it does not require additional permits from SHA (State Highway Administration) since it does not tie into the red-light database. One camera focuses on the red-light cycle, while the other camera focuses on violations. The camera can capture straight through violations, right turn on red violations, left turn on red violations and multilane violations. The cameras use ion illumination, meaning there are no white flashes alerting a violator that they have been cited or distracting other drivers. Once a BHPD officer determines a violation has occurred, altumint will also take care of all the back-office work, including payment processing and setting up a court date if a violator chooses to go to court. The program is turnkey, meaning that it will come to the Town ready to go. At this time, Mr. Saunders opened it up to the Council for questions.

CM Brittan-Powell asked if there were limitations on placements and numbers of devices in the Town. Mr. Saunders stated that there are no limitations on the numbers of red-light cameras in a municipality, but to be aware of the optics of doing so. CM Brittan-Powell questioned if a red-light camera would work at a stop sign. Mr. Saunders explained that State of Maryland Traffic Article 21-202 mandates that automated enforcement can only happen at a red light. Chief Antolik further explained that as of now there is no such thing as a stop-sign camera.

MPT Kulpa-Eddy asked what intersections Chief Antolik proposes to use the red-light camera at. Chief Antolik explained that he is proposing the intersection of 63<sup>rd</sup> and Greenbelt Road and 58<sup>th</sup> Ave. and Greenbelt Road, reminding Council that the cameras could be trailer mounted to be moved if needed and that these intersections are pending study by the red-light camera engineers. 63<sup>rd</sup> Ave and Greenbelt Road has an existing “no right turn on red” sign that could be enforced as well as the crosswalk near the McDonalds that would improve pedestrian safety for the school kids that cross the road there. MPT Kulpa-Eddy sought clarification on what portion of the intersections the Town owned. Chief Antolik clarified that at 63<sup>rd</sup> Ave the Town was responsible for the East Bound Greenbelt Road traffic lanes. MPT Kulpa-Eddy questioned about 58<sup>th</sup> Ave, as right turn on red is allowed there. Chief Antolik explained that a vehicle must come to a full and complete stop for 4 seconds before the white line before turning on red. At 58<sup>th</sup> Avenue, the Town is responsible for both the east and westbound Greenbelt Road traffic and could put a camera at both but would depend on recommendations based on the red-light camera engineers. MPT Kulpa-Eddy also asked if the Town would need to put up signs indicating that red-light cameras are in use. Mr. Saunders stated that they would place signs that traffic laws are photo enforced. Mayor Dewey invited Chief Antolik to state if there were any further issues on Greenbelt Road that he wanted to address. The Chief explained that if an officer issued a State citation, 100% of the revenue from that citation goes to the State. If the red-light camera captures the citation,

the revenue is split 60/40 with the Town receiving 60% and the vendor receiving 40% of the revenue.

CM Sweep asked about camera calibration. He expressed concern that the camera that had previously been on Greenbelt Road seemed to go off all the time. Mr. Saunders explained that with their cameras, they calibrate every day prior to enforcement. Since red-light cameras are on 24/7, they are constantly calibrating. CM Sweep asked about several example scenarios and how the red-light cameras would respond to them. Mr. Saunders explained how each example would work and stated that each violation can be reviewed and challenged by the person who received the violation. CM Sweep asked about the cost of a red-light violation. Mr. Saunders stated it is \$75.

CM Brittan-Powell asked for confirmation that there are no points assessed to a drivers license for these violations. Mr. Saunders confirmed that these are considered civil fines, not criminal and that no points would be assessed. CM Brittan-Powell asked if there were any concerns about the intersection at Greenbelt and Cunningham. Chief Antolik explained his reasoning on making the other intersections greater priorities. MPT Kulpa-Eddy asked if there were any costs associated with the program. Mr. Saunders explained that there are no upfront costs associated with each violation, but that the violation fee is split 60/40 with the Town. Mayor Dewey asked if she was correct in her understanding that Council had interest in pursuing this before directing staff to draft an ordinance and begin other work on the project. CM Brittan-Powell asked what would happen with the revenue that is generated by red-light camera fines. TM Allen explained that they would be spent on Public Safety needs. CM Brittan-Powell expressed concern that the project not be used to fund Public Safety functions. Mayor Dewey clarified that this is not intended to be a revenue generating program but rather a Public Safety focused program. TM Allen stated that staff will begin looking into the logistics of the next steps on a red-light camera program.

**c. Strategic Planning**

TM Allen proposed that Council could combine the American Rescue Plan Act (ARPA) community engagement process with the Strategic Planning for FY2023, given that ARPA presents transformational funding opportunities. She reminded Council that for FY 2022 that there was a survey and virtual Town Hall meeting that allowed the Council to help build the priorities for the Fiscal Year. TM Allen proposed engaging a mediation group to help facilitate both in-person and virtual meetings to talk about longer range issues facing the Town. She envisions round table discussions facilitated by a third party, so the discussions happen independently of either staff or Council oversight. She expressed a desire to brainstorm with Council and get their thoughts on this structure. MPT Kulpa-Eddy expressed that in the last engagement process, she had difficulty understanding exactly what people thought when they checked off boxes in the survey, so she would like definitions. For example, one box on the survey is “sustainability” and Council has talked about “sustainability” both in environmental terms as well as fiscal sustainability, so clarifying that would be appreciated. She would also like Broadband to be included in the survey as well as community resilience in terms of climate change ( given the potential for more flooding events and the need for improved stormwater management) and how much the Town should prioritize those efforts. CM Sweep expressed a desire to gauge if the community would like to see the Town do a couple of “big ticket” items or many smaller projects. Mayor Dewey would like to see the engagement be able to encompass other sources of potential funding so that it can be used to influence Council decisions on future projects. CM Papanikolas expressed that

he would like to structure the process so that there are big “pie in the sky” projects as well as smaller projects. He stated that smaller projects tend to be overlooked but they are vital. Mayor Dewey stated she’s seen a trend lately in non-profits asking for donations. She’d like to get feedback from the community on that and states it might be better engaged as part of the meeting format. CM Sweep asked about the timeline on spending the ARPA funds. TM Allen stated that the funds need to be committed by December 2024 and spent by December 2026. CM Papanikolas asked Mayor Dewey for clarification on the non-profit donation requests. Council had a brief discussion on managing non-profit requests in general and in relation to ARPA specifically. CM Brittan-Powell expressed a desire to spend funds in a way that builds community resilience around a future pandemic.

#### **4. Department Reports**

Mayor Dewey reiterated that there is no first worksession in September, that the Town Offices are closed for Labor Day and that the next time Council will meet is the Town Meeting on September 15, 2021. She stated that the Town is close to hiring a new Public Works Director. She will be attending the “Municipalities in the Know” Webinar on Fire, Police and the 311 system. Thursday is the third and final County Climate Action Plan meeting, and will be focused on the nitty-gritty of what people are experiencing in their communities. She also highlighted the WSSC water bill assistance program. She reminded people that the County is back to where it was in terms of COVID cases in April of 2021, with hospitalizations being similar to last summer with over 1,000 cases the week of August 1-7. She highlighted the vaccination clinic at Friends Community School again. She also reminded everyone that the Mask Mandate applies to all Town buildings.

MPT Kulpa-Eddy asked if anyone was aware if the PGCMA meeting would be happening this Thursday. Mayor Dewey replied that she did not know. MPT Kulpa-Eddy thanked everyone who donated school supplies and dropped them off at the Police Station. Parents can receive the donated school supplies at several events: Prince George’s County Public Schools (PGCPS) is holding three on Saturday, August 21 from 9-12 at Flowers High School, High Point High School, and Oxon Hill High School, while supplies last. District 22 Delegate Alonzo Washington is holding a supply giveaway on Saturday, August 21 at 11AM and Sunday, August 22 at 2PM; the registration link will be on the Town website. The Prince Georges’ County Police Athletic League is having a Back to School event on August 28 from 10-2 with a stuffed backpack and sports sign ups. School starts Wednesday, September 8. She was unsure if there will be a “Hello Huskies” event this year but will get the word out if there is. The Education Advisory Committee is meeting on August 23<sup>rd</sup>, working on their mission statement and the school boundary initiative. The Green Team meeting will be September 9, working on the Shade Tree Rebate program. They hope to be finalizing the list of trees that will be recommended as part of the program. They are still looking for Bee City volunteers. Berwyn Heights Historical Committee will not be meeting in August but will be meeting in September. The Neighborhood Watch/Emergency Preparedness Committee will be meeting on September 1, working on their mission statement, and inventorying the Emergency Preparedness trailer. Rec Council will be meeting in-person and virtually on Sept 7<sup>th</sup>, with the next band in the Lake Artemesia Concert Series, as well as an upcoming Ice Cream Social.

CM Papanikolas has had 3 residents approach him with Code Compliance issues and the Code Compliance office has been responsive. There seem to be some traffic issues on Osage regarding a large number of vehicles, but he is working with TM Allen and the Code office to clarify any issues.

CM Brittan-Powell had no update.

CM Sweep reported that the Town is very close to hiring a Public Works Director and thanks everyone for their patience in the process. August has no holidays so there are no changes to the trash schedule and it has been a quiet month.

#### **5. Resident & Community Comments**

MPT Kulpa-Eddy reported that she had heard from the person who approached her previously about the Lake Artemesia trash issue and that the person stated trash is worse on the weekend and first part of the week, requesting that Park and Planning pick up the trash on Mondays and requesting an extra trashcan. MPT Kulpa-Eddy also asked how the Town is handling appliance pickups. Town Clerk Friesen explained that there is an appliance pick up form available on the Town Website and that the fee can be paid at Town Hall by appointment. There were no other resident or community comments.

#### **Adjournment**

CM Papanikolas moved to adjourn the meeting. CM Sweep Seconded. After no discussion, the motion passed unanimously. The meeting adjourned at 8:31PM.

Respectfully Submitted, *Melanie Friesen* Town Clerk 8/28/2021