



Town of Berwyn Heights

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Minutes Town Meeting August 13, 2014

The meeting was called to order at 8:00 p.m. Present were Mayor Calvo, Mayor Pro Tem (MPT) Kulpa-Eddy, CMs Dennison, Rasmussen and Schreiber. Also present were Town Administrator (TA) Murphy, Chief of Police Antolik, Treasurer Lape, Clerk Harper, David Hillman, Bob Greenberg, Eileen Horn, Gina and Buddy Robson.

Mayor Calvo led the Pledge of Allegiance.

1. East Campus Presentation

Mayor Calvo welcomed David Hillman of Southern Management Corporation, and Bob Greenberg and Eileen Horn of Dewberry & Associates, for an informational presentation on the East Campus development at the junction of Route 1 and Paintbranch Parkway. The development is back in the news and moving forward after having been dormant for several years.

Mr. Hillman, CEO and owner of Southern Management Corporation, said his company has been in business in Maryland for 49 years and is the largest privately-owned property management company in the Baltimore-Washington area. Southern Management is also the largest owner of rental apartments in Prince George's County, and started in 1965 with Lakeside North apartments in old Greenbelt. Recently, the company entered the hotel business and opened luxury hotels in a Pennsylvania ski resort and at Arundel Mills. The hotels have quickly achieved top customer ratings and will serve as the model for the complex to be built in College Park.

Bob Greenberg spoke about the detailed plans for the East Campus hotel complex. He said that the developers began working on this project 3 years ago after presenting their plans to the University of Maryland President and Board of Regents. The 3 acres of land to be developed belongs to the University and heretofore was used for maintenance facilities and green houses. The University wants to create an innovation district at this location, which the hotel will anchor. The hotel will be built close to Route 1 right across from the UMD main entrance, but with its main entrance off the new Hotel Road South running along the south side of the complex. The approaches to the hotel will be pedestrian and bicycle friendly and include several restaurants along the Route 1 frontage. To comply with county standards, the complex will meet the 100-year flood event and include extensive bio-retention facilities to manage stormwater runoff.

Mr. Greenberg continued that the 330,000 SF hotel itself will be 12 stories high, capped by a penthouse level and a rooftop terrace that can be rented for events. The hotel will have 292 guestrooms, one banquet level with a large, reconfigurable ballroom, conference rooms and terraces for events. Another level will have a large fitness center with a pool and a spa that are open to the public. The hotel incorporates a 7 story garage with access from Greenhouse Road on the east-side of the hotel. Architecturally, the complex gets away from the traditional style dominating University buildings and adopts an innovative, contemporary look mixing brick, glass and steel.

In response to questions from the Mayor and Council, Mr. Hillman said that the reason the development of the East Campus has resumed is the presence of a new UMD President, Wallace Loh, who is a "breath of fresh air" and intent on better integrating the University with the City of College Park. Loh sees the potential for repatriating a lot of money currently spent by visitors at hotels and conference centers outside of College Park. Loh removed the former master developer and transferred the land from the State to a new University of Maryland foundation, which rents smaller parcels of the 38 acre site to different developers to develop individually. The County Executive also changed, prompting businesses to take a new look at investing in Prince George's County.

Mr. Hillman continued that the hotel can be reached by Metro, the UMD shuttle and the future Purple Line. Pedestrians and bicyclists can use an improved Greenhouse Road or the old College Park neighborhood streets to get from the Metro Station to the East Campus, and most campus destinations are in walkable distance. In terms of the approval process, the project has been placed on an expedited track by the County. The concept plans have been approved and the detailed site plan is under review. The County is also reviewing the grading permits. The hearing in front of the Planning Board is scheduled for December 18. It is hoped that construction can start next spring.

Further, the hotel will be higher than nearby buildings but will fit in with other new student apartment buildings on Route 1. It will be a boutique hotel, not connected with any other hotel chains. Negotiations with several restaurant chains are underway, including one full-service sit down restaurant. Hotel staff will not be unionized. Hotel rooms will be priced in the same range as other nearby hotels, around \$200 per night. Hiring of staff is expected to begin in January 2016 and completion of construction by September 2016.

2. Minutes

Clerk Harper read a summary of the July 9 Town meeting minutes. On a motion by CM Dennison and second by MPT Kulpa-Eddy, the minutes were approved 5 to 0.

3. Treasurer's Report

Treasurer Lape gave the Treasurer's report for the month of July.

4. Mayor's Report

Mayor Calvo reported that Berwyn Heights hosted a recent Four Cities meeting at which the FBI headquarters relocation was discussed. The General Services Administration (GSA) announced that Greenbelt has been chosen as 1 of 3 finalists as the future site of the FBI. The Four Cities agreed to produce a promotional video that showcases the special features and advantages of this area. He is disappointed, however, that Prince George's County's US representatives, particularly

Senator Mikulski, are no longer strongly behind Greenbelt Station as the exclusive site to be considered for the FBI. They still support Prince George's County but include the Landover Mall, owned by the Lerner Brothers, as another alternative. In fact, the GSA changed siting criteria to qualify Landover Mall as a possible site even though it is not near a Metro Station. The Four Cities will continue to make the case for Greenbelt Station.

Mayor Calvo said the Council hosted a well-attended community meeting with County and WSSC officials to discuss the recovery efforts from the June 10 flash flood. Residents who experienced flooding in their homes had an opportunity to ask questions directly. County officials explained that the stormwater system, which the County took over from WSSC in 1992, was built to handle 5" of rain over a 24-hour period, which is a 10-year event, but not 5" of rain in one hour. The County will commission a hydraulic analysis of the storm drain system to understand how recent development may have impacted the volume of storm water runoff and to pinpoint the problem areas. The June 10 flooding occurred mostly at the junctions of stormwater drains spilling back out of nearby entry points. Homeowners in flood-prone areas are well advised to consider flood insurance to cover losses in case of another flood. At its last worksession, the Council approved a disbursement for the \$6,700 in donations the Town received to help those most affected by the flood.

Mayor Calvo further reported that he and TA Murphy had a meeting with the Department of Permits, Inspections and Enforcement (DPIE) regarding the approval of a stormwater management facility the Town is required to install to offset the additional runoff from the sidewalks project. After a far too difficult and expensive approval process, the Town now has a clear path to get approval of the stormwater management facility at the Public Works yard and the sidewalks permits. He hopes the Town can put the sidewalks out to bid in September.

In other news, the Council is engaged in the search for a new Town Administrator and at the next worksession will narrow the field to 6 finalists it plans to interview in late August. The Council also spent considerable time identifying its top priorities for the next term. They include 1) finishing the priority 1 sidewalks projects; 2) finishing installation of the emergency generators; 3) marketing Berwyn Heights in the context of the FBI headquarters relocation and other planned developments nearby; 4) planning the next road repair project; and 5) formalizing and codifying policies and practices as part of preparing for the transition to a new Town Administrator.

5. Department Reports

Administration: MPT Kulpa-Eddy reported that the revised detailed plans for the emergency generators have been received and have been given to a permit expeditor to shepard through the County permitting process. When the permits are received, the Town will put the project out to bid. Further, the Town was awarded a bike way grant by the Maryland Historical Trust to fund new bike racks, repair stations, bike lanes and signage.

Code Compliance: CM Rasmussen reported that Code Supervisor Simpson has completed his first month in office and has been in the field doing rental inspections and familiarizing himself with the Town. He was recently commended by a homeowner for his courteous and professional handling of a rental home inspection. Mr. Simpson is also researching and drafting a policy for egress windows that must be installed in any basement apartment as a secondary means of escape in case of an emergency.

CM Rasmussen also reminded homeowners that lawns must be cut to remain under 10" and carbon monoxide detectors installed on each level of a rental home, especially if there is a natural gas connection. Further, the Council has started to discuss an urban forest initiative that would address private and Town trees as a community resource for their aesthetic and environmental benefits, and explore new regulations to protect the tree canopy. The urban forest initiative would address issues such as maintenance of mature trees, replacement of dying trees, and preventing the spread of invasive species such as English Ivy and bamboo. Lastly, CM Rasmussen noted the passing of actor and comedian Robin Williams and film star Lauren Bacall.

Parks and Recreation, Education and Civic Affairs: CM Dennison reported that Berwyn Heights Boys & Girls Club U-12 baseball team won the Prince George's County majors championship. Congratulations to the coaches Ron and Sheryl Compton and Kevin Conover. The Boys & Girls Club will hold a fall fundraiser selling mums and pumpkins at the Town Center on October 4. Schools will be opening on August 26 and Maryland retailers will offer tax free shopping for school apparel on August 23. Upcoming events include the annual Hello Huskies back to school night on September 10, the Ice Cream Social on September 12, and the Lake Artemesia concert on September 27.

Public Health and Safety: Mayor Calvo congratulated Chief Antolik and Officer Krouse on a fabulous National Night Out. Chief Antolik thanked the Mayor and Council for their support and participation in this nationwide crime-fighting event. It would not be possible without the participation of local businesses and community organizations, including the Neighborhood Watch/Emergency Preparedness, Boys & Girls Club, Karate Club and Green Team.

Chief Antolik reported that the police will be stationed around Berwyn Heights Elementary School (BHES) on the first day of school and will issue immediate fines for any traffic violations; there will be no warnings. Last month's police activities report shows 5 Part I offenses, which is below the 5-year average of 6.6. The year-to-date total is 41, as opposed to the 5-year average of 45.8. In addition, the officers issued 235 State and Town citations and 274 speed camera tickets, 270 of which were on Greenbelt Road.

Chief Antolik also encouraged residents to review their emergency plans in anticipation of the upcoming hurricane season. Hurricanes can cause widespread devastation in affected communities, ranging from power outages to flooding, which often overwhelm the resources of the local police and fire departments.

CM Rasmussen said he is happy to see that 7 citations were issued for talking on a cell phone while driving. He also asked if the statistics include any turn signal violations. Chief Antolik replied he believes no citations were issued in this category but he will check. His officers are more focused on enforcing the running of stop signs.

Buddy Robson, 59th Avenue, asked if there are any speed limit signs on the south side of Greenbelt Road between 58th Avenue and the speed camera at 63rd Avenue. Mayor Calvo said there is a 35 mph sign between 62nd and 63rd Avenue marking the school zone for Greenbelt Middle School. He cannot recall, however, if there is a 40 mph sign outside the school zone. In any case, these signs are on a state highway and SHA would be responsible for posting them.

Public Works: CM Schreiber commended the Public Works staff for helping set up and break down for National Night Out, which makes for a long day. He also asked residents to drive more carefully when school is back in session, particularly when they try to pass trash trucks working their way from one side of the street to the other to pick up trash and recyclables.

CM Schreiber also reported that staff filled 13 pot holes on Seminole Street and on Berwyn Road, and removed tree parts from a large oak that fell during a storm. Public Works will look more closely at trees in the Town right-of-way to ensure that they are healthy and do not pose a risk of dropping branches or being toppled. Residents are encouraged to flag any trees they are concerned about. Emerson Ellis was chosen as the employee of the month for July.

6. Committee Reports

Green Team: Mayor Calvo said that the Green Team has set the date of September 13 for dedicating the Community Garden. The school gardening team has recently installed raised beds, likely to be a great addition to the gardening program.

Neighborhood Watch/Emergency Preparedness: Mike Attick said the Town celebrated another great National Night Out thanks to support from the Council and help from community organizations. He especially thanked MPT Kulpa-Eddy for keeping the food service line moving. He also announced that the NW/EP will participate in a mini College Park Day on August 23 and make a pitch for emergency preparedness; and that the Berwyn Heights CERT and Prince George's County Citizens Corps Council will host a health and wellness day on September 6. Vendors and health officials have been invited to distribute educational materials and give health screenings; and a variety of first responders will be present to demonstrate their rescue methods and equipment. Volunteers are needed to help with this event. September 13 is the date of a 3k run and stair walk to remember the victims of the 9/11 attacks. The next NW/EP meeting will take place on September 3.

7. Unfinished Business

There was none.

8. New Business

Resolution 08-2014 - Adoption of PGC Declaration of Covenants regarding Stormwater

Filter: Clerk Harper read the Resolution. Mayor Calvo offered corrections. CM Rasmussen moved to adopt the Resolution as corrected. CM Dennison seconded. Mayor Calvo explained that, as part of the approval of a stormwater mitigation plan, the Town must pledge to properly maintain the stormwater filter to be installed at the Public Works yard. If the county finds it is not maintained according to standards, the county will perform maintenance and repairs at the Town's expense. In response to CM Rasmussen, TA Murphy explained the Covenants' reference a schedule of maintenance that calls for the facility to be inspected after the first year of operation, and every 3 years thereafter. The Covenants were approved 5 to 0.

Ordinance No. 168 - 1st Reading & Introduction of Comcast Agreement Extension:

Clerk Harper read a summary of the Ordinance. Mayor Calvo sought clarification as to whether the extension of the Comcast Franchise Agreement could not be adopted by resolution. The Town usually adopts agreements by resolution. TA Murphy replied that he is acting on the advice of I-Net's legal counsel, Suellen Ferguson, who recommended adoption by ordinance, which has greater legal weight. Mayor Calvo thought that the Town already has an ordinance, Ordinance

No. 106 implementing the Comcast Franchise Agreement. He does not see why this Ordinance could not simply be amended to extend its life. Instead, there are now three ordinances all relating to the same franchise agreements, if one counts the expired emergency Ordinance No. 164 extending the agreement. This question does not need to be resolved tonight. But he would like to have an answer before this Ordinance is adopted in a 2nd reading.

CM Rasmussen asked if emergency Ordinance No. 164 could be extended by resolution as it already deals with the subject of extension. TA Murphy did not think so as the emergency Ordinance is only valid for 90 days and has since expired. Ordinance No. 168 would replace the emergency Ordinance. MPT Kulpa-Eddy moved to adopt Ordinance No. 168, and CM Schreiber seconded.

Mayor Calvo explained that the franchise agreement permits Comcast to use of the Town's right of way for transmitting their communication services. In return, the Town receives receives a 5% franchise tax and a 3% PEG fee, which pays for the Town's public access channel. The Council voted to introduce the Ordinance 5 to 0.

9. Citizens Discussion

Buddy Robson, 59th Avenue, submitted a letter about the June 10 flash flood for the record. In summary, the letter expresses his concern about the history of flooding on 59th Avenue. As a 34 year resident of the street, he has seen it flood before but not to the extent of the June 10 flood. He was fortunate to have only 5" of water in his basement, whereas some neighbors had up to 6' of water in the basement, their doors being pushed in by the force of the water.

Mr. Robson said he attended a meeting in College Park at which WSSC and County officials discussed their response to the flooding. WSSC said it transferred responsibility for the storm water drainage system to the County's Department of Public Works & Transportation (DPWT). However, it will review, on a case-by-case basis, instances where sewer backups occurred as a result of the flood. County representatives gave the impression that a study of the flooding problem will take an act of Congress and nothing is likely to be done soon. The Town is to be congratulated for setting up a flood recovery assistance fund that was of great help to some of his neighbors. Although eligible, his family did not apply as they have enough private resources to refurbish their basement.

Mr. Robson said that stormwater drains in Berwyn Heights raise many red flags. A map of the storm drains in Town shows drains following an old creek bed along Seminole Street, while old timers say that some low-lying homes were built on fill dirt. He believes that fixing the storm drains in Berwyn Heights should be a priority to prevent similar flooding when the next hurricane or heavy downpour strikes. Property values in town are likely to suffer if the storm drain issues are not addressed.

Mayor Calvo commented that most of the home owners that received assistance from WSSC had sewer backup issues and live on Cunningham Drive. Further, the county plans to commission a hydraulic study, which he believes will result in improvements being made. The focus should be on fixes that are doable, such as installing larger diameter drains at critical points, such as the drain on 59th Avenue.

Gena Robson, 59th Avenue, said that her family puts up with many problems associated with living in Prince George's County because Berwyn Heights is worth it. However, if she has to worry about flooding every time it rains it may no longer be worth it. Berwyn Heights may be poised to become a very desirable place to live with new development occurring in surrounding areas and the FBI headquarters possibly relocating to Greenbelt Station. But if it is known for flooding problems this is not likely to happen. She urged the Council to work with the County to look at any and all solutions that may help this situation.

Mike Attick asked if Public Works is out of recycling bins. TA Murphy confirmed this. MPT Kulpa-Eddy informed that Public Works is trying to locate another supplier for the bins. Mr. Attick further asked if the Council still plans to build a sidewalk in front of the school. Mayor Calvo replied that it will be engineered and bid. But the Council has not yet decided whether it will be constructed.

The meeting was adjourned at 10:29 p.m.

Signed: *Kerstin Harper, Town Clerk*