



Town of Berwyn Heights

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Minutes Worksession August 6, 2018

The meeting was called to order at 7:00 p.m. Present were Mayor Lynn White, Mayor Pro Tem Stephen Isler, and Councilmembers Jason Papanikolas and Ethan Sweep. Also present were Interim Town Administrator (TA) Mike McLaughlin, Public Works Director Kenneth Hall, Clerk Kerstin Harper, McDonald's Representatives Daniel Lynch and Joe DiMarco and citizens.

2. Discussion Items

McDonald's redevelopment site plan: McDonald's Representative Dan Lynch presented a revised site plan for the proposed reconstruction of the McDonald's restaurant at 6219 Greenbelt Road. The Town Council received a presentation and supported an earlier version of the redevelopment plan last year, and the Prince George's County Planning Board approved the detailed site plan in May 2017. Since then, McDonald's has decided to use a different architectural style for the new restaurant, which will result in different materials being used for the roof and siding. The layout of the site, storm water facilities and dimensions of the building will remain the same. Since the change is mostly stylistic, McDonald's hopes to get the revisions approved at the Park & Planning staff level, with construction expected to start in summer 2019. The Town is requested to give input.

In discussion, Councilmembers and citizens asked, and Mr. Lynch and Mr. DiMarco answered questions about traffic flow, parking, pedestrian safety, and building materials. The Council had no objections to the proposed changes and agreed to send a letter of support to Park & Planning.

Street resurfacing vendor: TA McLaughlin and Public Works Director Hall brought a proposal to select street resurfacing vendors for Phase I of the Town's street repair program. They recommended the Town not go out to bid itself but "piggyback" onto a Prince George's County contract to get a better price. While the Town Charter does not mention this method of contracting, the Town has piggybacked onto State and County contracts for purchasing police and public works vehicles. Two County street resurfacing contracts are currently available for piggybacking: VMP Construction of Lanham, MD and NZI Construction of Beltsville, MD. Both vendors have done a lot of municipal street repair work.

Mayor White read Section 806 of the Town Charter, specifying a competitive bidding process for construction projects. She said she considers the process set forth in the Charter to be more relevant than the process by which vehicles may have been purchased in the past.

Director Hall said the County's bidding process is also competitive and probably more stringent than the Town's. Once the County has identified the vendors that best meet the requirements for a particular service it often makes the contracts available to municipalities, extending the same pricing and terms. The VMP and NZI contracts that are included in the background documentation detail the unit prices for various aspects of street renovation work, highlighting those items of interest to the Town. Overall, VMP construction has the lower price for the package of work the Town is interested in. For that reason, it is recommended the Council utilize the VMP contract. Town Administrator Mike McMcLaughlin further recommended that the Town utilize the bond funds for Phase I of the road renovations and keep the infrastructure reserve funds for Phase II work. This would give the Town maximum flexibility on how to use these funds.

MPT Isler, CM Papanikolas and CM Sweep said they are comfortable with piggybacking onto the County contract and employ VMP Construction for the Town's street work. Mayor White requested a description of the County's bidding process to ensure it meets the requirements set forth in the Town Charter.

The Council agreed to place the awarding of the contract on the next Town meeting agenda for approval. It was also agreed not to include driveway apron repairs in the project unless aprons are damaged by curb and gutter work, or the home owner requests, and pays for replacement. The project start date was set for August 13. Prior to the start date, Director Hall will provide the Council with an updated list of streets to be repaired, deliver fliers to homeowners and post signs on streets announcing the construction.

There ensued discussion about the recommendation to use bond funds for Phase I and infrastructure reserve funds for Phase II. TA McLaughlin said the Town will receive enough Highway User Revenue (HUR) to pay down the bond. This would leave money in the infrastructure reserve for Phase II, future road repairs or other infrastructure projects. Mayor White and resident Phil Ventura expressed skepticism about this approach and the need for using bond funding at all. MPT Isler and CM Sweep expressed concern about the consequences of pulling out of the bond issue at this late stage.

Briefing on bond issue debt service: TA McLaughlin gave an overview of the terms of the \$1.1 million bond issue the previous Council authorized through the Maryland Local Government Infrastructure Financing Program. The program offers an affordable way to borrow money for capital projects by pooling debt from multiple local governments and accessing the bond market through the Maryland Department of Housing & Community Development (DHCD). This results in lower interest rates and administrative costs.

Interest rates on this bond issue are expected to be 3.15%. Annual debt service is calculated at \$128,400 to be paid with a combination of HUR and infrastructure reserve funds. The FY 2019 budget sets aside \$116,000 for debt service and the Town anticipates receiving approximately \$113,000 in HUR this year and \$140,400 in FY 2020, according to MML estimates. HUR levels should remain stable because the General Assembly passed legislation earlier this year committing State funding for HUR through 2024.

In discussion, Mayor White expressed her reservations about the bond issue. She thinks it is a bad idea to borrow money when the Town has reserves to pay for Phase I repairs and is able to save money for the next phase. She asked what documents still need to be signed to finalize the bond issue. TA

McLaughlin said the Town will be asked to sign an agreement in which the Town confirms the amount of money borrowed and the commitment to pay it back.

Phil Ventura, 57th Avenue, asked what the total amount of debt service is over the term of the bond. CM Sweep replied that amount would be 10 x the annual debt service, or \$1,284,000, i.e. \$1.1 million in principal and \$184,000 in interest. MPT Isler said the bond issue need no longer be debated since it has already been authorized by the previous Council. CM Papanikolas said he finds the cost of the bond to be reasonable. Thinking long term, the Town might be better served to get out in front of road repairs because the cost of repaving streets will go up over time. MPT Isler, CM Papanikolas and CM Sweep were of the opinion it would be difficult, inefficient and disruptive to complete the road repair program by saving up for small chunks of street repair work to be performed every year.

2020 Census Complete Count Committee: Mayor White explained that Census representatives gave a presentation on the 2020 Census at the last Four Cities Coalition meeting. They encouraged localities to set up Complete Count Committees made up of various community stakeholders to ensure the best count possible. The usual under-counts result in the loss of federal and state funds that are based on population. The Council is requested to consider setting up such a committee for Berwyn Heights.

CM Papanikolas and CM Sweep said they support the idea but want to explore a collaborating with the Four Cities in setting up a Committee. Meg Miller-Shane, Quality of Life Commission chair, said this might be something the Commission could take on. She offered to bring it up at the next Commission meeting and report back to Council. The Council agreed.

Joining PTA's of local schools: Mayor White said at last Four Cities Coalition meeting, participants discussed the closer collaboration of the member cities' Education Advisory Committees to more effectively advocate for local schools. It was suggested that municipalities join the PTAs of the schools their students attend. Mayor White said she thinks it this is a great way to support local schools and asked if the Council agrees. CM Papanikolas and MPT Isler both favored the Council's closer collaboration with local schools but thought this should include participating in PTA meetings.

In discussion, the point was made that PTA rules preclude the Council from joining a PTA as a body, but Councilmembers can join on an individual basis for a fee of \$10 per year. It was also noted that the Town has given grants to Berwyn Heights Elementary School in the past, but the current PTA may not be aware of available funding. Clerk Harper said the Council's public relations line item has been used to award grants to schools upon request. Last year, the Council supported a science program at BHES and a mentoring program at Parkdale High School.

Voting protocols at PGCMA and MML: Mayor White said she would like this Council to come up with a voting protocol when they attend PGCMA or MML meetings. The previous Council at one point discussed voting protocols for meetings of the Prince George's County Municipal Association (PGCMA) if not all Councilmembers attend. Clerk Harper was asked to confirm how the previous Councils handled the voting and report back at the next worksession. At that time, the Council may also designate a Councilmember to attend PGCMA meetings.

TA McLaughlin said, at the MML fall conference, members adopt MML's legislative priorities for the coming legislative session. MML rules allow for proxy voting to get as much input as possible. If Councilmembers cannot attend, municipal staff or another municipality can be authorized to vote on behalf of the municipality.

MML fall conference attendance: Mayor White and CM Papanikolas will attend the conference. MPT Isler and CM Sweep have other commitments.

3. Minutes

On a motion by CM Sweep and second by CM Papanikolas, the July 2 worksession minutes were approved 4 to 0. The July 11 Town meeting minutes were distributed.

4. Announcements/ Department Reports

Mayor White reported that Berwyn Heights hosted the Four Cities Coalition meeting last week, where County Councilwoman Glaros gave a legislative update, Census Bureau staff presented on the 2020 Census and the Branchville Volunteer Fire Department requested support for the re-instatement of career fire fighters to their station. Mayor White attended a Berwyn Heights Volunteer Fire Department (BHVFD) celebration of the Yvorra Leadership Development Foundation, attended by BHPD Chief Antolik and Cpl. Krouse as well as Prince George's County professional and volunteer fire fighters association chiefs. Mayor White also received a citizen comment about possible illegal activities at the hockey rink. She concluded with announcements of upcoming events.

MPT Isler reported that he has met with all department directors, as well as the BHVD's Chief McCoy. With TA McLaughlin he discussed some changes in the Administration Department, including reformatting the meeting minutes. He and CM Papanikolas will help out at the grills during National Night Out tomorrow, the Woo Yeahs will give a rock concert at Sports Park on Sunday, and BHPD will host a Senior appreciation lunch on August 21.

CM Papanikolas reported that he, MPT Isler and TA McLaughlin met with Code Supervisor Glass to discuss how to improve the reporting of code activities and communication with residents. Currently, the Department is down one officer and may take longer to perform rental inspections. CM Sweep announced that the Town is accepting applications for to fill the vacant Council seat until August 15.

A home owner said he is here to follow up on a code appeal he first brought before the Council in April. He was asked to provide his contact information and schedule a hearing through the Code Department.

5. Citizen Comments

MPT Isler reported that he spoke with a resident about Town Center parking issues, including freeing up parking in the rear of the Town Center by moving the emergency trailer, moving the dumpster, and/or removing a tree. The possible installation of 2 electric charging stations lend urgency to these concerns.

Meg Miller Shane, 57th Avenue, brought a complaint about a code violation she received for renting rooms in her owner-occupied home. She has since submitted a rental license application to avoid being fined but plans to appeal the violation. She believes the definition of a rental property and family members in the Town's Rental Housing Ordinance is at variance with other law and generally accepted norms. She would ask the Council to rescind the license requirement for her home and to revise its Rental Ordinance.

CM Papanikolas replied the Town's Rental Ordinance is based on Prince George's County's housing code and is similar to that of many other Maryland municipalities. The Town Attorney has been asked

to review Ms. Shane's complaint, and if the matter cannot be resolved the State's Attorney may be asked to look into it.

6. Town Council Schedule

The Council scheduled the Town Council candidate interviews for August 20, 5:00 p.m. and rescheduled its first worksession to Wednesday, September 5. A Council retreat was tentatively scheduled for Saturday, September 22.

On a motion by CM Sweep, seconded by CM Papanikolas, the meeting was adjourned at 10:10 p.m.

Signed: *Kerstin Harper*, Town Clerk