



# TOWN OF BERWYN HEIGHTS

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**MAYOR**  
Lynn White

**COUNCIL MEMBERS**  
Stephen Isler (Mayor Pro Tem)  
Amanda Dewey  
Jason Papanikolas  
Ethan Sweep

## Worksession Minutes November 19, 2018

The meeting was called to order at 7:02 p.m. Present were Mayor Pro Tem Stephen Isler, presiding, Councilmembers (CMs) Amanda Dewey, Jason Papanikolas and Ethan Sweep. Mayor Lynn White had an excused absence. Also present were Town Manager (TM) Maria Broadbent, Public Works Director Kenneth Hall, Code Compliance Supervisory Freddie Glass, Clerk Kerstin Harper, Beltway Plaza Representatives Kap Kapastin, Nat Ballard, Matt Leikan and Matt Tedesco, as well as School Board Member-elect Joshua Thomas.

### 1. Citizen Comments

There were none.

### 1. Announcements

An executive session prior to this meeting announced the previous Friday was cancelled. Town offices will be closed for Thanksgiving and the Friday following.

### 2. Presentation on Beltway Plaza Redevelopment Plans

Kap Kapastin, General Counsel for Quantum Companies, introduced Matt Tedesco, Land Use Attorney at McNamee & Hosea, and Nat Ballard and Matt Leikan with Rogers Consulting. Mr. Kapastin said plans to update the mall have been underway for a number of years but were put on hold pending a decision on the FBI Headquarters relocation to Greenbelt Station. When the FBI Headquarters search was cancelled, Beltway Plaza moved forward with redevelopment.

Matt Tedesco elaborated that Beltway Plaza had submitted a conceptual site plan (CSP) for the redevelopment of the parking lot in the rear of the mall in 2011. The plan was shelved with the 2013 Greenbelt Metro Area Sector Plan Amendment, which rezoned the entire property to Mixed Use Infill (MUI). Redevelopment remained on hold while management waited for a decision on the relocation of the FBI Headquarters to Greenbelt Metro Station.

Mr. Tedesco said Beltway Plaza has now resumed planning to position the 1,000 square foot mall for ongoing changes in the commercial retail market resulting from the growth of e-commerce. The new CSP calls for a long-term redevelopment in six phases to ultimately create a "Lifestyle Center" with a mix of residential, commercial, office and recreational uses.

Nat Ballard of Roger's Consulting explained the concept plan in more detail. The Lifestyle Center will retain the current anchor businesses, e.g. the Giant grocery store, AMC Theater and Target but emphasis will shift towards more restaurants, entertainment and destination retail. Phase I of the redevelopment would transform part of the underutilized parking lot in the rear of the mall into residential town houses; Phase II would likely create multifamily housing in the rear and center of the current mall utilizing the

garage and 2<sup>nd</sup> floor shops on the east side of the mall; Phase III would upgrade the neighborhood shopping along Cherrywood Lane to include a landmark building at the intersection with Greenbelt Road; Phase IV would create an events and entertainment open space in the mall's center with new access roads and pedestrian/ bicycle facilities; Phase V would redevelop the Target property; and Phase VI the pad sites along Greenbelt Road.

In response to questions, Mr. Tedesco and Mr. Ballard said there is no fixed time table for the completion of the project, but Phase I could begin within 18 months. Any improvements to pedestrian crossings of Greenbelt Road would have to be planned with SHA, since it is a state road. The recommendations of the recent Urban Land Institute Technical Assistance Panel (ULI TAP) may serve as guide posts for pedestrian improvements. Planned environmental improvements include more green spaces, trees, storm water retention features and required upgrades to buildings. No LEED buildings are planned. Quantum is open to locating civic services in the redeveloped center. Economic impacts are difficult to quantify in the absence of detailed site plans. However, Beltway Plaza's owners believe that doing nothing would have a substantial negative impact.

The Staples property in Berwyn Heights is likely to get new tenants within the next 2 years as Staples will probably not renew its lease. Quantum is soliciting bids from a variety of restaurants and gourmet grocers. Quantum also purchased the adjacent property and may eventually redevelop the entire site into a mixed-use center. In conclusion, Quantum Companies offered to furnish a list of other Lifestyle Center type commercial hubs as examples and expressed the intent to return to Berwyn Heights throughout the redevelopment process.

#### **4. Discussion Items**

***School Board Representative Joshua Thomas visit:*** MPT Isler congratulated Mr. Thomas on being elected as District 2 School Board Member. Mr. Thomas thanked the Town residents for their support and briefly introduced himself. He grew up in Prince George's County and now lives in College Park Estates. He graduated from Eleanor Roosevelt High School and earned his Bachelor of Science from Howard University. He then joined *Teach for America* and taught middle school science in Texas. Currently, he is a Manager of Recruitment at Historically Black Colleges and Universities for *Teach For America*.

Mr. Thomas said since he will be new to the job he has a lot to learn. He hopes to work closely with municipal leaders, school staff, PTSAs and EACs to understand what each community's top concerns are. To that end, he has plans to establish a faculty-parent-student liaison at each of the schools in his District to represent the schools at the School Board and open new lines of communication. Once he has been seated he can be reached via his School Board-issued phone and email but for now his contact information is available at his website [www.joshuamthomas.org](http://www.joshuamthomas.org).

In discussion, Councilmembers raised some of their concerns, including overcrowding at Berwyn Heights Elementary School (BHES), plans for rebuilding BHES, late-arriving buses, possible removal of the aftercare program, lack of responsiveness from the PGCPs central office, inadequate school security and too much testing. The Council invited Mr. Thomas and he expressed interest in attending community events where he could meet and speak with residents directly. Lastly, Mr. Thomas apologized for some of his election signs having been unintentionally placed in peoples' yards who did not want them. Signs still up can be discarded with recycling, donated to the Town or kept for the next school board election.

***Variance 37-15 driveway widening at 6216 Quebec Street:*** TM Broadbent said the owners of 6216 Quebec Street, Ricardo and Herminio Portales, requested a variance from Prince George's County to widen their driveway. This would place a part of the driveway in the front yard, which is not permitted in Prince George's County zoning code.

Code Supervisor Glass explained that the property owners originally applied for a variance in 2015 but the Town Council at that time declined to support it unless a series of conditions were met, to include:

- removing existing driveway and building the new driveway and walkway with pervious pavers,
- maintaining the existing curb cut;
- protecting the dominant tree in the front yard;
- ensuring that any commercial vehicles parked in the driveway comply with Town ordinances.

The Portales' have since revised the plans to add 4' on the right side of the driveway rather than extending it all the way to the front stoops. This Council will make a decision on whether to support or oppose the variance at the December 12 Town meeting.

***Refuse and recycling schedule:*** TM Broadbent said a review of the refuse collection process is one of this Council's top priorities. The previous Council repeatedly discussed changes to the refuse collection process but did not budget for purchases of equipment necessary to be able to implement the changes, namely implementation of once-a-week trash pickup. Public Works Director Hall has given the matter some thought and is here to explain possible options.

Director Hall said the streamlining of the refuse and recycling collection process depends on investing into larger bins that would be emptied with an automatic lift. The total estimated cost of the investment would be \$165,200 but the cost would be offset by making fewer trips to the landfill, recycling a greater share of household refuse, and fewer injuries to employees from lifting heavy loads. A new refuse schedule could provide for collecting all household trash on Mondays, all yard waste on Tuesdays, and all recyclables on Wednesdays.

Director Hall recommended starting with revamping the recycling program and leaving the trash collection schedule as is. Public Works would purchase larger recycling bins (on wheels), of either 64 or 96-gallon size, and the automatic lifts for the trucks at a cost of around \$95,600. This partial change would be easier to adjust to while making it possible to increase the recycling rate.

In discussion, Councilmembers raised concerns about the difficulty some residents might have with moving and controlling 96-gallon bins on a sloping yard. Director Hall said elderly or physically unable persons would be offered help from Public Works employees with moving heavy toters. Additionally, DPW could provide both 64- and 96-gallon toters to pick from and have sample toters on display for residents to check out. Households that produce large amounts of trash could be offered a second toter for a charge. In the coming weeks, TM Broadbent and Director Hall will work on a proposal to finance the purchase of new recycling bins and exhibit samples in the Town Hall.

***Ordinance 175A budget amendment to purchase salt spreader:*** MPT Isler said the budget amendment was introduced at the November 14 Town meeting. Tonight, he would like to address any additional questions Councilmembers may have. CM Dewey asked if there are plans for spending the left-over money that was appropriated for a new dump body. TM Broadbent said the money could be used for the Public Works garage doors, if needed, or new recycling bins.

***Charter Amendment on Mayor Pro Tem Authority:*** CM Papanikolas proposed a couple of changes to the Amendment of Section 306.2 of the Charter that is to be adopted at the December 12 Town meeting. Section 306.2 of the Charter currently mandates that the Mayor Pro Tem assumes the duties of the Mayor when the Mayor is absent. The Charter Amendment adds sub-sections A, B and C to clarify when the Mayor is absent. CM Papanikolas proposed to strike "or unwilling" from sub-section A and "unable or" from sub-section B.

The Council discussed the changes and agreed to strike those words. The revised Amendment thus lays

out 3 scenarios for the Mayor Pro Tem to assume the Mayor's duties:

- A. Mayor notifies the Council that he/ she will be away and unable to perform the Mayor's duties;
- B. Mayor is unwilling to sign legislation duly adopted by the Council that he/ she disagrees with;
- C. Majority of the Council determines by a public vote that the Mayor is unable or unwilling to perform all or a part of the duties of the office (which addresses broad-based disagreement between Mayor and Council or obstruction by the Mayor).

MTT Isler noted the Charter Amendment reflects input from Town residents, MML and the Town Attorney, who pointed out that the Charter currently does not have provisions to deal with a situation such as this Council encountered when the Mayor refused to sign bond issue documents after the bond issue had been approved by the Council. This Amendment protects the Council from an impasse in the event of disagreements between the Mayor and Council and ensures the government can continue to function. The proposed revised Charter Amendment will be posted at the Town office and on the website.

***Council Rules revision:*** The Council reviewed Council Rules 17-19 and made the following changes:

**CR 17 – Town Property Acquisition and Use:** It was noted this Rule duplicates some provisions of the Town Charter and other Council Rules. It was clarified it pertains to real property only. In section B (2) the noticing requirement for changes in the use of Town real property was made to apply only to significant changes. The notice period for a public hearing on changes to Town real property was rephrased to read “not fewer than 14 days prior to the hearing.”

**CR 18 – Purchasing:** TM Broadbent said she plans to propose to replace the Rule with an internal purchasing policy that is more in line with current practices and the more limited role of Councilmembers in administering Town departments. It was agreed to keep the Rule until a new purchasing policy has been adopted.

**CR 19A – Take Home Car and Locality Pay Policies:** The Council agreed the content of this Rule pertains to internal operations of the Police Department and should be moved to the Employee Manual.

The Council agreed to revisit all changes made to Council Rules 1-19 at its next meeting prior to their adoption at the December 12 Town meeting.

***PGCMA Legislative Dinner attendance (discussed out of order):*** MPT Isler, CM Dewey and CM Sweep plan to attend the legislative dinner for the Prince George's County Municipal Association (PGCMA) on December 5.

***Berwyn Heights legislative dinner agenda:*** The Council discussed the format and draft agenda for the legislative dinner with its State and local representatives. It was agreed that the Mayor or Mayor Pro Tem would act as chair of the meeting and each of the Councilmembers lead the discussion on particular topics of interest. The agenda for the legislative dinner was finalized.

## **5. Minutes**

On a motion by CM Sweep and second by CM Dewey, the October 15 worksession minutes were approved 4 to 0, as amended. CM Papanikolas moved and CM Sweep seconded to approve the October 10 Town meeting minutes, which had been tabled for lack of a quorum. The motion passed 3-0-1, with CM Sweep abstaining.

## **6. Department Reports**

MPT Isler wished everyone a happy Thanksgiving and safe travels. CM Papanikolas said that the Code Department hired a new part-time officer, Hollyce Goodwin, who delivered the monthly report at the last Town meeting. He also reminded people to take down election signs. CM Sweep wished everyone a happy and safe Thanksgiving. Town offices will be closed Thursday and Friday and there will be no refuse collection. CM Dewey advised everyone to keep warm over Thanksgiving, to include taking care

of pets. Berwyn Heights Police can help if people or animals are freezing. BHPD can be reached by calling the County's dispatch service and asking for the on-duty Berwyn Heights police officer to respond.

The meeting was adjourned at 10:35 p.m.

Signed: *Kerstin Harper*, Town Clerk