



# Town of Berwyn Heights

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**MAYOR**  
Jodie Kulpa-Eddy

**COUNCIL MEMBERS**  
Christopher Brittan-Powell (Mayor Pro Tem)  
Shinita Hemby  
Faustino Menjivar  
Jason W. Papanikolas

## Town Meeting Minutes Town Council Chambers December 13, 2023 | 7:00 p.m.

### Call to Order

Mayor Jodie Kulpa-Eddy called the meeting to order at 7:12PM. Present were Mayor Pro Tem Chris Brittan-Powell, Councilmember Shinita Hemby and Councilmember Jason Papanikolas. Staff present were Town Manager Kyle Snyder, Code Compliance Director Hollyce Goodwin and Town Clerk Melanie Friesen. Residents of the Town of Berwyn Heights were present.

### Pledge of Allegiance

#### 1. Announcements

Mayor Kulpa-Eddy made an announcement for a closed meeting to be held on Monday, December 18<sup>th</sup> at 6:30PM. The meeting will be closed pursuant to Maryland Code Annotated, General Provisions Article, § 3-305(b)(3): “To consider the acquisition of real property for a public purpose and matters directly related thereto” (specifically, to discuss the feasibility of purchasing a commercial property to use as space for public activities, the Town's Police Station and other Town services.). She also noted that CM Menjivar had an excused absence for this evening. MPT Brittan-Powell expressed his wish that issues with past closed meetings on this issue do not repeat themselves. He encouraged residents to participate in elections. Mayor Kulpa-Eddy called for a point of order, stating that these items are not announcements, but rather should be made under the Councilmember reports. The point of order was sustained by CM Papanikolas.

#### 2. Approval of Agenda

CM Hemby moved to approve the agenda. CM Papanikolas seconded. With no discussion, the motion passed 3:0:1 with MPT Brittan-Powell abstaining.

#### 3. Variance Request--6107 Seminole Street

Director Goodwin introduced Mr. Nick Lorenz, the homeowner and Mr. Robert Hyman, the contractor on the project. She explained that the property was severely damaged in the windstorm of July 2022. The original extension project was granted a building permit by the Town and County. After the project began, it was determined that the water table was too high to go forward with the planned project and the project was redesigned as an overhang extension that the County determined would require a variance.

Mayor Kulpa-Eddy asked about the overhang in the pictures, which show the work as being completed. Mr. Hyman explained that the project was completed before the need for a variance was discovered. Mayor Kulpa-Eddy asked about the type of ground surface under the overhangs. Mr. Hyman stated that it is dirt and plantings.

MPT Brittan-Powell expressed his sympathies to all the Lorenz family has suffered. He asked for confirmation that the footers are adequate to support the addition. Mr. Hyman stated that the project was reviewed by their structural engineer. Mr. Lorenz added that the house was found structurally sound, minus specific areas of damage from the storm.

CM Papanikolas confirmed that the work has been completed and the variance is to approve work that has already been completed. He moved to approve the variance. CM Hemby seconded. With no further discussion, the motion passed unanimously. Mr. Lorenz thanked the Council as well as thanking Director Goodwin for all her support and encouragement during this process. CM Hemby also thanked Director Goodwin.

#### **4. Consent**

CM Hemby moved to accept the consent agenda. CM Papanikolas seconded. With no discussion, the motion passed unanimously.

#### **5. Mayor & Councilmember Reports**

Mayor Kulpa-Eddy wished everyone Happy Holidays. She reminded everyone to check their health care insurance coverage. She noted that Maryland Health Connection has affordable health coverage options. She noted that Medicaid is not automatic and to watch for your renewal notices as well as making sure you have updated your contact information. She reviewed her participation in several meetings, including the District 22 Legislative Dinner where she asked for funding support to purchase a property to house the Police Department and other community events. She attended a meeting with Board of Education Member Jonathan Briggs who expressed concern about students at Greenbelt Middle School not getting the resources they need. She encouraged residents with students at Greenbelt Middle School to reach out if they are in need of support. She also attended a webinar hosted by Congressman Glenn Ivey on congressional earmarks as well as a webinar on water infrastructure and stormwater management grants.

MPT Brittan-Powell apologized for his delay in joining the meeting. He noted that he may have to leave early for a family issue. He encouraged residents to consider running for Council or serving as an election judge. He noted that he will try to speak to issues that residents have brought up to him throughout the week, particularly the flag policy and stormwater management resolutions.

CM Hemby also wished everyone a Happy Holiday. She noted the increase of pets wearing lighted vests at night and that it is appreciated. She also thanked everyone who made the Tree Lighting a success. She highlighted how the different departments work to keep the Town safe and once again encouraged residents to reach out to Code Compliance Director Goodwin for support on Code issues.

CM Papanikolas updated residents on the leaf vacuum schedule as CM Menjivar was absent. He also celebrated that Gary Stanton has been with the Town for 10 years. He attended the PGCMA Legislative meeting and noted that there is a push to increase stormwater management funding to reach the municipal level as well as reducing tax duplication for residents between the County and the municipalities. He added that there is a push to hire crossing guards. MML is looking to help support revenue streams for local governments as well as supporting legislation that would allow for a trained staff member to review stoplight and speed camera tickets instead of an officer.

#### **6. Committee Reports**

- a. Green Team: There was no Green Team report.
- b. Historical Committee: Debby Steele-Snyder noted the BHHC did not meet in November as there was not a quorum. They will be meeting on December 20<sup>th</sup> at 7:30pm in the G. Love

Room and all are welcome. They are working on updating the digital walking tour and pamphlets. Copies of the two reformatted pamphlets are available in the museum. She noted that historic properties need special permits to work on the outside of the home and encouraged residents to look at the Town website for more information as well as to reach out to Code Compliance and the County's Historic Preservation Commission. She noted that a historic home is currently for sale in Town. She also noted that the Gohr House Christmas display is back on the corner of Ruatan and 58<sup>th</sup>.

- c. Neighborhood Watch/ Emergency Preparedness: Mayor Kulpa-Eddy reviewed that recent Police-sponsored events have gone well. She noted that the trailer inventory has been offered to Town Departments and then will be offered to other emergency management agencies in the County. She noted two upcoming trainings, Narcan and AED/CPR/First Aid. She noted that the CPR training has a \$70 per person fee, to be covered by the NW/EP.
- d. Recreation Council: Ms. Steele-Snyder reviewed that the last Rec Council meeting was a review of recent community events. She noted the Regifting Party will be on January 13<sup>th</sup>. The Rec Council is looking to host another team trivia night in the spring. A bluegrass concert will be hosted in February and they are already looking forward to options for Berwyn Heights Day and the Summer Concert Series. She provided an overview of the Friday Game Night activities when asked by MPT Brittan-Powell.

7. **Old Business:** There was none.

8. **New Business**

- a. Introduction of Ordinance 101, amended  
Council reviewed that this amended ordinance was due to resident complaints of pet owners not picking up waste. While the current ordinance this as a violation, there was no mechanism to assess a fine. CM Papanikolas moved to introduce the ordinance and waive the first reading. CM Hemby seconded. In discussion, Mayor Kulpa-Eddy requested some changes to the "Whereas" section and to make some minor changes to formatting. MPT Brittan-Powell asked about how this would be enforced. Director Goodwin noted that it would be challenging for Code and BHPD to enforce, but this will also apply to homes and that will be easier to enforce. CM Papanikolas asked about the appeal process as he understood that a Council hearing would not be a step in the appeals process and that it would go directly to District Court. The motion to introduce the ordinance passed 4:0.
- b. Resolution 12-2023 Flag Policy Resolution  
Mayor Kulpa-Eddy reviewed this is due to the 2022 Supreme Court case, Shurtleff vs. The City of Boston, MA, where the Court ruled that when a flag is flown on government property it is government speech, and recommended municipalities adopt a policy to clarify which flags may be displayed on government property. CM Hemby moved to adopt Resolution 12-2023. CM Papanikolas seconded. In discussion, MPT Brittan-Powell asked for a definition between governmental and non-governmental flags. Mayor Kulpa-Eddy reviewed the definitions that are included in the policy. CM Papanikolas reported that he was asked why the policy was needed. He noted that without a policy, every request for a flag to be flown must be honored. Instead, residents must now bring their requests to Council for consideration. TC Friesen read the resolution into the record. The motion to adopt passed unanimously, 4:0.
- c. Resolution 13-2023 Stormwater Engineer Contract  
Mayor Kulpa-Eddy reviewed that in June 2023, Council approved the job description and

requested that the stormwater consultant job description be posted as soon as possible. Three responses were received, and this resolution awards the contract to CPJ & Associates. CM Papanikolas moved to approve Resolution 13-2023. CM Hemby seconded. In discussion, MPT Brittan-Powell expressed that the process has been very confusing and that the outcomes desired were not clearly defined. He requested a friendly amendment to include the outcomes of a draft RFP as the outcomes desired from the firm. There was discussion on the job description versus a RFP. MPT Brittan-Powell expressed concern that this will not do what the Council has promised to do. CM Papanikolas noted that once the contract is awarded it is up to the Council to direct the contractor and Town Manager toward the desired outcomes. MPT Brittan-Powell requested that the outcomes from the RFP draft be the direction for the contractor. TC Friesen read the resolution into the record. The motion to adopt passed unanimously, 4:0.

#### **9. Resident & Community Comments**

Resident Cassandra Kirk on Ruatan St. commented by phone, noting a rat infestation on Ruatan St and that she has been working with Code Compliance to get it resolved. She stated she has trapped 18 rats between November 9 and December 12<sup>th</sup>. She expressed a concern about the infestation spreading. Code Compliance Director Goodwin gave a brief update and expressed an expectation that the issue will soon be addressed. TM Snyder noted that the County Health Department has a “rat helpline” and checklist. MPT Brittan-Powell left the meeting at 8:35pm.

#### **10. Adjournment**

CM Papanikolas moved to adjourn. CM Hemby seconded. With no discussion, the motion passed unanimously (3:0) and the meeting adjourned at 8:40PM.