



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 Agenda Town Council Chamber March 8, 2023 | 7:00 p.m.

Call to order

Mayor Jodie Kulpa-Eddy called the meeting to order at 7:02PM. Present were Mayor Pro Tem Chris Brittan-Powell, Councilmember Shinita Hemby, and Councilmember Jason Papanikolas who attended remotely. Also present were Interim Town Manager Peter Jones, Town Clerk Melanie Friesen, and Code Compliance Director Hollyce Goodwin. Also present were residents of the Town of Berwyn Heights. Councilmember Faustino Menjivar had an excused absence.

Pledge of Allegiance

1. Announcements

- **National Women's History Month Proclamation**

Mayor Kulpa-Eddy read the Women's History Month Proclamation.

2. Approval of Agenda

MPT Brittan-Powell moved to approve the agenda. CM Hemby seconded. With no discussion, the motion passed unanimously.

3. Code Appeal

Mayor Kulpa-Eddy introduced the Code Appeal Hearing, stating that among the other responsibilities of the Council, they function as the judicial arm of the Town and as the step between residents and District Court should residents choose to take an appeal to that level. Director Goodwin introduced that the hearing is for Property Maintenance Case CE22-146 for 7710 Edmonston Rd. She reviewed that there were a number of violations that received a Courtesy Notice on July 1, 2022. Unresolved violations received a Notice of Violation on September 13, 2022 with a Notice of Fine being issued on October 4, 2022. The fine was for \$500 (\$100 for each of the five outstanding violations of the clean lot ordinance). Director Goodwin explained that there is always a period of time between sending the Notice of Violation and the Notice of Fine, to give residents the opportunity to correct the issue. MPT Brittan-Powell asked how we know that residents have received the notification. He also asked if the Council had options for how to rule on the appeal. Mayor Kulpa-Eddy stated there are several options for how to handle the appeal. Director Goodwin explained that a notice is sent by mail, by certified mail, and left at the residence as well. CM Papanikolas asked if the violations are still outstanding. Director Goodwin stated there are still some outstanding violations, however the issue of

inoperable vehicles is mixed as sometimes they are covered as the Town Code requires, but not always when the property has been checked on. The property owners were invited to give testimony. Ms. Denise Helou stated that there were some discrepancies in the notices, that the July notice did not mention high grass, but the September notice did. She also felt that this was unreasonable as her husband mows regularly and the area of grass that was not mowed was long due to soggy ground from drainage issues. She also reported that Code Officer Demby did not respond to her husband when he asked what she was doing on the property. She stated that Code Officer Demby is not specific in noting the corrective actions that need to be taken. She asked if lawn mowers are not allowed to be stored outside in the driveway, as they are used outdoors. Ms. Helou stated that it is her belief that it is her property and she doesn't see why she cannot keep it as she sees fit. She also asked about the circumstances in which a Code Officer is allowed to be on a property. Mr. Bruce Prout, homeowner, also spoke stating there is water that is running in his yard and when he has sought help from the Town in resolving outside drainage issues, he was unable to receive support. He stated that when he asked Code Officer Demby about being on the property she stated that she could not speak with him. He added that many of the violations are not visible from the street due to the angle of the driveway.

Mayor Kulpa-Eddy asked about the previous Code issues. Ms. Helou stated that previous issues were related to high grass and due to the standing water in the yard. At that time, there was a meeting at Town Hall to determine responsibility to resolve the water issue but neither WSSC or the Town was willing to take responsibility. She also stated there may have been complaints from others about the storage on her property but again, she doesn't understand why it is a problem when it is her property. She stated that as Code Officers change, the rules seem to change as well. Mayor Kulpa-Eddy asked if the residents recall receiving pictures about Code violations in the past. Ms. Helou replied that after several attempts to meet and speak with Code, they did send pictures of the violations. She stated that she believes it was December when she got pictures. MPT Brittan-Powell stated that it sounds like the homeowners are willing to work with Code. Ms. Helou stated that to a degree, particularly in regard to vehicles. However, she does not think that issues that are not visible from the street should be violations. MPT Brittan-Powell stated that he believes the homeowners to be good neighbors and have done much for the community and that they care about the wellbeing of the community. CM Hemby thanked the homeowners for coming down and giving their side of the story. CM Papanikolas stated that he wished Code Compliance had been more communicative with the homeowners on the vehicle issue as there is more information in the Ordinance on that issue. He also stated he believes there may be issues that the homeowners don't believe to be visible from the street that are visible. He asked if Code Compliance sends pictures as part of the standard procedure on violations. Director Goodwin stated that photos do not always go out to repeat violations. Mr. Prout stated that he does not see a constructive relationship with Code Compliance and does not understand how vehicles that are licensed and driven regularly are listed as inoperable.

Mayor Kulpa-Eddy stated the purpose of Code Compliance is to ensure the quality of life for all Berwyn Heights residents, and that while we are not an HOA, there are issues that are safety concerns that need to be addressed; for example, a pile of tires can be a problem as they provide an environment for mosquito breeding. She asked about the possibility of additional fines that are listed in the Ordinance as well as a need for Town abatement. Director Goodwin stated that there have been no additional fines nor has the Town taken any steps to abate the issues. MPT Brittan-Powell said he does not see that the homeowners have intent to be dismissive of Town Code. CM Hemby proposed there be a meeting with the homeowners and Director Goodwin and herself within two weeks before proceeding with the fine. Mayor Kulpa-Eddy stated she would like to see the property brought into compliance within two weeks. She stated that the goal is to achieve

compliance, not to fine residents. With discussion, there was an agreement among Council that the residents would have two weeks to both meet with Director Goodwin and bring the property into compliance.

CM Hemby moved to extend to the residents a two-week period to meet with Code Compliance and to correct agreed upon issues; if after two weeks the agreed upon issues have not been resolved the \$500 fine stands. CM Papanikolas seconded, with the amendment that the fine would be \$100 per remaining violation. In discussion, MPT Brittan-Powell asked that the Town explore if there is anything that needs to be done on our part to address water issues. Mayor Kulpa-Eddy stated that the Town is limited in what we can do at this time. With no further discussion, the motion passed unanimously, 4:0.

4. Consent

Mayor Kulpa-Eddy asked about the status of the Treasurer's report. Town Clerk Friesen responded that Town Treasurer Lightfield had not yet completed the financials but had written the cover memo.

MPT Brittan-Powell moved to approve the consent agenda. CM Hemby seconded. With no discussion, the motion passed unanimously, 4:0.

5. Mayor & Councilmember Reports

Mayor Kulpa-Eddy shared that Council has been incredibly busy with the budget. She attended the first two budget listening sessions. There are two more listening sessions scheduled in March on the 21st and 23rd from 6-8PM and a third prior to the Town Meeting in April. She attended the Black History Month event that was sponsored by the Karate Club and the Cornerstone Grand Council of Freemasons. She also attended the PGCMA meeting on February 23rd where there was a presentation on the County's receipt of the opioid settlement and how those funds are being used, for example Narcan distribution. She and Town Staff met with the PG County Office of Human Rights staff who offered to present their information to residents. She reminded everyone that Daylight Savings Time begins this weekend.

MPT Brittan-Powell shared that there are residents who will be leaving Berwyn Heights and they will be missed. He stated that the Army Corps of Engineers is interested in working with the Town to address stormwater management. He thanked the Mayor and ITM Jones for working with WSSC to address the issues on Cunningham and hopes to have a focus group with those residents. He also noted that some of the issues the Town is looking at in regards to homeownership and housing security are parallel to County efforts.

CM Hemby stated that her report was mostly given during the previous worksession. She was glad to have had the opportunity to sit with the Rec Council about Berwyn Heights Day.

CM Papanikolas shared that he is joining from Michigan and is looking forward to the snow they are getting. He stated that he loves the idea of Women's History Month and the sharing of history through storytelling.

6. Committee Reports

- a. Education Advisory Committee: No report
- b. Green Team: They will be meeting on the 16th and will be meeting with Director Pudner at that time to discuss the pollinator garden that the town is putting in as part of our commitment of being a Bee City. The current discussion is to have the garden in Pops Park but they are open to other areas. The Green Team will be hosting an invasive species removal event in mid-April and a stormwater fair on April 1st. They are looking at Sustainable Maryland recertification. There is also discussion about speaking with the new tenants at the old "Staples" building to

- gauge their interest beautification and improved stormwater management of the parking lot.
- c. Historical Committee: Debby Steele-Snyder stated that the next meeting will be on March 22 at 7:30 in the Love Room. On April 16th they will be holding a “Meet the Author” event with Dr. Richard Bell regarding his book “Stolen”. The BHHC wineglasses will be for sale for \$7. She added that they will be participating in Berwyn Heights Day and working on some other projects that went to the wayside during Covid. She asked about the status of the debit cards for Town Organizations and the .gov email she requested. She stated that at the last Town Meeting, they added a new member but neglected to remove a member. She shared a brief portion of the letter regarding Mr. Becker, recognizing his long and active service on the committee. Mayor Kulpa-Eddy asked that Ms. Steele-Snyder reach out to CM Papanikolas on that administrative function.
 - d. Neighborhood Watch/ Emergency Preparedness: Mayor Kulpa-Eddy shared that at their last meeting they worked on catching up on projects that have been in the works for a while. She added they had hoped to do some CPR and AED training in the spring, but that may be moved to the summer. She thanked ITM Jones for sharing his contacts to help facilitate this training.
 - e. Recreation Council: Debby Steele-Snyder shared there will be a bluegrass concert on March 26 from 3-5PM with a snack potluck. She announced porch concerts will begin on April 30th from 2-4PM somewhere on 57th Avenue. In case of rain, the porch concert will be moved to Town Center. Berwyn Heights Day is May 6th and is the 50th anniversary of the parade. She shared they discussed the Fun Run, pancake breakfast, tee shirt design, the amusement rides to be included, and worked on the parade. There are several contingency plans for weather. She encouraged volunteering, noting that you don’t have to volunteer for the whole day, but can help with just one part or event.

7. Old Business

There was no old business.

8. New Business

- a. Town Manager Recruitment Firm Selection
Mayor Kulpa-Eddy reviewed that ITM Jones is contracted through the end of June. A RFP for a recruitment firm was sent out to several websites and solicitation sent to several companies who have responded in the past. ITM Jones reviewed that the Town received two responses, from GovHR and the Mercer Group. He did some further research on other firms that have responded in the past and they have either been bought out by companies that declined to respond or they have gone out of business. He stated that he recommends that the Town use the Mercer Group to recruit for the Town Manager position. MPT Brittan-Powell asked if the recruiter would be David Deutsch and questioned if he had retired. ITM Jones responded that it would be Mr. Deutsch and that he has not retired. CM Papanikolas stated that his research on GovHR is that they are a large firm out of Chicago. MPT Brittan-Powell asked if that would indicate that they have a greater reach. CM Papanikolas recollected that Mercer had presented candidates from around the country before and that they can bring in a diverse pool of candidates. MPT Brittan-Powell motioned to hire the Mercer Group to conduct a search for a permanent Town Manager; CM Hemby seconded. With no further discussion, the motion passed unanimously 4:0.

9. Resident & Community Comments

MPT Brittan-Powell shared a comment from a resident wondering if there would be a Women’s History Month event similar to the Black History Month event. Mayor Kulpa-Eddy told residents to

watch the April Bulletin for applications to be a part of the interview process for the next Town Manager. TC Friesen mentioned that the Ethics Commission is accepting applicants. Debby Steele-Snyder asked about getting a crosswalk at Pontiac and Cunningham. Mayor Kulpa-Eddy also mentioned discussions with the Chief of Police to obtain flashing stop signs and temporary speed humps to improve pedestrian safety.

10. Adjournment

CM Hemby moved to adjourn. MPT Brittan-Powell seconded. After no discussion the motion passed unanimously and the meeting adjourned at 8:45PM.