



# 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

## Work Session Minutes January 17, 2023 | 7:00 p.m. Council Chamber

### Call to Order

Mayor Kulpa-Eddy called the meeting to order at 7:02PM. Present were Mayor Pro Tem Chris Brittan-Powell, Councilmember Faustino Menjivar and Councilmember Jason Papanikolas. Councilmember Shinita Hemby attended remotely. Staff present were Interim Town Manager Peter Jones and Town Clerk Melanie Friesen. Also present was Trent Leon-Lierman, a representative from CASA.

### Approval of the Agenda

CM Papanikolas moved to approve the agenda. CM Menjivar seconded. CM Menjivar inquired if it would be necessary to amend the agenda to ensure discussion about the new trash truck. Mayor Kulpa-Eddy stated she planned to address it under Budget discussions. After no further discussion, the motion passed unanimously.

#### 1. Mayor

##### a. Announcements

CM Hemby is attending remotely due to illness. MPT Brittan-Powell asked residents to be cautious due to high rates of flu and covid transmission.

##### b. Calendar

Mayor Kulpa-Eddy shared about some upcoming meetings, including PGCMA and Four Cities. She reviewed agenda items for both meetings, highlighting especially the Four Cities agenda items that include stormwater management and asking Greenbelt and College Park for background on their renter-to-homeowner programs. CM Hemby asked to add a discussion on the recent crime that has been occurring across the region and if there have been any police initiatives in response. Mayor Kulpa-Eddy inquired regarding setting an executive session to interview prospective ARPA Grant Managers. Council discussed if a Grant Manager was still required with the hiring of ITM Jones. It was confirmed that the position should still be filled, and Council discussed continuing the hiring process. CM Papanikolas pointed out that the Grant Manager reports to Council and that the Council should be involved in the process with the input of ITM Jones. Council discussed the Maryland Municipal League Summer Conference attendees and hotels.

##### c. Introduction of Interim Town Manager

ITM Jones introduced himself and he shared his education and some of his work history, including academics, Washington DC city government, and other municipalities in Prince George's County. He shared his interest in expanding his roles and capabilities.

He stated he always has an open-door policy and looks forward to getting to know the community and Council.

MPT Brittan-Powell added that it was a unanimous decision to bring ITM Jones on board. He also invited the community to come down after tonight's worksession and have a slice of cake to welcome him.

**d. Residential Flood Mitigation Program**

MPT Brittan-Powell introduced that the Town is looking at implementing a flood mitigation program similar to that of Howard County. He added that he is seeking input from the Council on the application form from Howard County. Mayor Kulpa-Eddy added that she has reached out to the Mayor of Edmonston, as a community more similar in size to Berwyn Heights, in regards to their program. She also expressed concern about the Howard County program being more complicated than the Town could manage. MPT Brittan-Powell stated that Howard County has loosened their standards. There was discussion on how to identify high-risk homes. Mayor Kulpa-Eddy asked CM Hemby about the status of a phase two flood survey. CM Hemby stated that she is no longer working on flooding issues and will be focusing on the welcome packet and programs for youth. She expressed her frustration over the programs for residents not being passed. Mayor Kulpa-Eddy reminded her that the Emergency Disaster Fund has been passed. MPT Brittan-Powell stated that the Howard County program has two phases, one for high-risk homes and the second for the entirety of the County. He proposed using a combination of both self-reported risk and the map of the Town from the 2021 watershed study conducted by the County to determine Phase 1 homes. MPT Brittan-Powell made note that Rockville uses flood gates in their ARPA funded mitigation program. Mayor Kulpa-Eddy expressed concerns about using ARPA funds for flood gates as that would put income restrictions on who could receive them. MPT Brittan-Powell proposed a dual source of funding so that ARPA funds could be used for those who are income eligible but those who were not eligible could still receive the gates. CM Papanikolas reiterated the need for Council to follow through on the promise of purchasing the gates and there was discussion regarding using an income tiered match to make the gates available to all. There was discussion on using part of the \$175,000 ARPA allocated funds for mitigation for the purchase of flood gates. MPT Brittan-Powell requested for Council to allow Mr. Leon-Lierman to present on issues faced by renters as he came specifically to speak on that issue. Mayor Kulpa-Eddy expressed her desire for Council to stay on track and finish this topic, but given Mr. Leon-Lierman's limited availability, she agreed.

***Renters Program: Out of order***

Mr. Trent Leon-Lierman introduced himself as a community organizer with CASA and shared that they have been seeing renters suffering as a result of increased rental costs. He shared several statistics about the rent increase trends. He offered that the best solution would be building more affordable housing, but as Berwyn Heights is maxed out on development, that he would recommend instituting rent stabilization, which limits the amount that landlords are able to increase rent on an annual basis. He shared that Prince George's County and Mount Rainier have introduced rent stabilization legislation.

**Residential Flood Mitigation Program, Continued**

Returning to the flood mitigation program, MPT Brittan-Powell asked Council on a

timeline for the program completion, indicating that Howard County expects projects to be completed within a set timeline. There was discussion over the length the program would last as well as how long residents will have to complete work. CM Papanikolas summarized the discussion stating the program will last until money has been expended or the end of ARPA and that residents will have one year to complete projects once they are approved. Further, Council discussed the need for residents to have flood insurance at the conclusion of their project, as well as a requirement they follow all applicable codes and permitting requirements. Council discussed the merits of including auxiliary structures in the program, such as elevating outdoor HVAC units. It was determined that more information would be required before making a decision on the inclusion of outdoor structures.

In discussing the application process and FAQ pages, MPT Brittan-Powell expressed a desire for this to be an on-line application. Mayor Kulpa-Eddy asked that it be assured that any required PII be protected and secured. Council discussed if the program would be retroactive, as Howard County allows for applications on projects that have already been completed. CM Papanikolas suggested that residents be required to have “skin in the game” on a sliding scale based on income. He also suggested that the program be backdated to the August storm event. There was vigorous discussion about eligibility for homes in phase two who have not had a previous flooding event and what kind of mitigation could be authorized, if any, for the houses with no history of flooding.

**e. Flood Gate Program (15 minutes)**

Council addressed that much of this discussion took place during the previous agenda item. Mayor Kulpa-Eddy stated that she saw the potential to take \$10,000 from the line item for the consultant services, which was intended for team building and executive coaching. This line item has \$18,800 and no money has been spent out of it. MPT Brittan-Powell expressed that he believes this money should be spent for Council development. Mayor Kulpa-Eddy stated that this miscellaneous line item is allocated for Staff, not Council and that this is a critical item and wants to get the gates in the hands of residents. CM Papanikolas suggested that ITM Jones make the decision with his spending authority.

**f. Budget Discussions (30 minutes)**

ITM Jones shared and reviewed with Council the budget calendar that he had put together. There was discussion regarding an increased budget, a flat-line budget, and increased property tax assessments. MPT Brittan-Powell requested that time be made for residents to have input into the budget. The possibility of holding Town Halls to listen to residents was discussed. There was also discussion on the value of holding a budget retreat and when it would be most valuable to schedule. ITM Jones was directed to create two budgets, one with the approximate 7% increase expected in property tax income and one based on a flat revenue.

CM Menjivar introduced the need to amend FY23 Budget to ensure that the trash truck that was ordered for delivery in FY22 but was delayed due to supply chain issues could be purchased. There was discussion regarding how to amend the budget on short notice. There was discussion on adding the ARPA project spending spreadsheet as part of the Treasurer’s report for the Consent Agenda at Town Meetings.

**g. Resident Comments**

There were no resident or community comments. Council took a brief break.

**2. Public Safety**

Mayor Kulpa-Eddy reminded residents that there is a community shred event at Town Hall on January 28, from 9 am-12 Noon regardless of the weather. There is no limit on the amount for shredding, but that it is paper only, no media such as DVDs.

### **3. Public Works**

CM Menjivar did not have a report.

### **4. Administration**

MPT Brittan-Powell highlighted the hiring of ITM Jones and welcomed him, once again.

#### **a. AV Installation update**

TC Friesen reviewed the pending AV update and highlighted a few of the new features as well as that the project will begin later in the week. The Town cable channels, on Comcast and Verizon, will not be available until the project is complete.

#### **b. Berwyn Heights/UMD School of Public Health Collaboration and Funding: Ordinance 185B.**

MPT Brittan-Powell stated that he is planning to bring this item back at the next Town Meeting. There was discussion about the procedure for bringing back an item that didn't receive a second. Mayor Kulpa-Eddy asked about what has changed since the last time this item was brought to Council and stated that residents had expressed concern at the public hearing that there was no program in place and that it was essentially creating a slush fund. She further stated that there has been no indication that funding will be needed and that no scope of work has been determined. CM Papanikolas asked if there was a viable possibility that funds may be needed in this fiscal year or if this should be part of the appropriation for FY24. He also expressed that the dollar amount should be lowered to reflect that it is only three months of funding. ITM Jones expressed there should be a scope of work and some sort of assessment on which to build a program. Council discussed holding a meeting with the School of Public Health. CM Hemby asked about the process of bringing an item back, especially after residents had expressed that they did not desire it. She asked if there was a response required before reintroducing an item. She expressed that she has a motion she would like to bring forward and wanted to understand the procedure.

#### **c. Renters to homeownership housing program**

MPT Brittan-Powell stated that this was primarily addressed by Mr. Leon-Lierman earlier in the worksession. He stated he would like to work with ITM Jones and Council to develop a holistic program to address housing stability in the community. He is happy to table this until a package can be put together.

#### **d. Renter Protection Program**

See item c.

#### **e. Council Training in Rules and Procedures**

MPT Brittan-Powell stated that he would like to use some group development funding to help the Council perform more efficiently. Mayor Kulpa-Eddy suggested using MML and PGCMA as resources to look for trainings.

### **5. Code Compliance**

CM Hemby shared that Code will be meeting as a team at the end of the month and will have more information at the end of the month on licensing and building permits as well as number of vacant units.

**a. Teen Volunteer Program**

CM Hemby shared that the idea is to pair teens with residents who have need for assistance in Berwyn Heights, such as Seniors and those with disabilities, with the goal of giving a sense of community and building a bond between generations, as well as allowing the teens to earn their required service hours. Code Compliance will be handling the applications and helping to match volunteers with those in need of assistance. There was discussion regarding the potential liabilities and pitfalls in the program as well as ways to mitigate those issues. ITM Jones will help with some of the logistics.

**6. Parks, Recreation, Education, and Civic Affairs**

CM Papanikolas shared that the Green Team is putting together a stormwater fair, a “one stop shop” for residents to get questions answered. They are looking for a date in April. MPT Brittan-Powell asked about engaging the Police Department with groups such as the Boys and Girls Club. Discussion included the ways that the Boys and Girls Club had been involved in National Night Out in the past.

**7. Adjournment**

CM Papanikolas moved to adjourn. CM Menjivar seconded. With no discussion the motion passed unanimously and adjourned at 10:18PM.