



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 February 6, 2023| 7:00 p.m. Council Chamber

Call to Order

Mayor Kulpa-Eddy called the meeting to order at 7:05PM. Also present were Mayor Pro Tempore Chris Brittan-Powell, Councilmember Shinita Hemby, Councilmember Faustino Menjivar and Councilmember Jason Papanikolas. The staff present were Interim Town Manager Peter Jones and Town Clerk Melanie Friesen.

Approval of the Agenda

CM Hemby moved to approve the agenda. CM Menjivar seconded. In discussion, MPT Brittan-Powell asked to amend the agenda to include the items he sent by email to Council in the afternoon, highlighting the Stormwater and Floodgate programs, and an item regarding Black History Month. CM Papanikolas stated that he didn't have an objection to the addition, but wondered if the informative items could be covered in MPT Brittan-Powell's departmental report, leaving the only additions to the agenda to be the Stormwater and Floodgate programs, to be added under Administration. Mayor Kulpa-Eddy voiced her concerns that adding significant items at the last minute does not give residents time to decide on their participation in a meeting based on already published content.

MPT Brittan-Powell moved to amend the agenda to add the Stormwater and Floodgate programs under Administration. CM Papanikolas seconded. The motion passed 3:2 with MPT Brittan-Powell, CM Menjivar, and CM Papanikolas in favor with Mayor Kulpa-Eddy and CM Hemby opposed.

1. Mayor

a. Announcements

There were no announcements.

b. Calendar

Mayor Kulpa-Eddy reviewed that Berwyn Heights will host the Four Cities Coalition meeting on July 27, 2023. She also asked Council if there were any concerns about Berwyn Heights signing on to a Four Cities letter to WMATA regarding concerns about increased fares and decreased services along the Green Line. There were no objections. Mayor Kulpa-Eddy reviewed the upcoming PGCMA meeting on February 23, 2023. CM Papanikolas asked about planned attendance at the next Rec Council meeting to avoid a quorum situation. TC Friesen reviewed that there is a disclaimer in the Bulletin that a quorum may be present at Community Organization meetings but that no action will be taken by Council at any community meetings.

c. Budget Discussion: Enhancement/Capital Improvements

Mayor Kulpa-Eddy introduced that budget discussions will occur at most meetings between now and May. ITM Jones shared a document that had some of the

enhancements requested by Department Directors. He briefly reviewed those requests and stated he asked Directors to tell him what they need to succeed and that then they will have a discussion on the ability to accommodate those requests. MPT Brittan-Powell shared an extensive list of wants that have been requested by the community over the years, mostly in the areas of PRECA and from the Walkable Bikeable Berwyn Heights taskforce. CM Papanikolas reminded the Council that for potential road projects it is evaluated if sidewalks would be cost effective in in that area. Mayor Kulpa-Eddy added that the bus bench on Edmonston and Pontiac that was lost in a car accident should be replaced, and to determine if the insurance would cover the cost. There was brief discussion on if there are ways to encourage the two ballfields (Sports Park and Pontiac Field), owned by Park and Planning and PGCPs, to be renovated, with CM Papanikolas noting that it is likely time for the Use Agreement for the Pontiac Field to be renegotiated. ITM Jones stated that he will work with Department Directors to be reasonable in their requests and determine what is feasible for the Town. Mayor Kulpa-Eddy asked for Councilmembers to work with Directors of the Departments with which they liaison. MPT Brittan-Powell asked if Council needed to consider a Charter Amendment regarding the ability to move funds between departments during a fiscal year. Council reviewed the upcoming budget calendar. CM Papanikolas asked about working on the ARPA budget. CM Hemby asked about the purpose of the Vehicle Reserve Fund and was informed that its purpose is to fund vehicles for all the departments, based on the anticipated life of a vehicle. MPT Brittan-Powell asked about when salaries will be discussed, with discussion of departmental increases instead of across the board increases. CM Papanikolas suggested asking for the pay tables of neighboring communities of similar sizes, such as Edmonston, Brentwood, and North Brentwood.

d. Vehicle Reserve Fund: Staff Report

ITM Jones reviewed for Council that the Vehicle Reserve Fund is much smaller than expected and shared about the reconciliation on the account done by Town Treasurer Lightfield. Mayor Kulpa-Eddy reviewed that the Treasurer's Report has consistently stated that there has been around \$400,000 in the account, but that expenditures were not being consistently recorded and the Town has not been backfilling the account. She shared that she believes that the reserve policy change in March of 2022 may have inadvertently changed something with how the account operated. She also reviewed that the money that was in the account for the new trash truck did not disappear but was returned to the general fund (savings) account. There was discussion on if this would be an audit finding. Mayor Kulpa-Eddy stated that Ordinance 185D will be modified to reflect the money for the trash truck will be coming from the General Fund checking account. CM Papanikolas briefly explained the type of accounting around the Vehicle Reserve Fund and how this reconciliation is different than other reconciliations. ITM Jones stated he will try to get a more detailed presentation for the Council from TT Lightfield.

e. Town Manager Search: Staff Report

ITM Jones stated that the search for a consultant to conduct the Town Manager search has begun. There was discussion on the variety of places to post the RFP for a consultant. Council discussed the value of having an outside consultant vs doing the search internally. MPT Brittan-Powell shared that there is community concern that this should be done by a committee of Town residents as opposed to a consultant and reiterated that this option should be given consideration. Mayor Kulpa-Eddy shared that

they will have a voice in the process, as a committee composed of residents has participated in the interviews for Town Managers in the past and that is the plan for this search. CM Papanikolas stated that the Council has only looked to the leadership of Town Organizations in the past to staff this committee and that bears reevaluating. CM Hemby also expressed that the resident panel for interviews should be representative of the Town, not just the leadership of Town Organizations.

f. A/V Installation Update: Verbal Staff Report

TC Friesen gave an update on the AV system, stating that the update installation is complete, but that staff are now in the process of learning how to use the new system.

g. Resident Comments

There were no resident comments.

2. Public Works

CM Menjivar thanked the crews down at Public Works for a successful leaf collection season.

3. Administration

MPT Brittan-Powell mentioned an addition to the Town calendar: on February 25th at 2:00PM, a group of African American residents are hosting a Black History Day for the Town. He shared that he is impressed with the preliminary membership of the group, which spans the generations. He asked about the status of the Council training on parliamentary process. TC Friesen stated that they have a parliamentarian available once Council has chosen a date. He also asked about the status for community feedback on the budget. CM Papanikolas stated that he hasn't had any time to work on that. MPT Brittan-Powell asked for a more rigorous, on-going accounting of the Town's ARPA spending. He also asked Mayor Kulpa-Eddy about the status of the Police Station project. She replied that she is working on a report and will have a presentation soon. MPT Brittan-Powell reviewed conversations on affordable housing that were held during the Four Cities meeting. He stated that there is a disproportionate cost to law enforcement on rental units as opposed to owner-occupied homes, as well as increased Code Compliance issues. He also asked for an update on the progress of having conversation with WSSC regarding sewage backup on Cunningham.

a. Flood gate Grant program (amended agenda item)

Council took a break between 8:40-8:45pm to review the documents that MPT Brittan-Powell distributed at the meeting. Mayor Kulpa-Eddy asked how there are 22 "Town identified" homes listed as she's not seen this list despite repeatedly asking for it. She asked who identified those specific homes. The list was not created as a result of the flood survey, but rather CM Menjivar visited some of the homes with MPT Brittan-Powell and they compiled the list. MPT Brittan-Powell shared that he gave ITM Jones the list of homes. Council discussed some fine tuning on the application for the program and ITM Jones will send it to the Town Attorney for review.

b. Stormwater Mitigation Program (amended agenda item)

MPT Brittan-Powell stated that the program does not currently allow renters to apply but Rockville's program does by having the landlord sign a release allowing the tenants to complete the work. There was discussion on liability and responsibility if permits are not obtained or if a renter does not comply with Code. CM Papanikolas stated that many questions could likely be answered by reviewing Rockville's landlord/tenant release agreement. ITM Jones asked if Council needed to vote on an application. Mayor Kulpa-Eddy would like to bring this back at another worksession to have answers to the questions. CM Papanikolas requested that all feedback be shared by Monday, the 13th in order for this

to be a part of the agenda on the 21st of February.

4. Code Compliance

CM Hemby stated that she has received several complaints regarding neighbor-to-neighbor disturbances. She asked that residents communicate with their neighbors about parties and generally be considerate when hosting events. She asked that if residents are unable to communicate with neighbors to contact Code Compliance or to call 911 if necessary. She reviewed the status of the student volunteer program and asked Council to consider a \$5,000 scholarship to be given to the student with the greatest number of volunteer hours. MPT Brittan-Powell asked her to confirm that the possibility of a scholarship wouldn't negate the volunteer hours required by schools and encouraged conversation with Greenbelt which has a similar program.

5. Parks, Recreation, Education, and Civic Affairs

CM Papanikolas stated that February is Black History Month and that the theme this year is "Black Resistance". He shared about a podcast he has been listening to that highlights stories of resistance that are less commonly known, and there are many opportunities to learn and explore the history of Black Resistance. CM Hemby expressed appreciation for CM Papanikolas for looking beyond slavery as there are many facets to the history of African Americans.

a. Additional Community Committee Members Discussion

CM Papanikolas stated that there are two community organizations that are looking to add to their official membership. BHHC would like to add Brittney Jacoby and the Green Team would like to add Tom Capon. There was a brief review of their biographies. Their confirmation will be added to the February 8 Town Meeting agenda. MPT Brittan-Powell asked about the possibility of re-funding the PRECA administrative position. There was discussion about that and possibility of funding it through APRA for the next couple of years.

6. Public Safety

Mayor Kulpa-Eddy reviewed attending the PGCMA meeting on January 19th and highlighted a few items including a presentation on increasing employment for disabled residents of the County and rent stabilization. At the Four Cities meeting on January 26th there was discussion about a regional ban on plastic bags and she would like the Green Team to reevaluate the proposal. Lastly, she mentioned attending the Prince George's State Attorney's Office "Municipal Retreat" on January 27th where there was a discussion on county-wide crime trends and legislative priorities. She also highlighted a new Senior Property Tax Credit that will begin to roll out in April. This program will have both web and paper application processes. She reviewed the requirements, especially that applications will need to be received by October 1, for Seniors to be considered for that tax year.

7. Adjournment

CM Hemby moved to adjourn the meeting. CM Papanikolas seconded. After no discussion the motion passed unanimously, and the meeting adjourned at 9:29PM.