



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 June 21, 2023| 7:00 p.m. Council Chambers

Call to Order

Mayor Jodie Kulpa-Eddy called the meeting to order at 7PM. Present were Mayor Pro Tem Chris Brittan-Powell, Councilmember Shinita Hemby, Councilmember Faustino Menjivar and Councilmember Jason Papanikolas. Also present were Interim Town Manager Peter Jones and Town Clerk Melanie Friesen. County Councilmember Eric Olson and his Chief of Staff Julio Murillo were also present.

Approval of the Agenda

CM Papanikolas proposed reordering the agenda, moving the item on Property Maintenance to Section 1.d. and making the ARPA budget discussion Section 1.i. MPT Brittan-Powell suggested adding an agenda item on storm preparedness, then agreed to address this as part of his report. CM Hemby moved to approve the agenda as amended. MPT Brittan-Powell seconded. With no discussion, the motion passed unanimously.

1. Mayor

a. Announcements

Mayor Kulpa-Eddy wished everyone a happy summer solstice. MPT Brittan-Powell added his well wishes. CM Menjivar gave condolences to the family of longtime resident of Berwyn Heights Tal Brosh, who passed away on June 1st.

b. Calendar

Mayor Kulpa-Eddy reviewed that the Maryland Municipal League (MML) Summer Conference will be from June 25-28. She highlighted the regularly scheduled meetings for July. CM Hemby shared that she will be unavailable July 3rd. CM Menjivar will also likely be unavailable. After discussion, the meeting was rescheduled to July 6th.

c. Presentation: Eric Olson, County Councilmember

Mayor Kulpa-Eddy introduced County Councilmember Eric Olson and Julio Murillo, his Chief of Staff. Mr. Olson stated that they want to hear from the Town and to not hesitate to contact him or his staff. He reviewed a number of items including the County's budget and stormwater management. He stated the budget fully funds the Prince George's County Public School system, which accounts for 62% of the total. He recounted that revenue projections were revised downwards by \$60 million late in the process and that made it a more challenging year. He covered his priorities as a Councilmember, focusing on Code Enforcement, permitting and inspections (DPIE), and making County staff more responsive as well as addressing food insecurity, stormwater management and climate change. One issue of focus is noise, specifically looking at parties; the modified mufflers issue must be addressed first by the State. He

added that DPIE will be expected to work outside of regular office hours to address noise complaints when they occur. He stated they will be adding positions within DPIE as well as positions in the Office of Law to support DPIE. Human Resources will be improved to increase hiring, including adding 100 new fire department positions. Sunday hours have been funded for the library system. He mentioned a mobile mental health crisis support unit, adding disability training for the police department, and funding a police explorers program for young people. He reviewed Parks and Planning Capital Improvement Projects across District 3, adding that he doesn't have timelines on any of the projects. He reviewed repairs, upgrades and summer programs at the Berwyn Heights Community Center. There was discussion on the restorative justice process for Lakeland. CM Hemby asked about the tennis and basketball courts at the Elementary School/Community Center. Issues in maintenance were discussed as well as the need for an updated MOU. Mr. Olson also spoke on legislation, highlighting that the public needs to be involved in issues. He stated that the Council has undone some of the harmful zoning text amendments that have been done outside of the regular public process. They also limited the locations for storage facilities, 24-hour tobacco shops, and gas stations. There will be a private camera incentive program created for homeowners. The County Council passed the "better bag bill" which will prohibit the distribution of plastic bags at the point of sale. This will go into effect in January 2024 and in the meantime the County will be passing out all kinds of reusable bags. Mayor Kulpa-Eddy reviewed issues with WSSC repaving Edmonston Road and CM Menjivar expressed concern about the same thing happening with the scheduled watermain replacement in the south of Town for August. CM Hemby asked about new residential construction and how that will impact the schools. Mr. Olson reviewed some of the school issues. CM Papanikolas expressed his concerns about the state of BHES and asked about the HVAC upgrade. He also asked about the terrible condition of the athletic fields within PGCPSS. There was discussion on working to get Parks and Planning and PGCPSS to work together on maintenance. Mr. Olson added that there is no money right now as there are no MOUs in place. MPT Brittan-Powell asked about housing security. Mr. Olson reviewed that this is one of the reasons he has prioritized Code Enforcement and reviewed some of the challenges involved with absentee landlords. Mayor Kulpa-Eddy expressed a desire to make sure that renters are as welcome as homeowners. Mr. Olson added that he is working to get all the necessary agencies together on stormwater management for the Town.

d. Property Maintenance Ordinance Draft Changes (Ords. 107 and 120) (amended agenda item)

Code Compliance Director Hollyce Goodwin was invited to present the background on the proposal to draft changes to the property maintenance ordinances. She reviewed what had been discussed in a meeting several months past, highlighting that there are more regulations for rental properties than for owner-occupied properties. She further explained that the Town is not in compliance with the County and that the current clean lot ordinance has areas that go unregulated. CM Hemby expressed concern over residents building without a permit and how that kind of work can have an adverse effect on neighboring properties. Director Goodwin explained that the County is the lead agency for permitting and zoning, but that Code sees a lot of people skipping those steps, meaning the work is both unregulated and potentially unsafe. CM Papanikolas asked if the proposal is to rewrite the ordinances. Mayor Kulpa-Eddy expressed concerns about moving towards acting like an HOA with regulations on things like

chipped paint. She added concerns about liability for any ordinance passed. CM Hemby asked about the complaint process. Director Goodwin answered that if violations are found, there could be fines, a requirement to get a retrospective permit, or even potentially removal of the structure. MPT Brittan-Powell wondered if there could be mandated language in property sale documentation indicating that new property owners understand the need for a permit. The challenges of large yards, line of sight, and the 4th amendment making it difficult for Code to observe potential violations were briefly discussed. However, it was highlighted that the goal is not to make a new list of things to enforce, but rather to bring ordinances in line with each other and the County Code.

e. Town Manager Search Update

Mayor Kulpa-Eddy reviewed that the goal for this evening is to finalize a date and time to hold a closed session to review Town Manager Applications. Council set the meeting for 5PM on June 29th. There was discussion regarding sharing applications electronically so each Councilmember can have the resumés in advance. Mayor Kulpa-Eddy also mentioned the need to have 5 residents on the review committee, but there are currently only 3 applicants.

f. Sustainable Maryland Renewal Update

TC Friesen reviewed the status of the renewal application with the key point being that she planned to submit the document to the Sustainable Maryland program before the weekend.

g. MML Session Attendance

Council reviewed the sessions that they wished to attend during the Maryland Municipal League Summer Conference, to try to cover as many topics for the Town as possible.

h. Resident Comments

There were no resident comments.

i. ARPA Budget Discussion (amended agenda item)

Mayor Kulpa-Eddy asked ITM Jones to review the 18 month budget document that was included in the worksession packet. He reviewed the proposed budget including the total expenditures from previous fiscal years. Mayor Kulpa-Eddy asked if the hydrology study that is proposed in the budget is only for the County drainage system, as she understood that the hydrology study would encompass the entire Town. MPT Brittan-Powell stated that the study will cover all reasonable areas of the Town and that the proposed amount is the amount that the United States Army Corps of Engineers (USACE) would need as our portion of the study. He also added that these numbers are those that come from the County. There was discussion regarding the proposed stormwater management construction costs in the ARPA budget. There was discussion on the likelihood of construction beginning before the end of ARPA fund availability and if the Town should keep construction costs in the proposed budget. Ultimately, it was decided to reallocate the \$1 million designated for the construction of a stormwater drainage system to other areas. Council discussed the proposed budget for community and mental health assistance budget line items. They concluded that they should recapture some of the funds. For example, as Berwyn Heights Elementary School will be a Title 1 school next year, they will receive greater financial support from the County and may not need as much support from the Town. The departmental line items were also reviewed. The Council will have approximately \$1.1 million to reallocate into other areas of the ARPA budget. Mayor Kulpa-Eddy reviewed that there were some items that have not been included, such as the assistance requests from the Volunteer

Fire Department. CM Hemby added that youth programs are not included. MPT Brittan-Powell reviewed the documents he drafted, highlighting the different projects and how they have been allocated into subject headings. He particularly noted that “Center” does not necessarily mean a physical location, but rather overlap between disciplines and the people involved. He also noted the idea of placemaking. He noted that volunteerism and voter registration are not items that have been included in the budgeting process to-date. CM Hemby asked for a line item summary to be included with each item to explain what they are. CM Menjivar noted that there are still several items that could be grouped together. The next steps will be to combine the documents provided by MPT Brittan-Powell with the ARPA budget document, to create one single document.

CM Menjivar asked about using the educational support line item to support the Boys and Girls Club. After discussion, it was concluded to include this under “Centers and Programs”. The deadline to provide numbers for each item was set as July 6th as the budget is scheduled to be adopted on July 12th. Mayor Kulpa-Eddy also reminded that this budget, like all the Town’s budgets, can be amended.

2. Parks, Recreation, Education, and Civic Affairs

There was no PRECA report.

3. Public Safety

Mayor Kulpa-Eddy stated that she had attended the Police Chief’s Association Awards Ceremony and highlighted the three officers named Officer of the Year: Sgt. William Duck, Cpl. Thomas “Ben” Hollowell, and Pfc. Jeffery Herriott.

4. Public Works

CM Menjivar reviewed that the Town’s street repair work for FY23 has been completed. He highlighted that safety training continues on a weekly basis, with this week focusing on Poison Ivy. Pruning has been done around town, focusing on areas around stop signs and corners. He also confirmed that the pickup truck that was ordered in FY23 will be delivered during FY24, as anticipated.

5. Administration

MPT Brittan-Powell asked about the Town’s response plan for stormwater flooding. ITM Jones is working with the department directors to review the Town’s current Emergency Response Plan. Mayor Kulpa-Eddy reminded residents that there are DIY as well as prefilled sandbags at the Town Center and the flood gates are available at the Town Office. She also encouraged residents to sign up for weather alerts and to have an emergency plan for their households.

6. Code Compliance

There was no Code Compliance report.

7. Adjournment

CM Papanikolas moved to adjourn the meeting. CM Hemby seconded. With no discussion, the motion passed unanimously, and the meeting adjourned at 10:13pm.

