

MINUTES
Regular Meeting of the College Park City Council
Tuesday, January 15, 2019
Council Chambers
7:30 p.m. – 8:55 p.m.

PRESENT: Mayor Wojahn; Councilmembers Kabir, Kennedy, Brennan, Dennis, Day, Rigg, Kujawa, and Mitchell.

ABSENT: None.

ALSO PRESENT: Scott Somers, City Manager; Bill Gardiner, Assistant City Manager; Janeen S. Miller, City Clerk; Suellen Ferguson, City Attorney; Bob Ryan, Director of Public Services; Jill Clements, Director of Human Resources; Steve Halpern, City Engineer; Alex Tobin, Student Liaison.

Mayor Wojahn opened the Regular Meeting at 7:30 p.m.

ANNOUNCEMENTS:

Councilmember Kabir thanked Public Works for their excellent work during the last snow event and thanked the volunteers who helped their neighbors clear the snow. There will be a Public Forum at Davis Hall on Thursday regarding Duvall Field.

Councilmember Brennan announced the College Park Community Foundation gala.

Councilmember Dennis announced the Coffee Club tomorrow morning and reflected on the Martin Luther King, Jr. Tribute last Saturday.

Councilmember Wojahn also commented on the annual Martin Luther King, Jr. Tribute, and thanked Public Works staff for their excellent work during the last snow event.

Councilmember Mitchell discussed next Saturday's Women's March.

CITY MANAGER'S REPORT: Mr. Somers reviewed the snow clearing accomplishments, discussed Christmas Tree recycling, City apparel for sale, the end of curbside leaf collection, the Duvall Field visioning sessions, the Sunday Bowling Bash, and the Lay-On-The-Table item.

PROCLAMATION: Mayor Wojahn read the Proclamation in support of the W. K. Kellogg Foundation declaration of January 22, 2019 as The National Day of Racial Healing

AMENDMENTS TO AND APPROVAL OF THE AGENDA: The agenda was approved without amendment (Day/Mitchell) 8-0-0.

PUBLIC COMMENT ON CONSENT AGENDA AND NON-AGENDA ITEMS:

Dave Dorsch, resident: Extend the safety rail on US 1; open Rhode Island Avenue to Campus Drive before Purple Line construction begins; the City should be inspecting trees for dead branches that may fall and advise the owner.

Mary King, resident: She saw last week's bulk trash collection report. We need to do a better job of educating the public about proper preparation of bulk trash items. The bulk trash study did not distinguish between rental and owner-occupied housing. All electronics should be fee based. They should pay on line before pick-up. We should inventory and label the trash/recycling containers.

Stuart Adams, resident: Spoke as a follow up to his letter on the WMATA property at the south end of the City that is for sale. The City should find a way to preserve this greenspace.

PRESENTATION: Mayor Wojahn and members of the Education Advisory Committee presented Ceremonial \$2,500 Public School Education Grant Checks to Berwyn Heights Elementary School (Amanda Alerich, Principal), Buck Lodge Middle School (Arnoldo Jimenez, ESOL Department Chair) and High Point High School (Monica Welch, PD Coordinator/ILT Chair).

CONSENT AGENDA: A motion was made by Councilmember Mitchell and seconded by Councilmember Kennedy to adopt the Consent Agenda, which consisted of:

- 19-G-01** Approval of minutes of the December 4, 2018 Worksession and the December 11, 2018 Regular Meeting and Worksession.
- 19-G-02** Approval of transcripts in lieu of minutes for the 11-20-18 Oral Argument in Case CPV-2018-08, Wanjing Hu, 8719 36th Avenue AND for the 12-04-18 Oral Argument in Case CPV-2018-10, Robert Kidwell, 4705 Howard Lane
- 19-R-01** Resolution of the Mayor and Council of the City of College Park Adopting the Recommendation of the Advisory Planning Commission regarding Variance Application Number CPV-2018-12, 9630 Narragansett Parkway, College Park, Maryland, recommending Approval of a 6-Foot Front Yard Setback Variance from the Prince George's County Zoning Ordinance Sec. 27-442 (C) Table II with Conditions, and a Lot Coverage Of 1% for the Front Porch and Denial of the Remainder of the Lot Coverage Variance Request From Sec. 27-442 (E) Table IV.
- 19-R-02** Resolution of the Mayor and Council of the City of College Park Adopting the Recommendation of the Advisory Planning Commission Regarding Variance Application Number CEO-2018-03, 7018 Wake Forest Drive, College Park, Maryland, Recommending Approval of an Appeal from City Code §87-23 C. to permit the construction of a fence more than 3-Feet high in the front yard.
- 19-G-03** Approval of a contract with M-NCPPC for staffing to support the operations of the College Park Senior Program's social activities for individuals age 62 and over
- 19-G-04** Approval of a Declaration of Covenants for a double-wide concrete curb-cut and driveway apron at 8719 36th Avenue (Hu)
- 19-G-05** Approval of a Declaration of Covenants for a non-standard driveway apron at 9808 53rd Avenue (Tang)

The motion carried 8-0-0.

ACTION ITEMS:

18-O-10 Discussion of amendments to, and adoption of, 18-O-10, An Amended Ordinance Regulating Small Wireless Telecommunications Structures In The Public Rights-Of-Way

Ms. Ferguson reviewed the amendments that have been made to the ordinance since it was introduced last October (indicated in underlined caps on the draft). This ordinance applies only to the rights-of-way. When the County adopts pertinent zoning amendments regarding placement of these structures on private property, the City can adopt additional regulations for private property. Our ordinance complies with the FCC order and the amendments will ensure safety and provide measures the City can take if the right-of-way is not properly maintained.

A motion was made by Councilmember Rigg and seconded by Councilmember Kennedy to adopt the amended ordinance.

Mayor Wojahn said since a public hearing was held on the ordinance last October, the public can comment tonight on the amendments.

Owen Strohmer, Verizon: This is a solid ordinance and a great start, but there has not been much industry input. He requested a two week delay to work with staff to get it right in case it does not meet FCC standards.

Ms. Ferguson replied that the FCC has placed a deadline on us to adopt this, and we can amend certain standards in the future if needed. No one has reached out to us before tonight although it has been on the agenda.

Councilmembers Mitchell said several municipalities haven't even started this process yet and applauded Ms. Ferguson for being on top of this.

Mayor Wojahn echoed the appreciation for Ms. Ferguson's diligence, and said NLC and MML have provided sample ordinances.

The motion passed 8-0-0.

19-O-01 Discussion, and possible introduction, of an Ordinance Of The Mayor And Council Of The City Of College Park Amending Chapter 4, "Administrative Organization" By Repealing And Re-Enacting §4-2, "General Form Of Organization", §4-3, "Departments", §4-4, "Finance Department", Enacting §4-9, "Human Resources Department", Renumbering §§4-9 Through 4-11, And Deleting 4 Attachment 1, City Of College Park Table I, Organization Chart; And Amending Chapter 62 "Personnel And Employee Benefits" By Deleting Article I, "Employee Recognition Program", §62-1 "Operation Of Program", Renumbering Article II, "Personnel System" As Article I, And Article IV,

“Local Government Health Benefits Trust” As Article III, Renumbering And Renaming Article III, “Pension Plan” As Article II, “Pension And Retirement Plans” Repealing And Reenacting §§62-2 “Establishment; Applicability”, §62-3 “Implementation” §62-4 “Responsibilities Of City Manager”, §62-5 “Responsibilities Of Mayor And Council”, §62-8 “Adoption By Reference” , §62-9 “Plan To Be Legal And Binding”, §62-12 “Participation Approved”, And Deleting §62-4.1 “Responsibilities Of The Assistant City Manager”, §62-6 “Conduct Of Employees”, §62-7 “Effective Date”, §62-10 “Statutory Authorization”, §62-11 “Determination”, §62-13 “Execution And Delivery Of Trust”, §62-14 “Payment Obligations” And §62-15 “Responsibilities Of City Officials, Employees And Agents” To Make Certain Changes In The Personnel Code, Including To Remove Outdated Or Unnecessary Provisions, Change Certain Requirements With Respect To The Assistant City Manager, Reflect The Human Resources Department As A City Department And Update Code References.

Ms. Clements reviewed the proposed amendments to the City Code provided in this ordinance, and said the revisions reflect current practice and code references, and incorporate changes requested by the City Manager.

Mr. Somers added this is mostly housekeeping to make sure things are in the right places.

Councilmember Kennedy asked the City Attorney if this is in line with other municipalities. Ms. Ferguson said it is fairly standard language for cities with a City Manager.

Councilmember Rigg asked why the Assistant City Manager position is listed in the Code at all? Ms. Ferguson said so that he has the authority to step into the City Manager’s shoes when needed.

Councilmember Kabir asked about the residency requirement for the Assistant City Manager position. Mr. Somers is in favor of dropping the residency requirement because it could limit the pool of qualified candidates.

A motion was made by Councilmember Kennedy and seconded by Councilmember Dennis to introduce Ordinance 19-O-01. The Public Hearing will be scheduled for January 29, 2019.

19-O-02 Discussion, and possible introduction, of an Ordinance Of The Mayor And Council Of The City Of College Park Amending Chapter 54, “Local Government Insurance Trust” By Repealing And Re-Enacting Article I, “Findings”, §54-1, “Statutory Authority” And Repealing In Their Entirety Article I, §54-2 “Establishment Of Trust”, §54-3 “Authority To Enter Into Agreement”, §54-4 “Additional Capital Provided”, §54-5 “Documents”, §54-6 “Effect Of Agreements”, §54-7 “Determination To Participate”, §54-8 “Capital Contribution”, And Article Ii, “Participation In Trust”, § 54-9 “Program And Participation Approved”, § 54-10 “Contribution Authorized”, § 54-11, “Agreements Approved”, § 54-12, “Execution Of Program”, And § 54-13, “Declaration”, To Delete Unnecessary Provisions And Continue To Authorize

The Participation By The City In Insurance Pools, Including The Local Government Insurance Trust, For The Purpose Of Purchasing Casualty, Health Or Property Insurance Or Self-Insuring Casualty, Health Or Property Risks.

Ms. Clements said the purpose of this ordinance is to reflect current practice and delete old and unnecessary language that is no longer relevant.

A motion was made by Councilmember Dennis and seconded by Councilmember Kujawa to introduce Ordinance 19-O-02. The Public Hearing will be held on January 29, 2019.

19-CR-01 Discussion and Possible Introduction of a Charter Resolution of the Mayor and Council of the City of College Park, Amending Article VI, “Meetings”, § C6-3, “Closed Sessions”, to Authorize the Mayor and Council to Meet in Closed Session to Discuss Cybersecurity Under Certain Circumstances

Ms. Ferguson explained the purpose of this Charter amendment is to update the City’s Charter to reflect a recent change in state law to add a reason that Council can go into a closed session.

A motion was made by Councilmember Dennis and seconded by Councilmember Rigg to introduce Charter Amendment 19-CR-01. The Public Hearing will be held on February 12, 2019 at 7:30 p.m. in the Council Chambers.

19-G-06 Appointments to Boards and Committees

A motion was made by Councilmember Brennan and seconded by Councilmember Dennis to appoint Victoria Evans to the Seniors Committee and Councilmember Rigg as alternate to the COG Region Forward Coalition. The motion passed 8-0.

ADJOURN:

A motion was made by Councilmember Rigg and seconded by Councilmember Day to adjourn the Regular Meeting, and with a vote of 8-0-0, Mayor Wojahn adjourned the Regular Meeting at 8:55 p.m.

Janeen S. Miller, CMC
City Clerk

Date
Approved