

**MINUTES**  
**College Park City Council Regular Meeting**  
**Tuesday, February 22, 2022**  
**Council Chambers**  
**7:30 p.m. – 9:22 p.m.**

**PRESENT:** Mayor Wojahn; Councilmembers Kabir, Kennedy, Esters, Whitney, Adams, Rigg, Mackie and Mitchell.

**ABSENT:** None.

**ALSO PRESENT:** Kenneth Young, City Manager; Bill Gardiner, Assistant City Manager; Janeen S. Miller, City Clerk; Suellen Ferguson, City Attorney; Bob Ryan, Director of Public Services; Gary Fields, Director of Finance; Terry Schum, Director of Planning; Teresa Way-Pezzuti, Director of Human Resources.

Mayor Wojahn opened the meeting at 7:30 p.m.

**Announcements:**

Councilmember Kabir gave an update on the Rhode Island Avenue sidewalk project, and said there is a Zoom meeting for Neighbors-Helping-Neighbors volunteers.

Councilmember Esters announced the Route 1 Corridor Conversations-History of the Lakeland Community event, and the Route 193 corridor plan public meeting.

Councilmember Adams wants to invite the County to a future City Council meeting for an update on the Calvert Hills Stormwater Management project.

Ms. Sevalia said the IFC spring cleanups are starting; there is a form for City residents to complete.

**City Managers Report:** Mr. Young reviewed items in the Red Folder.

**Amendments To/Approval of the Agenda:**

- Mitchell/Mackie: Move the “Lay on the Table” item to the agenda for action (Consent), passed 8-0. Added as Item #22-G-36
- Mitchell/Esters: Approve the agenda as amended, passed 8-0.

**Public Comment on Consent and Non-Agenda items:**

**Mary King, resident:** Regarding Ordinance 22-O-03 re amendments to the City’s Revitalization Tax Credit program: when was this discussed in any public meeting or Worksession?

**Public Hearing:**

**Ordinance 22-O-01, An Ordinance Of The Mayor And Council Of The City Of College Park, To Adopt A Corrective Amendment To City Code Chapter 119, “Refuse, Solid Waste And Special Trash” By Repealing And Re-Enacting §119-6, “Collection Of Bulky Trash, Special Trash, And Overweight, Oversized Or Improperly Sorted Items,” To Clarify That Bulky Trash Collections Are Counted Based On Fiscal Year, Not Calendar Year, For Any One Property.**

Mr. Marsili said this is a corrective ordinance to change one word in 119-6(b) to conform the code to the way items are being counted: on a fiscal year basis, not a calendar year basis.

There were no comments from the public.

Mayor Wojahn declared the hearing as having been held.

**Presentation on Edmonston Road Sidewalk Project** - Brian Morgan, Vice President/Director of Site Development, and Rich Hayes, Senior Project Engineer, GPI:

Review of PowerPoint. Council questions/discussion:

- Have we had any conversation with the Town of Berwyn Heights about this? No.
- How did we come up with the number of street trees, and are they being planted in the ROW? Yes, they are going in the ROW, and any vegetation that is cleared requires 1:1 replacement.
- Is pervious paving possible? It would be problematic in this location.
- Concern that residents view the ROW as their front yard and we should have that conversation with residents now.
- Are there any crosswalk features to enhance pedestrian safety? Project will meet the requirements with striping and signage and will improve upon what’s there now; there are no distinct traffic calming measures.
- Question about “this is your speed” sign or traffic camera placement.

**Consent Agenda: A motion was made by Councilmember Esters and seconded by Councilmember Mitchell to adopt the Consent Agenda which consisted of the following:**

<b>22-G-30</b>	<b>Approve scopes of work for City of College Park Storm Water System Assessment Project.</b>
<b>22-G-32</b>	<b>Approval of grant funding from ARPA funds for College Park’s first due fire stations: Branchville Volunteer Fire Company &amp; Rescue Squad; College Park Volunteer Fire Department; and Berwyn Heights Volunteer Fire Department &amp; Rescue Squad, Inc., in the amount of \$50,000 each for a total of \$150,000.</b>
<b>22-G-35</b>	<b>Approval of Minutes from the December 14 Regular Meeting and Mayor and Council Inauguration; the January 18, 2022 Special Session; and the January 25, 2022 Regular Meeting.</b>

<b>22-G-34</b>	<b>Ratification of a new three-year Agreement (July 1, 2022 – June 30, 2025) between the City of College Park, Maryland and the American Federation of State, County and Municipal Employees (AFSCME) Local 1209C, AFL-CIO, and authorization for the City Manager to sign the new Agreement.</b>
<b>22-G-36</b>	<b>Lay on the Table item added to the Consent Agenda: Approval of a Parking Prohibition in the 4500 block of Duke Street.</b>

**The motion passed 8-0.**

**Action Items**

**22-G-15 Approval of the amended and restated Declaration of Condominium and Site Plan for One College Park Condominium (City Hall) – Suellen Ferguson, City Attorney**

Ms. Ferguson reviewed the staff report and said it was always contemplated that this document would be finalized and brought forward after the building was completed.

**A motion was made by Councilmember Rigg and seconded by Councilmember Adams that the Amended and Restated Declaration of the Condominium for One College Park Condominium and the Amended and Restated Condominium Plat be approved subject to the final review and approval of the City Attorney.**

There was no comment from audience or Council.

**The motion passed 8-0.**

**22-R-04 Adoption of Resolution Of The Mayor And Council Of The City Of College Park To Establish A City Redistricting Commission To Review And Recommend The Appropriate Reapportionment Of The City Council Districts And To Formulate The Charge To The Commission**

Ms. Ferguson said this resolution reflects the direction that Council provided at last week's Worksession.

**A motion was made by Councilmember Mitchell and seconded by Councilmember Mackie to adopt Resolution 22-R-04, a Resolution Of The Mayor And Council Of The City Of College Park To Establish A City Redistricting Commission To Review And Recommend The Appropriate Reapportionment Of The City Council Districts And To Formulate The Charge To The Commission.**

There was no comment from the audience.

Councilmember Kennedy stated this process should be impartial, fair and transparent. In her opinion we shouldn't appoint people who are planning to run or who previously held elective office because it is hard to be impartial when you are drawing the maps.

**The motion passed 8-0.**

**22-O-01 Adoption of Ordinance 22-O-01, An Ordinance Of The Mayor And Council Of The City Of College Park, To Adopt A Corrective Amendment To City Code Chapter 119, "Refuse, Solid Waste And Special Trash" By Repealing And Re-Enacting §119-6, "Collection Of Bulky Trash, Special Trash, And Overweight, Oversized Or Improperly Sorted Items," To Clarify That Bulky Trash Collections Are Counted Based On Fiscal Year, Not Calendar Year, For Any One Property.**

**A motion was made by Councilmember Mackie and seconded by Councilmember Whitney to adopt Ordinance 22-O-01, an Ordinance Of The Mayor And Council Of The City Of College Park, To Adopt A Corrective Amendment To City Code Chapter 119, "Refuse, Solid Waste And Special Trash" By Repealing And Re-Enacting §119-6, "Collection Of Bulky Trash, Special Trash, And Overweight, Oversized Or Improperly Sorted Items," To Clarify That Bulky Trash Collections Are Counted Based On Fiscal Year, Not Calendar Year, For Any One Property.**

Councilmember Rigg said this aligns the billing cycle with the leasing cycle for many of our residents.

**The motion passed 8-0.**

**22-O-02 Introduction of Ordinance 22-O-02, An Ordinance to amend the Fiscal Year 2022 Budget (FY 2022 Budget Amendment #2) to transfer the recovery of lost revenue of \$10M from the ARPA allocation.**

Mr. Fields said the final rule released by Treasury allowed the municipality to use the standard allocation of \$10M for recovery of lost revenue. He reviewed the benefits of using this method of allocation. The Public Hearing will be held on March 8.

A motion was made by Councilmember Mitchell and seconded by Councilmember Mackie to introduce Ordinance 22-O-02.

The Public Hearing will be held on March 8 at 7:30 p.m.

**22-O-03 Introduction of Ordinance 22-O-03, an Ordinance Of The Mayor And Council Of The City Of College Park, Amending Chapter 175 "Taxation", Article IV, "Revitalization Tax Credit", §175-10 "Eligibility Criteria" To Authorize The Mayor And Council To Approve A Level Two Tax Credit For A Property That Has Received Authority From Prince George's County For A Payment In Lieu**

**Of Taxes Under §7-506.1 Of The Taxation-Property Article, Annotated Code Of Maryland.**

Ms. Ferguson provided an overview. This ordinance is a further amendment to the City's Revitalization Tax Credit to add the "low income housing" category that could be eligible for a Level 2 tax credit, which can result in more money for the tax credit. Low income housing is contemplated in the state law already, and this ordinance will enable it in the City Code as well.

**A motion was made by Councilmember Kennedy and seconded by Councilmember Esters to introduce Ordinance 22-O-03. The Public Hearing will be held on March 8 at 7:30 p.m.**

**22-G-33 Approval of a Contract of Sale for 4704 Calvert Road, College Park**

Mr. Young described the property, which consists of houses at both 4704 Calvert Road (a rental house) and 7307 Rhode Island Avenue. This purchase supports two of the Council's strategic plan objectives, #3 and #8. He reviewed the staff report and discussed the zoning on each of the parcels. The purchase price is \$1.7M if the settlement occurs on/before March 17th, and \$1.750M if settlement is after March 17th. The Phase 1 Environmental Survey begins tomorrow if this is approved tonight. We will also undertake our due diligence including an appraisal if this moves forward.

Councilmember Kabir asked how we arrived at the purchase price and what funding will be used. Mr. Young said this will be funded from our CIP for property acquisition. The discussion about what to do with the property will come at a later point with input from the neighborhood. The purchase price takes into account the additional rental income stream to the owner of about \$48K/year. There are no comparative sites for this property.

Councilmember Mitchell said there are times we need to act quickly to move things forward and this is a good first step to move forward with stabilization of this neighborhood. We will work with our residents to determine how to best to that.

**A motion was made by Councilmember Adams and seconded by Councilmember Rigg to approve a contract of sale to purchase the property known as 4704 Calvert Road, also including 7307 Rhode Island Avenue, from Calvert Road, LLC for a purchase price of \$1,700,000.00 if settlement occurs on or before March 17, 2022, and of \$1,750,000.00 if settlement occurs after March 17, 2022, conditioned upon satisfactory completion of due diligence.**

Councilmember Adams said this is a unique opportunity to help us achieve our strategic goals. The City must act decisively and quickly. He is on a national appraisal committee and believes this is a sound investment. He reviewed appraisal variables and the opportunities for this property. He is comfortable with the purchase price being offered.

**Comments from the audience:**

**DW Rowlands, resident and tenant at the property in question:** Renters are an important part of this community, and they have paid lower rent with no rent increase for 7 years at this property. If a

private developer purchases the property, the rent would most surely be increased. If the City purchases it, they hope it will remain affordable, and perhaps will build even more affordable housing at this location.

**Alaina Pitt, resident:** Why is the City so intent on buying this land, and what are you afraid will happen if you don't buy it. This is a prime piece of property two blocks from the Metro and we need affordable housing in the City. It would be a mistake to use the land to preserve open space.

**Mary King, resident:** Stunned with the purchase price. Doing this in a hurry does not sound like a good idea.

**Mary Cook, resident:** Why does this have to be such a fast process. In the past we have had consultants assist us with buying property. The owner and City could target some developers that might be willing to work with the City on a project everyone would be happy with.

Mr. Young clarified that the total parcel is 41,075 sq ft; the 13K sq ft figure is just for the rental parcel.

Councilmember Adams acknowledged it is a quick process and said we will do our due diligence. It is too soon to say now what the project will be. We need input from the community. This offer is coming from someone who knows and cherishes our city. If it went on the open market it would likely go for a much higher price. He would prefer to see workforce housing.

Councilmember Rigg said his concern is that this strategic property in the middle of Old Town could be turned into low density single family residential and rented out at the maximum possible price point, which is not what we want to see more of. This is an opportunity to provide neighborhood stabilization and affordable workforce housing. The City has made commensurate investments for property at strategic locations.

Councilmember Esters asked how many times will the City have an opportunity such as this to consider the purchase of land to work toward achieving some of our strategic goals – affordable housing and neighborhood stabilization. This a great opportunity that was brought to us by someone living in the community.

Councilmember Kabir asked why it is important to move forward at this time? He looked at the APC minutes from March 4, 2021 when this property was discussed, and the seller was not in a rush at that time. Mr. Young said the seller now has multiple opportunities, the price increases after March 17, and we hope to complete our due diligence before then to pay the lower price. Ms. Ferguson added if we don't purchase by March 17, the property will be out on the open market. We do not control the timing of the sale; it's what we've been presented with.

Councilmember Kennedy said our Strategic Plan puts affordable/workforce housing at the forefront, and this is a way to achieve that. A private developer might not have that as their priority. This is an important strategic location in our City near the Metro. She is excited about the opportunity.

Councilmember Mitchell wants to make sure we can provide more information by the public hearing on March 8. There is a risk if it goes on the open market and a developer buys it.

Councilmember Whitney said we often feel hamstrung because we don't have planning and zoning authority, and by purchasing this property we could exert influence over what it will be.

Mayor Wojahn said he supports this motion; sometimes opportunities arise that we have to jump on quickly and he appreciates staff's action to move this forward before the opportunity was lost. If we want to make affordable housing we need to be proactive and jump on opportunities when they arise – we can't rely on business as usual.

**The motion passed 8-0.**

**22-O-04 Introduction of 22-O-04, An Emergency Ordinance Of The Mayor And Council Of The City Of College Park Authorizing The Acquisition Of Certain Property Located At 4704 Calvert Road, College Park, Maryland, For A Public Purpose**

Ms. Ferguson said this ordinance will have to be adopted if the Council decides to purchase this property. It is labeled as an Emergency Ordinance because of the time frames we have discussed. There will still be a full public hearing, but if adopted, it will go into effect immediately.

**A motion was made by Councilmember Rigg and seconded by Councilmember Adams to introduce 22-O-04, An Emergency Ordinance Of The Mayor And Council Of The City Of College Park Authorizing The Acquisition Of Certain Property Located At 4704 Calvert Road, College Park, Maryland, For A Public Purpose.**

Mayor Wojahn announced that the Public Hearing will be held on March 8 at 7:30 p.m.

**Comments from the audience:**

**Don Jennings, resident of Calvert Hills:** He expressed his concern about an old brick culvert between Drexel and Beechwood: in places it looks like it has collapsed, and there is a sinkhole where the brickwork pipe is.

**Adjourn:** A motion was made by Councilmember Rigg and seconded by Councilmember Esters to adjourn the meeting, and with a vote of 8-0, the meeting was adjourned at 9:22 p.m.

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**Closed Session  
February 15, 2022**

On Tuesday, February 15, 2022, at 9:20 p.m. at the conclusion of the Worksession, a motion was made by Councilmember Esters and seconded by Councilmember Kennedy to adjourn the regular meeting and meet in a Closed Session. Mayor Wojahn read the Closing Statement:

Pursuant to the statutory authority of the Maryland Annotated Code, General Provisions Art. § 3-305(b), the Mayor and Council of the City of College Park are providing notice that they will meet in

a closed session after the Worksession for the following purposes: To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction (review applications for the Restorative Justice Commission); discuss matters that relate to collective bargaining negotiations; discuss the possible acquisition of real property for a public purpose; consult with Counsel to obtain legal advice and to discuss pending litigation; and to consider a matter that concerns the proposal for a business or industrial organization to locate, expand or remain in the state. The Mayor and Council will not return to open session after the Closed Session ends.

The motion passed 8-0.

At 9:27 p.m. the Mayor and Council reconvened in a Closed Session. Mayor Wojahn was the Open Meetings trainee.

Mayor Wojahn and Councilmembers Kabir, Kennedy, Esters, Whitney, Adams, Rigg, Mackie and Mitchell were present. City Manager Kenneth Young, Assistant City Manager Bill Gardiner, City Attorney Suellen Ferguson and City Clerk Janeen Miller attended the meeting. HR Director Teresa Way-Pezzuti and Economic Development Manager Michael Williams attended a portion of the meeting.

- The Mayor and Council reviewed applications for the Restorative Justice Commission. No action taken.
- The Mayor and Council discussed the possible acquisition of real property for a public purpose. No action taken.
- The Mayor and Council considered a proposal for an affordable housing project to locate in the City and received legal advice on this matter. No action taken.
- The Mayor and Council received legal advice on a complaint filed against the City. No action taken.
- The Mayor and Council received an update on union negotiations. No action taken.

Adjourn: At 11:03 p.m. a motion was made by Councilmember Esters and seconded by Councilmember Rigg to adjourn the meeting. The motion passed 8-0.

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