

**MINUTES**  
**Regular Meeting of the College Park City Council**  
**Tuesday,**  
**Tuesday, February 23, 2021**  
**7:30 p.m. – 9:02 p.m.**

**Due to the COVID-19 Pandemic, this was a virtual meeting.**

**PRESENT:** Mayor Wojahn; Councilmembers Kabir, Kennedy, Dennis (7:37 p.m.), Esters, Day, Rigg, Mackie and Mitchell.

**ABSENT:** None.

**ALSO PRESENT:** Bill Gardiner, Interim City Manager; Janeen S. Miller, City Clerk; Yvette Allen, Assistant City Clerk; Suellen Ferguson, City Attorney; Terry Schum, Director of Planning; Miriam Bader, Senior Planner; Katie Hart, Community Development Planner; Bob Ryan, Director of Public Services; Jim Miller, Parking Enforcement Manager; Adam Rosenbaum, Student Liaison; Julia Nikhinson, Deputy Student Liaison.

Mayor Wojahn opened the virtual Regular meeting at 7:30 p.m. and asked for a moment of silence for the 500,000 souls who have lost their lives due to COVID.

**ANNOUNCEMENTS:**

Councilmember Kabir discussed the regrettable milestone of 500,000 deaths due to COVID. The UMD has asked their students to sequester due to a spike on campus.

Councilmember Esters commented on the “Shadows of Lakeland” and “Sharing Our Stories” virtual programs she recently attended.

Mayor Wojahn added that he hopes we can rebroadcast the Lakeland event with a Q&A.

Councilmember Mitchell discussed her concerns about seniors in our community getting the COVID vaccine and hopes we can get a location in College Park. The City will provide transportation to an appointment at Doctors Hospital.

Councilmember Dennis said the Police District 1 Coffee Club will meet via Zoom tomorrow morning.

**CITY MANAGER’S REPORT:** Mr. Gardiner said Prince George’s County Public Schools will move toward some in-person teaching in April. The EAC is hosting a Q&A with School Board Member Joshua Thomas on March 4. He discussed the UMD sequestration policy due to the uptick in COVID cases on campus and the City’s role in ensuring compliance with COVID restrictions. He provided information about the Maryland COVID mass vaccination sites and the County’s registration site. Residents are being urged to sign up for vaccines in as many ways as they can.

**PROCLAMATIONS:** Mayor Wojahn read the Proclamations for COVID-19 Victims and Survivors Memorial Day and for Women’s Heart Health Month.

The City will have a visible lighting of our buildings to commemorate the first Monday in March.

**AMENDMENTS TO AND APPROVAL OF THE AGENDA:**

The agenda was adopted without amendment (Mitchell/Kennedy) 8-0.

**PUBLIC COMMENT ON CONSENT AGENDA AND NON-AGENDA ITEMS:**

**Mary King, resident:** She commented on the development update in the 2014 Annual Economic Report and particularly how many off-campus student beds were added. She does not believe the City should allow a tax credit for the Gilbane development.

**Carol Macknis, resident:** The County’s Police Reform Work Group has recommended 50 actions and the County Executive has accepted 46 of them. She recommends the City Council schedule a meeting to make residents aware.

**Carol Nezzo, resident:** She appreciates the transportation she has received from the City Call-A-Bus to medical appointments. We should advertise the service and phone number more prominently.

**CONSENT AGENDA:** A motion was made by Councilmember Dennis and seconded by Councilmember Rigg to adopt the Consent Agenda which consisted of the following:

<b>21-G-24</b>	<b>Award of a contract amendment in the amount of \$46,331.50 to NZI Construction Corporation for construction of 49th Avenue sidewalk.</b>
<b>21-G-25</b>	<b>Approval of a letter of support for HB 67, MDOT Promises Act of 2021.</b>
<b>21-G-32</b>	<b>Approval of a letter of support of HB 704 Emergency Bill, Maryland Stop the Maglev Act of 2021.</b>
<b>21-G-30</b>	<b>Approval of letters of support for SB 188 / HB 63–State Finance– Prohibited Appropriations–Magnetic Levitation Transportation System.</b>
<b>21-G-31</b>	<b>Approval of a letter of support for County Bill CB-4-2021, Housing Investment Trust Fund-Sustainable Source of Funding.</b>

**The motion passed 8-0.**

## **ACTION ITEMS**

### **21-G-26 Recommendation of approval, with conditions, for the Special Exception Application for The Children's Guild Preschool at the College Park United Methodist Church, and approval of a Declaration of Covenants**

Ms. Schum described the application, a Special Exception, to allow a 120-child preschool to operate at an existing church. Since last week's Worksession there have been further discussions about parking concerns; as a result, a new provision (#4) has been added to the Declaration of Covenants to address these concerns and requires the applicant to prepare a parking plan that is acceptable to the City. She reviewed the provision. If a complaint is received about parking, the Church, the Children's Guild and City will meet and try to find a solution.

Councilmember Esters asked Dr. Arbogast about the possibility of tuition subsidies for City residents - is the Children's Guild willing to work with the City to determine what may be feasible? He said yes, he is happy to have that conversation.

Mr. Tedesco, attorney for the applicant: They presented to the Advisory Planning Commission and the North College Park Community Association (NCPCA). They have provided a parking plan and will formulate a drop-off/pick-up plan. They look forward to bringing this much-needed use to the City.

Councilmember Mitchell said she has to recuse herself from the vote because she is part of the advisory board for the Children's Guild.

Ms. Ferguson asked if the Church was willing to go along with the terms of the Declaration of Covenants. Rev. Fay Lundin said the Church is in agreement with what Mr. Tedesco put forward. The church property is held in trust by the Baltimore Washington Conference of the United Methodist Church, and she doesn't see any reason why the trustees couldn't sign the agreement as stated. They are OK with the sidewalk easement and hopes the trees planted by the City can be preserved or replanted. They are pleased that the school has worked so closely with the community.

**A motion was made by Councilmember Kabir and seconded by Councilmember Esters that the City Council recommend approval of Special Exception-4836 for The Children's Guild Pre-school with conditions per the City Staff Report and subject to a Declaration of Covenants and Agreement to be provided and approved by the City Attorney.**

Councilmember Kabir appreciates the partnership between The Children's Guild and the Church to bring this amenity to the community. He thinks a staggered opening/closing will help reduce traffic volume at any one time. If traffic continues to affect the community, we will look at other options.

#### **Comments from the audience:**

**Mary Cook, resident, President, NCPCA:** She referenced the letter sent by the NCPCA. They are excited about this addition coming to north College Park and voted in favor of the project,

although they did have concerns about tuition, parking and traffic. Speaking for herself, she is concerned about the impact on the number of parking spaces that are available for Meals-On-Wheels staff and drivers.

**Mary King, resident:** She is glad to hear there is a parking plan and hopes it can be adjusted in the future if needed.

Councilmember Kennedy thanked the Methodist Church for opening their doors for this and other community programs. She also wants to have a conversation about subsidies for College Park families.

Councilmember Mackie encouraged us to be mindful of the trees. She hopes this works out to be a great amenity for the City.

**The motion passed 7-0-1 (Councilmember Mitchell abstained for the reason stated).**

**21-G-29      Approval of amendments to the AIMS Parking Annual Software Support, Hosting, and Maintenance Contract**

Mr. Ryan reviewed the staff report. Our service contract with AIMS ends in 2022. In the FY 21 budget M&C approved purchase of the License Plate Reader module (LPR) and the Pay By Phone Mobile app. This proposal is to amend the existing service contract to include these additional pieces of our parking management system and extend the contract through January 2024. He added that parking permits are now free for residents.

Councilmember Kabir asked when the LPR program will become operational and residents will no longer need to hang the permit tag. Mr. Miller said in July the City will stop mailing hang tags. We will start advertising the changes soon. Councilmember Kabir said some residents have privacy concerns about license plate readers. Is the information shared? Mr. Miller said the data is stored on the AIMS server. Per the agreement with the Vendor, they do not share the information, it remains confidential.

Councilmember Mitchell asked how long they keep the information. Mr. Miller said we can direct AIMS to purge information older than five years like we do with data stored on our own systems.

Mr. Miller said we are eliminating physical parking permits, but the resident still needs to go on-line to register their vehicle in that permit zone. Anyone not comfortable using a computer will be accommodated. We will still issue physical visitor passes, which are also free. Various options were discussed for special events and regular guests.

Ms. Ferguson said the contract will say that the records belong to the City.

**A motion was made by Councilmember Rigg and seconded by Councilmember Esters to authorize the City Attorney to amend the AIMS parking management systems contract, in a form consistent with the attached current contract, to provide maintenance of all current parking management systems, including annual software support, cloud data management hosting, ticket writing software, online parking permit registration, ticket payment, ticket appeals, LPR ( license plate recognition) Module and AMP Park Mobile Pay by Cell support and hosting; to increase the annual price to \$63,030, to extend the contract through January, 2024 and, to authorize the City Manager to sign an amended contract.**

**Comments from the audience:**

**Mary King, resident:** She asked if the on-line registration problems have been worked out.

**Mary Cook, resident:** She asked if the new system will read temporary tags.

**The motion carried 8-0.**

**21-O-03 Introduction of an Ordinance amending Chapter 175 “Taxation”, Article IV, “Revitalization Tax Credit”, Section §175-13 “Waiver”, to establish an additional Revitalization Tax Credit, set the criteria for the Tax Credit, prohibit a waiver of Eligibility Requirements for the Tax Credit, correct an error, and make conforming changes, to enable a Revitalization Tax Credit for the Tempo Student Housing Project.**

Ms. Ferguson said this was discussed in Worksession. Any waiver to deal with the situation that occurred last year with respect to a tax credit being granted in error would require a change in the ordinance. This ordinance applies to a narrowly defined situation where a tax credit was granted in error and allows the M&C to determine whether to confer the prior amount of the credit or to modify or reduce it.

Councilmember Mackie requested information about the 2015 Revitalization Tax Credit (RTC) amendment that removed undergraduate student housing from eligibility.

Councilmember Dennis asked for clarification about the process. Ms. Ferguson said this is only enabling legislation and is the first step. If it is adopted, the Council would take a second step to grant a tax credit.

**A motion was made by Councilmember Dennis and seconded by Councilmember Kennedy to introduce Ordinance 21-O-03, an Ordinance amending Chapter 175 “Taxation”, Article IV, “Revitalization Tax Credit”, Section §175-13 “Waiver”, to establish an additional Revitalization Tax Credit, set the criteria for the Tax Credit, prohibit a waiver of Eligibility Requirements for the Tax Credit, correct an error, and make conforming changes, to enable a Revitalization Tax Credit for the Tempo Student Housing Project, and to set the public hearing date for March 9, 2021 during the regular Council meeting.**

**21-CR-01 Introduction of Charter Amendment 21-CR-01 to amend Article III, Mayor and Council, and Article IV, Voting and Elections, to allow the Mayor and Council to set the date for a General Election by March 31 in an election year, to change certain candidacy filing deadlines to take into account that more ballots are being sent and returned by mail, to change the deadline for a candidate to withdraw in a regular election and a special election, to allow flexibility in setting the date of any run-off election, and to make other conforming changes.**

Ms. Miller summarized recent Council discussions about the fall election and the direction received about changes to the date and method of the election which will require changes to the City Charter and City Code. Tonight you are introducing the Charter amendment and changes to the City Code will come back in March. A timeline illustrating the changes to the filing deadlines has been included in the packet.

**A motion was made by Councilmember Esters and seconded by Councilmember Dennis to introduce 21-CR-01, a resolution to amend Article III, Mayor and Council, and Article IV, Voting and Elections, to allow the Mayor and Council to set the date for a General Election by March 31 in an election year, to change certain candidacy filing deadlines to take into account that more ballots are being sent and returned by mail, to change the deadline for a candidate to withdraw in a regular election and a special election, to allow flexibility in setting the date of any run-off election, and to make other conforming changes, and to set the Public Hearing for March 23, 2021.**

**PUBLIC COMMENT:**

**Carol Macknis, resident:** She discussed security for ballot drop boxes, concerns about mail delivery by the post office, and alternatives to consider.

**Mary King, resident:** She suggested the Council look at the 2014 Economic Development Report. We are getting more and more student housing. Council should discuss what to incentivize.

**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, Mayor Wojahn adjourned the meeting at 9:02 p.m.**

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Janeen S. Miller  
City Clerk

Date  
Approved

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**CLOSED SESSION**  
**February 16, 2021**

On Tuesday, February 16, 2021, at 10:32 p.m., at the conclusion of the Worksession, a motion was made by Councilmember Mitchell and seconded by Councilmember Rigg to adjourn into a Closed Session. Mayor Wojahn read the closing statement:

Pursuant to the statutory authority of the Maryland Annotated Code, General Provisions Article § 3-305, the Mayor and Council of the City of College Park will meet in a Closed Session after the Council meeting on February 16, 2021 to consider the acquisition of real property for a public purpose. Specifically, the Mayor and Council will consider their response to a proposal by the owner of the Stone Industrial Property and will also discuss a parcel owned by the College Park Fire Department. The Mayor and Council are holding this discussion in Closed Session as provided by law because if the discussion were held in open session it could harm the City's negotiating position. The City Council will not return to public session after the Closed Session ends.

The motion passed 8-0.

At 10:38 p.m. the Mayor and Council reconvened in a Closed Session. Due to the COVID-19 Pandemic, the meeting was held virtually. Mayor Wojahn was the Open Meetings trainee.

Mayor Wojahn and Councilmembers Kabir, Kennedy, Dennis, Esters, Day, Rigg, Mitchell and Mackie were in attendance. In addition, the meeting was attended by Interim City Manager Bill Gardiner; City Clerk Janeen Miller and City Attorney Suellen Ferguson.

The Mayor and Council discussed the possible acquisition of the Stone Industrial property and a property owned by the College Park Fire Department. No action was taken.

At 11:54 p.m., a motion was made by Councilmember Mitchell and seconded by Councilmember Esters to adjourn the Closed Session, and with a vote of 8-0, the meeting was adjourned.

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