

**MINUTES**  
**Regular Meeting of the College Park City Council**  
**Tuesday, February 26, 2019**  
**Council Chambers**  
**7:30 p.m. – 9:40 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; Gary Fields, Director of Finance; Peggy Higgins, Director of Youth, Family and Senior Services; Robert Marsili, Director of Public Works; Brenda Alexander, Assistant Director of Public Works; Alex Tobin, Student Liaison.

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

**ANNOUNCEMENTS:**

Councilmember Dennis announced the Coffee Club tomorrow.

Councilmember Mitchell said this is the last week of “wear red for heart health” month.

**CITY MANAGER’S REPORT:** Mr. Somers reviewed highlights from the weekly bulletin: screened compost sale; summer youth camp scholarships; bus stop relocations at the College Park Metro due to Purple Line construction; and the Charter Review Commission Public Forum on Monday, March 11.

**AMENDMENTS TO AND APPROVAL OF THE AGENDA:** A motion was made by Councilmember Rigg and seconded by Councilmember Day to add item 19-G-40, “Naming of the Radichevich Garden,” to the agenda. The motion passed 8-0. The agenda was approved as amended (Mitchell/Day) 8-0.

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

**Dave Dorsch, resident:** Open up Rhode Island Avenue to connect to Campus Drive before Purple Line construction begins.

Councilmember Rigg suggested Mr. Dorsch contact the Calvert Hills and Old Town Civic Associations to get their opinions on this request.

**Mary King, resident:** Dismayed to see the introduction of the ordinance on bulk trash fees and doesn’t think it is ready. How is an item defined? Public education is needed.

**Oscar Gregory, resident:** Regarding the bulk trash ordinance – go after the few offenders, don’t punish the taxpayers.

**Peter King, resident:** Regarding the pilot program for compostable food waster – suggests having a pilot program in a certain neighborhood where compostable food waste is picked up. Should yield better data rather than a drop-off program where only the interested parties will participate.

**James Garvin, resident:** Regarding two- v. four-year terms for elected officials – Disagrees with four-year terms, promised to be here more often to protest if the change is made, and made reference to fear and distrust.

**PRESENTATIONS:** Mayor Wojahn presented Ceremonial \$2,500 Public School Education Grant Checks to Cherokee Lane Elementary School (accepted by Brian Galbraith, Principal) and University Park Elementary School (accepted by Toi Davis, Principal).

**PUBLIC HEARINGS:**

**A. Ordinance 19-O-03 An Ordinance Of The Mayor And Council Of The City Of College Park, Amending Chapter 34, “Elections”, Article II, “Conduct Of Elections”, §34-5, “Polling Places; Hours Of Voting”, To Make Provision For Early Voting And To Change The Manner In Which Poll Hours Are Set.**

Ms. Miller said this ordinance removes the polling hours from the City Code and adds a reference to early voting.

**Oscar Gregory, resident:** There is no harm in leaving the polling hours in the Code. He objects to the verbiage “the designated polling place.”

Ms. Miller said the Council will approve the hours and locations of the poll for every election without having to introduce an ordinance to amend the City Code; instead, Council will make the designation by general motion. Mayor Wojahn suggested changing the word “the” to “a,” as in “a designated polling place.” Ms. Miller said the Board of Election Supervisors is still investigating the concept of “voting centers” where a qualified voter could vote at any City polling location, but that those details have not been worked out yet so it is not confirmed.

**Dave Dorsch, resident:** He asked for clarification about how voting centers would work. Mayor Wojahn said this is the direction we are going but that the Board of Election Supervisors is currently working on the logistics.

**James Garvin, resident:** Spoke about fear and distrust: the fear that residents will be disenfranchised and that our vote will be diluted.

There being no further public comment, Mayor Wojahn closed the public hearing.

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

**19-G-36 Authorization for staff to initiate the process of a public sale of General Obligation (GO) bonds by the City to finance the new City Hall project and possibly other large capital projects. This does not create any obligation on the City’s part at this time, and the City Council will be required to formally approve a bond resolution in the future.**

**19-G-37 Authorization for the City Manager to sign a lease with the University of Maryland for approximately 4,200 square feet of office space at 8400 Baltimore Avenue for the relocation of City Hall staff during the demolition and construction of a new City Hall, subject to review and approval of the lease by the City Attorney.**

**19-G-38 Approval of Minutes from the January 22, 2019 Worksession, the January 29, 2019 Regular Meeting, the February 5, 2019 Worksession and the February 5, 2019 Special Session.**

**The motion carried 8-0.**

**ACTION ITEMS:**

**19-O-03 Adoption of Ordinance 19-O-03, An Ordinance Of The Mayor And Council Of The City Of College Park, Amending Chapter 34, "Elections", Article II, "Conduct Of Elections", §34-5, "Polling Places; Hours Of Voting", To Make Provision For Early Voting And To Change The Manner In Which Poll Hours Are Set.**

**A motion was made by Councilmember Brennan and seconded by Councilmember Kennedy to adopt Ordinance 19-O-03, An Ordinance Of The Mayor And Council Of The City Of College Park, Amending Chapter 34, "Elections", Article II, "Conduct Of Elections", §34-5, "Polling Places; Hours Of Voting", To Make Provision For Early Voting And To Change The Manner In Which Poll Hours Are Set, with the amendment to change "the designated polling place" to "a designated polling place" as previously discussed.**

**Oscar Gregory, resident:** Approves of the change in wording.

There were no comments from the Council.

**The motion carried 8-0.**

**19-O-05 Discussion, and possible introduction, of an Ordinance Of The Mayor And Council Of The City Of College Park, Amending City Code Chapter 119, "Refuse, Yard Waste, Solid Waste And Special Trash" By Repealing And Re-Enacting §119-1, "Adoption Of Regulations", §119-2 "Places To Be Served", §119-3 "Duties Of Owners And Occupants", § 119-4 "Materials Acceptable For Collection", §119-5 "Responsibilities Of City"; §119-6, "Special Trash", §119-7, "Safeguards For Collectors", §119-9, "Rates", §119-10, "Refuse Carts And Recycling Containers"; Amending Chapter 161, "Recycling", By Repealing And Re-Enacting §161-3, "Duties Of Owners And Occupants Receiving City Solid Waste Collection Services", And Enacting §161-9, "Recycling Carts"; And Amending Chapter 110, "Fees And Penalties", By Repealing And Re-Enacting §110-1, "Fees And Interests" And §110-2, "Penalties", To Change How Bulky Trash Is Collected, To Set Fees For Collection And Fees For Refuse**

### **Receptacles, And A Penalty For Violations, And To Consolidate Recycling Provisions Into Chapter 161 - Robert Marsili, Director of Public Works**

Mr. Marsili provided an overview of the report prepared by the consultant, SCS Engineers, and the goals of the ordinance: to improve efficiency and management of the program, control our costs, help our workers stay safe, encourage alternative and sustainable reuse options, and control abuse of the current system. The proposal has been updated since the last Council Worksession; the updated proposal provides residents with up to four bulk trash collections per year for up to a total of 20 items per year at no cost to the resident. Woody collection increased from five units to 20 units per special collection, and will not count toward the bulky trash collection. He reviewed the PowerPoint presentation and other program guidelines. Additional clean-up days at Public Works for bulk trash drop off will be added. All collections must be scheduled and items identified in advance. If you are over your limit for the year, fees must be paid in advance. Certain types of set-outs will incur a fee, and requirement of the grappling truck will require a fee. Material improperly set-out won't be collected.

Mr. Somers added that the proposed effective date of the ordinance would be January 1, 2020, to allow ample time for public education, and there would be a warning period when implemented. The goal is not to be punitive, it is to better manage our program. The data indicate this proposal will address 98% of our residents' needs.

Mayor Wojahn noted the comments from members of the CBE.

Councilmember Rigg asked about the magnitude of the problem during move-outs in the Old Town neighborhood, and referenced examples of abuse of the current program.

Mr. Marsili said we are trying to curtail the abuse of the system and control our costs, and under the current program there is no mechanism to manage it – we pick up everything, and the rest of the taxpayers are paying for this service. Ms. Alexander added that during move-out season, there are piles of assorted debris for blocks on end, several feet deep into the yard. She showed pictures of examples. Frequently, staff has to work overtime to complete these pickups which increases the cost of the program to the taxpayer. This goes on for 2-3 consecutive weeks in certain neighborhoods. Sometimes we see the same appliances set out in front of a house several times per year, which indicates an abuse of the system. Every taxpayer ends up paying for that. He added that if we find something isn't working well for our residents, we will tweak the program, but these recommendations should work for 98% of our residents.

Councilmember Brennan stressed that under the current system, the average resident is subsidizing the cost of for-profit rental businesses when these move-outs are collected without any fees. He added it is sound business practice to define what the services are that are provided at no cost. Anything that can go into the toter is not considered a bulk trash pick-up. He stressed the education piece of the program.

Councilmember Mitchell asked what will happen when materials are set out improperly? Mr. Marsili talked about leaving door hangers, knocking on doors, meeting with residents, working more closely with Code. He said most of the time the residents take care of the problem. She is interested in seeing a report of the pick-ups and fees after one year.

Mayor Wojahn asked for a provision where we can abate a violation after a certain amount of time has passed and send the property owner the bill, in those cases where the property owner does not comply within a certain period of time. Ms. Ferguson will add that in.

Council and staff discussed concerns about illegal dumping in general, and as a potential unintended consequence of this ordinance. Mr. Somers talked about additional signage and cameras in certain locations. Council is interested in input from the CBE and the property owners' association.

Councilmember Kennedy asked about putting electronics in the trash toter, if a budget is needed for public education, and if a built-in fee escalator is needed.

Councilmember Kabir talked about the fear in the community about the proposed change, and asked if keeping track of the number of collections would create too much work for staff. He asked if there could be an exception for residents in certain circumstances, like flooding in the basement, and if it needed to be in the Code. Mr. Somers is leery of putting exceptions into the ordinance, but we will be able to use discretion.

Councilmember Kujawa wants to make sure this information is in the resident guide.

Councilmember Rigg asked if there is a reasonable interim step we can take prior to January 1 to address some of the egregious offenders. Councilmember Kennedy cautioned about the confusion that could cause.

**A motion was made by Councilmember Brennan and seconded by Councilmember Kennedy to introduce Ordinance 19-O-05, To Amend Chapters 119, 161 and 110, to Change How Bulky Trash Is Collected, To Set Fees For Collection, Fees For refuse receptacles, a penalty for violations, and to consolidate recycling provisions into Chapter 161, and to set the Public Hearing for March 26, 2019.**

**19-O-06 Discussion, and possible introduction, of an Ordinance Of The Mayor And Council Of The City Of College Park, Amending Chapter 110 "Fees And Penalties", By Repealing And Reenacting §110-1 "Fees And Interests" To Increase Fees For Animal Impound Redemption, Microchip Placement, Refuse Reinstatement, And For Vehicle Immobilization Release**

Mr. Fields said this is a follow up to the January 8 discussion about the Cost of Fees study and reviewed the various cost recovery rates. Council's direction that night was to increase four specific fees: impound redemption fee, reinstatement for garbage collection, immobilization fee for vehicles, microchip placement. Tonight would be an introduction of the draft ordinance and to set the Public Hearing for March 12.

Councilmember Rigg asked about the actual immobilization (boot) fee. Mr. Fields said the total is \$800 including indirect costs. He said the \$100 fee is consistent with other jurisdictions.

**A motion was made by Councilmember Kennedy and seconded by Councilmember Rigg to introduce Ordinance 19-O-06 Amending Chapter 110 "Fees And Penalties", By Repealing**

**And Reenacting §110-1 “Fees And Interests” To Increase Fees For Animal Impound Redemption, Microchip Placement, Refuse Reinstatement, And For Vehicle Immobilization Release, and to schedule the Public Hearing for March 12, 2019 in the Council Chambers for 7:30 p.m.**

**19-G-39 Appointments to Boards and Committees**

**A motion was made by Councilmember Dennis and seconded by Councilmember Mitchell to appoint Lupi Grady to the Complete Count Committee, Diane Ligon to the Board of Election Supervisors, Lisa Fischer to the Veterans Memorial Committee, Cameron Thurston and Oscar Gregory to the Committee for a Better Environment, and to reappoint Carolyn Bernache to the Education Advisory Committee and Alan Hew to the CBE. The motion passed 8-0.**

**19-G-40 Naming of a garden on Calvert Road after Alex Radichevich**

**A motion was made by Councilmember Rigg and seconded by Councilmember Day to name a portion of the median on Calvert Road after Calvert Hills resident Alex Radichevich who cared for the garden and recently passed away and to add a memorial marker or sign in his memory.**

**James Garvin, resident:** Supports the motion.

Councilmember Day said he can't think of another resident who has done as much as Mr. Radichevich to beautify the community and his passing is a great loss to the City. Naming the garden after him will help preserve his memory. Councilmember Rigg and Mayor Wojahn added their memories of Mr. Radichevich.

**The motion passed 8-0.**

**COMMENTS:**

Councilmember Kabir announced the Community Police meeting at MOMs Café.

Councilmember Brennan discussed the amount of litter he has seen recently while travelling in this area and between College Park and Baltimore. He has spoken with the City Manager and noted that state resources have been cut.

Councilmember Dennis said that the annual Martin Luther King Jr. Tribute is being broadcast on our cable channels and asked that the dates/times be advertised.

Councilmember Mitchell announced a presentation on the County Schools CIP hosted by County Council Member Glaros. She noted that March is Women's History Month.

Mr. Tobin said tomorrow is the first meeting of the SGA legislature in a while and they will continue to promote student involvement in the City.

**PUBLIC COMMENT:**

**James Garvin, resident:** Thanked the Council for his appointment to the City's Airport Authority. They have made progress in changing the operational rules at the College Park Airport to help keep it open and viable.

**ADJOURN:** A motion was made by Councilmember Rigg and seconded by Councilmember Brennan to adjourn the meeting, and with a vote of 8-0, Mayor Wojahn adjourned the meeting at 9:40 p.m.

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Janeen S. Miller, CMC  
City Clerk

Date  
Approved