

MINUTES
Regular Meeting of the College Park City Council
Tuesday,
Tuesday, April 13, 2021
7:30 p.m. – 9:28 p.m.

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

PRESENT: Mayor Wojahn; Councilmembers Kabir, Kennedy, Dennis, 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; Bob Ryan, Director of Public Services; Bridgette Johnson, Economic Development Manager; Teresa Way-Pezzuti, Director of Human Resources.

ANNOUNCEMENTS:

Councilmember Kabir discussed last night's community police meeting and Saturday's socially distant community clean-up. Today is the 1st day of Ramadan.

Councilmember Dennis announced the PGPD District 1 Coffee Club at 9 a.m. tomorrow.

Councilmember Rigg said the Yarrow Civic Association will meet on Saturday at 11.

Councilmember Mitchell announced an International Cookbook project; deadline for submissions is May 28.

CITY MANAGER'S REPORT: Mr. Gardiner announced DPW's Saturday clean up on April 24 and announced the opportunity for tree giveaways and street trees.

AWARDS: The Maryland Municipal Clerk's Association presented the 2021 Clerk of the Year Award to Yvette Allen, College Park's Assistant City Clerk.

AMENDMENTS TO AND APPROVAL OF THE AGENDA:

A motion was made by Councilmember Rigg and seconded by Councilmember Mitchell to move item 21-G-51 to the Consent Agenda. The motion passed 8-0.

A motion was made by Councilmember Rigg and seconded by Councilmember Mitchell to move item 21-G-56, as amended by language provided by Mr. Gardiner, to the Consent Agenda. The motion passed 8-0.

A motion was made by Councilmember Rigg and seconded by Councilmember Mitchell to approve the agenda as amended. The motion passed 8-0.

PUBLIC COMMENT ON CONSENT AGENDA AND NON-AGENDA ITEMS:

None.

PRESENTATIONS:

County Council Member Dannielle Glaros discussed the proposed SC MAGLEV project. She was joined by Mayor Colin Byrd of Greenbelt and Mayor Takisha James of Bladensburg. Mayor Byrd discussed the request from the City of Greenbelt (see item 21-G-58).

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

21-R-06	Adoption of Resolution 21-R-06, a Resolution of the Mayor and Council of the City Of College Park amending the Purpose of the Animal Welfare Committee.
21-G-48	Approval of minutes from the February 23 Regular Meeting; the March 2 Worksession; the March 2 Special Session; the March 9 Regular Meeting; and the March 16 Worksession.
21-R-05	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-2021-03, 6908 Dartmouth Avenue, College Park, Maryland, Recommending Approval Of A 2.16% Lot Coverage Variance From Section 27-442(C) Table II Of The Prince George’s County Zoning Ordinance, To Replace A Garage.
21-G-54	Approval of 2020 Annual Reports and Workplans from City advisory boards.
21-G-49	Adoption of amendments to City Policy and Procedures pertaining to Council-appointed Boards.
21-G-50	Approval of a letter of support for the application by Maurice Jenoure, Sole Member, Milk and Honey College Park LLC, for a new Class B, Beer, Wine and Liquor license for the use of Milk and Honey College Park, LLC, t/a Milk & Honey, 10280 Baltimore Avenue, College Park, 20740, subject to the applicant entering into a Property Use Agreement (PUA) with the City in substantially the form attached; authorize the Interim City Manager to sign the PUA; and authorize staff to testify to the City’s position at the BOLC hearing.
21-G-57	Approval of a letter congratulating Dr. Darryll J. Pines on this inauguration as the 34th President of the University of Maryland.

21-G-51	Approval of comments to the Maryland Department of Housing and Community Development on the CPCUP application for College Park Neighborhood Stabilization Program and the City application for Hollywood Commercial District Streetscape Project.
21-G-56	Approval of letters with City comments on the M-NCPPC budget and County capital and operating budgets.

The motion passed 8-0.

ACTION ITEMS

21-R-04 Adoption of a Resolution authorizing a Revitalization Tax Credit for the Gilbane/Tempo Student Housing Project located at 8430 Baltimore Avenue.

Ms. Johnson reviewed the staff report.

A motion was made by Councilmember Dennis and seconded by Councilmember Rigg to adopted 21-R-04 in the amount of 75% of the full credit, with a cap of \$500,000.

Comments from the audience:

Don Schmadel, resident: Don't give a tax break to the super rich.

Mary King, resident: She reviewed her written comments and the mistake that was made. Gilbane had the guidelines stating that this project was ineligible for the tax credit.

Peter King, resident: When you make a mistake, you should apologize. When will the residents receive their apology? The City's Economic Development website is in error. Gilbane has their own attorneys who should advise them on these matters. This is the taxpayers' money you are signing away.

Councilmember Mitchell commented on the outdated documents on the City's website. She appreciates Gilbane's partnership with the City but will not support any tax credit for this project.

Councilmember Esters thinks a 50% credit is more appropriate.

Councilmember Kabir said this matter brought embarrassment to the City Council and staff. When we originally supported the RTC we assumed it met the criteria. He will not support.

Councilmember Mackie will not support this matter.

A motion was made by Councilmember Rigg and seconded by Councilmember Kennedy to amend the Resolution to offer an RTC to Gilbane of 50% of the maximum amount, with a cap of \$300,000.

He added that we should have a future conversation about the eligibility of student housing. It's not enough to apologize; Gilbane made business decisions based on receiving the RTC.

Mr. Gardiner provided the link to the City website that correctly reflects the current Revitalization Tax Credit guidelines.

Comments from the audience on the proposed amendment:

Peter King, resident: He continued to dispute the accuracy of the information on the website.

Mary King, resident: If you want to split the tax credit in half, the amount would be \$285,500.

Tom Haller, attorney for Gilbane Development: Spoke in support of the project receiving the tax credit.

Roll Call Vote on Amendment:

Yes: Kennedy, Dennis, Esters, Day, Rigg

No: Kabir, Mitchell, Mackie

Motion carried 5-3.

Vote on 21-R-04 as amended:

Yes: Kennedy, Esters, Day, Rigg

No: Kabir, Dennis, Mitchell, Mackie

Motion tied 4-4.

Mayor Wojahn broke the tie by voting yes.

Motion passed 5-4.

21-G-55 Approval of a letter of support for the application by Steven McD. Smith, Member/Authorized Person, Chesapeake Hospitality VIII, LLC, t/a Ledo Restaurant, 4509 Knox Road, College Park, 20740 for a Class B, Beer, Wine and Liquor license, subject to the applicant entering into a Property Use Agreement (PUA) with the City; authorize the Interim City Manager to sign the PUA; and authorize staff to testify to the City's position at the BOLC hearing.

Mr. Ryan reviewed the staff report. Ms. Ferguson said the updated Property Use Agreement is in the red folder. She reviewed the changes: one is to allow the TIPS training to occur a little later, due to COVID, but the liquor to food ratio was kept at 50%. It is fairly close to the PUA used for the prior Ledo's.

Mr. Smith said Chesapeake Hospitality was founded in 1950 in College Park. He has 7 Ledo's stores and they are looking forward to returning to College Park. They are waiting on permits from the County and hope to open before September.

A motion was made by Councilmember Rigg and seconded by Councilmember Day that the City support the application by Steven McD. Smith, Member/Authorized Person, Chesapeake Hospitality VIII, LLC, t/a Ledo Restaurant, 4509 Knox Road, College Park, 20740 for a Class B, Beer, Wine and Liquor license, subject to the applicant entering into a Property Use Agreement (PUA) in substantially the form attached; authorize the Interim City Manager to sign the PUA; and authorize City staff to testify to the City's position at the BOLC hearing.

There were no comments from the audience or the Council.

The motion passed 8-0.

21-G-58 Consideration of a request by the City of Greenbelt to contribute to the cost of retaining legal counsel to oppose the SC MAGLEV project

During the presentation earlier in the evening on the MAGLEV item, Greenbelt Mayor Colin Byrd said Greenbelt has retained legal counsel to help them fight the MAGLEV project, and they are asking neighboring municipalities to help fund the effort. He acknowledged that the project is impacting different communities in different ways, and each municipality has its own financial picture.

Mayor Wojahn mentioned that Riverdale Park contributed \$10,000, and the total expenditure is expected to be \$300,000.

A motion was made by Councilmember Kennedy and seconded by Councilmember Esters to respond to the City of Greenbelt's request by providing financial support in the amount of \$10,000.

Mary King, resident: Agrees that the MAGLEV is an awful proposal but we shouldn't give them any money; we should pursue other avenues of opposition.

Councilmember Mackie asked if City staff has provided a staff report on the MAGLEV project? The answer was no, staff has not done an analysis of the MAGLEV DEIS. The project has no direct impact to College Park. Ms. Miller added that the Mayor and Council have approved some letters regarding relevant state legislation. The deadline for comments is near the end of May. Discussion about whether the City should take a position. Greenbelt is submitting comments that we could either join on to or replicate. Council did not want staff to spend additional time on this.

Motion passed 8-0.

21-G-53 Approval of appointments to the Restorative Justice Steering Committee and quarterly appointments to advisory boards.

A motion was made by Councilmember Esters and seconded by Councilmember Dennis to approve the appointments of Councilmember Monroe Dennis, Richard Douglas, Andrew Fellows, Maxine Gross, Violetta Jones, Joseph Richardson, Robert Thurston, and Mayor Patrick Wojahn to the Restorative Justice Steering Committee; Jakeya Johnson to the Martin Luther King, Jr. Tribute Committee, and Jakeya Johnson and Samuel Gamble to the Veterans Memorial Committee.

Councilmember Esters added that this is important work and she is glad we have identified the members of the RJSC to start the process.

There was no comment from the audience or the Council.

The motion passed 8-0.

21-O-05 Introduction of Ordinance 21-O-05, An Ordinance Of The Mayor And Council Of The City Of College Park, Amending Chapter 179, “Tree And Landscape Maintenance”, By Repealing And Re-Enacting §179-2, “Purpose; Applicability”, To Revise And Clarify The Purpose Of The Tree And Landscape Board And Chapter 11, “Authorities”, §11-1, “Findings” To Update A Code Reference, And To Delete Chapter 15, “Boards, Commissions And Committees”, Article V, “Animal Control Board” As An Outdated Reference

A motion to was made by Councilmember Kennedy and seconded by Councilmember Dennis to introduce Ordinance 21-O-05, an Ordinance Of The Mayor And Council Of The City Of College Park, Amending Chapter 179, “Tree And Landscape Maintenance”, By Repealing And Re-Enacting §179-2, “Purpose; Applicability”, To Revise And Clarify The Purpose Of The Tree And Landscape Board And Chapter 11, “Authorities”, §11-1, “Findings” To Update A Code Reference, And To Delete Chapter 15, “Boards, Commissions And Committees”, Article V, “Animal Control Board” As An Outdated Reference.

Mayor Wojahn announced that the Public Hearing will be held on April 27, 2021 at 7:30 p.m.

COUNCIL COMMENTS:

Councilmember Kennedy announced the COVID mass vaccination site at the Greenbelt Metro station.

Councilmember Mitchell followed up about the Economic Development Annual Report.

ADJOURN: A motion was made by Councilmember Rigg and seconded by Councilmember Mackie to adjourn the Regular Meeting, and with a vote of 8-0, the meeting ended at 9:28 p.m.

Janeen S. Miller	Date
City Clerk	Approved

CLOSED SESSION
April 6, 2021

On Tuesday, April 6, 2021, at 10:15 p.m., at the conclusion of the Worksession, a motion was made by Councilmember Mackie and seconded by Councilmember Esters to adjourn into 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 on April 6 to discuss the appointment of individuals over whom this public body has jurisdiction. Specifically, the Mayor and Council will review applications for appointment to the Restorative Justice Steering Committee and to other advisory boards. The Mayor and Council will not return to public session after the closed session ends. The motion passed 8-0.

At 10:25 p.m., the Mayor and Council reconvened in 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 and City Clerk Janeen Miller.

The City Council reviewed and discussed the appointment of specific individuals to its advisory boards. No action was taken.

Adjourn: A motion was made by Councilmember Mackie and seconded by Councilmember Kennedy to adjourn the meeting, and with a vote of 8-0, the meeting was adjourned at 10:48 p.m.
