

MINUTES
Regular Meeting of the College Park City Council
April 28, 2020
7:30 p.m. – 9:48 p.m.

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

PRESENT: Mayor Wojahn; Councilmembers Kabir, Kennedy, Brennan, Dennis, Day, Rigg, Mackie 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; Terry Schum, Director of Planning; Miriam Bader, Senior Planner; Robert Marsili, Director of Public Works; Brenda Alexander, Assistant Director Public Works; Dan Alpert, Student Liaison.

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

ANNOUNCEMENTS:

Councilmember Kabir said the Hollywood Farmers Market opens this weekend and discussed the new drive-through protocols. Details at HollywoodMarket.org

Councilmember Day congratulated Dan Alpert on being elected as the incoming SGA President.

Councilmember Mitchell announced County Council Member Glaros' virtual Town Hall on Thursday.

In response to a question about Animal Control, residents have been advised to call the county.

Councilmember Mitchell has heard concerns about mail being stolen from the outdoor mailbox at the north College Park Post Office and said credit cards have been compromised. They have called Congressman Hoyer's office.

Councilmember Mackie discussed the new sidewalk on Cherry Hill Road.

Mr. Alpert said students are selling apparel with proceeds going to support our local bars. He looks forward to working with us next year in his new capacity.

Mayor Wojahn expressed his appreciation for the amount of support he has seen in response to requests for donations to the food bank

CITY MANAGER'S REPORT: Mr. Somers discussed the COVID-19 page on website, asked residents to complete their Census form, and said Campus Drive is closed for Purple Line construction. He announced we are following the governor's guidance on when certain services can resume, such as code, animal control and parking.

PROCLAMATION: Mayor Wojahn read the proclamation for Volunteer Appreciation Month.

APPROVAL OF THE AGENDA: A motion was made by Councilmember Kennedy and seconded by Councilmember Mitchell to adopt the agenda without amendment. Motion passed 8-0.

PUBLIC COMMENT ON CONSENT AGENDA AND NON-AGENDA ITEMS:

David Gray, resident: He pointed out an error on Page 109 of packet in the Joint Development Agreement documents. Ms. Ferguson will make the correction.

PRESENTATION – 3rd Quarter FY 2020 Budget Update (attached): Mr. Fields reviewed changes in FY 20 budget projections due to impacts of the COVID-19 pandemic. Items are highlighted as green/yellow/red, depending on severity. The revenue shortfall is expected to be \$1.2M (-7.2%). Certain budgeted expenditures will also be reduced. Net shortfall anticipated to be about \$600,000 for FY 20. Discussion:

- Council requested a balance sheet.
- Are we sure that the state will remit the funds we are expecting?
- Discussion about delayed timing of income tax revenue.
- Does not include any assistance we might get from the state or federal government to reimburse expenses related to COVID-19.

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

20-R-10	Adoption of Resolution 20-R-10, a Resolution Of The Mayor And Council Of The City Of College Park To Establish A Bee City USA Committee To Enhance Community Awareness Of Urban Pollinators
20-G-81	Approval of a letter with City comments on the M-NCPPC budget
20-R-09	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-2020-03, 5002 Kenesaw Street, College Park, Maryland, Recommending Approval Of A Lot Coverage Variance From The Prince George’s County Zoning Ordinance Sec. 27-442 (C) Table II Which Specifies A Maximum Lot Coverage Of 30% In The R-55 Zone To Construct A Standard Driveway.
20-G-82	Approval of a letter in opposition to the request by WSSC for funds for relocation / infrastructure costs associated with the I-495 / I-270 expansion project.
20-G-83	Approval of a letter to our Congressional delegation in support of including funding for local governments in the COVID-19 stimulus package 3.5.

20-G-84	Approval of a letter to the Prince George’s County Council in support of Resolution CR-7-2020 as proposed by Council Member Dernoga to re-establish a County Climate Action Plan and Sustainability Action Group.
20-G-85	Approval of Minutes from the February 4, 2020 Worksession; the February 4, 2020 Special Session; the February 11, 2020 Regular Meeting; the February 18, 2020 Worksession; and the April 21, 2020 Worksession.

The motion passed 8-0.

ACTION ITEMS:

20-R-11 Adoption of Resolution 20-R-11 to approve the Joint Development Agreement, the Parking Easement Agreement, and the initial Condominium Documents with the University of Maryland for the City Hall Project, and to authorize future amendment to endorse final Condominium Documents, to: incorporate provisions from the Joint Development Agreement, a revision of the Condominium Plat to reflect the as-built Project, and other information to reflect the final specifications for the Project and its operation and governance, subject to review by the City Attorney.

Mr. Somers reviewed staff report. These documents are for the City Hall project and will require amendment after construction is complete to incorporate certain provisions, and are subject to review of City Attorney.

Ms. Ferguson followed up on Mr. Gray’s comment regarding the correction needed to page 109: it should say “as more particularly described in Exhibit A.”

A motion was made by Councilmember Rigg and seconded by Councilmember Day to approve Resolution 20-R-11 to approve the Joint Development Agreement, the Parking Agreement, and the initial Condominium Documents with the University of Maryland for the City Hall Project and the amendment of the Condominium Documents after construction has been completed to: incorporate certain provisions from the Joint Development Agreement into the Declaration, revise the Condominium Plat to reflect the as-built Project, and make other revisions to reflect the final specifications for the Project and its operation and governance, subject to review by the City Attorney.

Councilmember Rigg said this is another step in the process. He believes some will say we should reconsider our involvement in this project at this time but he doesn’t agree, because: we have received bond financing, have proceeded with demolition, we have a hole in the ground, City staff is in temporary quarters in mid-town, and this project will provide economic stimulus for the downtown area. This is within our means, even with current revenue projections, and we need to continue to move forward.

David Gray: Council should postpone this vote. You are not charging the University enough for parking. The parking garage was created for the public use and for the downtown businesses, not to

rent to the University. How much leftover parking will remain for the public? This will impact lots of other people.

Mary King: Council should not vote on this tonight. More information is needed about the parking garage situation. The payment from the UMD to the City is creative financing to help the City afford this project. These monies are already due us and help hide the true cost of the project from the taxpayers. Monies generated from the parking garage is supposed to go into the debt account to pay down the bond. One of the main reasons for the garage was to help the downtown businesses by providing parking. How many spaces are left for the public and where are the City staff to park – there will be many more staff at the new City Hall. This must all be explained before a decision is made.

Councilmember Kabir shares some of the concerns about the parking. The intention behind building the garage was to bring residents downtown to patronize the businesses. Now it looks as if it won't be used for City residents. He will vote yes because voting no won't mean anything. We should not have moved forward with the City Hall project before approving this JDA. We put the cart before the horse.

Councilmember Mitchell asked about the number and use of parking garage spaces. Mr. Somers said the plan was to use the City garage for economic development purposes with dual uses: City staff/office workers during the day and in the evening it would be available for restaurants, bars, and other businesses. Councilmember Mitchell asked when we will discuss free parking for residents downtown. Mr. Somers said the CIP in budget includes purchase of pay stations that will allow us to include one or two hours of free parking in the garage as an incentive. He added that the garage is underutilized. It was never intended to provide parking for students who can't park at their homes. We plan to rent fewer spaces to students as the demand for office parking increases. City Hall workers will be using a portion, not all, of the garage, but will vacate those spaces by the time residents will come down to patronize the downtown businesses. Students pay \$125/month for a permit.

Councilmember Mackie asked how many spaces we are leasing to the UMD: 124 spaces. Mr. Somers said the total number of spaces in the garage is 260. He added that the UMD is creating a new parking area for trucks on the Graham Cracker site across Yale from City Hall.

Mr. Somers said the UMD will pre-pay five years of the parking costs to help us finance City Hall which allowed us to borrow less money. The bonds to finance the garage were General Obligation bonds and there was no legal obligation that parking revenues be put into a certain account and used exclusively to pay off that debt. The revenues collected from the garage, up until four years ago, were put into the debt service fund. Now there is an accumulation of revenue from the parking garage that we have used for its intended purpose to pay down the debt. The bond is getting paid.

The motion passed 8-0.

20-G-87 Approval, with conditions, of Detailed Site Plan 19061 for Wawa-College Park located at 10050 Baltimore Avenue

Ms. Bader provided a status report on the conditions and said we have reached agreement on the conditions, which she reviewed. Staff recommends approval of DSP-19061 subject to the following conditions:

1. Prior to certification of the Detailed Site Plan, the Applicant shall review the Site Plan to:
 - a. Provide a more direct pedestrian connection from Ikea Way to the rear entrance;
 - b. Revise the parking table to show the number of bicycle parking spaces provided and the results of the shared parking space analysis with Holiday Inn;
 - c. Revise the e-Scooter parking detail to be consistent with the striping detail provided by the City.
2. Prior to certification of the Detailed Site Plan, the Applicant shall consider revisions to the Architectural Plans to reduce the use of EIFS to not more than 30%, add manufactured stone veneer pilasters to the façade to match the entrance feature, and utilize colors on the façade that more closely match the colors used for the gasoline pump area and canopy.

Councilmember Mackie asked if they will put a sidewalk by the bus stop. Yes, they agreed to make a connection from the bus stop to the rear entrance, and also one that is ADA accessible.

Larry Taub, attorney for the applicant, Roadside Development: They are in agreement with the conditions.

A motion was made by Councilmember Kennedy and seconded by Councilmember Kabir that the City Council recommend approval of DSP-19061 with the revised conditions as recommended above.

Councilmember Kennedy thanked the applicant for presenting to the North College Park Community Association.

Councilmember Mitchell asked about the email we received expressing concerns about the project. Ms. Schum said it was an email from a representative of the gas station industry, Mr. McCauley. She said that the substance of the concern was incorrect: this is not a Special Exception situation which is a special process in the zoning ordinance with special criteria.

Councilmember Kabir said there are 11 filling stations in a 2 mile stretch of Baltimore Avenue.

Comments from the audience:

Kirk McCauley, non-resident, Director of Government Relations, Washington, Maryland, Delaware Service Station and Automotive Repair Association (WMDA) (representing service stations, convenience stores and repair shops): This large group will put small businesses out of business. This is not need-based; there are 12 filling stations including Costco within 1 mile north and south of this site. His concern is the mom-and-pop stores that have been in business for 30+ years. This is a high-volume site at a very congested spot needing two tankers a day to supply.

Councilmember Kabir heard concerns about having a gas station here, but we go by the zoning rules so there is little we can say in the matter.

Mayor Wojahn said he appreciates Mr. McCauley chiming in. We want all our businesses to do well, especially the small businesses, but our options here are limited.

The motion passed 8-0.

20-O-07 Introduction Of Ordinance 20-O-07, An Ordinance Of The Mayor And Council Of The City Of College Park To Adopt The Fiscal Year 2021 General Fund, Capital Projects Fund And Debt Service Fund Budgets Of The City Of College Park.

Mr. Fields gave an overview. This document includes changes made from March 28 budget Worksession, provisions for impacts from the COVID-19 pandemic, and other changes made by the City Manager. As revised and introduced tonight, the General Fund budget has decreased by \$1.85M. and is now \$21.47M. The required Public Hearings will be held May 12. A Constant Yield Public Hearing is required. The FY '21 budget proposes the same tax rate as we currently have, \$.325, but the Constant Yield Rate is \$.3148 so our rate is in excess of the Constant Yield rate, meaning a Public Hearing is required. We are projecting a shortfall in the current fiscal year of \$600K.

Mr. Somers added that we will know more about next fiscal year when we hear the University's decision about in-person classes in the fall. It's a conservative budget, estimated down the middle. We don't need to turn the budget upside down quite yet. If we need further adjustments, we will come back to Council.

Mayor Wojahn asked if we are tracking COVID-19 expenses for future possible relief from the federal stimulus? Mr. Somers said yes.

Councilmember Kennedy had questions on General Fund and CIP pages. She would like to see a balance sheet.

Mr. Fields said these projections do not include any COVID-19 relief. Our fund balance is in a good financial position to weather this storm. Our fund balance is in excess of the 25% goal so there are funds to transfer as needed to cover any shortfall.

Councilmember Kabir said we are in a good position to absorb the anticipated loss of revenue without cutting any services, but if we had to make cuts, where would they be? Mr. Fields said the least painful way would be through reduction of fund balance. We will bring back additional recommendations if we have to, but it is too early to tell. Councilmember Kabir is concerned about a loss in future revenue from property taxes if the housing market softens in the future.

Councilmember Kennedy asked for a risk assessment to look at the risk of each revenue stream. Mr. Fields can provide further information on what factors would affect each revenue source. He has consulted various resources for the best information.

A motion was made by Councilmember Kennedy and seconded by Councilmember Dennis to introduce Ordinance 20-O-07, An Ordinance Of The Mayor And Council Of The City Of College Park To Adopt The Fiscal Year 2021 General Fund, Capital Projects Fund And Debt Service Fund Budgets Of The City Of College Park.

Mayor Wojahn said the virtual Public Hearing will be held on Tuesday, May 12 at 7:30 p.m.

GENERAL COMMENTS FROM THE AUDIENCE:

Carol Macknis, resident: She thanked Mr. Fields for the presentation and the careful thought about the COVID-19 impact. It is a moving target and these updates should be done more frequently. She hopes the Council remembers that there is only so much money the taxpayers can pay for current or future projects.

David Gray, resident: He is not impressed with the City's leadership and said it is shabby to find glaring errors in a public document. He thinks Mr. Somers was mistaken in his opinion about the purpose of the garage and he doesn't agree with the characterization.

ADJOURN: A motion was made by Councilmember Rigg and seconded by Councilmember Kennedy to adjourn the meeting, and with a vote of 8-0, the meeting was adjourned at 9:48 p.m.

Janeen S. Miller, CMC
City Clerk

Date
Approved