

MINUTES
Regular Meeting of the College Park City Council
Tuesday, May 25, 2021
7:30 p.m. – 9:23 p.m.

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

PRESENT: Mayor Wojahn; Councilmembers Kabir, Kennedy, Dennis, Esters, Day, Rigg, Mitchell and Mackie.

ABSENT: None.

ALSO PRESENT: Bill Gardiner, Interim City Manager; Janeen S. Miller, City Clerk; Yvette Allen, Assistant City Clerk; Suellen Ferguson, City Attorney; Robert Marsili, Director of Public Works; Terry Schum, Director of Planning; Katie Hart, Community Development Coordinator; Bob Ryan, Director of Public Services; Jim Miller, Parking Enforcement Manager; Adam Rosenbaum, Student Liaison; Julia Nihinson, Deputy Student Liaison.

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

ANNOUNCEMENTS:

Councilmember Kabir discussed the opening of the Hollywood Farmers Market and Bike to Work Day.

Councilmember Kennedy discussed the Great Scavenger Hunt last weekend.

Councilmember Dennis hopes a Lakeland-centric scavenger hunt can be planned. He announced the Prince George's County Police District 1 virtual Coffee Club tomorrow morning. He thanked Public Works for the Spencer Harris Safety Award event last week.

Councilmember Mitchell thanked staff for the Zoom captioning.

Councilmember Mackie said June 13 is Chesapeake Bay Awareness week and acknowledged the new Resident Information Guide.

Councilmember Day said the Calvert Hills Civic Association will meet virtually next Wednesday.

Mayor Wojahn announced the return of the in-person Parkrun on Saturday; CPAE has a porch play event this weekend.

CITY MANAGER'S REPORT: Mr. Gardiner said there will be a non-public Memorial Day observance on Monday; Metro's platform improvement work starts this weekend so the local Green Line stations will be closed; and announced the summer Council meeting schedule.

PROCLAMATIONS AND AWARDS: Mayor Wojahn bade farewell to Student Liaison Adam Rosenbaum and Deputy Student Liaison Julia Nikhinson. Ms. Nikhinson is completing her second year as Deputy. Mr. Rosenbaum and Ms. Nikhinson made remarks.

AMENDMENTS TO AND APPROVAL OF THE AGENDA:

- Mayor Wojahn said 21-G-77 can be placed on the Consent Agenda if Council agrees to a contribution amount. Councilmember Mitchell proposed \$1,000; Councilmember Rigg seconded. The motion passed 8-0.
- A motion was made by Councilmember Rigg and seconded by Councilmember Mitchell to adopt the agenda as amended; motion passed 8-0.

PUBLIC COMMENT ON CONSENT AGENDA AND NON-AGENDA ITEMS:

Mary King, resident: Commented on the Tree Canopy Assessment Report and the responsibility it places on the remaining private land, which is on residential property, to save the City's entire tree canopy. We need a comprehensive approach to tree canopy, not a "whack the residents" approach.

Aaron Springer, resident: He is watching his community disappear; there is an unstable environment where long-time residents are being replaced by renters/rental properties. There is an item on the Council's Master List from last year that should be placed on an agenda for discussion about turning around this trend. He discussed previous efforts to address neighborhood stabilization.

Emily Friend, resident: Former college student, now a homeowner; also concerned with the uptick in rentals in her neighborhood, especially investor flips. A recent home showed up on the UMD rental website with 9 bedrooms, 3 laundry machines and two industrial size refrigerators. The same investor purchased another home for \$70K over asking price. Luxury high rise apartments don't solve the problem because the price to rent is higher. Can the City limit the number of rental licenses an investor group gets? There should be harsher penalties for violations. When she was a college student she had many friends that lived in illegally overcrowded rentals who knew how to hide the extra beds when the inspectors came – it was a joke to them.

PUBLIC HEARINGS:

A. Ordinance 21-O-06 to amend the Bulk Trash Ordinance (20-O-02) to allow for a waiver of certain bulk trash collection fees in cases of a hardship.

Mr. Marsili introduced the public hearing. This would allow for a waiver of certain bulk trash collection fees in cases of a hardship. This would apply to all residential properties, but would not apply to move-out of a rental property because that situation would not fall under the definition of hardship.

Mary King, resident: She asked about the process to apply for a fee waiver due to a hardship. Mr. Marsili said the request must come in writing and provide documentation proving the hardship, as defined.

There being no further public comment, Mayor Wojahn declared the public hearing as having been held.

B. Amended Ordinance 21-O-08 to make provision for the notification of residents when a request for an exemption from the prohibited vehicle ordinance is received.

Mr. Ryan introduced the public hearing. This ordinance will require the City to notify the neighbors when a resident applies for a permit to park a prohibited vehicle on their street. After introduction, staff suggested an amendment to the wording by adding the words “to consider” or take action on the request. Council can approve a permit on a time-limited or time-unlimited basis. Mr. Miller provided background on prior permits approved.

Mary King, resident: This is a great idea.

There being no further public comment, Mayor Wojahn declared the public hearing as having been held.

CONSENT AGENDA: A motion was made by Councilmember Mitchell and seconded by Councilmember Kennedy to adopt the Consent Agenda which consisted of:

21-G-72	Approval of community basketball court at the southwest corner of the Calvert Road school property along Guilford Road.
21-G-73	Award of a contract, in substantially the form attached, to Contracting Specialists, Inc – DC in the amount of \$146,820.52 for Old Parish House Masonry Restoration
21-G-74	Approval of minutes from the January 7, 2020 Special Session; the April 6, 2021 Worksession; the April 6, 2021 Special Session; the April 13, 2021 Regular Meeting; and the April 20, 2021 Worksession.
21-G-78	Approval of the appointment of John Payne as the Chief of the Board of Election Supervisors, effective June 1, 2021.
21-G-77	Approval of a contribution of \$1,000 in response to a request from State’s Attorney Aisha N. Braveboy to partner in a Public Safety and Gun Violence Prevention Community Call-to-Action Rally “Our Streets, Our Future” to take place on June 1, 2021.

The motion passed 8-0.

ACTION ITEMS

21-O-07 Discussion of an amendment to, and adoption of, Ordinance 21-O-07, an Ordinance of the Mayor and Council of the City of College Park, Maryland to adopt the Fiscal Year 2022 General Fund, Capital Projects Fund and Debt Service Fund budgets for the City of College Park.

Mr. Fields reviewed adjustments to the budget after it was introduced based on expected funding from the American Rescue Plan. Public Hearings on the budget and constant yield were held on May 11. Based on Council's guidance at last week's Worksession, an amended budget ordinance has been drafted to drop the real property tax rate to the constant yield rate of \$.31.31 per \$100 of assessed value. The General Fund budget is \$29.4M; transfer in excess of the 25% retention requirement of \$4.95M; CIP fund is budgeted at \$21.1M; and Debt Service Fund is \$1.48M. Personal property tax rate is maintained at \$.83.8 per \$100 valuation on businesses.

A motion was made by Councilmember Kabir and seconded by Councilmember Mitchell to adopt amended ordinance 21-O-07 an amended ordinance to adopt the Fiscal Year 2022 General Fund, Capital Projects Fund and Debt Service Fund budgets for the City of College Park.

Councilmember Kabir supports the reduction of the property tax to the constant yield rate.

Comments from the audience on the amended budget as presented:
Mary King, resident: Happy to see the tax rate adjustment.

Amendment #1: A motion was made by Councilmember Mackie to amend the budget to add \$40,000 for educational programming for public schools. The motion was seconded by Councilmember Kennedy.

Councilmember Mackie said during the pandemic many students have suffered so it is appropriate to increase the budget for educational programming in the City.

There were no comments from the audience on this amendment.

Councilmember Kennedy said we will hear a proposal from the Literacy Lab in a few weeks about a proposal at Hollywood Elementary School.

Councilmember Rigg discussed the difficulties students have had over the last 1½ years. He hopes we can maximize the impact for students in our City.

Councilmember Dennis hopes this does not upset the apple cart in terms of our processes for budget approval and that City staff understands how to get through our budget approval process with these amendments.

Councilmember Kabir supports a tutoring program for all College Park students. He asked where this additional expenditure will come from. Mr. Fields said the City Council needs to approve the source of funding; he suggests it could come from the transfer to the capital projects fund.

Councilmember Day hasn't heard about the program and wants to look at the full College Park student base – we need to talk about the students, not the schools. Mayor Wojahn asked if they would be open to expanding to other schools? Councilmember Kennedy said we will facilitate a conversation. Councilmember Mitchell looks forward to a discussion not only about services at Hollywood but at other schools in College Park. Councilmember Esters also wants to hear more about how this program would benefit all students in College Park. Councilmember Dennis agreed we would want to extend these resources to the rest of the City of College Park.

Councilmember Mackie wants to have the EAC weigh in on this as well. She echoes the sentiment about getting this in all of our College Park schools.

Vote on Amendment #1: 8-0.

Amendment #2: A motion was made by Councilmember Dennis and seconded by Councilmember Esters to allocate \$50,000 to support initiatives/activities/internships to assist the Restorative Justice Steering Committee in their initial work. Funding to be taken from the transfer to the reserve funds.

Councilmember Dennis said the work of the RJSC and ultimately the Restorative Justice Commission will be important work for the City in the years going forward. Since we adopted the resolution earlier this year, we haven't put any funds toward the effort.

There were no comments from the audience on this amendment.

Councilmember Mitchell said this funding is needed.

Vote on Amendment #2: 8-0.

Vote on main motion as amended twice: Passed 8-0.

21-G-75 Approval of the City entering into a lease agreement for certain fleet vehicles subject to the City Attorney's review

Mr. Marsili said a lease program for certain fleet vehicles is one strategy to improve the City's fleet and meet our strategic plan goals. This is only for certain types of vehicles. He reviewed the staff report.

A motion was made by Councilmember Rigg and seconded by Councilmember Day to allow the Department of Public Works to move forward with entering into a Sourcewell

Contract with Enterprise Fleet Management for a 5-year not to exceed contract for sedans and mid-size trucks, pending approval of the City Attorney.

Councilmember Rigg said it is worth trying this approach and doesn't carry much risk.

Comments from the audience:

Mary King, resident: Any new vehicle has better fuel efficiency and needs less maintenance than an older vehicle. The real comparison is the price of the vehicle and residual cost after 5 years. Once you go beyond five years, there is greater savings in owning the vehicle. We need more information on the estimated market value after five years and how the residual value is determined.

Councilmember Mackie agrees it is low risk and we should give it a try. Councilmember Kabir also supports this direction; it helps support our Strategic Plan to reduce greenhouse gas emissions.

The motion passed 8-0.

21-G-76 Approval of a motion setting Sunday, November 7, 2021 as Election Day

Ms. Miller said this is the final Council action needed for this fall's election by setting Election Day as Sunday, November 7 as previously discussed. With this motion Council can also restore their Worksession date to Tuesday, November 2 since that will not be the day of the Election.

A motion was made by Councilmember Mackie and seconded by Councilmember Dennis that the City Council approve the recommendation of the Board of Election Supervisors to hold the 2021 municipal election on Sunday, November 7, 2021. As previously determined, the election will be held at the College Park Community Center from 9 a.m. – 6 p.m. With this motion, the Council meeting date should be changed from Wednesday, November 3 to Tuesday, November 2, 2021.

Councilmember Mackie said we have spent a lot of time talking with the Board of Election Supervisors about the date of the election and preferred Sunday for the convenience of the voters. COVID restrictions are easing somewhat but we are not quite there, so the Community Center location should keep everyone safe.

There were no comments from the audience or the Council.

The motion passed 8-0.

21-O-06 Adoption of Ordinance 21-O-06, An Ordinance of the Mayor and Council of the City of College Park to amend the Bulk Trash Ordinance (20-O-02) to allow for a waiver of certain bulk trash collection fees in cases of a hardship.

A motion was made by Councilmember Kennedy and seconded by Councilmember Kabir to adopt Ordinance 21-O-06, which provides for a waiver of fees imposed for collection of bulky trash in certain circumstances, with an effective date of July 1, 2021.

Councilmember Kennedy appreciates the effort to move this forward and hopes it doesn't result in a floodgate of people asking for waivers; but if it does, we will address it.

The motion passed 8-0.

21-O-08 Adoption of Amended Ordinance 21-O-08 to make provision for the notification of residents when a request for an exemption from the prohibited vehicle ordinance is received.

A motion was made by Councilmember Kabir and seconded by Councilmember Esters to adopt Amended Ordinance 21-O-08, an Amended Ordinance Of The Mayor And Council Of The City Of College Park Amending Chapter 184 "Vehicles And Traffic", Article 184-8, "Prohibited Vehicles; Permits Required For Certain Vehicles", By Repealing And Reenacting Article 184-8, To Require Prior Notice Of The Meeting At Which The Mayor And Council Intend To Consider Or Take Action On An Application For Prohibited Vehicle Parking.

Councilmember Kabir feels it is important to let the residents of the block know because this change could impact them. The applicant can still get permits, and the City Council still decides whether to authorize the permit. Notification of the neighbors provides more transparency.

The motion carried 8-0.

GENERAL COMMENT FROM THE AUDIENCE:

Robert Thurston, resident: The Lakeland Vision supports more owner occupancy, but they have seen things going in the opposite direction. The housing stock is being altered in such a way that it will never be single family again. The marketing strategy is very aggressive and aging residents are being approached to sell their homes during what are for them very challenging times. The City should look at educating these residents about their options and move up the discussion about neighborhood stabilization.

Councilmember Rigg commented that we have seen a new model of landlord entering our City which doesn't produce more reasonably priced rental housing; it is premium rental housing in formally owner occupied single family houses with deluxe renovations and probably more than five unrelated adults living there. Sometimes entire blocks are replaced with rental housing which leads long term residents to consider leaving. We have to take strong action to reverse this trend.

Councilmember Esters said we are competing with folks who are aggressive and have lots of dollars and we need to understand what we are dealing with. She added that we also need to discuss affordable student housing at the same time.

Councilmember Mitchell discussed the aggressive marketing strategies (phone calls) that homeowners are receiving from investors. Councilmember Mackie agrees and hopes we have this conversation sooner rather than later.

Councilmember Kennedy said that one of the initiatives in the new CPCUP Strategic Plan is to discuss creation of a Housing Trust in the City; she and Councilmember Day are on the Committee. They should be included in the discussion.

Councilmember Dennis said the Lakeland Community Heritage Project and Civic Association have been introduced to the concept of a Housing Trust.

Mary King, resident: The Economic Development report used to give the number of rentals in the City; she would like to see that information. There are some good landlords and good tenants.

ADJOURN: A motion was made by Councilmember Esters 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 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 Regular Meeting on May 25, 2021 to discuss a personnel matter. The Mayor and Council will not return to public session after the closed session ends.

The motion passed 8-0 and the Regular Meeting adjourned at 9:23 p.m.

Janeen S. Miller
City Clerk

Date
Approved

CLOSED SESSION
May 18, 2021

On Tuesday, May 18, at the conclusion of the Worksession, a motion was made by Councilmember Dennis and seconded by Councilmember Esters to enter 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(b), the Mayor and Council of the City of College Park are providing notice that they will meet in a closed session after the meeting on May 18, 2021 to:

consult with Counsel on a Legal Matter; consult with staff, consultants, or other individuals about pending or potential litigation; discuss the appointment of individuals over whom this public body has jurisdiction. The Mayor and Council will discuss negotiations on a litigation matter and will not return to open session after the closed session ends.

The motion passed 8-0, and the meeting ended at 9:33 p.m.

At 9:38 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 and City Attorney Suellen Ferguson. Human Resources Director Teresa Way-Pezzuti; consultant Anne Lewis from Baker Tilley; and City Clerk Janeen Miller attended portions of the meeting.

The Mayor and Council were advised by the City Attorney about negotiations on a litigation matter regarding the City's response to an MPIA request. The Mayor and Council discussed employment of the City Manager. No action was taken.

A motion was made by Councilmember Day and seconded by Councilmember Mackie to adjourn the Closed Session, and with a vote of 8-0, the meeting was adjourned at 11:39.

CLOSED SESSION
May 25, 2021

On Tuesday, May 25, at the conclusion of the Regular Meeting, a motion was made by Councilmember Esters 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 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 Regular Meeting on May 25, 2021 to discuss a personnel matter. The Mayor and Council will not return to public session after the closed session ends.

The motion passed 8-0 and the Regular Meeting adjourned at 9:23 p.m.

At 9:29 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 Attorney Suellen Ferguson; and Human Resources Director Teresa Way-Pezzuti. Consultant Anne Lewis from Baker Tilley attended a portion of the meeting.

The Mayor and Council discussed employment of the City Manager. No action was taken.

A motion was made by Councilmember Mitchell and seconded by Councilmember Kennedy to adjourn the Closed Session, and with a vote of 8-0, the meeting was adjourned at 11:18 p.m.
