

**MINUTES**  
**Regular Meeting of the College Park City Council**  
**Tuesday, October 13, 2020**  
**7:30 p.m. – 9:21 p.m.**

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

**PRESENT:** Mayor Wojahn; Councilmembers Kabir, Kennedy, 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; Terry Schum, Director of Planning; Bob Ryan, Director of Public Services; Kiaisha Barber, Director of Youth, Family and Senior Services; Julia Nihkinson, Deputy Student Liaison.

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

**ANNOUNCEMENTS:**

Councilmember Dennis reminded viewers about the District 1 Police Coffee Club.

Councilmember Rigg said it is important to wear masks, maintain social distance, and follow the County's health regulations. He also reminded people to get their flu shots.

Councilmember Mitchell said October is Breast Cancer Awareness Month. Tomorrow is the virtual Town Hall with the 21<sup>st</sup> Delegation.

Mayor Wojahn announced that the City received two Golden Trowel Awards from the Prince George's County Beautification Committee: one for the City's Veterans Memorial and the other for the Hiker Biker Trail. He thanked the staff for their role in keeping the City beautiful.

**CITY MANAGER'S REPORT:** Mr. Somers announced the District 2 Special Election on November 8; provided an update on our COVID business assistance grants; said there will be a virtual Q&A with School Board Member Joshua Thomas on Monday; announced the Public Works clean-up events; the Calvert Hills Community Stormwater update October 21; Good Neighbor Day November 7; and Hallow-Boo Drive Through event October 30. Additionally, the BDCA is holding a District 2 Special Election candidates' forum for Thursday 7:30 p.m. and there is a Town Hall Q&A with Comptroller Peter Franchot on October 28.

**PROCLAMATION:** Mayor Wojahn read the Proclamation for Indigenous Peoples' Day.

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

A motion was made by Councilmember Kennedy and seconded by Councilmember Rigg to add item #20-G-165, Approval of Hallow-Boo Drive Through event, to the Consent Agenda. The motion passed 7-0.

Councilmember Kabir requested to move item #20-G-161, Comments on the DEIS for the Managed Lanes Study, from the Consent Agenda to Action, so that people can speak on the item and to amend the letter. No vote necessary.

Mr. Somers requested that Council move item #20-G-164, GreenPlay Recreation Needs Assessment, to the end of the agenda so the consultant can attend the meeting. The motion was made by Councilmember Rigg and seconded by Councilmember Mitchell and passed 7-0.

A motion was made by Councilmember Mitchell and seconded by Councilmember Rigg to approve the agenda as amended. Motion passed 7-0.

**PUBLIC COMMENT ON CONSENT AGENDA AND NON-AGENDA ITEMS:** None

**PUBLIC HEARINGS:**

**A. Charter Amendment 20-CR-02, a Charter Resolution of the Mayor and Council of the City of College Park, to amend Article III, “Mayor and Council”, §C3-1, “Membership; election; term of office”, to delete the requirement that elected officials shall be registered to vote for one year prior to their election and to substitute the requirement that a candidate shall have been domiciled in the City for at least one year prior to qualification, to clarify that a candidate for Council member must be a resident of their respective district at the time of qualification as a candidate, to authorize the Supervisors of Elections to verify the requirements of age, citizenship and domicile to be a candidate, and to make conforming changes.**

Ms. Ferguson said this changes the requirement to qualify as a candidate from being a registered voter for a year, to being domiciled in the City for a year, prior to qualifying as a candidate. This also allows the Supervisors of Elections to determine whether all the qualifications for candidacy have been met.

**Public Comment:**

**Dylan Burns, resident:** He brought this to the attention of the City because last year he tried to run for the City Council, but was unable to qualify because he hadn't registered to vote one year prior to attempting to qualify as a candidate. We all want to see youth engage in politics and this will help.

**Mary King, resident:** This Charter change was prompted by one young man who wanted to run for Council. His lack of responsibility is the cause of the problem, not the City Charter. He could have registered to vote. He can serve his City in other ways. The Council sees this as a right violated instead of a responsibility that must be met.

**Peter King, resident:** Many laws have deadlines that you need to meet. This requirement does not cause a problem of a constitutional dimension. You need to set a date somewhere. This requirement has brought no unfairness to this young man. Leave things where they are.

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

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

<b>20-G-158</b>	<b>Approval of Minutes: August 4, 2020 Special Session; September 1, 2020 Worksession; September 8, 2020 Regular Meeting; September 12, 2020 Special Worksession on the Strategic Plan.</b>
<b>20-G-159</b>	<b>Approval of updates to the City Seal.</b>
<b>20-G-163</b>	<b>Approval of a letter to Prince George’s County Public Schools regarding sustainability (CBE request).</b>
<b>20-G-165</b>	<b>Approval of the Hallow-Boo Drive Through event.</b>

**The motion passed 7-0.**

#### **ACTION ITEMS**

**20-G-161 Approval of a letter with City comments on the Draft Environmental Impact Statement for the I-495/I-270 Managed Lanes Study.**

Ms. Schum said this item is to approve a letter with City comments on the draft Environmental Impact Statement for the Managed Lanes Study. Comments were based on the September 15 Worksession and revised earlier today to take into account comments received from elected officials and the community in the last few days. Ms. Schum reviewed the changes. She said we have until November 9 to submit comments.

Councilmember Kabir would like Council to adopt the letter, with further revisions outlined in his earlier email about impacts to the Polish Club property. He also wants to add a request that they look for an alternate location for the stormwater pond north of the beltway on the BARC property.

A motion was made by Councilmember Rigg and seconded by Councilmember Mitchell to postpone consideration of this item until the next regular meeting. The motion passed 7-0.

**20-CR-02 Adoption of Charter Amendment 20-CR-02, a Charter Resolution of the**

Ms. Ferguson added this Resolution also clarifies that Council candidates must be a resident of their district at the time of qualification.

**A motion was made by Councilmember Kennedy and seconded by Councilmember Kabir to adopt 20-CR-02, a Charter Resolution of the Mayor and Council of the City of College Park, to amend Article III, “Mayor and Council”, §C3-1, “Membership; election; term of office”, to delete the requirement that elected officials shall be registered to vote for one year prior to their election and to substitute the requirement that a candidate shall have been domiciled in the City for at least one year prior to qualification, to clarify that a candidate for council member must be a resident of their respective district at the time of qualification as a candidate, to authorize the Supervisors of Elections to verify the requirements of age, citizenship and domicile to be a candidate, and to make conforming changes.**

Councilmember Kennedy thinks there has been a misunderstanding based on the comments. She said we are not actually changing the qualifications. The qualifications have always been that you need to have been a resident and registered in the City. Before, we required that you proved your residency through registration; now we are opening up that method of proof to be more than just registration. She asked for confirmation from Ms. Ferguson. Ms. Ferguson said this will ensure that someone who is going to run for office has spent enough time here to be familiar with the City and its issues. That doesn't require that you be registered to vote for a certain amount of time to do that. You do have to be a registered voter to qualify to be a candidate. Councilmember Kennedy said this probably happens more often than we realize, and that she might have run for office sooner. Ms. Ferguson said it should increase the pool of candidates.

**Amendment #1: A motion was made by Councilmember Mackie and seconded by Councilmember Mitchell to amend the Charter Resolution to change the language in C3-1, #3 to say, “For Council member candidates, be domiciled in their respective district for at least one year immediately preceding the date of qualification.”**

No comment from audience on the proposed amendment.

Councilmember Kennedy supports the amendment and asked if we need to have another public hearing. Ms. Ferguson said Council can amend what was introduced before adoption, and this is in the scope and in the section of the Charter that was advertised for discussion; it is not a new subject matter.

Councilmember Mitchell supports the amendment and recalled a previous situation in District 4 where the clarification would have been helpful.

Councilmember Rigg suggested that redistricting could pose a problem if the lines move. It could preclude someone from running, including current Councilmembers, if they change districts because the line moves. Could we carve out a one-year period after a redistricting as a hold harmless period for candidacy; or was that the intention of the amendment?

Councilmember Mackie said that wasn't her intention. She thought we would deal with redistricting when that happens. Her intention was that Councilmembers should reside in their district before they run for office.

Councilmember Dennis agrees we should try to accomplish what this amendment addresses. Regarding Councilmember Rigg's concern about lines changing based on redistricting, he asked about the timing of redistricting on the 2021 election cycle. Ms. Miller said the Census data will be released by April 1, 2021, and that it is unlikely that any redistricting would take effect until after the 2021 election.

**Councilmember Rigg proposed an amendment to the proposed Amendment #1 that "Councilmember candidates be domiciled within their respective district for at least one year unless the most recent redistricting has changed the district in which they are domiciled during that one year, and in such events that Councilmember shall be considered eligible for election in the district to which they have changed."**

Mayor Wojahn suggested substitute language: "have to have been ~~registered~~ domiciled in the place that currently entails the district for a year, even if that wasn't the boundaries of the district the whole time."

Mayor Wojahn restated: "registered within the boundaries of the current district for the past year."

Mayor Wojahn restated: "domiciled within the boundaries of the district as it is formed at the time of the election."

Councilmember Rigg restated: "domiciled within the boundaries of the district for which the candidate is running for one year prior to the election, (regardless of whether the lines have changed)."

Ms. Miller noted that the wording should be "prior to qualification," not "prior to the election." Councilmember Rigg concurred.

**Councilmember Day seconded the proposed amendment to Amendment #1.**

**Public Comment on the proposed amendment to Amendment #1:**

**Peter King, resident:** The Council has not yet voted on Ms. Mackie's amendment, so the amendment to the amendment is out of order. This matter can be addressed after redistricting if it has the effect of pushing someone out of the district they want to represent.

[Mayor Wojahn confirmed with the City Attorney that the amendment to the amendment is in order.]

**The amendment to the proposed Amendment #1 passed 7-0.**

**The vote on Amendment #1, as amended, passed 7-0.**

**The vote on the Charter Resolution, as amended, passed 7-0.**

**20-G-164 Acceptance of the final GreenPlay Senior and Community Recreation Needs Assessment report**

Kiaisha Barber, Director, Youth, Family and Senior Services and Tom Diehl, GreenPlay: Ms. Barber said this is the final report from GreenPlay and is the final deliverable of this contract. She reviewed the process undertaken by GreenPlay in preparing this report.

Councilmember Kabir expressed concern about certain comments in the report on page 59, paragraphs 2 and 3, about the use of the College Park Community Center. In his opinion it was without supporting data. He reached out to the director of the CPCC and reported on their communications. He disputed certain findings in the report and thinks we should wait for M-NCPPC to do the feasibility study on a north College Park community center. He would like to accept the report excluding the two paragraphs noted.

Mr. Diehl said they added that information on what they believed were requests from this group last week. He said the significant recommendation in the report is that the City should work with M-NCPPC to meet its needs. The report does not say that the City doesn't need a facility. He met with people at the CPCC and spoke with Laura Connelly of M-NCPPC to obtain usage data. They also surveyed people; a multi-use indoor facility was the 4<sup>th</sup> priority among those surveyed. He said a lot of data supported their recommendations, but he is willing to take another look at the language if that is the request.

Councilmember Kabir said there are two parts: who should be funding it and whether it is needed. The text should only focus on the funding. We should wait for the feasibility study before we comment on the need. Otherwise, it could jeopardize our case. The Council has been asking for this study for years. He agrees that College Park should not fund the community center.

Mayor Wojahn asked for clarification of the statement, "facilities and parks provided by the City of College Park are not heavily used": does that mean the CPCC? Mr. Diehl said "No." The statement, "College Park's facilities are not being used to full capacity" – which facilities? Mr. Diehl said this refers to the facilities that are owned and operated by the City of College Park, i.e. Duvall Field. He added that the biggest complaint and request from people was for meeting space. He was told that the area of the CPCC that was overly used was the meeting space; not the recreational space, programs or equipment. That is why they made the recommendation to add small places around the City for meeting space.

Mr. Diehl will clarify what is meant by College Park facilities: owned and operated by the City; not by UMD or M-NCPPC.

Councilmember Rigg is concerned that we are trying to get an independent consultant to change his recommendations to tell us what we want to hear. We have already seen this report three times. He added that not every neighborhood can have a recreational facility.

Mr. Diehl said they are third party independent consultants. They are not involved in the next part of the process. He's fine with wordsmithing, but he is not going to say something he doesn't believe in.

Councilmember Kabir remains concerned about the first sentence of the 3rd paragraph regarding the difference between desire and actual need for a community center because it is not in line with what we have been asking for. Mr. Diehl said there is a difference between what is desired and what is needed. A town or agency can't be everything to everyone. The majority of the desires are being met right now. The study recommends that the solution to meet your needs is the M-NCPPC.

Mayor Wojahn said there are some clarifications to the language to work on, but we are not telling GreenPlay or Mr. Diehl to change the substance of his report.

Councilmember Kennedy was struck by the distinction between need and desire. As Council we need to look at the big picture and determine what needs are, and are not, being met.

Mayor Wojahn said that on the survey, a community center wasn't in the top 1 or 2 of what our residents said they wanted. We should be listening to what they said.

**A motion was made by Councilmember Mitchell and seconded by Councilmember Rigg to table and bring this back at the next Council meeting. The motion passed 7-0.**

**20-O-11 Introduction of an ordinance with amendments to Chapter 102, Dogs and Other Animals**

**A motion was made by Councilmember Mitchell and seconded by Councilmember Dennis to introduce Ordinance 20-O-11, amending Chapter 102, Dogs and Other Animals in a form substantially as attached and as approved by the City Attorney, and schedule a public hearing for Tuesday, October 27, 2020 at 7:30 p.m.**

Mayor Wojahn repeated the Public Hearing announcement.

**Public Comment:**

**Mary King, resident:** Council should put GreenPlay on the Worksession next week. She applauds Councilmember Kabir's efforts. You are encouraged to wish for the moon during those surveys.

**ADJOURN: A motion was made by Councilmember Mitchell and seconded by Councilmember Rigg to adjourn the meeting, and with a vote of 7-0, the meeting was adjourned at 9:21 p.m.**

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Janeen S. Miller  
City Clerk

Date  
Approved