

**MINUTES**  
**Regular Meeting of the College Park City Council**  
**Tuesday, October 27, 2020**  
**7:30 p.m. – 9:26 p.m.**

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

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

**ABSENT:** Councilmember Mitchell.

**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; Robert Marsili, Director of Public Works; Steve Halpern, City Engineer; Katie Hart, Community Development Planner; Rebecca Bailey, Animal Control Officer; Adam Rosenbaum, Student Liaison; Julia Nikhinson, Deputy Student Liaison.

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

**ANNOUNCEMENTS:**

Councilmember Kabir commented on last week's town hall and thanked the M-NCPPC for tree planting in the Hollywood Park.

Mayor Wojahn and Councilmember Dennis added that the M-NCPPC has also planted trees in many of their other parks throughout the City.

Councilmember Dennis announced the Prince George's County Police District 1 Virtual Coffee Club tomorrow.

Councilmember Rigg updated the Mayor and Council about the Calvert Hills drainage meeting that was held last week and thanked County Council Member Glaros for sponsoring the meeting.

Councilmember Mackie discussed Early Voting sites. She reminded people to change their clocks this weekend. Fitness equipment at the College Park Woods park is being updated. The connector trail is supposed to open soon.

Mayor Wojahn attended the Greenbelt City Council Worksession last week about Greenbelt Road improvements. The County is putting together their road improvement priority letter to SHA.

**CITY MANAGER'S REPORT:** Mr. Somers discussed the Hallow-Boo Drive Through event; the District 2 Special Election; gave an update on the City's COVID assistance grants;

tomorrow's Town Hall with Comptroller Franchot; the next Continuing the Conversation Forum on November 5; Good Neighbor Day November 7; and said the Veterans Memorial Committee is asking residents to fly the flag on November 11 to thank our veterans.

**PROCLAMATION:** Mayor Wojahn read the proclamation to thank Rya Griffis for her Census 2020 Outreach efforts.

**AMENDMENTS TO AND APPROVAL OF THE AGENDA:** A motion was made by Councilmember Rigg and seconded by Councilmember Kennedy to add an item to the agenda: To present the final version of the Charter Resolution 20-CR-02 approved on October 13; this is the version that will be signed and advertised. The motion passed 6-0.

A motion was made by Councilmember Dennis and seconded by Councilmember Rigg to approve the agenda as amended. The motion passed 6-0.

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

**Carol Macknis, resident:** You don't have to go to the Xfinity Center to vote; you can go to any Vote Center in the County.

**PUBLIC HEARINGS:**

**A. Ordinance 20-O-11, An Ordinance Of The Mayor And Council Of The City Of College Park, Amending Chapter 102, "Dogs And Other Animals", By Repealing And Reenacting §§102-1 "Definitions", 102-2 "Notification Of Violation", 102-3 "Restraint Of Animals", 102-5 "Rabies Vaccination", 102-6 "Animals Found At Large", 102-7, "Impoundment", 102-9, "Cruelty, Neglect And Other Prohibited Actions", 102-10, "Capture And Removal" And 102-13, "Abandoned Animals" And Enacting §§ 102-9 "Cruelty, Neglect And Prohibited Actions" And 102-13 "Abandoned Animals", To Change The Title Of The Chapter To "Animal Welfare" And To Change Definitions, Clarify Impoundment Rules, Prohibit Cruelty, Neglect And Other Actions, To Make The Code More Compatible With County Animal Management Regulations, To Make Provision For Abandoned Animals, And To Make Other Clarifying Changes.**

Ms. Ryan said this ordinance will update Chapter 102 of the City Code including a change in the title of the Chapter to Animal Welfare. It modernizes our Animal Welfare ordinance and makes it compatible with the County's regulations. We adopt the County Code by reference. The pit bull ban remains in effect as it does in the County. The Animal Welfare Committee has worked on this for two years and are in support of the proposed amendments.

Ms. Bellamy spoke on behalf of the Animal Welfare Committee regarding their work on these amendments. These revisions were supported unanimously by the AWC. She reviewed the changes. Anything not specifically addressed in the City Code is addressed in the County Code and incorporated by reference.

**Public Comment:**

**Vicki Stevens, resident:** She works for the Humane Society of the United States but is speaking on her own behalf. This is a strong ordinance that makes several needed updates. An ear-tip indicates the cat has been sterilized. Section 102-2 of the Code amendment does not offer due process to an owner: there should be a change to provide a means of due process to owner, a means for the pet to be declassified, and to add the right to appeal a violation notice.

**Don Schmadel, resident:** Shocked by how little concern it shows for the natural environment due to feral cats. Maintaining a population of feral cats does not help our natural environment. County code says anyone can catch an ear tipped cat and take it to the county shelter, but the City Code says only the ACO can do so – which is it?

Mr. Ryan responded that the City ACO provides traps to residents. If they are a nuisance they can be removed and/or will be spayed/neutered. They are supposed to be released back to the area/colony they were removed from unless they are causing a nuisance.

**Stephanie Stulich, resident:** She discussed her work with a Trap-Neuter-Release program. TNR programs ultimately help reduce the size of feral cat colonies. They also try to rehome feral kittens when possible.

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 Kabir to adopt the Consent Agenda, which consisted of the following:**

<b>20-G-166</b>	<b>Approval of Minutes of the September 15, 2020 Worksession; the September 22, 2020 Regular Meeting; the September 29, 2020 Special Worksession on the Strategic Plan; and the October 3, 2020 Special Worksession on the Strategic Plan.</b>
<b>20-G-167</b>	<b>Authorization for the City to enter into a three-year agreement for the period of September 2020 through August 2023 in the amount not to exceed \$42,750 with the Maryland Department of Transportation State Highway Administration for purchase of salt during certain snow events, subject to approval of the City Attorney.</b>
<b>20-G-161</b>	<b>Approval of a letter with City comments on the Draft Environmental Impact Statement for the I-495/I-270 Managed Lanes Study</b>
<b>20-G-169</b>	<b>Approval of the Extension and Amendment of the contract with NZI to provide for the construction of pedestrian improvements at Princeton Avenue for the sum of \$78,438.50, subject to approval of the City Attorney.</b>

**The motion passed 6-0.**

## **ACTION ITEMS**

### **20-G-164 Acceptance of the final GreenPlay Senior and Community Recreation Needs Assessment report - Tom Diehl, GreenPlay.**

Ms. Barber said this is the final deliverable in the GreenPlay scope of service for this project which was completed with public and stakeholder engagement to improve and inform future planning for College Park in the areas of community recreation and senior recreation. This is the updated version of the report with edits made to reflect suggestions and feedback received from Mayor and Council.

Mr. Diehl said he spoke with Jim Bell from M-NCPPC (Director of the College Park Community Center): Mr. Bell indicated he read the report and had no specific objections. Mr. Bell stated that he would not characterize the CPCC as either underutilized or over capacity and agreed that the County and the M-NCPPC should be responsible for providing recreational facilities, programs and services to residents of the City since residents pay taxes for this purpose. Mr. Bell referenced the 2040 Park and Planning report that indicates the trend for larger more regional facilities are more financially feasible. Mr. Diehl and Mr. Bell both felt there were no major differences of opinion about the GreenPlay report. They both feel there is a need for increased communications, and that in the event the CPCC is bursting at the seams, the City should work with the County and M-NCPPC to address any facility needs. They discussed that a 10,000 sq. ft. additional facility would cost millions of dollars to build and several hundred thousand dollars a year to operate. The M-NCPPC is there to provide these services; it is just a matter of working and communicating with them.

Mayor Wojahn reported on his own discussion with Mr. Bell.

### **A motion was made by Councilmember Rigg and seconded by Councilmember Kennedy to accept the Final Report as provided by GreenPlay and Associates on the City of College Park Senior and Community Recreation Needs Assessment as drafted.**

Councilmember Rigg said we have talked about this several times and Mr. Diehl has been willing to change certain language while not changing the meaning of the report. The report reflects his firm's analysis and he has made a good faith effort to close this out. Whether we agree or disagree, it is our job to accept the report which is well-reasoned. We should not try to strong-arm additional meaning or interpretation into the report. Whether we prefer an additional recreational amenity in College Park is immaterial to Mr. Diehl's analysis of whether one is justified. This is a useful analysis.

There were no comments from the audience.

Councilmember Kabir commends GreenPlay for their work on this study and their willingness to address some of the concerns we had. He thinks the report could be more complete; there are some gaps. He understands this is their final version, but the Council has an opportunity to add comments to the report when it is accepted.

**Amendment #1: A motion to amend the original motion was made by Councilmember Kabir and seconded by Councilmember Mackie to accept the final report as provided by GreenPlay with these comments:**

- (1) The report could have provided a stronger and more accurate recommendation on future indoor facilities and programming needs by including facilities usage data in the report. Specifically, College Park Community Center is the only community center within the city boundary, and GreenPlay should have collected the data of the usage and programming at this center over a period of its operation from the M-NCPPC, and use it in the study.**
- (2) The statement (on page 51) "City Park indoor facilities all fall east of Baltimore Ave. and north of the Paint Branch Stream, leaving Old Town and West of Baltimore Ave. without an indoor space." could have been revised to include a more complete picture. First of all, the City facility Old Parish House is in the south of the Paint Branch Stream and is not included. Furthermore, this section should have included the facilities that are under construction and will be available in a few months. For example, the new City Hall will have meeting rooms in it and is currently under construction. The report also does not mention the meeting space included at the City's Calvert Rd property when it opens as a daycare facility. The City-owned property in College Park Woods, the former pool, has also not been included as College Park facilities by the consultant. The new facilities are "approved and are under construction" and will be available to residents within a few months. They are not "planned" or in the "concept phase", as the GreenPlay consultant stated in the communication. Furthermore, the report should state that Attick Towers and Spellman House are not owned and operated by the City.**
- (3) The text ("A proposed new center should be funded by the M-NCPPC and the County") in the "Finding" section (page 59) could provide more clarification, as M-NCPPC will be only building very large (60,000 - 80,000 sq ft ) community centers in the future, as part of the recommendations in the Formula 2040 plan.  
(<http://pgparks.com/DocumentCenter/View/118/2040-Functional-Master-PlanPDF?bidId=> , page 121, "A key recommendation of Formula 2040 is to move from the current model of building neighborhood-oriented community centers of approximately 20,000 square feet to constructing larger, 60,000- to 80,000-square foot, multi-neighborhood-serving community centers or what is referred to in the Plan as "multigenerational community centers.")**

There were no comments from the audience on the amendment.

Councilmember Mackie is disappointed that the focus of M-NCPPC is on the larger regional centers. She would hate to shut the door on the possibility of getting a community center in north College Park. She likes the report and supports the amendment. There were a lot of good ideas from the community at last week's town hall.

Councilmember Rigg is troubled by the way we have approached this. He thinks we are trying to poke holes in the report. We can accept the report and still have our own opinion. He thinks what this is really about is an effort to try to provide a rationale for a community center in a part of the City that is already well served. He worries that it undermines the credibility of the Council to try to browbeat an independent consultant to change their conclusions.

**Vote on Amendment #1:**

**Yes: Kabir, Mackie**

**No: Kennedy, Dennis, Rigg, Day**

**Amendment fails 2-4**

Councilmember Kabir expressed his disappointment. We spent \$50K of taxpayer money on this report and they deserve a more complete report, not a half-baked job. The report should include this usage data. He will vote no on the main motion.

Councilmember Kennedy is choosing to look at the positive next steps and the wonderful suggestions in the report. Post-COVID we will want to do a lot more to bring people together. She is looking forward to focusing on what we can do.

Mayor Wojahn does not agree that this report is half-baked. There are a lot of good recommendations in there. This does not close the door on the County adding a community center in north College Park and there is much here we can use to support the case for one.

**Vote on the Main Motion:**

**Yes: Kennedy, Dennis, Rigg, Day**

**No: Kabir, Mackie**

**Motion passed 4-2**

**20-O-11 Adoption of 20-O-11, An Ordinance Of The Mayor And Council Of The City Of College Park, Amending Chapter 102, “Dogs And Other Animals”, By Repealing And Reenacting §§102-1 “Definitions”, 102-2 “Notification Of Violation”, 102-3 “Restraint Of Animals”, 102-5 “Rabies Vaccination”, 102-6 “Animals Found At Large”, 102-7, “Impoundment”, 102-9, “Cruelty, Neglect And Other Prohibited Actions”, 102-10, “Capture And Removal” And 102-13, “Abandoned Animals” And Enacting §§ 102-9 “Cruelty, Neglect And Prohibited Actions” And 102-13 “Abandoned Animals”, To Change The Title Of The Chapter To “Animal Welfare” And To Change Definitions, Clarify Impoundment Rules, Prohibit Cruelty, Neglect And Other Actions, To Make The Code More Compatible With County Animal Management Regulations, To Make Provision For Abandoned Animals, And To Make Other Clarifying Changes.**

**A motion was made by Councilmember Mackie and seconded by Councilmember Kabir to adopt Ordinance 20-O-11 regarding Animal Welfare, in a form essentially as attached, with City Attorney approval.**

Councilmember Mackie said the Animal Welfare Committee and staff worked hard on this and she urges support.

Ms. Ferguson responded to the earlier comment about 102-2 regarding due process. It is covered in 102-15 if a Municipal Infraction is issued, so there is full due process for violations issued to individuals. The County handles the matter if an animal is declared a nuisance animal.

Councilmember Rigg is still thinking about feral cat colonies. Cats are efficient predators to our natural wildlife. He encourages our Animal Welfare Committee and Animal Control Officer to consider whether there are other ways to dwindle the feral cat population.

Councilmember Kennedy suggested the AWC do some public education on feral cats.

**The motion passed 6-0.**

**20-G-168 Approve the College Park City-University Partnership's (CPCUP) University Community Vision 2030**

Mayor Wojahn introduced the Executive Director of the CPCUP, Eric Olson.

**A motion was made by Councilmember Rigg and seconded by Councilmember Day to approve the College Park City-University Partnership's (CPCUP) University Community Vision 2030 as presented.**

Councilmember Rigg said we were all impressed by the process the CPCUP followed.

There were no comments from the audience.

Mayor Wojahn said the University of Maryland is still reviewing the report and may have some minor tweaks. We will get the final version.

Mr. Olson said the report has to be approved by both parties and if there is anything of note we will come back to Council.

Councilmember Day thanked CPCUP and their consultants on the thorough job and amount of effort they put in to gather public input.

**The motion passed 6-0.**

**20-G-160 Award of contract for final design of Duvall Field – Terry Schum, Director of Planning**

Ms. Schum said this is staff recommendation for approval of a contract for Duvall Field Park Design. It is not a request to approve a park plan design; you are only being asked to approve a

contract to begin the park design process. There has been public comment about this item that indicates there is a misunderstanding. Most projects like this go through several phases. We started with a visioning phase last year (with GreenPlay) to get the conversation started and seek public input. As part of that report there was a conceptual drawing that was taken out of context; it was not intended to be a final part design. This stage now is to hire engineers and architects and designers to do the design process. It will start with a preliminary design phase. The consultant will do survey work to define the existing conditions, then to prepare three conceptual design alternatives that will be presented to the community along with preliminary cost estimates for feedback, and then presented to M&C to make a selection for a final alternative to be carried forward to design. Then we will go into the design development phase. When design development is at the 60% point it will go back to the public for feedback, then go back to Council for feedback. Only then will it go to 100% design. That phase is followed by a bidding phase, and then into the construction phase.

Tonight, staff is asking Council to award a contract to the low bidder. The RFP was issued in September. 12 proposals were received with a broad price range. She described the differences in the bid proposals. KCI Technologies is a full-service firm and does not plan to use subcontractors except for a peer reviewer. Some of the other contracts would use subcontractors. This contractor had good references, has experience in both Prince George's and Montgomery County. The request is to award the contract in the amount of \$264,093 to KCI Technologies.

Councilmember Kabir thanked Ms. Schum for the clarification and said the concept design probably caused confusion. He asked about the 30% design phase.

Ms. Schum said 30% design, also known as preliminary design, is still conceptual, and doesn't include a lot of detail. We are asking for three alternative designs for review with preliminary cost estimates to present for the public's consideration. The only thing we have done so far is the visioning which was only a conceptual plan.

Councilmember Kabir asked about timing of the project. Ms. Schum said once the consultant is on-board we will get a much more detailed schedule, and the website will be updated. Overall, we expect completion in July 2022.

Councilmember Mackie asked if staff can share the testimony/emails we have received with the selected consultant so they will see the input we have already received. She added that we voted in the past not to do artificial turf and she hopes that is still the case. She hopes that the tree canopy can be protected.

**A motion was made by Councilmember Kennedy and seconded by Councilmember Kabir that the contract for Duvall Field design services be awarded to KCI Technologies, Inc. in the amount of \$264,093 in substantially the form attached.**

Councilmember Kennedy said the engagement we have seen signals how important this field and this project is to the community.

**Comments from the audience:**

**Mary King, resident:** She submitted a petition to keep the Duvall Field playground in its present location under the trees.

Councilmember Kabir said the comments we received will be useful to KCI when the time comes.

Mayor Wojahn is concerned that people might think that because they have already submitted public comment on this matter that will be the end of it. He hopes they will stay engaged throughout the process and participate in the ongoing dialog as the project moves forward.

**The motion passed 6-0.**

**20-G-171 Approval of a task order under the on-call engineering services contract with Greenman-Pederson, Inc. in the amount of \$193,240.18 for the design of the Edmonston Road Sidewalk Project**

Mr. Halpern said this is a request to approve a task order under the on-call engineering services contract with Greenman-Pederson, Inc. in the amount of \$193,240.18 for design of the Edmonston Road Sidewalk Project for a five-foot wide,  $\frac{3}{4}$  mile sidewalk on Edmonston Road. This stretch of road was identified as a top priority connectivity route. The estimate is that it will take one year to design, and six months to construct.

**A motion was made by Councilmember Day and seconded by Councilmember Rigg to approve a task order under the on-call engineering services contract with Greenman-Pederson, Inc. in the amount of \$193,240.18 for the design of the Edmonston Road Sidewalk Project.**

Councilmember Day thanked staff for moving this forward; it is a public safety issue.

**Comment from the audience:**

**Stephanie Stulich, resident:** This sidewalk is very much needed.

Councilmember Dennis agrees this has been requested for many years and will help the quality of life and public safety. He asked for clarification – this is budgeted in the FY 2021 budget and this contract is for the design? Yes.

Councilmember Rigg added his support; there is no safe route for kids to walk to school here.

Councilmember Kabir said there is a similar project on Hollywood Road that has not come to fruition. Mayor Wojahn reminded the Council about the City's Complete Streets Plan and said we will address each sidewalk project in turn.

Councilmember Mackie is pro-sidewalk; they help keep our residents safe.

**The motion passed 6-0.**

**20-G-170 Discussion of 2021 Legislative Priorities**

Mayor Wojahn said the deadline for presenting bills to the legislature is next week. Mr. Gardiner said due to COVID we will not have a legislative dinner this year. He reviewed matters we have supported in the past:

- Baltimore Avenue Improvements (College Ave. to I-495)
- Bond Bill for City Hall Plaza [*the City has been awarded a State grant for the City Hall Plaza*]
- Oppose Beltway Expansion Plan
- State Funding for Sidewalk and Trail Connectivity
- Preserve Municipal Authority on Small Cell Antenna Siting

City lobbyist Len Lucchi said the General Session for 2020 abruptly ended 3 weeks early due to COVID. The 2021 General Assembly session will also be very different.

Discussion:

Bond bills: This will be a lean budget year but they have always had bond bills. It's tough to go back for more if you haven't spent what was previously awarded. Consider Hollywood Streetscape Project (if not previously funded), Hollywood sidewalk or another sidewalk project. Look at our CIP list for potential ideas.

Beltway expansion: expect to see efforts to stop the governor's beltway expansion project. The planning boards of Montgomery and Prince George's Counties have opposed.

CTP Road Show? Possibly add design of Greenbelt Road in our CTP letter.

Purple Line: Mr. Lucchi said expect litigation. Suggested forming a coalition with other affected municipalities and counties to push Secretary Slater for a quick resolution. He will monitor.

Police practices/police reform/police accountability: Mr. Lucchi will track recommendations and Council might consider taking a position. He will monitor.

Municipal Authority on Small Cell Antenna Siting: never resolved; the FCC is clamping down on municipal authority.

Timing: Have them ready by the beginning of the session in January.

Summary of legislative priorities:

- US Route 1, Phases 2 and 3, and Greenbelt Road, for transportation projects in the CTP;
- Moving forward on the Purple Line and open up the bus loop at the CP Metro station;
- Tracking recommendations from the House of Delegates police reform workgroup;

- Oppose beltway expansion;
- Preserve municipal authority on small cell antenna siting;
- Bond bill on Hollywood Streetscape or sidewalk projects;
- Adopt the MML priorities as well, especially Highway User Revenue.

**A motion was made by Councilmember Rigg and seconded by Councilmember Dennis to adopt the list above as the City's legislative priorities for 2021.**

There were no comments from the audience or the Council.

**The motion passed 6-0.**

**ADDED:**

**Charter Resolution 20-CR-02: To present and review the final version of the Charter Resolution approved on October 13 that will be signed and advertised as presented.**

Mr. Somers said no vote is expected; we just want the Mayor and Council to review and accept this as the final version of the Charter Resolution if this is what you intended.

Councilmember Rigg said this is consistent with his intent. Councilmember Mackie agreed that this states what she intended. No objections were raised.

**ADJOURN: A motion was made by Councilmember Rigg and seconded by Councilmember Kabir to adjourn the Regular Meeting. With a vote of 6-0, Mayor Wojahn adjourned the meeting at 9:26 p.m.**

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**CLOSED SESSION**  
**October 20, 2020**

Pursuant to the statutory authority of the Maryland Annotated Code, General Provisions Article, Section 3-305, the Mayor and Council of the City of College Park met in a Closed Session on Tuesday, October 20, 2020 for the following purposes:

1. To consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State; and
2. To consult with legal counsel to obtain legal advice.

At 9:16 p.m., after the regularly scheduled Council Worksession, a motion was made by Councilmember Rigg and seconded by Councilmember Day to adjourn the Worksession and enter into a Closed Session to consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State and to consult with legal counsel to obtain legal advice. Mayor Wojahn announced that the City Council will not return to public session after the Closed Session. The motion passed 7-0 and the meeting was adjourned.

At 9:20 p.m. the Mayor and Council convened 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, Day, Rigg, Mitchell and Mackie were in attendance. In addition, the meeting was attended by City Manager Scott Somers; Assistant City Manager Bill Gardiner; City Clerk Janeen Miller; and City Attorney Suellen Ferguson.

The City Manager and City Attorney updated the Mayor and Council and answered questions about the status of a lease agreement. The City Attorney provided legal advice. No action was taken.

A motion was made by Councilmember Rigg and seconded by Councilmember Mackie to adjourn the Closed Session, and with a vote of 7-0, Mayor Wojahn called the meeting adjourned at 9:53 p.m.

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