

**MINUTES**  
**Regular Meeting of the College Park City Council**  
**Tuesday, November 16, 2021**  
**7:30 p.m. – 10:41 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. Councilmembers-elect Susan Whitney and Stuart Adams also attended.

**ABSENT:** None.

**ALSO PRESENT:** Kenneth Young, City Manager; Bill Gardiner, Assistant City Manager; Janeen S. Miller, City Clerk; Yvette Allen, Assistant City Clerk; Suellen Ferguson, City Attorney; Teresa Way-Pezzuti, Director of Human Resources; Bob Ryan, Director of Public Services; Robert Marsili, Director of Public Works; Steve Halpern, City Engineer; Michael Williams, Economic Development Manager; Jim Miller, Parking Enforcement Manager; Megha Sevalia, Student Liaison.

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

**ANNOUNCEMENTS:**

Councilmember Kabir said this Saturday is the last day of the Hollywood Farmers Market season. There is a community walk in north College Park on Saturday.

Councilmember Esters acknowledged those who are testifying at the PG County Council meeting in opposition to CR-123-21, the County Council's Proposed Redistricting map. She also thanked the people who came out for Good Neighbor Day.

Councilmember Rigg announced the Calvert Hills Civic Association meeting on December 8. The holiday tree lighting will be Saturday December 11 at 5 p.m.

Councilmember Mitchell wished a Happy Thanksgiving to our residents. She said the District 4 Councilmembers will hold a meet and greet for City Manager Kenny Young on December 1. November 17 is Founders Day for the Omega Psi Phi fraternity.

Mayor Wojahn said the College Park Community Foodbank is collecting turkeys for Thanksgiving.

**CITY MANAGER'S REPORT:** Mr. Young announced the ARPA community forum on November 30; M-NCPPC is taking public comment on the Adelphi area Sectional Map Amendment; the new traffic signal on US 1 at Hartwick is now operational; and announced a correction to the letter provided for 21-R-139.

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

The agenda was approved without amendment, Mitchell/Rigg, 8-0.

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

**John Payne, Chief, Board of Election Supervisors:** On behalf of the Board of Election Supervisors, Mr. Payne certified the results of the 2021 election.

**DISCUSSION ITEMS**

**1. Discussion with the College Park Housing Authority about the renovation/improvement needs at Attick Towers:**

From the CPHA: Commissioners Betsy Lynn, Bob Catlin, and Theresa Keeler; Executive Director Michelle Johnson; District 21 Delegate Mary Lehman; consultant Nicole Wickliffe.

Del. Lehman began the discussion and announced state funding of \$2M for Attick Towers renovations. She requested that the City match that amount from ARPA funding. This will be a multi-year effort and the 21<sup>st</sup> District Delegation will pursue additional funding.

Ms. Johnson, the Executive Director of the College Park Housing Authority since 2019, presented a PowerPoint. Her mission is to improve the conditions at Attick Towers and accomplish “repositioning.” Repositioning is the change of funding from Public Housing (Section 9) to Section 8 Project-Based Vouchers, which has been a more stable funding source. Under repositioning, payment will be based on 30% of their income. Right now, residents can choose 30% or flat rate. Under repositioning, it can only be 30% of income.

Ms. Johnson said the goal of the Housing Authority is to prove “obsolescence.” Obsolescence means the building is obsolete, the residents need to move, we need to totally gut and do everything over. When they submit their application to HUD this month, they are putting in for obsolesce. Ms. Wickliffe said HUD will then do a 90-day review and their own assessment and cost-benefit analysis. It might take six months to receive HUD’s determination. If HUD determines that the building is obsolete, the Housing Authority has to submit a plan of how to correct – either a tear-down or substantial rehab. The CPHA would have to come up with a moving plan if residents are displaced.

Del. Lehman said she has not discussed repositioning with Ms. Johnson and appreciates the discussion tonight. She is not comfortable throwing good money after bad. She needs to clearly understand this before she can go back to the state for more funding. Del. Lehman does not think state money should be spent until there is a determination about obsolescence. She thinks housing should be committed to seniors, not families. Ms. Johnson responded that the structure of the first building will stay the same and she doesn’t know about the structure for the second building.

Council asked if we can quantify the City’s in-kind assistance.

Councilmember-elect Adams asked if they have explored ARPA weatherization funding. Del. Lehman will follow up on that possibility. Mayor Wojahn also mentioned affordable housing funds in the Build Back Better bill, if it passes.

Mayor Wojahn said the City is still discussing its use of ARPA funds but stated the City's interest in providing funds for Attick Towers. He asked if it would be helpful to explore resources for technical assistance or project management.

**2. Discussion and review of the dedicated rights-of-way list in the City and the current policy - Steve Halpern, City Engineer and Suellen Ferguson, City Attorney:**

Ms. Ferguson said the issue of unimproved rights-of-way came up many years ago due to an encroachment issue, at which time the policy was developed. This happens when a developer dedicates a right-of-way to a public use; these are not always accepted by the local jurisdiction. If the City does not accept control of a right-of-way, we are not responsible for maintenance. The attached list shows the unimproved rights-of-way where the City has not accepted jurisdiction. The issue came up more recently when neighbors wanted the City to prune a tree that was on an unimproved right-of-way, which we did. In exchange, the adjacent property owners were asked to petition for vacation of the right-of-way, which they have not done.

Councilmember Rigg described the three types of undeeded property:

- Undeeded properties that the City asserts control over.
- Undeeded property that a private landowner has encroached upon.
- Undeeded property that no one has asserted control over.

Councilmember Rigg supports leaving the current policy in place but would like to see a policy addressing scenario #3.

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

<b>21-G-138</b>	<b>Approval of Arelis Pérez as the 2021 the Jack Perry Award Recipient.</b>
<b>21-G-139</b>	<b>Approval of a letter to the Prince George's County Climate Action Commission with City comments on the draft Prince George's County Climate Action Plan.</b>
<b>21-G-142</b>	<b>Approval of a Crane Swing and Tie-Back Agreement in substantially the form attached with Union on Knox, LLC, UMCPF Property IV-B, LLC, and UMCPF Property IV-C, LLC to enable construction of the mixed use property approved in DSP-19037 and supported by the City under certain terms and conditions.</b>

**The motion passed 8-0.**

**ACTION ITEMS:**

**21-G-141 Consideration and possible action on a proposal for parking prohibitions at 4500 Beechwood Road – Bob Ryan, Director of Public Services; Jim Miller, Parking Enforcement Manager; and Steve Halpern, City Engineer.**

Mr. Halpern reviewed the Engineer's Report. Staff recommends extending the no-parking zone on Beechwood Road, which would eliminate 2 of the 3 parking spaces in front of 4500 Beechwood Road. Mr. Miller reviewed the Engineer's Report and said that the parking impact on Beechwood Road would be minimal.

Councilmember Rigg said this first came up last year. This was initially a "lay-on-the-table" item but Mr. Rigg asked that it be pulled to allow for a more robust discussion among the neighbors. There are strong opinions on both sides of the issue.

Councilmember Day said State Highway said they would look at the intersection, and that two of those houses are currently vacant but may soon be sold. He would support taking two spaces and doing additional street striping.

**A motion was made by Councilmember Rigg and seconded by Councilmember Day to direct City Staff to extend the current 25-foot no-parking zone on the north side of Beechwood Road in front of the existing stop sign an additional 35 feet to the lead walk in front of 4500 Beechwood Road.**

There was discussion about the benefit of adding a center line on Beechwood.

**Public Comment on removing two parking spaces on Beechwood Road:**

**Don Jennings, resident:** This is a dangerous intersection entering from Route 1. A two-car length center line could help.

**Justin Clarke, resident:** He would prefer removal of just one parking space. He is concerned about the parking impact when those houses are occupied.

**Sally Wood, resident:** It feels unsafe at the top of Beechwood. She supports eliminating two spaces. A center line might help. We might need to widen the road.

**Andrea McNamara, resident:** She has seen many near head-on collisions and is concerned about safety. She supports the motion to remove the two parking spots.

**Judy Campbell, resident:** Supports the staff recommendation; this is a good place to start. This is an issue of the parking impact of rental houses.

**Steve Cibor, resident:** There are 9 houses with 9 parking spaces. 35 residents signed a proposal to only remove one parking space to see if it will help.

Councilmember-elect Adams acknowledged the passion expressed by the residents. He would like to explore adding a chicane. He supports the Engineer's report.

Councilmember Rigg is grateful for the comments from the residents. He supports the staff recommendation.

**The motion passed 8-0.**

**21-O-15 Introduction of Ordinance 21-O-15 to amend Chapter 184, Vehicles and Traffic, §184-6 and §184-8, of the City Code to remove the weight and load space limits for vehicles that do not exceed 21 feet in length and 6 feet in width; and to allow resident requests for permission to park prohibited vehicles beyond 30 days to be considered for good cause on a case-by-case basis by the Advisory Planning Commission with final approval by the Council; and to add a definition of "good cause".**

Mr. Ryan gave an overview. This is a follow up to a previous Worksession. This would provide relief to those owners whose vehicles are prohibited because of their weight, not because they are wide or a safety hazard. Ms. Ferguson said any request for longer than 30 days would be referred to the Advisory Planning Commission. She added that the Public Hearing would actually be Tuesday, December 7.

Councilmember Kabir asked if the APC has been consulted about this. Mr. Ryan said staff doesn't think this will add too much to the APC's caseload because most of the requests for exemptions are tied to the weight classification. Councilmember Kabir asked if the surrounding neighbors would still be notified. Ms. Ferguson said Yes, the APC would provide the notice, and interested neighbors could become parties of record. He asked about dump trucks. Mr. Ryan said dump trucks are still prohibited.

Councilmember Rigg asked about a recertification process so the permit is not permanent? For example, every two years they have to reassert good cause. He doesn't want these to become permanent.

**A motion was made by Councilmember Rigg and seconded by Councilmember Day to introduce Ordinance 21-O-15 to amend §184-8(b) of the City Code to eliminate weight and load capacity limits for vehicles that do not exceed 21 feet in length or 6 feet in width; to authorize the City Manager or designee to grant permission for good cause to allow a prohibited vehicle to park on a City street for no more than 30 days; to authorize the Advisory Planning Commission to hear and make recommendations to the Council with respect to requests for permission to park prohibited vehicles for longer than 30 days for good cause; to amend §184-6 to define good cause, to implement a two-year recertification process for good cause, and to schedule a public hearing for December 7, 2021.**

**GENERAL COMMENTS:**

**Judy Campbell, resident:** The City supports enhancing walkability. That statement will become more important in the coming years. We should use this as an opportunity to assess the undeeded rights-of-way in the City to see if they can be used to add public walking paths.

**Carol Nezzo, resident:** Wants the path between Amherst and Beechwood open. We were told it was not accepted by the City, but we have a letter from Mr. Stumpff about tree work that the City would undertake there several years ago. Paths are a treasure to College Park.

**Carol Macknis, resident:** Not all residents qualify to live in Attick Towers. When will the information on the ARPA meeting come back to the person that registers? She has not received a response.

**Sally Wood, resident:** Paths are a valuable asset. We need more trees.

**Mary King, resident:** We should use developer money to maintain our tree canopy.

**ADJOURN:** A motion was made by Councilmember Kennedy and seconded by Councilmember Kabir to adjourn the Regular Meeting and reconvene in 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 for the following purposes:

1. To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction. (Performance evaluation of Interim City Manager and an additional personnel matter.)
2. To consult with counsel on a legal matter and to discuss a negotiating strategy before a contract is awarded. (Discussion of lobbying contract(s).)

The Mayor and Council will not return to public session after the closed session ends.

**The motion passed 8-0 and the meeting was adjourned at 10:41 p.m.**

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Janeen S. Miller  
City Clerk

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Date  
Approved

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**CLOSED SESSION**  
November 16, 2021

At the conclusion of the meeting on November 16, 2021, a motion was made by Councilmember Kennedy and seconded by Councilmember Kabir to adjourn the meeting and 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 for the following purposes:

- To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction.
- To consult with counsel on a legal matter and to discuss a negotiating strategy.

The motion passed 8-0 and the meeting was adjourned at 10:41.

The Closed Session began at 10:45 p.m. Due to the COVID-19 Pandemic, this was a virtual meeting. Mayor Wojahn was the Open Meetings Trainee.

Mayor Wojahn and all members of the City Council were present. In addition, the meeting was attended by Assistant City Manager Bill Gardiner. City Manager Kenneth Young, City Clerk Janeen Miller, and City Attorney Suellen Ferguson attended a portion of the meeting. Mayor Wojahn was the Open Meetings Trainee.

The Mayor and Council discussed the appointment of individuals to serve as City lobbyists and discussed certain lobbying contracts. They received legal advice from the City Attorney to attempt resolution of a personnel matter. The Mayor and Council also conducted the Assistant City Manager's Performance Review.

No action was taken.

At 11:32 p.m., a motion was made by Councilmember Mackie and seconded by Councilmember Rigg to adjourn the Closed Session. The motion passed 8-0 and the meeting was adjourned.

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