

MINUTES
College Park City Council Meeting
Tuesday, January 31, 2023
7:30 p.m. – 10:52 p.m.

**This was a hybrid meeting: Online via Zoom;
In-person in the Council Chambers of City Hall.**

PRESENT: Mayor Wojahn; Councilmembers Kabir, Kennedy, Esters, Whitney, Adams, Rigg, Mackie and Mitchell.

ABSENT: None

ALSO PRESENT: Kenneth Young, City Manager; Bill Gardiner, Assistant City Manager; Janeen S. Miller, City Clerk; Suellen Ferguson, City Attorney; Robert Marsili, Director Public Works; Frank Pacifico, Deputy Director Public Works; Steve Halpern, City Engineer; Bob Ryan, Director of Public Services; Michael Williams, Economic Development Manager; Valerie Graham, Student Liaison; Adrian Andriessens, Deputy Student Liaison.

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

Announcements:

Councilmember Kabir discussed safety initiatives at Hollywood Elementary School.

Councilmember Mitchell announced an upcoming collaboration with the College Park Community Food Bank.

City Manager's Report: Mr. Young said GrillMarx Steakhouse located in The Hotel opens tomorrow. The Taim Mediterranean Kitchen opens on Wednesday February 8.

Amendments To/Approval Of The Agenda:

Councilmember Kabir requested to move item 22-G-25 from the Consent Agenda to the Action agenda for discussion.

Councilmember Mitchell requested moving a portion of item 23-G-30 from the Action Agenda to the Consent Agenda so that negotiations can move forward, but to bring back the pricing portion to another meeting. Councilmember Mackie seconded. The motion passed 8-0.

Mitchell/Adams approve as amended

Public Comment:

Dr. Jacklyn Breuer, resident, on behalf of PTA.: Safety at the crosswalks for Hollywood Elementary School – crossing guards are needed.

Carlos Johnson, Principal, Hollywood Elementary School: Speaking to the need for crossing guards at HES.

Carol Macknis, resident: Thanks for adding the No Turn On Red sign at the Rhode Island Avenue/Edgewood Road intersection.

Consent Agenda: A motion was made by Councilmember Mitchell and seconded by Councilmember Mackie to adopt the Consent Agenda, which consisted of these items:

23-G-31	Approve minutes from the January 10, 2023 meeting and the January 17, 2023 meeting.
23-G-28	Approve the appointments of Kathleen Lawson, Pamela Randall-Boardley and June Robinson to the Restorative Justice Commission; to approve the appointment of Terra Virsilas to the Bee City USA Committee; and to approve the request by the Animal Welfare Committee to designate Ms. Kennis Termini an Honorary Member of the AWC.
23-G-23	Approval of an amendment to the License Agreement in substantially the form attached to authorize the removal of City parking meters from Lot #2, located at 7242 Baltimore Avenue (the former Applebee's).
23-G-24	Approve and ratify the application to the Maryland Department of Emergency Management for a Hazard Mitigation Grant for the Calvert Hills Flood Attenuation Project.
23-G-26	Approval of a letter to the Prince George's County School Board requesting Crossing Guards for Hollywood Elementary School.
23-G-27	Approval of a new full-time equivalent position of Contract and Procurement Specialist (or Coordinator) to be added to the City's pay plan; and authorize HR to immediately begin to advertise and recruit for the position.

23-G-30	Approve that the City proceed with a contract with the original architect of the College Park Woods Community Clubhouse in substantially the form attached, with the understanding that pricing for the Engineering subcontractor is not yet available and will come back to Council at a later time for approval.
---------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

The motion passed 8-0.

Action Items

23-G-25 Approve Sunday, November 5, 2023 as the date for the next municipal election, and the College Park Community Center as the polling location – John Payne, Chief, and Tina Batten and Ben Hovland, Supervisors, College Park Board of Elections

A motion was made by Councilmember Rigg and seconded by Councilmember Whitney to approve the date of Sunday, November 5, 2023 for the next Municipal Election and of the College Park Community Center as the location.

There was discussion of voting at Davis Hall on Election Day, and/or of offering some days of Early Voting at Davis Hall for the residents who prefer to vote at that location. Mr. Payne discussed options recommended by the BOES to increase voter turnout including use of the state’s permanent vote by mail list and additional drop boxes. Mr. Hovland added that the change in the voter registration deadline should also help voter turnout especially with the student population.

Comments from the audience:

Judy Blumenthal, resident: Keep Davis Hall as an election site on election day.

Dr. Jaclyn Bruner, resident: Think about more creative ways to reach your population.

Mary Cook, resident: Wants to keep Davis Hall as one of the voting sites.

Gale Mamatova, resident: Lack of education about other ways to get to the voting sites; volunteers can drive voters; and to encourage students to vote we need a central location which the College Park Community Center is.

Carol Macknis, resident: major disservice to not have Davis Hall as a place to vote on Election Day.

Ms. Batten corrected the data – in the survey, the question about the poll location was a ranked choice question. The CPCC was the first choice using ranked choice and Davis Hall was a close second.

Councilmember Kabir spoke in favor of using Davis Hall as a polling location, and referred to the public comment. He requested a high-level budget showing the difference between one polling location and two, and suggested we table tonight's motion until we get the budget numbers. Ms. Miller explained the election budgeting timeline and estimated that budget numbers would be available in another month.

Mr. Payne and Ms. Batten explained the reasons that the BOES does not think Davis Hall is suitable as a polling location: it is too small for election judges and voters to safely vote. Cost is not the only factor. The BOES considered this thoroughly when they made their recommendation to Council.

Councilmember Kabir does not think health should be an issue anymore and is not comfortable voting on this tonight.

Councilmember Mitchell asked if we would we look at providing transportation for voters and committing to four days of early voting at Davis Hall.

Councilmember Mackie asked if we could have a 7 a.m. start on one day and have a 7 p.m. finish on another day of early voting.

Councilmember Rigg commented on Councilmember Kabir's blog post about this agenda item.

The motion passed 7-0-1 (Councilmember Kabir abstained because he is not comfortable with the data we have).

23-G-29 Review and consideration of Preliminary Plan of Subdivision for Discovery Point at the Discovery District (Campus Drive & Baltimore Avenue) (Planning Board date is February 16)

Ms. Schum said this subdivision application is unlike others we have seen before. The University is carving out development parcels from a larger parent parcel on UMD property. UMD land is being turned over to the Terrapin Development Company. Some parcels will be developed by the UMD, some are being created for private growth. Ms. Schum reviewed the revised Conditions proposed by the applicant. Proposed Conditions

1-6 are OK, but we need to discuss condition #7. We will need to have a Declaration of Covenants which will come back at the time of Detailed Site Plan.

Ms. Bader reviewed the staff report. Questions for staff: ways to maximize the BPIS funding; status of Rossborough Road; concerns about disturbing the landfills, especially as it impacts the Paint Branch Stream; why traffic was not studied north of Campus Drive. Ms. Schum said our recommendations for use of the BPIS was not selected by County staff, which is unusual.

For the applicant, Brandywine Realty Trust: Attorney Larry Taub and UMD Vice President-Real Estate, Ed Maginnis. This location has been the subject of numerous development proposals over the years. The Preliminary Plan of Subdivision is the first step in the development process. The DSPs will come in phases. UMD will ground lease the property to Brandywine.

Mr. Taub said the focus right now is on Parcels 1 and 2. The first three parcels will be office and retail, mostly focused on the University. They will promote walkability and bike-ability over vehicular traffic.

- Applicant agrees with conditions 1-6.
- Condition 3 involves the easement. Ed Maginnis: The EPA has regulatory authority over this site and they have a website that explains the detail.
- Condition 6 – BPIS: He explained how the system works in the new zoning ordinance. Applicant supports what the City has requested but the Planning Board will make the decision. The Planning Board considered the City's recommendations and decided against them. They are waiting to see what the Planning Board will do.
- Condition 7 – where we do agree:
 - A – agree
 - B – agree, but these first parcels will not be a multi-family building
 - C – OK; staging should not be an issue because the parcel is so large
 - D – public art: Client is committed to public art; whether we use City funding is TBD.
 - E – Committed to LEED Silver
 - F – Will take responsibility for the maintenance.
- Where we don't agree: The issue of when the Declaration of Covenants can be recorded. They need time to work through the issues; there are multiple parties. Difficult for them to do it by the time of DSP.

Ms. Ferguson said the conditions will be concluded at the time of DSP, so this is not the definitive list. What is provided here are the standard covenants we require for

other developments. We have never agreed in the past not to have the Declaration of Covenants finalized by the time of DSP, because that is where the City's leverage ends. If the developer can come up with other wording that is equally reassuring to the City, we can discuss it. We may deal with the covenants piece by piece depending on which DSP is going through at the time. For example, the conditions for the residential parcels will be different than non-residential. Staff will continue to talk about this matter with the applicant.

A motion was made by Councilmember Adams and seconded by Councilmember Rigg to support the approval of the Preliminary Plan of Subdivision 4-22034 with the revised conditions contained in the red folder, and subject to review and adjustments by the City Attorney, for Discovery Point at the Discovery District.

Motion passed 8-0.

[Per the Council's Rules, Councilmembers Rigg and Adams disclosed that they had met with the developer several months ago; Mayor Wojahn also met with UMD and Mr. Taub about this over the years.]

23-O-01 Consideration and possible introduction of Ordinance 23-O-01, an Ordinance Of The Mayor And Council Of The City Of College Park Amending Chapter 129, "Licenses", By Renaming The Chapter As "Licenses And Business Regulation"; By Dividing The Chapter Into Two Articles; By Repealing And Reenacting §129-3, "Violations And Penalties"; By Enacting §§ 129-12, "Definitions", §129-13, "Disposable Plastic Bag Use Prohibited At Point Of Sale", §129-14, "Required Fee For Provision Of Paper And Reusable Carryout Bags", §129-15 "Violations And Penalties", And §129-16, "Rules And Regulations"; And By Repealing And Reenacting Chapter 110, "Fees And Penalties", §110-12 "Penalties" To Prohibit A Retail Establishment From Providing A Carryout Plastic Bag To Customers, To Require A Retail Establishments To Charge A Fee Of At Least \$.10 For Each Paper And Reusable Carryout Bag Provided To Customers And To Provide A Penalty For Violation.

Mr. Marsili reviewed the staff report and said the request tonight is to introduce the Ordinance. Ms. Ferguson discussed the changes included in the version in the red folder based on prior discussion: There is a provision that allows for one week a year for

bags of a certain type to be given to customers without any charge; there is a clarifying description for the types of organizations that are excluded from the ordinance. The Council needs to set the date on which this should start.

A motion was made by Councilmember Whitney and seconded by Councilmember Adams to introduce Ordinance 23-O-01, with an effective date of September 1.

Mayor Wojahn announced that the Public Hearing date is February 14.

Discussion Items:

- A. Quarterly update on the City's Strategic Plan: Mr. Gardiner reviewed the staff report. Questions: Identification of additional bike locations submitted previously; request for bus shelter on Cherry Hill Road submitted previously. Advertise volunteer software. Re: Tyler – goal is to retire the AS400 but certain integrations are needed first.
- B. Discussion of Council's Rules and Procedures: Recognize the new agenda format in the document. Operational matters not included in Rules and Procedures: Subject line tags on emails to help filter them; post red folder on line, former "lay on the table" items will be on the Consent agenda for greater transparency. Return future meeting to adopt.
- C. Legislation: [10:30 p.m., Motion to extend the meeting by Mitchell/Whitney, passed 8-0.]

A motion to support the following bills (and crossfiles, when applicable) was made by Councilmember Esters and seconded by Councilmember Rigg:

- HB 12
- SB 315
- SB 16 (incorrectly identified as SB 17 at the meeting; SB 16 is correct)
- HB 216
- SB 117
- SB 100
- HB 214
- SB 77
- HB 304

The motion passed 8-0.

Future Agendas:

- Add Commemorative Bench request, Mitchell/Mackie, 8-0.
- Add letter to M-NCPPC with copy to County Council re mandatory dedication of parkland, Adams/Whitney, 8-0.

Council Comments:

Councilmember Kennedy – COG Region Forward meeting

Councilmember Mackie – Chesapeake Bay Policy Committee, CMAST

Mayor Wojahn – Climate Energy and Environmental Policy Committee, PGPOA,

Leadership Greater Washington Anti-Racism Series

Adjourn:

Motion to adjourn at 10:52 p.m., Adams/Mackie, passed 8-0.

Janeen S. Miller, City Clerk