

WORKSESSION MINUTES
College Park City Council
Tuesday, February 16, 2021
7:30 p.m. – 10:32 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 T. Allen, Assistant City Clerk; Suellen Ferguson, City Attorney; Teresa Way-Pezzuti, Director of Human Resources; Terry Schum, Director of Planning; Miriam Bader, Senior Planner; Bob Ryan, Director of Public Services; Brenda Alexander, Assistant Director Public Works; Bridgette Johnson, Economic Development Manager; Adam Rosenbaum, Student Liaison; Julia Nihkinson, Deputy Student Liaison.

Mayor Wojahn opened the Virtual Worksession at 7:30 p.m.

City Manager's Report: Mr. Gardiner reviewed last weekend's family fun Dino Hunt and announced the upcoming Q&A with School Board Member Joshua Thomas. Mayor Wojahn provided an update on COVID-19 vaccines based on an earlier briefing by County Executive Alsobrooks.

Amendments to /Approval of Agenda: Motion by Councilmember Mitchell/second by Councilmember Mackie to adopt the agenda without amendment; motion passed 8-0.

Discussion items:

1. 2021 Municipal Election:

Ms. Miller reviewed the direction received from Mayor and Council at the last Worksession: Due to COVID, the administration and location of the election should be modified. Council preferred Scenario 3 where we would mail applications for absentee ballots to all registered voters. We were asked to cost out the difference if Election Day was moved to a Sunday. She reviewed the revised cost estimates and answered questions. We added two new ballot drop boxes to the price and increased the cost of mailings because we increased our assumption of the ballot applications will come back. There was discussion about holding the election on a Sunday. In 2019 we held Early Voting on a Sunday and in 2020 held the District 2 Special Election on a Sunday with only positive comments. The Board feels it might be more convenient for people to vote on a Sunday and may increase voter turnout. This would require a Charter Change. Discussion about the overall increase in the cost of City elections since 2017. Estimate a net increase of \$2,450 to mail ballots instead of applications.

Consensus of Council: 1) mail applications for absentee ballots to all registered voters (6-2); 2) move Election Day to Sunday (7-0-1 abstention); 3) No Early Voting (8-0).

Return with necessary Charter and Code changes.

2. Discussion with the Tree and Landscape – Brenda Alexander and Board Chair Rashawna Alfred, Janet Wagner.

Ms. Alexander and Ms. Alfred reviewed the annual report and Workplan. They hope Council will be ready to move forward with an Urban Tree Canopy Protection ordinance and support an increase in TCEP (Tree Canopy Enhancement Program) funding. TLB concerns: loss of trees in conjunction with new development; request for increased Council oversight to require replanting in the City; need for a 3:1 ratio; request that a representative from the Planning Department be reinstated to the Board. Council discussion: Determine how we can work with the County to mitigate tree loss. Include the Planning Director on TLB meeting notices.

Tree Canopy: To move from a 38% to 40% tree canopy we would need to plant 12,000 trees that are successful. The City can only plant trees in the public space/right of way; we don't have enough ROW acreage, so we need to look at residential property to restore tree canopy. It is hard in an area like College Park to find enough acreage to plant the number of trees that would be needed. We may need to review this OKR – it sets a high bar. Concern that the tree canopy protection ordinance is going to be a hard sell to residents. Return future W/S.

3. Discussion with the Animal Welfare Committee Co-Chairs Kathy Rodeffer and Suzie Bellamy.

Staff supports proposed changes to the purpose of AWC. Not everyone is aware we have an Animal Control Officer; we should get the word out. There is additional funding for spay/neuter proposed in the budget; the Four Cities grant funding is dwindling. The success of the TNR program is showing in the shrinking feral cat colonies. Move forward with changes proposed re volunteers and purpose.

4. Special Exception Application for The Children's Guild Preschool at the College Park United Methodist Church.

Ms. Schum explained this is a Special Exception application to allow a 120-child preschool to operate at the College Park United Methodist Church. This use is designated as a Special Exception to determine if its compatible with its surroundings. This will not require a Detailed Site Plan: this case will go to the Planning Board on March 4, then to the Zoning Hearing Examiner, then to the District Council. We are trying to bring development applications to the APC when possible. In this case, adjoining residents were invited to a meeting; a transcript of the conversation is included for Council's information.

Ms. Bader reviewed the staff report. The pre-school would locate into the existing church building. A play area and sidewalks will be added. The school will be open year round with before and after care. 6 classrooms with 20 students each, ages 3-5. The Church hosts other operations: the City's senior staff, senior social club, Meals on Wheels, 2 other churches, and the

Boy Scouts. It is not clear how the parking needs of these ancillary uses will be met. She reviewed the conditions in the staff report.

For the applicant: Attorney Matt Tedesco. For The Children's Guild, DBA Monarch Preschool: Duane Arbogast, Chanda Beaufort, Francisca Koduah, Krissie Taylor, Luther Ghiz, and Mike Lenhart. For the Church: Fay Lundin.

Mr. Tedesco said the NCPA voted to support the application. The hearing before the ZHE may be in April; a decision 30-45 days later; then application goes to the District Council. Hoping for approval in summer and to be ready to open in the fall, depending on COVID regulations.

Councilmember Kabir asked about traffic.

Councilmember Mitchell asked about if there is a residency requirement, tuition, staff credentials and accreditation.

Mayor Wojahn asked the applicant if they agree with all of the proposed conditions. Mr. Tedesco said they will request some minor wordsmithing. The only concern is the request to relocate the dumpster because of the tree. Hope to have that worked out by next week.

Councilmember Esters asked if there is any preference for children from College Park. Mr. Arbogast said right now it is first come first served.

Councilmember Mackie asked about permit parking on Hollywood and 50th Avenue, and if there was any thought given to increasing on-site parking? Mr. Tedesco said they have focused on circulation rather than parking. It is adequately parked per the code, they are trying to balance the need of the ancillary uses, but don't want to increase impervious surface. They are balancing the needs of the use, being responsive to the community, and being mindful of the cost.

To agenda next week.

5. Council discussion of request by Tempo Student Housing project (Gilbane) for a limited amendment to the City Code to grant the project a Revitalization Tax Credit

Bridgette Johnson reviewed the staff report. Tonight's question is whether to direct the City Attorney to draft the limited ordinance to allow this project to get a Revitalization Tax Credit? This is a two-step process. The ordinance, if adopted, would enable the project to be eligible. A separate discussion would be held to determine the amount, if any, to grant.

Ms. Mackie does not support: Not fair to residents to pay a tax credit, they got the school facilities surcharge credit, these are precarious times and there is a lot on our plate.

Councilmember Kabir said this error happened at multiple levels and asked what the law says when a mistake happens and you are dealing with public funds. Ms. Ferguson said when the Council approved this they acted outside their own law (in error), which they are not allowed to do, so it has no effect. Nothing requires the government to proceed with what was voted on at the time.

Councilmember Rigg said we made an error that impacts the reputation of this body and the City. We voted unanimously to grant the tax credit because we found the arguments compelling. We could damage our reputation to now say we don't find those arguments compelling. We should stand by what we determined to make it right. To do otherwise would send the wrong

signal to the development community. Disclosure: He had an informal conversation about this with an attorney for the developer in the context of a different conversation.

Councilmember Kennedy requested a high-level explanation of why tax credits are important. Ms. Johnson explained it is not a giveaway; but the tax the project pays would be at a discounted rate. It is an incentive used to attract certain developments to the City to increase the tax base.

Councilmember Day said this building will contribute to our tax base for 30-40 years. We worked for many years to help change the dynamic so that businesses would want to come to College Park and this RTC is one of those incentives. We voted unanimously for it so the right thing to do is to honor it.

To agenda next week. City Attorney will draft an ordinance for introduction.

6. Review of legislation:

- Approved in Special Session: Letter of support for SB 148 / HB 66 re coal-fired power plants. *See minutes for 21-G-23.*
- Approved in Special Session: Letter of support for HB 272 re Public Information Act Required Denials. *See minutes for 21-G-22.*
- HB 67 re MDOT Promises Act of 2021 – add to next week’s consent agenda. The hearing is 2/24. Requires that a portion of the tolls paid on 495/270 expansion be used for transit.
- HB 1093 Real Property – provide information next week.
- SB0188 / HB 0063 / HB 0704 re Maglev – add to next week’s consent agenda.

7. Requests for/Status of Future Agenda Items:

- Councilmember Mackie: Schedule future discussion of the environmental implications of the SC MAGLEV project. She will submit the form. Consider inviting Council Member Glaros to attend a W/S; we have until 4/22. This was also discussed at the MML Legislative Committee and the Four Cities Meeting. Mackie/Dennis to add: 8-0.
- Councilmember Esters: Schedule the Permit Parking on Pontiac Street item for discussion. Staff will schedule.

8. Mayor and Councilmember Comments: Girl Scout cookies.

9. City Manager's Comments: Closed Session tonight.

ADJOURN: A motion was made by Councilmember Mitchell 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 Article § 3-305, the Mayor and Council of the City of College Park will meet in a Closed Session after the Council meeting on February 16, 2021 to consider the acquisition

of real property for a public purpose. Specifically, the Mayor and Council will consider their response to a proposal by the owner of the Stone Industrial Property and will also discuss a parcel owned by the College Park Fire Department. The Mayor and Council are holding this discussion in Closed Session as provided by law because if the discussion were held in open session it could harm the City's negotiating position. The City Council will not return to public session after the Closed Session ends. The motion passed 8-0 and the Worksession was adjourned at 10:32 p.m.

Janeen S. Miller
City Clerk

Date
Approved

SPECIAL SESSION MINUTES
College Park City Council
Tuesday, February 16, 2021
10:19 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; Suellen Ferguson, City Attorney; Adam Rosenbaum, Student Liaison; Julia Nikhinson, Deputy Student Liaison.

During the regularly scheduled Worksession on February 16, 2021, a motion was made by Councilmember Kennedy and seconded by Councilmember Mitchell to enter into a Special Session to consider time-sensitive legislative matters. The possibility of the Special Session was listed on the Worksession agenda. The motion passed 8-0.

ACTION ITEMS:

21-G-23 Letter of support for SB 148 / HB 66 Electric Generation - Transition From Fossil Fuels - Carbon Dioxide Emissions Rate and Transition Plan and Fund (Maryland Coal Community Transition Act of 2021)

Mayor Wojahn said there is one remaining coal fired power plant in the County. The County has not taken a position on the bill. The coal burners are scheduled for decommissioning later this year. This bill could provide support for that transition. The hearing is February 18.

Motion by Councilmember Day, seconded by Councilmember Rigg, to send a letter in support of the bill.

Councilmember Day said he is the Chair of COG Air Quality Control Committee and they have paid attention to this bill and are in support. Closing the plant will help reduce carbon emissions in the area.

Comments from the audience:

Mary King, resident: What are the other consequences if this closes - will people be put out of work? Does this bill take those things into consideration?

Mayor Wojahn explained that the power plant is scheduled to close and this bill establishes a fossil fuel community transition fund to provide grants to assist in transitioning away from the power plant.

The motion passed 8-0.

21-G-22 Letter of Support for HB 272 re Public Information Act - Required Denials - Sociological Information and Distribution Lists

Mayor Wojahn said we received a request from Del. Al Carr to support the bill. It is regarding whether the MDOT must provide a list of who has received notice about use of eminent domain for their property.

Motion by Councilmember Kennedy, second by Councilmember Mitchell to send letter of support.

There were no comments from the audience or Council.

The motion passed 8-0.

Motion to adjourn from Special Session by Councilmember Day, seconded by Councilmember Dennis, passed 8-0. Special Session adjourned at 10:28 p.m.

Janeen S. Miller
City Clerk

Date
Approved