

MINUTES
College Park City Council Meeting
Tuesday, May 16, 2023

7:30 p.m. – 11:22 p.m.

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

PRESENT: Mayor-elect Kabir; Mayor Pro Tem Mitchell; Councilmembers Kennedy, Esters, Whitney, Adams, Rigg (virtual), and Mackie.

ABSENT: None.

ALSO PRESENT: Kenneth Young, City Manager; Bill Gardiner, Assistant City Manager; Janeen S. Miller, City Clerk; Suellen Ferguson, City Attorney; Teresa Way-Pezzuti, Director of Human Resources; Miriam Bader, Planning Director; Erik Valentine, Community Development Planner; Robert Marsili, Director of Public Works; Kiaisha Barber, Director of Youth, Family and Senior Services; Michael Williams, Economic Development Manager; Jim Miller, Parking Enforcement Manager; Valerie Graham, Student Liaison; Adrian Adriessens, Deputy Student Liaison.

Mayor Pro Tem Mitchell opened the meeting at 7:30 p.m.

CERTIFICATION OF SPECIAL ELECTION RESULTS – John Payne, Chief, Board of Election Supervisors, certified the results of the Special Election.

SWEARING-IN MAYOR FAZLUL KABIR - Clerk of the Circuit Court Mahasin El Amin administered the Oath of Office to Fazlul Kabir.

COMMENTS FROM MAYOR FAZLUL KABIR – Mayor Kabir made personal comments.

ANNOUNCEMENTS:

Councilmember Esters announced the BDCA meeting.

Councilmember Whitney announced an upcoming steering wheel lock giveaway.

Councilmember Adams said Friday is Bike To Work Day, announced the Calvert Hills Civic Association meeting, and discussed the recent death of a University of Maryland student.

Councilmember Rigg explained he is attending virtually tonight due to work travel.

Councilmember Mackie announced a College Park Woods porch concert and mentioned several students who recently won awards.

Mayor Kabir commented on last week's Friday Night Live, this week's Bike to Work Day, and said the Arbor Day event has been rescheduled for Thursday.

Ms. Graham introduced the next Student Liaison, Dhruvak Mirani, and Deputy Student Liaison, Gannon Sprinkle, and announced the SGA election results.

PROCLAMATIONS AND AWARDS: Mayor Kabir read the proclamations for Volunteer Appreciation Month and Kids To Parks Day.

AMENDMENTS TO AND APPROVAL OF THE AGENDA:

Adams/Mitchell, move item 23-G-74 from the Consent agenda to Action.

Whitney/Mackie, adopt the amended agenda, passed 7-0.

CONSENT AGENDA

A motion was made by Councilmember Mitchell and seconded by Councilmember Esters to adopt the Consent Agenda, which consisted of the following item:

- 23-G-75 Approval of an Aging in Place Home Repair Program Guidelines and Operating Agreement with Habitat for Humanity Metro Maryland, in substantially the form attached, and approval of the sub-recipient agreement, subject to City Attorney review.
- 23-R-07 Approval of a Resolution Of The Mayor And Council Of The City Of College Park Adopting The Recommendation Of The Advisory Planning Commission For Application Number CEO-2023-02, 4910 Hollywood Road, College Park, Maryland, Recommending Approval Of Variances From City Code §87-23.C, To Permit The Installation Of A 4.5-5 Foot-High Slatted Wooden Fence Along The Side Yard Of A Street.
- 23-R-08 Approval of a Resolution Of The Mayor And Council Of The City Of College Park Adopting The Recommendation Of The Advisory Planning Commission Regarding Variance Application CPV-2023- 01, 7501

Wellesley Drive, College Park, Maryland Recommending Approval Of Two Variances: 13-Foot Street Side Yard Setback , And a 2-Foot Rear Yard Setback Variance From Section 27-4202(E) (2) Of The Prince George's County Zoning Ordinance, To Convert and Widen a One-Car Carport into a Two-Car Garage.

23-G-76 Authorization to allow free parking on summer weeknights after 5:00 p.m. and free all-day Saturday parking in the City's downtown parking garage from May 27 to August 12, 2023.

23-G-78 Approval of PTO/PTA membership incentive stipends to Tier One Schools (Hollywood Elementary, Paint Branch Elementary School, Greenbelt Middle School and Parkdale High School) and Tier Two Schools (Berwyn Heights Elementary, University Park Elementary, Cherokee Lane Elementary, Buck Lodge Middle, High Point High School, College Park Academy).

23-G-79 Approval of Memorandum of Agreement between The Family Therapy Training Institute of Miami and College Park Youth and Family Services for training and implementation of Brief Strategic Family Therapy, in substantially the form attached subject to City Attorney review.

23-G-80 Approve minutes from the April 18, 2023 meeting.

The motion passed 7-0.

PUBLIC HEARING AND CONSIDERATION OF ORDINANCE 23-O-05

A. 23-O-05 An Ordinance Of The Mayor And Council Of The City Of College Park Amending City Code Chapter 15 "Boards, Commissions And Committees", By Deleting Article II, "College Park Recreation Board", §§ 15-3 Through 15-18, In Its Entirety To Remove The College Park Recreation Board From The City Code And Reestablish By Resolution A City Events Advisory Board For The Purpose As Set Forth In Resolution 23-R-06.

Ms. Miller gave an overview of this Ordinance. It is the action needed to remove the Recreation Board from the City Code now that the City Events Advisory Board has been created by Resolution.

There was no public comment. The Public Hearing was declared closed.

A motion was made by Councilmember Adams and seconded by Councilmember

Whitney to adopt Ordinance 23-O-05, An Ordinance Of The Mayor And Council Of The City Of College Park Amending City Code Chapter 15 "Boards, Commissions And Committees", By Deleting Article II, "College Park Recreation Board", §§ 15-3 Through 15-18, In Its Entirety To Remove The College Park Recreation Board From The City Code And Re-establish By Resolution A City Events Advisory Board For The Purpose As Set Forth In Resolution 23-R-06.

The motion carried 7-0.

ACTION ITEMS

23-G-82 Consideration of Detailed Site Plan DPS-22024 and Related Departure, Discovery Point, located at the southeast quadrant of Baltimore Avenue and Campus Drive and a Declaration of Covenants and Agreement Regarding Land Use – Miriam Bader, Director of Planning

Ms. Bader reviewed the staff report. The site under discussion is currently a paved parking lot; she reviewed the staff report. Ms. Ferguson said the Planning Board date is June 8 and added we haven't reached final agreement on the Declaration of Covenants so this will come back for approval at a future meeting.

Larry Taub, representing the applicant, introduced Mr. Norjen from Brandywine Realty Trust, who introduced the team and provided information about the company. Mr. Taub said they are in agreement with the staff conditions but added that the details of the Declaration of Covenants still need to be negotiated. Regarding the BPIS – they are in agreement with the City and the City's priorities and will seek an amendment to their certificate of adequacy from Park and Planning.

Ms. Ferguson said we are awaiting a decision from Park and Planning about when the BPIS improvements will be done. Mr. Taub said that whatever improvements are to be built will be built in full.

The development team presented their PowerPoint. Tonight we are discussing Phase 1 which is two buildings - 8 stories on the north and 4 stories on the south of the parcel. This is the main entrance to the University and connects the campus to the Purple Line. Ed Maginnis said this is a conscious effort to put UMD land into the tax rolls, to add jobs, and make community connections. Ken Ullman said the Terrapin Development Company is excited about adding this office space to the tax rolls and subject it to the public entitlement process. The UMD will be master-leasing a significant amount of space and will also lease space to UMD start-ups. The UMD's intention is to locate the

new visitor center and a UMD store in the pavilion. The Office of Community Engagement will also be located here.

Discussion: Connection to the Lakeland Community/Trolley Trail; community connections in general; sustainability and LEED certification; they are adding trees and stormwater management; provide greater opportunities for campus/student and City connections; mitigation plan for the underground landfill; parking at The Hotel garage; diagram of the planned street reconfigurations; SHA recommends no signal when Testudo Drive is extended to Campus Drive; engineering to prevent illegal left turns from westbound Campus Drive to Diamondback Drive.

Councilmembers Adams and Rigg disclosed that they had discussions with the developer about six months ago.

Staff will continue to discuss and this will come back when it is ready, maybe next week.

[Motion to move the AARP discussion item to be next – Kennedy/Whitney – 7-0.]

Discussion of AARP Livable Community Action Plan - Senior Advisory Committee and Kiaisha Barber, Director of Youth, Family and Senior Services: Robert Thurston gave the update to Council and reviewed the staff report. The Committee and the Consultant have been working on an Action Plan for the last two years and will submit it soon to AARP. The purpose is to create a safe and livable community not only for Seniors but for all residents. Priority areas include Housing, Transportation, Communication/Information, Social Participation and Health Services/Community Support. They want to make College Park a destination retirement community.

Discussion: Council's role in policymaking; presentation on Accessory Dwelling Units (ADUs) from the County; sign up at City events to use UMD Shuttle; role that sidewalks play in ensuring safe and walkable streets and the resistance to putting in sidewalks; developing a resource network for repairs; discussion of timing and next steps. Council is asked to approve the submission of the Action Plan to AARP tonight, then individual actions will come back to Council for approval as they are ready. Return to Consent Agenda next week for approval.

[Mitchell/Adams to extend the meeting, 7-0.]

23-G-74 Approval of staff's recommendation of updated Guidelines and Allocations for Program Open Space

Mr. Valentine gave an overview of Program Open Space and explained the changes that are being made to the program: 25/75 split between Acquisition and Development, local match lowered to 10%, holding acquisition funds in a larger pot to allow municipalities to make larger purchases.

Discussion: Grouping of funding is only for Acquisition funds. We will have \$1M remaining in Acquisition funds. FY '24 Development Allocation is \$346,993. Process is not changing for Development funds. We now have \$700K of unencumbered Development funds. Questions about how M-NCPPC will determine funded projects.

The County's municipalities should send a letter to the County that it is not appropriate to make these changes without input from the municipalities. What impact will the \$1.5M allocation of funds for a north College Park Community Center have on our future requests. We want to make sure that our ability to acquire properties is enhanced and not harmed by these changes.

Motion by Councilmember Adams, second by Councilmember Mitchell, to approve the Proposed Program Open Space Annual Program for Development for Fiscal Year 2024. Motion passed 7-0.

23-G-72 Approval of the Mayor Pro Tem

Mayor Kabir announced his appointment of Councilmember Mitchell as his Mayor Pro Tem. Motion by Councilmember Whitney, second by Councilmember Esters, to approve the appointment. Motion passed 7-0.

DISCUSSION ITEMS:

A. Discussion of Mayor and Council compensation. Ms. Way-Pezzuti, Director of Human Resources, reviewed the staff report and the recommendation.

Discussion of a Compensation Review Commission. How quickly could a committee be put together and make a recommendation. Consensus to approve an increase now to go into effect for the next Council, and also plan to convene a Compensation

Review Committee in two years. In this case the numbers are clear with respect to a need for a compensation increase.

Discussion of the role of the Mayor Pro Tem. Proposal for three salary tiers: Mayor, Mayor Pro Tem, and Councilmembers.

[Adams/Mitchell – motion to extend the meeting, 7-0.]

Suggested compensation:

10K - Councilmember

12.5K – Mayor Pro Tem

15K – Mayor

Bring forward an Ordinance for the salary increases to be effective January 2024. In the future, a Compensation Review Commission will be convened. Consider articulating a more specific role for the Mayor Pro Tem in the future. Look at a full benefit package including offering executive coaching for elected officials.

B. Discussion of a request for commemorative bench installations in honor of Mayor Kushner and Mayor Owens

Councilmember Mitchell submitted the request for two benches in honor of the two former Mayors to be located at the College Park Woods Clubhouse. Approve the amount on the Consent Agenda next week.

COMMENTS:

Carol Macknis, resident: Why was the decision made to change how often the public safety meetings are held. Now they are quarterly, but not in the summer. Request to reconsider monthly meetings and get more residents involved City-wide.

COMMENTS FROM MAYOR, COUNCIL, STUDENT LIAISONS:

Kennedy – COG Farm Committee field trip with Mackie and Mitchell Mackie

– EAC meeting recommendations next week.

Andriessens – Go Terps and good luck with finals.

Whitney – Graduations Monday-Wednesday next week.

ADJOURN INTO CLOSED SESSION: Mayor Kabir read the Closing Statement:

Pursuant to the statutory authority of the Maryland Annotated Code, General Provisions

Art. § 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 this meeting to discuss

1. 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, any other personnel matter that affects one or more specific individuals;
2. To consider the acquisition of real property for a public purpose and matters directly related thereto.

They will not return to Open Session after the Closed Session ends.

Motion by Esters/Rigg passed 7-0 At 11:22 p.m.

Janeen S. Miller, City Clerk

**Closed Session
May 16, 2023**

At 11:22 p.m. on May 16, 2023, in the Council Chambers of City Hall, a motion was made by Councilmember Esters and seconded by Councilmember Rigg to enter into a Closed Session. Mayor Kabir read the closing statement:

Pursuant to the statutory authority of the Maryland Annotated Code, General Provisions Art. § 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 this meeting 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,

any other personnel matter that affects one or more specific individuals; and to consider the acquisition of real property for a public purpose and matters directly related thereto.

After a brief recess, the Closed Session began at 11:27 p.m.

Present were Mayor Kabir and Councilmembers Mitchell, Kennedy, Esters, Whitney, Adams, Rigg (virtual), and Mackie. Mayor Kabir was the Open Meetings Trainee. Additional attendees included City Manager Kenneth Young, Assistant City Manager Bill Gardiner, City Clerk Janeen Miller, City Attorney Suellen Ferguson, and Economic Development Manager Michael Williams.

The Mayor and Council discussed the possible lease of a City property for a public purpose. Potential uses and lease terms were discussed. No action.

The Mayor and Council discussed the possible acquisition of a City property using Program Open Space funds, and how that property could be used. No action.

The Mayor and Council discussed an opportunity to purchase a property in the City that could be used for a public purpose. The feasibility of various use scenarios was discussed. A possible change in Zoning might be required. No action.

The Mayor and Council and staff discussed a path forward for a certain advisory board. A motion was made by Councilmember Mitchell and seconded by Councilmember Whitney to ask each member of this committee to reapply for their position in June, and to reassess the continuation of the committee after one year. The motion passed 6-1 (Rigg opposed). The City Clerk will send a letter to the members.

The Mayor and Council and staff discussed the vacancy on the City Council and the timing to fill it. The Mayor and Council may discuss applicants in closed session and vote in open session. A notice of vacancy will be prepared and distributed.

A motion was made by Councilmember Whitney and seconded by Councilmember Mackie to adjourn the Closed Session, and with a vote of 7-0, the Closed Session was adjourned at 12:30 a.m. on Wednesday, May 17.