

MINUTES
College Park City Council Meeting
Tuesday, July 18, 2023

7:30 p.m. – 10:01 p.m.

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

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

ABSENT: Mayor Pro Tem Mitchell

ALSO PRESENT: Kenneth Young, City Manager; Bill Gardiner, Assistant City Manager; Janeen S Miller, City Clerk; Suellen Ferguson, City Attorney; Gary Fields, Director of Finance; Bob Ryan, Director of Public Services; Robert Marsili, Director of Public Works; Michael Williams, Economic Development Manager; Dhruvak Mirani, Student Liaison; Gannon Sprinkle, Deputy Student Liaison.

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

ANNOUNCEMENTS:

Councilmember Hew announced Night at the Movies.

Councilmember Mackie said the West College Park Civic Association is planning a meeting, and asked residents to propose Good Neighbor Day projects.

Councilmember Adams announced the FBI selection criteria has changed, increasing Greenbelt's chance of being selected.

Councilmember Rigg reported that the Basketball Court will soon be open at the Calvert Road school site.

CITY MANAGER'S REPORT: Mr. Young introduced Rakhmel Rafi, new grants coordinator with the City.

AMENDMENTS TO AND APPROVAL OF THE AGENDA:

Rigg/Adams: Postpone agenda item 23-G-11, Memorandum of Understanding with the University of Maryland concerning division of proceeds from Veo Bike Share system, to the August 2 meeting. Motion passed 7-0.

Hew: Move 23-G-107, Early Voting, off Consent to Action (no vote required).

Adams/Mackie: To adopt the agenda as amended, 7-0.

PUBLIC COMMENT

Bryan Haddad, resident: In favor of Early Voting and 2-year terms.

Anna Lee, Small business owner in the City: Regarding the new parking meters: You need an app and can only pay with a credit card. A different system from the one nearby, people aren't familiar with it, and customers are upset. They don't know they need to hit "confirm." More tickets than ever have been issued. We are an unwelcoming town.

Jacob Hernandez, resident: We should review the residential parking enforcement program. He received (4) \$35 tickets in 5 days for parking in front of his house. He didn't receive a notice or reminder to get new permits. Concerns about the registration process, not renewing automatically, and the frequency of tickets.

CONSENT AGENDA

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

23-G-108 Approval to change the date of the first Council meeting in November to Tuesday, November 7 (instead of November 8).

23-G-112 Award a publicly bid Houston-Galveston Area Council (H-GAC) contract #PR11-20 amendment #1 extended through October 31, 2023, for Parks & Recreation Equipment to Playground Specialist, Inc. for the renovation of playground equipment at Calvert Hills, Old Town, The Mews, Davis, Hollywood and Muskogee playgrounds to be funded from ARPA fund #120 included in adopted FY23 and FY 24 budget in amount of \$387,000, subject to the approval of the City Attorney.

The motion passed 7-0.

ACTION ITEMS

23-G-107 Approval of Early Voting for the November General Election: October 26 from 8 a.m. to 7 p.m. at Davis Hall and November 2 from 8:00 a.m. to 7 p.m. at City Hall

A motion was made by Councilmember Kennedy and seconded by Councilmember Esters to approve Early Voting for the November General Election: Thursday, October 26 from 8 a.m. to 7 p.m. at Davis Hall and Thursday, November 2 from 8:00 a.m. to 7 p.m. at City Hall.

Judy Blumenthal, resident: Different weekdays for early voting will allow more students to vote and maximize voter turnout.

Kamthorn Clary, resident: supports having voting on 2 different days of the week.

Jacob Hernandez, resident: Any regressive practice doesn't look good for us.

A motion was made by Councilmember Hew and seconded by Councilmember Mackie to amend the motion by changing the Early Voting dates to Wednesday, October 25, and Thursday, November 2.

Councilmember Hew thinks it is important to allow more days during the week for residents to vote, especially if they have other conflicts.

Comment on amendment:

Judy Blumenthal, resident: supports the amendment.

Kamthorn Clary, resident: supports the amendment.

Councilmember Kennedy appreciates the passion to get out the vote, but will defer to the Board of Election Supervisors for their recommendation.

Councilmember Adams suggested Tuesday 10/31.

Councilmember Mackie thinks more variety is best.

Councilmember Esters prefers opportunities that have less confusion, so will defer to the BOES.

Councilmember Rigg defers to the people who have specific expertise in this area, and thinks simplicity is an important concept.

Mr. Mirani supports the amendment to give students as many options as possible. A chance to vote outweighs any potential confusion.

Motion by Councilmember Adams, second by Councilmember Whitney, to amend the amendment: Early Voting on Thursday October 26 and Tuesday, October 31.

Maxine Gross, resident: go with the residents.

Kamthorn Clary, resident: agrees with the Tuesday, Thursday.

Judy Blumenthal, resident: thank you for amendment.

Jacob Hernandez, resident: supports.

Ruth Murphy, resident: Don't have Early Voting on Halloween.

Ms. Miller said the reason behind the BOES recommendation to have both Early Voting days on Thursday is to keep the schedule simple and less likely to confuse voters. We know from experience that people have gone to the wrong location on the wrong days. She asked the Council not to choose Halloween (10/31) for Early Voting, and not to have two Early Voting days in one week. Most people, including poll workers, would rather be home on Halloween night.

Councilmember Adams amendment for Early Voting on 10/31 at City Hall and 10/26 at Davis Hall failed 0-7.

The vote on Councilmember Hew's amendment for Early Voting on Wednesday, 10/25 at Davis Hall and Thursday, 11/2 at City Hall, passed 4-3:

Yes – Hew, Whitney, Mackie, Adams (4)

No – Kennedy, Esters, Rigg (3)

The Main motion, as amended, passed 7-0.

23-G-96 Approval of lease for St. Andrew's Church Rectory – Kenny Young, City Manager and Suellen Ferguson, City Attorney

Mr. Young explained the lease agreement for the St. Andrews Rectory at 4508 College Avenue. The space will be used for Senior Services.

Councilmember Whitney asked for an estimate of the Real Estate Taxes. The Church is not-for-profit, and the City will be doing government services, so it is likely non-taxable.

Councilmember Esters asked if the lease amount was allotted in the FY '24 budget. Mr. Young said the lease and improvements would be handled in the CIP.

Councilmember Mackie asked if UMD students would be able to receive services at this location. Ms. Barber said this space will be used for current Seniors Program staff who provide case management for College Park residents age 62 and over.

A motion was made by Councilmember Whitney and seconded by Councilmember Adams to approve a lease, in substantially the form attached, for the rental of the St. Andrew's Rectory at 4508 College Avenue, for a period of three years, subject to the approval of the City Attorney. Further, I move to approve the extension of the lease to a five-year term with a five-year option, in the event that the Church agrees to this amendment.

The motion passed 6-0-1 (Rigg abstained because he is a member of the church).

23-G-109 Approval of an amendment to the existing St. Andrews Church parking lot agreement increasing the permit fees, setting the number of parking spaces at 30, providing for a year-to-year term, and quarterly payments to the Church – Bob Ryan, Director of Public Services and Jim Miller, Parking Enforcement Manager

Mr. Ryan said the Church requested that the City reconsider the parking agreement which is 22 years old. This proposal is to increase the monthly permit rate from \$40 to \$60 to be split evenly between the City and the Church. These permits are sold to employees of local businesses. This covers 30 spaces, and does not include the 5 spaces included in the Rectory Lease terms.

Councilmember Adams asked what is the intent of the increased cost. Mr. Ryan said this is a better rate for the employees who part there, and it increases the revenue to the Church. Our expenses are running the permit program, snow removal, paving and striping the lot, and those costs have increased since the original agreement.

Monthly permits for on-street parking are \$40 month. This is the only one on a private property lot.

The total number of spaces is now 35 due to reconfiguration of spaces. 30 are for the monthly permit program, and 5 are for the rectory.

Councilmember Rigg wants a better handle on what our supply and demand is for parking in the downtown areas.

Maxine Gross, resident: Take a look at the hike in the fee; the \$20 can make a real difference to the young employees of local businesses.

Jacob Hernandez, resident: agrees with Ms. Gross.

A motion was made by Councilmember Adams and seconded by Councilmember Kennedy to approve the proposed terms of the parking agreement between the City of College Park and the St. Andrew's Episcopal Church, to increase the monthly permit fee to \$60 per month, to set the number of monthly permits allocated for this program at thirty, and to change the period of the agreement from open-ended to year-to-year.

The motion passed 6-0-1 (Rigg abstained because he is a member of the church).

23-G-110 Approval of wording for a ballot question asking voters if they support 4-year staggered terms for elected officials – Suellen Ferguson, City Attorney

Ms. Ferguson gave an overview. At the last meeting, Council asked staff to draft language for a question on the ballot, to ask voters if they support 4-year staggered terms. We have heard comments today that a simpler question would be better, and staff agrees.

A motion was made by Councilmember Kennedy and seconded by Councilmember Adams that the following question be placed on the ballot for the November election:

The Mayor and Council of the City of College Park currently serve two-year terms. They are seeking your input on whether the terms should be four-year, staggered terms. Staggered terms would result in an election every two years for one Council seat from each district, and every four years for the Mayor.

Should the terms for the Mayor and Council be four-year staggered terms?

Kamthorn Clary, resident: We should clarify what a yes or no means: yes is a vote for change, no maintains the status quo.

Judy Blumenthal, resident: opposed to putting this question on the ballot. The question is not clear. Is this advisory or binding. There is no information on how it would be implemented.

Maxine Gross, resident: There is no need for this; where did it come from.

Jacob Hernandez, resident: 2-year terms provides more accountability.

Councilmember Rigg supports this.

Councilmember Mackie wasn't here last week during the discussion. She thinks the simplest question is the best.

A motion was made by Councilmember Mackie to amend the motion: *Do you want to keep the Mayor and Council terms at two years each. Yes/No.* The motion failed for lack of a second.

Councilmember Esters also wasn't here last week. She doesn't feel strongly either way but it's important to hear from residents, so she is in favor of asking the question.

Councilmember Adams is in favor of advisory questions on the ballot so we can hear from voters. He reminded people that this is advisory only.

Mr. Mirani spoke in support of maintaining two-year terms. He believes that the ballot should state this is advisory only.

The motion passed 6-1-0 (Mackie opposed).

Mayor Kabir asked staff to put together information for public education and to do it when the students are back.

23-O-07 Introduction of an Ordinance to amend City Code Chapter 184-18 and 184-24 and Chapter 110-1 to update the hourly parking rate to \$2 and reflect that bills and coins will no longer be accepted as payment for parking meters; and Chapter 110-1 (referencing 151-4) to eliminate reference to the monthly parking programs in the downtown garage and add a reference to the St. Andrew's parking lot permits – Jim Miller, Parking Enforcement Manager, and Bob Ryan, Director of Public Services

Mr. Ryan said this is a motion to introduce an Ordinance to amend the Code to reflect the recent changes in parking fees and going to a cashless system.

Councilmember Adams wanted a Worksession to discuss this. He and Councilmember Rigg have received a significant amount of comment on this. He wants clarity on what is already determined, what alternatives are still possible, and when this can be discussed.

A motion was made by Councilmember Adams and seconded by Councilmember Mackie to introduce Ordinance 23-O-07, to amend City Code Chapter 184-18 and 184-24 and Chapter 110-1 to update the hourly parking rate to \$2 and reflect that bills and coins will no longer be accepted as payment for parking meters; and Chapter 110-1 (referencing 151-4) to eliminate reference to the monthly parking programs in the downtown garage and add a reference to the St. Andrew's parking lot permits

Mayor Kabir said the Public Hearing will be scheduled for Wednesday, August 2, 2023 at 7:30 p.m.

Council asked that this Ordinance not be scheduled for adoption the same night as the public hearing, and to show a discussion on the item later in the meeting on September 5.

23-CR-02 Introduction of a Charter Resolution to amend the City Charter to remove the authority for Urban Renewal – Suellen Ferguson, City Attorney and Kayla Carter, Racial Equity Officer

Ms. Ferguson said this is a Charter Amendment that would delete Article XIII, Urban Renewal, from the City Charter. The state enables local governments to undertake urban renewal. The City adopted this enabling law then performed an urban renewal in the Lakeland neighborhood. There is no intention to go through an Urban Renewal process in the future. Based on its non-use and the fact that there is no need to maintain it in the Charter, the suggestion is to remove it at this time.

A motion was made by Councilmember Esters and seconded by Councilmember Whitney to introduce Charter Amendment 23-CR-02, a Charter Resolution to amend the Charter by deleting Article XIII in its entirety.

Mayor Kabir said the Public Hearing will be scheduled for September 5, 2023 at 7:30 p.m.

DISCUSSION ITEMS:

- A. The Mayor and Council suggested agenda items for the Four Cities meeting on July 27 at Town of Berwyn Heights: education about the legalization of cannabis, joint letter to County requesting that design money for the rest of US 1 be placed in the

top three of their priority list, WMATA is taking comment on future construction and investments – discuss if the Four Cities would like to endorse an option and send a letter.

FUTURE AGENDA ITEMS –

Bring back discussion of an Ordinance for vacant and blighted properties.

COMMENTS FROM MAYOR, COUNCIL, STUDENT LIAISONS:

Kamthorn Clary, resident: A presentation on cannabis will garner resident interest and support civic engagement.

Councilmember Whitney thanked staff for the work that went into the Friday Night Live, even though it was cancelled due to the weather.

Councilmember Mackie discussed the COG leadership retreat she attended.

Councilmember Rigg announced that the ITGA Conference will be held in College Park next year. He is on the Planning Committee – it includes City, UMD and TDC staff.

Discussion about how to handle questions on Ordinance 23-O-07. Council wants more information on August 2: Detailed overview before public hearing including how we got here and plan for implementation, then public hearing, then Worksession discussion. No adoption on August 2.

Mr. Mirani and Mr. Sprinkle had additional comments on the early voting matter and 2 v. 4 year-terms.

Mr. Young discussed the challenges that were faced in the roll-out of the new parking system on July 1. He announced the ITGA dates - June 4 – 7 2024 in College Park. We will host a reception at City Hall on Tuesday, June 4.

ADJOURN: A motion was made by Councilmember Mackie and seconded by Councilmember Adams to adjourn into a Closed Session. Mayor Kabir read the closing statement:

Pursuant to the statutory authority of Maryland Annotated Code, General Provisions Article § 3-305, the Mayor and Council 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. They will not return to open session.

The motion passed 7-0 and the Council meeting was adjourned at 10:01 p.m.

Submitted By: Janeen S. Miller, City Clerk

CLOSED SESSION
July 18, 2023

At the conclusion of the July 18 Council meeting, a motion was made by Councilmember Mackie and seconded by Councilmember Adams to adjourn into a Closed Session. Mayor Kabir read the closing statement:

Pursuant to the statutory authority of Maryland Annotated Code, General Provisions Article § 3-305, the Mayor and Council 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. They will not return to open session.

The motion passed 7-0.

The Closed Session convened at 10:14 p.m. in the Council Chambers of City Hall. Mayor Kabir and Councilmembers Hew, Kennedy, Esters, Whitney, Mackie, Adams, and Rigg were present. Mayor Pro Tem Mitchell was absent. Mayor Kabir was the designated Open Meetings trainee. Also present were Kenneth A. Young, City Manager; Bill Gardiner, Assistant City Manager; Janeen S Miller, City Clerk; Suellen Ferguson, City Attorney, and consultant David Deutsch.

Mr. Young, Mr. Deutsch and Ms. Ferguson reviewed proposals that had been received in response to an RFP and answered questions about each. Council asked about the process moving forward. Next steps were discussed. No action was taken.

A motion to adjourn the Closed Session was made by Councilmember Mackie and seconded by Councilmember Adams. The motion passed 7-0 and the Closed Session adjourned at 10:57 p.m.
