

AMENDED MINUTES
College Park City Council Meeting
Tuesday, September 26, 2023

7:30 p.m. – 8:53 p.m.

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

PRESENT: Mayor Kabir; Mayor Pro Tem Mitchell; Councilmembers Hew, Kennedy, Esters, Whitney, Mackie, and Rigg.

ABSENT: Councilmember Adams.

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, Director of Economic Development; Dhruvak Mirani, Student Liaison; Gannon Sprinkle, Deputy Student Liaison.

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

ANNOUNCEMENTS:

Councilmember Hew discussed the CBE Go Electric event.

Councilmember Esters attended Congressman Ivey's Virtual Town Hall about the pending government shutdown.

Mayor Pro Tem Mitchell met with the County Public School's transportation department about problems with school buses in her neighborhood.

Councilmember Mackie discussed Good Neighbor Day.

Mr. Mirani said members of the SGA were certified by the County Board of Elections as voter registration volunteers.

CITY MANAGER'S REPORT: Mr. Young discussed plans for the Legislative Dinner, said the liquor license for Terrapin Station was approved by the Board of License Commissioners, announced the ElectionGuard info session tomorrow night, announced College Park Day, and gave details of the DPW Clean up on 10/14 and 10/28.

PROCLAMATION: Mayor Kabir read the proclamation for Suellen Ferguson, City Attorney. Ms. Ferguson has been the City Attorney for 24 years and is cutting back her hours so she needs to step back from her work for the City.

AMENDMENTS TO AND APPROVAL OF THE AGENDA:

Motion by Rigg/Mitchell to add Suellen Ferguson's proclamation to the agenda, passed 7-0.

Motion by Whitney/Esters to add agenda item 23-G-145, a letter to the County regarding CB 79-23, to the Consent Agenda, passed 7-0.

Motion by Rigg/Kennedy to add agenda item 23-G-146, to place a commemorative plaque for Suellen Ferguson on the bench on the trolley trail at Amherst Avenue, passed 7-0. To Consent.

Motion by Mitchell/ Esters to add agenda item 23-G-147, a letter to the County regarding CB 83, residential building permit allocation program, requesting they table consideration so the City can review and comment, passed 7-0. To Consent.

Motion to approve agenda as amended, Whitney/Mitchell, passed 7-0.

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

- 23-G-142 Approval of a sponsorship in the amount of \$2,000 for Holy Redeemer School Home and School Association's Monster Dash 5k Race
- 23-G-143 Approval of a contract with Thomas Steel Barriers for the purchase of pin down barriers for Knox Road closures
- 23-G-145 Approval of a letter to the County regarding CB 79-23, requesting they oppose certain aspects of the Better Bag Bill.
- 23-G-146 Approval of a commemorative plaque for Suellen Ferguson on bench on the trolley trail at Amherst Avenue.

23-G-147 Approval of a letter to County Council re CB 83, residential building permit allocation program, requesting they table consideration so the City can review and comment.

The motion carried 7-0.

ACTION ITEM

23-O-08 Introduction of Ordinance 23-O-08, an Ordinance of the Mayor and Council of the City of College Park, amending Chapter 175 "Taxation", by enacting article V, "Property tax credit for elderly individuals", §175-14 "Establishment of tax credit", §175-15, "Eligibility", §175-16, "Amount and duration of credit", §175-17, "Application for the tax credit, and §175-18, "Effective date of the tax credit," to authorize the Mayor and Council to approve a tax credit for elderly individuals and to provide the extent, duration, and eligibility requirements for the credit as authorized by §9-258 of Taxation-Property Article, Annotated Code of Maryland – Suellen Ferguson, City Attorney

Mr. Fields gave an overview of the proposed plan for the program. Eligibility requirements are very similar to PG County: Property owner has to be 65+, maximum number of years is 5 years, maximum assessed value of \$500K, which will be adjusted for inflation similar to the County, and they need to have resided in the house for at least 10 years. Our tax credit will be a flat amount of \$250. A resident can apply for our credit whether or not they filed for the County's credit. Council may change the provisions in the future as more experience is gained. If the Ordinance is introduced tonight the Public Hearing will be October 10.

Discussion: The ordinance is flexible so adjustments can be made in the future. It can be reviewed each year at budget time. The County list will include everyone who meets the County's eligibility requirements. Council's flexibility includes extending the time of the credit, changing the maximum amount of assessed value, changing the amount that the City budgets for the program, and extending the deadline to submit application to the City.

Council expressed concerns about the administrative burden this program could have on staff. Mr. Fields said the application will mirror the County's and we can use the County's list.

Councilmember Mitchell asked staff to prepare a FAQ to help the public understand the proposal.

A motion was made by Councilmember Mitchell and seconded by Councilmember Esters to introduce Ordinance 23-O-08, and to schedule the Public Hearing for October 10.

DISCUSSION ITEMS:

A. Discussion of regulation of short-term rentals/AirBNBs

Ms. Ferguson reviewed the ordinance that she drafted for consideration. It mostly follows the Prince George's County law which is incorporated by reference. As drafted, our law includes the ability for the surrounding neighbors (within 300 feet) to object to the designation of a property as a short-term rental.

Short-term rentals will be registered just as long-term rentals are. For those that are not properly registered, we rely on residents to notify the City when they suspect a rental property is not registered. We first send a notice to the property owner. If they don't comply, we issue an MI and go to court. The entire process could take months.

Councilmembers Rigg, Whitney, Esters and Mayor Kabir disclosed per Council rules that they met with representatives of a short-term rental company.

Discussion: The registration requirement will provide more information about the extent of short-term rentals. There is growth in this sector and we should get control of it. Difficulty in contacting rental property owners. Discussion of the role the Homestead Tax Credit and whether the entity is an LLC have. AirBNB does not disclose precise address unless you rent the space. How can the City identify and investigate suspected short-term rentals that are not registered. Concerns about parking. Question about subleasing.

Return for introduction next week.

FUTURE AGENDA ITEMS

Mayor Pro Tem Mitchell asked if the rental occupancy permit transfers to a new owner when the property is sold. No, a new occupancy permit is required. She requested a Worksession on this, as well as having an agent for all rental properties. She will submit a form.

Councilmember Whitney wants to discuss creating a rebate program for turning in a gas powered leaf blower for an electric leaf blower or rakes, per the CBE letter in June. She will submit a form. Whitney/Mackie, 7-0.

COMMENTS FROM MAYOR, COUNCIL, STUDENT LIAISONS:

Councilmember Rigg commented on elderly property tax credit discussed earlier this evening. Most of the poverty in the City is not the elderly, it is families with children. He would rather see a needs-based program to benefit those who are truly in need. He is struggling to support the item as written.

Councilmember Mackie hopes residents will participate in the Good Neighbor Day program.

Mayor Kabir spoke at the Rotary Club of College Park last week and discussed their contributions to the City. He attended an event on campus with Dr. Pines regarding the Maryland Initiative of Literacy Equity for tutoring school children.

Councilmember Whitney acknowledged the owner of Virtual X Kitchen who is providing hot meals on Good Neighbor Day.

Councilmember Esters recognized the students in the audience.

Councilmember Kennedy was proud to announce the ribbon cutting last week for the first house for the Community Housing Trust. The program began 3 years ago.

Councilmember Hew attended the Be The One suicide prevention event.

Mr. Mirani said the SGA sent a questionnaire to all candidates in the election. Mr. Sprinkle hopes to see everyone at the farmers market tomorrow.

ADJOURN: A motion to adjourn passed 7-0 and the regular meeting was adjourned 8:53.

Submitted By: Janeen S. Miller, City Clerk