



Minutes for Special Meeting and Work-Session

Date: April 15, 2008

Place: One Municipal Place, Mount Rainier Md.20712

Presiding Officer: Mayor Malinda Miles

Councilors present: Alta Morton, Pedro Briones, Bryan Knedler

Councilor absent: Jimmy Tarlau

Staff present: City Manager Jeannelle Wallace and Public Works Director Luther Smith

Meeting called to order at 7:14pm

Review agenda:

Delete the discussion with Chief Scott

Delete liquor license policy

Delete 3409 Rhode Island Ave. FOL

**Following the Work-Session we will go into a closed session for the purpose of discussion
On parking lot purchase and City Managers evaluation.**

Move to adopt

Councilman Briones

Second Councilwoman Morton

Vote 3-0

Luther Smith Public Works Director

**Mr. Smith is giving a 4 minute presentation of the Public Works Dept. at work on different
City projects.**

FY09 budget salary allocation for Public Works is \$242,724.00.

Salary increase and a additional man is \$370,000.00

We would like to acquire another truck and lease the body for less than \$100,000.00

There is room for negotiations

Building Maintenance:

**The building maintenance cost is \$9,450.00 and we are doing a 10% increase on across the
board services.**

Mayor Miles:

Does that take in the increased cost that was given by DER last year?

Luther Smith:

That was a 15% increase on refuse fees we have already done 10% so we will do another 5%. The total budget for Public Works is \$1,959,863.06.

**Motion to go out of closed session into Work-session Councilman Knedler
Second Councilwoman Morton
Vote 3-0**

Work-Session

Discussion on the sale of the Bass Property (3208 Rhode Island Ave.)

**Michael Bass: (Attorney for the Bass Trust)
Address: 8900 Southwest Ave. Suite 206
Miami Fl.**

I'm representing Eric J. Bass who is the trustee of the trust that owns the Bass property. I am presenting the power of attorney for me to act on the behalf of Eric Bass. Our family is interested in selling the Bass Liquor property at 3208 Rhode Island Ave. We currently have the property under contract at the price of \$1,150,000.00. The agreement is we have the right to cancel that contract if we choose to do so as long as it's done prior to closing.

We wish to sell the property to the City of Mount Rainier or whom ever the would like us to sell it to. Today I have a signed purchase offer to sell this property to the City for the price of \$1,150,000.00. The City has 45 days from today's date in which to accept the offer. We are in negotiations with several other parties but we want the City to purchase this property. The offer is effective as of today.

Councilwoman Morton:

Thank you, why didn't you negotiate this with the city's developer Dallas Evans?

Mr. Bass:

For several reasons, on 9-6-07 I received a phone call from Mr. Evans expressing an interest in the property. I told him that the property was under contract with the Holland Group and the contract would expire on November 30th, 2007. I told him the purchase price was \$1,150,000.00 and he said he would be wiling to pay more than that. I told him we would be willing to do a back up contract in case the Holland Group doesn't perform.

In early November I received a letter from Mr. Evans with a proposal. The signature page of the contract was not signed. A valid offer to purchase a property requires a signed offer. I spoke with Mr. Evans and said this is a proposal for \$895,000.00. Mr. Evans has never made a valid offer. He has never given me anything in writing proposing to pay the amount he previously mentioned he would be willing to pay. I told Mr. Evans that if he wanted to make a proper offer at our price then we would consider it.

Councilman Briones:

Did you counter him on that offer?

Michael Bass:

Yes, I told him the price is \$1,150,000.00 and if he would like to buy it for that price please let me know. I have an appraisal which is for more than \$1,150,000.00 and I'm not asking the City for the appraisal price.

Councilman Briones:

If we are going to go in the process of purchasing the property I think an independent condemnation appraisal would be in the best interest for the both of us.

Michael Bass:

We are willing to go eminent domain if that is what the city wants to do.

Mayor Miles:

At this point the City knows where it wants to go. We are receiving the information but we are not making a decision tonight. We understand you have the 75 days in place to get back to you with our decision. The offer on the table is \$1,150,000.00 and are you open to a counter from the City?

Michael Bass:

We are open to a counter offer as to what number we might accept we are not saying at this time.

Councilman Briones:

We will be following up with our attorney in getting access to the property for an appraisal.

Michael Bass:

The City does not have the right to require us to repair or remove the building once the offer is accepted nor will the City have the right to commence eminent domain proceedings once the offer is accepted.

Mayor Miles:

If we don't accept it and we still feel the need to have that area cleared than the ball in your court.

K-Food Mart Liquor License Challenge

Councilman Knedler:

Our Police Department has told us of five incidents of selling alcohol to underage persons and that is of great concern.

Mayor Miles:

I spoke to the liquor board and they have not had a complaint filed.

Hope Umana (Proprietor of K-Food Mart)

I reviewed my sales tape and there was no sale for that amount. I have been robbed and vandalized and don't get help from the police. They come in two at a time and one distracts you and the other steals.

Captain Stoots:

To my understanding there has been four or five incidents of beer sales to minors and citations have been issued.

Mayor Miles:

We would like to set up a meeting to have some dialogue with you.

Councilman Briones:

Thank you for coming, but if were up to me I would send a letter and the citations to the liquor board challenging your license.

Mr. Umana:

There has not been five citations issued in the eight months I've been there, only one to me and there was no sale to a minor. They come in and distract your attention and the other steals.

Captain Stoots:

I will pull the citations and forward to Ms. Wallace tomorrow.

Mayor Miles:

St. James Church:

The building permit for the ramp has been approved. This is historical property.

Basketball volunteers meet at Thomas Stone School at 6:30 on April 18th, 2008.

On the 27th of April the county is giving away free.

**Move to go into closed session to discuss purchase of parking lots and the City Managers evaluation. Councilwoman Morton
Second Councilman Briones
Vote 3-0**