

Official Minutes of the City of Mount Rainier

MAYOR AND CITY COUNCIL WORK SESSION

DATE: December 18, 2018

COUNCIL CHAMBERS, UPPER-LEVEL CITY HALL

Call to Order

7:00 PM, Council Chambers, City Hall, One Municipal Place, Mount Rainier MD

Presiding Officer

Mayor Malinda Miles

Officials Present

Councilmember Celina Benitez (Vice Mayor)

Councilmember Luke Chesek

Councilmember Bryan Knedler

Councilmember Shivali Shah

Staff Present

City Manager Miranda Braatz

Minutes provided by:

City Clerk

Call to Order and Pledge of Allegiance

Reading of Agenda into Record by Councilmember Celina Benitez

City Business License for CBD/Hemp Store on 34th Street

Mr. Ruben has permits from the County and has an application for a City permit to open his business to sell CBD/hemp. He has two locations in North Carolina and is opening a third. He sells CBD not cannabis with THC intact that causes a high. He personally uses CBD for his own health issues. He discussed the uses of hemp and why he went into this business. He decided to put business in Mount Rainier because of low rent and other stores like Vegan Café, Glut, and Juice Bar. Councilmember Shivali Shah asked him to explain why CBD he sells is not psychoactive. His products THC levels must be under .3 which does not activate a high. He is not interested in becoming a medical dispensary, he interested in hemp fiber production. The store will sell hemp clothes, oil, salves, etc. City Manager Miranda Braatz said the business owner has been proactively reaching out to the City and Departments. Councilmember Celina Benitez asked how enforcement is handled. Mr. Ruben said he IDs and only adults can buy. The City Code Enforcer said he inspected the store and Mr. Rueben is making the necessary repairs. He also stated the MD Health Dept. does not regulate Hemp, but Mr. Rueben was happy to come to talk to Council. Once repairs are done, the City should approve the business license. Mayor Malinda Miles expressed concern about loitering and parking at the store. She is looking for a good corporate partner that will address these issues before they are problem and will do ongoing public education about

hemp. She suggested that Mr. Rueben participate in the Mount Rainier Business Association. Mr. Reuben said his business will have regular store hours and will not be open late or 24 hours.

No Public Comments

Council authorized City Code Enforcement to approve license when all codes are complied with.

Artist Loft Truss and Unit Repair Update

Head of the City Code Enforcement asked for a Phase Out Plan by the apartment management to finish needed work on the Artist Lofts. The Management Company is reviewing three companies to do the work on three units and three units have already had work done. The truss of building needs to be repaired along with cracks. Occupant's in one unit have been moved until repairs are done. The other apartments that need work have been shored up until work is done. While the truss repairs are being done, occupants will have to be moved to another apartment or hotel. Occupants will be given free rent or other remuneration to compensate them. Management is to give the Head of City Code Enforcement a report every three months. The Artist Loft's Management had their engineer review the truss. The City of Mount Rainier paid for its own engineer to review the problem too. Mayor Malinda Miles is concerned that building is not safe now for those in the units. Councilmember Bryan Knedler asked where is the County on this issue? He is concerned that City has gone in and not the County. Head of City Code Enforcement said the issues in building required the City to get an expert engineering opinion. He is satisfied with their plan and will track their progress. He is satisfied that building is currently safe. In the future it should be in the City Code that private owners have to pay for or reimburse the City for engineering expert the City obtained. The County has not responded to this issue. Councilmember Celina Benitez suggested a letter to our County Council Representative Tavares on the Artist Loft issues. Add to the letter the dates the City contacted the Redevelopment Authority and dates they responded back to the City. Mayor Malinda Miles said the County role is inspection. The Artist Loft and Police Building have never been up to BOCA Code and the County never held them to County Code. City Staff Elma said the County was contacted by the City and they did respond but did not do reinspection or follow-up with the City. She has the emails from August 2018. Instead of a letter, Mayor will personally ask County Councilmember Taveras to get County Code and Redevelopment Office to participate and ensure Code is met at the Artist Loft and help get the City reimbursed for cost associated with these repairs.

32nd Street Oak Tree Issue

Councilmember Luke Chesek said there are many old oaks in the City on private property that are a safety hazard. He wants to know if the City has authority to remove trees on public property. This is was triggered by tree and issue brought forward by Gabriel Vega 3810 32nd Street. Gabriel Vega 3810 32nd Street discussed the old oak from 1910 era on her property. PEPCO has cut the tree a few times. She has called PEPCO about the tree. She paid for trunk removal in 2013 and more work in 2016. Oct. 16, 2018, she got a letter from City that she is not in compliance and will get a fine. Ms. Vega contacted City and awaited their response. They did not respond. Then she got more letters from the City and deadline Dec. 29th. She said she could have let the tree fall and had no liability. Instead she took responsibility and paid for partial tree removal and is getting harassed by the City. She wants a City-wide solution as many residents have this issue. Also for this case and for other trees, removal will require a

crane or special equipment to remove some of these trees. Council and Mayor debated the issue. The City Manager Miranda Braatz reviewed the tree assessment form by the City Arborist and the cited violation of City Code. Head of Code Enforcement reviewed the City's response. Mayor Malinda Miles suggested Mayor and Council contact PEPCO about these trees for residents. Councilmember Celina Benitez wants issue of electrical lines being placed underground be addressed. She wants Council and Mayor to have further discussion to come into policy. To move forward, Mayor and Council will schedule a meeting with PEPCO customer relations to discuss the tree cutting and will review City Code about tree removal. Dec. 29th deadline for Ms. Vega be extended and the fine removed. This discussion will be tabled to be addressed at a future meeting. Mayor and Council agreed to these steps. City Manager Miranda Braatz said there are many other tree violations. Mayor suggested all tree violations be reviewed to see if the tree falls it will affect public utility and safety. Those need to be enforced now and other put on hold.

Public Comment

Resident – PEPCO is responsible for 32nd tree.

RECESS

Motion for Five Minute Recess: Mayor Malinda Miles Move: Councilmember Shivali Shah Second: Councilmember Celina Benitez Vote Recorded: 4-0-0, Motion Passed

Creating Food Truck Hub in Mount Rainier

Mr. Davis has been in Mount Rainier since 2006. He has two food trucks. Mount Rainier has tried various restaurants that failed. He thinks food trucks could work to bring people to the area. He would like to have food trucks regularly and he wants to have food truck events posted to social media for weekly and monthly events. Union Market in DC is an example. Food Trucks can bring foot traffic and will not be competition to other businesses. Mayor Malinda Miles said he can have food trucks, but the issue is how to do it, when, and how often. Mayor and Council liked the idea and Ryland Ave and Rhode Island Dog Park were suggested. Councilmember Shivali Shah asked who will manage the Food Truck Hub? City Manager Miranda Braatz was part of County process to regulate food truck. She reviewed the rules. City of Mount Rainier needs to ask the County to be a food truck hub and apply, have a food truck coordinator on City Staff, and pay fee (more than 1K). City of College Park is the only County municipality that is a food truck hub. Head of City Code Enforcement discussed Code requirements for County and City code. The Mayor wanted to know the money gained will cover money spent to be a Mr. Davis suggested a private/public partnership. Mayor and Council agreed to explore the food truck hub idea. City Manager Miranda Braatz will work with Mr. Davis and Code Enforcement to develop plan on how to make this happen in the City and what it will take. Councilmember Luke Chesek will be Council Liaison on this Food Truck Hub. This issue will be on Feb. Work Session Agenda. Mayor Malinda Miles hopes its operational for Mount Rainier Day.

Inoperable Cars in the City on Private Property

This about junk cars and is the City going onto resident's property to remove a car? City can also ticket. Neighbors complain and tickets are issued, but car is still there. Code Enforcement can take a path of postal worker and ticket if they can see the car on that path. If the car is on the street, they can inspect. Police can go on property can check but have some restrictions to. Head of Code Enforcement and the Mayor and Council debated the issue of junk cars. Head of Code Enforcement said in the Code owners have 10 days after violations to remove the car or City can remove it. The current fines are up to \$1000. In the future, he will have new recommendations for fines. Councilmember Bryan Knedler will due some tweaks to the Code for Mayor and Council review. Councilmember Shivali Shah said there needs to be public education on the Code. Councilmember Celina Benitez wants this information put in the "The Message." Mayor Malinda Miles would add it to MRTV. This issue will be on Feb or March Work Session.

City Parks Strategic Vision

Councilmember Luke Chesek reviewed his City Parks Strategic Plan for Mayor and Council feedback. In FY19, 36K was budgeted for Memorial Park and 15K is allocated and a grant will be written for the rest of the work. 36K was allocated to Roger's Park and 8K was used for goats to clear the park. He is happy on money spent, but thinks the City needs overall strategy for Parks in the City. Parks he referred to are 37th and 31st are MNCCP parks but City approved can do work on them, Richardson Park, Spring Park, and Edgemont Park. 34th and Upshur Park and Taylor Park were not included as they belong to MNCCP and City is not approved to work on them. His proposal is the City to commit 60K a year to renovate these Parks. He would like to leverage relationship with UMD to redesign the City Parks. Do we want 60K in year one to do redesign and then improve them or do them one by one. Councilmember Shivali Shah said she did the proposal for Spring Park that was very time intensive. Also, grants are specific to the needs or historic implications of the Park. She suggests one park at a time so time and attention it takes to get residents on board and apply for grants is considered. The only developed park owned by the City is Richardson Park and other parks owned by the City are maintained by the Dept. of Public Works. All other Parks are MPPCC. She wants MPPCC to be responsible for keeping up their parks in the City. Mayor Malinda Miles said she wrote a plan that includes City Parks, MPPCC Park, and Board Park and did not get feedback. Councilmember Luke Chesek said he read her work and the next slide addressed her proposed legislation and budget. Mayor Malinda Miles said her legislation is to have strategic plan for parks and Step 2 is covered by Councilmember Luke Chesek proposal. Councilmember Bryan Knedler said Richardson Park will get ripped up. He would like UMD to work on plan for Roger's Park. City Manager Miranda Braatz said the City should set up a Park Internship with UMD with access to UMD software and the intern will work year long on variety of projects. Mayor Malinda Miles said there is money for parks, so the City should seek for grants before using City money. Councilmember Celina Benitez is for money being earmarked in the budget and used if grants are not found.

Appointment of Negotiation Team for Police Contract

City Manager Miranda Braatz said that a negotiation team needs to be appointed to negotiate the contract with police. Council would like negotiation to be postponed until the new Police Chief can get on the job and see the needs of his department. Nominations for the team are City Manager Miranda Braatz, Director of Administrative Service, City Attorney, and Police Chief. Councilmember Shivali Shah was not agreement with have the Police Chief on the team but he/she can be consulted. City Manager

Miranda Braatz reminded Council that this negotiation has large financial impact. She also recommends that it does not happen during election years. Mayor and Council will like to extend current contract for six months and further discussion will be in closed session as requested from Councilmember Celina Benitez.

Letter on Census

Councilmember Luke Cheseck and Councilmember Bryan Knedler recused themselves from Letter discussion. Letter was approved.

Website Update

City Manager Miranda Braatz said the developers are doing content transfer and City Dept. Heads are meeting with developers to ensure right content is online. It will be done by mid-Jan. Project Lead is Peter Ampe. Next step is application integration such as Muni Code and public serve request. This will happen in January. February developers will come to discuss process and color scheme and logo for website. Councilmember Shivali Shah said City Depts will have to do a lot of work to create up to date content. She wants timeline in writing. It takes this long to get to this point, too much time being spent building on backend. She doesn't want City pay more for changes that will be needed. She is worried about the vendor. It has taken them 8 months to do what should take 2 months to do. Does contract include 3rd party app integration. She wants forms on each Department page for residents. I don't see this in the contract. City Manager Braatz said public service app will handle public requests and other forms are City. She also wants public training for City staff. Also, we will need Committee content for the website. Council requested they all be sent the Contract. Councilmember Celina Benitez wants it added to the Council Rules that Mayor and Council are all sent all relevant contracts. She also wants photo capability/upload for Public Works form and payments on the City Website. She wants sign-up sheets for events and committees. She wants notification sign up for "The Message" and other notices. She wants to see the Site in January. Councilmember Luke Cheseck wants to make sure content to be up-to-date and concise for each Department. He wants to be able to make modifications prior to January. Councilmember Bryan Knedler and Mayor Malinda Miles want a working website as soon as possible. Councilmember Shivali Shah would like resident that are competent in this area to do this. She also worried she has not seen it yet. She wants to have conversations with the vendor to get clarifications on what we were promised and what we are getting and preview of the website sooner rather than later. They want immediate response to Councilmember Shivali Shah and preview before January.

Quarterly Reporting

Councilmember Luke Cheseck said quarterly on fiscal year basis each Dept. will give a quarterly report with personnel information so they can be disclosed. Report will highlight risk, needs, successes, and failures. Four of the Council Work Sessions will discuss the reports. Council will give quarterly feedback. Mayor Malinda Miles said Councilmember Luke Cheseck needs to review City Manager contract to deal with potential implementation conflicts. There was concern from the Mayor and Council about adhering to the quarterly schedule and City Manager review. In practice, City Manager review has not been done on time. City Manager matched schedule to fiscal calendar. City Dept. Heads are doing soft reports for January to see how it works. Dept. Heads do like the quarterly reporting idea. Overall the

Council and Mayor want to implement the reporting, but implementation details need further discussion.

City Policy Travel and Hotel

Mayor Malinda Miles wants the policy on Council and Mayor travel to be in writing. There is line for Mayor and Council Conferences. City Manager Miranda Braatz asked for miles radius for overnight stays from Mayor and Council. Councilmember Shivali Shah says there should be a policy for staff too. City Manager Miranda Braatz said employees have a policy, and she will draft the policy for review for Mayor and Council at next Work Session.

Newton Overlook Letter

Councilmember Luke Chesek said it is Newton Overlook, not Mount Rainier. It must be corrected in the Letter. DRB met with builders. Design Review Board (DRB) supports four-foot additional easement and three-foot sidewalk on 37th with crosswalk. The City is not requiring sidewalk on side of the house because it would affect trees. Builders are instead completing 37th Street sidewalk. Letter will be corrected for Council and Mayor signature. Mayor Malinda Miles wants a policy that developers have to add a sidewalk when developing property in the City. Language will be reviewed for next session.

Councilmember Shivali Shah exited the meeting.

The two items (Rolling Agenda and Council Agenda) will be added to another session.

Announcement

Mayor and Council have moved the Jan. 1, 2019 Council Meeting to Jan. 8, 2019 at 7pm. Work Session will be moved to 4th Session as 3Rd Session is for City Manager Review. Police and Finance Meeting will be held as schedule on the January 8, 2019.

Motion to Adjourn Meeting: Mayor Malinda Miles Move: Councilmember Bryan Knedler Second: Councilmember Luke Chesek Vote Recorded: 4-0-0, Motion Passed
