



**Minutes of the City of Mount Rainier Maryland
City Council Public Hearing, Work Session & Special Meeting**

Date: 04-21-2015

Place: One Municipal Place, Mount Rainier

Presiding officer: Mayor Malinda Miles

Councilmember's present: Jesse Christopherson, Brent Bolin, Bryan Knedler, Jacquelin W. Riposa

Councilmember's absent: None

City Hall Staff: Assistant City Manager Veronica Owens, City Treasurer Vijay Manjani,

Meeting called to order at 7:00 p.m.

Pledge of Allegiance

Agenda

- **State Highway Administration Concern –Parking Spaces Presentation**
- **Public Hearing and Comment**
- **FY-2016 Budget and Constant Yield Tax Rate**

State Highway Administration Presentation

Ericka Rigby, Assistant District Engineer of Project Development in District 3

This is a joint project between SHA and FTA that is funded by the TIGER Grant Fund (Transportation Investment-Generated Economic Recovery). It entails Q jump and TSP projects along the Route 1 Corridor. SHA plans to allow the buses to jump the Qs so they can access the sites in front of the bus stops quickly and allow passengers to get off and on quickly. In order to do that, the pavement markings need to be shifted. This will not allow for parking in certain areas. Since this is within the State Highway right-of-way, SHA is asking the City to move their meters as to not confuse motorists about parking in the area.

Mayor Miles and Councilman Bolin would like to have a meeting to discuss the project in detail.

Public Hearing

Tool Shed

Greg Seton & Kathy Casher (Mount Rainier Residents for the last three years) helped take over the Toolshed with Mimi after Evan left. The toolshed allows the community to have access to tools needed to help fix up their houses. They need the money allocated in the budget for storage capacity, inventory, and building repairs to better manage the collection.

Lailey Howard (4000 block 31st Street) is in favor of maintaining funding for the Tool Shed. The Tool Shed is one of the City's features that allow Mount Rainier to stand out and it helps the city get its highest ranking for the Sustainable Maryland Recognition.

FY2016 Budget and Constant Yield Tax Rate

The Mayor and the City Council of the City of Mount Rainier, Maryland propose to increase real property taxes for the tax year beginning in July 1, 2015. The estimated real property assessable base will increase by 1.0% from \$343,478, 698 to \$346, 891, 343. If the City of Mount Rainier, Maryland maintains the same tax rate, \$0.86 per \$100 of assessment, real property tax revenues will increase by 1.0%, resulting in \$29,435 of new real property tax revenues. In order to fully offset the effect of increasing assessments, the real property tax rate should be reduced to 0.8515, the constant yield tax rate. The city is considering not reducing its real property tax rate enough to fully offset increasing assessments. The City proposes to adopt an update real property tax rate of \$0.86 per \$100 of assessment. This tax rate is 1% higher than the constant yield tax rate and will generate \$29, 435 in additional property tax revenues.

The hearing on the proposed real property tax rate increase will be held at **7pm on Tuesday, April 21, 2015** in the **Council Chambers at City Hall, One Municipal Place, Mount Rainier Maryland**. Contact City Hall at **301-985-6385** for more information.

Charnette Robinson reviewed the budget and urges the Council to reconsider the 3% cost of living increase to city employees as it relates to raising the cities taxes. She does not personally feel it is appropriate to give raises to people and then turn around and raise taxes.

City Treasurer Manjani comments that the taxes did not actually increase even though it is technically considered a tax increase. The constant yield tax rate represents tax revenue that the City received last fiscal year. Three years back, the city lost \$400,000 in tax revenues. The tax rate should have been increased by \$0.14. However, the city only decided to increase by \$0.07. The state only goes one year back to make comparisons, which is why it appears to be an increase. However, every Mount Rainier resident has been paying less tax than what they use to pay in FY2012, since FY13, FY14, and FY15 brought in less tax revenue by \$0.07. The City is receiving approximately \$200,000 less in tax revenues.

Motion to close the Public Hearing

Councilman Bolin

2nd Councilman Knedler

4-0

Public Comment

Sahar Chaundry (3200 block Perry Street) has been a resident for 9 years and has a concern about the downtown circle area having people who loiter, drink in public, urinate in public and use profanity around children. She would like something to be done about this.

Charnette Robinson (3500 block Perry Street) suggests that before she starts a petition for residential parking signs again that the Council reconsider putting the residential parking signs back on the 3400, 3500 and 3600 Block of Perry Street. People are parking on these streets and the side streets, then walking to the bus stop. They end up leaving their vehicles there all day. As soon as people noticed that the signs were gone, the same problem arose again. Also she encourages Chief Scott to start using Lydar to start tagging some of these vehicles and the speeding that is going through Perry. Elderly and handicap residents as well as a daycare are there. Lastly, she believes that moving the bus stop further from the liquor store would help deal with the drinking issue in the downtown circle.

Mayor Miles does not believe that the signs should have been taken down due to lack of enforcement. She believes that the signs should have been enforced and the fees for the parking permits should have been paid. If it takes a council action to put it up, it takes a council action to put it down. She asks that this issue be put on a Work-Session agenda.

Councilman Knedler inquires about what is being done for the loiterers in the downtown circle.

According to Ms. Chaundry, people are staked out at the border because Mount Rainier's liquor stores open at 6am and D.C.'s liquor stores do not open until 10am or 11am. She believes the most effective way to deal with this is to have a cop car staked out. When the people see a cop car coming, they run away.

City Manager Wallace comments that Ms. Chaundry should not have waited five minutes to get on the line with dispatch. Dispatch is managed by Bladensburg so a call will be made to them. She also agrees that a cop car driving up is ineffective. However, an un-uniformed cop is ineffective as well because most of these people recognize the City's officers. The most effective approach comes from using ununiformed security from WMATA. The City Manager will work with the Captain and Chief to collaborate with WMATA on this.

Councilwoman Riposo states that a more systematic approach needs to be taken with the liquor store, such as addressing the zoning or hours of operation for the liquor store. Mayor Miles will look into whether or not the Mayor and Council have control over a liquor store's proximity to a bus stop. She states that the Council can talk to an attorney on this issue.

Councilman Knedler states that there are new businesses trying to come onto that block so the council definitely has to address this. The last thing the City needs is for the new businesses or restaurants to fail because people are afraid to go down there. Secondly, it is time to challenge the license for Chuck's.

Councilman Bolin says that Mount Rainier Police need to be out there all the time moving people along. He also believes that the bus circle should not move because it helps the businesses. The liquor stores should be addressed.

Charnette Robinson (3500 block Perry Street) communicates to the council that it is much easier for the City to change the law than it is to get that bus stop addressed. Right now the City of Mount Rainier does not have loitering laws. Officers cannot walk up to someone and say get off the bus stop.

The Mayor and Council tried to implement loitering laws before but it was declared unconstitutional. Also the courts in the county do not take the tickets for enforcement serious.

Councilman Christopherson suggests a meeting be held on the subject. Councilman Knedler advises that the council call in the owners of the liquor stores to discuss the issue and find out their attitude towards it. If they are not compliant, the city can challenge their license.

Special Meeting of the Mayor and Council

Approval of Letter in support of Councilmember Deni Taveras

Michael Watson, Chief of Staff of County Council Member Anita Veris

The District Council approved the Gateway Sector Plan in 2004, which included Mount Rainier, Brentwood, N. Brentwood, and Hyattsville. This plan created an overlay zone on top of the existing

zoning that was already in these areas. It created some additional restrictions and permissions in some areas. The overlay was broken up into seven or eight different character areas. The largest one is the traditional residential neighborhood character area. The idea was that the district council would create a traditional neighborhood character area (TRN) that would protect most of the traditional detached single family homes. Then it would create arts related developments in other areas that would be outside the TRN. One of the permissions that was created ten years ago with the plan in the TRN, was that single family detached homes could be converted to up to three housing units. Typically in the single family detached area, the zoning ordinance limits the house to two housing units. The conversion to three would not be considered multi-family. If a person sent a conceptual site plan to the district council, they could get it by special permit. This was a mistake. After the permissions were put in place, people began converting the properties into three apartments, which is not conducive to the life safety and welfare of the community. If the district council can make that declaration then it can eliminate that permission. The two biggest issues currently are trash and parking.

Motion to support the approval letter of Councilwoman Taveras to amend the zoning ordinance (CB1415)

Councilman Knedler
2nd Mayor Miles
4-0

Approval for the Letter to the Board of License Commissioners on the Café having a Liquor License for a sit down meal.

Councilman Bolin
2nd Councilman Christopherson
4-0

A meeting on 31st Street Park will be held on April 27th, 1pm at City Hall

Ordinance 1-2015 (1st Reading)

An ordinance establishing the tax rate adopting an annual budget and appropriating funds for the fiscal year 2016, beginning July 1, 2015 and ending June 30, 2016.

Motion to recess the current special meeting for the purpose of moving into a Work-Session to discuss and work on the proposed 2016 Budget.

FY 2016 Budget

City Treasurer Manjani

Community Garden

The budget was increase by \$1,250.

Email System

The email system is being changed from a server to a 3rd party host tomorrow

Recycling

Lailey Howard (4000 block 31st Street) is pleased that the council is considering the Green Team proposal for the FY2016 Budget. As a recognized sustainable leader, the City needs to think about diverting its trash towards reuse and recycling. In 2013, Recycling was about 23%, and landfill waste was about 77%. This is not that great compared to other municipalities. This proposal is about transitioning from the yellow bins to a larger bin with wheels and a lid. Based upon the Green Team's calculations, the city would easily reach a 43% increase in recycling, which would equate to a cost savings of about \$7,500

per year. The estimated cost of the new carts is \$31,500. The savings comes from reducing the landfill tipping fees. Regardless of moving forward with this proposal, there needs to be education and outreach about recycling.

Ms. Howard mentions the different approaches and resources, including applying a phasing concept approach to recycling and using the Close Loop Fund to support implementation. The **Close loop Fund** allows municipalities to take 0% Interest loans over the terms from 1-10 years. The municipality sets the terms. This fund was created by a lot of large corporate companies that are trying to green their image and reduce their packaging issues (i.e. Walmart, Coca Cola) to help municipalities that do not have the financial ability to invest in infrastructure improvements.

Councilman Christopherson likes the proposal.

Councilman Christopherson requests a history of COLA increases over the past ten years. According to Treasurer Manjani, in FY 2012, the City did not give any COLA or increases. FY2013 Mayor and Council decided to give 2% COLA increase because the state mandatorily increased the 2% retirement contribution from the employees from 5% to 7%. After that, the City has been giving 3% increases every year.

The Mayor and Council Priorities Budget (\$ 65,000) is appropriated for sidewalk and/or street repair. Part of the money will be used to pay for a street plan or study. The City will also use CDBG money. There is approximately \$23,000 that goes unused due to surpluses in the previous years. Debate is taken on whether to move the money to the reserves, to artwork, or street development.

Downtown Artwork

According to Mayor Miles, Allen Binstock has offered his art for several years, but there is an installation and labor cost. She claims that we need more art to display that the City is a part of the art district.

Councilwoman Riposo and Councilman Christopherson believe that there should be an art contest for the downtown artwork. Councilwoman Riposo also suggests that the council decide what it is willing to spend on art rather than having an artist name their price. Mayor Miles would like a line item for artwork in the downtown circle. It is necessary in order to show that Mount Rainier is part of the Gateway Arts District.

Assistant City Manager Veronica Owens adds that the CDBG money the City will receive, includes art, street furniture, lighting, and streets.

Councilman Christopherson would like to put \$10,000 of the \$23,000 Contingency money into Economic Development for Street Art and the rest of the money into the Roads. He thinks that iconic public art as part of a branding and marketing strategy is great for economic development. The city does not know if it is getting the grant funding or how much it would be, so he thinks that the money should be put in the economic development budget.

Public Trash Issue

Councilman Knedler and Councilman Bolin mention that the public trash cans are always overflowing. Councilman Knedler requests Ms. Owens to look into whether any of the CDBG grant money can go towards larger trash cans. Ms. Owens mentions that the city is doing a shadow day for the code department with Bowie the following week to see how they can address trash issues better.

Annexation

Councilwoman Riposo, Councilman Christopherson and Councilman Bolin agree that the city needs to consult a professional in regards to Annexation and that a cost benefit analysis financial needs to be made as the first step.

City Manager Wallace suggests that the first step should be for the council to brainstorm the benefits of annexation. People do not want to be annexed because of the increased taxes, so the city needs to provide them with incentives.

Mayor Miles and Councilman Knedler suggest putting the money in the reserves. If it is needed, it can be pulled out with a supermajority vote. Councilman Knedler believes that the budget needs to be more balanced. The City cannot keep adding line items and not subtracting any because it is dipping further into the reserves.

Tree Purchases

According to treasurer Manjani, the county is going to be giving the city 300 trees so the tree purchases line item (\$5,000) can be removed. The council agrees to remove that line item.

Compost Bin Expense

Most residents already have their bins and there are over 40 bins still in stock. The council agrees to reduce this line item to \$500.

Mayor and Council Priorities

The Council agrees to move \$23,000 from the Mayor and Council Priorities line item to the reserves.

The Mayor and Council will meet on May 5, 2015 to further discuss the budget. The Election is May 4, 2015. The new council members will be sworn in May 11, 2015.

Motion to adjourn from Work-Session and go back into the Special Session to request a closed session.

**Councilman Knedler
2nd Councilwoman Riposo
4-0**

Motion to move the \$23,750 out of Contingency into the Reserves. Reduce the tree purchases line item from \$5,000 to \$0; move that \$5,000 to the art project. Reduce the line item Compost Bin expenses from \$2,500 to \$500; move that \$2,000 to the art project as well. \$7,000 total will be moved to Contingency for the art project.

**Councilman Knedler
2nd Councilman Christopherson
4-0**

Motion to move to closed session for the purpose of discussing negotiations with Street Sense and the county

**Councilwoman Riposo
2nd Councilman Christopherson
4-0**