

**Official Minutes of the City of Mount Rainier
MAYOR AND CITY COUNCIL WORK SESSION
DATE: November 21, 2019
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
Councilmember Scott Cecil
Councilmember Luke Chesek
Councilmember Bryan Knedler

Staff Present

City Clerk John Hoatson

Minutes provided by:

City Clerk

Call to Order and Pledge of Allegiance by Councilmember Bryan Knedler

Reading of the Agenda

Motion to Agenda: Mayor Malinda Miles

Move: Councilmember Celina Benitez

Second: Councilmember Luke Chesek

Vote Recorded: 4-0-0, Motion Passed

Presentation on 3719 36th Street Remodel

The owner of 3719 36th property. He is remodeling and then selling the home. He presented drafts of the design and shared pictures of the work done to clear the property. The old trees were left. He is considering adding a porch, but the County has not approved yet due to the setback issue. He may apply for a variance at a later date. There was discussion of the porch design and how it aligns with the neighbors. The current porch will be removed and a porch in

same style as the property on the left will be built. He will demo the first floor for a new second floor addition. There was a review of the City's rules for building and its noise ordinances.

Action: Councilmember Bryan Knedler suggested he get in touch with the City's Design Review Board to get their support and the support from City Council prior to going to the County for a porch permit.

Tool Shed Move

Mayor Malinda Miles said the recommendation was to move the Tool Shed contents from the Bike Coop to the Police Station, Potts Hall, or Public Works. They have been moved, but she is not sure where they were. Councilmember Celina Benitez replied that the tools are in Potts Hall. They Council agreed to keep the tools in Potts Hall for now.

CDMA Fees

Jimmy Tarlau of Mount Rainier Business Association (MRBA) joined the table and explained CDMA fees. The City collects the CDMA fees for MRBA and then cuts MRBA a check for the fees collected. They generally get three checks from the City from CDMA fee. MRBA pays the City an administrative fee for collecting fees but it was waived by the City Manager for last two years because the City did administer the fees in timely manner or really provided reconciliation of the account. The check received this year by MRBA for CMDA fees was 14K, but it was given without any account reconciliation information. Mayor Malinda Miles said the City owes MRBA outstanding revenue from the CDMA fees. Jimmy Taralu/MRBA would like to meet with the City's Finance Director to reconcile the books and get all payments up-to-date. Mayor Malinda Miles said that when MRBA was created the City was the administrator for up to a 10% fee. Does the City want to continue to do this? Jimmy Tarlau feels if the City does not remain the administrator that would cause serious harm to MRBA. Mayor Malinda Miles said she understand his concern, but then maybe the City should raise the fee. Councilmember Scott Cecil asked for an itemized list of where the 14K comes from. Jimmy Tarlau says it should be 12K, so he not sure where the extra 2K come from. It could be fines for late fees.

Action: MRBA needs to meet with the City Finance Director ASAP to get the CDMA fee account reconciled, create a itemize list of what the 14K encompasses, and find out the current amount due from City to MRBA. There needs to be further discussion on MRBA administrative fee and on payment timetable. An accounting report should be submitted Mayor and Council, if not it goes back on the agenda.

WMATA Purchase

The City Real Estate Agent, Jerry, and Ronald Hopskins, Director of the Department Economic Development, came to the table. Jerry said he had a recent meeting with WMATA. They are trying come up with a fair market price to sell the property to the City by Thanksgiving. WMATA's main two concerns are that drivers have access to a bathroom and who owns, WMATA has its lanes, and who owns and maintains the bus shelters. Councilmember Bryan

Knedler said that in the agreement with WMATA it clearly states that the bus shelter will remain. Jerry says that WMATA wants to transfer all land to the circle and the bus shelters, but keep the lanes. The old City Hall can be where the available restroom is. Jerry said there is no action needed now but once WMATA tell us what the fair market price is, the bathroom and shelter will be key discussion points we must be ready to negotiate.

Action: Mayor Malinda Miles would like there to be conversation with Rep. Malcolm Augustine on this issue. She also wants a discussion about moving the Memorial Park Stone.

The City of Mount Rainier Economic Development Fund

Ronald Hopkins, Director of Economic Development, and Dawn Medley, EDC, came to the table. The City of Mount Rainier Economic Development Fund has launched. The Fund brochure was presented to the Mayor and Council. There are cash and non-cash incentives such as real estate incentives. It is a revolving fund set up to feed and sustain itself. Ms. Medley leverages the City's fund with County and Maryland State financial opportunities. The business must be in Mount Rainier. The applicant must be 100% owner, in good standing with state, and must have the ability to pay back the loan. Applicants can apply online, but they can and have set up appointments with both Mr. Hopkins or Ms. Medley. Applicants must convince them that businesses are viable and an asset to Mount Rainier. FCC has internal review for the applicants, then to The City of Mount Rainier Economic Development Fund, and to Mayor and Council. Six businesses are interested in the Fund and one is almost thru the application to process. All applicants are existing City of Mount Rainier businesses, but a few external businesses are interested in locating in the City. Mayor Malinda Miles said her priority is on current business versus external.

Action: Councilmember Scott Cecil would like FCC to send him their annual report.

Food Truck Hub

Mayor Malinda Miles said that she forgot to invite Michael Davis who brought this issue to Council. The County now allows Food Truck hubs with various regulations that the City has to meet. The City must have a Food Truck Hub Coordinator that reports to the County. Ronald Hopkins, Director of Economic Development and Rainia, City Communications Coordinator, joined the table and they have joined the Prince George's County oversight committee on Food Trucks. They are planning a Food Truck event in the City in the Spring and they will be gathering data from residents to see if they support it. Councilmember Luke Chesek names several events that can use food trucks. He said that Mr. Hopkins should look up the previous Economic Director plan to use the Thrifty Wall to show movies at the Dog Park, contact the Recreation Committee about the Bands on Perry Street event, talk to the Mayor about Mount Rainier Day, and he wants an October Fest by Railroad Tracks. These are all events that can host food trucks. Councilmember Scott Cecil wanted to know if the Food Truck Coordinator has to be City staff and how are food inspection handled. Mr. Hopkins said the Food Truck Coordinator it can be staff or a resident. Resident Michael Davis would like to be designated as such. Rainia said that the County provides a list of operators that have passed inspection and

they do send someone from the County to inspect the Food Truck and this has happened on Mount Rainier Day and during the Egg Hunt. Councilmember Celina Benitez suggested the City reach out to Deni Taveras about the food truck issues to get her support.

Public Comment

Jimmy Tarlau – Mount Rainier Business Association is happy about the food trucks. Five restaurants have failed in Mount Rainier in last five years. Three new ones coming up. MRBA wants to make sure that brick and mortar restaurants are viable before a Food Truck Hub takes away some business. Ronald Hopkins is aware of Rhode Island Ave. Restaurants concerns, so the Food Truck Hub was moved to Varum Street and would be at events. Some restaurants are considering having a truck at Varum. Councilmember Celina Benitez suggested the trucks have complementary foods to each other and existing businesses.

Permitting Fees

Code Enforcement Dept. Staff came to the table and presented their recommendations including:

- Roofing Permit - \$50 fee with the goal to get contractor information
- Building Code and Permits Demolition and Removal - Lower from \$250 to \$150 for under 500 sqft, lower from \$500 to \$350 for above 500 sqft
- Fencing – Keep fee at \$75
- Multifamily Home Rental - \$225 fee should remain
- Single Family Home Rental – From \$300 back to \$150
- Construction Dumpster - Initial fee of \$25 and \$25 for each additional month

Councilmember Bryan Knedler says we need to reconsider fees for small rentals. He said a fee on dumpster encourages people to move it quickly if on the street. Might need one fee for dumpster on property and one on the street. Code Enforcement has lower fees for small apartment rentals (four and under) versus large apartments. Councilmember Celina Benitez wants the City fees to be low for small projects. Code Compliance is working on creating smaller fees for small projects. They are requesting a moratorium for building permits at \$100. Mayor Malinda is impressed with work of Code Enforcement. Should we have a moratorium on fees until we have decisions pending on permits? Councilmember Scott Cecil thinks the City should not have fees on items the County does not. He also thinks the fees need to be simplified. Finally, he said keeping license fees low keep rent lower.

Action: Mayor and Council to review the recommendations from Code Enforcement and make final decision on fees. Final Compliance Handbook and Schedule of Fees will be publicized.

Public Comment

- Resident ??? – Change the spell it out the words for greater than and less than in the Handbook to stop confusion.

- Jimmy Tarlau – He wants them to look at 50% of County fee for the City fee. 50% for the City, is too high a fee after paying the County. Councilmember Bryan Knedler repeated the need to distinguish between small and large projects.

Councilmember Scott Cecil said this discussion of fees needs to be complete before the budget is done. Councilmember Bryan Knedler said the Mayor and Council needs to discuss penalties. Code Enforcement Officer recommends that penalties be moved to monthly accrual vs a daily accrual and the penalties lowered. Director of Finance will move penalties with the Schedule of Fees for transparency. Alma compared fees of five municipalities for the Mayor and Council to review. Residents can contact their Ward Rep for copies of documents presented.

City of Mount Rainier Scholarship

Councilmember Celina Benitez presented amount, dates, application, outreach strategy, essay questions, and schedule for City of Mount Rainier Scholarship. Applicants must complete the application and a 500 word essay (up from 250). The scholarship amount is \$1000 and seven will be awarded. The process has been moved up to allow more time to apply and process applications.

Schedule:

- December 4, 2019 – If approved tonight, scholarship outreach begins Dec. 4, to schools and the City's website and social media
- First week of April 2020, Scholarship Committee finalizes and begins review of applications
- April 17, 2020 – Deadline for Applications at 5pm
- May 1 - Finalist notified
- May 5 - Finalist and family invited to Council Session to receive

Councilmember Scott Cecil would like a question to consider poverty level of student. Councilmember Celina Benitez said this was considered, but rejected because not all student with parents of means have support from their parents for various reasons. Councilmember Scott Cecil said perhaps a statement from student should allow them to say if they have financial need and how the scholarship will help them. He also wanted the City to consider providing some financial counseling to students on loans, etc. In the future. Councilmember Celina Benitez said that the City could do a workshop separate from the Scholarship. Mayor Malinda Miles does not see the financial workshop as a project for the City, but could be privately done. Councilmember Luke Chesek would like to do financial workshop.

Action: Mayor and Council should review the questions for the application and give feedback to Councilmember Celina Benitez.

Comp Time Language in Personnel Handbook

The City Attorney provided language for comp time for the Personnel Handbook. Latasha Gatling Interim City Manager has insisted that staff work 9am to 5pm. She has asked for time clock for City Hall. Everyone will clock in but herself and the Chief. All employees should work normal hours, except for night events or meetings.

Action: The language will be added to Personnel Handbook and voted on next Legislative Session.

Amended Language on Resolution on Lowest Priority Enforcement for Pitbulls in the City

Councilmember Scott Cecil highlighted changes to his Resolution that he hopes to get Council to a yes. Council felt the language was improved, but had suggestions. She wants more language that prompts the County to reopen the discussion. Councilmember Celina Benitez said there are vets in the City and County with support animals that are pitbulls or mixed and this information can be added to the Resoultion.

Resolution to Change the Name of Code Enforcement to Code Compliance

Councilmember Scott Cecil would like to change Code Enforcement to Code Compliance and wants to know how he can do that. Councilmember Celina Benitez would love Parking Enforcement to be changed to Parking Compliance. For either change, she is worried about cost of reprinting department material. Council was in agreement about changing Code Enforcement to Code Compliance. Mayor Malinda Miles was not sure about Parking change. Either change only needs a vote. If the Department changes its name, the City can use old printed materials until they are used up.

Action: It will go on the next Legislative Agenda.

Vacant Propety Tax for 3501 37th and 4204 Rainier

- 3501 37th (Former Chop Shop) - Councilmember Luke Chesek said there is a group that is storing items at the location they are trying get DPI permits. They have designs at DPI now. The owners owe 30K in fees to the City in vacant property tax. If you are permitting, the City gives owners two years off tax bill. They want exemption from vacant property tax.
- 4204 Rainier Ave. - They are in construction. They want exemption from vacant property tax.

There was discussion about these two cases between Mayor, Council, and Interim City Manager. Councilmember Celina Benitez suggested that Councilmember Luke Chesek talk to Code Enforcement about this. Councilmember Bryan Knedler said that the City did have notice that the locations were being renovated even though the proper paperwork may not be correct. They have been working with Design Review Board. Councilmember Scott Cecil also wants equitable enforcement. Councilmember Luke Chesek said that he wants make sure the City had properly documented these cases. Latasha Gatling, Interim City Manager, said there is property

in the City that has been under construction for 20 years. We need to make sure it is tax is properly and equally implemented.

Gateway CDC Gala Funding

\$500 for sponsorship for Gateway CDC Gala Funding was presented by Councilmember Luke Chesek. Mayor Malinda Miles said the CDC is between Brentwood and Mount Rainier. They were late submitting to us for this and did not tell us about the Gateway CDC Gala or that Mount Rainier will get an award. Pat Thorton needs to contact the City of Mount Rainier. We need to hold them accountable in terms of the work they do for the City, for example assiting with raising sponsorship and funding for Potts Hall. Councilmember Celina Benitez needs better communication from them.

Motion to Adjourn the Work Session: Mayor Malinda Miles

Move: Councilmember Luke Chesek

Second: Councilmember Scott Cecil

Vote Recorded: 4-0-0, Motion Passed