

**Official Minutes of the City of Mount Rainier
MAYOR AND CITY COUNCIL WORK SESSION
DATE: Oct. 22, 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 (by phone)
Councilmember Luke Chesek
Councilmember Bryan Knedler

Staff Present

City Clerk John Hoatson

Minutes provided by:

City Clerk

Call to Order and Pledge of Allegiance

Approval of Agenda

Special Session

Swearing In of Police Officer Patrice Green and Sheena Familia

Mayor Malinda Miles swore in Patrice Green and Sheena Familia as City of Mount Rainier Police Department Police Officers in the presence of the Chief of Police and Council. The officer's family members were in attendance and recognized.

Introduction of New City Social Worker

Michelle Rosario was introduced to the City residents as the new City of Mount Rainier Social Service Advocate by Mayor Malinda Miles. She was introduced to the Council.

Adjourn from Special Session

Motion to Adjourn from Special Session: Mayor Malinda Miles

Move: Councilmember Celina Benitez

Second: Councilmember Luke Chesek

Vote Recorded: 4-0-0, Motion Passed

Call to Order of Work Session

Shop Local Resolution

Brooke Kidd and Jimmy Taralu joined the Mayor and Council at the table. Brooke is the President of Mount Rainier Business Association. She asked for a Resolution for a “Shop Local” Declaration for Nov 30 - Dec. 7, 2019 and wants 1K budgeted for marketing. Mayor Malinda Myles asked why does she need 1K. Councilmember Luke Chesek asked about the \$400. Brooke said \$600 will be for insert the City newsletter *The Message* and \$400 for music and social media. Mayor Malinda Miles will waive the fee for the insert in *The Message* any fees the event would incur

Action: They will vote on the declaration and budget next legislative session. Councilmember Celina Benitez wants the insert ASAP for translation.

Budget Amendment FY2019-1

Mr. Blackwell, City of Mount Rainier Director of Finance, reviewed budget lines that were moved for this budget amendment. They Council discussed them.

Current Line	Moved to Line
Vet Long Term Tax Credit \$6750	Bike Coop
Vet Long Term Tax Credit \$3000	Census Committee
Vet Long Term Tax Credit \$1500	Equipment for City Hall
Vet Long Term Tax Credit \$1500 (Removed as not necessary)	Equipment Police Department (Removed as not necessary)
Code Enforcement Wages and Leave \$50,000	Equipment Mount Rainier Television (MRTV)
City Hall Professional Services \$16,000	Audit Services
City Hall Wages and Leave \$11,000	City Hall Temp Labor
Police Special Reserve Fund \$174,000	Building, Repair and Maintenance
Police Special Reserve Fund \$10,000	Police Community Policing

Dental Insurance \$8,000	Police Capital Improvement
Police Special Reserve Fund \$28,000	City Hall Temp Labor
Police Salaries \$18,000	City Hall Temp Labor
Department of Public Works Capital Improvement Plan \$17,500	Rent for Department of Economic Development
Code Enforcement Medical \$5000	Department of Economic Development Temp Labor

Total Requested: \$355,250

- Councilmember Bryan Knedler said there was already 6K in the budget for the Bike Coop. Correct, Mr. Blackwell said that the amount above was an additional 6K for construction.
- Councilmember Bryan Knedler and Mayor discussed franchise fees. The Mayor said that franchise fees are in the general fund and its taken from there. Mr. Blackwell, said yes it is in general fund but noted as franchise fees. Councilmember Bryan Knedler said how do we track where the franchise fee if its in general fund. Mr. Blackwell said that is tracked in auditing.
- Councilmember Scott Cecil asked why we have so much money we have in the Vet Tax Credit and why Community Policing and wages. Mr. Blackwell said the Vet Fund requires yearly application and not many people applied so he has surplus. Code Enforcement and Police salaries have monies that were not spent.
- Councilmember Celina Benitez wants the budget line for Capital Plan for Public Works preserved and wants Mr. Blackwell to look for monies elsewhere. She also does not want it to come for Public Works salary. She wants the money there to cover winter weather work. He said he would do so.
- Councilmember Luke Chesek asked about Dental Insurance line and why he wanted to take the 17K from Dept of Public Works. Mr. Blackwell said the money is there due to job vacancies and Dept. of Public Works is overfunded. In the future, Councilmember Luke Chesek would like to know the which project would be cut from Capital Improvement. He wants money to come from salaries.
- Mayor Malinda Miles wants to stop spending untill audits are done. She is okay with the Bike Coop because it was in the budget. She does not want money to come out of Capital Improvements, as winter is here. She wants to know the amount of the refund from health insurance, as that money may be helpful to cover any shortfalls.
- Councilmember Bryan Knedler took issue with moving money for the 28K.
- Councilmember Scott Cecil does not want money moved from Capital Improvement and wondered where Temp Labor City Hall is from. Mr. Blackwell said Temp Labor City Hall is a holder it can be temp labor for other City Departments. Council wants Temp Labor

put back into separate lines per Department versus on pot line. Mr. Blackwell said most Depts. have separate lines but the Police Dept. did not, so it is under City Hall Temp Labor. Police Temp Labor will be used for work in the police records.

- Councilmember Scott Cecil wants audits done after this amendment to get his vote. There is discussion about audits being incomplete and voting on budget amendments. There also is an issue if the State blocks City money until audit is done, we should hold on spending.
- Councilmember Scott Cecil what is going on with Vet Fund? Mayor Malinda Miles said we need to market it for next year. Councilmember Celina Benitez said it needs to be marketed at Veteran's Day and in the newsletter.
- Mayor Malinda Miles said there is no consensus on the vote for this Amendment yet.

Action:

- Mr. Blackwell will create a Temp Labor Police Dept.
- Mr. Blackwell removed from budget Vet Long Term Tax Credit \$1500 and Equipment Police Department (was removed as is is not necessary).
- Councilmember Scott Cecil and Councilmember Bryan Knedler want list of equipment to be purchased.
- Councilmember Bryan Knedler wants 25K back in contingency and he votes Yes.
- Councilmember Luke Chesek wants to know where 8k for Police Improvement is going.

Schedule of Fees and Permits

Code Enforcement and Chief of Police came to the table. Mayor Malinda Miles feels the City's fees are not in sync with other municipalities. She also said the City is sovereign, so why have two fees for permits, one for the City and one for County. She also talked about the fact many permit rules are not written. Code Enforcement had created a document to be disseminated to residents so they understand the permit rules and fees. Chief presented the document with updated mission statements for Code Enforcement. By the end of October, Code Enforcement permits and fees will be accessible online. The focus in Code Enforcement is on compliance. The information on Code Enforcement will be put on the City website at <https://www.mountrainiermd.org/departments/code-enforcement>.

The City's apartments have not been checked in at least 3 years. There are 900 apartments, so the Chief would like another code enforcement officer. Chief wants to bring City of Mount Rainier permit fees inline with the City of Bowie. It is a concern of residents and the City code officers are blamed for high fees. He hopes the document and website will help with miscommunication. Councilmember Luke Chesek and Councilmember Bryan Knedler are supportive of hiring additional compliance officer. They thanked Chief and Code for their work. Mayor Malinda Miles wants penalties and fees to be inline with other municipalities.

Director of Finance, Mr. Blackwell, said he wants an amendment to modify the 2015 Fee Schedule to include penalties. Any reductions or additions to fees or penalties will impact the

budget. The City's Code Officer (NAME) said penalties went from monthly fees to daily fees, example \$500 a month is now \$500 daily. Code is just enforcing the fees as passed by Mayor and Council. Councilmember Scott Cecil says the name change to Code Compliance is important. Code and Parking should not be seen as revenue generation. He is very concerned about the apartments and lack of inspections. Councilmember Bryan Knedler asked if Code can give us list of problematic fees, so Mayor and Council can fix the fees or wording in ordinances. Councilmember Celina Benitez said that originally under Ray, Code was going to go through the compliance book for needed corrections. Since his passing this did not happen, she would like this happen. She also wants the amount of fees and dual fees to be reviewed. She said high fees are dissuading residents from applying for permits.

Councilmember Luke Chesek asked how long will it take Code to review the Compliance book and get back to Council with changes. Alma said at least a month. Councilmember Luke Chesek asked how long will it take Finance to address changes fees in the City's budget? Mr. Blackwell would say it would take less than a month for him to adjust budget to new fees and penalties. Mayor wants a review of how County permit fees and City permit fees work or don't.

Action:

- Code Department will review the Compliance Book and review fees in other municipalities.
- Code will submit suggested corrections to Mayor and Council, they will review suggestions and makes changes or adjustments to City Ordinances as needed.
- This issue will be on the agenda for the November work session.

Public Comment:

- Jimmy Tarlau Resident - He discussed recent repairs at his home where the County fee was drastically lower than City of Mount Rainier. What does the City do that makes the fees so high.
- Terrance 4100 of 31st/Business Owner - The fees went up overnight and the City did not let the businesses know. He thinks there needs to be a new Code Enforcement Officer and more communication. He needs the fees changed back ASAP!

Councilmember Celina Benitez and Director of Finance said the proposed fees were announced publicly. Mayor Malinda Miles agreed, but conceded that Mayor and Council can do a better job of communicating the changes. She asked residents to document issues and send them to Mayor and Council.

Senator NAME????

He does not have an update on the Governor's budget. Senator came to give citations for the Police Officers that were sworn it. He will give them to the Chief. He hopes to meet with the new officers them later. He apologized for being late, but he had another engagement. Mayor Malinda Miles thanked him for inviting Mayor and Council to Annapolis to submit budget. Mayor also asked for the State Delegation to come to Mount Rainier to discuss City priorities.

Roofing Permit Issue

City of Mount Rainier Design Review Board (DRB) said a building permit is to ensure that work is repaired and up to code. However the City and most likely the County, is not completing the inspections. Since inspections are not happening, DRB recommends that City not require a permit for the work on roofing, shingles, and sheathing. The City should have a permit for the vendor/repairman doing the roof to prove they are licensed and bonded. DRB is concerned about high fees.

Action: If the City wants to follow the DRB recommendations, City lawyer needs to talk to them.

Councilmember Celina Benitez said that if the vendor is not bonded or licensed what is the penalty for them. Councilmember Luke Chesek did Code Enforcement look at this? Councilmember Bryan Knedler said yes they did. Code Officer suggest says we create a form and charge a low fee. That way we have the information on where the work is happening and who is doing it. The County can still drive through the City and put in stop work order. Mayor Malinda Miles wants to know when the new process can be active.

Public Comment

- Terrance 4100 of 31st/Business Owner - What happens if contractor uses subcontractor? Mayor Malinda Miles said that is out of the City hands. The contractor will be held accountable. Councilmember Celina Benitez a penalty should be added.

Action:

- Councilmember Luke Chesek will work with City lawyer about language for this.

Civic Center/Potts Hal/Memorial Park Funding

Mayor Malinda Miles attended the Governor's Grant workshop. The Senator presented on all places where you can get money. The City needs to get in the Governor's budget. She asked the Council to give her priorities, she submitted them. So, Senators are deciding which municipalities would be supported. She working on the City of Mount Rainier's inclusion in Governor's budget. Councilmember Luke Chesek wanted to know what is the City's ask for the Governor and the Senator Delegation and what to tell DHCD. Mayor Malinda Miles fonly wants Amanda working with Governor Special Project. She explained how different government and corporate grants departments work together to get some of the monies. Councilmember Luke Chesek said he needs to be walked through the various pots so he understands. He wants to be clear with DHCD what the City needs are. Councilmember Celina Benitez said Councilmember Luke Chesek can let DHCD know we going to all these sources without stating the amount of each ask. Mayor Malinda Miles said we need to get Main Streets done to get resources to help with securing more funding. We can count what has been spent on Rhode Island Circle projects in the ask to DHCD. Councilmember Luke Chesek said he needs list of work done on

the area near Potts Hall including WMATA, streets, etc. Mayor Malinda Miles discussed the history of City's attempt to buy WMATA property involving State entities like MNPCC. She recommends that the City pitch to MNPCC again. Councilmember Luke Cheseck said the City Real Estate Agent negotiations has not yet yielded a price.

Action:

Mayor and Council needs update from Jerry on WMATA negotiations.

Sidewalk Improvement

Councilmember Celina Benitez stated that Otis is a priority where there is a bus stop for children. Otis is almost done, so it will be completed. 34th Street work is stopped due to the Levy, trees, and slope issues. All the other streets are on hold too until we complete more study. Mr. Kamali, Director of Public Works, said any streets, beside Otis, where the sidewalk abuts homes should be done in the next project phase. Currently, the City is in Year 3 of the Sidewalk plan. All Streets, except for Otis, will be moved to Year 5 or beyond. There is a contract the City has for 400K for street work for this fiscal year. If the project does not go forward, the City is in breach.

Public Comment

Joanna and Husband 3200 Upshur Street - When is Year 5? How long is the time frame? Councilmember Luke Cheseck said it is along time frame that is yet to be determined. They asked for the strong communication about the sidewalk improvement with residents to continue. Councilmember Scott Cecil is not for the work on Upshur and promised open communication with residents. Councilmember Celina Benitez said the plan is in Year 3, but will go past Year 5.

Parking Meter

The Police Chief has given the meter vendor all they need for building the backend for the meter including rates and times. The poles are there. He needs to know what type of meter heads the Mayor and Council want. They can be electronic only or they can be hybrid coin/electronic. Councilmember Bryan Knedler does not care about the type of meter head, but he wants a parking enforcement officer that is paid from meter revenue. The purpose of the meter is not to make money, but cars turn over. Councilmember Scott Cecil agrees with Councilmember Bryan Knedler. He would like a time change for meters on Varum. He is for hybrid meters and parking enforcement. Councilmember Celina Benitez says meters help with abandoned cars and other issues. She, Councilmember Luke Cheseck, and Mayor Malinda Miles are for hybrid meters and a parking enforcement officer. Chief said it is a six to seven week timeframe for hybrid meters to be installed. Councilmember Scott Cecil asked if Chief is the Program Manager for the contract? Chief said that he was and that was decided by the previous City Manager. He was surprised that he was Program Manager for the meters. There is discussion about timing of the Varum meters. Councilmember Scott Cecil said they go to 11 pm and the businesses there would like them changed. Mayor Malinda Miles said the meters where there

to ensure quick parking turnaround in front of the liquor store. It is a traffic control method. She agreed Varum no longer has all the businesses it had before.

Action:

- Chief will tell vendor that City will order hybrid meters and that current times will stand. This will be on next session for vote.
- The need for parking enforcement officer is not to be included yet.

Interim City Manager Search

Mayor Malinda Miles said Chief is okay with being Interim City Manager for two weeks. She has sent out announcements for the Interim City Manager position to wide variety of places and on social media. Many people want to apply for the full time position vs the interim. We do have good candidates for Interim. Last day for Interim City Manager Resume is Oct. 24 at 5pm. There will be meeting on this issue next Tuesday. Councilmember Scott Cecil he asked for written process for hiring Interim City Manager. Will Council look at resumes only or will there be interviews? How many Council members does it take for the hire. Mayor Malinda Miles said ti takes four councilmembers to remove a City Manager and three to hire. Councilmember Luke Chesek wants the process for Interim to be agile.

Action: Mayor Malinda Miles will send out resumes right after the deadline. They narrow down to two or three. Then we bring one or two in for interview. HR Director will create written procedure for hiring a City Manager.

Process for Full/Time City Manager Search

Mayor Malinda Miles discussed the documents that the Director of HR provided on how to guide the search. Councilmember Luke Chesek is okay with doing the search in house and trusts the process will yield good candidates. Mayor Malinda Miles asked for the definition of 'internal in relation for the search. The HR Director said we will handle the process internally and not use an outside search firm. The search will entertain resumes from internal I, local, and national candidates. Councilmember Celina Benitez wants a back up plan if further down the road the City needs hire outside vendor/contractor to get candidates that should be allowed. Councilmember Scott Cecil said maybe we need to send staff to municipal events for recruitment. Council and Mayor we need be deliberate in the skills we are seeking in a City Manager. The HR Director presented draft job descriptions and profile. Councilmember Bryan Knedler asked about the timeline for the ads. Councilmember Scott Cecil would like a new City Manager in May and feels deadlines should be set working backwards from May. He wants the Interim to spend at least a month with new City Manager. Mayor Malinda Miles says the start date would be July 1. The HR Director wants the Council to look at the recruitment budget for travel for candidates and external vendor.

Action: Council and Mayor will reread the HR Director package. Timeline, Budget, Process, and Approval of Recruitment Ad will be discussed on Tuesday Meeting.

Dog Breed Ban - Councilmember Scott Cecil Addition of Agenda

He got three votes. It is on the agenda. He wants the City to codify legislative policy to reflect the ban is not enforceable and people have these dogs in the City and the County. He wants the code change. Chief and Councilmember Bryan Knedler said that City has no policy on dogs, but the County does. The County can come in and enforce the dog ban. Councilmember Celina Benitez is in support of writing a letter to repeal the dog ban. Mayor Malinda Miles said the City calls the County for any animal control. Councilmember Scott Cecil says he understands the County is the enforcement arm, but the City could have legislation to make owning a banned dog a lowest police priority. There was no consensus on this issue, but it can be further discussed.

Council Top Priorities

Councilmember Scott Cecil thinks we have already discussed Council priorities. Mayor Malinda Miles says we have a long list of priorities, but what are the top three Council is working on together. Councilmember Bryan Knedler thought the list helped because he saw the overlaps and knows the priorities of Mayor and each Councilmember. He thinks the top priorities are Potts Hall/Civic Center, Sale of 3200, Memorial Park, and the Census. Councilmember Celina Benitez said the priorities list was useful. She said Mayor and Council allocated items to the City Manager and Departments, but we have to look at that and connect with those Dept. Heads and Interim City Manager (once hired). Also, we have put dollars in the budget for the priorities. The meeting and list was step one, step two is connections and follow up. Councilmember Luke Chesek said the projects assigned to Dept. Directors need to be added to their quarterly reporting. Mr. Blackwell, Director of Finance, should be given guard rails for various priorities so there is enough funding.

Councilmember Luke Chesek gave a update on his priorities. He said stormwater management is great because of the DIR grant. He is not sure what is happening with about Strategic Plan and Branding. Mr. Blackwell wants priorities in Strategic Plan and Branding document. Councilmember Celina Benitez wants Council top 5 priorities with reporting and budgeting on the top of agenda for the next meeting. Councilmember Bryan Knedler wants five priorities from Mayor and Council 3 to 5. Mayor Malinda Miles said she wants one from each Councilmember. Those will be the ones we go after. A Council priority list should be shared with the City Dept. Heads. Councilmember Luke Chesek wants this included in strategic planning.

Action: Councilmembers come to next session with short list of priorities and one main for sharing and discussion.

Motion to Adjourn the Work Session: Mayor Malinda Miles
Move: Councilmember Celina Benitez

Second: Mayor Malinda Miles
Vote Recorded: 4-0-0, Motion Passed