

Official Minutes of the City of Mount Rainier

MAYOR AND CITY COUNCIL MEETING

DATE: April 3, 2018

COUNCIL CHAMBERS, UPPER-LEVEL CITY HALL

Call to Order

7:13 PM, Council Chambers, City Hall, One Municipal Place, Mount Rainier MD

Presiding Officer

Mayor Malinda Miles

Officials Present

Councilmember Celina Benitez
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 and Approval of Agenda (No Changes and No Vote)

Prince George's County Human Relation Commission

Michael Lyles, Executive Director, Prince George's County Human Relation Commission presented on the role and work of his office. They investigate, mediate, and judicate cases of discrimination based on race, color, gender, physical and mental disability, age, national origin, sexual orientation, occupation, and political affiliation in Prince George's County. He discussed the process of the investigations. They work on housing, finance, and employment. However, they deal with discrimination that happens in all areas of life. They also work on issues of human trafficking, and they provide detention removal defense. He presented to City of Mount Rainier as part of the Office's outreach to County municipalities. Mayor and Council asked questions. Human Relation Commission phone number 301-883-6170 or call 311 or use County Click to reach him. Their services are free to County residents, but they do sometimes also work on cases with nonresidents. The County Code gives the Human Relations Commission right to compel entities to work with them in investigations and they can sue for compliance, and noncompliance can lead entities to pay fines. All clients are advised that until the

Commission finds cause, the complaints are confidential. Once there is cause, the cases become public. The Commission is looking for Commissioners.

Announcements were made and there was a moment of silence for recently deceased residents.

Public Comments

- Pamela Struthers, Treasurer of Mount Rainier Elementary School PTO, thanked the Mayor and Council for the recreation grant of \$2400 that was part of a total of 12K raised by PTO. Monies were spent on arts and tumbling supplies, garden supplies, and performances. Monies were also spent at Thomas Stone Elementary. She thanked the City on behalf of students, teachers, staff, and parents. The City was the largest donor.
- Mrs. Khalid from 3400 Block noted her appreciation of the Mayor and Council and their work. She referenced “The Message” and the healthy state of the City’s budget. She thanked the City Manager and Finance Director. She thanked Mayor for her guidance. She thanked Green Team. Mayor acknowledged the work of Councilmember Luke Chesek and Councilmember Celina Benitez for work on the “The Message” and all the Councilmembers for putting in content. Mrs. Khalid was happy about the look of the City.
- Mayor spoke about Open Studio Tour. There will be two Open Studio Tours. One on May 12 and one during on Mount Rainier Day. There is still some confusion about which Studios will be open on which day. The schedule had not yet been finalized.
- Mayor said Bike Share is coming to Mount Rainier, they will be Red Bikes. They come May 19, in downtown area. Mayor and Council are looking at placing them in the public parking lot.
- Mrs. Khalid asked if Mount Rainier Day will have music and if vendors can apply for free? Mayor Malinda Miles said their will be music and vendors can come for free, but they must apply. Vendors will need permits and they can call City Hall to apply.

Old Business

Ordinance 2-2018 on Updated Trash and Recycling Chapter

Mayor Malinda Miles said there was need to update the Ordinance on the Trash and Recycling due to the launch of the new program. The City lawyer has reviewed the changes. City Manager said the Ordinance read into record already. The change added was about the City picking up large limbs as bulk trash per previous Work Session. Mayor Malinda Miles asked for comments.

Councilmember Bryan Knedler said in section Q. that need language change add needs to be “not picked up the City as yard waste” and to add bamboo. On the last sentence addd, “logs will be picked up as bulk trash.” Mayor Malinda Miles said that Council had agreed previously to only pass a clean copies for signing. So she asked the City Manager to get clean copies for the vote. Then there was a motion to amend the Ordinance as read by Councilmember Luke Chesek: “ Large limbs and stones will not be picked up by the City as yard waste.” Last sentence will read: “Bamboo, logs, and large limbs will be picked up during bulk trash collection.”

Motion to Amend Ordinance 2-2018 Updated Trash and Recycling Chapter as Presented:
Councilmember Luke Chesek
Second: Councilmember Bryan Knedler
Vote Recorded: 4-0-0, Motion Passed

Mayor Malinda Miles said City Manager is making the corrections, and when she returns Mayor and Council will vote.

Minutes

Mayor and Council have a lot changes to the minutes. Mayor Malinda Miles recommend they go back to Work Session for May 1, 2018. Council to get corrections in by 3rd Friday in April for corrections to be made and be ready for final view.

Vote on Applicants for Mix Use Town Center Committee

Councilmember Bryan Knedler made his suggestions. He denied Lance's application because he is on too many committees already. Mayor Malinda Miles expressed appreciation for all of his volunteer work on behalf of the City. Mayor Malinda Miles suggested he can be an alternate at meetings, but he will not have voting rights. She invited him to go to the meetings to give input. Councilmember Bryan Knedler listed his recommendations for the Committee and made a motion to vote. He noted that the County will present the City and Riverdale Committees at the same time and Riverdale is not ready. The letter with Committee will wait until the County and Riverdale are ready, but he wants a motion for Mayor and Council to approve the Committee. Mayor and Council reached consensus.

Motion to Approve Applicants for Mix Use Town Center Committee as Recommended:
-Business Reps will be: Nathan Birch and Justin Bobst
-Resident Reps will be: Mario Cisneros and Robin Bliss
-City Reps will be: Brent Boylan and Tony Lee
-Design Professional: Nathan Cedarall, Architect
Vote Recorded: Ayes 4-0-0, Motion Passed

Vote on Corrected Copy on Ordinance 2-2018 Updated Trash and Recycling Chapter

Mayor Malinda Miles said the City Manager has returned with the corrected copy of the Ordinance. Councilmember Luke Chesek reviewed it to ensure the Ordinance was correct. Mayor and Council voted.

Motion to Amend Ordinance 2-2018 Updated Trash and Recycling Chapter as Presented:
Councilmember Celina Benitez
Second: Councilmember Luke Chesek
Vote Recorded: Ayes 4-0-0, Motion Passed

New Business

Retroactive Variance on 36th Street

Design Review Board wrote a letter for 36th Street addition. The County approved the addition without consulting the City. Design Review Board agreed the work was well done and recommend Mayor and Council give consent to Variance. The Variance allows for the fact that the houses being too close together.

Motion to Approve Variance Letter from Design Review Board to Property on 36th Street:
Councilmember Celina Benitez
Second: Councilmember Shivali Shah
Vote Recorded: Ayes 4-0-0, Motion Passed

Minutes Continued

Mayor Malinda Miles asked for minutes to be on the Work Session Agenda instead of the public session so Mayor and Council can review and comment on them. Councilmember Celina Benitez wants them on Google Docs. City Manager said Google Doc will go live for the City on May 1st. In the meantime, they will be sent to Mayor and Council by email in one docs for corrections.

Ordinance 3-2018 Budget Amendment 4 for FY18

City Manger read summary of the Budget Amendment 4. It covers:

- Capital Vehicle Purchase for Police known as Small Truck for \$20K
- Kaywood Project Feasibility Study for Economic Development Project for \$29K
- Moves into Sidewalk and Streets Capital Plan \$52,500K

Total of \$101,500

Mayor and Council discussed how the Sidewalk and Streets money will be spent. Will it be spent on the priorities laid out by the consultants? What about prioritizing schools? The City Manager said the Department of Public Works (DPW) can make a presentation on how they will spend the allocation. The Mayor Malinda Miles agreed DPW should come to the next Session.

Motion to Approve Ordinance 3-2018 Budget Amendment 4: Councilmember Luke Chesek
Second: Councilmember Bryan Knedler
Vote Recorded: Ayes 4-0-0, Motion Passed

Motion to Adjourn from Legislative Session to Work Session

Motion to Adjorn the Legislative Session and Move to Work Session: Councilmember Bryan Knedler
Second: Councilmember Celina Benitez
Vote Recorded: Ayes 4-0-0, Motion Passed

Work Session

Director of Finance Kevin Greenville, City Manager Miranda Braatz, and Representative from Dept. of Code Enforcement Alma presented Budget and new Schedule of Fees to the Mayor and Council. City Director of Finance Kevin Greenville had stripped the fees from the City Code and made a Schedule of Fees that would be reviewed by Mayor and Council each fiscal year. There are about 10 fees to be discussed with the Council now. However, Mayor and Council can change any of the fees. Mayor and Council discussed the fee changes and asked questions. Chapter 3 had several suggested changes.

- Construction permits A and B will now be \$150 and 50% of the County and they must be renewed every six months from the City. Mayor and Council discussed every six-month permit fee and the amount of the fee. Mayor and Council agreed to \$150 for permit A and B, but the six-month time limit on the permits will go to Work Session for discussion and action by the Council.
- \$35 fence permit will be raised to either \$50 to \$100. This is for new fences. There is no penalty for putting up fence with a permit. Mayor and Council said fence permit will be \$35, but the penalty will be \$100, and violation must be fixed.
- Recommendation to add a fee (\$25 to \$35) for sidewalk permit to remind business owners to get a permit and have it inspected. Councilmember Shivali Shah said this should cover food too. Mayor Malinda Miles said that not all sidewalks belong to the City. Mayor and Council made the fee \$25.
- Recommendation is move \$25 home occupation business fee to \$75. Only two are registered with the City. Mayor Malinda Miles wants the language clarified to say it is for business that deliver services and people that come to home for business. Mayor and Council set registration fee at \$25 and with grace period. Penalty fees will have to go to Work Session.
- Commercial business permit of \$100 should be higher so businesses will pay it and get license vs. not paying it and the paying penalty. City Manager Miranda Braatz recommended tripling fee for A 2-4. Mayor and Council raised permits to \$300 and \$300 plus attorney fees for expired permits.
- Councilmember Bryan Knedler asked about Business License fee. Dept. of Code Enforcement Alma said there no business license and there needs to be change in the code.
- There was a discussion of fee for liquor sales at liquor stores, but now the way it's written it applies to restaurants. Mayor and Council agreed that was not the intent. This fee needs to be rewritten to only apply to liquor stores restaurants that have been charged should be refunded. This needs to go to Work Session to change the law. The City Attorney will be asked to draft language for review in Work Session.
- Dumpster permit C7 is big problem for DPW. It is a \$25 fee. Code enforcement wants this raised to \$250 for every six months as an incentive to people to remove the dumpster instead of leaving them. Councilmember Shivali Shah said there should be lower cost for permit for a shorter amount of time. More time needed, the higher the cost. We want to incentive people to keep dumpster for shorter-time period. An exception for disasters can be put in place. Mayor and Council asked City Manager to take recommendation and resubmit to them. Mayor Council reviewed following fees:

- 2 weeks \$25
- 2 weeks-Month - \$100
- 1-3 months - \$250
- 3-6 months \$500
- Must renew with penalty.

These are other changes City Manager Miranda Braatz recommended. Mayor Malinda Miles asked they be moved to next Work Session.

- Should B1-b Church fees stay the same.
- B1-c Rental License up to \$250. Mayor Malinda Miles wants them to get her the fees the County charges.

- B2a-B2b Occupancy License
- B3b raise to \$250 to get people to do the transfers. \$50 is too low.
- Move C6 Commercial Refuse to raise from \$75 to \$100.
- Noise permit would be raised from \$5 to \$20.
- Bulk Trash Chapter 11 fees need to be reviewed.
- Page 6 – Taxi Cab, trailer fees to be reviewed.

Miranda Braatz concluded her recommendations. The fees not discussed tonight will be presented next Work Session.

Bike Share Placement in City

This issue was not on agenda. Mayor and Council discussed where to put the Bike Share. Mayor and Council agreed to put it on the City Parking Lot.

Recording ends.

Closed Session Summary	Date: 3/29/18	Location: Potts Hall	Time: 8:50pm
Closed Under Annotated Code # ___1__	Those in Attendance: Miles, Knedler, Benitez, Chesek, Shah	Topics Discussed: Performance Review of the City Manager	Relevant Notes: Initial Meeting for the performance review of the City Manager, more time and additional meeting needed.
Those who voted to go into closed session: Unanimous of Elected Officials in Attendance	Actions Taken: no votes were taken, please see relevant notes.		