

**Official Minutes of the City of Mount Rainier**  
**MAYOR AND CITY SPECIAL SESSION & COUNCIL WORK SESSION**

**DATE: March 20, 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  
Councilmember Luke Chesek  
Councilmember Bryan Knedler  
Councilmember Shivali Shah

**Staff Present**

City Manager Miranda Braatz

**Minutes provided by:**

City Clerk

**Review and Approval of Agenda**

Motion to Adopt to Amended Agenda: Mayor Malinda Miles Second: All Council Vote Recorded: 4-0-0, Motion Passed
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**Special Session**

**Review the Rolling Agenda**

**Trash and Recycling Rules**

A Trash and Recycling Rules amendment about timing for setting out trash and recycling was discussed. The Council agreed to keep the time at 7pm. Councilmember Luke Chesek read the updated rules for trash and recycling and stated that the date of implementation will be the date residents receive their containers. Councilmember Celina Benitez has translated the rules into Spanish. Rules will be distributed to residents.

Motion to Approve Trash Rules as Presented: Councilmember Luke Chesek Second: Councilmember Shivali Shah
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Vote Recorded: Vote Recorded: 4-0-0, Motion Passed

### **Refuse Collection Ordinance**

The new Trash and Recycling Rules required that the Refuse Collection Ordinance be changed. It has been read for the record tonight, March 20, but it will be voted at the next Council Session. Council discussed the language of the Ordinance that refers to size of large limbs.

Vote to Suspend Special Session to go to Work Session: Councilmember Luke Chesek  
Second: All Council Aye  
Vote Recorded: Vote Recorded: 4-0-0, Motion Passed

### **Work Session**

#### **Rolling Agenda**

Councilmember Bryan Knedler said there is nothing to review on the Rolling Agenda.

#### **Perry Street and the WSSC**

Two WSSC Representatives addressed concerns of residents that live on Perry Street, they specifically addresses sewer gas and sewage back up issues. In December, WSSC had a six-member crew come to Perry Street to clean the sewers. A WSSC worker was stationed in each home with an issue to check the water pressure. It was determined that 900 PSI was the best pressure level to clean the Main without causing gas pressure that could cause toilets to explode. WSSC representatives said that all work orders for Perry Street state crews cannot go above 900 PSI.

Mayor Malinda Miles asked for Perry Street residents to respond to WSSC Representatives. Nathan Birch lives on 3204 at Perry Street and said his house was okay but a neighbor's toilet had an explosion, but it was fixed. There was a jetting truck on the Perry Street last week, and he and his wife did not notice any problems. He said that WSSC is supposed to put door hangers to warn them of jetting and that did not happen. WSSC representatives said they would make sure hangers were used in the future. March 6 and 7, the resident's home bathroom had sewer gas from the toilet and the water disappeared. It was fixed by flushing. If it happens again, the resident was asked to please report to Mayor Malinda Miles and to WSSC when it happens. Councilmember Bryan Knedler asked about insurance to cover damage to home or any insurance claims. WSSC covered any cleanings. The explosions did not cause physical damage to the toilets in the houses. 3212 Resident asked about changing the Main drain and flooding in yards across the street from Perry. A WSSC Representative said there are no plans to change the Main drain. Mayor Malinda Miles wants a copy of the WSSC upgrade plan for the City. House 3214 and 3215 had sewer overflows. WSSC said that that overflow was caused by grease. WSSC said someone in Mount Rainier is pouring grease into the drain and it blocked the Main. WSSC has increased preventive maintenance to every 3 months on the Main so it does not get blocked and noted it takes pressure above 900 PSI to clear grease. WSSC asked residents and businesses to keep grease out of drains. A Resident asked about the affect the new Singer Building will have on the Main. WSSC said that for a

permit the builder must do study on the building's effect on the Main. Councilmember Shivali Shah confirmed that the affected houses now have back flow preventers. Councilmember Celina Benitez asked that entire Council be made aware of what WSSC is doing even if it's not in that Councilmember's ward.

Councilmember Luke Chesek asked if the Council can be involved in the decision making on WSSC's work in the City. Mayor Malinda Miles said that there is a community group Councilmembers can join. They can also talk to the new WSSC outreach Coordinator and she left her contact information. WSSC Representatives said that the number to report water pressure issues is 301-206-4002.

### **Tool Design Presentation**

There was a presentation by the Tool Design Group about their work on the Street and Sidewalk Improvement Assessment for the City. They said they walked the City and collected data on the condition of the sidewalks, tree wells, streets, intersections, school access, etc. They created an inventory for the City and prepared recommendations. They prioritized the recommendations, and top public/Council priorities have been identified as priority projects. They then developed cost estimates for each of these projects, but they will need to be reviewed by an engineer.

A Year One project to make various improvements to sidewalk access, crossings, and the drive ups to Thomas Stone Elementary and Mount Rainier Elementary. Other work will be done on and Newton. They estimate 300K to pay for Year One improvements. The City can apply for grants to fund some of the improvements. Year Two is Varnum Street sidewalk improvements, which have root damage. The City may want to look at flexible pavement to deal with tree roots. It allows in more water to get in and the roots do not come to the surface and it gives if root has movement. There was discussion when and how to use flexible pavement. Year Three will be the repair of Anne Arundel Road. The road has missing sidewalk, road is bad, etc. The County is working on the road too, so Tool Design wants to add sidewalks and shortening the crossing distance with curb extensions and curb ramps to the County's work. Year Four proposes changes to the geometry at Mount Rainier Avenue to improve safety with curb extensions either via temporary fixes until fund available. The Assessment recommends repetitive corrections be made throughout the City.

The Council asked Tool Design questions. Councilmember Shivali Shah wanted their recommendation to calm traffic at Stop signs and on Perry Street. Tool Design suggested a raised intersection/crossing versus speed bumps. There was discussion as residents like speed bumps. Tool Design would not keep Perry Street bollards and explained their ideas for traffic diversion that is aesthetically pleasing and would collect storm water. Councilmember Celina Benitez asked about the alleys and intersections of various streets and Perry. Tool Design said alleys are high priority, but to replace them is more than the Capital Budget for the City. Fixing an alley means building a new road. Tool Design recommended a variety of traffic calming tactics to deal with Perry Street intersections. Councilmember Luke Chesek would like storm drain plans to work with these plans.

Councilmember Shivali Shah asked Tool Design about the cost of permanent speed hump costs. Tool Design will investigate.

A resident commented on lack of discussion of calming traffic during rush hours and in general throughout the City. He was worried about Perry and Bunker Hill in particular. His concerns were noted.

### **RFPs for Website**

City Administrative Services Director D'Alizza discussed the four submissions by vendors to the RFP to build and manage the City's Website. She said all four submissions were excellent. Civic Plus, Revise, Vision Technology LLC, Design Bold LLC are the companies that submitted proposals. Goals of the City's Website is to reflect the City and fulfill its mission. The completed website must be bilingual (English/Spanish) to start and ADA compliant. In the future, French and Amharic may need to be accommodated. The City will need to have a translator to review the website in these languages too. The website should be expandable. It should have a dynamic calendar, allow for easy content update, and allow users to pay tickets and fill out forms. Vendors should have government experience and be local to meet face to face. Civic Plus and Vision Technology LLC are City Administrative Services Director D'Alizza recommended vendors. Councilmembers commented on the proposals. Councilmember Shivali Shah would like the companies to do either an in-person or online demo. She wants multiple user admins for the Website and any Subsites, and training for staff and community volunteers. The Council members said that the companies do not have to be locally-based. Mayor Malinda Miles reviewed the timeline.

The Council will review all proposals by April and pick two to do a demo for the Council. The City Administrative Services Director D'Alizza will send the proposals, the timeline, and a draft of the evaluation form to the Council.

### **Menkiti/ Park and Memorial**

Councilmember Bryan Knedler gave an update of the project. He said he met with Mark Ringle and Director of Economic Development Samantha Olatunji and so did the rest of Council. The Council needs a real map from HSA right of way so the City knows where we can dig. HSA may have money for this project. The Department of Public Works must figure out 33<sup>rd</sup> Street. Menkiti needs money for landscaping. Bradley Park design will cost \$18K. Councilmember Bryan Knedler said the City has not spent and money and feels that the City should pay a part and Menkiti should pay a part. The City will have to put out an RFP for the landscape vendor. City Manager Miranda Braatz asked Director of Economic Development Samantha Olatunji to contact the UMD Dept of Agriculture for a student to lead the work. The City might be able to partner with UMD for less money, and she wants to wait to see how the discussions go. Mayor Malinda Miles asked if there was State of Maryland money for this project? Councilmember Bryan Knedler said we need a plan to submit to the State of Maryland.

Mayor Malinda Miles wants a decision on moving the Memorial. There was a discussion including the Memorial in the landscaping design. Director of Economic Development Samantha Olatunji needs to update Council on her discussion with HSA and with Mark. Councilmember Celina Benitez wants to move the timeline to April and review key pieces that must be answered to move the project forward. Mayor Malinda Miles asked Councilmember Bryan Knedler how to move the project forward. He wants to see where the UMD discussion go.

City Manager Miranda Braatz asked for at least 30 days will meet with Menkiti, Samantha, and Kamali to rework the plan and timeline and hear back from UMD and return the issue back to the Council.

## **Budget FY2019**

Director of Finance Kevin Greenville and City Manager Miranda Braatz went over the FY-2019 Budget, the Budget Calendar, and the Tax Level. City Manager Miranda Braatz called this FY-2019 Budget, the "Infrastructure Budget." City Manager Miranda Braatz read the FY-2019 Budget Letter. The City Tax Level will stay the same and the City has two million in reserves. FY-2019 is a balanced, fiscally conservative budget that does not rely heavily on reserves. The Contingency is \$100K. \$150K is set aside for the Capital Fund for the Civic Center and the Kaywood Project. 5% is dedicated to sidewalks which is near the 300k seen in Tool Design proposal. Funding for employee holiday bonuses and training is included. Mayor Malinda Miles questioned the boot allowance increase. Code Enforcement, Police, and Department of Public Works boot allowance would go from \$100 to \$200. Mayor Malinda Miles will review.

City Manager Miranda Braatz read tax rates to The Council. Councilmembers discussed the \$5.00 vacant tax rate, which is a %500 increase from \$0 to \$5. It was set to incentivize owners to build out property on vacant lots. Vacant lots are not charged. Mayor Malinda Miles thinks its high amount to start with for a new law. Councilmember Bryan Knedler said the City should be able to justify the rate in court. Along with the Budget Ordinance, City Manager Miranda Braatz would like Council to approve a Schedule of Fees with each yearly budget and take them out of the code. She gave the Council 8-pages of City Code Fees. If the fees are moved to a schedule, the Council could lower them or increase them with each budget. She reviewed the document with the Council highlighting fees, definitions and revenues. Director of Finance Kevin Greenville reviewed taxes that generate revenue for the City. His estimates are conservative, and he said that Code Enforcement has been successful increasing in the collection of fees.

- Mayor Malinda Miles would like a definition of what can be taxed for the Entertainment Tax. Director of Finance Kevin Greenville will investigate and get back to the Council.
- Councilmember Bryan Knedler said to be clear of the dates for the rental tax.
- Councilmember Bryan Knedler said the Comcast/Verzion Peg tax should be 60K and 70K but noted it is lower in this budget. Director of Finance Kevin Greenville will investigate and get back to the Council.
- Councilmember Shivali Shah asked about the CDMA fee change. City Manager Miranda Braatz said that there is legislation that said we must keep 10% of the fees for the admin, but it is not needed to administration. She wants the Council to reconsider the original legislation and make it a lower percentage. The new number anticipates a policy change on the CDMA fee.
- Council wants Director of Economic Development Samantha Olatunji to give them a list of businesses that own their building and a list of businesses that rent because the CDMA fee is different for each. Director of Finance Kevin Greenville will send this list to Council.
- The Chief explained that the Confiscation Fund revenue is from seized assets. He said he stopped getting the audit of the fund. Miranda will consult with the City attorney before spending monies from Confiscation Fund.

- Two million is owed to City in Parking Fees. A Vendor has been contracted to get these fees. The Council agreed the City needs to collect the fees.

### **3 – 2018 Resolution**

Three items in this budget amendment:

1. Capital Vehicle Purchase – The Little Truck died recently and needs \$7000 in repairs. Department of Public Works and HR has money when can use for
2. Kaywood Project Feasibility Study – \$29,000
3. Street and Sidewalks – \$50,000 be moved from Municipalities Fund

Councilmember Luke Chesek wanted to know how the 50K gets spent before June 30. City Manager Miranda Braatz said the 50K is on top of the 284K to do more work. Mayor Malinda Miles wanted to know if Tool Design's priority one, Thomas Stone Elementary, be done? \$313K is based on cost per square foot for any construction projects the Council picks. City Manager Miranda Braatz said her intention with this budget amendment is to let Council know there is 52K they can use for street and sidewalks. She can come back to the Council Work Session soon with Director of Public Works Kamali to work with the Council to decide where to best use these funds. Mayor Malinda Miles said the Tool Design projects are not shovel ready. Councilmember Shivali Shah it should be called the Capital Improvement Plan for Streets and Sidewalks that can be used for sidewalk construction or street calming. Mayor Malinda Miles Council has not approved the Tool Design plan. This was discussed. The budget was move to Special Session for Vote.

### **Update on Economic Incentive Marketing Package**

City Manager Miranda Braatz said Economic Incentive Marketing Package will be done. City wants to know if the Annex Letter can be sent out in June.

### **Applicants for Mix Use Town Center**

Councilmember Bryan Knedler said you must own a business and live in MUTC. City has two reps and residents have two reps. It seems Prince George's County will keep MUTC and Design Review Committee. The City will lose individual standards. MUTC Committee member terms have expired and new members will be recruited. He has given applicants for the Council to review. No decision tonight.

### **Review of Past Minutes**

City Manager Miranda Braatz presented on five sets of minutes. The Council will need time to review them by first meeting in April. Another set of six will come in April.

### **City of Mount Rainier Newsletter – The Message**

There was a discussion about content of The Message. Councilmember Bryan Knedler wants no ads and opinion pieces. He wants it to focus on events and policy. He wants a limit on Councilmember reports to

about 200 words. Councilmember Benitez wants a decision on how the Council creates the Spanish version and creating a realistic timeline for translation. The Council debated having ads in the newsletter. They also discussed creating an editorial board, hiring more staff, and engaging residents in the process. There was no consensus on any of these issues. Mayor Malinda Miles told the Council to think about all the policies for the newsletter and discuss them later.

Adjourn to Special Legislative Session to Vote on Three Items: Mayor Malinda Miles  
Move: Councilmember Celina Benitez  
Second: Councilmember Bryan Knedler  
Vote Recorded: 4-0-0, Motion Passed

### **Special Session**

Adopt Resolution 13 – 2018 Resolution to Support Municipal Collaboration FY-2018 NEA Empower ...  
Application: Mayor Malinda Miles  
Move: Councilmember Bryan Knedler  
Second: Councilmember Celina Benitez  
Vote Recorded: 4-0-0, Motion Passed

Mayor Malinda Miles said the letter needs to be signed and mailed.

Ordinance 3-2018 Budget Amendment 4 was read into the Record by City Manager Miranda Bratz. Budget Amendment 4 will move monies between line items in Budget FY18 that ends on June 31, 2018, for three items:

- 20K for Capital Vehicle Small Truck Purchase
- 29K for Kaywood Theater Project Feasibility Study
- 52K for Street and Sidewalks Upgrade moved into Capital Plan

### **Motion to Adjourning from Legislative Special Session**

Motion to Adjourn Meeting: Mayor Malinda Miles  
Mover: Councilmember Luke Chesek  
Second: Councilmember Bryan Knedler  
Ayes: 4-0-0