

Official Minutes of the City of Mount Rainier
MAYOR AND CITY COUNCIL SPECIAL WORK SESSION
DATE: March 3, 2020
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 (15 Minutes Late)
Councilmember Scott Cecil
Councilmember Luke Chesek
Councilmember Bryan Knedler

Staff Present

Interim City Manager Latasha C. Gatling
City Clerk John Hoatson

Minutes provided by:

City Clerk

Special Work Session of Mayor & City Council:

Mount Rainier Arts Commission made a presentation for the proposed 2020 Mural to be located at Pennyroyal Station. Up to \$15,000 Stipend. They received 116 submissions from all over the world, including Russia.

Mount Rainier Arts Commission first met in August with Councilmember Chesek. Authored a mission statement to help guide direction and future commissions. Arts Commission also built infrastructure. Rhode Island Corridor would be a great place to start with a project.

Community Meeting was held on Monday, March 2, 2020. Mural project would be a great start for Arts Commission. Could be a great visual for the Rhode Island corridor.

Three finalist have been selected. \$500.00 Stipend for concept statements and budgets.

Multiple organizations were present at the Community meeting

Himed Leyva Gutamala, Work focus on inclusion – streetcar design – The design was seen as potentially controversial. Streetcar is seen as a negative in the City to some people / residents.

Ryan “Arcy” Christenson, Narrative scenes – Trolley based. Does not understand community. Was more of a logo than a design for a mural.

Yulia Avgustinovich – Floral design that are native to Maryland – Queen Anne style houses were also included in her design.

MUTC shared suggestions – toning down the coverage to create more blank negative space

Submitted drawing of Pennyroyal Station and proposal request submissions. Arts commission would like to award Yulia the stipened and begin working with her.

Bryan Knedler – Impressed with the work that the Arts Commission has done.

Scott Cecil – Are they really native flowers to Maryland?

Mayor – That is her least favorite design. Came through the age of the flower children. The one she liked best was the hands all over the Streetcar. It goes more among the logo for the City.

Mayor Miles asked where is the green or substance to the flowers?

MUTC has issues with the integrity of the building.

Councilmember Chesek stated there was a concern about the trolley car and what it represents to certain people in the community.

Scott Roewer – 4015 29th Street - added public comment regarding the mural. It is an Instagram moment. The colors are inviting. Arts Commission made a great choice.

Arts Commission has a path forward. Mayor & City Council voted on approval during the legislative meeting.

Motion to adjourn Work Session – Mayor Malinda Miles

Moved: Councilmember Celinda Benitez

Seconded: Councilmember Scott Cecil

Motion Passed - 4-0-0

**Official Minutes of the City of Mount Rainier
MAYOR AD CITY COUNCIL LEGISLATIVE MEETING
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COUNCIL CHAMBERS, UPPER-LEVEL CITY HALL**

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Councilmember Celina Benitez
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City Clerk

Call to Order and Pledge of Allegiance

#11 - MOU for Spring Park is being removed from agenda – Moved to March Work Session

Mural Vote is being added to the end of new business

Motion to Approve Amended Agenda: Mayor Malinda Miles

Move: Councilmember Bryan Knedler

Second: Councilmember Luke Chesek

Vote Recorded: 4-0-0, Motion Passed

Amended Agenda Read by Councilmember Bryan Knedler

Mayor & Councilmember Event Announcements

Councilmember Celina Benitez Ward I – Scholarship Applications April 17th. Applications can be picked up at City Hall, 2nd year offering the scholarship.

March 12th Census Invitations are being delivered. Complete your Census.

March 31 Census Open House Mount Rainier Elementary

Celina attended a meeting with Mount Rainier Elementary this evening for the Census. That is the reason she was running late this evening.

Recycle beyond the bag – Mount Rainier Elementary – Drive
Now ongoing at the school.

Walk to school continues tomorrow

Councilmember Luke Chesek, Ward I - February 22, 2020 – Native Plan Network – March 17th Native Plan Network during Work Session.

Councilmember Bryan Knedler, Ward II – Public Hearing for Chuck’s Liquor Store – 7:00 PM MRPD Community Room

Councilmember Scott Cecil, Ward II – March Meeting - CERT Team will be hosting a juvenile CRP Training

Repealing bread specific ban on pitbulls meeting at Joe’s Movement. Not a meeting to debate the issue.

Community Garden interest meeting sometime this month. Date and time will be announced.

Mayor Miles – Mount Rainier Day Meeting is being held on March 4, 2020 7:00 PM Mount Rainier Police Department Community Room.

Mayor Miles also spoke about the Census and the importance of being counted. Last Census 10 years ago the count went down which was inaccurate.

Women in Business Event tomorrow March 4, 2020 Bunker Hill Fire Station sponsored by Mt. Rainier Economic Development.

Introduction of New City Attorney: Elissa Levin, Law firm of Funk & Bolton

Mayor Miles made an introduction to Elissa Levin from Funk and Bolton. She thanked Mayor & City Council for allowing her the opportunity to serve and looking forward to a long relationship.

Introduction of New Code Compliance Officer:

UK is the New Code Compliance Officer – He has hit the ground running and started inspections. Happy to have him on board.

Mayor Miles asked: What is happening to permits that were in some status as of now?

UK responded - If they have been inspected in the last 6 months, they will be issued their permits. If not, they will have to be re-inspected.

Public Comment:

Charnette Robinson – 3500 Perry Street - Chuck’s Liquor Store Public Hearing

People who cannot attend on Thursday, March 5, 2020, how can they make sure their concerns are read into the record if they cannot attend?

Charnette Robinson would like to get a taller fence around her property than what is allowed. Has a special needs child. She will speak to Code Compliance Department.

Meeting about the Pitt Bulls – Meeting should be open to all residents and not just people who side with the issue – portion of homeowners insurance policy better have insurance on their property.

Re: Public Hearing - Mayor Miles stated that statements could be submitted to City Manager / City Clerk to be placed into the record.

Re: Pitt Bull Meeting - Councilmember Scott Cecil stated that Mount Rainier does not have a law against Pitt Bulls. The County does.

Mayor Miles stated that if any meeting is being held at the Police Station, then the doors are open to any resident that wants to attend.

Scott Roewer – 4015 29th Street – Building Permit Fees –

Prepared a statement and read it. Protest City’s desire to collect fees for any type of building permit. City opens themselves up to liability.

Will be charged a permit fee to fix everything. Nothing was done after the payment was made.

January 28th damage done to trees on the new driveway. \$775.00 to have the tree removed. Prevented builder for building around the tree. Driveway that was done was 1 to 2 inches thick.

No checks and balances for the City and County. Stairs were not permitted. Stairs on side of the house and footers that are sinking into the mud.

Crawl Space with no inspection. Cost to fix house is around \$40,000.00.

NEW BUSINESS

Ordinance 03-2020: Disposition of Real Estate - Bass Property 3200 Rhode Island Avenue

Councilmember Bryan Knedler read a fair summary of the Ordinance 03-2020

Disposition of Real Estate Property – Authorize Mayor to sign all documents for the sale. Was signed as a Resolution in December but needed to be an Ordinance. This is an emergency ordinance that has been drafted.

Motion made to suspend the rules – Mayor Malinda Miles
Moved by Councilmember Bryan Knedler
Seconded by Councilmember Celina Benitez
Motion passed 4-0-0

Elissa stated that any disposition of public property must be done by ordinance and not a resolution.

Violated Council Rules by adding to agenda after the deadline.

Ordinance requires a Public Hearing to discuss emergency legislation at next legislative meeting. (April 7, 2020)

Closing is in a few days. IFG Group LLC is purchaser. Sale price is \$1,500,000.00

Public Hearing needs to be scheduled prior to April Legislative Meeting.

No discussion from the audience -

Motion to Approve Ordinance 03-2020 Mayor Malinda Miles
Move: Councilmember Celina Benitez
Second: Councilmember Luke Chesek
Vote Recorded: 4-0-0, Motion Passed

Action: City Clerk must make sure Public Hearing is scheduled on April 7, 2020 before the Legislative Meeting of Mayor & City Council.

3709 34th Street Presentation V-163-19

UK has seen the drawings and where there is gravel he is going to use concrete. Not using anymore space. Was never a cement driveway.

Concerns were raised about more concrete. Worried about stormwater run-off.

Homeowner has three cars. Driveway would help with parking issues on the street.

Council does not want to set a bad precedent. Look into grants for permeable surfaces.

Councilmember Chesek will send information to homeowners. PG County Board of Appeals is waiting on the City. Homeowner has been trying to get this done since last April, 11 months ago.

Council does prefer permeable driveways instead of concrete.

What would happen if the run-off went onto the property and not into the street? No conditions can be made on this. Withdraw the request so you don't have to wait a year.

Scott Roewer, resident spoke about this issue. Permeable pavers only have a 5% slope. If you do withdraw homeowner could put in a rain garden on property.

County Pay for pavers up to \$4,000

Revise the drawings so runoff goes into the yard and not the street

Scott – Approve

Bryan – Opposed – Gravel

Luke – Not going to reserve judgement – Opposed due to lot coverage issue

Celina – Did not express decision – Asked if DRB reviewed it – No – Not a structure – driveway.

Remove concrete in the front of the home. You can table it until the next meeting or work session. Celina would like to table it.

Motion to Table to look at options 3709 34th Street Driveway Project Mayor Malinda Miles

Move: Councilmember Celina Benitez

Second: Councilmember Bryan Knedler

Vote Recorded: 3-0-0, Motion Councilmember Scott Cecil nay vote.

Action: Ward 1 will go out to the home and look at the driveway. Item will be added to the March 17, 2020 Work Session.

DaVita Kidney Care Drop-Off Zone

Consensus was reached during the work session to approve it.

Mayor & City Council would like one parking zone with loading and unloading and the DaVita sign. Remove no parking striping and marking that has been there for months. To make official needs to be voted on during the meeting.

Councilmember Scott Cecil stated that Chief of Police Anthony Morgan advised him that the current striping would be removed, replaced by 4 spaces - 2 meter spaces - one space is a drop-off zone for people dropping off patients and one is a spot for Metro drop-off access.

Motion to Approve DaVita Kidney Care Drop-Off Zone Mayor Malinda Miles

Move: Councilmember Celina Benitez

Second: Councilmember Luke Chesek

Vote Recorded: 4-0-0, Motion Passed

License to Use Northern Gateway CDC Census Product

County Councilmember Deni Taveras, District 2 presented during the February work session. Use of poster, flyers, videos in different languages so City of Mount Rainier can promote the Census in the hard to reach areas. Cost of \$2,0000 to come out of the Census Grant.

Motion to Approve Northern Gateway CDC Census Product Mayor Malinda Miles

Move: Councilmember Celina Benitez

Second: Councilmember Bryan Knedler

Vote Recorded: 4-0-0, Motion Passed

Authorization for the Mural

Need approval for the mural chosen by Mount Rainier Arts Commission. Arts Commission has chosen the mural submitted by Yulia Avgustinovich. Bottom line for approval rests with the Mayor & City Council. Mayor & Council could provide feedback, but not vote. Budget allocated the funds. Every committee should approach Mayor & City Council for any spending to be done by the City.

Motion to Approve the Mount Rainier Arts Commission Mural Design Mayor Malinda Miles

Move: Councilmember Luke Chesek

Second: Councilmember Bryan Knedler

Vote Recorded: 4-0-0 Motion Passed

OLD BUSINESS

Motion to Adopt Ordinance 02-2020: Amending the Schedule of Fees For City

Happy penalties and fines were added to the ordinance. There will be a review of the Dumpster Fee at the March Work Session. Councilmember Celina Benitez also wants a review of the home business license. Two items will be added to the rolling agenda.

Councilmember Scott Cecil does not approve of this ordinance. Duplicate fees for County and City. Will vote no on this ordinance. See if people don't have the county permit and fine them.

Councilmember Luke Chesek wants to lower the fees to provide relief.

Councilmember Bryan Knedler stated officers need to be going every few weeks to make sure items are inspected. Voting yes on this.

Mayor Miles stated that Hyattsville only uses the County for inspections. Mount Rainier wanted some ownership in the process.

Scott Roewer – 4015 29th Street – Wants it put back up on a work session to discuss elimination of fees. Two social media posts about business licenses. Unclear if he needed a business license.

Action: Needs to be put back on the March Work Session.

Motion to Adopt Ordinance 02-2020: Amending the Schedule of Fees For City Mayor Malinda Miles

Move: Councilmember Bryan Knedler (with the condition that the dumpster fee & home business licenses will be looked at later) Added to the rolling agenda

Second: Councilmember Celina Benitez

Vote Recorded: 3-0-0, Motion Passed – Councilmember Scott Cecil voted No

Adoption of Minutes From Previous Meetings

January 14, 2020 Legislative Session

January 21, 2020 Work Session

Motion to Adopt Minutes From Previous Meetings Mayor Malinda Miles

Move: Councilmember Celina Benitez

Second: Councilmember Bryan Knedler

Vote Recorded: 4-0-0, Motion

Council & City Manager Reports

Councilmember Luke Chesek - February 22, 2020 Native Plant event. Over 50 people attended. Start a native plant way in Mount Rainier. Nice to connect with neighbors climate change is a really big problem. Lots of things that can be done locally.

Thanked Celina regarding Ward I Meet Ups

Thanked Mayor for awesome conversation regarding budget issues

Thanked Bryan all issues for Potts Hall revitalization

Thanked Scott for emails regarding Caronavirus and Cert Team

Took residents from Rainier Manor to Joe's Movement Emporium. Shirley got to see a play for the 1st time in her life.

Councilmember Celina Benitez – Thank you to everyone who came to Ward I Meet Up.

Census Training was held on Saturday with Councilmember Deni Taveras and provided the City her presentation.

Census logo is complete. Will be sent to Mayor & Council for feedback.

Councilmember Scott Cecil – Great meeting in Takoma Park regarding rent stabilization. More complex than it is.

Emails were leaked to a reporter by him regarding thefts going on at City Hall. Potential criminal activity at City Hall. No investigation going on by the Mount Rainier Police Department which he requested.

Councilmember Bryan Knedler stated emails are public record and hopefully there was nothing confidential in those emails.

Mayor Miles - was sent an email from Route One Reporter regarding leakage. Mayor Miles says there is a way to handle things. Does not make for a good working relationship.

Councilmember Luke Chesek - So much work pushing the City forward. We should be talking about upgrading streetscapes, Million Dollar Incentive Fund. The story of Mount Rainier is not about documents taken from a locked cabinet. This is taking away from the good that is happening in Mount Rainier. All believe in honesty and transparency.

Councilmember Celina Benitez – Not immune from being investigated Scott. Choose what you want to do. If you want to be transparent, be transparent. It is allegedly.

Proposal To Go Into Closed Session

Vice Mayor Knedler read the Closed Session Notice prior to voting on going into Closed Session.

Motion to Go Into Closed Session Mayor Malinda Miles

Move: Councilmember Celina Benitez

Second: Councilmember Bryan Knedler

Vote Recorded: 3-0-0, Motion Councilmember Scott Cecil voted No