

**Official Minutes of the City of Mount Rainier
MAYOR AND CITY COUNCIL LEGISLATIVE MEETING
DATE: November 5, 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

Announcements

Public Comment

State Delegate Diana Fennel said that Bill Ferguson is the new President of the Senate and he attended the 47th District Leadership Breakfast held by Senator Augustine. The House Speaker is Adrienne A. Jones. Delegate Fennel discussed her work during this last session and made the announcements. She thanked residents and the Mayor and Council for their support and understanding. Mayor Miles asked Del. Fennel to discuss the process for bond bills. Del. Fennel's suggested that the City should ask for more than is needed and only request monies for shovel ready projects with the necessary MOU, letter of intent, and cost projections. The State receives a lot of request for bond bills. Each delegates tries to put in one Bond request. You can request money in Governor's budget. Delegate Diana Fennel said the City can call her to set up a meeting to discuss the best way to apply for the Bond monies and funds from in the

Governor’s Budget. She introduced her representative Mr. Brown who keeps her informed on work and needs of local municipalities.

Councilmember Luke Chesek asked about how many projects each delegate is backing. Delegate Diana Fennel said we pick only bond bill per Delegate. She confirmed there should be only one bond for one project from the City of Mount Rainier. Councilmember Celina Benitez asked if there is any monies from 47th District for the Census? Del. Fennel told Councilmember Celina Benitez that the Maryland Municipal League was given 300K, so she needs to ask them what is the pot for the City. Del. Fennel stated that her cell number is 301-512-1246.

No further public comment.

Shop Local Week Resolution

Shop Local Week Resolution resolves that the City of Mount Rainier declares “Shop Local Week” in support of Mount Rainier Business Association (MRBA) and gives free space in the City’s newsletter for advertisement equal to \$1000. There were corrections to be made to the language of this Resolution. It will be corrected and voted on later in meeting.

Ordinance 9-2019, Budget Amendment FY2019-1

Mr. Blackwell, City of Mount Rainier Director of Finance, reviewed the budget lines that were moved for this budget amendment. They Council discussed them. There was the first and fair reading of this budget amendment by Councilmember Bryan Knedler. The Second Reading of this budget amendment is scheduled for December.

Current Line	Moved to Line
Veteran Long Term Tax Credit \$6750	Bike Coop
Veteran Long Term Tax Credit \$3000	Census Committee
Veteran Long Term Tax Credit \$1500	Equipment for City Hall
Code Enforcement Wages and Leave \$55,000	Equipment Administrative Services/MRTV
City Hall Professional Services \$16,000	Audit Services
City Hall Wages and Leave \$11,000	City Hall Temp Labor
Police Special Reserve Fund (Speed Camera Fund) \$174,000	Building, Repair and Maintenance/ HVAC System
Police Special Reserve Fund \$10,000	Police Community Policing/Ring Camera Match

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: \$345,750

Councilmember Luke Chesek asked if the MRTV equipment is necessary and what will be the responsibilities of the temp at the Police Dept. John Hoatson, City Clerk, read a note that stated MRTV equipment upgrade was necessary. Mayor Malinda Miles said the money for MRTV comes from the cable franchise fee. Chief of Police said the MRTV equipment is not up to date and this has caused technical problems and that it needs updating. The 55k will cover all equipment updates versus the piecemeal updates that happened in the past. Chief said that the temp in the Police Department will digitize records.

Shop Local

City Clerk John Hoatson presented the amended language for the “Shop Local” declaration for vote and Mayor and Council signature.

Motion to Approve Declaration for “Shop Local Week”: Mayor Malinda Miles

Move: Councilmember Celina Benitez

Second: Councilmember Bryan Knedler

Vote Recorded: 4-0-0, Motion Passed

Parking Meters

Mayor Malinda Miles said the subject has been thoroughly debated. The City will have new electronic and coin meters. There will be one uniform meter system in the City. Councilmember Bryan Knedler said there is also a consensus for a Parking Enforcement Officer that needs to be addressed at a later date.

Motion to Approve New City Parking Meters of Mayor Malinda Miles

Move: Councilmember Celina Benitez

Second: Councilmember Bryan Knedler

Vote Recorded: 4-0-0, Motion Passed

Letter of Support for CB46-2019 on Enforcement of Pitt Bull Ban to Lowest Priority for Law Enforcement

Councilmember Scott Cecil wants a resolution from Mayor and Council on CB46-2019. Mayor Malinda Miles said the item was debated and Mayor and Council had consensus on sending a letter of support only. Councilmember Celina Benitez said a letter is being drafted with community input. Councilmember Scott Cecil said he still wants a resolution, but asked about the process and if the letter can be reviewed prior to being sent. Mayor Miles said it can be reviewed and editing prior to being sent.

Motion to Letter of Support for CB46-2019: Mayor Malinda Miles

Move: Councilmember Celina Benitez

Second: Councilmember Bryan Knedler

Vote Recorded: 3-2-0, Motion Passed (Abstained-Mayor Malinda Miles and Councilmember Scott Cecil)

Action: Letter to be drafted, reviewed, and sent.

Resolution 14-2019 on Pitt Bull and Mixed Breeds Ownership Be Given Lowest Police Enforcement Priority for City of Mount Rainier Police

Councilmember Scott Cecil read the first, fair summary of the Resolution on Pitt Bull and Mixed Breeds as Lowest Police Enforcement Priority. It addresses residents' concerns that the City of Mount Rainier Police or City Manager, who is the City Animal Control Officer, will actively refer cases of ownership or suspected ownership of pitbulls or mixed breeds to County Law Enforcement. This resolution addresses this issue by eliminating residents' concerns and codifies the current practice of City of Mount Rainier Police or City Manager (Designated as City Animal Control Officer). This also signifies to the higher government bodies that the City is practicing nonenforcement. The Mayor and City Council debated the issue. Councilmember Scott Cecil said the only ban on dogs is Pitbulls. Mayor said there is no enforcement of laws prohibiting chickens or other exotic animals in the City as well. Councilmember Bryan Knedler said the County can enforce the ban. Residents can call the County to enforce the ban. Police Chief said if there are calls about dogs, they have to report it. It is a requirement and if the City does not report incidents or call about pitbulls it is libel. Police don't have the option to ignore a call. However, they don't go out and check for dogs. With this Resolution, they will still have to report it if they get a call. This Resolution will not change anything. Councilmember Scott Cecil said it will give peace of mind to residents and it gives City leadership on the issue in the County. He believes it is bad policy. Mayor Malinda Miles feels this Resolution will not change anything. She recounted the history of the pitbull ban. She said this can be voted on tonight. Councilmember Luke Cheseck wanted language added to the resolution to make it clear. Councilmember Scott Cecil said this resolution was approved by the City Attorney. Mayor Malinda Miles asked if the Resolution can go back to Work Session to work on amending the language and then be up for a vote in December.

Motion to Approve Resolution 14-2019 as Written: Councilmember Scott Cecil

Move: None

Vote died for lack of Second.

Rolling Agenda Review by Councilmember Bryan Knedler

- Sale of 3200 – Staff is working on finding a buyer.
- Civic Center Designs – The plans are in the permitting process, in 2019 received 250K in funding, the City is working with MEA and PEPCO to secure more funds, and the City is seeking 2020 funding in the Governor's Budget
- Small Apartment Exception for Tax Rate and Addition of 6th Category - Councilmember Celina Benitez said this amendment needs to be in by May.
- Calendar of City Committee Meetings - Councilmember Scott Cecil said there is a Committee Calendar on the City's website. It is not complete. It is being worked on by City Staff and does not need to be on the Rolling Agenda. It was removed
- Library Renovations – Mayor Malinda Miles said the ball has been dropped. The City has done all the work it can do. The County needs to complete cables. The County needs staff, so the City needs to follow up with the County. Councilmember Celina Benitez said another issue is the mural the County would like to put it in. Councilmember Luke Chesek said Joe's Movement was working with the Library to put in a mural and an artist has been chosen. Mayor and Council was surprised to hear this. It is the City's Library and Joe's has no authority there. Mayor Malinda Miles said the City should tell County if we want mural or not. Councilmember Luke Chesek would like to see a mural and he will follow-up. Mayor Miles does want a mural with City input.
- City Event Calendar on Website - Councilmember Celina Benitez said staff is putting this up soon. She asked residents to send in events and it go up beginning January for the year that will be updated.
- Advertise for Nominees for Charter Review Committee – Mayor Malinda Miles said she and Councilmember Scott Cecil will do this.
- Sidewalk Streets – Councilmember Celina Benitez said is work is ongoing with continually monitored list of project priorities. Mayor Malinda Miles said that streets where houses abutt the sidewalk have been moved to Year Five on the work plan.
- WMATA Plaza Purchase – The City Real Estate Agent, Jerry, has been negotiating with WMATA. Questions from WMATA to Mayor and Council will be on December Work Session.
- MRBA CDMA Fees Collection/Payment – Mayor Malinda Miles wants this on the November Work Session. Mount Rainier Business Association has asked for the money from their fees, but the City has not paid.
- Homestead Tax Credit Cap Adjustment – March 1, 2020, is deadline. Councilmember Bryan Knedler added this issue to the January Work Session and added it to the budget session.
- Longevity Tax Adjustment – April is the deadline. Councilmember Bryan Knedler added this issue to the January Work Session and added to the budget session.
- Nature Center to a Recreation Center – Mayor Malinda Miles said the City made this request to appropriate entity by the deadline October 2019.
- Art Space/Building Structural Issues – Mayor Malinda Miles said City has sent a structural engineer to give recommendations. She needs to be follow up on whether the

work has been done. Councilmember Scott Cecil said no work has been done. Mayor Malinda Miles said some work has been done and she will follow-up on the rest of it. Residents that had to move to other apartments, have not been returned to their affected apartments.

- Volunteer Committee Rules and Procedures – Mayor Malinda Miles said she has sent out the rules and procedures. She needs feedback and consensus on them. Remove this item from the Rolling Agenda.
- Rent Control – Councilmember Scott Cecil will work on this and follow up with City Attorney. City Clerk read a statement on it from May. He will send to Mayor and Council. This issue will be back on the Work Session agenda.
- Safe Route to School Grants - Councilmember Celina Benitez said this is on-hold for 34th Street work completion. Mayor Malinda Miles suggested to start with Mount Rainier Elementary first and then Thomas Stone when able. Councilmember Celina Benitez will consider it as an option.
- Tool Shed – Mayor Malinda Miles said there are three possible locations. Add this to next Work Session.
- Bike Coop Renovations – Renovations are almost complete.
- Police Dept. Upgrade – Final plans will go to the County on Nov. 8th.
- Youth Scholarship Committee - Councilmember Celina Benitez added this to the November Work Session to go over dates, application, and disbursement.
- Anne Arundel Street – Work to be completed March/April 2021. Mayor Malinda Miles said that brick wall needs beatification. She is asking residents for color and patterns ideas to decorate it.
- Anne Arundel Green Street – ON HOLD
- Parking Meters – DONE
- Kaywood Theater – Councilmember Luke Chesek and Councilmember Scott Cecil toured Prince George's County Council Member Deni Taveras and Peter Shapiro, Executive Director of the Revenue Authority of Prince George's County through the Kaywood and they are interested. Councilmember Luke Chesek will follow up with Mr. Shapiro.
- Wells Ave. House – Awaiting for response.
- Bond Amount for City Manager and Treasurer – City Attorney needs to review language in Code or Charter for amendment regarding this issue.
- Annexation - ON HOLD
- Economic Development Grants and Rules of Transparency – Councilmember Celina Benitez said FCC gave Mayor and Council a document for review about 3 weeks ago. Add to November Work Session.
- Design Review Board Amendment – ON HOLD
- Retiree Health Review Benefits - KEEP ON ROLLING AGENDA
- City Hall Solar Panel Energy Generation - Councilmember Bryan Knedler is following up on this.
- MTAG Cards Parking Ordinance - Councilmember Bryan Knedler has to work on this issue.
- Volunteer Appreciation - Councilmember Scott Cecil has been assigned this issue. Councilmember Celina Benitez said she is working on 2020 Open House and that is

when the volunteer award traditionally happened. Should it be at same time again?
Council and Mayor agreed it should be at the same time.

- Review of Rules of Procedures - Councilmember Bryan Knedler will come to the Council and Mayor with a process for the review
- Overlay Zone - Councilmember Bryan Knedler said there will be a presentation in Dec. 3, 2019. County will have hearings in the City of Mount Rainier.
- Review of Update of Personnel Handbook – Chief asked Mayor and Council if they wanted the interim or new City Manager to give input to the handbook? Mayor Malinda Miles said the City Attorney has to review too. Councilmember Scott Cecil said that the HR Director and former City Manager did not agree on content, so it was not submitted to the Attorney. She needs direction or needs to be empowered to make the changes she initially recommended. Councilmember Bryan Knedler said the HR Director to should make her changes and give it to the City Attorney, Ken. She should also give deadline for when the Personnel Handbook will be done to Mayor and Council.
- Active Shooter Training – Mayor Malinda Miles told Chief to take this up along with Narcan training. Councilmember Luke Cheseck said Chief should talk to the City's CERT Team.
- Food Truck Hub - Mayor Malinda Miles wants it on the November Work Session. Councilmember Luke Cheseck invited Economic Development Director to the next Work Session to give an update.
- Perry Street Traffic Calming Review – New traffic flow rules reviewed. Mayor Malinda Miles and Chief will work on this.
- Park and Open Spaces Ordinance – DONE
- Parks Intern – Need to budget money for this. Mayor and Council said there is no interest in a Parks Intern. REMOVE FROM ROLLING AGENDA
- Menkiti Landscape and Memorial Park - Councilmember Luke Cheseck will find out if the City won a grant in late November.
- 50K Grant for Spring Park - Councilmember Bryan Knedler will follow-up with Shivali about any meetings and the grant.
- Roger's Park Usage - Councilmember Luke Cheseck will reach out to Jack at UMD to see if he can take on creating some designs for the Park. Resident asked the Park not be used as the City's mulch dump as it causing a rat problem.
- 41st Park Repurposing – Mayor Malinda Miles sent a copy of the MOU to Councilmember Luke Cheseck. He said the Green Team, Tree Commission, and community members are designing a native forest. They will email MNPCC contact. Mayor Malinda Miles said they want a design they can see a design versus just having a conversation.
- Homeowner Flood Insurance – Mayor Malinda Miles said this issue will come up because of the Levy.
- Building Code Issue - Councilmember Bryan Knedler is asking the City Attorney to change the City Code to allow the City to charge landlords when the City does engineering work for them or has to complete work to rectify an issue they have caused. He wants this language to cover work recently done at Arts Space.

- Call-a-Bus Replacement – Mayor Malinda Miles has left a message with Mr. Martin Harris in DPWT.
- Temporary Storage Containers - Councilmember Bryan Knedler has not worked on this but will try to consolidate the different pieces. This is on hold.
- Storm Water Management Plan - Councilmember Luke Chesek said the City has received a 75K D and R grant. Director of Public Works, Mr. Kamali, is working with a contractor to create the design and masterplan.
- Storm Water at Gabezo Corner - Councilmember Luke Chesek said the County did not approve this and will move the bio retention elsewhere. This is in regards to stormwater management and bio retention. The City can move it. Councilmember Bryan Knedler removes item from list. Mayor Malinda Miles wants Gabezo itself to stay on the agenda separately. THIS ITEM REMOVED FROM ROLLING AGENDA, GABEZO ADDED
- Census Committee – Councilmember Celina Benitez said the Census Committee has been approved. Needs volunteers for the Committee, but the work is on-going.
- City Rebranding – It is on hold. Mayor Malinda Miles said the Departments are using different logos. Councilmember Scott Cecil asked if GW/Cochran students going to help? Mayor Malinda Miles said that can be added to their work. She said this is urgent need.
- Renaming of Columbus Day to Indigenous People Day – DONE. Councilmember Celina Benitez working on an event to commemorate this change next year.
- Election Day as a City Holiday – No name was attached to it. Councilmember Scott Cecil will look into this and report back.
- Women’s Memorial – Mayor Malinda Miles says it is on hold till Levy is done.
- Trash Pickup Violations by Businesses – Councilmember Bryan Knedler said this issues is on hold till Code Compliance can handle this. They are to revise the Code on this issue.
- Arundel and 34thTraffic Signal – Mayor Malinda Miles will follow-up with the City Council of Brentwood.
- SHA Refurbishment of Rhode Island Median – Councilmember Bryan Knedler said it is on hold due to lack of funding.
- Vacant Lot Registration Exception - Councilmember Bryan Knedler has not worked on this. He will follow-up.
- Urban Farm Plot on Rhode Island – City received a letter by Doug Adams. Councilmember Luke Chesek will follow up.
- Senior Health Center – Mayor Malinda Miles said the group met last month.
- Regulation of Business Hours – Attorney has given opinion. Can’t regulate liquor stores, but can do other business.
- Bunker Hill Fire Dept. - Mayor Malinda Miles said this needs to go to the November Work Session. There is possible understaffing at the Fire Department because of their lack of volunteers at the station. The Mayor will follow-up.
- Prince George’s County Planning Forum – Mayor Malinda Miles attended this event.
- Allison Street Levy Mural – Previously discussed and moved with earlier issues.

- Kathy Barber as a Possible Strategic Planner for the City - The City's Economic Director sent an email recommending Kathy Barber for City's strategic planning. Mayor Malinda Miles added to this to Work Session in March 2020.
- Rental License Fees Complaints – City of Mount Rainier's rental fees are high compared to other cities. Mayor Malinda Miles wants a discussion on all fees from Code Enforcement. Added to December Work Session.
- Sidewalk Implementation Plan - Councilmember Luke Chesek said he is working on it.

Motion to Adjourn the Work Session: Mayor Malinda Miles

Move: Councilmember Luke Chesek

Second: Mayor Malinda Miles

Vote Recorded: 4-0-0, Motion Passed