

Official Minutes of the City of Mount Rainier
MAYOR AND CITY COUNCIL MEETING LEGISLATIVE SESSION

DATE: September 3, 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

Reading of Agenda into Record by Councilmember Bryan Knedler

Amendment of Agenda

<p>Motion to Approve Amended Agenda: Mayor Malinda Miles Move: Councilmember Bryan Knedler Second: Councilmember Celina Benitez Vote Recorded: 4-0-0, Motion Passed</p>

Announcements

Closed Session Summary by Councilmember Bryan Knedler

3305B1 is the legal exemption that allows the Mayor and Council to hold a closed meeting on personnel issues. This session was to discuss the evaluation of the City Manager. The Mayor and all councilmembers were present.

Public Comments

- Madeline Cornwall 2800 Upshur – She is having a problem with receiving bills or sending mail from WSSC. She also complained that she cannot pay \$300 fee to rent a room in her house. She said she is senior and she is sick. She needs some help with these problems and her taxes. She also said she does not blame the mailman. Mayor Malinda Miles pointed out her councilmembers to follow-up. She said many residents are not getting their mail. She will hold a public meeting about the mail. She has informed state reps about the issue. She also told the resident to look into the City tax credit via her
- KC 3500 block of 35th - He came to talk about \$40 parking permit fee. He feels as a resident for 40 years he should have a parking permit for free. The City should go after the people parking there that do not live there. Mayor Miles said 60 percent of his neighbors signed a petition for the permits with no fees where waived. She told him to get a petition that they don't want it.
- Carl for lot on 4513 32nd Street - He is here to let Mayor and Council to know he is building a home on the lot that he will sell. He provided the plans to Mayor and Council and said he has permits from the County. Councilmember Bryan Knedler reviewed rules for construction.
- Alma from Code Enforcement on 3111 Wyndam Road – She discussed the remodeled of this property. It will be a large job. The permits are in order. Councilmember Bryan Knedler said this remodel will approve the design of the house that has caused controversy.

Ring Program for City of Mount Rainier

The Police Chief discussed the Ring Neighborhood program and has signed the contract for the reduce Ring Cameras for residents. This is Ring's neighborhood program via local police department. Ring will come to the City on safety night to sign residents up. He said that this program does not give Police direct access to Ring video. He mentioned shot fired the night before and how the cameras have been helpful. Police would have to get search warrant and request video/data from that specific camera for specific time frame. Chief had following responses to questions from Councilmember Bryan Knedler. Residents do not have to post notice that they have the cameras. Residents in apts. can have Ring, but they may need permission from Apt Complex to mount camera. Cameras have infrared to Run at night and do run 24/7. For video to be stored for longer amount of time by Ring, resident would have to sign up with that program. Councilmember Scott Cecil is still concerned about privacy and awaiting the council from the City Lawyer on the contract. Also, he concerned that City is subsidizing this. He wants people to know they are camera. Chief said that the bad press Ring received prompted them to make changes to improve privacy. He also said the DC and other city have many cameras. Councilmember Scott Cecil said he concerned how private business will use the video. Mayor Miles felt pros out way the cons. Councilmember Celina Benitez in favor of the program and feel it will benefit the City. Chief will send the Ring Contract. The City has a match that the City has to match up to 10K based on demand. Mayor Miles said the match will come from public safety fund and not the City's coffers.

Mayor and Council Support the Police Dept. Ring Program Up to 10K if Lawyer Approves the Contract:

Mayor Malinda Miles

Move: Mayor Malinda Miles

Second: Councilmember Bryan Knedler

Vote Recorded: 0-0-0, Motion Failed

Councilmembers Benitez and Cecil cannot support the motion until contract. Mayor Miles said put on next Work Session in Sept. Then it will go to Legislative Session in October. The timing is important because the contract work be approved and voted on by Public Safety Night. Mayor Malinda Miles said Police can get money from State Reps and County and then it not City Program. Ring can come out to Public Saftey Night, but the program will not be approved.

Police Basement

There is conflict with the contractor fixing the basement in the Police Department. The Architect and Builder are in conflict. Architect did not get the mechanical dimension needed for the job. They have had conflict over this and so there are no permits due to lack of plans with mechanical dimension. Police Chief will meditate this dispute. This means the timeline for the work has changed. However, this helps with timeline for duct work. Mayor told Police to seek County mediation services for this issue.

Nominations to Mount Rainier Arts Commission

Councilmember Luke Chesek said there are applications from Rafael Rodriquez and Shahin Shikhaliyev. Nehemiah Dixon had to back out for now but may comeback. It will have five members for two year terms.

Appointment of Rafael Rodriquez and Shahin Shihaliyev as Members of Arts Commission: Mayor Malinda Miles

Move: Councilmember Celina Benitez

Second: Councilmember Bryan Knedler

Vote Recorded: 4-0-0, Motion Passed

They will be notified by letter from City of their appointment.

Motion to Adjourn the Meeting: Mayor Malinda Miles

Ayes: All

Nayes: 0

Vote Recorded: 4-0-0, Motion Passed

May 22

Potts Hall Renovation

Daniel Sams from MNCPPC stated that Potts Hall was designated as a historic resource, a holding label for buildings that might be able to get historic distinction via a longer process. Potts Hall is in this in between status. When you try to change anything in a historic resource, it triggers evaluation for historic status. That is what has happened now. The Historic Preservation Dept. of MNCPPC is waiting for the City to submit for historic evaluation. This matter is on the agenda for June 18, 2019 at 7:00pm at the County Administration Building in Upper Marlborough. That meeting will likely decide if the building remains listed as historic. The existing plan for renovation was generated with knowledge that the site is historic. If it is labeled historic then there will be some additional items, the City may have to do. If all goes well and Potts Hall is determined to be historic, the City can still move forward by July with permits. If the building has been changed too much over time to be labeled historic, the City will no longer have to get permission from historic review for permits. Historic permits are for external changes only. The historic permits are different from MUTC permits. The City is working on both permits processes simultaneously.

Action: Councilmember Bryan Knedler will make sure the referral form is completed and sent tomorrow.

Councilmember Scott Cecil said that the meeting on June 18, is at the same time at City's next Council Meeting.

Action: Mayor Malinda Miles said Councilmember Bryan Knedler will be sent as the City Rep to speak and listen to the discussion on behalf the Council.

Councilmember Scott Cecil inquired if joining City Hall to Potts Hall will make the City Hall section historic too and subject it to approval of historic preservation permitting for any future changes to the building. Sam said adjacency to historic site requires that the Historic Preservation comment on the changes to the building as it relates to the historic site only.

Councilmember Bryan Knedler said the City needs a point person is for this project. Mayor Malinda Miles asked for two Historic Sites books for the City.

Action: City Manager Miranda Braatz said she is the point person.

Action: Sam will see if he can get a Historic Sites book for the City.

Innovation Studio by Compass Studio

The City's Director of Economic Development Ronald Hopkins and John Hamm and Christine Jones of Compass joined the Council at the table. Compass provides services to people with intellectual disability. Innovations is an inclusive Art Studio in their office. Compass would like to move the Innovations Art Studio to the Bank in Mount Rainier. There was a review of the Bank's remodeling needs. There are no external changes to the facade, so they would not need historic preservation permits. Phase 1 is fixing the roof. Phase two is internal work including adding elevator shaft and cost 600K. They already have staffing and matching funding for the project. Mayor Malinda Miles was concerned about use of a crane for the remodel. Compass has asked the owner of the property with parking lot to host the crane. Mayor Malinda Miles questioned Compass about ADA compliance. Compass believed that elevator was not necessary. Mayor Malinda Miles told Compass to review this as she believes they need a lift. Prompted by questions from Councilmember Scott Cecil, Compass said they have applied for funds but do not have funding for Phase 1 or 2 yet. They have applied for Heritage and Historic Preservation funds.

If awarded funding, they cannot work until Spring 2020. They are a 501c3 and their annual report is on their website. Councilmember Scott Cecil said they lack ADA compliance and that would be counter mission for Compass. Councilmember Luke Chesek is excited about the possibility that the Bank will occupied. Mayor Malinda Miles asked about parking. Councilmember Celina Benitez asked about any other challenges they have not mentioned. Compass feels Phase 2 and parking will be the biggest challenges.

Design Review Board (DRB) Appointment

Appointment notices was advertised in the Message but there were no responses. Mr. Munoz is Ward 1 resident and an architect. His resume and letter of recommendation was presented to Council in their packet.

Action: It was added to the Consent Agenda.

Campus Community Connection

University of Maryland students are currently working on 80 projects for local governments. They are looking for projects with long-term goals. This will be on the next Council Work Session. City Manager Miranda Braatz did invite the UMD Rep to the meeting. He will be invited to the next Work Session. Councilmember Luke Chesek feels his water and stormwater management project should be considered for this program.

Action: City Manager Miranda Braatz will invite the UMD Rep to the next Work Session.

Police Statistics

Police Chief Morgan reviewed call data from 2018. Calls from citizens are handled by City of Hyattsville. Police Officer can initiate their own activity.

- Call for Service Total: 7189
- Police Checks Non-Criminal Business Checks: 2038
- Traffic Stops/Related Incidents: 983
- Criminal Calls (No Homicides): 894
- Hotspots for Criminal Activity (non-Traffic): Commercial Areas on Rhode Island and Queens Chapel Road and multifamily homes Anne Arundel and Queens Chapel Roads

City Manager Miranda Braatz said the City is working with City of Hyattsville for better data analysis. Councilmember Luke Chesek asked about cause for concentration of crime at the Circle and up 34th around A-Life. Chuck's Liquor store has issues with criminal activity in terms for public disorderly conduct and overdoses. City Manager Miranda Braatz said she has had meetings with A-Life to change their business model and hours to help combat criminal activity. Chief explained to Councilmember Scott Cecil that premise check is for businesses and not vacant buildings and require officers to exit vehicle and make the check. Councilmember Celina Benitez asked about police time, but it varies widely based on the crime or police activity.

Public Comment

Ophelia Baxter 4200 of 30th Street

- Do we know how many incidents at or by Chucks Liquor store is Mount Rainier Residents vs. others? The City must own that it is has Residents that are causing problems too. Chief did not have that data. He also said many of the people arrested are transient and tracking where they live is a problem. Why is there a 24-hour store in Mount Rainier? Can we limit hours? City Manager Miranda Braatz said that currently there is no law limiting business hours in the City. Therefore, she is

meeting with the businesses to discuss business hours. Mayor Malinda Miles said that maybe we can zone some businesses out. Ophelia Baxter said that business can be shut down if they are a problem for residents. Councilmember Luke Chesek stated business could have security guard.

- Cindy – She wants Council to look at the zoning law for MUTC zone to remove 24-hour stores. It needs to be done now. She wanted to know that the gun shots are an emergency and where are the crime stats for 2019. Chief responded that in 2019 there were 30 reports of gunshots and only 4 were legitimate. One incident in Feb. and three in the past week. 15 to 17 rounds in front of my house this week and two people are shot. If it is outsiders, please contact another agency, FBI, to assist. City Manager Miranda Braatz said there is a meeting on June 4th about this. Cindy said an emergency meeting should have been called immediately.

Councilmember Scott Cecil said that he needs more convincing that the hours and products in the stores is causing the crime. He feels that is easy target, but not root cause.

Quarterly Report Jan. – Mar. 2019

The report was reviewed. Some highlights:

- Hiring of Police Chief and his effort to restructure the force and its budget and focus on community policing
- Hiring of a new City Clerk, Executive Assistant, and Event Coordinator
- FY20 Budget and Conversion of Tax Structure
- Completing audits and employee merit system
- Passing of budget amendments
- Public Works painting of crosswalk and sidewalks
- Police crime data (non-traffic) numbers by month: Jan. 104, Feb. 127, and Mar. 122, 28 arrests, and 673 parking violations
- Economic Development meetings and booth at National Harbor
- City is in good financial stead
- Code Enforcement and revenue numbers were reviewed

Councilmember Luke Chesek is happy the City departments are reporting, he wants all of them to use the same form. Councilmember Scott Cecil would like to see metrics and see if they are met. This is a future goal. He also pointed out the number of traffic violations that shows police are giving tickets for violations which counters narrative he hears that police are not giving out tickets for traffic and parking. City Manager Miranda Braatz said the cameras are helping. The increase in ticketing is also do to new Chief emphasis on ticketing traffic violations.

Memorial Park

Councilmember Luke Chesek discussed the progress on Memorial Park. He wants to submit a letter for a grant and state a match for the grant. Request is for 400k from the State. City has given 30K. This work would not happen till next fiscal year. He needs to submit a letter by June. What would the City match in dollars or in-kind? Mayor Malinda Miles said the City is giving time from administration and public works. She offered 50K. Councilmember Luke Chesek wants 100K. Councilmember Scott Cecil asked about bundling financing to cover many projects in the City. There was discussion about it. There is some concern the State may not allow it. He thinks he can get to 100K for the project. Mayor Malinda Miles said that the City has not asked the Governor for money. She said that City could issue municipal bonds for these projects. Councilmember Luke Chesek said that letter does not have to have match however it gives more points to the application. He does not think the State will give the full grant, so

the City will have to match to move the project forward in stages. City Manager Miranda Braatz reminded Council that the City needs positive budget position to get the grants. Mayor Malinda Miles said we need a letter for the grant with in-kind and leave the match open to be finalize.

Action: Councilmember Luke Chesek will draft a letter for Council for review and ready by June 10.

Public Comment

- Ophelia 4200 Block 38th St. – She felt that the crime and vagrancy is a problem and until it is fixed, adding new park will not make the area walkable or safe. Councilmember Luke Chesek said that we need to invest now to improve the area. (THIS WAS COMMENT ONLY, SO DEBATE WAS ENDED). She is concerned that the City’s dwindling reserve will be moved to fund Parks. She wants money to go to Senior housing or tax relief.
- Cindy – The City needs strategic plan with Potts Hall as the focus. Councilmember Luke Chesek plan is good, but we are not ready. She thinks the entire Rhode Island Circle should be reviewed for its walkability, safety and street appeal.

Councilmember Scott Cecil is for the plan. He thinks City needs a community vision.

Moving Tool Shed

Council debated where to move the assets of the Tool Shed. This new space will not allow for community use. This is a holding space until the Tool Committee can be reactivated and accessible space is found. It was determined there is an inventory of the materials.

Action: City Manager Miranda Braatz will move the tools to Potts Hall or Dept. of Public Works.

Solar Panel

City Manager Miranda Braatz said they have list of vendors for solar panels on City Hall. Director of Public Works, Mr. Kamali, is in touch with vendors to get someone to read the panels to see if producing energy and if PEPCO is crediting the City for the energy. She asked who said they will help the City on this. Councilmember Celina Benitez said it was the Maryland Dept of Energy (MDE). The Mayor will reach out to Chris Vice and Mary Elizabeth Tung at MDE. The solar panels where from a grant via University Park and installed in 2010. Mayor Malinda Miles will contact the former Mayor about this.

Action: Mayor Malinda Miles will contact MDE and former University Park Mayor about the solar panels.

Scholarship Update

May 24, 2019 is the deadline for the scholarship. Council wants a Ward 2 resident to apply.

Councilmember Scott Cecil feels the application should be focused on asking what the students are doing now. Mayor Malinda Miles said the application will stay as is, but the suggestion made can be incorporated next year.

Action: Councilmember Scott Cecil will send out notice for scholarship once it is sent to him.

Website/Social Media

Timeline on launching website was reviewed. Population of forms and testing were the tasks for two weeks. City Manager Miranda Braatz said there is a new City of Mount Rainier page and it needs followers. There are older pages that mess up the algorithms, so following the new one will fix this.

Action: Councilmember Celina Benitez wants the webstie go live link sent to Council prior to launch.

Action: City Manager will send link to new City Facebook to Council and MRBA.

Review of City Committee List

There was discussion of City Committee List. The one at meeting was incomplete.

Action: Mayor Malinda Miles will update it and resubmit.

Discussion on Public Comment

Councilmember Bryan Knedler proposed the following:

- 10 minutes per comment and Council response:
 - 3 minutes for individual comment and 7 minutes for Council response
 - (SOME SAID 2 and 8 minutes)
 - 5 minutes for a group comment and 5 minutes for Council response
- There can be no debate, but there can questions and response. If the comment is deemed important and needs debate, it goes to next session.

Councilmember Scott Cecil suggested that Council define debate. Councilmember Celina Benitez wanted to address people repeating comments.