

**CITY OF TAKOMA PARK, MARYLAND
CITY COUNCIL REGULAR MEETING
VOTING SESSION AND WORK SESSION**

**Wednesday, May 5, 2021
Minutes**

Adopted October 20, 2021

CALL TO ORDER/ROLL CALL

Present: Mayor Stewart, Councilmember Kovar, Councilmember Dyballa, Councilmember Kostiuk, Councilmember Seamens, Councilmember Smith, Councilmember Searcy

Also Present: City Manager Ludlow, City Clerk Carpenter, IT Director Lars DeSalvio

CLOSED SESSION – WEDNESDAY, MAY 5, 2021

The City Council convened at 5:00 PM on Zoom to vote to go into closed session to consult with the City Attorney to obtain legal advice regarding the Takoma Junction Redevelopment Project and to consult with the City Attorney and staff regarding pending litigation. The meeting was closed pursuant to Annotated Code of Maryland, General Provisions Article, §3-305(b)(7) and (8). Ms. Kostiuk moved to close the meeting; second by Ms. Dyballa. VOTING FOR: Stewart, Kovar, Dyballa, Kostiuk, and Seamens. ABSENT: Smith and Searcy.

Present for the Closed Session: Mayor Stewart, Councilmembers Kovar, Dyballa, Kostiuk, Seamens, Smith, and Searcy; City Attorney Cornbrooks, City Manager Ludlow, Deputy City Manager Clarke, and City Clerk Carpenter. The Council received legal advice related to the development review and relations with NDC and TPSS Co-op, and discussed planning related to the litigation expected to be filed by the Co-op. The Council discussed who should represent the City at a meeting initiated by NDC and scheduled for May 6. No actions were taken and no votes were recorded.

The closed session was adjourned at 7:07 PM. The Council recessed and reconvened at 7:30 PM for the regular meeting.

CHANGES TO THE AGENDA / AGENDA SCHEDULING UPDATE

Mayor Stewart updated the Council on future agenda items and read the proclamation pronouncing May 12, 2021 as “Myalgic Encephalomyelitis (ME) Awareness Day”.

Proclamation Recognizing Myalgic Encephalomyelitis (ME) Awareness Day (attached)

PUBLIC COMMENTS ON VOTING ITEMS

- Arthur David Olson urged the Council to defer a vote on the bus shelter ordinance until sufficient financial information is provided on ongoing costs to maintain the shelters and ultimately replace them.

GENERAL PUBLIC COMMENTS

- Kayleigh Gunnoud– Requested closure of Anne Street for the Summer Mercado event on June 26th.
- Tom Gagliardo– Asked about Council’s next steps regarding the Takoma Junction project.
- Roger Schlegel– Commented in opposition to developer NDC.
- Rick Weiss– Commented in opposition to NDC and requested the Council to start the Takoma Junction project over with a new developer.
- Laura Delaney– Commented against NDC and the claim that the layby is safe.
- Lee Peterson– Requested the Council to sever ties with NDC.
- Susan A. Huffman– Communicated her frustration and lack of trust in NDC.
- Sue Miller– Requested the Council to sever ties with NDC.
- Tracy Duvall– Thanked Mayor for ME Day Proclamation. Commented in opposition to developer NDC.
- Paul Huebner– Expressed lack of confidence in NDC.
- Nadine Bloch– Requested the Council to sever ties with NDC.
- Rachel Hardwick–Requested the Council to sever ties with NDC.
- Esther Siegel– Spoke about community and commented in opposition to developer NDC.
- Marcie Stickle and George French– Commented in solidarity with the Takoma Co-op.
- Julie Boddy– Requested the Council to sever ties with NDC.
- Dennis Huffman– Commented in opposition to developer NDC.

COUNCIL COMMENTS

Councilmember Kostiuik: Commented on upcoming events related to transportation as well as Public Service Recognition week.

Councilmember Dyballa: Thanked Ward 2 residents who commented on budget and Takoma Junction related matters. She also commented on upcoming meetings.

Councilmember Smith: Commented on the Ambassador Navigator Program and proposed the establishment of a social services committee.

Councilmember Kovar: Commented on community organizations combatting food insecurity in the region. Mr. Kovar also commented positively on Montgomery College construction plans and the property tax rate which will remain the same for upcoming fiscal year.

Councilmember Searcy: Asked public to vote on the Hillwood Manor playground designs and commented on meetings attended including the Public Safety Task Force.

Mayor Stewart: Thanked Delegate Charkoudian and Safeway for their help leading COVID-19 vaccine efforts. Mayor Stewart commented that the City was featured in the Harvard Political Review. She also updated the Council on her Montgomery County Mayors meeting and their discussions related to transportation.

CITY MANAGER COMMENTS

Ms. Ludlow presented her comments (attached).

VOTING SESSION

1. Consent Agenda

- A. Single Reading Ordinance 2021-15 Approving the Purchase of a Leaf Vacuum (attached)**
- B. Single Reading Ordinance 2021-16 Approving the Purchase of Bus Shelters (attached)**
- C. Single Reading Ordinance 2021-17 Approving the Purchase of Street Furniture (attached)**

Mr. Seamens moved the resolution. Ms. Searcy seconded the motion. The motion carried (VOTING FOR: Kovar, Dyballa, Kostiuk, Seamens, Smith, Searcy, Stewart).

WORK SESSION

2. Request to Close Anne Street on Saturday, June 26, for Summer Mercado

Event scheduled Saturday, June 26th 12:00 pm to 5:00 pm. The CDA is requesting closure of Anne Street from 7am to 7pm. The group has received a letter of approval from the Montgomery Dept. of Health.

3. Discussions of Procurement Items

a) Photocopier Lease

IT Director Lars DeSalvio presented information on the lease and explained that the new lease amount has gone down due to COVID-19.

b) Building Access Control System

IT Director Lars DeSalvio presented on the new Access Control System for Public Works.

3. Discussions of Committees

Councilmembers Dyballa, Searcy and Kostiuk discussed the need for specific standing committees (Grants Review Committee, Recreation Committee and Emergency Preparedness) and provided recommendations for three of the city's non-regulatory committees.

ADJOURN

The City Council adjourned for the evening at approximately 9:30 p.m.



Mayoral Proclamation

Asian/Pacific American Heritage Month

WHEREAS, May was established as Asian/Pacific American Heritage Month by Congress in 1992; and

WHEREAS, Asian/Pacific American Heritage Month is a celebration of Asian Americans, Native Hawaiians, and Pacific Islanders in the United States; and

WHEREAS, the month of May was chosen to commemorate the immigration of the first Japanese people to the United States on May 7, 1843, and to mark the anniversary of the completion of the transcontinental railroad on May 10, 1869, because the majority of the workers who laid the tracks were Chinese immigrants; and

WHEREAS, despite generations of living and contributing to the fabric of American society, many Asian, Native Hawaiians, and Pacific Islanders continue to be treated as not belonging and face persistent racism and stereotyping; and

WHEREAS, since 9/11, South Asian Americans, especially those who are Muslim, Hindu or Sikh, often face senseless violence and harassment due to the color of their skin or the tenets of their faith; and more recently since the COVID-19 pandemic, Asians in general, particularly women and the elderly, have faced anti-Asian violence; and

WHEREAS, May is a month to reflect on the rich diversity of the Asian Pacific community and the contributions Asian Americans, Native Hawaiians, and Pacific Islanders have made to our culture and civic life.

Now, therefore, I, Kate Stewart, Mayor of the City of Takoma Park, Maryland, hereby proclaim May as Asian Pacific American Heritage Month in Takoma Park.

Dated this 12th day of May, 2021.

Kate Stewart
Mayor



City of Takoma Park

City Manager Comments

Report of May 5, 2021

COVID-19 Related Information

All residents 16 years of age and older can now be vaccinated in Maryland!

Please get vaccinated as soon as possible. The one-dose Johnson & Johnson vaccines are available again and there is easy access to the Pfizer and Moderna vaccines. It sounds like the Pfizer vaccine will soon be able to be offered to young people twelve years of age and older. Hooray!! People are still getting seriously ill from COVID-19. We know what the coronavirus can do, and we need to protect ourselves and others by getting vaccinated.

“V” is for Vaccinations and Voting: two important civic duties! Remember, you can register to vote at any time, so why not take care of both Very soon!

COVID-19 testing in Takoma Park

There will be COVID-19 testing this Saturday in Takoma Park at the Recreation Center on New Hampshire Avenue. The County recommends being tested monthly. For details on this and other testing options, please see the information here: [Montgomery County Testing Sites](#).

COVID-19 Dashboard

Each week, the City's COVID-19 Dashboard is updated. The most recent one is here: [COVID 19 Dashboard](#).

Final Push Ahead on Tax Duplication Fairness!

Thanks to a large-scale push by Montgomery County municipal leaders and residents, the County Council's Government Operations (GO) Committee recommended on Friday that the municipalities get the [municipal tax duplication](#) rebate amount they had been requesting for FY22 and put the processes in play to get fair rebates in FY23 and beyond. This is a tremendous win, but is only a recommendation to the full County Council. The full Council needs to approve the GO Committee recommendation and then Council President Tom Hucker needs to put the money in the Reconciliation document for final approval.

What is the amount recommended for FY22? GO Chair Nancy Navarro proposed adding \$5 million to the County Executive's proposed amount for tax duplication rebates. The \$5 million was divided into three amounts (\$2 million, \$1.5 million, \$1.5 million), in case a decision is made that the County cannot fully fund the entire \$5 million. The \$5 million would be divided among the County's municipalities; if the County fully funds the increase, the City of Takoma Park would receive an additional \$480,000.

What is the plan for FY23 and the following years? The next most important step is to determine a fair amount to be reimbursed for police services. The City of Takoma Park currently receives about \$4 million for police services, but that is based on an obsolete model of policing. Gaithersburg, Rockville and Chevy Chase Village get no money for their police services, because they do not have full-service police agencies. The County Code needs to be changed to allow rebates for shared services and the four jurisdictions with police departments need to negotiate with the County on a reasonable formula that would estimate what the County would spend if they provided all of the police services. Negotiations are to be concluded by this October so that the amounts can be in the FY23 budget. In addition to determining the formula for police services, a formula for park maintenance costs also needs to be developed.

What can you do to ensure that Takoma Park and the other Montgomery County municipalities get back all of the money that has been overpaid to the County?

First, thank the GO Committee Members, Chair Nancy Navarro and members Andrew Friedson and Sidney Katz! Send an email, reach out via social media, or handwrite a note. After many, many years, the GO Committee unanimously voted for a real and fair resolution to the tax duplication matter that has been discussed for decades. A special shout-out needs to go to Chair Navarro for actually putting the money on the table.

Second, reach out to the rest of the County Councilmembers and ask them to support the GO Committee's recommendation for the full amount of the money for FY22. The Council is likely to act next week on the recommendation.

Third, it's not real until it's in the budget! Contact Council President Tom Hucker and reinforce the importance of putting the entire additional \$5 million in the reconciliation budget. Again, send emails, tag on social media, and talk to him at the fish store or streetery. Let our officials know that you are watching their actions on this important issue of tax fairness.

So, send thanks to:

Councilmember.Navarro@montgomerycountymd.gov
Councilmember.Friedson@montgomerycountymd.gov
Councilmember.Katz@montgomerycountymd.gov

Urge approval of the GO Committee's recommendations to:

Councilmember.Albornoz@montgomerycountymd.gov
Councilmember.Glass@montgomerycountymd.gov
Councilmember.Jawando@montgomerycountymd.gov
Councilmember.Rice@montgomerycountymd.gov
Councilmember.Riemer@montgomerycountymd.gov

And, urge Council President Tom Hucker to put the \$5 million in the reconciliation budget:

Councilmember.Hucker@montgomerycountymd.gov

Lots of Events Coming Up in June!

Whether it's Pride (rainbow crosswalks in Old Takoma!), Summer Mercado on Anne Street, the Artery, or classes and camps, there are many activities coming up in June and they are probably listed in the weekly **Insider!** To get Insider news, just click: [Sign Up For Insider](#)



Arts and Humanities Report

The Takoma Park Arts and Humanities Commission has issued its 2020 Report to Council. Despite the pandemic, it has been a very busy year for the arts. As can be seen in the report, artists have found ways to bring arts to the community despite the constraints. Now, we're looking forward to enjoying the arts with others in the coming year!

[2020 Arts and Humanities Report](#)

Many Were Helped with Tax Preparation This Year!

Takoma Park has been able to partner on free tax preparation assistance provided by the AARP TaxAide program this year. Kathleen Thomas worked safely from the Community Center and prepared 87 tax returns for 83 persons in Takoma Park. (4 persons needed both their 2019 and 2020 returns prepared). Given the complications of doing taxes this past year, I'm so glad the City was able to partner on this free service.

Progress on Opportunities for Affordable Home Ownership

We are happy to note that the City closed on the 320 Lincoln Avenue property on Friday, in conjunction with Housing Initiative Partnership, Inc. (HIP), so that it may be renovated into a sustainable and affordable home for an eligible purchaser. Special thanks to neighbor Jay Keller, who has been keeping the grass mowed during the transition in ownership!

We are also happy to note that Habitat for Humanity, Inc., is nearing the date in June when eligible applicants for the Garland Avenue duplex property will be accepted as the new owners. There were 72 applications; 25 of which were from Takoma Park (2 from Ward 2, 14 from Ward 4, 4 from Ward 5, and 5 from Ward 6). The reviewing committee will be considering 18 of the 72 applicants, 9 of which are from Takoma Park. Clearly a strong demand – good luck to all!

Passing of Philip Sardelis

All Sardi's Restaurants are closed today to honor the CEO and co-founder of the restaurant chain, Philip Sardelis, who passed recently from COVID-19. We love our Sardi's Restaurant on University Boulevard and we express our deep sympathies to the family, friends, and employees of Philip Sardelis.

Congratulations to our Community Police Academy Graduates!

Due to the pandemic, our popular Community Police Academy has not been able to celebrate the graduations of its 2020 and 2021 classes with the traditional graduation dinner and program. Nevertheless, we would like to recognize the many students who took the Academy in 2020 and 2021. The 2020 class was able to finish most of its classes and only missed one field trip when the pandemic closures began. The 2021 Academy was shorter and done virtually. Members of both classes are invited to join in on future Community Police Academies to attend classes or field trips they missed.

Besides congratulating the graduates listed below, I want to send a special thanks to organizers Cathy Plevy and Ron Hardy of the Police Department, who were able to pivot during the pandemic shutdown and creatively develop a virtual program. Thank you!

The 2020 students were:

Adrienne Vaughn
Barbara Rosenblatt
Benjamin Wakefield
Bill Oaks
Brooke Spears
Cindy Herrera
Cliff Schwartz
Donna Wright
Fatima Hernandez
Gil Winters
Joshua O'Donnell
Kathe Quinn
Matt Ling
Neal Chalofsky
Pamela Sumner Coffey
Patsy Bader
Tanya DeKona
Vicki Booker
Alumni Guest: Ira Vaughn

The 2021 students were:

Colin Gilligan
Denzel Walker
James Della-Giacoma
Jessica Clarke
Patrick Fleming
Rachel Hardwick
Rosalind Grigsby
Vilis Kuskevics

CITY OF TAKOMA PARK, MARYLAND

ORDINANCE NO. 2021-17

AUTHORIZING PURCHASES FOR STREET FURNISHINGS

WHEREAS, \$58,746 was included in the amended FY 2021 Budget for the Site Improvements

WHEREAS, the City has developed identifiable, colorful furnishings for the New Hampshire Avenue corridor; and

WHEREAS, the Staff has inventoried street furnishings and updated the Streetscape Manual and accompanying map; and

WHEREAS, Victor Stanley, the company the City purchased furnishings from previously, provided pricing for purchase of trash cans and recycle cans with custom colors for \$40,000. Staff obtained multiple quotes and the Victor Stanley prices were the lowest; and

WHEREAS, Urbanscape provided pricing for purchase of the Dewart bench series that is also part of the New Ave streetscape of \$1,400 each or \$7,000 for five benches to replace benches in disrepair and add new ones.

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND THAT:

SECTION 1. The City Manager or her designee is authorized to enter into an agreement with Victor Stanley for the purchase of 40 trash and recycling receptacles for \$40,000 and Urbanscape Dewart for the purchase of benches for \$7,000.

SECTION 2. This Ordinance shall become effective immediately.

Adopted this 5th day of May, 2021 by roll-call vote as follows:

AYE: Stewart, Kovar, Dybala, Kostiuk, Seamens, Smith, Searcy
NAY: NONE
ABSTAIN: NONE
ABSENT: NONE

CITY OF TAKOMA PARK, MARYLAND

ORDINANCE NO. 2021-16

AUTHORIZING BUS SHELTER PURCHASE AND INSTALLATION

WHEREAS, \$60,000 was included in the FY 2021 Capital Improvement Budget for the purchase and installation of bus shelters; and

WHEREAS, the Council established criteria for prioritizing bus shelters in the City and staff identified locations that meet the criteria; and

WHEREAS, the City has a contract with InSite to provide advertising shelters in the City; and

WHEREAS, InSite provided pricing for purchase and installation of Tolar non-advertising shelters for locations that meet the criteria at a cost of \$59,140.00.

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND THAT:

SECTION 1. The City Manager or her designee is authorized to enter into an agreement with Tolar for the purchase and InSite for the installation of six non-advertising bus shelters.

SECTION 2. This Ordinance shall become effective immediately.

Adopted this 5th day of May, 2021 by roll-call vote as follows:

AYE: Stewart, Kovar, Dybala, Kostiuk, Seamens, Smith, Searcy

NAY: NONE

ABSTAIN: NONE

ABSENT: NONE

CITY OF TAKOMA PARK, MARYLAND

ORDINANCE NO. 2021-15

**PURCHASE OF A LEAF VACUUM
FOR THE PUBLIC WORKS DEPARTMENT**

WHEREAS, the Fiscal Year 2021 budget included sufficient funds in the Equipment Replacement reserve for the purchase of a leaf vacuum for the Public Works Department; and

WHEREAS, in accordance with the City procurement procedures, the Public Works Department solicited proposals for purchase of one side loading leaf vacuum; and

WHEREAS, funds for this purchase are included in the Equipment Replacement Reserve; and

WHEREAS, two vendors provided bids and Old Dominion Brush provided the lowest bid; and

WHEREAS, the quote provided by Old Dominion Brush Company is considered responsive and responsible.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND THAT:

SECTION 1. The quote submitted by Old Dominion Brush Company for Fifty-Two Thousand, Nine Hundred Sixty-Four Dollars and Eighty-Five Cents (\$52,964.85) is accepted.

SECTION 2. This ordinance shall become effective upon adoption.

Adopted this 5th day of May, 2021 by roll-call vote as follows:

AYE: Stewart, Kovar, Dyballa, Kostiuk, Seamens, Smith, Searcy
NAY: NONE
ABSTAIN: NONE
ABSENT: NONE