

**CITY OF TAKOMA PARK, MARYLAND  
CITY COUNCIL REGULAR MEETING**

**Wednesday, March 9, 2022  
Minutes**

**CALL TO ORDER/ROLL CALL (6:30 PM)**

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

Mayor Stewart called the meeting to order at 6:30 PM in the Community Center Auditorium, 7500 Maple Avenue, Takoma Park, Maryland.

**PRESENTATION**

**1. Minor Master Plan Update**

Montgomery Planning Staff made a presentation on the status of the Minor Master Plan. (Presentation attached.)

After the presentation, the City Council recessed and reconvened at 7:30 PM.

**UPCOMING AGENDAS**

Mayor Stewart provided an update on future agendas. She noted that Council will meet in an administrative function session on March 10 at 6:30 PM regarding the City Manager's evaluation.

**FOR THE RECORD: Proclamation Recognizing Two Years Fighting the COVID-19 Pandemic**

Mayor Stewart read the proclamation. (Attached)

**LEGISLATIVE UPDATE**

The City Council received a legislative update from Suhani Chitalia, the City's legislative advocate.

**PUBLIC COMMENTS**

Jeffrey Noel-Nosbaum, New Hampshire Ave., commented in opposition to the redistricting plan that the Council selected.

Sean Hendley, President, AFSCME Local 3399, encouraged employees facing firing due to the Covid-19 vaccination mandate to file claims if denied a religious exemption. He asked the Council to intervene on employees' behalf.

Brendan Smith, Acting Vice President of Local 3399, questioned the denial of religious accommodations for a number of employees who face firing due to the vaccination mandate.

Robert \_\_\_\_\_ spoke in support of Leicia Montfort, one of the dismissed employees.

Daria, a worker at the Community Center, spoke in support of Lecia Montfort.

Leicia Montfort asked the Council to intervene on her behalf.

Buddy Daniels commented in support of the Ukraine resolution. He also spoke in support of Leicia Montfort.

Nancy Abrams, Glazewood Court, spoke in support of Leicia Montfort and urged reconsideration of the City policy.

Scott Davis, Boys and Girls Club, spoke in support of Leicia Montfort.

A statement from the Victim Witness Coordinator was read. She was terminated because of the Covid-19 vaccination mandate.

Ryann Alexander spoke in support of Leicia Montfort.

## **COUNCIL COMMENTS**

Mr. Seamens remarked about the number of years he has know Ms. Montfort and her long service to the City and its youth. He encouraged City Manager Fox to rethink the policy and consider how the Covid-19 situation has evolved.

Mr. Kovar commented that he does support the vaccination policy and does not think the Council should be involved in individual personnel matters. He suggested that if there is an opportunity for the City Manager to look at potentially mitigating circumstances and more individualized facts, he would encourage that it be done.

Councilmember Searcy echoed her colleagues comments in support of the vaccination policy, given the unprecedented times we are in. She recognized the City Manager's role in addressing personnel matters and said she would support him working with Human Resources staff to evaluate the policy. She said she appreciates the comaradarie among staff.

Ms. Dyballa supported the vaccination policy and noted that the City Manager is hired to make the hard decisions.

Ms. Dyballa announced an invasives cleanup scheduled for Dorothy's Woods and her planned attendance at the National League of Cities City Summit.

Ms. Kostiuk expressed appreciation for staff who came to testify tonight and for all the staff who worked during the Covid-19 shutdown. She thanked the Police Department for its work with the traffic counter on Lincoln Avenue. She hopes to be attending the National League of Cities Conference as the Chair of the Human Development Federal Advocacy Committee.

Councilmember Smith thanked the Climate Action Coffee group for inviting him to its virtual event. He commented on the testimony heard tonight about the Covid vaccination policy and noted that Ms. Montfort has been an excellent representative of the City. He said Mr. Fox should have the opportunity to decide the best way forward as the Council should not be involved in personnel matters.

Mayor Stewart appreciated people coming out and sharing support for each other. She noted that these are hard decisions and asked Mr. Fox to look at the balance. She said she would like to resume the quarterly meetings with the Union representatives.

#### **CITY MANAGER COMMENTS**

City Manager Fox commented that he supports City staff. He said all parties had input into the Covid-19 vaccination policies. To help keep employees safe, the telework policy has been expanded to allow up to three days a week for telework. The City's vaccination policy is no different from other jurisdictions in the area. He said he has heard the comments tonight and will continue to keep everyone informed as changes are made.

Mr. Fox reported the following:

- The mask mandate in the building has been lifted, but masking is still encouraged.
- In light of the situation in Ukraine, the City's logo has been temporarily changed to reflect the colors of the Ukrainian flag.
- Code Enforcement will be moved from the Police Department to the Housing and Community Development Department effective July 1.
- The City is partnering with Habitat for Humanity on making accessory units available in homes.

#### **VOTING SESSION**

##### **Resolution Condemning Russian Invasion of Ukraine and Expressing Solidarity with the Ukrainian People**

Mr. Kovar moved the resolution. It was seconded by Mr. Smith.

VOTING FOR: Stewart, Kovar, Dyballa, Kostiuk, Seamens, Smith, Searcy.

### **Resolution 2022-5 (attached)**

#### **2. First Reading Ordinance Adopting a Redistricting Plan**

Mr. Fox reported that staff did follow up with the City Attorney regarding the plan selected by the majority of Council. The City Attorney had confirmed that he had no concerns about the selection.

It was noted that the new districts become effective for purposes of the election and voting. Until a new Council is elected, residents will still be represented by their current ward Councilmembers. Clarification will be added to the ordinance for second reading.

Mr. Seamens moved to adopt the ordinance. Mr. Kovar seconded the motion.

Ms. Kostiuk thanked everyone for their work on the redistricting and for maintaining neighborhoods together when possible. She noted that SS Carroll is broken up with the selected map. She announced that she would be voting against the ordinance because it is not the redistricting plan map that she supports.

The ordinance was approved (VOTING YES: Stewart, Kovar, Dyballa, Seamens, Smith; VOTING NO: Kostiuk, Searcy).

### **First Reading Ordinance 2022-7 (attached)**

#### **3. Second Reading Ordinance Approving Installation of Traffic Calming on the 7900 Block of Glenside Drive**

Councilmember Searcy moved the ordinance. Ms. Dyballa seconded the motion.

The ordinance was adopted (VOTING FOR: Stewart, Kovar, Dyballa, Kostiuk, Seamens, Smith, Searcy).

### **Ordinance 2022-4 (attached)**

#### **4. Second Reading Ordinance Approving Installation of Traffic Calming on the 6700-6800 Blocks of Prince Georges Avenue**

Councilmember Dyballa moved the ordinance. Councilmember Searcy seconded the motion.

The motion carried (VOTING FOR: Stewart, Kovar, Dyballa, Kostiuk, Seamens, Smith, Searcy).

### **Ordinance 2022-5 (attached)**

**5. Second Reading Ordinance Approving Installation of Traffic Calming on the 6400-6500 Blocks of Fourth Avenue**

Councilmember Kostiuk moved the ordinance. Councilmember Searcy seconded.

The motion carried (VOTING FOR: Stewart, Kovar, Dyballa, Kostiuk, Seamens, Smith, Searcy).

**Ordinance 2022-6 (attached)**

**6. Single Reading Ordinance Approving Procurement of Police Mobile Data Terminals**

Mr. Smith moved the ordinance. Ms. Searcy seconded the motion.

The motion carried (VOTING FOR: Stewart, Kovar, Dyballa, Kostiuk, Seamens, Smith, Searcy).

**Ordinance 2022-8 (attached)**

**WORK SESSION**

**7. Police Department Annual Report**

Chief DeVaul presented the Police Department Annual Report. (Report attached.)

**8. Police Chief's Advisory Board Review of Reimagining Public Safety Report**

Gayle Fisher Stewart, member of the Chief's Advisory Board, provided information on the review of the report. She said that the Board agrees with the Chief's response to the recommendations. The focus of the Board was specifically on police-related recommendations, recognizing that police are only one component of public safety.

She asked if there is a racial justice problem with the City's Police Department and commented that it is not apparent from the report that there is. The Board does not feel that some of the information in the report pertains to Takoma Park.

**9. Commission on Landlord-Tenant Affairs Appointments**

It was announced that three COLTA appointments are scheduled for next week's meeting.

**ADJOURNMENT**

The meeting was adjourned at 9:58 PM.