

**CITY OF TAKOMA PARK, MARYLAND
CITY COUNCIL REGULAR MEETING
VOTING SESSION AND WORK SESSION
Wednesday, July 20, 2022**

MINUTES

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

Also present: Deputy City Manager Clarke, ARPA Manager Martin, Housing and Community Development Director Eubanks, Urban Forest Manager Frye, Public Works Director Braithwaite, Human Resource Manager Cannon, City Attorney Cornbrooks, and City Clerk Carpenter

The City Council convened at 7:30 PM in the Auditorium.

CHANGES TO THE AGENDA / AGENDA SCHEDULING UPDATE

Ms. Stewart provided an update on future agendas.

FOR THE RECORD

Ms. Stewart read the proclamation of July as Park and Recreation Month

PUBLIC COMMENTS

Byrne Kelly, Ward 3, commented on the stormwater management work on Cockerille Avenue near Spring Park. He requested for the work to stop and to be reviewed. He stated that he was making a FOIA request for the engineering plans.

Cathy Serese, Ward 1, spoke in support of the library reconstruction. She said that it opened in 1955 in its current building and now it needed significant renovation and investment.

Lynn Hughes, Friends of the Library, spoke in support of the library renovation.

Gina Lambright spoke in support of the library renovation. She commented on the value of the library. She said that the project expanded residents' access to the library and its programs.

Paul Huebner, Ward 3, requested the help of the Council to resolve the issue in the alley way off of Boyd Avenue.

COUNCIL COMMENTS

Mr. Smith asked City staff to immediately resolve the issues raised during public comment. He recommended further discussion on developing a plan and a mechanism where residents issues can be fixed as soon as possible.

Ms. Searcy thanked commenters particularly on the library. She reminded the public about the crossroads farmers market. She said that the public works department staff was much appreciated for all the work they do including the project they were currently working on.

Ms. Dyballa thanked the public for their comments. She reported on the Chesapeake Bay Policy Committee meeting last week. She announced that there was an upcoming EPA state and Council of

Government members meeting to discuss stormwater and infrastructure funds. She thanked the people who voted in the primary election. She announced that she intended to seek reelection for Ward 2.

Ms. Kostiuk thanked the public for their comments. She gave an update on the Transportation Planning Board meeting. She said that the transportation set-aside grant fund was adopted. She reported that 5 million dollars was awarded for a bike and walk trail. Ms. Kostiuk said that the use of the fund was restricted by MDOT. She said that she requested to have the restriction reviewed and to report back.

Mr. Kovar thanked people who spoke in support of the Library.

Ms. Stewart thanked everyone who spoke on the library project. She said that she spoke with Mr. Huebner about Boyd Avenue and that she was closely working with Ms. Kostiuk, and the Public Works Director on the issue. Ms. Stewart asked staff to make sure the closed caption was working properly.

CITY MANAGER COMMENTS

Ms. Clarke reported that 10,000 rapid test kits were distributed through the library to community members. She announced the Takoma Park Police Department National Night Out event on Tuesday, August 2. She also announced the back to school backpacks donation drive and that Public Works began a battery recycling program.

Ms. Clark stated that staff was actively working on the issues mentioned by Mr. Kelly and Mr. Huebner.

ADOPTION OF MINUTES: January 19, 26; February 2

Ms. Dyballa moved to approve the minutes from January 19, 26 and February 2. Ms. Searcy seconded the motion. (VOTING FOR: Stewart, Kovar, Dyballa, Kostiuk, Searcy, Seamens, Smith)

VOTING SESSION

1. Single Reading Ordinance Awarding a Contract for Library Construction

Mr. Smith said that he appreciated staff's work on the Library. He said that it was far too much money to spend on the project particularly with so many people in need in the community.

Mr. Kovar stated that he would like to see an agreement with the community similar to the Montgomery College's agreement with the community during their renovation.

Ms. Dyballa spoke in support of the renovation project contract.

Ms. Kostiuk thanked staff and the public for their comments on the library. She said that it was important to use available funds that would continue to give back to the community.

Ms. Searcy commented on the importance on the library project to the community.

Mr. Seamens said that he was in full support of the library renovation contract.

Ms. Stewart commented about the importance of the library to the community. She thanked members of Friends of the Library and Mr. Eubanks for all their work.

Mr. Kovar moved the ordinance. Ms. Dyballa seconded the motion. (VOTING FOR: Stewart, Kovar, Dyballa, Kostiuk, Searcy, Seamens; VOTING AGAINST: Smith)

Ordinance 2022-24 (attached)

3. Single Reading Ordinance Awarding a Contract for Inspection and Testing Services for the Library Construction (this item was moved up on the agenda)

Ms. Clarke explained that the Montgomery County Department of Licensing required that the City contract an inspection and testing firm. She said that now that the project was moving forward the City can contract a firm to comply with the County code and the international building code.

Ms. Searcy moved the ordinance. Ms. Kostiuik seconded the motion. (VOTING FOR: Stewart, Kovar, Dyballa, Kostiuik, Searcy, Seamens; VOTING AGAINST: Smith)

Ordinance 2022 25-(attached)

2. Resolution Authorizing the City Manager to Negotiate and Enter into a Lease Concerning the City's Temporary Relocation of the Library

Ms. Clark explained that the resolution was recommended by the City Attorney to grant the City Manager and City Attorney the authority to negotiate the best deal possible.

Ms. Searcy moved the resolution. Ms. Kostiuik seconded the motion. (VOTING FOR: Stewart, Kovar, Dyballa, Kostiuik, Searcy Seamens; VOTING AGAINST: Smith)

Mr. Kovar was concerned that the lease agreement was open-ended. He asked staff for language suggestions to add to resolution.

Mr. Cornbrooks suggested the additional language regarding the cost to be added in the resolved clause of the resolution.

Mr. Seamens moved the ordinance as amended. Mr. Kovar seconded the motion. (VOTING FOR: Stewart, Kovar, Dyballa, Kostiuik, Searcy, Seamens; VOTING AGAINST: Smith)

Resolution 2022-20 (attached)

4. Single Reading Ordinance Awarding a Contract for Construction Management Services for the Community Center Renovation

There was no further discussion.

Mr. Seamens moved the ordinance. Ms. Searcy seconded the motion. (VOTING FOR: Stewart, Dyballa, Kostiuik, Searcy, Seamens; VOTING AGAINST: Kovar, Smith)

Ordinance 2022-26 (attached)

5. Single Reading Ordinance Awarding a Contract for a Stormwater Resiliency Study

Ms. Stewart stated that there were friendly amendments to the ordinance proposed by Mr. Kovar and Ms. Dyballa.

Mr. Smith thanked Mr. Kovar and Ms. Dyballa for the additional language to the ordinance. He said that stormwater was significant problem in Takoma Park and would continue to be an issue. He said there were a lot of smart residents in Takoma Park that should be brought together to come up with the practices for all residents.

Mr. Smith moved the ordinance as amended. Ms. Dyballa seconded the motion. (VOTING FOR: Stewart, Kovar, Dyballa, Kostiuik, Searcy, Seamens, Smith)

Ordinance 2022-27 (attached)

COUNCIL VOTE TO CONVENE AS THE STORMWATER MANAGEMENT BOARD

Ms. Searcy moved to convene as the stormwater management board. Ms. Dyballa seconded the motion. (VOTING FOR: Stewart, Kovar, Dyballa, Kostiuk, Searcy, Seamens, Smith)

6. First Reading Ordinance Approving FY23 Stormwater Management Budget Amendment No. 1

Ms. Clarke updated the Council on a minor change to the Public Works engineering services carryover of \$21,548 was reduced to \$20,607 since the Council meeting work session.

Ms. Kostiuk moved the ordinance. Ms. Dyballa seconded the motion. (VOTING FOR: Stewart, Kovar, Dyballa, Kostiuk, Searcy, Seamens, Smith)

Ordinance 2022-28 (attached)

7. First Reading Ordinance Approving FY23 Budget Amendment No. 1

There was no further discussion.

Ms. Searcy moved the ordinance. Ms. Dyballa seconded the motion. (VOTING FOR: Stewart, Kovar, Dyballa, Kostiuk, Searcy, Seamens, Smith)

Ordinance 2022-29 (attached)

8. First Reading Ordinance Amending the Takoma Park Election Code

Ms. Clark stated that the Council made comments and suggestions to the Board of Elections code amendment recommendations. She said that the City Clerk and the City Attorney worked on the ordinance to reflect what the Council discussed during the work session.

Mr. Cornbrooks commented on the Council's concerns discussed during the work session regarding the campaign finance requirements, political committees, and anonymous contributions. He said the concerns were addressed.

Ms. Kostiuk moved the ordinance. Ms. Dyballa seconded the motion. (VOTING FOR: Stewart, Kovar, Dyballa, Kostiuk, Searcy, Seamens; ABSTAIN: Smith)

Ms. Stewart commented on the campaign financial report timing. She suggested cutting the second pre-election report.

Ms. Stewart moved the ordinance as amended. Ms. Kostiuk second the motion. (VOTING FOR: Stewart, Kovar, Dyballa, Kostiuk, Searcy, Seamens; VOTING AGAINST: Smith)

Ordinance 2022-30 (attached)

9. CONSENT AGENDA

- A. Resolution Providing for Appointments/Reappointments to the Arts and Humanities Committee**
- B. Resolution Providing for Appointment/Reappointment to the Board of Elections**
- C. Resolution Providing for Appointments/Reappointments to the Commission on Landlord-Tenant Affairs**
- D. ~~Resolution Providing for Reappointments to the Emergency Preparedness Committee~~**

- E. Resolution Providing for Reappointments to the Ethics Commission**
- F. Resolution Providing for Reappointments to the Grants Review Committee**
- G. Resolution Providing for Appointments/Reappointments to the Nuclear-Free Takoma Park Committee**
- H. Resolution Providing for Reappointments to the Recreation Committee**
- I. Resolution Providing for Reappointments to the Sustainable Maryland Committee**
- J. Resolution Providing for Appointment/Reappointments to the Tree Commission**

Ms. Dyballa reported that there was an additional appointment. She said that Mr. John Quinn applied to the Board of Election. Ms. Dyballa stated that she wanted to pull the Emergency Preparedness reappointments agenda item from the consent agenda. Ms. Dyballa commented on the Nuclear Free Takoma Park Committee and the two-party noise complaint system. She said the subcommittee was still discussing a noise complaint system.

Ms. Searcy moved the consent agenda. Ms. Seamen seconded the motion. (VOTING FOR: Stewart, Kovar, Dyballa, Kostiuk, Searcy, Seamens, Smith)

Resolution 2022-21 (attached)

Resolution 2022-22 (attached)

Resolution 2022-23 (attached)

Resolution 2022-24 (attached)

Resolution 2022- 25 (attached)

Resolution 2022-26 (attached)

Resolution 2022-27 (attached)

Resolution 2022-28 (attached)

Resolution 2022-29 (attached)

WORK SESSION

10. Procurement – Tree Canopy Pilot Contract

Mr. Marty Frye briefed the Council on the overall deliverable of the Tree Canopy Pilot and the no cost tree planting program on private property located on low canopy areas.

Ms. Stewart said that the Council would be voting on the contract next week.

11. ARPA Procurement – Contract for Direct Cash Assistance Program

Ms. Vernae Martin updated the Council on the Direct Cash Assistance Program contract. She introduced the vendor that staff was recommending to administer the direct cash distribution. (Presentation attached)

12. Rental Inspection Contract with Montgomery County

Ms. Clarke explained that the City partnered with the Montgomery County Department of Housing and Community Affairs since 2003 on rental housing inspection. She said that the City was looking to avoid an interruption of services and renew the contact. She stated that staff planned to have a broad discussion with the County about what the partnership would look like long-term with the City's fiscal outlook.

13. Procurement – Human Resources Information System

Ms. Cannon reported that there were six requests for proposal responses received and evaluated. She said that staff recommended Paycom.

Ms. Stewart requested to see the other vendor proposals.

ADJOURNMENT

The Council adjourned for the evening at 11:17 p.m.