

**CITY OF TAKOMA PARK, MARYLAND
CITY COUNCIL REGULAR MEETING
VOTING SESSION AND WORK SESSION
Wednesday, September 28, 2022**

MINUTES

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

Also present: City Manager Fox, Acting Deputy City Manager Grigsby, Acting Deputy City Manager Clark, Library Director Jones, Acting Housing and Community Development Director Eubanks, Acting Director of Information Technology Abbas, and Recreation Director Huffman, 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 recognized Hispanic Heritage Month and read the proclamation.

PUBLIC COMMENTS

Sue Miller requested a session with Public Works on the status on Neighborhood Development Company lease.

Byrne Kelly, Ward 3, stated that he received a letter from the Public Works Director Braithwaite regarding stormwater management project. He read a portion of the letter. Mr. Kelly said that there was a serious problem with the project. Mr. Kelly stated that he gave notice that if anything happened to his property the City would pay for the damages.

Paul Huebner, Ward 3, commented on the employee wage adjustments. He said that there was an existing deficit for FY23 and that the City would be operating with over a 7 million deficit. Mr. Huebner said that the City raised property taxes every year since 2016. He asked the Council to explain the fiscal situation and how the City would pay its bills.

COUNCIL COMMENTS

Mr. Smith thanked Pat Rumbaugh for the Play Day event. He asked staff to look into the questions ask during public comments.

Ms. Kostiuk thanked the residents for comments. She said she looked forward to obtaining information from staff about preserving the Takoma Junction public comments. She said she hoped for an update from staff on the stormwater management project. She said that she would be happy to follow up with Mr. Huebner. She reminded the public that the StreetFest was on Sunday.

Ms. Dyballa commented on the Council of Government Energy and Environment Committee meeting. She said that Council of Government board of directors passed a policy related to EVs and was forming an EV subcommittee. She said she met with the regional EPA administrators and discussed stormwater. She thanked the City Manager for the memo on sustainable banking task force progress. She requested a memo to Council on the status of the sustainability program, particularly the next steps given the staffing change.

Mr. Searcy thanked the residents for their comments. She said that she attended the Takoma Stormwater solutions meeting where stormwater management was discussed. She reminded the public about the Farmer's Market. She said she attended the Play day event and thanked the organizers. She announced the tentative ribbon cutting for the Hillwood Manor playground on November 6.

Mr. Kovar stated that he was part of a council subgroup seeking ways to improve relations with the AFSCME union. He said that Collaborative Strategies made four recommendations. He recommended entering in to a contract with Collaborative Strategies to have them submit a more detailed proposal. He moved to direct the City Attorney to write a resolution to request a proposal to move forward with a contract with Collaborative Strategies.

Ms. Dyballa said that she supported the next step to move forward with Collaborative Strategies. She seconded the motion.

Mr. Smith supported drafting a resolution but said he would not support the current council retaining the organization's services. He recommended waiting until the new Council takes office.

The Council were all in favor of having the City Attorney draft a resolution to direct staff to request a proposal from the firm.

Ms. Stewart said that the resolution would be added to the October 12 agenda.

CITY MANAGER COMMENTS

Mr. Fox stated that the City website was transitioning to the Civic Plus website He said that all the website information would be saved on the new site. He informed the Council that the new website launched in mid-November. Mr. Fox said that he would follow up with Ms. Braithwaite

to address Mr. Kelly's concerns. Mr. Fox commented on the concerns Mr. Huebner had about the budget. He said that he and staff were working with a financial forecast consultant on budget development through FY24 and working with new tools and financial system. He gave a brief update on the sidewalk project from Tulip Ave to Alley View. Mr. Fox said that the recreation center redevelopment request for proposal would be issued soon.

VOTING SESSION

1. Resolution Appointing a Poet Laureate

Ms. Dyballa thanked the Arts and Humanities Commission for their work.

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

Resolution 2022-38 (attached)

2. Second Reading Ordinance Regarding the November 8, 2022 City Election

There were no changes or further Council discussion.

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

Ordinance 2022-40 (attached)

3. First Reading Ordinance Authorizing Installation of a Speed Hump on Kentland Avenue

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

Ordinance 2022-41 (attached)

WORK SESSION

4. Charter Amendment Removing Requirement for Board of Personnel Appeals

Mr. Cornbrooks stated that as part of the board and committee review process, the council made a number of changes. He said the board of personnel appeals was inactive for many years and remained in the charter.

Ms. Kostiuk asked what was the alternative to the appeals board.

Mr. Cornbrooks replied that the appeals would be to the City Manager. He said that is was a common approach to handling personnel matters.

5. Charter Amendment Updating the Charter Amendment Process

Mr. Cornbrooks said that there are some issues with how the charter amendment process was structured in the charter. He said the changes are simply designed to eliminate the appearance of any inconsistency. He noted that on page 5, lines 20-22 the provision should be stricken that indicates that unless the amendment had been registered with the state, it would not be effective. He said there were potential problems with that. He said the City's obligation was to send it to the State

Ms. Stewart said that there would be a public hearing on the amendments on October 12.

6. Ethics Ordinance Amendments Required as a Result of HB 363 (2021) and HB 1058 (2021)

Mr. Cornbrooks explained that when the General Assembly changes the ethics laws, the ethics commission sends guidance to municipalities. He said the changes prohibit gifts from the Maryland Municipal League and the Maryland Association of Counties; prohibit certain disclosure of confidential information; the definition of quasi-governmental entity was added.

Ms. Stewart said that once the amendments were adopted it would be submitted to the State or approval.

7. Ordinance Rescinding Ordinance 2022-37 (Which Authorized Execution of a Contract with Paycom for Implementation, Support and Maintenance of a Human Resources Information System)

Mr. Fox explained that staff sent out a request for proposal, selected Paycom, and asked for Councils approval. He said that staff was unable to reach an agreement on contractual terms. He said that staff was asking to rescind the ordinance 2022-37. He said a request for proposal would be sent out again.

8. American Rescue Plan Act (ARPA) Update

Ms. Grigsby and staff gave a presentation updating the Council on the ARPA spending plan.

Ms. Dyballa requested to see the changes in the allocation funds such as the Hillwood Manor money.

Mr. Smith asked the Library Director to send him information on the programs being worked on.

Ms. Searcy said that the City was running through some of the funds very fast. She asked when would the plan be reassessed.

Mr. Fox said that staff would be doing a reanalysis of the plan during the budget process.

Ms. Searcy suggested to have the total budgeted and what was spent on the main web page.

Ms. Grigsby said that the Council would receive a quarterly update on the ARPA spending plan.

Ms. Stewart said that getting the word out about the work being done and how the City was spending the community's ARPA money would be beneficial.

9. Library Project Update

Ms. Jones and Mr. Eubanks gave a library project presentation update.

Ms. Jones briefed the Council on the temporary library location on New Hampshire Avenue. She showed a floor plan of the library space. She reported on the space outfitting and special projects. Ms. Jones thanked the IT staff and Donna Wright for all their work.

Ms. Stewart asked why the bike share was in storage and why a location was not found.

Mr. Eubanks replied that the process started in August. He said that the Capital Bike Share was managed by Montgomery County Department of Transportation (MDOT) and staff has been working with them to find a location. He stated that there were some logistical and legal matters to consider. He said that ultimately MDOT decided the best course of action was to store the bikes until the formal location was available again.

ADJOURNMENT

The Council adjourned for the evening at 10:13 p.m. to meet in an administrative function session.