

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

Wednesday, May 17, 2023

MINUTES

Minutes adopted Sept. 6, 2023.

Present: Mayor Searcy, Councilmember Fulcher, Councilmember Dyballa, Councilmember Gibson, Councilmember Seamens, Councilmember Honzak, Councilmember Small

Also present: Acting Deputy City Manager Eubanks, Housing Manager McNally, and Assistant City Clerk Nalvarte

The City Council convened at 7:30 PM in the Community Center Auditorium, 7500 Maple Avenue.

CHANGES TO THE AGENDA / AGENDA SCHEDULING UPDATE

Ms. Searcy provided an update on future agendas.

PUBLIC COMMENTS

Arthur David Olsen, Hancock Ave., stated that there were budget documents not made available. He asked the council to defer the second reading ordinance of the budget and stormwater budget until budget documents and the reconciliation list were provided. He commented on the budget policy resolution. He suggested that a section on spending cuts be added to the resolution with a level of detail similar to that of the revenue additions.

Tom Gagliardo, Hodges Lane, said he wanted to recognize and endorse the comments made by Ms. Honzak a few weeks ago regarding trust. He commented on the hiring of Eric Bond as the newsletter editor. He asked if Mr. Bond would have authority to report on the final budget. He said that he hoped Mr. Bond will make sure the Takoma Park Newsletter contained the truth and the news about the budget and all of the activities of the City government.

Paul Huebner, Ward 3, stated that the proposed budget resolution was a good first step. Mr. Huebner said that there were numerous important matters that were not included in the resolution. He shared matters not mentioned in the resolution with the Council.

Jacqueline Moore, Ward 2, said that she was in support of Ms. Dyballa's recommendations for quarterly reports. Ms. Moore stated that it would be helpful if the City was committed to starting the budget early in the future. She listed the names of seven cities that start the budget as early as October.

Susan Schreiber, Ward 1, said that there were concerns in the community about the plans for development by WMATA and EYA. She urged the Council to engage in the process on the residents' behalf. She said that it seemed like nothing has been initiated by the Council so far.

Robert Anderson, Ward 3, presented a slide show on City vehicle information. He commented on the police vehicle inventory and asked about vehicles not in use and deadlined vehicles. He said that he was concerned about the current vehicle policies.

COUNCIL COMMENTS

Mr. Small agreed with some of the comments made by residents. He said he appreciated the kind things said about the Council's commitment to trying to wrestle with some of the issues. He stated that he would propose to table the budget ordinance. He thanked the commenters for coming out week by week. Mr. Small commented on the WMATA development. He said the Council did some work on it but that he was uncertain if the Council would formally discuss WMATA development.

Mr. Gibson commented on the Crossroads Food Fair and the Takoma Park Elementary School PTA food forest group work party. He thanked the commenters and the Ward 3 residents for their public engagement. Mr. Gibson commented on the WMATA development. He stated that he was in support of active engagement in the WMATA development process and to have the community's voices heard.

Ms. Honzak thanked the commenters. She said that she was excited about the hiring of Eric Bond as the newsletter editor. Ms. Honzak said she was looking forward to how the newspaper would be edited. She commented on the Maple Connectivity Project. She said that she was excited for the potential for the project providing greater access and a better balance for both pedestrians and cars, as well as bicycles. She said that she was concerned about equity issues. Ms. Honzak stated that was assured by staff that they welcome her engagement in the process.

Ms. Fulcher announced that the Grant Ave Flea was moved to Saturday due to rain and that the Crossroad event will take place on Laurel Avenue. She encouraged parents of high schoolers and middle schoolers to pay attention to the development at Montgomery College. She announced that there was a facilities master plan walking tour on May 25th at 5:30 p.m. Ms. Fulcher thanked residents that participated in the budget process including the people that were not able to attend the meetings in person but met with her in person or sent her an email. She said that just because an opinion is heard as a majority in the meetings does not mean that that is the majority of what is being heard from all of the constituents. She said that she hoped that those voices were being heard.

Ms. Dyballa said that she does not intend the proposed budget policy resolution to be a comprehensive look at everything that the Council and staff need to do on budget. She said that the focus was on a couple of pieces that can be tackled to make some progress and to build up momentum.

Ms. Searcy thanked the commenters for their feedback on the budget. She agreed that it was important to start the budget process early. She said that it was important for the Council and the community to have conversations as it pertains to the priorities. She stated that she appreciated the residents who reached out and engaged during the budget process. Ms. Searcy announced meetings that she would be attending.

CITY MANAGER COMMENTS

Mr. Eubanks commented on upcoming events. He stated that staff had an update in regards to the Washington Adventist Hospital property tax status. He reported that the Housing and Community Development staff were working with the State Department of Assessments and Taxation to remove the tax exemptions for the site beginning July 1. He said that if the property owners could not provide a satisfactory description of charitable activity at the site, the exemption would be removed unless the property owners appeal the decision to the Property Tax Assessment Appeals Board. He said he would provide the Council with updates. Mr. Eubanks stated that staff would periodically present budget updates at the Council meetings in order to be more transparent.

Ms. Honzak asked if it were possible to request that the removal of the tax exemption be retroactive to the day that the hospital went out of use on April 1.

Mr. Eubanks replied that he would look into it and report back to the Council.

ADOPTION OF MINUTES: 1/25; 2/1; 2/8

The Council voted to table the adoption of minutes for the next meeting.

VOTING SESSION

Second Reading Ordinance Adopting the FY 2024 Tax Rates

Ms. Honzak moved the second reading ordinance adopting the FY24 Tax Rates. Mr. Seamens seconded the motion. (VOTING FOR: Searcy, Fulcher, Dyballa, Gibson, Seamens, Honzak; ABSTAIN: Small.)

Ordinance 2023-6 (attached)

Council Vote to Convene as the Stormwater Management Board

(Mr. Small moved to convene as the Stormwater Management Board. Mr. Gibson seconded the motion). All in favor.

Second Reading Ordinance Adopting the FY 2024 Stormwater Management Budget

There was no Council discussion on the ordinance.

Ms. Fulcher moved the second reading ordinance adopting the FY24 Stormwater Management Budget. Mr. Gibson seconded the motion. (VOTING FOR: Searcy, Fulcher, Dyballa, Gibson, Seamens, Honzak, Small.)

Ordinance 2023-7 (attached)

Second Reading Ordinance Adopting the FY 2024 Budget

Mr. Small motioned to table the second reading ordinance adopting the FY24 Budget. He stated that the actual ordinance was not consistent with the documents included in the agenda packet.

Mr. Gibson seconded the motion to table the ordinance.

Mr. Small said that he would be comfortable receiving the hard numbers of the budget without the narrative at the time of ratification.

Mr. Eubanks replied that the hard numbers were included in the ordinance and in the attachments.

Ms. Dyballa stated that the reconciliation list was not mentioned in the ordinance. She asked if the reconciliation list could be mentioned in a whereas clause in the ordinance referring to the numbers.

Mr. Small stated that he would accept that and withdraw his motion to table the ordinance.

Ms. Dyballa proposed an additional clause after the 7th whereas clause in the ordinance regarding the reconciliation.

Vote on the addition:

Mr. Small moved the friendly amendment to the FY24 Budget Ordinance. Ms. Dyballa seconded the motion. All in favor.

Ms. Small moved the FY24 Budget Ordinance as amended. Mr. Seamens seconded the motion. (VOTING FOR: Searcy, Fulcher, Dyballa, Seamens, Honzak, Small; VOTING AGAINST: Gibson)

Mr. Gibson stated that he was voting against the budget ordinance due to time constraints in the budget process.

Ordinance 2023-8 (attached)

Resolution Establishing Policy Objectives Associated with the Fiscal Year 2024 Budget

Ms. Dyballa moved the Resolution Establishing Policy Objectives Associated with the FY24 Budget. Mr. Small seconded the motion.

Mr. Honzak stated that she would like to offer an amendment.

Ms. Dyballa explained that there were some amendments to the resolution since last week.

Ms. Searcy read the proposed amendments to the resolution.

Mr. Seamens stated that he was concerned that the resolution was too narrow and that not a lot of time was spent on discussing what should be in the resolution. He said that education needs for new Councilmembers was not discussed and that Paul Huebner presented some good suggestions during public comments. He recommended tabling the resolution. He said that his recommendation was based on the commitment from the Mayor that she would include some future agendas to review and improve the budget process and to improve ways to interact with the community.

Mr. Small seconded the motion to table the resolution.

Ms. Searcy stated that she hoped to recruit volunteers for a subcommittee to work with staff to identify priority fiscal policy options for council's consideration and work to with her to identify agenda items. She said the subcommittee would help with identifying whether an ordinance or resolution was needed to accompany modifications. She said that the resolution presented tonight was charged with a place to start.

Mr. Gibson suggested postponing the resolution. He said he needed more time to review the friendly amendment read by the Mayor and that he wanted to revise his proposed amendment.

Mr. Seamens motioned to table the resolution to next week.

Ms. Honzak said that if the resolution were tabled she hoped that the Council focus on the specificity of what the Council was setting out to achieve. She said she wanted to encourage the Council to lean hard on staff's advice and counsel as to whether the Council was being overzealous in regards to what the Council wants to achieve. She asked about the 8-month time horizon to conduct an initial review of City policy concerning the replacement of City vehicles, equipment and facility repairs

Ms. Dyballa replied that if the initial review of City policy was not done in 8 months it would not affect the next budget process. She said that the resolution was not intended to be a comprehensive project to fix the budget process. Ms. Dyballa proposed an amendment on the

quarterly financial report to add in the first resolve "... will publicly present Council with quarterly fiscal reports..."

Ms. Searcy asked for a vote on the motion to table the resolution for one week.

All in favor to table the resolution to next week.

Ms. Searcy asked that all proposed amendments be sent to her by Friday.

CONSENT AGENDA

Single Reading Ordinance 2023-9 Authorizing the City Manager to Sign a Contract for the Maple Avenue Connectivity Project (attached)

Single Reading Ordinance 2023-10 Approving FY 24 Community Quality of Life Grant Awards (attached)

Ms. Fulcher moved the consent agenda. Mr. Gibson seconded the motion. (VOTING FOR: Searcy, Fulcher, Dyballa, Gibson, Seamens, Honzak, Small.)

WORK SESSION

2023 Legislative Wrap Up and Discussion of 2024 Legislative Priorities

Ann Ciekot gave a brief presentation on the 2023 legislation and potential 2024 legislative priorities. She reported that there were several changes to the Governor's office and the House. She reported on the major issues discussed, important issues for Takoma Park, and legislation that the City may want to revisit. Ms. Ciekot's presentation included the Maryland Municipal League bill that modifies specified advertising requirements that local jurisdictions must follow regarding the constant yield tax rate.

Ms. Searcy asked for additional information that how the notice requirement specifically changed.

Ms. Ciekot replied that she would send some information.

Ms. Ciekot informed the Council that they should have received information on past Legislative Action Requests (LAR) from the City Clerk. She said that the LARs needed to be approved by Council in June in order to be submitted to the Maryland Municipal League by June 30.

Ms. Ciekot said that she would send out guidance on LARs. She asked that the Council send any questions or ideas on what the City may want to consider for legislative priorities to send them to Mr. Eubanks.

Procurement – Rental Housing Licensing and Rent Reporting Software

Mr. Eubanks explained that the purchase of the software was an opportunity to upgrade the current rental licensing program.

Mr. McNally gave a presentation that included the background on the City's licensing process, the current software and the limitations, the benefits of a new software, and proposal reviews of four responses by HCD and IT staff. He stated that the purchase was budgeted for FY23 and FY24. He said that there were no budget amendments required. He asked the council to vote to enter into a three-year contract.

Ms. Searcy stated that an ordinance would be presented on the software purchase next week.

ADJOURNMENT

The City Council adjourned for the evening at 10:19 p.m.