

TUESDAY, MAY 1, 2018 CITY OF COLLEGE PARK COUNCIL CHAMBERS WORKSESSION AGENDA

7:30 P.M.

COLLEGE PARK MISSION STATEMENT

The City Of College Park Provides Open And Effective Governance And Excellent Services That Enhance The Quality Of Life In Our Community.

Time		Item	Staff/Council
7:30		CALL TO ORDER	
		CITY MANAGER'S REPORT	
		AMENDMENTS TO AND APPROVAL OF THE AGENDA	
		Discussion Items	
7:35	1	Presentation by Len Lucchi and Eddie Pounds, City Lobbyists, on the 2018 legislative session	
7:45	2	Discussion with Interfraternity Council and Panhellenic Association	Councilmember John Rigg and Bob Ryan, Director of Public Services
8:15	3	Proposed amendments to the City Code to allow naturalized landscapes.	Bob Ryan, Director of Public Services and Brenda Alexander, Assistant Director of Public Works
8:35	4	Discussion on Hollywood Gateway Park (placeholder if staff receives additional information on Monday)	Terry Schum, Director of Planning
8:55	5	Appointments to Board and Committees	Mayor and Council
9:00	6	Requests For/Status of Future Agenda items	Mayor and Council
9:05	7	Mayor and Councilmember Comments	Mayor and Council

9:10	8	City Manager's Comments	Scott Somers, City Manager
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This agenda is subject to change. Item times are estimates only. For the most current information, please contact the City Clerk. In accordance with the Americans with Disabilities Act, if you need special assistance, please contact the City Clerk's Office and describe the assistance that is necessary. City Clerk's Office: 240-487-3501

Presentation - 2018 Legislative Session

Discussion with Interfraternity Council and Panhellenic Association

COLLECO	CITY OF COLLEGE PARK, MARYLAND WORKSESSION AGENDA ITEM						
ALD LANGE	Prepared By: R. W. Ryan Public Services Director	Meeting Date: 05/01/2018					
ARYLAND.	Presented By: Councilmembers Rigg & Day	Proposed Consent Agenda: N/A					
Originating Departme	ent: District 3 Councilmembers						
Issue Before Council:	Discussion with Greek Organization Repr	esentatives					
Strategic Plan Goal:	Goal 1: One College Park						
worksession discussior	which occupy off campus housing in City neighborhoods. The Council members have scheduled a worksession discussion of mutual issues of concern, and opportunities for collaborative efforts to improve the quality of life in our neighborhoods.						
Fiscal Impact:							
Council Options:							
Staff Recommendation							
Attachments: None							

3 Naturalized Landscapes

COLLES			E PARK, MARYLAND DN AGENDA ITEM
ATD CTTO	Prepared By:	R. W. Ryan Public Services Director	Meeting Date: 05/01/2018
A THAT RYLAND	Presented By:	R. W. Ryan Public Services Director a Brenda Alexander, Public	
Originating Departme	ent: Public Se	rvices Department	
Issue Before Council	: Proposed	amendments to the City (Code to allow naturalized landscapes
Strategic Plan Goal:	Goal 2: E	nvironmental Sustainabilit	у
more than one (1) foot	, and prohibits br	•	s the allowable height of grass to not be esidential and commercial properties and)[11][a]}.
			horticultural knowledge, to interpret the Code I manage naturalized landscaping.
which allow the cultivat landscapes was condu Services Director Ryar revealed that Naturaliz more common and des	tion of natural lar acted by Council a attended meetin ed, Native or Ma sired, and create	ndscaping. Discussion and at the February 20, 2018 of ngs of the City's Tree and naged Landscapes, as the the need to revise existing	searched practices by other municipalities d review of various sample naturalized worksession. DPW–AD Alexander and Public Landscape Board (TLB). Their discussions ey are commonly referred to, are becoming g nuisance or property maintenance h natural landscaping and habitat on their
enforcement by Code I discussed with and vet	Enforcement Offi ted by the TLB.	cers. The attached propos The proposed amendment	s should allow for ease of understanding and sed amendments to the City Code have been ts would have the effect of expanding City wish to have more naturalized properties.
The following informati	on reflects much	of the advice regarding le	egislative intent provided by the TLB:
otherwise propa might be knowr	agate themselves	s without anyone 'planting	plant species which self-seed or which them'. In some cases, plant species which owner may not be widely recognized as ve to Maryland.
native to Maryla	and and are well vidual plants may	adapted to management a	y wild native plants in the Aster family are as part of a naturalized landscape. In such onally planted, even though their ongoing
			n Violet, Buttercup, White Clover, Dandelion le for purchase or 'planting'. However, these

species are appropriate and often found within areas that would properly be identified as a naturalized or managed landscape.

The growth of Dandelions, Broomsedge, etc. should not by itself be considered a 'state of neglect' since these species provide important benefits in a naturalized landscape and also because these plants are not hazardous and are easily managed through the intentional care of a property owner in the normal course of yard maintenance.

However, the rampant growth of certain notorious and aggressively spreading invasive weeds such as Mile-a-Minute, Oriental Bittersweet, Canada Thistle and others are not adapted to management and the rampant growth of such plants might be considered as evidence of neglect.

The issue of hazards is somewhat more difficult to define because hazards tend to be situational. For example, a very thorny Devil's Walking Stick bordering a public playground might constitute a physical hazard to unwary children, but not elsewhere. Likewise, Poison Ivy or Poison Hemlock and many other plants (including some cultivated plants such as Digitalis, Larkspur and Castor Bean) might be considered hazardous in some locations.

'Management intent' should be considered as the primary factor in determining whether a property is 'intentionally planted' and the provision of necessary maintenance should go a long way to clarify if 'growth is not in a state of neglect, nor presents a hazard to the public health or safety'.

If it is necessary to objectively define what constitutes 'management intent' the recommendations of TLB regarding annual cut down, etc. provide some basis.

As needed, staff would consult with the TLB to help decide when special circumstances create a nuisance, or not. Staff recommends that Council discuss and approve the proposed amendments and direct staff to prepare an ordinance for Council approval.

Fiscal Impact:

Fines collected for violation of an amended City Ordinance may be less than current fine amount for enforcement of tall grass, weeds, brush and tree code requirements.

Council Options:

#1. Direct staff to prepare a Code amendment ordinance to allow managed natural landscapes on private property.

#2. Take no action and retain current Code restrictions regarding tall grass, weeds, brush and trees.

Staff Recommendation:

#1

Attachments:

- 1. <u>125-10 (J) Housing Regulations General Provisions</u>
- 2. 141-8 Nuisances Maintenance of adjoining rights-of-way
- 3. 157-5(B)(1)(a)[11][a] Property Maintenance Non Residential

§ 125-1 Definitions; word usage.

A. The following definitions shall apply in the interpretation and enforcement of this article:

NATURALIZED, NATIVE, OR MANAGED LANDSCAPES - ANY PLANTS OR VEGETATION SUCH AS SHRUBBERY, PERENNIALS, GROUNDCOVER, FLOWERS, ORNAMENTAL GRASSES, ETC., THAT ARE INTENTIONALLY CULTIVATED OR MANAGED IN SUCH A MANNER THAT THE GROWTH IS NOT IN A STATE OF NEGLECT, NOR PRESENTS A HAZARD TO THE PUBLIC HEALTH OR SAFETY. MANAGED LANDSCAPE PLANTINGS SHALL HAVE BEEN INTENTIONALLY PLANTED AND ARE MAINTAINED AS PART OF A GARDEN OR FOR LANDSCAPING PURPOSES AND SHALL NOT ENCROACH, OVERHANG, OR FLOP-OVER ADJACENT PROPERTIES, SIDEWALKS, OR CURBS. THE CITY RESERVES THE RIGHT TO REMOVE ANY AND ALL GROWTH FROM CITY RIGHTS-OF-WAY AT ANY TIME.

§ 125-10 Responsibilities of owners and occupants.

J. It shall be unlawful for any property owner or occupant to allow any weeds, briars, or brush and grass more than one foot in height, EXCEPT FOR NATURALIZED, NATIVE, OR MANAGED LANDSCAPES; as defined; or, any dead or dying trees or tree limbs which constitute a hazard to person or property in the vicinity thereof. The owner or occupant shall keep adjacent City streets, sidewalks and rights-of-way clear of all such obstructions. Any notice of violation issued by a Code Enforcement Officer for a violation of this subsection shall give the property owner, renter, lessee or other occupant 72 hours to correct the violation. Where a municipal infraction citation has been issued for a violation of this subsection, each seventy-two-hour period following the issuance of said citation during which the violation continues shall constitute a separate violation. Procedures for enforcement shall be as set forth in § **125-3C**. [Added 3-11-1980 by Ord. No. 80-O-4; amended 6-11-1996 by Ord. No. 96-O-4; 5-23-2000 by Ord. No. 00-O-6; 11-10-2003 by Ord. No. 03-O-8; 11-23-2004 by Ord. No. 04-O-10; 10-25-2005 by Ord. No. 05-O-11, Amended 05-xx-2018 by Ord. No. 18-O-xx]

§ 141-1_Nuisances outlined.

Whatever is dangerous to life or health; whatever renders air, food, water or drink unwholesome or unfit for the use of people; whatever odors or exhalations are offensive or dangerous to the public health; and whatever accumulations of animal or vegetable matter, solid or liquid, are dangerous or harmful to the public health or are likely to become so are hereby declared to be nuisances within the scope and meaning of this chapter.

§ 141-8_Maintenance of adjoining rights-of-way.

[Added 3-22-1988 by Ord. No. 87-O-9, Amended 05-xx-2018 by Ord. No. 18-O-xx]

It shall be the duty of the occupant or owner in possession of property adjoining an unimproved public right-of-way adjacent to an improved public right-of-way, i.e., roadway or street, to ensure that grass or weeds, EXCEPT FOR NATURALIZED, NATIVE, OR MANAGED LANDSCAPES, on the unimproved public right-of-way are cut so as to limit their height to 12 inches.

NATURALIZED, NATIVE, OR MANAGED LANDSCAPES ARE ANY PLANTS OR VEGETATION SUCH AS SHRUBBERY, PERENNIALS, GROUNDCOVER, FLOWERS, ORNAMENTAL GRASSES, ETC., THAT ARE INTENTIONALLY CULTIVATED OR MANAGED IN SUCH A MANNER THAT THE GROWTH IS NOT IN A STATE OF NEGLECT, NOR PRESENTS A HAZARD TO THE PUBLIC HEALTH OR SAFETY. MANAGED LANDSCAPE PLANTINGS SHALL HAVE BEEN INTENTIONALLY PLANTED AND ARE MAINTAINED AS PART OF A GARDEN OR FOR LANDSCAPING PURPOSES AND SHALL NOT ENCROACH, OVERHANG, OR FLOP-OVER ADJACENT PROPERTIES, SIDEWALKS, OR CURBS. THE CITY RESERVES THE RIGHT TO REMOVE ANY AND ALL GROWTH FROM CITY RIGHTS-OF-WAY AT ANY TIME.

§ 157-2_Definitions; word usage.

<u>A.</u> The following terms, wherever used herein or referred to in this chapter, shall have the respective meanings assigned to them unless a different meaning clearly appears from the context:

[Amended 6-14-2016 by Ord. No. 16-O-03, Amended 05-xx-2018 by Ord. No. 18-O-xx]

NATURALIZED, NATIVE, OR MANAGED LANDSCAPES ANY PLANTS OR VEGETATION SUCH AS SHRUBBERY, PERENNIALS, GROUNDCOVER, FLOWERS, ORNAMENTAL GRASSES, ETC., THAT ARE INTENTIONALLY CULTIVATED OR MANAGED IN SUCH A MANNER THAT THE GROWTH IS NOT IN A STATE OF NEGLECT, NOR PRESENTS A HAZARD TO THE PUBLIC HEALTH OR SAFETY. MANAGED LANDSCAPE PLANTINGS SHALL HAVE BEEN INTENTIONALLY PLANTED AND ARE MAINTAINED AS PART OF A GARDEN OR FOR LANDSCAPING PURPOSES AND SHALL NOT ENCROACH, OVERHANG, OR FLOP-OVER ADJACENT PROPERTIES, SIDEWALKS, OR CURBS. THE CITY RESERVES THE RIGHT TO REMOVE ANY AND ALL GROWTH FROM CITY RIGHTS-OF-WAY AT ANY TIME.

157-5(B)(1)(a)[11][a]

[11] The exterior of the premises and the condition of accessory structures shall be maintained so that the appearance of the premises and all buildings thereon shall reflect a level of maintenance in keeping with the standards of the neighborhood or such higher standards as may be adopted as part of a plan of urban renewal by the City of College Park and such that the appearance of the premises and structures shall not constitute a blighting factor for adjoining property owners nor an element leading to the progressive deterioration and downgrading of the neighborhood with the accompanying diminution of property values, including the following:

[a] Landscaping. Premises shall be kept landscaped. EXCEPT FOR NATURALIZED, NATIVE, OR MANAGED LANDSCAPES, AS DEFINED, lawns, hedges and bushes shall be kept cut and trimmed. TURF grasses shall not be permitted to grow to a height of more than one foot. Following notification of noncompliance, penalties for violation of this subsection are listed under § 157-4A(2). [Amended 9-10-1991 by Ord. No. 91-O-22; Amended 05-xx-2018 by Ord. No. 18-O-xx]

Hollywood Gateway Park

(placeholder if staff receives additional information on Monday)

Appointments to Board and Committees

May 1, 2018

Pursuant to the April 10, 2018 email from Councilmember Kennedy, the "Committee on Committees" has unfrozen appointments to the following:

- Advisory Planning Commission
- Board of Election Supervisors
- Ethics Commission
- Noise Control Board
- College Park Housing Authority

Advisory Planning Commission					
Appointee	Represents	Appointed by	Term Expires		
Larry Bleau 7/9/02	District 1	Mayor	01/19		
Rose Greene-Colby 04/10/12	District 2	Mayor	04/18		
Christopher Gill 09/24/13	District 1	Mayor	10/19		
James E. McFadden 2/14/99	District 3	Mayor	01/20		
Ben Flamm 01/02/18	District 2	Mayor	08/18		
Santosh Chelliah 01/02/18	District 4	Mayor	08/19		
Stephanie Stullich 01/02/18	District 3	Mayor	01/19		
City Code Chapter 15 Article IV: The APC shall be composed of 7 members appointed by the Mayor					
with the approval of Council, shall seek to give priority to the appointment of residents of the City and					
assure that there shall be representation from each of the City's four Council districts. Vacancies shall be					
filled by the Mayor with the approval of the Council for the unexpired portion of the term. Terms are					

filled by the Mayor with the approval of the Council for the unexpired portion of the term. Terms are three years. The Chairperson is elected by the majority of the Commission. Members are compensated. Liaison: Planning.

Board of Election Supervisors					
Appointee	Represents	Appointed by	Term Expires		
John Robson (Chief) 5/24/94	Mayoral appt	M&C	03/19		
Terry Wertz 2/11/97	District 1	M&C	03/19		
Mary Katherine Theis 02/24/15	District 2	M&C	03/19		
John Payne 04/25/17	District 3	M&C	03/19		
Maria Mackie 08/12/14	District 4	M&C	03/19		

City Charter C4-3: The Mayor and Council shall, not later than the first regular meeting in March of each year in which there is a general election, appoint and fix the compensation for five qualified voters as Supervisors of Elections, one of whom shall be appointed from the qualified voters of each of the four election districts and one of whom shall be appointed by the Mayor with the consent of the Council. The Mayor and Council shall designate one of the five Supervisors of Elections as the Chief of Elections. This is a compensated committee; compensation is based on a fiscal year. Per Council action (item 11-G-66) effective in March, 2013: In an election year all of the Board receives compensation. In a non-election year only the Chief Election Supervisor will be compensated. Liaison: City Clerk's office.

Ethics Commission				
Appointee	Represents	Appointed by	Term Expires	
Nora Eidelman 11/24/15	District 1	Mayor	11/19	
Joe Theis 05/12/15	District 2	Mayor	06/19	
Rachel Gregory	District 3	Mayor	05/20	
Gail Kushner 09/13/11	District 4	Mayor	05/20	
Robert Thurston 9/13/05	At Large	Mayor	05/20	
Alan C. Bradford 1/23/96	At-Large	Mayor	11/19	
Frank Rose 05/08/12	At-Large	Mayor	05/20	

City Code Chapter 38 Article II: Composed of seven members appointed by the Mayor and approved by the Council. Of the seven members, one shall be appointed from each of the City's four election districts and three from the City at large. 2 year terms. Commission members shall elect one member as Chair for a renewable one-year term. Commission members sign an Oath of Office. Not a compensated committee. Liaison: City Clerk's office.

Noise Control Board					
Appointee	Represents	Appointed by	Term Expires		
Mark Shroder 11/23/10	District 1	Council, for District 1	01/19		
Harry Pitt, Jr. 9/26/95	District 2	Council, for District 2	04/20		
Alan Stillwell 6/10/97	District 3	Council, for District 3	09/20		
Suzie Bellamy	District 4	Council, for District 4	12/20		
Adele Ellis 04/24/12	Mayoral Appt	Mayor	08/20		
Bobbie P. Solomon 3/14/95	Alternate	Council - At large	05/18		
Larry Wenzel 3/9/99	Alternate	Council - At large	02/18		

City Code Chapter 138-3: The Noise Control Board shall consist of five members, four of whom shall be appointed by the Council members, one from each of the four election districts, and one of whom shall be appointed by the Mayor. In addition, there shall be two alternate members appointed at large by the City Council. The members of the Noise Control Board shall select from among themselves a Chairperson. Four year terms. This is a compensated committee. Liaison: Public Services.

Housing Authority of the City of College Park				
Bob Catlin 05/13/14		Mayor	05/01/19	
Betty Rodenhausen 04/09/13		Mayor	05/01/18	
John Moore 9/10/96		Mayor	05/01/19	
Arelis Perez 04/10/18		Mayor	05/01/20	
Carl Patterson 12/11/12	Attick Towers resident	Mayor	05/01/22	

The College Park Housing Authority was established in City Code Chapter 11 Article I, but it operates independently under Division II of the Housing and Community Development section of the Annotated Code of Maryland. The Housing Authority administers low income housing at Attick Towers. The Mayor appoints five commissioners to the Authority; each serves a five year term; appointments expire May 1. Mayor administers oath of office. One member is a resident of Attick Towers. The Authority selects a chairman from among its commissioners. The Housing Authority is funded through HUD and rent collection, administers their own budget, and has their own employees. The City supplements some of their services.

College Park City-University Partnership				
Appointee	Represents	Appointed by	Term Expires	
Carlo Colella	Class A Director	UMD President	06/30/18	
Edward Maginnis	Class A Director	UMD President	06/30/18	
Ken Ulman	Class A Director	UMD President	06/30/19	
Brian Darmody	Class A Director	UMD President	06/30/17	
Patrick L. Wojahn (01/12/16)	Class B Director	M&C	06/30/20	
Maxine Gross	Class B Director	M&C	06/30/20	
Senator James Rosapepe	Class B Director	M&C	06/30/19	
Stephen Brayman	Class B Director	M&C	06/30/20	
David Iannucci (07/15/14)	Class C Director	City and University	06/30/20	
Dr. Richard Wagner	Class C Director	City and University	06/30/19	

The CPCUP is a 501(c)(3) corporation whose mission is to promote and support commercial revitalization, economic development and quality housing opportunities consistent with the interests of the City of College Park and the University of Maryland. The CPCUP is not a City committee but the City makes appointments to the Partnership. Class B Directors are appointed by the Mayor and City Council; Class C Directors are jointly appointed by the Mayor and City Council and the President of the University of Maryland.

Future Agendas



TO: Mayor, City Council, City Manager and Department Directors

FROM: Janeen S. Miller, City Clerk

DATE: April 27, 2018

RE: Future Agendas

The following items are tentatively placed on future agendas. This list has been prepared by the City Manager and me, and represents the current schedule for items that will appear on future agendas.

TUESDAY, MAY 8, 2018 REGULAR MEETING

Proclamation for Kids To Parks Day

Proclamation for 20th Anniversary of the LGBT Equity Center

04-11-18: Proposed Consent – Approval of Free Summer Parking

Public Hearing on Ordinance 18-O-03 FY '19 Budget

04-18-18: Introduction of Ordinance 18-O-04 to ratify purchase of property for Gateway Park access from 47th Place – Suellen Ferguson

04-18-18: Approval of extension of contract with Volta Inc. for IT Services - Bill Gardiner, Assistant City Manager

TUESDAY, MAY 15, 2018 WORKSESSION

04-05-18: Presentation on the Rhode Island Avenue bike lane study – Terry Schum, Director of Planning

Award of contract for construction of Hollywood Gateway Park – Terry Schum, Director of Planning

Discussion of Public Safety Initiatives – Bob Ryan, Director of Public Services

04-24-18: Discussion of Calvert Road Lease Term Sheet Amendments – Scott Somers, City Manager

04-24-18: Discussion of City Hall Project Term Sheet Amendments – Scott Somers, City Manager 018 4/27/2018 Discussion of FY'19 budget prior to adoption (if needed)

TUESDAY, MAY 22, 2018 REGULAR MEETING

Annual Economic Development Report – Ryan Chelton, Economic Development Coordinator

Ordinance 18-O-03 FY '19 Adoption

Approval of the 8400 Baltimore Avenue lease - Scott Somers, City Manager

Public Hearing on ordinance 18-O-04 for acquisition of property/Agreement of Sale

04-25-18: Approval of Calvert Road Lease Term Sheet Amendments – Scott Somers, City Manager

04-25-18: Approval of City Hall Project Term Sheet Amendments – Scott Sommers, City Manager

JUNE 5, 2018 WORKSESSION

Award of contracts for the City Hall project design team (architect, civil, traffic and environmental) – Katie Hearn, Redgate

Discussion and recommendation on Preliminary Plan of Subdivision (4-17042), 9604 Baltimore Avenue, JDA Consolidated Storage - Terry Schum, Director of Planning

JUNE 19, 2018 REGULAR MEETING

ANNUAL ITEMS

07-05-16: Annual presentation from SHA on projects in the City (schedule in fall prior to CTP discussion)

09-06-16: Discussion of Homestead Tax Credit Rate (schedule early January – must certify by March 25 to change rate)

Proclamation for Indigenous Peoples' Day (first regular meeting every October)

Comments on the M-NCPPC budget (schedule every September)

Proclamation for Small Business Saturday (first regular meeting every November)

Review of Council Rules and Procedures (schedule every January after an election)

MASTER LIST

03-08-12: Trolley Trail negotiations – Suellen Ferguson, City Attorney

05-16-17: General Discussion of City Grants, including reports from grantees COMBINED WITH: 11-01-16: Review of Community Services Grant program – Gary Fields, Director of Finance

05-16-17: Business Recognition Program - request of Councilmember Kabir

09-19-17: Report on usage-based trash pricing – CBE Workgroup (30)

09-19-17: Information report on the guidelines, criteria and framework for referrals to Nuisance Abatement Board and FAQ on website – Bob Ryan, Director of Public Services

12-05-17: Drainage in College Park – Steve Halpern, City Engineer

General discussion of sidewalk implementation plan

12-19-17: Business Recycling requirements/legislation (from FY '17 budget W/S AND CBE email to M&C dated 12-18-17)

01-02-18: Discussion of how to help renters deal with problems with their landlords – request of Councilmember Rigg

02-06-18: Follow-up discussion on issues raised at the 2017 Election Debrief

02-06-18: Award of contract for a consultant to prepare a conceptual plan for Duvall Field – Terry Schum, Director of Planning and Brenda Alexander, Assistant Public Works Director

02-06-18: Discussion of an ordinance regulating small cell infrastructure and an agreement in the form of either a license agreement or a franchise fee – Suellen Ferguson, City Attorney

02-14-18: Amendment to the agreement with LIDL regarding the plaza (15) - Terry Schum, Director of Planning

Approval of a License Agreement with WMATA for a Community Garden in Calvert Hills subject to the approval of the City Attorney – Suellen Ferguson, City Attorney

Follow-up discussion of City fees (30) - Gary Fields, Director of Finance

04-03-18: Staff recommendations for bulk trash pick-ups, combined with Discussion of an ordinance and fines to address illegal dumping – Scott Somers, City Manager

04-03-18: Subcommittee recommendations for student recognition program

04-03-18: Staff presentation on eradication of invasive species, especially bamboo – Department of Public Works