



# Town of Capitol Heights

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**TOWN COUNCIL**  
**WORK SESSION MEETING MINUTES**  
**February 22, 2022**  
**7:00 PM**

<b>Meeting Purpose:</b> Town Council Meeting		
<b>Date:</b> February 22, 2022	<b>Time:</b> 7:00 PM	<b>Room:</b> Teleconference
<b>Chair:</b> Mayor Pro Tem- Renita A. Cason		<b>Scribe:</b> Acting Town Clerk – Robin Bailey-Walls
<b>Call-in Number:</b> (301) 715-8592 Meeting ID: 834 7808 3068		<b>Password:</b> 666322

*P= present; E = Excused Absence T = present via teleconference; A= absence (not excused) R= Resident G = Guest*

Chair/Voting Members:			
<b>T</b>	Mayor Pro Tempore – Renita A. Cason		Town Administrator – Beverly Habada <b>T</b>
<b>T</b>	Council Member Rhonda A. Akers		Acting Town Clerk – Robin Bailey-Walls <b>T</b>
<b>T</b>	Council Member Caroline Brown		Chief of Police – Mark Cummings <b>T</b>
<b>A</b>	Council Member LaTonya Chew; <b>emailed in advance that she may be late due to work requirements</b>		Town Attorney Kevin Best <b>T</b>
<b>T</b>	Council Member Faith T. Ford		
<b>T</b>	Council Member Elaine Williams		
Guests/ Residents			
<b>R</b>	James Brown		Ms. Monica Johnson <b>R</b>
<b>R</b>	Ms. Tina Finley		Former CM Linda Monroe <b>R</b>
<b>R</b>	Jean Johnson		
<b>G</b>	Amanda Anderson		
<b>G</b>	Kush Elahim		
<b>G</b>	Steven McKenzie		

- I. **Call to Order: Council Member** – Renita A. Cason
- II. **Roll Call:** Robin Bailey-Walls, Acting Town Clerk
- III. **Meeting Rules** – Town Administrator, Beverly Habada
- IV. **Approval of the Agenda** – Council – (3 minutes)  
**Motion to Approve the Agenda** – CM Akers  
**Seconded by CM Ford**  
**No Objections**
- V. **Approval of Petition Referendum Form** – Addition of CAR No. and Fair Summary – TA Habada (Conversation began at 6:13)  
**TA Habada explained the request to add**



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1. **The CAR number**
2. **The CAR Title**
3. **Fair Summary on the back of each page**

TA Habada stated this is in accordance with the Ordinance and per instruction of Town Attorney Best.

CM Akers stated the current form is not in compliance for the visually impaired; she requested the font to be increased; with only five signature blocks and also to increase the size of the Fair Summary on the back of the form.

**Motion by CM Akers ensure the form is visually impaired compliant and requested numbering of each form; Seconded by CM Brown (Conversation began at 9:52)**

CM Brown inquired if the CAR required updating as a result of these changes to the Petition Form and also stated another legal way is to add the information at the end of the document. **(Conversation at 12:28)**

CM Williams stated this will establish a standard and inquired about the numbering of the pages. What will we use to establish the Fair Summaries that are required? **(Conversation began at 23:00)**

TA Habada pointed out the number will change for each page and has recommended having 1,000 (signatures) printed and available the next day.

## Vote

CM Akers      Y  
 CM Brown    Y  
 CM Ford      Y  
 CM Williams Y

**Vote carries 4/0**

**(Vote taken at 23:34)**

## VI. **Parliamentarian – Letter - Offer of Services - TA Habada – (Conversation began at 26:00)**

TA Habada reviewed Mr. Swift’s credentials and mentioned he was recommended by Brentwood.

CM Akers inquired if he was still working for Brentwood?

Acting Town Clerk Bailey commented that the Town Clerk passed on his name and MML referred him to their municipality.

CM Brown suggested getting several proposals.

CM Ford also endorsed getting more resumes.

**TA Habada will continue to probe to see who else is out there.**

CM Williams stated his list of clients is impressive. She asked what the Council is waiting for. She also commented that we need to clearly identify what we want.

TA Habada suggested having the parliamentarian train and attend meetings.

CM Williams **Motioned** to focus on training to increase parliamentary prowess and establish a time frame. This is a subsidiary motion. **(More detailed conversation at 40:00)**

TA Habada will get others to review on a short time basis; to assist at meetings and hearings and to train. She will talk with MML; she expects a quick turn-around.

**Motion by CM Akers to look for additional proposals Seconded by CM Brown; No objections (Conversation at 46:30)**

## VII. **American Rescue Plan Funding Discussion - Priorities/Strategy (Conversation began at 46:50)**

TA Habada presented a PowerPoint done by specialist at the Treasury Department. She explained the new non-entitled units which include Baltimore, Rockville and Gaithersburg.

CM Williams inquired about sub-recipients and asked how does it work; better in some areas than others?

TA Habada believes with regard to the food truck; it has to be flushed out. The Town owns the truck and leases it out (to a non-profit). We have to be careful and follow federal guidelines.; sub-recipient requires reporting transfer of property; we have to figure it out.



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**CM Williams** asked about the 2021 trash funds. She wants to help residents.

**TA Habada** that the trash funds are coming in over and above what would have been. She asked how much does Council want to go back in to Reserves?

**CM Williams** stated that she wants relief to go back to residents. She also mentioned the need for new public sector staff and project management.

**TA Habada** responded we have competing need; more needs than money. She stated that input from residents is important. She suggested committing money in four categories and stated a single audit is required. She is recommending that the Town have an ARPA Project Manager to manage projects designated by Council like most other small municipalities are hiring. She also recommends COVID pay for police staff in particular.

**CM Ford** commented that she agrees with additional for police, the PM position and wants input from the residents. She also inquired about the information gathered from the Town Hall in November 2021; she doesn't want to lose the input from the residents. She also would like to see assistance for the most vulnerable.

**TA Habada** stated she pulled from previous conversations such as utility assistance; homeowner repairs and fit them into federal categories. She suggested to focus on the following four (4) Federal category buckets:

- Assistance to Town's Most Vulnerable Residents
  - a. Emergency Assistance to Households – stimulus
  - b. Emergency Assistance - Prevention of evictions for both homeowners and renters
  - c. Emergency Assistance – Utility assistance
  - d. Emergency Assistance – Food assistance - food insecurity – local food truck
- II. Investing in Public Infrastructure - 4 possible projects
  - a. Address Flooding – Capitol Heights Blvd, nearby streets
  - b. Replacement of polybutylene pipes – 400 homes
  - c. Chamber Avenue Green Street project
  - d. Additional Street lights
- III. Supporting Town Operations, Workforce stability
  - a. Single Audit required for accounting of expenditures of Federal funding over \$750,000 – Estimated cost: \$4,000-5,000
  - b. Project management of ARP projects – For Federal reporting on \$3.4 million in federal funds to be received - ARP Project Manager position – salary & benefits. This will be critical to managing multiple projects and meeting Federal reporting requirements
  - c. Stabilize Police staffing with additional pay and COVID premium pay
- IV. Revenue Replacement
  - a. Additional Police cruiser purchases to prepare for going from 20 to 24 hours police coverage in the Town - 8 new cruisers would be needed x \$58,021/cruiser = \$464,168 for outright purchase, Lease purchase would be less.

**CM Akers** stated to Chief Cummings that safety is the main issue. **(Conversation at 1:47:25)**

**Chief Cummings** replied that hiring of officers is harder; PG County is down 450 officers and the Metropolitan Police are down 500; everyone is short; other agencies are pilfering because of pay. He suggested looking in to the Law Enforcement Officers Pension System (LEOPS) retirement plan as it's less cost to buy in to the program; retirement has to be taken seriously.

**CM Cason** stated this is prudent information. She also mentioned commented about House Bill 1184 and a letter of support being requested by PGCMA.

**CM Brown** stated they're also looking for a committee.

**Chief Cummings** explained the he understands the reasons for the reform bill; MD doesn't have nearly the number of instances. They haven't given us information on how they will train civilian boards. He suggested being leery of supporting certain House bills.

**CM Williams** distinguished the difference from the food truck the COOP and she discussed paving an area at Capitol Heights Elementary School and sustainment efforts. **(Conversation at 1:59:36)**

**TA Habada** provided example on how other municipalities are using the funding. She also stated she's looking for feedback from Council in terms of what direction to take. **(Conversation at 2:06:49)**



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**CM Williams also Motioned to adopt 25% to each category and make it amendable to TA Habada's four categories; Seconded by CM Akers (Conversation at 2:22:22)**

Other comments regarding the categories included:

- **CM Cason** – each category may not need the same amount
- **CM Ford** – Great to say we are doing something; get input from residents; get estimates
- **CM Brown** – allocating funds will be higher for some than others; there will be possible amendments later
- **CM Williams** – one quarter of the funding for each category; she doesn't want to prolong this effort; we could get stymied; change will come, standing still is a detriment.
- **Chief** inquired about staffing and the police vehicles.
- **TA Habada** explained both are covered.

## Vote

**CM Williams**    Y  
**CM Ford**        Y  
**CM Brown**     Y  
**CM Akers**      Y

**Vote Carries 4/0 (Vote taken at 2:24:48)**

**CM Cason** stated once the categories are in place to have community meetings and other inputs.

**TA Habada** said yes, on Zoom preferably.

**CM Ford Motion to Suspend the Rules to allow for Public Comment on the ARPA. No Second; Motion Failed.**

## **VIII. Annexation – Next Steps (Discussion began at 2:32:39)**

**TA Habada** discussed the following:

- We're looking at the Capitol Heights Metro site for annexation.
- She hasn't connected with Andy Scott at WMATA regarding the survey work for annexing the area of the Metro Station not already within the Town boundaries.
- Since the modular buildings are outside of the Town; we're looking to annex Old Central Avenue up to Rollins to include the school building and the Safety Complex

**Attorney Best** stated there are a number of possibilities with the Public Safety Building being outside of the Town

- With Police activities outside of the Town liability issues can arise
- In order to annex property, we will need to gain consent of 25% of assessed property and 25% of registered voters.
- You may annex tax exempt land for example a Fire Department (non-profit) without consent; coupled with tax exempt road bed within ¼ mile from existing Town limit.

**CM Williams** asked for an explanation of the lollipop annexation

**Attorney Best** replied that it requires contiguous close by; services to be provided without having to cross other jurisdictions.

**TA Habada** mentioned receiving emails from Stephen Paul of the County Redevelopment Authority taking space in the school building for their headquarters; there will be two senior housing complexes on the frontage of Old Central Avenue; no mention of a men's shelter. She will confirm that again.

**CM Brown Motioned to notify residents about the school; there was no second.**



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**TA Habada** stated she forwarded information to Council on Mission of Love and asked the Re-development Authority to hold a Town Hall about the school.

**CM Brown** commented that the that the Town was supposed to purchase the school for a dollar. The Town dropped the ball. She wants to let residents know what's going on.

**CM Cason** stated the school never belonged to the Town.

**CM Brown** inquired about during CM Cason's administration, who dropped the ball?

**Attorney Best** stated the lease to own didn't include school; south of the school was to be rented.

**CM Brown** said prior to what you're stating, there was another arrangement. Residents know of getting the building for a dollar. **(Conversation began at 2:57:35)**

**CM Williams Motioned to retain an engineering firm to establish metes and bounds to progress with the annexation of Rollins Avenue including the Public Safety Complex; Seconded by CM Akers**

**Vote**

**CM Akers Y**

**CM Brown Y**

**CM Ford Y**

**CM Williams Y**

**Vote Carries 4/0 (Vote taken at 3:02:42)**

**IX. London Woods MOU – Police- TA Habada/Chief Cummings (Conversation began at 3:02:49)**

**Chief Cummings** stated officers have to stay away and can't enforce common areas and a parking that blocks mailboxes. We don't chase ATVs based on departmental chase policies.

**CM Cason** asked if there's a party in the parking lot blocking traffic, is there anything a homeowner can do?

**Attorney Best** stated unfettered usage by general public on private parking, the police can't enforce. Statutes greatly limit what municipalities can do. It is inappropriate use of public money.

**CM Cason** asked if a tow company needs assistance can they be protected?

**Attorney Best** commented if it's a criminal act that's a different instance; if they're parked blocking the mailboxes, the Police can't ticket them; that's a civil matter. **(Discussion began at 3:15:16)**

**CM Cason** suggested the Chief meet with the Board of Directors.

**CM Williams** suggested working out a space for resident concerns. How do we keep our residents protected?

**Attorney Best** stated the use of secondary police security or the HOA could hire contractors.

**TA Habada** mentioned that the MOU would go to the Town Attorney and would come back on the agenda for a vote.

**CM Akers Motioned to extend the meeting for 45 minutes so the residents could make comments;**

**Seconded by CM Brown - No Objections (Motion made at 3:30:52)**

**X. Public Comments (Began at 3:34:26)**

**Ms. Monica Johnson** said it is an interesting conversation about police enforcement in London Woods. We can't get Code or Police officers to enforce in our community. Why are we part of the Town? Six hundred homes without services; that \$1200 back in our pockets. Explain the benefit of living in the Town. CM Williams made a suggestion to have resident input to the ARP. Do you really want resident input?

**Former CM Linda Monroe** read a statement regarding Lyndon Hills School from the previous TA which a stated the work being done on that effort. Regarding the Parliamentarian training, you should know the rules after four years. You have no idea what you're doing. Thank you, CM Ford, for showing courtesy. She is against the food truck funding for someone that doesn't live in the Town. Jonathan was a consultant with annexation. It is a dis-service not to have a say in this type of issue.

**James Brown** said we were annexed in and thought we could get services. What is the benefit? What are you going to give others?

**CM Williams Motioned to adjourn and move in to closed session to discuss personnel matters and get legal consult with regard to personnel; Seconded by CM Akers (Conversation at 3:48:30)**



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**Attorney Best** noted the two reasons for closure and commented there needs to be more meat on the bone; he thought it was for annexation.

**CM Williams asked what can be done about the letter written to residents?**

**CM Williams Motioned to go in to Closed Session to request a consult regarding a letter written to residents on our letterhead.; Seconded by CM Akers. (Conversation at 3:51:46)**

**CM Brown made a friendly amendment to prolong the meeting for her Council announcements and requested six minutes.**

**CM Williams** said she's not interested in closing at this time and accepted the friendly amendment. No response from CM Akers.

**Attorney Best commented that the ownership is owned by the body.**

**CM Cason inquired if there was any objection to extending the time?**

**No Objections**

## **XI. Council Announcements**

**CM Brown announced the following: (Conversation at 3:59:25)**

- A partnership with PG County Change Makers – A Black Woman event in March
- Latasha Ward – Silent Foundation -COVID Testing done for free
- The Education and TV Committee regarding ARP funding – a free gift to the 1<sup>st</sup> 100 who reply
- The Peace motorcade was exceptional; CM Williams did wonders; She recognized NSD, Chief Cummings and stated the Glenarden Mayor was elated

**CM Ford** talked about a Toastmasters contest; she put the link in the Chat to register. The Communication and Outreach Committee meets the 1<sup>st</sup> Wednesday at 7:30PM; They are donating three books to the (birdhouse) free library; they are available in Town Hall. She requested the books be added to the website.

CM Williams said the Peace Walk was an incredible success; she thanked TA Habada, CMs Chew and Ford for being unified. Other announcements included:

- An Art initiative with Community, Health and Environment
- Cooperative program to collect shavings and recycle them in to soil

CM Cason mentioned

- the PG Democratic Central Committee event on March 12<sup>th</sup> at Oakcrest. Please respond to TA Habada.
- PGCMA Letter for the House Bill -Street lighting

TA Habada stated it's 11:14 and Attorney Best has an early morning meeting appointment; may be better to postpone the Closed Session

**Attorney Best** will give another 15 minutes in Closed Session.

**CM Williams Motioned to request a consultation with Attorney Best as it relates to the letter written on Town letterhead. Seconded by CM Brown; All Ayes (Motion made at 4:14:55)**

**XII. Rolling Agenda additions – Council (not done; ran out of time)**

**XIII. Adjournment Meeting adjourned at 11:15 PM.**

**Council Will Adjourn the Work Session Meeting to Convene in Closed Session for Discussion - Legal Advice – Consult with Legal Counsel Regarding Possible Litigation – Annexation**

**Please Note:** Pursuant to the Annotated Code of Maryland, State Government Article Section 10-508(a), the Council by majority vote may retire to executive or closed session at any time during the meeting. Should the Council retire to





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*executive or closed session the chair will announce the reasons and a report will be issued at a future meeting disclosing the reasons for such closed session.*