



**CITY COUNCIL WORKSHOP MEETING  
WEDNESDAY, FEBRUARY 6, 2019, 7:00 P.M.**

<u>Items for discussion</u>	<u>Allotted Discussion Time</u>
1. <b>Call to Order</b>	
2. <b>Closed Meeting</b> <b>Motion:</b> I move that the City Council adjourn into a Closed Meeting, in accordance with the General Provisions Article of the Annotated Code of Maryland, §3-305 (b) (7) to consult with counsel to obtain legal advice on a matter and §3-305 (b) (9) to consult with staff consultants or other individuals about pending or potential litigation. – <b>Lashley</b>	(30 Minutes)
3. <b>Presentation –FY 2018 Auditors Report– Ms. Diane Mock, Bridgett Mock and Associates</b>	(30 Minutes)
4. <b>Report of the Mayor and Administration</b>	(10 Minutes)
5. <b>Council Questions /Council Announcements</b>	(10 Minutes)
6. <b>Resolution 19-10 Amending the FY 2019 Schedule of Fees</b>	(5 Minutes)
7. <b>Ordinance 19-12 Chapter 6: Budget and Finance (Second Reading)</b>	(10 Minutes)
8. <b>Elderly and Veteran Tax Credit Program</b>	(10 Minutes)
9. <b>Municipal Center Renovation Project - Update</b>	(20 Minutes)
10. <b>Meeting Minutes</b> a.) City Council Workshop Meeting Minutes (January 2, 2019) b.) City Council Workshop Meeting Minutes (January 14, 2019) c.) Council Legislative Meeting Minutes (January 16, 2019)	(5 Minutes)
11. <b>Public Comment – (Resident’s Concerns, Audience Participation and Phone Calls) When addressing the Council please state your name and address for the record.</b>	(5 Minutes)
12. <b>Adjournment</b>	(1 Minute)

**This Agenda is subject to change. If this agenda is modified it will be reposted to the City of New Carrollton’s website: [www.newcarrolltonmd.gov](http://www.newcarrolltonmd.gov). If you have any questions please contact the City Clerk at (301) 459-6100.**





## **PUBLIC NOTICE OF CLOSED MEETING**

### **CITY OF NEW CARROLLTON**

The City Council of the City of New Carrollton proposes to go into a Closed Meeting, in accordance with the General Provisions Article of the Annotated Code of Maryland, §3-305 (b) (7) to consult with counsel to obtain legal advice on a matter and §3-305 (b) (9) to consult with staff consultants or other individuals about pending or potential litigation, on Wednesday, February 6, 2019, at 7:00 p.m., at the New Carrollton Municipal Center located at 6016 Princess Garden Parkway, in the Council Workshop Room # 220.

The Public may attend the Workshop meeting of the City Council immediately prior to the closed meeting and observe the vote of the City Council to move into the closed meeting.

Lincoln Lashley, Vice Chairman  
Attest: Douglass A. Barber, City Clerk





## **CLOSED MEETING AGENDA**

**City of New Carrollton Municipal Center  
6016 Princess Garden Parkway, Room # 220  
New Carrollton Maryland, 20784**

**WEDNESDAY, FEBRUARY 6, 2019**

### **Items for discussion**

### **Allotted Discussion Time**

1. **Call to Order**
2. Discussion of legal matter and to consult with counsel to obtain legal advice and to consult with staff consultants or other individuals about pending or potential litigation. (30 Minutes)
3. **Adjournment of Closed Meeting** (1 Minute)

**This Agenda is subject to change. If this agenda is modified it will be reposted to the City of New Carrollton's website:  
[www.newcarrolltonmd.gov](http://www.newcarrolltonmd.gov). If you have any questions please contact the City Clerk at (301) 459-6100.**





**Effective Date: February 20, 2019**

**A RESOLUTION  
AMENDING THE SCHEDULE OF FEES FOR FY 2019**

**WHEREAS**, City Code, Chapter 57 “Fees”, Section 57-1 “Adoption of fees by resolution,” requires that fees authorized in the City Code be established by the City Council in a Schedule of Fees adopted by resolution at the time of the Annual Budget Ordinance; and

**WHEREAS**, the City Council adopted a Schedule of Fees for FY2019 in accordance with the requirements of Chapter 57; and

**WHEREAS**, since the adoption of the Schedule of Fees for FY2019, the City Council amended Chapter 100 “Streets and Sidewalks” and enacted Article II “Wireless Telecommunications Facilities in Public Rights-of-Ways”, which requires the payment of certain fees; and

**WHEREAS**, the Schedule of Fees for FY 2019 must be amended to reflect these new fees; and

**WHEREAS**, after adoption of this Resolution, a copy of the “Schedule of Fees” shall be posted in view of the public in the City’s Police Department, Finance and Accounting Department, Municipal Center Lobby, Code Enforcement, and Public Works Department.

**NOW, THEREFORE, BE IT HEREBY RESOLVED**, by the City Council of New Carrollton that the Amended Schedule of Fees for FY2019 attached hereto as Exhibit A is hereby adopted.

ADOPTED AND ENACTED BY THE CITY COUNCIL OF NEW CARROLLTON THIS 20<sup>th</sup> DAY OF FEBRUARY, 2019.

**ATTEST:**

\_\_\_\_\_  
Douglass A. Barber, CMC  
City Clerk

\_\_\_\_\_  
Lincoln Lashley, Vice-Chair  
City Council

**APPROVED:**

\_\_\_\_\_  
Duane H. Rosenberg  
Mayor





# CITY OF NEW CARROLLTON

## SCHEDULE OF FEES FY 2019

City Code, §57-1 “Adoption of fees by resolution” requires that all fees authorized in the City Code be established by the City Council in a Schedule of Fees adopted by resolution at the time of the Annual Budget Ordinance. This Schedule of Fees was adopted by the City Council by Resolution No. 18-09 on the 16th day of May, 2018 and is effective July 1, 2018 and amended by Resolution No. 19-01 on the 15<sup>th</sup> day of August, 2018. The Schedule of Fees FY 2019 was further amended by Resolution No. 19-10 on the 20th day of February, 2019.

City Code Section that Authorizes Fee	Reason Fee is Assessed	Fee Assessed
§1-8	Copy of the City Code	\$100.00
§12-4.M(1)	Failure to timely file a financial disclosure statement	\$2 per day late fee up to a \$250 maximum
§12-4.M(2)	Failure to file a timely lobbyist registration or report	\$10 per day late fee up to a \$250 maximum
§12-6(E)	Copy of a financial disclosure statement filed with the City	\$50
Chapter 35 “Animal Control,” §35-2; Exhibit A to Chapter 35 (a.k.a. 35 Attachment 1:9), Article III, D; Article VII Pet Licenses	Prior to release of an animal in the custody of the City:  Impound Fee  All expenses incurred by the City in conjunction with the provision of veterinary care for the animal	\$25  Actual cost + 25% Administrative Processing Fee
§41-1	Building Permit Fees	\$100: Construction under \$25,000.00; \$150: Construction over \$25,000
§45-5	Cable Television Franchise Filing Fee – for application for initial franchise, issuance of RFP, renewal of franchise, modification of franchise, & approval of transfer	\$5,000  + reimbursement at cost for reasonable out-of-pocket expenses, including consultants’ fees
§45-11	Cable Franchise Fee	5% of Gross Revenues
§45-16	Open Video Systems	Fee in lieu of the Franchise Fee required in §45-11.B

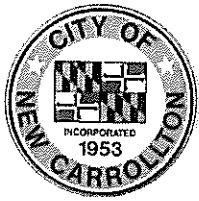
§57-2	Dishonored/returned check fee	\$30
§63-3	Property Clean-Up	City's actual cost in cleaning the property (ie. cost of the contractor hired to perform service and/or hourly rate of employee(s) required to perform service times the number of hours required to perform the clean up)
§63-5	Removal of Property Eviction Set-outs	\$500
§66-3	Release of impounded shopping cart	\$25
	Permit Fee for Portable Storage Units	\$40
§72-4	Sign Permit Fee Application	\$25
§75-2, et seq.	Business Licenses and Permits – Annually	\$110
	Mobile Vendor Licenses	\$150
	Late Fee	\$15 per 30 days or any part thereof
§75-6	Special Events License	\$110 However, no fee shall be charged where the event is operated, hosted or given for the benefit of any religious, educational, charitable or nonprofit social or fraternal organization.
	Use of Municipal Center – license	\$75/hour
	Use of City owned Fields League Play Pick-up Play	\$100/field/day/season \$50 for up to three hours

**Underlined bold language:** Indicates language added to the Schedule of Fees.



§130-11	Filing Fee for Departure Application	\$400 for residential application \$1,000 for commercial application + \$30/public notice sign posted
§C-9	Copy of Police Report	\$15 for City Resident \$25 for Non-City Resident
	Administrative Flagging Fee (associated with parking tickets & speed camera tickets)	\$45
	Police Vehicle Release (of impounded vehicle)	\$100
§C-11	Removal and disposal of recycling and trash.	
	Recycling	
	Single-family dwellings	\$19/year
	Trash	
	Single-family dwellings	\$120/year
	Condominiums	\$60/year

**Underlined bold language:** Indicates language added to the Schedule of Fees.



Effective: March 12, 2019

**AN ORDINANCE OF THE CITY COUNCIL OF NEW CARROLLTON AMENDING THE CODE OF THE CITY OF NEW CARROLLTON, CHAPTER 6 "BUDGET AND FINANCE," §6-1 "PRESENTATION OF BUDGET; PUBLIC RECORD" TO CHANGE THE PROGRAM CATEGORIES INTO WHICH EXPENDITURES ARE CLASSIFIED**

**WHEREAS**, City Charter, §C-14 "Budget and Finance" requires that the City operate on an annual budget that provides a complete financial plan for the budget year and contains estimates of anticipated revenues and proposed expenditures for the coming year. The Mayor is required to submit an operating a budget on such date as the Council establishes by ordinance; and

**WHEREAS**, City Code, §6-1 "Presentation of budget; public record" dictates when the Mayor must submit the budget to Council, as well as the form and content of the budget; and

**WHEREAS**, City Code, §6-1 "Presentation of budget; public record" requires that the budget classify items of expense as "personnel," "operating" or "capital" expenditures and classify each expenditure into one (1) or more program categories; and

**WHEREAS**, the program categories include the three City Departments (Administration, Public Safety and Public Works); however, also includes highways, sanitation and parks and recreation, all of which are part of Public Works; and

**WHEREAS**, City staff recommends that the three categories that are part of Public Works be removed as a specific category as they are addressed within the Public Works category; and

**WHEREAS**, the City Council believes that it is the best interest of the efficient administration of the City government to change the program categories into which expenditures are classified as recommended by staff.

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED** by the City Council of New Carrollton that City Code, Chapter 6 "Budget and Finance", §6-1 "Presentation of Budget; Public Record" be and hereby is amended to read as follows:

§6-1 Presentation of budget; public record

- A. No later than the first day of April in each year, the Mayor shall submit to the Council a budget for the following fiscal year.
- B. Format and content.

- (1) The budget submitted by the Mayor shall conform in all aspects to the requirements of §C-14.B of the City Charter and shall be compatible with the standard accounts developed for uniform financial reporting by the State of Maryland. The budget shall include a comparison between proposed items of both income and expense, with estimates of those same items for the current fiscal year, and with actual figures for said items of income and expense for at least one (1) year prior to the current fiscal year. The budget shall classify items of expense as "personnel," "operating" or "capital" expenditures and shall also classify each expenditure into one (1) or more of the following program categories:
    - (a) General government.
    - (b) Public safety ~~and health~~.
    - (c) ~~Highways~~.
    - (d) ~~Sanitation~~.
    - (e) ~~Parks and recreation~~.
    - (f) Public works ~~administration~~.
    - (g)(**D**) Other.
  - (2) The budget shall be a line-item budget, listing expenditures by object classification in such detail as the Council deems necessary to allow its proper evaluation of the proposed expenditures.
- C. After presentation to the Council by the Mayor, the proposed budget shall be a public record, open to public inspection during normal business hours at City Hall.

[SPACE LEFT BLANK INTENTIONAL]

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**BOLD CAPITALS: INDICATE LANGUAGE ADDED TO THE CITY CODE.**

~~Strikethrough~~: Indicates language deleted from the City Code.

**BE IT FURTHER ENACTED AND ORDAINED** that this Ordinance shall become effective March \_\_, 2019, following adoption and approval by the Mayor, or passage by the Council over the Mayor's veto.

Introduced by the City Council of New Carrollton, Maryland on the 16<sup>th</sup> day of January, 2019.

Adopted and enacted by majority vote of the City Council of New Carrollton on the 20<sup>th</sup> day of February, 2019.

**Effective: March 12, 2019**

**Attest:**

**City of New Carrollton**

\_\_\_\_\_  
Douglass A. Barber, CMC  
City Clerk

\_\_\_\_\_  
Lincoln Lashley, Vice-Chair  
City Council

Date: \_\_\_\_\_

**Approved:**

\_\_\_\_\_  
Duane Rosenberg, Mayor

Date: \_\_\_\_\_

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**BOLD CAPITALS: INDICATE LANGUAGE ADDED TO THE CITY CODE.**

**Strikethrough:** Indicates language deleted from the City Code.







## CITY OF NEW CARROLLTON

### MEMORANDUM

TO: City Council  
FROM: Duane Rosenberg, Mayor  
DATE: January 23, 2019  
RE: Elderly and Veteran Tax Credit Program

State law authorizes the City Council to adopt an ordinance which grants a property tax credit against the City's property tax that is imposed on the dwelling of certain individuals. Individuals who are eligible for the tax credit are those who are at least 65 years old **and**:

- a. have lived in the same dwelling for at least the preceding forty (40) years; or
- b. are a retired member of the uniformed services of the United States, the military reserves or the National Guard.

Additionally, the surviving spouse of an individual described in a and b above, who has not remarried, is eligible for the tax credit. *See* Md. Code Ann., Tax-Property, §9-258 "Dwellings of certain elderly individuals and veterans."

The property tax credit that the City may offer cannot exceed 20% of the City property tax imposed on the applicant's property and it can only be granted for a period of up to five years. The City is further authorized to establish:

- a. the maximum assessed value of a dwelling that is eligible for the tax credit
- b. Additional eligibility criteria for the tax credit
- c. Regulations and procedures for the application and uniform processing of requests for the tax credit, and
- d. Any other provision necessary to carry out the tax credit.

Although, the number of people who would be eligible for the tax credit may be few, I believe that the tax credit would really benefit those who could avail themselves of the credit. Accordingly, I would like the City Council to consider enacting such an ordinance. By way of example, attached is a copy of the Laurel City Code provision that provides for such a tax credit.

Elderly and veteran tax credit program.

(a) In accordance with the provisions of Ann. Code of Md., Tax-Property Article, § 9-258 "Dwellings of certain elderly individuals and veterans", the city shall allow a property tax credit against city real property taxes imposed on a dwelling located within the corporate limits of the city that is owned by an eligible individual, as that term is defined below. For purposes of this section a "dwelling" has the meaning stated in Ann. Code of Md. Tax-Property article, § 9-105, "Homestead Property Tax Credit."

(b) Eligibility. An individual is eligible to receive a real property tax credit if:

(1) The individual is at least sixty-five years old and has lived in the same dwelling for at least the preceding forty consecutive years and the dwelling for which a property tax credit is sought is located within the corporate limits of the city and has a maximum assessed value of three hundred fifty thousand dollars (\$350,000.00) at the time the individual first applied for the credit; or

(2) The individual is at least sixty-five (65) years old and is a retired member of the uniformed services of the United States as defined in 10 U.S.C. Section 101, the military reserves, or the National Guard and the dwelling for which a property tax credit is sought is located within the corporate limits of the city and has a maximum assessed value of three hundred fifty thousand dollars (\$350,000.00) at the time the individual first applied for the credit and the property for which the tax credit is sought complies with all city property maintenance codes.

(c) Amount and duration of credit. The credit allowed under this section is ten percent of the city property tax imposed on the dwelling. The credit shall be granted each year for a period of up to 5 years if the individual remains eligible for the credit. The property subject to the tax credit shall remain in compliance with the city's property maintenance code for the duration of the tax credit.

(d) A real property tax credit shall not be granted under this section if the real property has otherwise been granted a tax credit or exemption under the Ann. Code of Md. Tax-Property article or the city Code for the taxable year.

(e) Application for the tax credit established herein shall be made under oath on an application provided by the director of finance. The application shall provide a legal description of the property, identify all state, county and city tax credits that currently apply to the property, including those tax credits for which the owner may be applying for concurrently with this application, the property owner's name, the property owner's age and such other information or documentation as the director may require to determine whether the applicant qualifies for the tax credit.

(f) Commencing December 2018, the director of finance shall provide an annual report to the mayor and city council on the elderly and veteran real property tax credit program established in this section on or before December 31 of each year for the previous fiscal year, to include:

- (1) The number of applications received;
- (2) The number of applications denied;
- (3) The number of tax credits approved; and
- (4) The location by ward of the number of applications received, denied and the total amount of the tax credits approved.