

**MINUTES**  
**Regular Meeting of the College Park City Council**  
**Tuesday, August 11, 2009**  
**8:00 p.m.**

**PRESENT:** Mayor Brayman; Councilmembers Molinatto, Wojahn, Catlin, Perry, Stulich, Mark Cook Hampton and Mary Cook; Student Liaison Jonathan Sachs.

**ABSENT:** None.

**ALSO PRESENT:** Joe Nagro, City Manager; Suellen Ferguson and Deanna Keyes, City Attorneys; Janeen Miller, City Clerk; Bob Ryan, Director of Public Services; Terry Schum, Director of Planning; Jeannie Ripley, Code Enforcement Manager.

A quorum being present, Mayor Brayman called the Meeting to order at 8:00 p.m. Councilmember Mary Cook led the Pledge of Allegiance.

**Minutes:** The minutes from the July 7 Special Session and the July 14 Regular Meeting were presented for approval. A motion was made by Councilmember Hampton and seconded by Councilmember Perry to adopt the minutes. The motion passed 8-0-0.

**Announcements:**

Mayor Brayman announced the College Park AirFair 100 on Saturday, August 29 at the College Park Airport and Aviation Museum.

Councilmember Catlin announced two events involving the Lakeland Community Heritage Project taking place this month: A book will be published about the Lakeland community in College Park, and the LCHP will collaborate with the Negro League Legends Hall of Fame by selling refreshments at their baseball game on August 22 at Shipley Field as a fundraising activity. About 40 complimentary tickets to the game will be made available at City Hall.

Councilmember Wojahn stated that COG has applied for a grant for Priority Bus Corridors, which includes making Route 1 a priority bus corridor. The application also includes a bike sharing program for the DC metropolitan area. The original application did not include College Park and through his efforts and those of City staff, they arranged to have College Park included in this grant application. So, if COG gets this grant, it will help fund a regional bike sharing program that would include College Park.

Councilmember Molinatto announced he would not seek reelection as the District 1 councilmember in the fall elections.

**Acknowledgement of Dignitaries:** Mayor Brayman recognized former City Councilmember and current County Councilmember Eric Olson.

**Amendments To The Agenda: 09-G-67:** Three Field Use Requests were added to the Consent Agenda: 1) Hispanos Unidos Family Field Day at Duvall Field on 9/5/09; 2) Holy Redeemer CYO Soccer practice at Calvert Field August – October 2009; 3) Maryland Stingers Women’s Rugby Practice at Duvall Field August – November 2009.

**City Manager’s Report:** Mr. Nagro reminded the Mayor and Council that there are special Worksessions scheduled on Tuesday August 18 to discuss the U.S. 1 Corridor Sector Plan and on Tuesday August 25 to meet with the strategic plan facilitator. Both meetings start at 7 p.m. A reminder that the September 15 Worksession has been moved to September 16 so the Mayor and Council can attend the September 15 Public Hearing on the U.S. 1 Sector Plan. The City will provide bus transportation to interested residents for that hearing. Mr. Nagro also asked if Council is interested in hearing a presentation by the Council of Governments on the “2050 Initiative” on September 21 in Greenbelt.

**Student Liaison Comments:** Mr. Sachs stated he has been joined on Twitter by Councilmember Wojahn. The SGA website is being updated and will have a place where he can update students on Council issues. He commented on the recently signed Four Cities Purple Line letter and the subsequent endorsement by Gov. O’Malley of the Light Rail alternative.

**Comments From The Audience On Non-Agenda Items:** None.

**Consent Agenda:**

A motion was made by Councilmember Perry and seconded by Councilmember Hampton to adopt the Consent Agenda. The Consent Agenda consisted of the following items:

**09-G-64 Approval Of An Amendment To The City Manager’s Employment Agreement**

**09-G-66 Approval Of A Letter To The Planning Board With City Comments On “Parks & Recreation: 2010 and Beyond.”**

**09-G-67 Field Use Requests: 1) Hispanos Unidos Family Field Day at Duvall Field on 9/5/09; 2) Holy Redeemer CYO Soccer practice at Calvert Field August – October 2009; 3) Maryland Stingers Women’s Rugby Practice at Duvall Field August – November 2009**

The motion carried 8-0-0.

**Action Items:**

**09-O-06 Adoption of Ordinance 09-O-06, An Ordinance Of The Mayor And Council Of The City Of College Park, Maryland, Amending City Code, Chapter 127 “Rent Stabilization”, §127-13 “Expiration Date” To Extend The Effective Date Of The Rent Stabilization Law Through September 1, 2012.**

**A motion was made by Councilmember Stulich and seconded by Councilmember Molinatto to adopt Ordinance 09-O-06.**

Councilmember Stulich stated there was a lot of testimony on this proposal at the Public Hearing in July and acknowledged strong feelings on either side. She believes it is an important ordinance to continue because there is a serious problem with very high rents in College Park as well as often overcrowded living conditions in rental housing. Although the ordinance has been in place since 2005, it was never fully implemented due to litigation. A circuit court judge recently granted the City's motion for summary judgment so we can now move forward with implementation. She believes it would help the city maintain a balance between rental housing and owner-occupied housing.

Mayor Brayman noted that there was a public hearing on July 28 so no further public comment will be taken this evening unless there is a substantial amendment to the ordinance.

Mayor Brayman commented that the City has not had the opportunity to fully implement and administer the ordinance. He does not believe the ordinance has done any harm, and stated the Council could take action in the future if it is believed the ordinance has caused harm. There are fluctuations in the student housing market that are hard to predict. The current rent stabilization law allows someone with a legitimate concern to petition the rent stabilization board for review. He encourages this ordinance to be renewed tonight because when the student housing demand comes back and houses are purchased by investors, the ordinance would prevent rents from being raised in an unregulated manner.

Councilmember Catlin requested the rules for Council comments be relaxed to allow Councilmembers additional time to speak to this ordinance. There was objection by Councilmembers Perry and Mary Cook. Mayor Brayman called for a vote. Council voted 4-4 to maintain the current rules. Mayor Brayman broke the tie in favor of relaxing the rules, and said each councilmember would be allowed to speak three times for five minutes each.

Councilmember Hampton said she would not support this ordinance. She believes the rent stabilization law was designed for a short term until new housing came on line. We do have new housing. She believes economic forces will correct the rental housing market in College Park.

Councilmember Catlin reviewed the history of the original rent stabilization ordinance and how we got to this point tonight. The original ordinance had a sunset provision of September 2009 because that seemed like a realistic time when there would be additional housing on the Route 1 corridor. He discussed the current and anticipated student rental housing market.

Councilmember Hampton called the vote. Councilmember Mary Cook seconded. Council voted 4-4 on the motion. The motion requires a 2/3 majority; the motion to call the vote failed.

Councilmember Wojahn will support the ordinance. There remain serious concerns about protecting and maintaining owner occupied homes in the City. The market is currently in a recession, but the market will rebound and his concern is that investors will continue to buy up single family homes and charge higher rents at a later time. If we do not continue the ordinance

it would be more difficult to reinstate in the future. We need to make sure there are low cost options for renters in our neighborhoods.

Councilmember Perry remembers the University of Maryland stating that they were going to limit the student enrollment on campus, but they continued to enroll students without providing housing which pushed the housing problem out into the city neighborhoods. This has created a lot of problems in the neighborhoods – code enforcement, recycling. Now the City is paying for rent stabilization; so far the City has spent \$145,000 which comes from tax money. The City can't pay for some things it needs to do such as repairing the Public Works facility. This ordinance has encouraged civil disobedience and is stifling the private sector. The City can't find enough people to serve on the rent stabilization board. Many of the foreclosed homes are owned by absentee landlords. He can't support the extension of the ordinance and thinks it should die a natural death. He doesn't think it works and believes it is cheating somebody.

Councilmember Stullich commented on some allegations made at the public hearing. The allegation that the goal of the ordinance is to rid neighborhoods of students is untrue. She does not think that is feasible or desirable. This is a college town and there will always be a mix of students and long-term residents living in this town. Her constituents want the neighborhoods to be sustained as a place that is comfortable and possible for both students and owner occupants to live. She knows people who wanted to buy homes in College Park but couldn't compete with the prices that investors are able to pay because of the high rental income they could get. She discussed the problem of overcrowding and thinks the root cause is that the rents are so high that the students feel forced to accept overcrowding. She hopes the rent stabilization ordinance will have positive effects as we begin to implement it.

Councilmember Catlin was hoping for better discussion of the issues surrounding the extension of the rent stabilization ordinance. The conditions which led up to the ordinance's sunset date haven't come around like he expected they would.

Councilmember Molinatto has spoken with a number of people about this ordinance. A lot of the arguments he has heard have been based on misinformation or inaccuracies about the current ordinance. He encourages people to read the ordinance. He watched the public hearing and was appalled at some of the allegations he heard. He believes there is a forced demand on rental housing because of the students so the market is never going to alleviate the pressure on rents as it would in a non-college town. In response to the concern expressed at the public hearing by property owners that extension of the ordinance could cause foreclosures, he suggests they read section 127-8 titled "hardship exemption" that allows a landlord to petition for a two year exemption from the rent ceiling. He will support extension of the ordinance.

There being no further comment, the mayor called for the vote on the extension of the rent stabilization ordinance:

Councilmember Mary Cook:	Nay
Councilmember Hampton:	Nay
Councilmember Mark Cook:	Yea
Councilmember Stullich:	Yea
Councilmember Perry:	Nay
Councilmember Catlin:	Nay

Councilmember Wojahn: Yea  
Councilmember Molinatto: Yea

Mayor Brayman voted to break the tie: Yea

**Ordinance 09-O-06 to extend the rent stabilization ordinance was adopted by a vote of 5-4-0.**

**09-O-07 Introduction Of 09-O-07, An Ordinance Of The Mayor And Council Of The City Of College Park, Maryland, Amending Chapter 184 “Vehicles And Traffic”, Article III “Parking Meters” By Repealing And Reenacting §184-17, “Definitions” , §184-18, “Operation”, §184-19, “Violations” §184-20, “Enforcement; Violations And Penalties” To Specifically Incorporate The Multi-Space Meter/ Pay Station System**

A motion was made by Councilmember Perry and seconded by Councilmember Wojahn to Introduce Ordinance 09-O-07. Councilmember Perry read the title into the record. The Public Hearing is scheduled for 7:30 p.m. on September 8, 2009.

**09-G-65 Appointments To Boards And Committees**

A motion was made by Councilmember Molinatto and seconded by Councilmember Wojahn to reappoint Heather Bourne, Deron Lovaas and Janis Oppelt to the Committee for a Better Environment. The motion carried 8-0-0.

**Council Comments:**

Councilmember Mary Cook requested an update on the Live Work College Park program. Councilmember Catlin will provide an update at the next Worksession.

**Comments From The Audience:** None.

**Adjournment:** A motion was made by Councilmember Perry and seconded by Councilmember Stulich to adjourn the meeting. Mayor Brayman adjourned the Regular Meeting at 9:10 p.m. by a vote of 8-0-0.

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Janeen S. Miller Date Approved  
City Clerk

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Pursuant to §C6-3 of the College Park City Charter, at 6:43 p.m. on August 11, 2009, in the Council Chambers at City Hall, a motion was made by Councilmember Wojahn and seconded by Councilmember Stulich to enter into an Executive Session, citing the following authority:

- C: Consider the acquisition or sale of real property for a public purpose and matters directly related to such acquisition or sale;
- N: Discuss a negotiating strategy before a contract is awarded;
- G: Consult with Counsel.

The motion passed 5-2-0 (Perry and Hampton opposed; Mary Cook absent) and the Council moved into the hallway behind the Council Chambers for the closed session.

Present: Mayor Brayman, Councilmembers Molinatto, Wojahn, Catlin, Perry, Stulich, Mark Cook, Hampton and Mary Cook (arrived at 6:46 p.m.); Student Liaison Jonathan Sachs

Absent: None.

Also Present: Joe Nagro, City Manager; Janeen Miller, City Clerk; Suellen Ferguson and Deanna Keyes, City Attorneys; Terry Schum, Director of Planning;

Topics Discussed: 1) Possible tenant for the retail space in the downtown parking garage (C and N); and 2) Consult with City Attorney on litigation (G).

A motion was made by Councilmember Perry and seconded by Councilmember Mary Cook to adjourn the Executive Session. Mayor Brayman adjourned the Executive Session at 7:00 p.m. by a vote of 8-0-0.

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