

MINUTES
Regular Meeting of the College Park City Council
August 8, 2006
8:03 P.M.

PRESENT: Mayor Brayman; Councilmembers Milligan, Krouse, Catlin, Perry, Hampton and Peña-Melnyk; Student Liaison Jesse Blitzstein.
Councilmember Olson arrived at 8:55 p.m.

ABSENT: Councilmembers Fellows

ALSO PRESENT: Joe Nagro, City Manager; Janeen Miller, City Clerk; Sara Imhulse, Assistant to the City Manager; Suellen Ferguson, City Attorney; Bob Ryan, Director of Public Services; Steve Halpern, City Engineer; Jim Miller, Parking Enforcement Supervisor.

Councilmember Peña-Melnyk led the Pledge of Allegiance.

Minutes: A motion was made by Councilmember Perry and seconded by Councilmember Peña-Melnyk to accept the minutes of the July 5 Special Session and the July 11 Regular Meeting. The minutes were adopted 6-0-0 without amendment.

Announcements:

Councilmember Peña-Melnyk announced a problem with airbag thefts in College Park Woods. She recommends the use of steering wheel locks.

Acknowledgement Of Dignitaries: Mayor Brayman recognized County Councilmember Tom Hendershot, former City Councilmember Don Byrd.

Awards: None

Amendments To The Agenda: None

City Manager's Report: Mr. Nagro announced the Public Hearing on the Special Exception for Best Pawn has been set for Thursday, September 14 at 9:00 a.m. in Upper Marlboro. The City has received a favorable response from the State Highway Administration regarding signage to the University of Maryland that diverts traffic away from US Route 1. Mr. Nagro praised Mr. Halpern for his efforts on this request. Finally, 32 visitors from the Hunan Province of China are attending a seminar in Council Chambers presented by Mr. Nagro regarding the Council/Manager form of government.

Student Liaison Comments: Mr. Blitzstein stated the SGA may invite some members of Council to speak at upcoming SGA meetings. There was discussion about the painting of the University of Maryland “M”s on downtown streets.

Comments From The Audience On Non-Agenda Items:

Mayor Brayman invited County **Councilmember Tom Hendershot** to the podium. Councilmember Hendershot thanked his constituents for his last 9 years of service on the County Council; he has enjoyed his tenure. He discussed various projects he has supported. He then presented a County grant check to Peggy Higgins for the benefit of the Department of Youth and Family Services in the amount of \$10,000.

Mayor Brayman invited **County Council Chair Tom Dernoga** to the podium. Councilmember Dernoga congratulated Mr. Hendershot on his public service, beginning with the School Board. Councilmember Dernoga presented the following County grant checks: \$1,000 to the Pregnancy Aid Center; accepted by Renee Milligan. \$5,500 to College Park Youth and Family Services; accepted by Peggy Higgins. \$8,500 to College Park Meals On Wheels; accepted by Don Byrd. \$19,000 to College Park Boys and Girls Club; accepted by Joan Keller. \$250,000 to the City of College Park for the skateboard park.

Councilmember Dernoga announced that, at the City’s request, the County had given a grant of \$200,000 to the Anacostia Watershed Society. Councilmember Dernoga also announced that there are additional funds available to the City (\$10,000 - \$20,000) for a future, joint County-City project, to be determined by the City.

Mr. Charles Sarahan, Box E, College Park: Mr. Sarahan discussed polka music and the origins of the word “politics.”

Consent Agenda: The Consent Agenda included the following items:

- 06-G-101 Award of Contract CP-06-06 For Downtown Streetlight Improvements, to Santosh, Inc., of College Park, Maryland, in the amount of \$287,363 (funding source CIP 043013)
- 06-G-102 Award of Contract CP-07-01 For FY '07 Asphalt Resurfacing, to NZI Construction Corp., Inc., in the amount of \$284,706.20 (funding source CIP 045008)
- 06-G-103 Approval Of Driveway Apron Variance for 7403 Radcliffe Drive
- 06-G-104 Fall Field Use Request from the Maryland Stingers Women’s Rugby Team To Use Duvall Field
- 06-G-105 Authorize Waiver Of Right To Appeal Decision Of Planning Board Regarding DSP 05026 – Northgate Condominiums

A motion was made by Councilmember Perry and seconded by Councilmember Hampton to adopt the Consent Agenda. The motion carried 6-0-0.

Action Items:

06-G-106 Petition Request For The Installation Of Residential Permit Restricted Parking In The 9700 Block Of Narragansett Parkway

A motion was made by Councilmember Krouse and seconded by Councilmember Milligan to approve the installation of residential permit restricted parking in the 9700 block of Narragansett Parkway, and to include this block in the existing Zone 2B. There was a Public Hearing earlier this evening on this request, so no further public comment was taken. 100% of the residents on the block signed the petition.

Councilmember Perry commented that the parking problems that led to this petition request are the result of Metro.

The motion carried 6-0-0.

06-G-107 Petition Request For Installation Of A Traffic Calming Device On 48th Avenue Between Pontiac Street And Berwyn Road

A motion was made by Councilmember Perry to deny the petition request for installation of a traffic-calming device on 48th Avenue. The motion failed for lack of a second.

A motion was made by Councilmember Catlin and seconded by Councilmember Krouse to instruct the City Engineer to develop recommendations for the location for up to two speed humps on 48th Avenue prior to their installation.

Councilmember Perry questioned why the Council ignored the report of the City Engineer. He does not believe speed humps will reduce cut-through traffic.

Councilmember Krouse stated that the City Council makes these decisions and that when the Council's decision is contrary to staff recommendations, it is not a criticism of staff. Its just how the process works.

[Councilmember Olson arrived prior to the vote.]

The motion carried 6-1-0 (Councilmember Perry opposed).

The Clerk's office was directed to notify everyone on the block when this item comes back before the Council.

**06-G-108 Petition Request For Installation Of A Traffic Calming Device On
Cheyenne Place Between 50th Place And 51st Avenue**

A motion was made by Councilmember Krouse and seconded by Councilmember Milligan to install one Watts-type speed hump on the 5000 block of Cheyenne Place, and to install a stop-sign on east-bound Cheyenne Place at 51st Avenue. Councilmember Krouse believes these installations are needed for safety reasons.

Because of the Public Hearing on this subject earlier in the evening, no further public comment was taken.

Councilmember Perry said he will oppose this motion. He does not believe speed humps will solve the issue of pedestrian safety.

Councilmember Milligan stated that 100% of the residents supported this request. Safety should be of paramount concern.

Councilmember Catlin supports this motion.

Councilmember Peña-Melnyk supports this motion. There is 100% agreement among these neighbors; the City should foster walkable, family oriented neighborhoods.

The motion carried 5-1-0 (Councilmember Perry was opposed. Councilmember Olson was out of the chamber for the vote.)

**06-O-06 A motion was made by Councilmember Krouse and seconded by
Councilmember Milligan for the Introduction of Ordinance No. 06-O-06
Of The Mayor And Council Of The City Of College Park, Maryland,
Amending Chapter 129, "Licenses:"**

An Ordinance Of The Mayor And Council Of The City Of College Park, Maryland, Amending Chapter 129 "Licenses", To Clarify That Solicitors Must Comply With All Applicable Laws Before Issuance Of A License And To Limit The Hours Of Solicitation To Between 7:00 A.M. And 9:00 P.M., To Remove Vending Machines, Taxicabs And Auction Houses From Licensing Requirements, To Clarify And Expand Licensing Restrictions As To Mobile Vendors, To Renumber Various Sections And To Amend Chapter 110, Section 110-1 To Remove The License Fees For Vending Machines, Taxicabs And Auction Houses.

The Public Hearing on this Ordinance will be held on Tuesday, September 26, at 7:30 p.m.

**06-O-07 A motion was made by Councilmember Catlin and seconded by
Councilmember Krouse for the Introduction of Ordinance No. 06-O-07
Of The Mayor And Council Of The City Of College Park, Maryland,
Amending Chapter 11, Article II, Airport Authority.**

An Ordinance Of The Mayor And Council Of The City Of College Park, Maryland, Amending Chapter 11 “Authorities”, To Amend §11-7 “Election Of Officers; Meetings; Hearings” To Change The Number Required For A Quorum From Five To A Majority Of Appointed Members Who Are Currently Serving.

The Public Hearing on this Ordinance will be held on Tuesday, September 26, at 7:45 p.m.

06-O-109 Appointments To Boards And Committees

Mayor Brayman nominated Alan Bradford, Grace Gardiner, and James Shultz for reappointment to the Ethics Commission. Councilmember Krouse nominated Janis Oppelt as a new appointment to the Committee For A Better Environment. Councilmember Olson nominated Dennis Herschbach to the Tree & Landscape Board.

A motion was made by Councilmember Hampton and seconded by Councilmember Olson to approve these nominations. The motion carried 7-0-0.

06-G-110 Authorization To Request Oral Argument – Planning Board Resolution PGCPB No. 06-171 (Commerce Bank Detailed Site Plan)

A motion was made by Councilmember Olson and seconded by Councilmember Catlin authorizing the appeal of the decision of the Prince George’s County Planning Board contained in resolution PGCPB No. 06-171, approving Detailed Site Plan DSP 05099 for Commerce Bank, and authorizing the City Attorney to represent the City in Oral Argument before the Prince George’s County District Council. The City Council previously recommended denial of the application.

Councilmember Olson provided a summary of this application, and reiterated the Council’s concerns with this project.

There were no comments from the audience on this item.

Councilmember Catlin commented that Commerce Bank is proposing a similar project in Berwyn Heights.

The motion carried 7-0-0. The City will continue to oppose the Commerce Bank project.

Presentations:

Council Chairman Tom Dernoga gave a Power Point presentation on the Greenbelt Station project. He began with an overview of the Greenbelt Station case as heard by the District Council earlier this summer, and addressed concerns with the District Council’s decision that have been brought to his attention. Chairman Dernoga reviewed the history of the project, reviewed early conceptual plans, reviewed problems that various groups had with the project throughout its history, and gave his opinion on what the goals for the project should be. His

early concerns were that the project was not more geared toward the Metro station and was instead more focused on a shopping mall accessible by Beltway traffic. The parking garages were geared to commuters that would be passing through the station rather than using the property. He asked the developers to modify the proposal and to concentrate more of the development, particularly the office portion, near the station. He stated the big retailers wanted their buildings near the Beltway for visibility. He acknowledged the concern about development height.

Chairman Dernoga then presented 7 slides showing the most recent plans for the project, which the City had not yet seen. Chairman Dernoga acknowledged that the developer should have come before the City with the latest plans. Overall, he likes this new version of the project, but acknowledged the building heights are going to be an issue and pledged further discussions with North College Park.

Chairman Dernoga then reviewed the “unsigned order” of the District Council, the changes he made to the project, and his rationale behind them. He stated the Developer did not ask for any of the changes. Changes included the square footage of the office, retail and residential components of the project; a possible increase in hotel units to allow additional high-end hotel units in the future; new language in the agreement to make it harder for the developer to put in condo units if they couldn’t market office and retail units; a provision to prohibit movie theatres; the connection from the Connector Road to Springhill Drive; school facilities issues; transfer development rights; and senior housing.

Following Chairman Dernoga’s presentation, there were questions from the Council about the TDR and the impact of the increased density and building heights on North College Park. Councilmember Perry questioned whether the project, if it were built as it was described tonight, would that constitute a change in the character of the neighborhood on the other side of the railroad tracks.

Councilmember Krouse detailed his involvement in this project, which began 7 years ago with the Greenbelt Metro Study, the pilot study for the Greenbelt Metro Sector Plan. His concerns are: 1) the plans that were adopted and shown tonight were never shown to the City Council; 2) the building heights near the Metro station; 3) the TDR. Councilman Krouse then reviewed several of the slides that Chairman Dernoga presented. He noted that none of the homes and parks on the west side of the railroad tracks (in College Park) are shown on those slides, although they are closer than the residential development in the City of Greenbelt. He illustrated the impact the building heights would have on those homes to the west of the railroad tracks. He believes the change in the skyline created by the new development would create a change in the character of that neighborhood. He reviewed the Greenbelt Metro Sector Plan and the early vision for the project, and contrasted the Sector Plan with the current plans. He is not opposed to the project or even to additional density, but opposes additional density at the station itself.

The Council expressed considerable concern that the Developer had not brought this version of the project to the City Council. Mayor Brayman asked Chairman Dernoga to make sure

that in the future, the City sees the same plans the County sees. Chairman Dernoga was surprised that this happened.

Councilmember Peña-Melnyk asked what can be done at this point to scale back the building heights. Chairman Dernoga takes responsibility for the greater height near the Metro station. He understands the concern, but does not fully agree. He believes there is still some room for discussion at the Site Plan stage about what the right height should be.

There was discussion about the pedestrian bridge, who will pay for it, and the possibility of a TIF for the bridge.

Mayor Brayman and the Council thanked Chairman Dernoga for coming to the meeting and making this presentation.

Council Comments:

Councilmember Perry stated that the crosswalk on southbound Route 1 at Edgewood Road has disappeared.

Comments From The Audience:

Bill Orleans, Box 292, Greenbelt, MD: Commented on issues regarding the Greenbelt Station project at both the City and County levels.

Adjournment: The meeting was adjourned at 11:30 p.m. by a vote of 5-1-0 (Councilmember Perry opposed; Councilmember Olson left prior to adjournment).

Janeen S. Miller, City Clerk