

**MINUTES**  
**Regular Meeting of the College Park City Council**  
**Tuesday, May 8, 2007 – 8:00 P.M.**

**PRESENT:** Mayor Brayman; Councilmembers Milligan, Krouse, Catlin, Perry, Fellows, Stulich, Hampton and Cook; Student Liaison Jesse Blitzstein.

**ABSENT:** None.

**ALSO PRESENT:** Joe Nagro, City Manager; Janeen Miller, City Clerk; Karen Ruff, City Attorney; Sara Imhulse, Assistant To The City Manager; Steve Groh, Director of Finance; Leo Thomas, Deputy Director of Finance.

The meeting opened with the Pledge of Allegiance led by Councilmember Milligan

**Minutes:** Minutes from the April 24, 2007 Public Hearing on 07-CR-02, the April 24, 2007 Public Hearing on Permit Parking in Lord Calvert Manor, and the April 24, 2007 Regular Meeting were presented for approval. A motion was made by Councilmember Fellows and seconded by Councilmember Catlin to approve the minutes. Corrections were noted on the April 24, 2007 Regular Meeting minutes. A motion was made by Councilmember Perry and seconded by Councilmember Fellows to postpone until the May 22 meeting the adoption of the April 24 Regular Meeting minutes. This motion carried 8-0-0. The minutes of the April 24, 2007 Public Hearings on 07-CR-02 and on Permit Parking in Lord Calvert Manor were approved by a vote of 8-0-0.

**Announcements:**

Councilmember Cook announced the Cherry Hill community would have a neighborhood party on Sunday, May 20, from 3 - 6 p.m.

Councilmember Hampton announced that the College Park Woods Neighborhood Watch Program would host a picnic on May 19 from 12 – 4 at the park on St. Andrews Place.

Councilmember Fellows announced that Yarrow and College Park Estates would have a community meeting on May 16 at 7:30 p.m. at the airport to discuss the upcoming work by WSSC.

Councilmember Krouse announced the North College Park Citizens Association would meet on Thursday at 7:30 p.m. at Davis Hall.

Councilmember Catlin announced the Lakeland Civic Association would also meet on Thursday at the College Park Community Center at 7:30 p.m.

**Acknowledgement of Dignitaries:** Mayor Brayman recognized Mr. and Mrs. Blitzstein, Jesse's parents.

**Acknowledgement of Newly Appointed Board And Committee Members:** Mayor Brayman recognized David Rogner, newly appointed to the Committee for a Better Environment.

**Amendments To The Agenda:** Add 07-G-62, Appointments to Boards and Committees, to the end of the agenda.

**City Manager's Report:** Mr. Nagro announced the upcoming community meetings on the development of the Cafritz Property: Saturday June 2 from 10 – 12 and 1 – 3, Thursday June 7 from 7 – 9 p.m., and then a wrap up session on June 14 from 7 – 9. All meetings will be held at the Riverdale Elementary School.

**Student Liaison Comments:** Jesse Blitzstein commented that this is his last meeting as the Student Liaison. He explained the year-end exam/graduation schedule. The Council thanked him for his leadership on the Community Clean-ups. There was discussion about having the next Student Liaison follow up with SGA on the painting of the Ms in City streets. She will return to the area in June.

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

**Presentations:** Mayor Brayman asked Jesse to join him at the podium. He commented on the Student Liaison program in general, and recognized Jesse for his approach to the Student Liaison role and for specific issues he brought forward to the Council. Jesse made personal remarks on his tenure, and thanked his parents, Council and staff for their support. Mayor Brayman presented Jesse with a plaque and a briefcase and thanked him for his service.

**Consent Agenda:** The Consent Agenda consisted of the following items:

- 07-R-11 Resolution Of The Mayor And Council Of The City Of College Park, Maryland Adopting The Recommendation Of The Advisory Planning Commission And Granting Variance Application Number CPV-2007-01, 9513 48<sup>th</sup> Avenue, College Park, Maryland For A Variance Of 13.2% From The Maximum Permitted Lot Coverage And A Variance Of 6 Feet From The Minimum Front Yard Depth Requirement To Construct A Rear Yard Addition And To Enclose A Front Porch**

- 07-R-12 Resolution Of The Mayor And Council Of The City Of College Park, Maryland Adopting The Recommendation Of The Advisory Planning Commission And Granting Variance Application Number CPV-2007-04, 9800 47<sup>th</sup> Place, College Park, Maryland For A Variance Of Four Point Four Percent (4.4%) From The Thirty Percent (30%) Maximum Lot Coverage Requirement To Validate The Property Conditioned Upon The Removal Of The Double-Wide Driveway**
- 07-R-13 Resolution Of The Mayor And Council Of The City Of College Park, Maryland Adopting The Recommendation Of The Advisory Planning Commission And Granting Variance Application Number CPV-2007-05, 8501 Potomac Avenue, College Park, Maryland For A Waiver Of The Prohibition Of Parking Spaces/Areas In The Front Yards Of Dwellings**
- 07-G-56 Award of Contract CP-08-01, Concrete And Asphalt Resurfacing Maintenance Contract, To NZI Construction Corporation, Inc., With The Escalation/De-escalation Clause, Not To Exceed \$489,000.**
- 07-G-57 Authorize Staff To Conduct A Traffic Study for Traffic Calming On Edgewood Road Between 51<sup>st</sup> Avenue and Narragansett Parkway**

A motion was made by Councilmember Krouse and seconded by Councilmember Catlin to adopt the Consent Agenda. The motion carried 8-0-0.

**Action Items:**

- 07-G-58 Approval Of Preliminary Plan of Subdivision for 4900 Osage Street**

A motion was made by Councilmember Perry and seconded by Councilmember Fellows to support the Preliminary Plan of Subdivision for 4900 Osage Street. Councilmember Perry read the conditions into the record. The Planning Board will hear the application on May 10, 2007. The applicants, Jeff and Heather Iliff, are proposing to subdivide their property and build a new house on what is now a large back yard.

**Comments from the Audience:**

**Jerry Anzulovic, 4900 Ruatan Street:** The Berwyn District Civic Association voted not to stand in opposition to this request.

Councilmember Catlin commented on the infill development on some of the large lots in Berwyn over the years.

The motion carried 8-0-0.

**07-G-59      Approval of a Property Use Agreement With Varsity Grille, LLC**

A motion was made by Councilmember Hampton and seconded by Councilmember Milligan to approve a Property Use Agreement with Varsity Grille, LLC, trading as Varsity Grille; and to direct staff to report to the Board of License Commissioners that the City Council voices no opposition to the transfer of a Class B Beer, Wine, and Liquor License to the Varsity Grille.

Councilmember Hampton commented that the Varsity Grille is applying for a transfer of liquor license from Los Cabos at the same address. Staff met with the Varsity Grille partners to review their business plan and discuss terms of the Property Use Agreement, which she reviewed. Their BOLC hearing is scheduled for May 22.

**Comments From The Audience:**

**Jim McGinnis, 6300 Pontiac Street, Berwyn Heights, MD:** He is the Secretary and Resident Agent at the Varsity Grille and said the new business would open in the late summer.

Mayor Brayman asked Mr. McGinnis how long he would be involved in the Varsity Grille, in case any issues were to arise. Mr. McGinnis said he would stay on board for 180 days up to twelve months. He stated he is acting as the Resident Agent because he is a resident of Prince George's County, whereas the other principles live outside of this County.

Councilmember Perry asked about the other officers of the LLC, and how much time they would have to devote to this business. Mr. McGinnis stated that although they operate other restaurants in Montgomery County, they would devote their full attention to the Varsity Grille.

The motion carried 8-0-0.

**07-G-60      Approval Of A Letter To The Historic Preservation Commission  
Opposing The Historic Work Area Permit for Demolition of 4600  
Norwich Road – Sigma Chi Fraternity House**

A motion was made by Councilmember Stulich and seconded by Councilmember Fellows to oppose issuing Historic Area Work Permit 15-07 to raze the Sigma Chi Fraternity House at 4600 Norwich Road, and to send a letter stating the City's reasons for opposition to the Prince George's County Historic Preservation Commission.

Councilmember Stulich noted that the County's Historic Preservation Commission will hold a public hearing on this permit on May 15. The Old Town Civic Association has supported the designation of Old Town as a local historic district since 1996, the City has supported the same designation since 2000, and in 2006 the Historic Preservation

Commission voted to designate the Old Town neighborhood as an historic district. The Sigma Chi Fraternity house is a contributing resource and the owners of the property should explore alternatives to demolition.

There were no comments from the audience on this item.

Councilmember Perry stated that he would not support the motion. He pointed out that the University of Maryland tore down a building across the street from this property. He does not believe an outside party should be able to tell an owner what they should or should not do. He is concerned about the current condition of the property.

Councilmember Fellows thinks the Old Town Historic District adds value to the entire City, and strongly supports this motion.

Councilmember Krouse supports the motion but does not like the front yard chain link fence.

The motion passed 7-1-0 (Perry opposed).

**07-G-61          Approval Of The Establishment Of Residential Permit Parking Zones and Fire Lanes In Lord Calvert Manor Neighborhood**

A motion was made by Councilmember Fellows and seconded by Councilmember Catlin to authorize the City Manager to establish residential permit parking zones and fire lanes in the Lord Calvert Manor neighborhood as follows:

The curbs on the North side of Knox Road, from Baltimore Avenue west to Guilford Drive shall be painted yellow and designated as a fire lane, except where City approved loading zones are specifically established;

The curbs on the West side of the 7100 block of Rossburg Drive, from Guilford Drive to the dead end, shall be painted yellow and designated a fire lane;

The curbs on the East side of the 7200 block of Rossburg Drive, from Hartwick Road to Knox Road, shall be painted yellow and designated a fire lane;

The South side of Knox Road, from Rossburg Drive to the eastern entrance to College Park Towers, shall be modified to provide 3 short term metered parking spaces near the entrances to College Park Towers and South Campus Commons by converting 3 currently designated monthly permit spaces, and to provide 6 additional new monthly permit parking spaces near Rossburg Drive. As is current practice, the residents of College Park Towers shall have priority to purchase monthly parking permits in this area;

The South side of the 4300 block of Guilford Drive, from Rossburg Drive to the eastern entrance to Graduate Gardens apartments, shall be designated a 12 month residential

permit parking zone. Residents of Graduate Gardens shall have priority to purchase 12 month residential permits in this zone. This zone shall be designated for permit parking only at all times. No visitor passes will be available in this zone;

The remainder of the residential streets in the Lord Calvert Manor neighborhood, including the 7100 and 7200 blocks of Rosburg drive, the 7100 block of Cornell Avenue, the 4200 block of Knox Road, the 4300 block of Hartwick Road, the 4200 block of Guilford Drive, and the North side of the 4300 block of Guilford Drive shall be designated a 6 month residential permit parking zone. Residents of apartments abutting these blocks shall have priority to purchase 6 month residential permits in this zone. A quota of at least 1 permit per bona fide resident of each apartment will be issued. Any remaining permits will be issued to bona fide residents of any apartment in this zone. This zone will be designated for permit parking only at all times. No visitor passes will be available in this zone.

Councilmember Fellows read the comments into the record.

**Comments from the audience:**

**James Kane, 4206 Knox Road:** Mr. Kane, a property owner in the Lord Calvert Manor area, is opposed to the motion.

**Lee Belson, 4216C Knox Road:** Mr. Belson, a tenant in a Knox Box apartment, is opposed to the motion.

**Steven Permut, 4300 Hartwick Road:** Mr. Permut, an owner and resident of the College Park Towers, stated the Permit Parking enforcement hours should correspond to the enforcement hours of parking meters, and not be 24/7. Also, Permit Parking should not be in effect during the summer.

Councilmember Stullich stated she is sympathetic to the audience members who spoke, but the first priority should be the safety of the residents in the Lord Calvert Manor neighborhood.

The motion passed 8-0-0. Staff is directed to monitor the situation and provide status reports to Council.

**07-O-05      An Ordinance of the Mayor and Council of the City of College Park, Maryland to Amend the Fiscal Year 2007 Budget of the City of College Park, Maryland**

A motion was made by Councilmember Stullich and seconded by Councilmember Fellows to adopt 07-O-05, an Ordinance of the Mayor and Council of the City of College Park, Maryland to Amend the Fiscal Year 2007 Budget of the City of College Park, Maryland. Councilmember Stullich highlighted the amendments:

This Ordinance would amend the current year (FY 07) budget in order to reclassify certain budgeted Operating Expenditures to new current year Capital Improvement Program (CIP) projects.

Revenues: Use of the undesignated reserve balance would increase from \$283,655 to \$1,956,637, resulting in a change of total revenues from \$11,553,842 to \$13,226,824.

Expenditures: 3 categories of expenditures would be revised by this Ordinance. Planning, Community and Economic Development would decrease from \$640,606 to \$540,606. Debt Service would decrease from \$405,192 to \$221,026. Interfund Transfers to the Capital Projects Fund would increase from 863,900 to 2,821,048. Total expenditures will increase from \$11,553,842 to \$13,226,824.

All provisions of Ordinance 06-O-02 (the FY '07 Budget Ordinance) other than these amendments shall remain in full force and effect. The net result of this budget amendment Ordinance is an increase in the use of the undesignated reserve balance of \$1,672, 982, representing the City's purchase of real property on Yale Avenue for the proposed public parking garage.

Councilmember Perry stated he would not be able to support the Ordinance and would have preferred having the individual line items divided. He does not like having to amend the budget at the eleventh hour.

The motion carried 7-1-0 (Perry opposed).

**07-O-02        An Ordinance Of The Mayor and Council Of The City Of College Park, Maryland To Amend The Election District Boundaries Of The City Of College Park To Include Land Annexed Since The Adoption Of 03-O-2**

A motion was made by Councilmember Hampton and seconded by Councilmember Perry to adopt 07-O-02, an Ordinance Of The Mayor and Council Of The City Of College Park, Maryland To Amend The Election District Boundaries Of The City Of College Park To Include Land Annexed Since The Adoption Of 03-O-2.

Councilmember Hampton commented that this Ordinance is needed to update the City Code to include the land annexed since 2003 (the IKEA annexation) into City election district four. The Ordinance was introduced on March 13 and the Public Hearing was held earlier this evening. If approved tonight, it will become effective on April 17, 2007.

Councilmember Krouse discussed the timing of the redistricting process.

The motion carried 8-0-0.

**07-O-10        Ordinance Of The Mayor And Council Of The City Of College Park, Maryland, Amending Chapter 125 "Housing Regulations", §125-10**

**“Responsibilities Of Owners And Occupants” To Reduce Time From 30 Days To 15 Days Vehicles That Are Inoperable, Dismantled, Wrecked Or Without Current License Plates Are Allowed To Be Parked Or Stored On Residential Property**

A motion was made by Councilmember Krouse and seconded by Councilmember Perry to Introduce Ordinance number 07-O-10, amending City Code, Section 125-10 “Responsibilities of owners and occupants” to reduce the time from 30 days to 15 days that vehicles which are inoperable, dismantled, wrecked or without current license plates are allowed to be parked or stored on residential property. The Public Hearing is scheduled for Tuesday, June 12, 2007 at 7:30 p.m. in the Council Chambers. After it is adopted, the Ordinance will go to the Prince George’s County Council for approval, which will impact its effective date.

**07-O-09 Ordinance Of The Mayor And Council Of The City Of College Park, Maryland Amending Chapter 110, “Fees And Penalties” By Amending Section 110-1, “Fees And Interests” To Increase Parking Meter Fees Regulated Under Chapter 184, “Vehicles And Traffic”.**

A motion was made by Councilmember Hampton and seconded by Councilmember Perry to Introduce Ordinance number 07-O-09, an Ordinance Amending Chapter 110, “Fees And Penalties” By Amending Section 110-1, “Fees And Interests” To Increase Parking Meter Fees Regulated Under Chapter 184, “Vehicles And Traffic.” The Public Hearing will be held on May 22 at 7:05 p.m. in the Council Chambers.

Councilmember Perry asked if the business community has been made aware of this proposal. Mr. Nagro stated the Downtown Management Authority is aware of and in support of this proposed increase.

**07-G-62 Appointments To Boards And Committees**

Mayor Brayman nominated Barbara Aldrich to the Advisory Planning Committee as a District 1 representative. A motion was made by Councilmember Stulich and seconded by Councilmember Cook to approve the nomination. The motion passed 8-0-0.

**Council Comments:**

Councilmember Perry asked about the state legislation that would permit municipalities to purchase streetlights from utility companies, and questioned whether the City would want to pursue this option. He also commented that WSSC is tearing up Greenbelt Road. He commented on trash that accumulated in 24 hours on Pontiac Street from Route 1 to 48<sup>th</sup> Avenue, and suggested that the City designate the red cup as the City flower.

Councilmember Catlin commented on the signing of the Homestead Tax Credit bill in Annapolis.

Councilmember Krouse raised the issue of the proposed herbicide treatment for weeds growing in cracks in the streets. He has pictures to show the extent of the problem. He also commented that letters must have gone out for tall grass because people have started cutting their grass for the first time this season.

Councilmember Milligan commented on the recent tornado in Kansas and suggested the City look at local warning systems. He thanked staff for their help with the College Park Boys and Girls Club parade on Sunday.

Councilmember Fellows noted that City elections would be held in 6 months, and asked to add to next week's worksession the item of "At-Large Council Seats."

Councilmember Hampton wished Jesse Blitzstein good luck in the future.

Councilmember Cook also commented on the Kansas tornado. She then stated that she recently rode a shuttle bus in Alexandria from the Metro Station to Canal Center and it reminded her of what College Park is hoping to do here in the future.

**Comments From The Audience:**

Mr. Blitzstein reminded the Council that the new Student Liaison, Danielle Kogut, will be here in June, and that he will be around to help with her orientation.

**Adjournment:** A motion was made by Councilmember Hampton and seconded by Councilmember Fellows to adjourn the Regular Meeting. The meeting was adjourned by a vote of 8-0-0, at 10:30 p.m.

Mayor Brayman stated the Council would take a vote to enter into an Executive Session, but would not reconvene into public session tonight.

---

Janeen S. Miller, City Clerk

---

Pursuant to §C6-3 of the College Park City Charter, on May 1, 2007, at 6:38 p.m. in the Council Chambers at City Hall, a motion was made by Councilmember Stulich and seconded by Councilmember Catlin to enter into an Executive Session to Consult with Counsel. The motion passed 6-0-0.

Present: Mayor Brayman, Councilmembers Krouse (arrived at 7:33 p.m.), Milligan, Catlin, Perry, Fellows, Stulich, Hampton (arrived at 6:40 p.m.) and Cook. Also in attendance were Joe Nagro, Janeen Miller, Joseline Peña-Melnyk, Nichole Nesbitt, and Elisa Levan.

Topics Discussed: Consult with counsel on a litigation matter.

A motion was made by Councilmember Perry and seconded by Councilmember Fellows to adjourn the Executive Session. The Executive Session was adjourned at 8:09 p.m. by a vote of 8-0-0.

---

Pursuant to §C6-3 of the College Park City Charter, on May 8, 2007, at 10:35 p.m. in the Council Chambers at City Hall, a motion was made by Councilmember Stulich and seconded by Councilmember Fellows to enter into an Executive Session to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; or to consider any other personnel matter that affects one (1) or more specific individuals. The motion passed 7-1-0 (Perry opposed).

Present: Mayor Brayman, Councilmembers Krouse, Milligan, Catlin, Perry, Fellows, Stulich, Hampton and Cook. Also in attendance were Joe Nagro, Janeen Miller, Sara Imhulse, Bob Ryan and Jesse Blitzstein.

Topics Discussed: 1) Legal Representation.

A motion was made by Councilmember Catlin and seconded by Councilmember Perry to adjourn the Executive Session. The Executive Session was adjourned at 11:15 p.m. by a vote of 8-0-0.

---

Pursuant to §C6-3 of the College Park City Charter, on May 15, 2007, at 6:54 p.m. in the Council Chambers at City Hall, a motion was made by Councilmember Perry and seconded by Councilmember Fellows to enter into an Executive Session to Consult with Counsel. The motion passed 5-0-0.

Present: Mayor Brayman, Councilmembers Krouse, Catlin, Perry, Fellows, and Cook. Also in attendance were Joe Nagro, Janeen Miller, Suellen Ferguson and Fred Sussman.

Topics Discussed: 1) Legal Representation.

A motion was made by Councilmember Perry and seconded by Councilmember Fellows to adjourn the Executive Session. The Executive Session was adjourned at 8:15 p.m. by a vote of 5-0-0.

---