

CITY OF COLLEGE PARK, MARYLAND

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PUBLIC HEARING

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LICENSE APPLICATION OF  
COLLEGE PERK COFFEEHOUSE  
9078 Baltimore Avenue

\* \* \* \* \*

MONDAY  
FEBRUARY 11, 2008  
7:30 p.m.

The above-entitled matter

commenced in the City Hall Auditorium, 4500  
Knox Road, College Park, Maryland 20740, Mayor  
Stephen A. Brayman, presiding.

COUNCIL MEMBERS PRESENT:

STEPHEN A. BRAYMAN	Mayor
ROBERT T. CATLIN	Mayor Pro Tem
MARK COOK	Member
MARY C. COOK	Member
KAREN E. HAMPTON	Member
JONATHAN MOLINATTO	Member
JOHN E. PERRY	Member
STEPHANIE STULLICH	Member
PATRICK L. WOJAHN	Member

STAFF PRESENT:

JOSEPH L. NAGRO	City Manager
SUELLEN M. FERGUSON, ESQ.	City Attorney
JANEEN S. MILLER	City Clerk
JEANNIE RIPLEY	Code Enforcement
ROBERT RYAN	Officer Director of Public Services

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Adjourn

1 P-R-O-C-E-E-D-I-N-G-S

2 7:32 p.m.

3 MAYOR BRAYMAN: I will then move to  
4 the second hearing which is scheduled at 7:30.  
5 And let me just note to people that we are on  
6 time.

7 Let's try to see if we can limit  
8 them all to 30 minutes or less. This one is  
9 with Christopher H. Gordon trading as College  
10 Perk Coffeehouse at 9078 Baltimore Avenue,  
11 College Park, Maryland 20740, for a Class B,  
12 Beer, Wine and Liquor License.

13 Is the License Holder present?  
14 Okay, there's Mr. Gordon, okay. Let me, first  
15 of all, though, he wasn't present when we, did  
16 you hear the City Attorney relay the criteria  
17 that we're looking at tonight?

18 MR. GORDON: No, I did not.

19 MR. BRAYMAN: Do you need to hear  
20 that? Do you want to hear that?

21 MR. GORDON: Sure.

22 MR. BRAYMAN: Okay, the order of

1 the operations are going to be, the City  
2 Attorney will go over that, and then staff is  
3 going to present what concerns that they  
4 presented to us, and then we would call you  
5 up.

6           Hopefully, you would then answer  
7 those concerns. And I do appreciate the  
8 popularity here this evening. We will be  
9 asking everyone, though, to maintain a  
10 decorum.

11           And so, Mr. Gordon, I'll ask the  
12 City Attorney to just go over again some of  
13 the criteria with respect to the liquor  
14 license that we are looking at tonight.

15           And then I'll ask Mr. Ryan to come  
16 up to the podium. So you'll be up in a  
17 minute, all right.

18           MS. FERGUSON: I'll attempt to give  
19 this in a more abbreviated version. Under  
20 Article 2-B, 10302, the Maryland Council  
21 authorized to lodge a protest of a renewal if  
22 first they have a hearing and then decide that

1 a protest is appropriate.

2 Because of the way the law is  
3 written, the protest of a renewal is heard at  
4 the Liquor Board, as in the case of an  
5 original application.

6 Which means that not only the  
7 renewal requirements apply, but also the  
8 requirements that apply when a license is  
9 first applied for.

10 And then there are various  
11 requirements that always apply to a Liquor  
12 License and, with respect to the restaurant  
13 portion, we have focused this evening on the  
14 fact that there must be space and  
15 accommodations such that it would not commonly  
16 be known as a restaurant.

17 Whether it hot meals that are  
18 habitually prepared, sold and served to the  
19 public during hours regularly open for  
20 business.

21 There is minimum sanitary  
22 facilities for, that has passed the regulation

1 of county Health Department. There is a  
2 dining area or areas with sufficient tables,  
3 chairs or booths.

4 The facility is equipped with a  
5 kitchen having complete facilities and  
6 utensils for preparing hot and cold meals.  
7 There is an employment of a sufficient number  
8 of Cooks, Waiters or Waitresses to serve the  
9 patrons.

10 There's a menu that's maintained  
11 and displayed advertising the sale of food.  
12 The hearing at the Board of License  
13 Commissioners also, at that hearing, there  
14 would have to be a number of requirements that  
15 would be shown by the Applicant to have been  
16 met.

17 The burden is on the Applicant.  
18 Those include the granting of the license is  
19 necessary for the accommodation of the public.  
20 The Applicant is a fit person to receive the  
21 license, for which application is made.

22 The Applicant has not made a

1 material false statement in the Application.  
2 The Applicant has not practiced fraud in  
3 connection with the Application or the  
4 operation of th business.

5 The operation business, if the  
6 license is granted, will not unduly disturb  
7 the peace of the residents of the neighborhood  
8 in which the place of business is located.

9 And there are not other reasons,  
10 in the discretion of the Board, why the  
11 license should not be issued. There are  
12 various other requirements that apply to a  
13 license, which don't seem to be applicable in  
14 the circumstances that we're talking about for  
15 this evening, the four instances, so I'm not  
16 going to mention them this evening.

17 Those are the main criteria that  
18 you would be looking at.

19 MR. BRAYMAN: Thank you, Ms.  
20 Ferguson. While Mr. Ryan is coming up and as  
21 he's presenting his case, if anyone is wishing  
22 to speak, we have a sign up sheet. Mr.

1           Gordon, I'll call on you first, after Mr.  
2           Ryan. So there's a sign up sheet in the back  
3           of the room there. Mr. Ryan, if you would  
4           please identify yourself and outline your  
5           information.

6                         MR. RYAN: Yes, thank you. Good  
7           evening, Mr. Mayor and members of the Council.  
8           I'm Bob Ryan, Director of Public Services for  
9           the City of College Park.

10                        With me tonight is Ms. Jeannie  
11           Ripley who is Manager of Code Enforcement  
12           Division of the Department of Public Services.

13                        Our concerns with this  
14           establishment are based primarily on  
15           compliance with city law. This establishment  
16           does not have a current city Liquor License  
17           nor current city Residential Occupancy Permits  
18           for the restaurant and the apartment above the  
19           restaurant.

20                        Ms. Ripley is going to summarize  
21           the Code Enforcement activity for the past  
22           year in regards to this establishment, which

1 focuses on that and some other issues, such as  
2 noise complaints that we've received over the  
3 year. So, Ms. Ripley will summarize that.

4 MR. BRAYMAN: Okay, thank you. Ms.  
5 Ripley, good evening.

6 MS. RIPLEY: Good evening. In your  
7 packet there was a sheet that listed the Code  
8 Enforcement Summary for January 1st of `07,  
9 until the 4th of February of `08.

10 And there was photographs in there  
11 where applicable. You can see all the trash  
12 in the early part of January until mid-month.  
13 They have an open case there now with the  
14 banner signs on the fence.

15 We had a no parking on the grass  
16 case. The Residential Occupancy Permit case  
17 was in court in January. We were awarded  
18 judgement there.

19 We still don't have the property,  
20 no paperwork has been filled out as far as  
21 getting it licensed. The letters have not  
22 been answered.

1                   There's also four bungalows in the  
2 back. We've been trying to determine how many  
3 of the four are rented. Noise. We actually  
4 opened six cases for noise.

5                   There's one of them that was in  
6 court in, I believe it was October. It was  
7 opened, yes, it was October the 10th we were  
8 in court on that one.

9                   The Commercial Occupancy Permit,  
10 there have been fines issued for 2000, I'm  
11 sorry, for the year `06-`07, and for the year  
12 `07-`08, and he's been billed for `08-`09.

13                   We have not been to court yet on  
14 those. The Liquor License, he was billed for  
15 last year and this year. Neither one have  
16 been paid. Those tickets are in court. We're  
17 waiting for a court date.

18                   The noise violations after 11:00,  
19 triggered a zoning violation that was issued.  
20 The property has parking that abuts  
21 residential property, and they are not allowed  
22 to have live entertainment that extends past

1 11:00 p.m.

2 So after we received the third  
3 complaint after 11:00, then the zoning  
4 violation was issued. And that pretty much  
5 summarizes as far as the Code activity for the  
6 last year.

7 MR. BRAYMAN: Ms. Ripley, first of  
8 all could you identify yourself just for the  
9 record?

10 MS. RIPLEY: I'm sorry. I'm  
11 Jeannie Ripley, I'm the Code Enforcement  
12 Manager.

13 MR. BRAYMAN: Okay, and that's for  
14 the city. The zoning violation, the status,  
15 it's what, been issued?

16 MS. RIPLEY: It's been issued. We  
17 show reinspection for February the 22nd. We  
18 have not received any noise complaints  
19 recently.

20 MR. COOK: Tell us what recently  
21 means?

22 MS. RIPLEY: Actually, I was just

1 looking down the list. Actually, January  
2 22nd, but that one was just a little bit after  
3 11:00.

4 MR. BRAYMAN: What year?

5 MS. RIPLEY: This past year.

6 MR. BRAYMAN: `07?

7 MS. RIPLEY: `08.

8 MR. BRAYMAN: `08. All right, but  
9 you're using the, that's with respect to the  
10 zoning code violation?

11 MS. RIPLEY: That's correct.

12 MR. BRAYMAN: There's a city  
13 ordinance as well.

14 MS. RIPLEY: For the noise?

15 MR. BRAYMAN: City ordinance for  
16 noise, correct.

17 MS. RIPLEY: That's correct. There  
18 was one ticket that was issued in those. By  
19 the time they either got there or when they  
20 went out and responded, they couldn't get a  
21 reading over the level that was necessary.

22 MR. BRAYMAN: Okay, so the six

1 cases you, what, one that was a violation of  
2 the city code?

3 MS. RIPLEY: Yes.

4 MR. BRAYMAN: Of the other six  
5 cases are in connection to potentially a  
6 violation of the zoning code? Or is there  
7 only this January, `08?

8 MS. RIPLEY: No, there were, out of  
9 the six calls, four of them were after 11:00  
10 at night. Three of them we were able to  
11 determine.

12 The complaints came in after  
13 11:00. There was one where we were able to  
14 get out and get a reading to actually write  
15 the citation.

16 The other ones, they could not,  
17 the reading was not over.

18 MR. BRAYMAN: Okay, so p-

19 MS. RIPLEY: But the zoning  
20 violation is for having live entertainment  
21 past 11:00.

22 MR. BRAYMAN: Okay, so the noise is

1 just to show what?

2 MS. RIPLEY: Well, it shows that  
3 there was live entertainment going on, past  
4 11:00, because we're getting the complaints  
5 from noise.

6 MR. BRAYMAN: It seems to me there  
7 might be other criteria to define whether or  
8 not live entertainment is actually going on  
9 adjacent to a community, when we get into the  
10 zoning case, than just the noise level. Is  
11 that your understanding?

12 Or is it just noisy live  
13 entertainment?

14 MS. RIPLEY: Well, when they went  
15 out and took their reading, I can use the Code  
16 Enforcement Officer to say what they saw. But  
17 as far as being able to get a reading over to  
18 write the noise violation was where we didn't  
19 have, the noise was loud enough.

20 It was loud enough it was  
21 disturbing somebody, but it wasn't loud enough  
22 for us to get the reading. Because, see, we

1 take our reading from the front property line.

2 MR. BRAYMAN: Right. Okay. And  
3 you indicated the residency, the license for  
4 the apartment?

5 MS. RIPLEY: Well, the apartment on  
6 the U&O for the building includes, the U&O  
7 includes one apartment and the restaurant.

8 We know folks who go there. I  
9 actually knew someone who actually visited  
10 somebody who lived in the apartment. It's  
11 been occupied somewhere along the line, but,  
12 again, we don't have the paperwork filled out  
13 to tell us.

14 MR. BRAYMAN: And so if it's a  
15 rental apartment, they would need a city  
16 license?

17 MS. RIPLEY: That's correct.

18 MR. BRAYMAN: Okay, and did you say  
19 that you were unable to determine if there  
20 were any other rental properties on the total  
21 property?

22 MS. RIPLEY: There's four bungalows

1 in the back. It looks like at least two of  
2 them are being lived in, but, again, we don't  
3 get the response back as to who is living in  
4 them.

5 MR. BRAYMAN: I've had my questions  
6 answered at this point. Mr. Cook?

7 MR. COOK: I have a few questions  
8 for you, Ms. Ripley. First, what is the noise  
9 level of US-1 at 11:00 p.m.?

10 MS. RIPLEY: I don't know.

11 MR. COOK: Okay. How many people  
12 live next door to the Coffeehouse?

13 MS. RIPLEY: There are properties  
14 that abut, the backyards abut Autoville Drive,  
15 their addresses are Autoville Drive. But you  
16 have, what, 9051 Autoville has got their  
17 apartment there.

18 So there's people there. And then  
19 the houses start at what, 9000, 9002?

20 MR. COOK: Thank you. Next  
21 question is where the noise complaints by the  
22 same person or different people?

1 MS. RIPLEY: I'm going to say  
2 different people.

3 MR. COOK: Okay. And how do you  
4 log the call in for a noise complaint, when  
5 somebody calls?

6 MS. RIPLEY: Usually, well the  
7 phone will tell us the time that someone calls  
8 in. If we have someone manning the phone  
9 during the time, the Officer will answer and  
10 write a report right then and there.

11 MR. COOK: That also includes call  
12 ID in that phone log?

13 MS. RIPLEY: Yes, they do.

14 MR. COOK: Okay, and a final  
15 question, what is live entertainment?

16 MS. RIPLEY: Good question, I would  
17 say a concert.

18 MR. COOK: Like a minstrel with a  
19 guitar, or is that like a band?

20 MS. RIPLEY: I would say, I would  
21 say both.

22 MR. COOK: Thank you very much, I

1 appreciate it. I also thank all the members  
2 of the audience for coming out and  
3 participating in this exercise today.

4 MR. BRAYMAN: Thank you, Mr. Cook.  
5 Other questions? Mr. Catlin?

6 MR. CATLIN: Ms. Ripley, obviously  
7 there's a number of outstanding citations  
8 against College Perk now. College Perk has  
9 been around about seven years. Has this been  
10 the track record for the last seven years, or  
11 is this just something that's basically, as  
12 the sheet shows, it has really popped up in  
13 the last six months?

14 MS. RIPLEY: It hasn't been around  
15 for seven years.

16 MR. CATLIN: Well, it's been around  
17 for a number of years.

18 MS. RIPLEY: It was licensed with  
19 us up until 2005, as far as, for the  
20 restaurant. And I don't remember it being  
21 that many years prior to that.

22 MR. CATLIN: But has there been a

1 track record of citations along these lines,  
2 throughout the last many years, or is this  
3 more recent?

4 MS. RIPLEY: No, no.

5 MR. CATLIN: This is something of a  
6 recent happening?

7 MS. RIPLEY: Yes.

8 MR. CATLIN: Thank you.

9 MR. BRAYMAN: Thank you, Mr.  
10 Wojahn?

11 MR. WOJAHN: Typically the Code  
12 Enforcement will conduct an annual inspection  
13 of any rental property, correct?

14 MS. RIPLEY: Yes, we do.

15 MR. WOJAHN: And has, does, how  
16 does that work if you believe that there are  
17 rental properties but there is no occupancy  
18 permit. Do you still conduct an inspection  
19 then?

20 MS. RIPLEY: We try to. I've had  
21 Inspectors go up and knock on the doors.  
22 Nobody will answer them. They've made

1 attempts.

2 MR. WOJAHN: Have you ever  
3 conducted an inspection of the premises to  
4 make sure that they comply with city code in  
5 relation to, as a rental property?

6 MS. RIPLEY: None of the rentals  
7 units since Mr. Gordon is in the property.

8 MR. WOJAHN: Is that, have you  
9 attempted to, has Mr. Gordon refused?

10 MS. RIPLEY: Well, he's refused to  
11 do the paperwork to do the proper process.  
12 But the Inspectors have gone up and knock on  
13 the doors and they can't get in.

14 MR. WOJAHN: As a result, it's  
15 impossible for you to tell if the facility is  
16 up to code, essentially?

17 MS. RIPLEY: That's correct.

18 MR. WOJAHN: Thank you.

19 MR. BRAYMAN: Okay, any other  
20 questions? Ms. Cook?

21 MS. COOK: Yes. Ms. Ripley, is  
22 there any other restaurant in the city of

1 College Park that has such a track record of  
2 violations as College Perk?

3 MS. RIPLEY: No, I don't believe  
4 so.

5 MS. COOK: Thank you.

6 MR. BRAYMAN: Anything else, Ms.  
7 Cook?

8 MS. COOK: No, thank you, Mr.  
9 Mayor.

10 MR. BRAYMAN: Ms. Stulich and then  
11 Ms. Hampton.

12 MS. STULLICH: Thank you, Mr.  
13 Mayor. As I read this case summary listing it  
14 appears that there are six noise violations  
15 over roughly six, seven month period, is that  
16 correct? Am I reading that correctly?

17 MS. RIPLEY: Yes, we've had that  
18 many complaints.

19 MS. STULLICH: These are complaints  
20 and p-

21 MS. RIPLEY: Right.

22 MS. STULLICH: p- not necessarily

1 violations?

2 MS. RIPLEY: That's correct.

3 MS. STULLICH: And there's been, in  
4 fact, one violation and five other complaints.  
5 Is that how to read this?

6 MS. RIPLEY: We had a total of six  
7 calls.

8 MS. STULLICH: Calls. And one of  
9 those led to a finding of a violation?

10 MS. RIPLEY: That's correct.

11 MS. STULLICH: Okay, thank you.

12 And approximately how many licensed  
13 establishments do we have in the city of  
14 College Park that have Liquor Licenses?

15 MS. RIPLEY: Well, we have a total  
16 of, what, 27 Liquor Licenses in the city?  
17 There's 27.

18 MS. STULLICH: And are you aware of  
19 any others that have not paid their Liquor  
20 License fees to the city for two years  
21 straight, or even one year?

22 MS. RIPLEY: No, I've never known

1 any other one to ever miss it.

2 MR. BRAYMAN: Okay, Ms. Hampton.

3 MS. HAMPTON: I was looking at the,  
4 I guess the schedule for live entertainment.  
5 Do we receive tax money for those tickets for  
6 general purchase? Do we get monies for the  
7 tickets that are purchased?

8 MR. BRAYMAN: I imagine the A&A  
9 tax.

10 MR. NAGRO: Unfortunately, I don't  
11 know the answer. We should get A&A off of  
12 tickets that are sold, but I can't tell you if  
13 they have filed an A&A. The Finance  
14 Department would have to tell us.

15 MR. BRAYMAN: That would be  
16 Admissions and Amusement Tax. Okay? Anything  
17 else, Ms. Hampton?

18 MS. HAMPTON: No, thank you.

19 MR. BRAYMAN: Mr. Cook.

20 MR. COOK: Ms. Ripley, or to all  
21 the staff. How many establishments do we have  
22 that, in our College Town that actually have

1 live entertainment? Your silence speaks  
2 volumes.

3 MS. RIPLEY: I'm counting.

4 MR. GORDON: Less than a dozen, I'm  
5 going to say seven or eight.

6 MR. COOK: Is that unusual for such  
7 a community as ours? What is the tax  
8 contribution of the College Perk to the city?

9 MS. RIPLEY: It would be a finance  
10 question, I don't know.

11 MR. COOK: Okay. And what was the  
12 tax contribution to the city prior to the Perk  
13 being established?

14 MS. RIPLEY: Again, I don't know.

15 MR. BRAYMAN: I wouldn't know that  
16 either, Mr. Cook.

17 MR. COOK: Thank you. Thank you  
18 very much.

19 MR. BRAYMAN: Okay, Mr. Perry.

20 MR. PERRY: Thank you, Mr. Mayor.  
21 Ms. Ripley, you had one parking on the grass,  
22 if I'm reading this correctly. And you

1 mentioned something else about parking.

2 What is the zone of the property  
3 and where is or is not parking permitted?

4 MS. RIPLEY: The problem was  
5 vehicles were being parked on the grass. The  
6 front of the property is MUI, it's the DDOZ,  
7 and the back of it, where the bungalows are  
8 it's residential.

9 MR. PERRY: So, where's the magic  
10 line?

11 MS. RIPLEY: You've got a copy of  
12 that in your packet.

13 MR. PERRY: Okay. It's kind of  
14 difficult to imagine it when you're on the  
15 property, where that p- so the restrictions  
16 for parking are different in the MUI Zone than  
17 they are in the residential zone?

18 MS. RIPLEY: This was just  
19 actually, if I remember, it was a vehicle back  
20 by one of the bungalows, it was just parked on  
21 the grass.

22 MR. PERRY: Is there sufficient

1 parking for the restaurant on the property?

2 MS. RIPLEY: I'm sorry, could you  
3 repeat?

4 MR. PERRY: Is there sufficient  
5 parking for the restaurant on the property?

6 MS. RIPLEY: According to the  
7 county there is. Again, I think that was  
8 something else I gave you. Let's find it.

9 MR. BRAYMAN: We have little pages  
10 in the bottom right, if you could reference  
11 that.

12 MS. RIPLEY: It's on Page 27. They  
13 didn't require any additional parking.

14 MR. BRAYMAN: What is this that  
15 we're looking at, building permit?

16 MS. RIPLEY: On Page 27, 28, and  
17 29, it's the paperwork from Park and Planning  
18 that was part of their processing for their  
19 county U&O. And you'll see where it was  
20 approved for a restaurant with 54 seats.

21 And then there's a drawing with  
22 the parking on 29.

1                   MR. BRAYMAN: Well, we don't have  
2 zoning authority and the reference to the  
3 zoning code violations is the county zoning  
4 code.

5                   MR. PERRY: My question basically  
6 is, if my observations of the property and the  
7 site plan here, how do you know where the  
8 parking is and is not? If I'm correct.

9                   In other words, I couldn't  
10 identify, driving on the property, where a  
11 parking space is and where a parking space  
12 isn't.

13                   MS. RIPLEY: Correct. But the  
14 violation that we wrote for parking on the  
15 grass, was on the residential part of the  
16 property.

17                   MR. PERRY: Right.

18                   MS. RIPLEY: Our code doesn't cover  
19 parking on an unpaved area.

20                   MR. PERRY: Your Department would  
21 enforce the parking on the site plan?

22                   MS. RIPLEY: No. This, I would go

1 back to the county with this. Because, and  
2 the county, the county does not require that  
3 parking lots be paved, in some instances, or  
4 that the spaces have to be delineated.

5 Think of the Cleaners, Zips, okay.  
6 There's some places where it's just, they just  
7 didn't require it.

8 MR. BRAYMAN: Just to clarify, we  
9 do have the authority to enforce zoning code.  
10 And so we have zoning code enforcement  
11 authority. But, when it comes down to site  
12 plans it, you know, appears we need to, well  
13 it appears with all zoning code, we need to  
14 work in collaboration with the county.

15 But some things are more clear  
16 cut.

17 MS. RIPLEY: Yes.

18 MR. BRAYMAN: So with zoning codes,  
19 I mean with site plans, we normally work hand-  
20 in-hand with the county versus like a vehicle  
21 that obviously is not allowed in county zoning  
22 to park in a neighborhood.

1                   We know that tow trucks are  
2                   illegal and so we can ticket that or, not  
3                   ticket it, but note a violation.

4                   MS. RIPLEY: Yes.

5                   MR. PERRY: The package includes a  
6                   good number of pictures of trash. What was  
7                   the story that the Property Owner explained to  
8                   about that? And was that a violation?

9                   MS. RIPLEY: Well, I've heard  
10                  different stories that my Code Enforcement  
11                  Officers were told. From what I can  
12                  understand apparently there was an  
13                  interruption in his trash collection.

14                  And some of this is recyclable  
15                  materials that the city will take away. And  
16                  I think everything was just kind of mixed up.  
17                  And, from what I understand, talking his own  
18                  Manager, they weeded through and put all the  
19                  trash, once the trash collection was restored  
20                  and the dumpster was emptied, then they went  
21                  through this and put the trash into where it  
22                  was supposed to go, and then the city came and

1           took the boxes away.

2                        Because the city will do the  
3           recycling.

4                        MR. PERRY: How long did that go  
5           on?

6                        MS. RIPLEY: It looks like the case  
7           was opened January 7th, and I've got  
8           photographs in here up until the 22nd.

9                        MR. PERRY: Okay.

10                      MR. BRAYMAN: That's of this year?

11                      MS. RIPLEY: Yes.

12                      MR. BRAYMAN: Do you characterize  
13           that as a potential rat infestation problem?

14                      MS. RIPLEY: Yes, I called the  
15           Health Department and asked them to visit as  
16           well.

17                      MR. BRAYMAN: Anything else, Mr.  
18           Perry?

19                      MR. PERRY: The other, apparently  
20           as Ms. Ripley has stated that the county  
21           doesn't require the parking lot to be paved or  
22           lined.

1                   Do we have any ordinances within  
2                   the city that talk about the condition of  
3                   parking lots or they just, wherever the people  
4                   decide to park, they park?

5                   MS. RIPLEY: What we normally do is  
6                   if there's some really bad ruts, holes and  
7                   whatever, we'll try to get them to get it a  
8                   little bit more orderly. But we won't cited  
9                   them to pave it.

10                  MR. PERRY: Okay, thank you.

11                  MR. BRAYMAN: I saw some hands down  
12                  here. Let me just remind people we need to  
13                  try to even limit ourselves to two bites at  
14                  the apple if we can. But I'll try to be  
15                  lenient on that. Did I see more hands down  
16                  here? Mr. Wojahn.

17                  MR. WOJAHN: Thank you. Now the,  
18                  for the lack of a Residential Occupancy Permit  
19                  as it states here in the judgement, plus court  
20                  costs awarded. So the Prince George's County  
21                  Court has awarded the city the fine charged to  
22                  Mr. Gordon in that case, correct?

1 MS. RIPLEY: That's correct.

2 MR. WOJAHN: Okay, so has he paid  
3 that yet?

4 MS. RIPLEY: No.

5 MR. WOJAHN: Okay. Now the lack of  
6 a Liquor License, that's what it says in here,  
7 license required?

8 MS. RIPLEY: Yes.

9 MR. WOJAHN: And what, what stage  
10 is that at now, what has the city done as far  
11 as enforcing that requirement?

12 MS. RIPLEY: Waiting for a court  
13 date.

14 MR. WOJAHN: Okay.

15 MR. BRAYMAN: Okay, was there  
16 anymore on the right? Okay, Ms. Cook and Mr.  
17 Cook.

18 MS. COOK: Yes, according to our  
19 use agreement p-

20 MR. BRAYMAN: The property use  
21 agreements?

22 MS. COOK: Yes, the property use

1 agreement.

2 MR. BRAYMAN: Ms. Cook, Ms. Cook,  
3 let me just, we're trying to keep this to the  
4 germane of the jurisdiction of the Liquor  
5 Board. Ultimately that's what this is on.

6 We will opine as to the Liquor  
7 License. They don't necessarily recognize  
8 that, so if it's something that also falls  
9 into the criteria that Ms. Ferguson reviewed  
10 in the beginning, I think it's germane. But  
11 I don't want to get into all the property use  
12 agreements and some of the nuances there, if  
13 you would, if you can couch it within that,  
14 I'd be appreciative.

15 MS. COOK: Okay, I guess, my  
16 understanding is that there was some live  
17 music outside the actual restaurant building,  
18 a couple of those nights back in the  
19 summertime when there were complaints. Could  
20 you verify that?

21 MS. RIPLEY: Yes, I can, yes, from  
22 seeing their reports.

1 MS. COOK: Okay. No, because I did  
2 receive some phone calls from residents back  
3 on Autoville Drive stating that they were, you  
4 know, disturbed by the noise. I just wanted  
5 to check that with you.

6 MR. GORDON: Ms. Cook, my read of  
7 the property agreement anticipates that there  
8 is live entertainment, including on the patio.

9 MS. COOK: On the patio, too, okay.

10 MR. GORDON: So as long as it's  
11 within, as long as it doesn't disturb  
12 neighbors and was within our noise Code, I  
13 would think that that would be permissible.

14 MS. COOK: So I guess it was okay  
15 it was on the patio, it just disturbed the  
16 neighbors.

17 MR. BRAYMAN: Well, do we know  
18 exactly where it was and what the volume was?

19 MR. GORDON: Ms. Ripley already  
20 reported on that. No, we don't. We don't  
21 know what the volume was.

22 MR. BRAYMAN: There's numerous

1 events, so pardon me if I can't always keep  
2 them all straight. Anything else, Ms. Cook?

3 MS. COOK: No, thank you, Mr.  
4 Mayor.

5 MR. BRAYMAN: Were you able to get  
6 in what you wanted?

7 MS. COOK: I certainly did, thank  
8 you.

9 MR. BRAYMAN: All right, okay,  
10 thank you for going along with the rules of  
11 the road. Mr. Cook?

12 MR. COOK: This will be my last  
13 question for staff for now, so we can move  
14 this along. How long did the city not pick up  
15 recyclables at The Perk?

16 MS. RIPLEY: From what I understand  
17 they weren't going to pick it up until it was  
18 removed from the garbage. They had to  
19 separate it out.

20 MR. COOK: So, a week, ten days?

21 MS. RIPLEY: I'm going to, well,  
22 again we opened it January 7th, and I have

1 pictures up to the 22nd, where it looked all  
2 mixed up. So, over two weeks.

3 One day when the Code Enforcement  
4 Officer was up there, Mr. Gordon backed his  
5 truck up to it and said he was going to get  
6 started on it, but nothing happened that day  
7 or a few days after.

8 MR. COOK: They don't provide bins  
9 or they don't, aren't required to have bins  
10 for the recyclables, like city residents?

11 MS. RIPLEY: This is a restaurant.

12 MR. COOK: Yes, and? Are  
13 restaurants required to have bins to put the  
14 recyclables in?

15 MS. RIPLEY: The only thing they  
16 take is their cardboard.

17 MR. COOK: Thank you.

18 MR. BRAYMAN: Ms. Ripley, how long  
19 after it was separate from the garbage did we  
20 pick up the cardboard?

21 MS. RIPLEY: I would have to check  
22 with Public Works, I don't know the exact day.

1                   MR. BRAYMAN: You had staff  
2 monitoring the situation?

3                   MS. RIPLEY: Daily, but I didn't  
4 ask that question.

5                   MR. BRAYMAN: Okay, all right.  
6 Okay. All right, not seeing anyone else, Mr.  
7 Gordon, you're second on the list, but  
8 actually since you're the License Holder I'd  
9 like to call you up.

10                   I don't know if you have anybody  
11 representing you. You're representing  
12 yourself, correct?

13                   MR. GORDON: Yes, sir.

14                   MR. BRAYMAN: Okay, if you'd state  
15 your name and address for the record and give  
16 you a chance to make an opening statement.  
17 Maybe you would address the concerns p-

18                   MR. GORDON: My name is Chris  
19 Gordon, I live at 9078 Baltimore Avenue,  
20 College Park, Maryland. Real quick, just a  
21 couple of things, the last things that came  
22 up.

1                   The city hasn't picked up  
2           recycling at our place for over three years,  
3           years. Basically, the reason I was told was  
4           we make too much recycling.

5                   Which really doesn't seem to make  
6           sense. The idea is to get more of the  
7           recycling into the system. So, additionally,  
8           the trash pile that you saw, if you'll look  
9           closely at that, there's nothing in there but  
10          cardboard, glass, cans.

11                  It is entirely, 100 percent  
12          recyclable and it was not picked up by the  
13          city. As far as our Liquor License goes, we  
14          have not paid it, that is correct, the City  
15          Liquor License.

16                  We do have one from the state,  
17          administered by the county. As best I can  
18          tell, I don't see where the city has the  
19          authority to regulate alcohol sales, hence you  
20          don't have the authority to have a Liquor  
21          License.

22                  I think, you know, this is

1 something we're probably not going to solve  
2 here today. As Ms. Ripley said, we have a  
3 court date coming up or as soon as they assign  
4 one, I think we'll take it out there.

5 Noise complaints. All the noise  
6 readings at our place are taken off of Route  
7 1. Mr. Cook asked a while ago what the  
8 average noise reading was off of Route 1?

9 It is 76.2. There was a study  
10 done by JPI, of which I have a copy of it, if  
11 you'd like. I don't have it with me, but I'd  
12 be more than happy to forward it to you.

13 With the average noise reading  
14 being about 80, the noise reading at night was  
15 in the 76 range, I think 76.2.

16 So, very loud. Far above the 55  
17 decibels that you're allowed to have. As far  
18 as banner signs go, I'm allowed to have them  
19 within 15 feet of my seating.

20 They are within 15 feet of the  
21 seating. Parking on the grass. You have to  
22 come onto my property actively looking for

1 something to do that, and there's really no  
2 cause for that.

3 It's not something you can see  
4 from the road. There's really, I don't see  
5 any cause to have Code Enforcement Officers  
6 coming onto the property to find my truck  
7 parked in front of my house, loading stuff up,  
8 and mark that as parked on the grass, which is  
9 what that was.

10 As far as the Code violation or  
11 the zoning violation. It basically says that  
12 we are not allowed to have music past 11:00,  
13 if we adjoin residential property.

14 The only residential property I  
15 adjoin, I own all of it. I don't see where it  
16 really has any affect on this if I own the  
17 entire residential piece of property that  
18 abuts this.

19 We paid, last year we paid about  
20 \$121, a little over \$121,000.00 in taxes. I  
21 don't see, you know, between property taxes  
22 and sales taxes, I don't see where the city

1 really needs an additional 700 bucks out of  
2 me.

3 It just doesn't make any sense to  
4 me. If anything, I'm paying \$121,000.00 a  
5 year, I would expect someone from the city to  
6 come to my place every now and then just  
7 going, hey, what can we help you with.

8 To this date, I have not seen a  
9 staff member at my place asking me what can we  
10 do to help? Mr. Ryan has been there a few  
11 times, enjoyed a drink on the front porch.

12 But that's really about it. You  
13 know, we have an Economic Development Group  
14 here, it would probably be nice if somebody  
15 would stop by at some point in time. Do you  
16 guys have any questions for me?

17 MR. BRAYMAN: You're done with your  
18 statement?

19 MR. GORDON: Apparently, sir.

20 MR. BRAYMAN: Okay, all right. Any  
21 questions? Mr. Wojahn.

22 MR. WOJAHN: How many people are

1 living in the apartments above and around?

2 MR. GORDON: Five people live  
3 upstairs and all the houses in the back are  
4 one-bedroom houses, they have one or two  
5 people in them.

6 Also I have not, basically the  
7 thing says I refuse to let them be inspected.  
8 As a matter fact Mr. Daves stopped by three or  
9 four days ago and asked to inspect them.

10 I told him he would be more than  
11 welcome to inspect them, just please set a  
12 date with me in the future so I can notify the  
13 tenants and he'd be more than happy to come  
14 through.

15 What I did say, what I have told  
16 the city in the past is that \$210.00 a house  
17 is extremely unreasonable, especially when  
18 P.G. County charges \$75.00, and that's for a  
19 two-year permit.

20 And their inspection is  
21 considerably more extensive. The one College  
22 Park does is one sheet of paper with

1 approximately 24 check boxes on it.

2 If you work that out, how long it  
3 takes to fill that out, and I'm paying \$210.00  
4 for it, it's about \$3,000.00 an hour. I'm  
5 sorry, but I just don't think it's worth it.  
6 \$3,000.00 an hour is a lot of money.

7 MR. BRAYMAN: Is this why you  
8 refuse to get Occupancy Permits for p-

9 MR. GORDON: No, sir, I didn't say  
10 I refuse to get them, I just said I would only  
11 pay what the county charges which is \$75.00  
12 every two years. I think that's a very  
13 reasonable amount.

14 MR. BRAYMAN: But would you say,  
15 would you say that there's more than one  
16 apartment on the property?

17 MR. GORDON: Yes, there is. Well,  
18 no, they're all individual lots. Does that  
19 answer your question?

20 MR. BRAYMAN: So do all of them, do  
21 you have Occupancy Permits for all of them?

22 MR. GORDON: I have an Occupancy

1 Permit for the county, yes. For all the  
2 places, yes.

3 MR. BRAYMAN: Do you have an  
4 Occupancy Permit from the city?

5 MR. GORDON: I do not. The city  
6 hasn't come out to inspect them.

7 MR. BRAYMAN: Have you applied for  
8 Occupancy Permits from the city, for those  
9 apartments?

10 MR. GORDON: I have not, because  
11 they've told me they would only take it with  
12 the \$210.00, and I said I would give \$75.00,  
13 every other year.

14 MR. BRAYMAN: How many total rental  
15 units do you have on the site?

16 MR. GORDON: Approximately four.

17 MR. BRAYMAN: You're including the  
18 apartment as one?

19 MR. GORDON: Correct, it is one.

20 MR. BRAYMAN: But it has five  
21 occupants?

22 MR. GORDON: I don't see what that

1 has to do with it, sir?

2 MR. BRAYMAN: Just asking.

3 MR. GORDON: Oh, yes.

4 MR. BRAYMAN: Okay, all right. So  
5 how many total occupants do you have, over the  
6 four units?

7 MR. GORDON: About six. I'm sorry,  
8 five, eight.

9 MR. BRAYMAN: Anyone else? We'll  
10 come down the line here, Mr. Catlin?

11 MR. CATLIN: Yes, thank you, Mr.  
12 Mayor. Mr. Gordon, you know you make it sound  
13 like the city is charging an exorbitant amount  
14 of money.

15 But if you look at all the other  
16 neighboring jurisdictions, they all charge  
17 basically between 200, \$250.00 for a rental  
18 license. Are you aware of that?

19 MR. GORDON: I didn't say they were  
20 right either. Just because someone jumps off  
21 a bridge, like my mom said when I was a kid,  
22 doesn't mean I've got to do it, too.

1                   MR. CATLIN: And with respect to  
2                   the, I guess the county's permit, are you also  
3                   aware that the neighborhood of University  
4                   Hills asked to be annexed into the city of  
5                   Hyattsville because they weren't, one of the  
6                   reasons was they weren't happy with the Prince  
7                   George's County Code Enforcement.

8                   And, in fact, that annexation took  
9                   place and the residents of University Hills  
10                  have to pay perhaps eight or nine hundred  
11                  dollars more on property taxes as they did  
12                  before?

13                  MR. GORDON: I'm sure they all  
14                  didn't want that.

15                  MR. CATLIN: They did not want it,  
16                  but it went to court and they had the majority  
17                  of people who wanted annexation into the city.  
18                  Thank you.

19                  MR. BRAYMAN: Mr. Perry.

20                  MR. PERRY: Thank you, Mr. Mayor.  
21                  Gordon, it's good to see you this evening,  
22                  thank you for coming down. I've been accused

1 of having a bad attitude and that's a sense  
2 I'm getting from you, I can get that from you.

3 Something is wrong with this  
4 picture. You know I've been in your  
5 establishment years ago and you were very  
6 active in a number of things here in the city.

7 And it's just amazing to me that  
8 some of these things are being said this  
9 evening. Did you have a contract with the  
10 City of College Park to remove your trash?

11 MR. GORDON: No, sir. I have a  
12 dumpster that does that for my, for the  
13 commercial stuff.

14 MR. PERRY: You didn't have a  
15 contract with the city to take the trash away  
16 from your property?

17 MR. GORDON: No, sir, I have one  
18 for the commercial stuff that does all, I have  
19 a contract with Waste Management who does all  
20 my commercial stuff.

21 MR. PERRY: In the past?

22 MR. GORDON: No, sir, I've never

1 had a contract with the city that I know of.  
2 As a matter of fact, the city has, in fact,  
3 refused to pick up most of the trash at my  
4 place, from the residential areas, citing that  
5 they're rental units and they charge an extra  
6 \$180.00, or you charge an extra \$180.00 a  
7 year, per house, per trash pickup, if it's a  
8 rental.

9 I think that's illegal on it's  
10 base and it's immoral, at the very least.  
11 That you would charge a renter more money to  
12 pick up their trash than for an owner-occupied  
13 home.

14 I think it's unbelievably wrong  
15 and I think you guys have a law suit going on  
16 with the PGPOA at the moment, about that.

17 MR. PERRY: I heard what you said  
18 earlier on, about that you didn't like the  
19 city charge for a Liquor License. And,  
20 believe it or not, this is the wrong forum for  
21 that.

22 If you don't like that law, then

1           that could go to Annapolis and they should  
2           take it out of the state law.

3                         We are permitted, by law, to  
4           collect this and everybody else in the city  
5           that has a license pays it. One of the  
6           reasons that the Mayor and Council can object,  
7           if you were here earlier and you heard the  
8           attorney, compliance with state law or local  
9           laws, is one of the reasons that we can object  
10          to the license.

11                        And if you say, well, I'm sorry  
12          College Park, I don't agree with it, well, we  
13          can tell the Board of License Commissioners  
14          that. And that's one of the things we can do  
15          and we can hang our hat on, I feel.

16                        MR. GORDON: Mr. Perry, I don't  
17          disagree with you on that. This is one of  
18          these things where I don't believe the city  
19          has been given the authority to regulate  
20          alcohol sales, and I'm quite sure of that.

21                        MR. PERRY: We are.

22                        MR. GORDON: Would, would, I've

1 never seen a statute on that. I'd be  
2 appreciative if you could show it to me.

3 MR. PERRY: Ms. Ferguson is holding  
4 it right in her hand now and she'll give it to  
5 you.

6 MR. GORDON: The authority to issue  
7 a Liquor License. This says 20 percent.

8 MR. PERRY: Pardon me?

9 MR. GORDON: This is says 20  
10 percent. First of all, you overcharged me and  
11 you've overcharged everyone else.

12 MR. BRAYMAN: It's at a minimum out  
13 of context there, Mr. Gordon, but there is a  
14 statute that supports something.

15 MR. GORDON: Sir, it says not  
16 exceeding 20 percent.

17 MS. STULLICH: One hundred percent  
18 of what?

19 MR. GORDON: Of my state Liquor  
20 License. Which means the \$700.00 you've asked  
21 for is considerably more. About, a little  
22 more than twice.

1                   MR. BRAYMAN: That may or may not  
2                   be accurate, but at least, though, that does  
3                   substantiate the authority for the city to p-

4                   MR. GORDON: I'll give you that,  
5                   and I'll be more than happy to write you a  
6                   check for 20 percent. Is that fair?

7                   MR. BRAYMAN: I'm not prepared, at  
8                   this point, to answer that.

9                   MR. GORDON: Sir, I'm really not  
10                  trying to be difficult with this, I'm just  
11                  trying to stand up for my rights, that's all.

12                  MR. BRAYMAN: Mr. Gordon, Mr.  
13                  Gordon, up until 30 seconds ago you were  
14                  testifying that you knew nothing of any  
15                  authority whatsoever and were challenging that  
16                  authority and, to the point of noncompliance.  
17                  Is that correct?

18                  MR. GORDON: I'm sorry, sir, could  
19                  you repeat that?

20                  MR. BRAYMAN: Up until 30 seconds  
21                  ago, you were challenging any authority of the  
22                  city to issue Liquor Licenses, and so

1            basically saying you had no authority, so I'm  
2            not out of compliance, because you have no  
3            authority.

4                        MR. GORDON: I'm not unreasonable.  
5            I'm more than happy if you show me the law on  
6            it, which I've asked for a number of times.  
7            It's just never been provided.

8                        MR. BRAYMAN: Whose job is it to  
9            know the law in our great land?

10                       MR. GORDON: As I said, I was wrong  
11           with that and I'd be more than happy to write  
12           you a check for 20 percent.

13                       MR. BRAYMAN: Wrong on anything  
14           else that's come up tonight?

15                       MR. GORDON: It's very possible.  
16           I'm not saying I'm right on all this. I'm  
17           just trying to stand up for what I think is  
18           right.

19                       At some point, you know, we'll  
20           probably end up in Court and someone else will  
21           decide this.

22                       MR. BRAYMAN: Is it the job of the

1 Government to be, I mean ignorance of the law  
2 is no excuse. Isn't that an old adage that  
3 probably goes back before the land was  
4 founded?

5 MR. GORDON: And I think I've  
6 agreed that I would be happy to pay this.

7 MR. BRAYMAN: Anyway, Mr. Perry,  
8 you had the floor.

9 MR. PERRY: I have one more. Mr.  
10 Gordon, is your property currently for sale?

11 MR. GORDON: It has been for about  
12 three years, so we've actually been  
13 entertaining offers for people to kind of join  
14 us in it and help us develop it. So, yes and  
15 no, if that makes sense.

16 MR. PERRY: Two million six hundred  
17 thousand dollars?

18 MR. GORDON: Actually 3.2.

19 MR. PERRY: Oh, 3.2, I'm sorry, I  
20 had the numbers turned around.

21 MR. GORDON: Are you making an  
22 offer?

1 MR. PERRY: I was thinking about  
2 going in my checking account and getting that  
3 for you anyway.

4 (Laughter.)

5 MR. BRAYMAN: Off your stipend.

6 MR. PERRY: Yeah, off of what the  
7 city pays me.

8 (Laughter.)

9 MR. PERRY: Okay, the other  
10 question I would have is you are extremely  
11 satisfied with the condition of your property?

12 MR. GORDON: Mr. Perry, do you  
13 remember what it looked like before I bought  
14 it?

15 MR. PERRY: A bird house.

16 MR. GORDON: Yes, sir. It was so  
17 grown up in the front, you could not see the  
18 place. People didn't know it was there.  
19 There were three tractor trailers abandoned on  
20 the spot.

21 There were 14 cars that were  
22 abandoned back there. You couldn't, the place

1 had grown up so badly, you could only park one  
2 or two cars there.

3 So, I think, if anything, you  
4 should look at it and go, wow, it looks so  
5 much better now than it did when you bought  
6 it. Thank you.

7 MR. PERRY: Do you have any plans  
8 for continued improvement?

9 MR. GORDON: Of course, sir. We've  
10 started painting the place, it will probably  
11 be painted this spring, as soon as it gets a  
12 little bit warmer.

13 I would put a new roof on it, and  
14 put a new roof on two of the houses in the  
15 back.

16 MR. PERRY: The wooden windows  
17 would go away?

18 MR. GORDON: Excuse me?

19 MR. PERRY: The wooden windows and  
20 wooden doors that are p-

21 MR. GORDON: They'll probably get  
22 painted.

1 MR. PERRY: Oh, paint them, okay.

2 And you'll finish the fence?

3 MR. GORDON: Jack, there are 54

4 windows in that front house.

5 MR. PERRY: You bought it, you

6 know.

7 (Laughter.)

8 MR. GORDON: I know, I'm fine with

9 the wooden windows for now.

10 MR. PERRY: Okay, thank you.

11 MR. GORDON: Thank you.

12 MR. BRAYMAN: We're going to go

13 once, all the way down the dias here. Mr.

14 Cook.

15 MR. COOK: Just one more question.

16 You've already described how you've improved

17 the property and the city staff was unable to

18 say how much in revenue the property paid in

19 taxes prior to your purchase of it.

20 And you've told us how much that

21 you pay in taxes, \$121,000.00. I assume

22 before that there were probably next to know

1 taxes being paid, except maybe the property  
2 tax by the owners.

3 MR. GORDON: The property tax at  
4 that time was about \$7,000.00.

5 MR. COOK: Okay, so p-

6 MR. GORDON: It went from seven to  
7 121.

8 MR. COOK: So, \$114,000.00 in extra  
9 taxes that you're contributing to the state  
10 and to the county and the city?

11 MR. GORDON: Correct.

12 MR. COOK: How many people do you  
13 give jobs to?

14 MR. GORDON: Since we've opened,  
15 we've employed almost 400 people, and we  
16 currently employ 31.

17 MR. COOK: Thank you very much.

18 MR. BRAYMAN: Do you offer health  
19 care benefits?

20 MR. GORDON: At the moment we  
21 don't, we have in the past for some of our  
22 full time employees.

1                   MR. BRAYMAN: How many of those  
2                   have you had?

3                   MR. GORDON: Full time employee?

4                   MR. BRAYMAN: Yes, how many do you  
5                   have now, that you offer health care to?

6                   MR. GORDON: We don't offer health  
7                   care to anyone at the moment.

8                   MR. BRAYMAN: Do you get it?

9                   MR. GORDON: I pay for it out of my  
10                  own pocket.

11                  MR. BRAYMAN: Any other questions  
12                  on the way down? The \$121,000.00 in taxes,  
13                  does that include sales tax?

14                  MR. GORDON: Yes, sir.

15                  MR. BRAYMAN: Liquor tax?

16                  MR. GORDON: I don't think there is  
17                  such a thing, sir.

18                  MR. BRAYMAN: Oh, yeah, that's why  
19                  the state issues these Liquor Licenses is to  
20                  generate --

21                  MR. GORDON: We just, but it's all  
22                  paid before it gets to me.

1                   MR. BRAYMAN: You're not including  
2                   that in it?

3                   MR. GORDON: I did not even include  
4                   that. There's more there, yes. I just  
5                   included the sales tax.

6                   MR. BRAYMAN: So what's the city  
7                   tax, out of that \$121,000.00?

8                   MR. GORDON: Well, I don't know  
9                   exactly how your budget works, I'll give you  
10                  that. But my guess is that you get part of my  
11                  property taxes, which I know you do because I  
12                  see the line item on there.

13                  I'm sure you get a portion of the  
14                  income tax, and I've seen on the budget  
15                  there's a line for sales tax.

16                  MR. BRAYMAN: Well, we don't get  
17                  any sales tax.

18                  MR. GORDON: I don't know what the  
19                  piece of it was, but you probably could answer  
20                  that better than I could.

21                  MR. BRAYMAN: We don't get any  
22                  sales tax. And, as to income tax, I know we

1 get some from residential, I'm not sure we get  
2 any from commercial. But I just p-

3 MR. GORDON: That would all be  
4 individual.

5 MR. BRAYMAN: How much of the  
6 \$7,000.00 was city tax? You said that prior  
7 to that p-

8 MR. GORDON: It was \$7,000.00. My  
9 tax, just my property taxes now are about  
10 \$14,000.00 a year. Which portion of that goes  
11 to the city, I don't know. But you'd probably  
12 know the percentage more than I would.

13 MR. BRAYMAN: Okay. Well, if I'm a  
14 resident, in the past five years my assessment  
15 has doubled, okay? So what's driving your  
16 taxes going up? Your improvements or the new  
17 assessments and the value of land on Route 1  
18 now?

19 MR. GORDON: I'd say probably a  
20 combination of both.

21 MR. BRAYMAN: Estimate the  
22 percentage of which one's been driving it

1 further?

2 MR. GORDON: Really not my field of  
3 expertise, sir.

4 MR. BRAYMAN: All right, you  
5 indicated that, well let me just say that we  
6 have, at the start, three of the criteria,  
7 well, two of the criteria that I think apply  
8 to this.

9 But one is the Applicant is a fit  
10 person to receive the license for which  
11 application is made. This is state law that  
12 the Board of License Liquor Commissioners  
13 follow.

14 And the Applicant has not  
15 practiced fraud in connection with the  
16 application or the operation of the business.

17 Do you think in anyway, I mean I  
18 sort of feel like you're, Jack termed it as a  
19 bad attitude, but, you know, you're trying to  
20 practice some type of civil disobedience by  
21 not complying with the laws.

22 Does that make you qualify for

1           those two criteria?

2                       MR. GORDON: I would say just the  
3           opposite. Sir, it's your duty to stand up and  
4           make your government answer for what they do.  
5           That's what citizens are supposed to do.

6                       MR. BRAYMAN: Okay, through this,  
7           through these mechanisms? Versus all the  
8           other mechanisms that are available to you?

9                       MR. GORDON: On this case I really  
10          don't see there are only two mechanisms, pay  
11          it or don't pay it. And if I don't pay it,  
12          basically, at some point, you know, as Ms.  
13          Ripley said, you know, we have some court  
14          dates coming up.

15                      And when we get there, a third  
16          party will decide, you know, whether my views  
17          are or aren't right or views are or aren't  
18          right.

19                      And if they decide your views are  
20          right, then that's perfectly fine by me, I'll  
21          understand that. I'm not trying to be a bad  
22          actor here.

1                   I just, I don't think they're  
2                   right and this is the way you're supposed to  
3                   challenge your government, sir. Like I said,  
4                   I really don't, I'm not trying to be a pain in  
5                   the butt about this, it's just how it p-

6                   MR. BRAYMAN: Can I challenge the  
7                   speed limit laws by speeding?

8                   MR. GORDON: I think you can and  
9                   people have. And they've lost.

10                  MR. BRAYMAN: And that's a  
11                  responsible way of challenging my government?

12                  MR. GORDON: I haven't been a  
13                  danger to anyone's lives by not paying the  
14                  city Liquor License, I'm pretty sure of that.

15                  MR. BRAYMAN: So the tax case, you  
16                  mentioned that the city picking up the trash  
17                  and whether that's a health and welfare,  
18                  public safety issue.

19                  The tax case was resolved and the  
20                  city prevailed, so actually the court  
21                  determined that the city's levying a fee for  
22                  trash is valid.

1                   That was a couple of years ago.  
2                   So challenging that by not having your trash  
3                   picked up, you also mentioned that the city  
4                   picking up recyclables.

5                   I mean, I heard that we only pick  
6                   up cardboard. And you mentioned p-

7                   MR. GORDON: That's incorrect, sir.

8                   MR. BRAYMAN: We pick up  
9                   everything?

10                  MR. GORDON: Yes, sir, you do.

11                  MR. BRAYMAN: Okay. And so you're  
12                  saying there was no trash in the piles of heap  
13                  that we see in these pictures?

14                  MR. GORDON: That is exactly what  
15                  I'm saying.

16                  MR. BRAYMAN: And was Code out  
17                  there daily?

18                  MR. GORDON: Yes, sir.

19                  MR. BRAYMAN: Did you endeavor to  
20                  show them there was no trash in there?

21                  MR. GORDON: Yes, sir.

22                  MR. BRAYMAN: And what did they do?

1           MR. GORDON: I think you have the  
2           response of it right there. Generally, I  
3           would receive a notification from the city,  
4           anywhere from two to three days after the  
5           reinspection date was scheduled, which is  
6           generally kind of hard to fix if you're  
7           notified of it three days afterward.

8           If you'd like, I have the  
9           envelopes with the dates and stuff stamped on  
10          it with the, I'd be more than happy to show it  
11          to you that, you know, the stuff was mailed  
12          three days after the reinspection date.

13          MR. BRAYMAN: All right, recently  
14          we had a court proceeding on one of our  
15          violations that we issued to you.

16          MR. GORDON: Right, sir. At the  
17          time I did not know about it, we've appealed  
18          that already. You'll probably get something  
19          on it in the very near future. It was for a  
20          noise violation, sir.

21          MR. BRAYMAN: Why didn't you know  
22          about it?

1                   MR. GORDON: I don't think I got  
2                   the summons on it. If I did, I would have  
3                   been there.

4                   MR. BRAYMAN: Okay, so you're  
5                   saying the Failure To Appear should not be  
6                   held against you?

7                   MR. GORDON: No, sir, I'm just  
8                   saying we've appealed it and we'll see how it  
9                   comes out when that comes around.

10                  MR. BRAYMAN: And the Zoning Code  
11                  violation, you're saying that you only abut  
12                  your own property?

13                  MR. GORDON: Right.

14                  MR. BRAYMAN: So have you reached  
15                  out for any explanation from Park and Planning  
16                  or the city or the county, since the city has  
17                  the jurisdiction as to how that is ruled?

18                  MR. GORDON: I have not yet, but we  
19                  will before the 22nd.

20                  MR. BRAYMAN: So p-

21                  MR. GORDON: We were asked to  
22                  correct it by the 22nd, and we don't have

1 anything on it yet.

2 MR. BRAYMAN: Do you ever act in a  
3 proactive fashion? Such as finding out about  
4 these things as soon as they happen? Or is it  
5 only when the government brings you to task,  
6 would you then determine whether or not  
7 that's, you're going to learn what is allowed  
8 and what isn't allowed?

9 MR. GORDON: No, sir, I think we've  
10 had many conversations about the city and I  
11 said, you know, as far as the rental  
12 inspections go, I've been active and said that  
13 I'd be more than happy to pay what I think is  
14 a reasonable fee and p-

15 MR. BRAYMAN: But until that fee  
16 meets your definition of reasonable and what  
17 you're willing to pay, you're going to prevent  
18 the city from checking in on the health and  
19 welfare of your tenants?

20 MR. GORDON: Actually, sir, I said  
21 earlier that Mr. Daves came by and I told him  
22 I would be more than happy to schedule, he

1           could schedule an inspection.

2                       MR. BRAYMAN: How long have you  
3           rented?

4                       MR. GORDON: Actually, Mr. Daves  
5           has been through the place a couple of times.

6                       MR. BRAYMAN: But I think I heard  
7           that we haven't had access or licenses since  
8           2005, and so we're in 2008.

9                       MR. GORDON: You haven't had  
10          payment since 2005, sir.

11                      MR. BRAYMAN: Have we done  
12          inspections since 2005?

13                      MR. GORDON: Mr. Daves has been  
14          there a number of times and there was another  
15          gentleman, I can't remember his name off the  
16          top of my head, Bruce something, Bruce Conway,  
17          he was also there as well.

18                      MR. BRAYMAN: He performed  
19          inspections?

20                      MR. GORDON: Yes, sir, they've been  
21          through the places. I said I've not refused  
22          anything on this. I'd be more than happy, I

1 just think the fees are exorbitant.

2 MR. BRAYMAN: Okay, another  
3 criteria that we're supposed to look at is the  
4 operation of the business, if the license is  
5 granted, will not unduly disturb the peace of  
6 the residents of the neighborhood in which the  
7 place of business is to be located.

8 You're saying you're not  
9 disturbing the neighborhood?

10 MR. GORDON: What I'm saying is we  
11 have four outdoor concerts a year, sir, four.  
12 We're in a college town. The concerts are  
13 always over before 11:00.

14 The one recent thing where we had  
15 something that they said was past 11:00, it  
16 was inside. And, yes, you could probably hear  
17 it outside, but it's not loud enough to amount  
18 to anything, which is why there was nothing  
19 done about it. Because when they tried to  
20 read it, it was far below the minimum.

21 MR. BRAYMAN: Okay, so whether  
22 there's one or 100 houses, or whether there's

1           one or 100 or only four concerts, that all  
2           matters as to how often, how much, huh?

3                       MR. GORDON: Well, I would think  
4           that we live in a college town, sir, and you  
5           have to make some allowances for stuff.  
6           Additionally, we live right in Route 1, where  
7           I said the average noise coming off it is  
8           above 76 decibels.

9                       MR. BRAYMAN: I'm asking you as to  
10          whether you do or do not disturb the  
11          neighborhood. Have you or have you not  
12          disturbed the neighborhood in the past year?

13                      MR. GORDON: Not outside the legal  
14          bounds.

15                      MR. BRAYMAN: Not outside the legal  
16          bounds.

17                      MR. GORDON: I'm allowed a certain  
18          amount of noise, sir. And, unfortunately,  
19          I've had a couple of my neighbors, I should  
20          say one. I don't want to bring his name up,  
21          but you guys probably know who it is. We had  
22          a discussion about this, who lives on

1           Autoville Road.

2                         And, at what point in time, I was  
3           at his house handing out cards, talking to my  
4           neighbors. And they were having a drum circle  
5           at my place.

6                         He, already at that point in time  
7           he pointed out that he could hear the drums.  
8           And at which point in time, I believe, he  
9           called as well.

10                        They were far below the minimum  
11           level, far below. So it doesn't matter if you  
12           can hear it or if it disturbs you, sir, it  
13           just matters if I'm within the law.

14                        MR. BRAYMAN: Well, I'm not sure  
15           that's the criteria that the Liquor Board goes  
16           by, but you might be right, and you may not  
17           be. Okay? Let's see, let's start back down  
18           here, Mr. Wojahn, do you have more?

19                        MR. WOJAHN: Yes, I do, thank you.  
20           Do you have any handicapped parking spots in  
21           your parking lot?

22                        MR. GORDON: We do not, sir.

1 MR. WOJAHN: Okay.

2 MR. GORDON: We weren't required to  
3 at the time.

4 MR. WOJAHN: Has anybody ever  
5 complained to you about the accessibility of  
6 your facility?

7 MR. GORDON: No, sir. We have one  
8 handicapped bathroom and we also have a ramp.

9 MR. WOJAHN: But you're saying that  
10 nobody has ever complained to you about  
11 whether or not they, nobody's ever come to you  
12 in a wheelchair and said that they p-

13 MR. GORDON: Sir, we have many  
14 people that come there in wheelchairs.

15 MR. WOJAHN: And has anybody ever  
16 complained to you about their ability to get  
17 around in a wheelchair?

18 MR. GORDON: Not that I know of.  
19 They've never complained to me, no. Actually,  
20 I shouldn't say that. One guy did come up and  
21 said the bump on the other side of the door,  
22 when you dropped off, it dropped off about an

1           inch and asked me if I would put some kind of  
2           slight piece in there to stop it, which we  
3           did.

4                       MR. WOJAHN: All right, and then I  
5           just had one other question. What is your,  
6           what is your annual revenue, approximately?

7                       MR. GORDON: I would have to say  
8           it's somewhere in the area of 350 to 400.

9                       MR. WOJAHN: Thousand?

10                      MR. GORDON: Thousand.

11                      MR. WOJAHN: And how much of that  
12           is, does that include the apartments?

13                      MR. GORDON: That does not.

14                      MR. WOJAHN: Okay, how much do you  
15           charge for rent for the apartments?

16                      MR. GORDON: Anywhere from \$800.00  
17           to \$2,600.00.

18                      MR. WOJAHN: \$2,600.00, is that for  
19           p-

20                      MR. GORDON: That is for a five-  
21           bedroom house including utilities.

22                      MR. WOJAHN: Okay, so is that the,

1 is that the upstairs apartment, the five  
2 bedrooms up there?

3 MR. GORDON: Yes, it's a deal.

4 MR. WOJAHN: And how much for the  
5 one-bedroom apartments? For the one-bedroom  
6 apartments, how much?

7 MR. GORDON: They are one-bedroom  
8 houses and they go anywhere from \$850.00 to  
9 \$1,000.00.

10 MR. WOJAHN: How many square feet  
11 are those?

12 MR. GORDON: Anywhere between 700  
13 and I guess 1,100.

14 MR. WOJAHN: So that's, the p-

15 MR. GORDON: The one that's 700 is  
16 the one I live in.

17 MR. WOJAHN: \$210.00 for each one-  
18 bedroom house, that's what, let me think.  
19 That's less than \$20.00 a month, right?

20 MR. GORDON: If it's 15 cents sir,  
21 if it's wrong, it's wrong.

22 MR. WOJAHN: Oh, you believe that,

1 oh, so you believe any amount for an Occupancy  
2 Permit that the city might charge, is wrong?

3 MR. GORDON: No, sir. I said I  
4 think that some of the other municipalities  
5 have set a reasonable fee. Unfortunately the  
6 ones that border us right now have taken their  
7 leave from College Park, I think, and started  
8 to charge considerably more.

9 MR. WOJAHN: I just heard you say  
10 that if we charge 15 cents per month, that  
11 that would be wrong.

12 MR. GORDON: If it's wrong, it's  
13 wrong. That's all. No, and I think I've  
14 already determined what I thought was a  
15 reasonable fee and what the county has  
16 determined is a reasonable fee.

17 That's all they, I don't want to  
18 be a bad actor on this. I would just like to  
19 see it be a reasonable fee. And I don't know  
20 how else to do that.

21 Basically, I mean I've offered to  
22 pay, you know, what I think is reasonable, and

1           what I was told was, no, it's \$210.00 and  
2           that's all there is to it.

3                        So, I was willing to negotiate on  
4           my part, I just haven't received anything back  
5           the other way.

6                        MR. WOJAHN: Okay, but you're aware  
7           that, I mean you don't think we're  
8           discriminating against you in any way, as far  
9           as that we're treating you differently from  
10          any of the other properties in College Park?

11                       MR. GORDON: Oh, entirely.

12                       MR. WOJAHN: And how so?

13                       MR. GORDON: Well, how many  
14          businesses here have a Code Enforcement person  
15          drive through their parking lot twice a day?  
16          How many do you think?

17                       MR. WOJAHN: I mean I p-

18                       MR. GORDON: I would say zero.

19                       MR. WOJAHN: But I'm referring to  
20          the, specifically to the Occupancy Permit  
21          fees.

22                       MR. GORDON: Oh, no, I don't. I

1 think that's, you're discriminating against  
2 the students in general there.

3 MR. WOJAHN: But p-

4 MR. GORDON: Not me. Because if  
5 you charge me, if my cost on the house goes up  
6 my \$210.00 a year, I then have to pass that  
7 along. I mean it would be silly not to.

8 MR. WOJAHN: Mr. Gordon, there are  
9 plenty, there are plenty of rental properties,  
10 especially up in District 1, which I  
11 represent, that are not housed by students.

12 Do you think we charge them  
13 anything different?

14 MR. GORDON: No, sir, I think the  
15 vast majority of renters, though, are  
16 students. I think you would agree with that.

17 MR. WOJAHN: Well, it's hard to  
18 tell. Up in District 1 it's definitely hard  
19 to tell. But, I'll take your point, thank  
20 you.

21 MR. GORDON: Thank you.

22 MR. BRAYMAN: Okay, coming down,

1           anyone else?  You don't have anything, Mr.  
2           Perry?

3                         MR. PERRY:  It doesn't matter,  
4           you'd rephrase it anyway.

5                         MR. BRAYMAN:  All right, coming  
6           down, anyone?  Okay, all right, thank you, Mr.  
7           Gordon.

8                         MR. GORDON:  Thank you.

9                         MR. BRAYMAN:  I take it you'll be  
10          sticking around and we're going to ask, we're  
11          going to go to the audience.  Who here signed  
12          up and still wants to speak or wanted to speak  
13          anyway?

14                        All right, who here wants to leave  
15          before 11:00?

16                        (Laughter.)

17                        MR. BRAYMAN:  So, so, let me just  
18          ask.  In order to give everybody their  
19          opportunity, can people say, ditto, when  
20          somebody has already said their comment.  I  
21          agree with the previous speaker, or I agree  
22          with this, instead of belaboring the point?

1                   I would ask that, and would people  
2                   be okay if we said no more than two minutes?  
3                   Can people get in what they need to say in two  
4                   minutes or less? Okay, all right, okay.  
5                   Then, I'm going to go by the sign in sheet.  
6                   Morgan Gale and Jared Goralnick, sorry if I  
7                   pronounce your name incorrectly, on deck.

8                   And behind Jared would be Sam  
9                   Doyle. Please state your name and address for  
10                  the record. We are taping this and speak as  
11                  quickly as you can and try to stick within two  
12                  minutes. Thank you all very much. Mr. Gale.

13                  MR. GALE: Morgan Gale, 7010  
14                  Wakeforest Drive, College Park. It seems to  
15                  me that any business that operates within the  
16                  confines of the city and that benefits from  
17                  city services, including fire protection, for  
18                  example, should comply with the law.

19                  I understand Mr. Gordon's wishes  
20                  to, how does one say, dispute fees, but one  
21                  does that in a reasonable manner, one, being  
22                  me.

1                   You would put it in an escrow  
2                   account and debate the issue, have it  
3                   determined by a court and then pay your fees.  
4                   You don't just decide not to pay them because  
5                   you think they're unfair.

6                   Otherwise, you risk the  
7                   opportunity of seeing the insides of another  
8                   confine, which is self-explanatory. But what  
9                   I'm, I'm concerned about a number of issues.

10                  One of which is these residences  
11                  on this property, if they're not being  
12                  inspected on a regular basis, we have had a  
13                  number of fire deaths in the city.

14                  This is something that is not just  
15                  a matter of revenue for the city, it's a  
16                  matter of safety. So it seems to me that the  
17                  city should have the Liquor Board not renew  
18                  this Liquor License until either the money is  
19                  put in escrow, so it can be debated in an  
20                  open, public forum in court, or should be  
21                  rescinded completely, until compliance is  
22                  reached.

1                   The other issues can be done in  
2                   civil matters as necessary. But, so I  
3                   personally would oppose the Liquor License  
4                   being continued, until those issues are  
5                   resolved. Thank you.

6                   MR. BRAYMAN: Not seeing any  
7                   questions for Mr. Gale. And, please, let me  
8                   just remind the audience it's your opportunity  
9                   to state what you want us to hear, not  
10                  necessarily get into a debate unless you're  
11                  asked a question. So, Mr. Goralnick, and Sam  
12                  Doyle on deck.

13                  MR. GORALNICK: Thank you, Mr.  
14                  Mayor. My name is Jared Goralnick, I'm at  
15                  4811 Fox Street. I'm a local business owner  
16                  in College Park as well.

17                  And, first off, one thing I should  
18                  say is I probably wouldn't be one if it  
19                  weren't for the College Perk, when in 2005,  
20                  when I moved from renting.

21                  I had a place that I really felt  
22                  fostered community just beyond the college

1 environment that's more toward the center of  
2 College Park, right where we are right here.

3 So, I definitely think he's helped  
4 to keep that environment here. I know a lot  
5 of business owners that congregate and  
6 participate at the Perk, as well as a number  
7 of people that have sort of formed  
8 relationships that helped to promote and  
9 generate revenue for the city.

10 A few things I just wanted to  
11 point out. I've been here since the very  
12 beginning tonight, and I just wanted to touch  
13 on.

14 One thing that's unique about  
15 Chris' situation, by the way, is that he does  
16 have a number of small houses. So that even  
17 though each of them are, you know, essentially  
18 having one to two people, they are being  
19 levied the same fee.

20 Also, you talked about restaurant  
21 criteria. He definitely, there was no  
22 question here, earlier, when we talked about

1           Town Hall. There were a lot of questions  
2           about the type of food and, you know, what the  
3           percentages were.

4                        That wasn't discussed, but  
5           certainly the Perk does meet those  
6           considerations, situations. And also they are  
7           probably the only wireless restaurant in  
8           College Park, and they're providing a very  
9           unique opportunity and great food.

10                      Whenever I have business meetings  
11           here, I am always bringing them there and I'm  
12           always trying to bring people to College Park,  
13           because this is definitely not an area that  
14           people associate outside of the University, as  
15           far as a place to go.

16                      And I think he's helped to draw  
17           people to that. Mr. Perry earlier brought up  
18           the point about Town Hall being a Cheers.  
19           I've always referred to the College Perk as  
20           that.

21                      Maybe it's the younger generation  
22           that's thinking of it as such, but I

1 definitely find that to be the case and it's  
2 wonderful that there are so many people that  
3 have fostered relationships, that have stayed  
4 in College Park. While Chris may have a  
5 slightly different, while Mr. Gordon may have  
6 a slightly different way of running a  
7 business, I just wanted to say that I'm very  
8 thankful for the business that he's running  
9 and for the type of people and the environment  
10 that he's fostering here.

11 I guess that's the end of my time,  
12 but I'm obviously in favor of keeping the Perk  
13 in the area, regarding the Liquor License.

14 (Applause.)

15 MR. BRAYMAN: Mr Doyle, could I  
16 ask, though, that adds 30 seconds on to it.  
17 Evir Goldman on deck. Mr. Doyle, name and  
18 address, please?

19 MR. DOYLE: My name is Sam Doyle.  
20 I live at 8004 Travis Lane. I live about a  
21 half mile from this business establishment.

22 And it seems reasonable to me that

1 I ought to be able sit in my own home and  
2 watch the tv, with all the doors closed,  
3 including windows and storm doors, without  
4 being disturbed from the noise from this  
5 establishment. I didn't have a problem up  
6 until this past summer.

7 But on numerous occasions, during  
8 the afternoon hours, and also during the  
9 evening hours. A couple of times I've got in  
10 my car and took a ride up Route 1, and they  
11 had outside live music, amplified music going.

12 This seems unreasonable to me. I  
13 don't disturb anyone at this place, and I  
14 could kindly ask the same thing in return. I  
15 don't hear the normal traffic on Route 1, as  
16 Mr. Gordon spoke about the sound of the noise.

17 But I certainly heard this music.  
18 Years ago, at the Bastille, a couple of doors  
19 away, lots of problems were there. However,  
20 never in all of my years did I ever hear any  
21 music coming from that location, it was  
22 inside.

1                   This is outside music that I'm  
2                   making my complaint about. And I just think  
3                   that something should be done about it.

4                   I don't know of any other ABC  
5                   establishment that has such loud outside  
6                   music, and I don't think it should be allowed  
7                   here.

8                   And I don't care if it is college,  
9                   for three or four times a year, I live here.  
10                  I've lived here for 40 years, and I shouldn't  
11                  have to put up with it. And I'm not  
12                  complaining about those in the neighborhood.

13                  I didn't complain earlier, I was  
14                  not one of those that complained earlier.  
15                  This is my original, first complaint.

16                  MR. BRAYMAN: Thank you, Mr. Doyle.  
17                  Could you estimate how many times last summer  
18                  you were disturbed?

19                  MR. DOYLE: How many times? I'll  
20                  say several times. I really didn't take a  
21                  count, but I took a ride on two occasions up  
22                  on Route 1. I would say a half a dozen or

1           eight times, something like that, maybe, that  
2           I heard it, that it disturbed me.

3                       MR. BRAYMAN: Would it be fair to,  
4           ma'am, who's ever, hold on, you'll get your  
5           opportunity if you want, I just have to ask  
6           everyone for decorum.

7                       Sir, would you, is it fair to  
8           summarize your position that you'd be in  
9           opposition to the renewal, unless there was a  
10          serious change in the way the business was  
11          run?

12                      MR. DOYLE: I would say I'm very  
13          much in opposition unless something is done to  
14          curtail the sound of music, so that it  
15          disturbs me.

16                      MR. BRAYMAN: From what you've  
17          heard tonight, would you surmise that you see  
18          a change in the, from the Applicant's  
19          testimony, a change in the business?

20                      MR. DOYLE: I haven't seen that  
21          tonight, no sir.

22                      MR. BRAYMAN: Okay, all right.

1 Questions of Mr. Doyle? Mr. Perry?

2 MR. PERRY: Mr. Mayor. Thank you,  
3 Mr. Doyle for coming down. Were any of your  
4 neighbors disturbed by this noise?

5 MR. DOYLE: I didn't ask any of  
6 them if they were disturbed. I know that it  
7 disturbed me. I'm concerned about me, first,  
8 and that's what my concern was.

9 MR. PERRY: If you lived in the  
10 city you could have gotten one of your  
11 neighbors and filed a noise complaint, Sam.  
12 Thank you very much for coming down this  
13 evening.

14 MR. DOYLE: Well, I know what  
15 disturbs me, whether I live in the city or  
16 not, I shouldn't be disturbed to this extent,  
17 thank you.

18 MR. PERRY: We understand that.

19 MR. BRAYMAN: Thank you, Mr. Doyle.  
20 Evir Goldman and Daniel Collins on deck.

21 MS. GOLDMAN: When you come into  
22 College Park there's a sign that says College

1 Park, a liveable community. It seems like a  
2 rather modest description.

3 However, when you have no venues  
4 that you can go to, to enjoy a pleasant meal  
5 and to hang out with friends, it stops  
6 becoming liveable. When all there is is a  
7 bunch of fast food restaurants, it becomes  
8 unencouraging.

9 I've lived in College Park for  
10 three years and College Park is one of the few  
11 places that you can go to. You asked whether  
12 Chris Gordon gave his employees, whether he  
13 gave us insurance, you know, health insurance.

14 He doesn't, I work for him. But  
15 if any of us ever needed anything, he would  
16 give it to us. When I couldn't pay my  
17 tuition, he was going to hand me a check for  
18 it.

19 The people who live upstairs could  
20 ask him for anything and they would do it, and  
21 he would do it. You know, they're not, okay  
22 he doesn't want to pay this inspection fee,

1 but I've lived in places that were terrible  
2 before and the Inspectors have come and they  
3 didn't do anything.

4 Because the things that were  
5 actually wrong with the places weren't issues  
6 to them. Chris Gordon is a really good  
7 landlord, he's a really good employer.

8 We don't sell to children that are  
9 underage. We don't have people driving drunk,  
10 coming away from the Perk. I serve liquor  
11 there.

12 We don't let people drink until  
13 they're drunk. There aren't people coming  
14 there to party. They're coming to have a  
15 glass of wine.

16 This question of whether our  
17 Liquor License should be kept is silly,  
18 because we're not breaking any laws. There's  
19 no question as to whether we're abusing  
20 something or whether we're causing danger to  
21 the community.

22 We're an asset to the community.

1 I guess that's all I really wanted to say.

2 (Applause.)

3 MR. BRAYMAN: Any questions? Ms.  
4 Stullich.

5 MS. STULLICH: I just want to thank  
6 you and everyone for coming down to testify  
7 tonight. It's clear that the College Perk has  
8 a very devoted following and I think that  
9 really says something about the service he's  
10 providing to the community.

11 At the same time, I'm wondering if  
12 you can understand that for a government to  
13 enforce its laws, doesn't mean that it wants  
14 to persecute a business or to drive them out  
15 of business.

16 But we do have a responsibility to  
17 enforce the laws equally. Does that make any  
18 sense to you?

19 MS. GOLDMAN: It does make sense to  
20 me. I also makes sense to me that Chris is  
21 one of the only owners of a business in  
22 College Park that recycles.

1                   And he takes it upon himself to  
2                   carry the stuff around in the back of his  
3                   truck and take it to the recycling center,  
4                   because he cares about the environment.

5                   And he doesn't have a lot of money  
6                   to spend on all of these fines. Especially  
7                   when he's already paid the county and the  
8                   state for the licenses that the city is now  
9                   asking for.

10                  It seems a little unreasonable  
11                  when he's not really making that much.

12                  MS. STULLICH: Thank you.

13                  MR. BRAYMAN: Anything else, Ms.  
14                  Stullich?

15                  MS. STULLICH: Thank you.

16                  MR. BRAYMAN: Okay, anyone else?

17                  All right, thank you very much. Daniel  
18                  Collins, Shea Hickman, on deck.

19                  MR. COLLINS: Hi, so I really agree  
20                  a lot with the things that were said by Evir  
21                  Goldman. My name is Daniel Collins, I'm a  
22                  student at the University of Maryland.

1 I'm also an employee for the  
2 College Perk Coffeehouse. And I've personally  
3 been involved in development and care of and  
4 recycling at the Perk.

5 As well as serving food and  
6 discussing wonderful great things with  
7 wonderful great people. This is like, this is  
8 my community. This is where I go to live.  
9 This is where a large portion of people, who  
10 are a very close knit community go to be  
11 together.

12 And it's one of the few community  
13 that is actually very open and caters to  
14 students. The College Perk Coffeehouse is a  
15 place where you can go, as a student, and you  
16 can go there to unwind and hang out and meet  
17 people and actually enjoy yourself.

18 As well as also go into one of the  
19 other many rooms that they have and quietly  
20 study. The College Perk Coffeehouse is just  
21 an infinite resource to the community that I,  
22 that we are all part of.

1                   And I feel that students, that we  
2                   don't have as many places that we are allowed,  
3                   that we are accepted in the community of  
4                   College Park.

5                   And this is one place where I feel  
6                   accepted, and that supports me and other  
7                   people that I know. It has helped me with  
8                   school. I got tips on an experiment.

9                   MR. BRAYMAN: Okay, is that it?

10                  MR. COLLINS: That would be, no, I  
11                  have at least one more thing. Oh, I'm sure  
12                  that the Birdhouse was a lot quieter than the  
13                  College Perk Coffeehouse. I'm dead positive  
14                  of that.

15                  But I don't think that the  
16                  Birdhouse or anything that came before the  
17                  Perk, brought as much to the College Park  
18                  community. All right. I would love to answer  
19                  questions.

20                  (Applause.)

21                  MR. BRAYMAN: You can applaud him  
22                  in a second, please? Your address for the

1 record?

2 MR. COLLINS: I live at the Perk.

3 (Laughter.)

4 MR. BRAYMAN: And that address is?

5 MR. COLLINS: Am I allowed, I p-

6 MR. BRAYMAN: And that address is?

7 MR. COLLINS: 9078 Baltimore

8 Avenue.

9 MR. BRAYMAN: All right, thank you.

10 Any questions of the gentleman? All right,

11 not seeing any, thank you very much. Shea

12 Hickman, Mark Goldsmith on deck.

13 MR. HICKMAN: Thank you, Your

14 Honor, and the Council. My name is Shea

15 Hickman, I live at 5006 Apache Street in

16 College Park. I've been there for the past

17 year.

18 MR. BRAYMAN: I apologize for

19 pronouncing your name wrong.

20 MR. HICKMAN: No, that's all right,

21 everybody else does it. Just, I had some

22 points to ponder. One was I'm kind of curious

1           what the Council, and you guys don't have to  
2           answer me, but I'm kind of curious p-

3                       MR. BRAYMAN: This is your  
4           opportunity to state what you want us to hear,  
5           okay?

6                       MR. HICKMAN: Oh, excellent. I'd  
7           like you to hear these questions.

8                       (Laughter.)

9                       MR. HICKMAN: I would like you to  
10          hear these questions regarding value. The  
11          county and the state already license and do a  
12          very thorough job enforcing the sale of  
13          alcohol to College Perk.

14                      And I'm just curious as to what  
15          the Council thinks it's adding to those  
16          regulations by imposing its own Liquor  
17          Licensing fees?

18                      The same thing with housing. I'm  
19          kind of, you know, when the county and the  
20          state are already doing these often very  
21          comprehensive and a very severe method if you  
22          violate those rules.

1                   I'm just wondering what you guys  
2                   think the city is adding to the proposition by  
3                   imposing your own fees, other than to generate  
4                   revenue from the Perk. I'm hoping that's not  
5                   all you're doing is pulling money out of a  
6                   local business.

7                   So that's question one. The  
8                   second thing is scope. You've guys have been  
9                   talking about the residential issues with the  
10                  Perk and I'm having trouble understanding  
11                  exactly what that has to do with the Liquor  
12                  License for the Perk, which is a restaurant.

13                  There might be some benefit in  
14                  bifurcating those two issues, you know. And,  
15                  I mean, if you wanted to, you could go all the  
16                  way back to, you know, whether Chris kept his  
17                  tires properly inflated back in 1985.

18                  I mean you could broaden this  
19                  scope very broadly and use those as rationale  
20                  for revoking or recommending that the Liquor  
21                  License be denied.

22                  And I think that kind of violates

1 the sense of fairness. I think if you guys  
2 look at the Liquor License and whether it  
3 should be, you know, upheld, you should keep  
4 the scope of your inquiry to what's important.

5 And the last thing I have to say  
6 is just a quick character reference. There  
7 was a couple of months ago where I had a flat  
8 tire going home on Baltimore Avenue.

9 I didn't have anybody else to  
10 call. I called Chris at 9:30, late at night.  
11 He came, helped me change a tire, in the  
12 middle of night, it was a busy night.

13 He had other things to do. And  
14 that's just a small example of the kind of  
15 things that he will do for his friends and for  
16 the folks that work for them. He's an amazing  
17 man.

18 MR. BRAYMAN: Are there any  
19 questions of the gentleman? All right, if  
20 anybody wishes to answer any of your questions  
21 and comments at the end, or before we take  
22 action next week, they'll be more in position

1 to do so. Okay?

2 MR. HICKMAN: Thank you.

3 (Applause.)

4 MR. BRAYMAN: Mark Goldsmith, and  
5 David Borden on deck.

6 MR. GOLDSMITH: Okay, I'll be  
7 speaking on behalf of myself. I find College  
8 Perk to be a great place for networking,  
9 meeting good friends and getting work done.

10 I see students studying there all  
11 the time. I have met people there to further  
12 advance my career and my education.

13 The many nights I've hung out  
14 there, I've never seen a problem with drunks  
15 acting obnoxious. On the other hand, I have  
16 seen smiling people and enjoyed the diverse  
17 atmosphere and advancing themselves in their  
18 career and studies.

19 I've never been to a more  
20 enjoyable atmosphere yet now it is not about  
21 the intentions of the atmosphere, it seems to  
22 be more about the intentions which seem unjust

1 to the community.

2 As you can see here, College Perk  
3 has a community to back it up and our  
4 intentions are good. With that, find me  
5 another bar in P.G. County area with as much  
6 support.

7 All you seem to be filling is your  
8 pockets with money through the bureaucratic  
9 BS. All the noise issues are no different  
10 than me hearing your cops blaring sirens after  
11 11:00 p.m. The issue against live  
12 entertainment is against my First Amendment  
13 right, if you really want to go there.

14 You do it for fairness of others,  
15 but you can't stop noise everywhere, so it's  
16 unfair to persecute one business based on the  
17 fact that you can't prevent it everywhere.

18 Also, if you have an issue with  
19 people in bungalows, then I guess you should  
20 send people who can afford the current price  
21 of living to your doorstep.

22 I'm not sure about all the details

1 with the prosecution against The Perk, but  
2 regardless, I find your actions unjust. I'm  
3 sure there are many bars in P.G. County with  
4 more issues with making noise and giving  
5 someone a warm bed and parking, like crime and  
6 violence.

7 If not P.G. County then take into  
8 consideration D.C. By my house there's a  
9 liquor store with a Cop that sits right in  
10 front of it.

11 What's the difference, you know  
12 why aren't you going against them because  
13 obviously there's a problem there if you have  
14 to keep a Cop there all the time.

15 Umm, let me see. In my opinion,  
16 you're unjust. You're probably annoyed by  
17 what I'm saying, but it must be said because  
18 regardless of the decision, it's the truth.

19 Your Codes are nothing more than  
20 worrying about getting more money in your  
21 pocket, and, I had a little bit more. Umm, I  
22 guess not.

1 (Applause.)

2 MR. BRAYMAN: Hold on, hold on,  
3 sir, sir, I need you to come up and state your  
4 name and address for the record.

5 MR. GOLDSMITH: You have my name.  
6 Mark Goldsmith, and my address should be on  
7 that paper, which is 9211 St. Andrews Street.

8 MR. BRAYMAN: For the record, we  
9 have people state who they are and their  
10 address, okay?

11 MR. GOLDSMITH: Oh, so that way you  
12 have it on, that makes sense.

13 MR. BRAYMAN: Because we're taping  
14 this. All right, thank you. I appreciate  
15 that. All right, David Borden and James Robey  
16 on deck.

17 MR. BORDEN: For the record, first,  
18 my address, my name is David Borden. My  
19 address is Post Office Box 53108 in  
20 Washington, D.C. I'm a resident of Takoma  
21 Park.

22 I've been a regular patron of the

1 College Perk since shortly after it opened in  
2 the summer of 2003. I'm there several times  
3 a week.

4 I have a different kind of  
5 information to provide with you this evening.  
6 I, in my daily routine, I keep track of my  
7 expenses for personal budgeting reasons.

8 And so I was able, using my  
9 Quicken Program, to make an estimate of how  
10 much money I've spent in College Park at  
11 establishments, business that I frequent.

12 And it's come to well over  
13 \$10,000.00. More than half of that is at  
14 businesses other than College Perk, but which  
15 I came to initially and so often because I'm  
16 a patron there.

17 If you include the car lease that  
18 I did at one of the dealerships a short walk  
19 up the road, it's been well over \$20,000.00 of  
20 spending that I've done in this city.

21 Prior to the opening of the coffee  
22 shop, I was here in College Park maybe three

1 or four times, over an eight year time period.

2 So, I hope that this will help to  
3 inform the Council's perspective that the  
4 amounts of money being discussed here, and the  
5 complaints, justified or otherwise, important  
6 as they are, do not approach anywhere near  
7 justifying a question of whether this business  
8 should continue to be licensed, and therefore  
9 be able to function.

10 To revoke the license would be a  
11 Draconian penalty and it would harm your  
12 community. I think that's very clear. I  
13 don't think there are serious arguments to the  
14 contrary. And I understand from the  
15 proceedings here tonight, that these matters  
16 are being adjudicated and there will some kind  
17 of resolution in any case.

18 So I urge the Council not to  
19 disrupt an important part of College Park.

20 (Applause.)

21 MR. BRAYMAN: Any questions? Not  
22 see any, James Robey and Joseph Dundin on

1 deck.

2 MR. ROBEY: Good evening. What  
3 I've got for you tonight is a few notes that  
4 occurred to me while you were speaking  
5 earlier.

6 MR. BRAYMAN: Your name and  
7 address.

8 MR. ROBEY: I'm sorry, James Robey.  
9 My address is 5006 Apache Street, College  
10 Park, Maryland. I'm one of the people who  
11 rents in this community.

12 So I had a few points and I'll be  
13 quick in them.

14 MR. BRAYMAN: Can I just ask you  
15 something?

16 MR. ROBEY: Sure.

17 MR. BRAYMAN: You listed 7608  
18 Compton Street.

19 MR. ROBEY: By habit. I've been a  
20 renter in College Park for the past year.  
21 That's the address where I grew up for 20  
22 years. So, sorry for that.

1           MR. BRAYMAN: All right, thank you.  
2           Please, your two minutes start now.

3           MR. ROBEY: Indeed. So some of the  
4           things that occurred to me were comparisons to  
5           other shops, and I realized such a discussion  
6           might be a morass because we could have a  
7           comparative discussion of the benefits of one  
8           place versus another.

9           But, living here for so long, I've  
10          definitely noticed that Cornerstone has people  
11          standing in the streets regularly at 2:00 in  
12          the morning, and I see that they're still in  
13          operation.

14          I think the Perk has done a  
15          tremendous job of keeping their involvement  
16          both with alcohol, which is an inflamed topic  
17          in campuses across the country.

18          The mediation that they, or the  
19          regulation that they have on that is  
20          wonderful, in my mind. I've seen very few bad  
21          things happen there.

22          There's also the question of how

1 many businesses employ how many people versus  
2 the Liquor Licenses that they have. And I  
3 think the Perk does well in that regard.

4 And, of course, there are very few  
5 places like the Perk, the type of people that  
6 they employ and the atmosphere that they  
7 create.

8 So I think there would be  
9 variances for the, for better lack of term,  
10 mainstream bars that exist in downtown College  
11 Park, versus what I would expect out of a  
12 place like this that does have a track record,  
13 markedly different than those establishments.

14 And I know that for ten years of  
15 being in this community and frequenting them  
16 all. And I stopped frequenting them when I  
17 found the Perk.

18 Moving on, I've been to San  
19 Francisco. I went out there for contract work  
20 and I spent six months driving around looking  
21 for a place that was comparable, as a  
22 complement again to the Perk.

1           I found no place, in all my  
2 travels, that was quite like what I found  
3 here. That's one of the reasons I came back,  
4 actually.

5           And the last topic I wanted to  
6 come up with is something that, in your  
7 experiences, you may overrule me, but I still  
8 have a feeling about this.

9           That ordinances at the city level  
10 versus the county level or the state level are  
11 a control method that can be implemented by  
12 people in the future to change the ordinances,  
13 thereby changing the make up of businesses to  
14 suit themselves.

15           And I've seen Terrapin Station  
16 come and go, I don't know the history or why  
17 they did.

18           I've seen places I like come and  
19 go. And I'm concerned that such a mechanism  
20 from the city could be used against it,  
21 without reason.

22           So, the last point I'd like to

1           make is that it does have a unique role and  
2           that should always be taken into consideration  
3           in these proceedings, thank you.

4                           (Applause.)

5                   MR. BRAYMAN: All right, Joseph  
6           Dundin and Dameon Launert on deck, but we will  
7           require an address, knowing he has not an  
8           address.

9                   MR. DUNDIN: My name is Joseph  
10          Dundin, I live in Silver Spring, Maryland at  
11          730 Gist Avenue. And the College Perk is one  
12          of two businesses that I frequent in College  
13          Park.

14                   When I heard of this proceeding it  
15          occurred to me that if you walk into most any  
16          of the larger Starbucks, the ones that have  
17          had the opportunity to knock out some walls  
18          and make themselves look like what they would  
19          normally look like.

20                   They've got the couches and  
21          overstuffed chairs, instead of straight back  
22          chairs and just a generally bohemian or fake

1 bohemian atmosphere.

2 And it strikes me that these  
3 establishments are trying to be what the  
4 College Perk is. And it would be a great  
5 shame if the College Perk were regulated into  
6 the ground. Thank you.

7 (Applause.)

8 MR. BRAYMAN: Okay, thank you.

9 Dameon Launert.

10 MR. LAUNERT: I'm going to defer my  
11 statement.

12 MR. BRAYMAN: Okay, Peter p-

13 MR. JONES: I'm John Jones, I live  
14 at College Perk.

15 MR. BRAYMAN: Well, you're not  
16 signed up on the list, I'll call you at the  
17 end.

18 MR. JONES: He gave me his place.

19 MR. BRAYMAN: Well, let me just be  
20 fair to everyone that signed up, okay, sir.

21 MR. JONES: He exchanged, he gave  
22 me his place. I asked him and he said he

1 would give me his place.

2 MR. BRAYMAN: For cutting in line?

3 MR. JONES: Is that all right with  
4 you all?

5 MR. BRAYMAN: Actually, no, I'm  
6 asking you to just wait until I get to the end  
7 of the line and then I'll ask you if you want  
8 to come back up, okay? Thank you. Peter  
9 McDonough and Dominic Brisa, on deck.

10 MR. LAUNERT: My name is Dameon  
11 Launert, and I live in Elkridge, Maryland.  
12 And I believe that's something like 30 or 40  
13 miles away from College Perk.

14 And I drive all the way down here  
15 to hang out because of the atmosphere there.  
16 So, anyways, I've heard both sides of the  
17 story and I think that the issue that the city  
18 has taken up and the method of, the resolution  
19 that they seek, is biased.

20 It's not objective at all. And  
21 generally a bunch of bovine fecal matter.  
22 Thank you very much.

1                   MR. BRAYMAN: Sir, sir, your street  
2 address for the record, please?

3                   MR. LAUNERT: I'm not giving that,  
4 thank you.

5                   MR. BRAYMAN: Well, we would  
6 appreciate that everybody, you know, respect  
7 the process. There is a need to create a  
8 record. So we, oh well. Mr. McDonough.

9                   MR. MCDONOUGH: My name is Peter  
10 McDonough, I live at 13333 Old Chapel Road in  
11 Bowie. I'm the Sysco Sales Rep and one of the  
12 main food consultants for the Perk.

13                   We have several functions coming  
14 up that the Liquor License is quite critical  
15 to, including one with Chef Thomas Bach of  
16 Caf, Berlin on Capitol Hill.

17                   It's a well respected place with a  
18 well respected menu. I think it's probably  
19 the best menu in College Park. I think, the  
20 other thing I wanted to address is earlier the  
21 mention of taxes on the fees for music.

22                   In my experience, there's never

1           been a fee for music. That's why my kids, my  
2           kids wanted to come tonight. It's one of  
3           their places to go for free music.

4                         It's important to the community.  
5           It's something that's a unique offering where  
6           we don't get charged exorbitant fees and where  
7           the students of College Park have a place to  
8           go and play for free as well, and voice their  
9           musical expression.

10                        I didn't know if you'd have any  
11           questions about the food or anything that  
12           we've done at the Perk. The amount of  
13           business that Sysco does with the Perk or  
14           anything like that from me. Thank you.

15                        MR. BRAYMAN: I appreciate you  
16           coming down, sir.

17                        (Appause.)

18                        MR. BRAYMAN: Dominic Brisa.

19                        MR. BRISA: I'm Dominic Brisa. I  
20           live on 3419 Tulane Drive, Hyattsville,  
21           Maryland. Please bear with me, I'm a bit  
22           tired and I didn't avail myself of the

1 complementary coffee tonight.

2 But I would like to, first of all,  
3 the regulations of the city, well the fees in  
4 the city which haven't been paid aside, my  
5 impression is that generally this has been a  
6 bit of a witch hunt.

7 It sounds like there have been  
8 some violated ordinances cited that the Perk  
9 actually hasn't violated. For example, I  
10 really didn't get a clear impression of, has  
11 the noise, has the ordinance against excessive  
12 noise been violated at the Perk?

13 It sounds like that there really  
14 hasn't been a very clear, there hasn't been a  
15 clear statement made regarding that.

16 Also, regarding fees which have  
17 been levied, or, sorry, taxes that should have  
18 been levied against the admission fees to  
19 these live entertainment events, as the  
20 previous speaker said, there has been no  
21 charge.

22 So there's been no reason to levy

1 fees. Let's see, also there was a comment  
2 made regarding the appearance of the  
3 establishment?

4 I don't know quite what that has  
5 to do with the Liquor License either. Also,  
6 oh, also regarding the trash levels. I've  
7 also gotten the impression that there has been  
8 an attempt to make the College Perk seem like  
9 a very bohemian, trashy, noisy establishment,  
10 which it's not.

11 It is kept meticulously clean and  
12 maybe there was an issue with trash, but it  
13 was, but it was central, the trash, whatever  
14 potential trash issue there was, was far away  
15 from the actual food establishment itself.

16 (Applause.)

17 MR. BRAYMAN: I don't see any  
18 hands, Thomas Johns and Joseph Unwanguo.

19 MR. JOHNS: Thomas Johns, 9516 49th  
20 Avenue, College Park, Maryland. I've been  
21 going to the Perk since it opened and I've  
22 also helped them do a few things there,

1 voluntarily.

2 Like the nice deck that's outside.  
3 I agree with like, I also agree with what  
4 everyone else has said here. There's always  
5 been some great entertainment there.

6 I'm a drummer and I make a lot of  
7 noise. I make a lot of noise at my house.  
8 Ask my neighbors if, you know, they can hear  
9 it. They say, yes, but they have no complaint  
10 with it.

11 But I make sure that I don't  
12 disturb them. I never do it in the middle of  
13 the night. The music at the College Perk,  
14 I've never heard it be like loud, like I've  
15 heard it other places.

16 I'm also a Disc Jockey at the 94th  
17 Aerosquadran in College Park, and I make a lot  
18 of noise down there. But there's never been  
19 a complaint on any of the nights that I've  
20 been there, and I like about 6,000 watts of  
21 power.

22 The College Perk has been a good

1 place for the neighborhood. Mr. Gordon has  
2 gone in there and with his sweat and work has  
3 turned that place into a place I didn't even  
4 know existed on Route 1, until the vegetation  
5 got cleaned away and I went, wow, I didn't  
6 know there was a place there.

7 I knew of Woods Florist, I've  
8 lived here since 1965. I've never owned a  
9 bird, so I had no occasion to go to a  
10 Birdhouse.

11 And I don't understand, you know,  
12 the whole thing about all of these Liquor  
13 Licenses. I've eaten food at the Town Hall,  
14 many times.

15 And I've frequented the Town Hall.  
16 I've drank in this town, responsibly, since I  
17 was able to. I've gone to places like the  
18 Varsity Grill, when the Varsity Grill was  
19 here.

20 MR. BRAYMAN: Could you just wrap  
21 up?

22 MR. JOHNS: Yes. I think the

1 College Park is a great place. I go there,  
2 good environment.

3 (Applause.)

4 MR. UNWANGUO: Good evening, the  
5 name is Joseph Unwanguo and the address is  
6 6008 Laurel Leaf Way in Columbia, Maryland.

7 First things first, I don't know  
8 the perception that you folks have. I'm not  
9 going to argue that Chris Gordon isn't a  
10 difficult person to get along with, at best.

11 But I don't know the laws and I  
12 don't know what's happening. I know these  
13 people that are standing back here, if you  
14 guys want to take a look at these guys.

15 I've talked to every last one of  
16 them. I've served coffee and tea with every  
17 last one of them. And I came to College Park  
18 because it's a college town.

19 I went on a road trip and I had  
20 met many, many fine American people, and I  
21 wanted to find a place. I'm like, all right,  
22 it's a college town, it's going to be

1 intelligent.

2 There are going to be amazing  
3 people to talk to. There are going to be  
4 discussions and conversations. And I came  
5 here and I'm going to be completely honest, I  
6 didn't find it in your town.

7 I didn't find intelligent people  
8 to talk to, I did not find good conversations,  
9 I did not have a good time. I found the Perk  
10 through a network of friends.

11 I found this place and it is a  
12 fisher. It is a place where people come and  
13 they sit there for six hours on their laptop  
14 and they have a cup of coffee and they read,  
15 and they mind their business.

16 Or, they have a conversation. Or  
17 they listen to music. Or, anything they want  
18 to do. I've had people come up to me and I've  
19 been in D.C. at a concert and have someone  
20 yell, College Perk that's right.

21 Or I've been on a run and people  
22 stop me and say, hey, good work. It is a

1 place where people go. I, like I said, I  
2 don't know exactly what the argument is  
3 between the Council and Chris, but I do know  
4 the people in your town love the Perk.

5 (Applause.)

6 MR. BRAYMAN: Thank you. The next  
7 person on the list is Evir Goldman, she's  
8 already testified. So, I'm not calling that  
9 name again. Andrew Friedson and John Thayer  
10 is on deck.

11 MR. FRIEDSON: Hello, Mayor and  
12 Council, thanks for allowing me to speak.  
13 Andrew Friedson, 4615 Norwich. Just a couple  
14 of things.

15 I think the amount of people that  
16 are here is a testament to the impact that  
17 College Perk has had on the community and I  
18 can speak on behalf of students, but I think  
19 I can speak on behalf of the entire community,  
20 because I think one of the interesting things  
21 about the College Perk is that it is very  
22 unique.

1                   In that I watched a City Council  
2 candidate announce their candidacy their.  
3 I've met with elected officials both on this  
4 Council and those that represent this area,  
5 there.

6                   And I've also been there to meet  
7 with friends. I don't know if there is  
8 another place in College Park that I could  
9 think of that really has that type of  
10 universal draw to the community, in terms of  
11 getting all facets of our community that  
12 sometimes can be at odds and sometimes pick  
13 their places independent of each other.

14                   I think this is one place that  
15 seems to draw in all facets of the community  
16 and seems to have a very positive impact, as  
17 well as the people you've heard from today,  
18 that have come great distances just to come  
19 here. I think that the issue with scope is  
20 something that was a very good point in terms  
21 of the Liquor License.

22                   I know there are issues that

1 clearly the Council has. I think some of  
2 those issues are justified. It seems that  
3 some of those issues are out of the scope or  
4 should be of the scope of what we should be  
5 addressing today, Liquor License.

6 I won't go into that detail, I  
7 think it was well said earlier. Another point  
8 that I wanted to make, as you well know, I'm  
9 on the East Campus Community Steering  
10 Committee with many members of the community.

11 And one of the things that's  
12 consistently discussed and I've talked with  
13 many of you about is the importance of having  
14 local business there.

15 And the impact of local businesses  
16 and character type businesses have on the  
17 community. And I think the College Perk is  
18 the perfect example of the importance of  
19 having locally held businesses and the  
20 importance of having these type of character  
21 establishments.

22 And so if I could quickly close, I

1 want to point out that this is something that  
2 we all have fought for, but I just wanted to  
3 say that I urge the Council, despite its  
4 issues, while it's looking at the issues, to  
5 work with this business and other businesses  
6 and not against this business and other  
7 businesses.

8 And I would hope as you move  
9 forward that you do that. And I appreciate  
10 the time, thanks.

11 (Applause.)

12 MR. BRAYMAN: Mr. Wojahn has a  
13 question for you, Mr. Friedson.

14 MR. WOJAHN: Mr. Friedson, as  
15 somebody who has had quite a bit of experience  
16 with the City Council in the past. I know, I  
17 mean, I hope my comments that I made before  
18 give, the impression that I want to convey is  
19 that I, took appreciate the Perk and I think  
20 it's a great place to stay, to visit, to eat  
21 at, to socialize at, to be part of a community  
22 with.

1           My biggest concern is that there  
2           are some pretty serious violations that we  
3           have to deal with. And, as somebody who's had  
4           experience with the City Government and with  
5           the City Council in the past, I wonder what  
6           your thoughts are on how we can work to  
7           address those concerns with somebody who,  
8           frankly, doesn't seem to be interested in  
9           cooperating with us?

10           MR. FRIEDSON: Well, frankly, I  
11           have not been a party or participated in this  
12           issue that has gone on. Frankly, I was not  
13           aware of some of the issues that the Council  
14           was having with the business owner and that  
15           the business owner was having with the city,  
16           until quite recently.

17           I, for one, would be more than  
18           happy to try to help in some way, in any way  
19           that I could. I don't, frankly, I don't know,  
20           I don't know the business owner personally.  
21           I've just been in there.

22           I've, I think that there are

1 concerns that the Council clearly has that I  
2 hope are addressed in some way. I don't know,  
3 if I could say a specific way that I know of  
4 is the clear solution to all this, I think  
5 that what's important is that you see the  
6 importance that the College Perk has on the  
7 community.

8 And that we do figure out a  
9 solution that works for you and for the  
10 community, so that we can still have the  
11 College Perk, but that if there are issues,  
12 that those issues are addressed.

13 I think that that was a very vague  
14 answer, is because I don't have a specific one  
15 on this particular case, just because I  
16 haven't, you know, been part of, you know, the  
17 history, it seems like recent history of  
18 issues that both parties seem to have with  
19 each other.

20 I think, I hope, I sincerely hope  
21 that they get worked out. That the College  
22 Perk stays, that any issues that are had, you

1 know, with whatever the issues are, that they  
2 get worked out.

3 I would hope that the issue of the  
4 Liquor License be kept specifically to the  
5 issue of the Liquor License and that they're  
6 independent issues, which it seems like they  
7 clearly are, and that we have heard here  
8 today, that those also get addressed.

9 But they get addressed  
10 independently from this proceeding and from  
11 the recommendation and that we move forward  
12 and make sure that we can, you know, support  
13 locally owned businesses and things that  
14 clearly have a huge amount of support in the  
15 community.

16 MR. WOJAHN: Thank you, and I'm  
17 sorry to put you on the spot like that.

18 MR. FRIEDSON: No, no, no, it's  
19 okay.

20 MR. BRAYMAN: He loves it.

21 (Laughter.)

22 MR. FRIEDSON: I will also point

1 out that I've never gotten any applause before  
2 at this place.

3 MR. BRAYMAN: No, your time is up.

4 (Applause.)

5 MR. BRAYMAN: John Thayer. And  
6 then, sir, in the tied-dye shirt, you'll get  
7 the first chance to testify after that.

8 MR. THAYER: My name is John  
9 Thayer, I live at 8019 Sligo Creek Parkway in  
10 Takoma Park.

11 I want to say, first off, I've  
12 been coming to the Perk on and off for about  
13 three years. Originally from Columbia, about  
14 a year ago, by way of San Francisco.

15 I was traveling all up and down  
16 the California coast for about two years. I  
17 couldn't find a place like it. And, as a  
18 Musician, it's, you know, something I see a  
19 lot of, coffee bars, you know, all over the  
20 place. And you've really got something unique  
21 at the Perk that I, you know, as a regular and  
22 as a Musician who plays there all the time, I

1           just want to see it continued and not messed  
2           with for any reason.

3                        I realize that there's a tendency  
4           in this meeting that everything becomes  
5           fragmented and that it's hard to separate one  
6           issue from the next.

7                        I thought we were here about the  
8           Liquor License in the first place, but the  
9           more I hear people come up here, it seems  
10          like, maybe not by intention, but the Perk  
11          itself is being attacked as a whole.

12                      And I just couldn't sit with it,  
13          so I wanted to say something. I also wanted  
14          to say to you, specifically, I'm sorry, that  
15          was me playing this summer, the couple of  
16          times.

17                      (Laughter.)

18                      MR. THAYER: I get really damn  
19          loud. I love singing and I love playing  
20          guitar, man, and we were having a great time.  
21          I encourage you to come out this summer.

22                      We're all great people. And, on a

1           personal note, if you've got a problem with  
2           it, you can talk to me, you can talk to Ken,  
3           we will give you our cell phone numbers.

4                        Just don't complain to them. No  
5           offense, guys. That's fine, really, I mean  
6           honestly I prefer an acoustic show because  
7           more people can get involved and play with me  
8           than if I'm drowning them out with my axe.

9                        Anyway, that said, I wanted to  
10          pass it off to John Jones, as well know him,  
11          Killian.

12                       (Applause.)

13                       MR. BRAYMAN: And we're taping, but  
14          since we don't have a written thing, please  
15          just try to enunciate your name very clearly.

16                       MR. JONES: My name is John Edward  
17          Jones.

18                       MR. BRAYMAN: Yours is easy, I was  
19          speaking to the rest.

20                       (Laughter.)

21                       MR. BRAYMAN: And maybe some hard  
22          ones, I might ask to get spelled, just so we

1 get it right in the record. Mr. Jones, good  
2 evening. Thank you for playing along with me  
3 on the order of things.

4 MR. JONES: I apologize for  
5 stepping out of order and appreciate your  
6 leniency and allowing me to speak.

7 I want to say something. I feel  
8 part of what's going on here has not been  
9 addressed. This is the corporatization of  
10 College Park, which we're dealing with.

11 There has been a number of  
12 businesses that, as you pointed out, within  
13 this past six months or year that have been  
14 targeted for Code Enforcement.

15 As we all know, or everyone who  
16 looks on East Campus Construction and  
17 Maryland.edu, Eastcampusconstruction.com,  
18 there is a new super law/center/birchmere.

19 Birchmere is a concert hall, a  
20 500-person venue concert hall. What would  
21 this concert hall stand to gain by the College  
22 Perk, Town Hall, Santa Fe and Thirsty Turtle

1 all losing their Liquor Licenses? Hmm?

2 Well, that's a lot of business  
3 going somewhere. Now I understand our city  
4 has to have growth. Our city must have growth  
5 and respect for its people.

6 East College kids need more  
7 parking. If you admit too many college kids  
8 and there's not enough housing and not enough  
9 parking, and then you drive around ticketing  
10 the heck out of them.

11 And then when you try to run  
12 businesses out by over ticketing them and Code  
13 Enforcing, now these pictures were taken  
14 illegally.

15 You're trespassing on our  
16 property. All the pictures and noise  
17 violations are supposed to be from the road.  
18 These pictures were taken trespassing on the  
19 property of the Perk.

20 Now I know that we may have been  
21 in violation, but part of the violation was  
22 done because the city was not doing its job

1 and picking up our recycling.

2 If you don't your job and you  
3 harass us for violating this and come onto our  
4 property and attack us, what are we supposed  
5 to do? And all in the name of cropping up a  
6 new business coming into town?

7 This doesn't seem fair. It seems  
8 like an ethics violation and we would like it  
9 if you all would work with us as a community.  
10 We want to build noise barriers.

11 Sir, we're very sorry for  
12 disturbing you. We want to build a community  
13 where our neighbors love us. And I've looked  
14 into the noise barriers.

15 We want to be proactive, as you  
16 said earlier, too, sir. And I appreciate  
17 that. We don't want to just be like, hey,  
18 we're rebels, we don't have to answer to the  
19 community. We want to work with you all to  
20 build something. And so I've checked into  
21 noise barriers.

22 We're trying to revamp the Perk

1 and put noise barriers around it and we've  
2 looked into getting, you know, the 95 noise  
3 barriers to try and protect the Perk from that  
4 to be amenable with the community and work  
5 with you all. Thank you all.

6 MR. BRAYMAN: And, sir, your  
7 address?

8 MR. JONES: I live at the Perk,  
9 9078, College Park, Maryland.

10 (Applause.)

11 MR. JOHNSON: Richard Johnson, 6606  
12 Baltimore Avenue. I just, I've been going  
13 here for a long time, myself. And I know  
14 you're all elected and I know that you do have  
15 the element of power here over the community.

16 And I think in having that, you  
17 also have the power of flexibility. There are  
18 community grants that some communities give  
19 out to communities that are just being, or to  
20 businesses that are just being fostered, that  
21 are in their infancy. And maybe this could be  
22 resolved in some fashion like this.

1                   That you'd give a certain period  
2                   of time for a new business, that's a definite  
3                   asset to a community, to basically be  
4                   sheltered by some type of a grant that pays  
5                   for the garbage and the Liquor License fee,  
6                   like a landing fee that given to airlines when  
7                   they start off at a new airport.

8                   You know, they get free landing  
9                   rights. You give them free liquor rights for  
10                  the city. And then after a certain period of  
11                  time, when they've proven that they can stand  
12                  on their own two feet, then you say, all  
13                  right, we've done this to help you, we know  
14                  you're an important asset to our community  
15                  and, you know, some way of finding an answer,  
16                  you know, in the flexibility that you  
17                  definitely have.

18                  MR. BRAYMAN: Sir, what part of  
19                  Route 1 do you live on?

20                  MR. JOHNSON: What part?

21                  MR. BRAYMAN: Yes.

22                  MR. JOHNSON: You know where I

1 live.

2 MR. BRAYMAN: Where?

3 (Laughter.)

4 MR. JOHNSON: University Park.

5 MR. BRAYMAN: University Park,  
6 okay, thank you.

7 (Applause.)

8 MR. BRAYMAN: All right, sir, let  
9 me just gauge the audience. How many more  
10 people haven't testified that wish to testify?  
11 Okay, I see, one, two, three, four, five, six.  
12 Could you all que up and sir, you're first.

13 Six, now look, a lot of people  
14 didn't raise their hand until just then. But,  
15 okay.

16 MR. COHEN: My name is James Cohen.  
17 I live at 6 Halethorpe or 6 Colony Hill Court  
18 in Halethorpe, Maryland. And I just want to  
19 say I drive about 20 miles every day to go to  
20 the Perk because, for once in my life, I  
21 actually feel a sense of community. I have  
22 gained so many new senses of comradery and

1 friendship from this place.

2 I've found people I can rely upon  
3 and I've found people that give me very  
4 stimulating, intellectual discussion there.

5 Before I discovered the Perk, my  
6 life was in a state of stagnation. And this  
7 place has given me the impetus to actually  
8 expand as a person and I think it's given a  
9 lot of people that.

10 And I don't think it's morally  
11 right to just try and tax this place into the  
12 ground. And, although I'm a very left-of-  
13 center man, and I believe in taxation, like  
14 any good American p-

15 (Laughter.)

16 MR. COHEN: p- but this place is  
17 just a small, struggling business and you  
18 can't just tax it into the ground like that.  
19 It just doesn't seem fair. You aren't giving  
20 them a fair shot.

21 (Applause.)

22 MR. BRAYMAN: Ma'am, name and

1 address.

2 MS. GORDON: My name is L. Suzanne  
3 Gordon, PhD. Thank you. I just got my PhD at  
4 the University of Maryland. I've been  
5 teaching on often graduate, graduate student  
6 teaching assistantships, not making very much  
7 money at all.

8 So I just want to say that I live  
9 at the College Park. Just recently, today in  
10 the Diamondback, so if I mis-speak somebody  
11 will correct me.

12 I heard that the owners of the  
13 graduate housing, I don't know if that's  
14 University Hills or not, recently calculated  
15 that a reasonable rental for one of the  
16 bedrooms in a graduate apartment is \$970.00 a  
17 month.

18 I, as I said, just completed my  
19 PhD as a divorced person. If I didn't have  
20 help from my family, I wouldn't be doing this.  
21 I paid all my school loans back the first  
22 time. I grew up in southeast Washington and

1 did this on my own.

2 And I'll probably be dead before  
3 these loans all get paid back. So I've been  
4 making between something like, at the  
5 University, \$12,000 to \$18,000.00 a year,  
6 teaching y'all's undergraduate students over  
7 there.

8 Because we're who teach the  
9 students. They're demonstrating, our graduate  
10 student association is demonstrating now  
11 against the unavailability of living, you  
12 know, finding places to live that we can  
13 afford to pay.

14 Like thousands of others of  
15 people, I'm in that same boat. So if a  
16 reasonable rent is considered to be, what, 75  
17 to 85 percent of my salary, how are people  
18 supposed to go to college anymore.

19 I've paid less than that room  
20 rental for a two-bedroom, it's only two-  
21 bedroom, but it's a single-standing unit at  
22 the College Perk, since I moved in there in

1 2003.

2 I couldn't have lived here any  
3 other way. I'm one of those people that lost  
4 their home, that lost their mortgage when I  
5 got divorced in the middle of this graduate  
6 school career.

7 I've had classes at the Perk, I've  
8 held seminars at the Perk. I've had office  
9 hours at the Perk. I've seen other Professors  
10 at Maryland do the same thing.

11 It is a really special  
12 environment. And I want to say, like you, I  
13 live there, right behind the drumming circle.  
14 I'm with you. But sometimes the leaf blowers  
15 wake me up too and hopefully we can work  
16 together and have a community where neighbors  
17 take care of each other.

18 MR. BRAYMAN: Ma'am, before they  
19 applaud, we need to get your name. Could you  
20 spell your name for the record?

21 MS. GORDON: L. Suzanne Gordon,  
22 PhD.

1 (Applause.)

2 MS. MCANDREWS: My name is Mary  
3 McAndrews, I live at 4708 Cherokee Street,  
4 Apt. 101, College Park, Maryland. I would  
5 just like to say that I am not a professional  
6 speaker, but the College Perk Coffeehouse has  
7 been one of the only places in my whole life  
8 that I've ever gone to that just doesn't  
9 discriminate against anyone.

10 Anyone is welcome there. You  
11 know, there was a time in my life when, you  
12 know, I had nowhere to go, at all. No one,  
13 not my family, not anyone.

14 I was pregnant and homeless and  
15 Chris Gordon opened up his doors to me. He  
16 gave me a job, and he gave me a place to stay.  
17 And I think if anything the city should be  
18 giving him some help.

19 He shouldn't be charged more  
20 money. He's actually one of the few people  
21 that, you know, makes money that gives back to  
22 people, he actually cares. That business,

1           that place is a place full of people who care.

2                       And, you know, I would hate to see  
3           that place get shut down. I love it and I  
4           think a lot of other people love it too, for  
5           that reason.

6                       You know, it's not always about  
7           money. You know, that's a place where people  
8           go to express themselves. You know, anyone is  
9           welcome to come in.

10                      You can stay as long as you want,  
11           warm up. You know, rich people go there, poor  
12           people go there. Black, white, Asian, you  
13           name it, everyone is there.

14                      You know, you could go there, you  
15           could hang out, you could get some coffee.  
16           You know, it's a great place. You know, if  
17           there's an issue where, you know, if there's  
18           violations, you know, you should work with  
19           him.

20                      Because he's a reasonable human  
21           being just as I'm sure you are also. Thank  
22           you.

1 MR. BRAYMAN: Thank you very much.

2 MR. OSTREGA: My name is Arthur  
3 Ostrega, I live at 8019 Sligo Creek Parkway in  
4 Takoma Park, Maryland. I don't know if this  
5 issue has really been touched upon today, but  
6 I think it's something that's weighed on my  
7 mind and I think that, as a City Council, this  
8 might weigh on your mind as well.

9 I know that the city and the  
10 University, primarily the student body, always  
11 hasn't clicked on their presence here and your  
12 presence as raising families and just trying  
13 to live in a city and go along with your  
14 lives.

15 But one of the things that occurs  
16 to me is that as the University of Maryland  
17 increases its prominence in the national  
18 level, the City of College Park also is being  
19 put on attention with the raising of the  
20 attention of University of Maryland.

21 And, you know, I'm sure it's your  
22 desire, as the Council of the City of College

1 Park, to display an image of a good city and  
2 a happy city and a city with unique businesses  
3 and unique places where people are welcome to  
4 come and enjoy and see that it is just as  
5 great as the University of Maryland is.

6 And it is increasing its  
7 prominence just as the University of Maryland  
8 is. And I feel that the College Park is one  
9 of those places that really brings character  
10 to the city.

11 I grew up in the county next door,  
12 in Montgomery County, and I wanted to go to  
13 the University of Maryland all my life, but I  
14 knew nothing about the City of College Park.

15 I knew nothing about anything that  
16 was in it and I never heard anything good  
17 about it. And I didn't even hear about the  
18 College Park until a year through, after my  
19 freshman year.

20 And I came to find it and I found  
21 this incredible place that I had never knew  
22 existed. Which is full of culture and people.

1           And I think taking that away from the City of  
2           College Park, in any fashion, would be a  
3           serious detriment to the public image that you  
4           portray alongside the University of Maryland.

5                        And I understand that you have  
6           serious issues that you'd like to deal with  
7           Chris Gordon, but I think that both parties  
8           should be amicable and try and come to some  
9           kind of median where he can stay and you can  
10          appreciate what he brings to the City of  
11          College Park, alongside the University of  
12          Maryland. Thank you.

13                        (Applause.)

14                        MR. BRAYMAN: Thank you very much,  
15          sir. Next.

16                        MR. BLAIK: Hello, my name is  
17          Curtis Blaik, last name is spelled kind of  
18          strange, it's B-l-a-i-k. I don't know if  
19          that's going to help you out at all.

20                        MR. BRAYMAN: Thank you.

21                        MR. BLAIK: I live on 8516 Potomac  
22          Avenue, College Park, Maryland. Earlier

1           tonight the question was addressed to Mr.  
2           Gordon as to who's responsibility it is to  
3           upkeep and understand the law, especially as  
4           a businessman.

5                       My question in rebuttal would be  
6           is it the government's, as the governing body  
7           of College Park, it's your job to serve your  
8           constituents.

9                       And sometimes it seems that the  
10          City of College Park doesn't understand that  
11          its constituents are comprised, maybe not  
12          mainly, but a huge majority are students.

13                      And, even before I became a  
14          student at the University of Maryland, I knew  
15          College Park for only two things. Awful Frat  
16          parties, which I'm sure are deafening, much  
17          more loud than the Perk could ever be and also  
18          the University of Maryland.

19                      As well as the Perk. And the  
20          thing is that if you were to take away the  
21          Liquor License of the Perk, you're going to be  
22          taking away substantial business from a place

1           that isn't really necessarily just a  
2           restaurant or where people live.

3                         It's a haven for the local  
4           community. It's a place where students can go  
5           to study. It's a place where politicians,  
6           such as Barack Obama is going to be keeping  
7           his headquarters at tomorrow.

8                         It's a living, breathing entity of  
9           College Park, in a town that, to say the  
10          least, is underdeveloped considering the  
11          University that resides in it.

12                        So I ask what are the assets that  
13          the Perk gives to College Park in  
14          consideration of the fact that there's bar  
15          here that I know for a fact, let underage kids  
16          drink.

17                        The Knox Box is on Knox Road, they  
18          catch on fire every year. So really who is  
19          pointing the finger here as far as what's a  
20          good business and what's a bad business. The  
21          Perk is definitely much more than that.

22                        (Applause.)

1 MR. BRAYMAN: Thank you, sir.

2 MR. SCHANZLE: The name is David  
3 Schanzle, S-c-h-a-n-z-l-e. I live at 8019  
4 Sligo Creek Parkway, Takoma Park, Maryland.

5 I just want to make the point that  
6 the fees we're talking about here really add  
7 up to minor annoyances in business. We're  
8 talking a couple of hundred dollars.

9 And Chris Gordon, a normal  
10 businessman would not really bother with this  
11 because it's way easier to just pay the fee,  
12 go on with your life, as opposed to actually  
13 fighting this.

14 He's not doing this toward petty  
15 or noble ends, because doing so just isn't  
16 worth the effort. You could spend that time  
17 doing far more productive things that would  
18 probably end up making him more money.

19 He is fighting this out of a  
20 certain idealism that the vast majority of  
21 business owners who do pay these fees and  
22 rental owners, mostly absentee landlords do so

1           because compliance is simply easier than  
2           bothering to fight it because \$200.00 here,  
3           \$700.00 here, just isn't worth the effort,  
4           unless you actually care.

5                       And the vast majority of business  
6           owners probably don't actually like paying  
7           these fees, don't agree with them, and if they  
8           actually had the time or cared enough, or  
9           thought the fees were high enough, probably  
10          would take action towards going against them.  
11          That's all I have to say.

12                       MR. BRAYMAN: Okay, thank you.

13                       (Applause.)

14                       MR. FRANKS: My name is Shannon  
15          Franks, I live at 6212 Westchester Park Drive.  
16          And I'm a faculty at the University, also a  
17          Contractor at NASA/Goddard.

18                       Earlier, Patrick, you asked about  
19          the accessibility, and I wasn't planning on  
20          talking tonight, but I figured since it was  
21          brought up I'll address it.

22                       I was the person that asked Chris,

1           you know, I said hey there's a step here, on  
2           your way out, that's pretty difficult for me.  
3           Because there was a ramp at the bottom.

4                     And he did address it. And, of  
5           course, there's other things that, you know,  
6           I'd like to have better there, but I actually  
7           haven't asked for it.

8                     So, to answer your question, what  
9           I have asked for, has been done. And if you  
10          want a comparison, as to other places, since  
11          this seems to be a concern, some of these  
12          other neighboring places, I'll let you know,  
13          Town Hall has a bathroom.

14                    I can get into it but it's not  
15          accessible. Santa Fe, when I want to enter  
16          Santa Fe, I have to go through the back where  
17          the trash is taken out. Not accessible.

18                    When I get in, there's steps to  
19          get to the bathroom. Let's see, what else?  
20          Cornerstone, another place I can get into, get  
21          into the bathroom, but I can't get into the  
22          stall. And you can imagine what this means

1           when I have to go to the bathroom.

2                       Let's see, so that's Town Hall,  
3           Cornerstone, Santa Fe. What's that place  
4           that's next to Cornerstone? Bentley's. I  
5           don't even know where the bathroom is in  
6           there. I think it's in the basement.

7                       So really, I mean, if you're  
8           concerned, the College Perk is probably the  
9           only place that's accessible that I go to.  
10          So, from my perspective, I have no problem  
11          with it. Any questions?

12                      MR. BRAYMAN: Mr. Wojahn.

13                      MR. WOJAHN: I do have sort of a  
14          follow up. The reason why I asked the  
15          question that I asked before was because I  
16          received an e-mail from a concerned resident  
17          who unfortunately is not here tonight.

18                      But said that she is in a  
19          wheelchair and has difficulty with a couple of  
20          things. One is climbing the ramp. Well,  
21          first of all the lack of a handicapped parking  
22          spot. Second, the ramp leading into the back

1 door, she said that she's had difficulty  
2 traversing that with the wheelchair.

3 And then I guess in some of the  
4 remodeling that's been happening, fixing up in  
5 the interior, has made it, the corridors  
6 within the facility more difficult to get  
7 through.

8 Have any of these issues been a  
9 problem for you?

10 MR. FRANKS: Yeah, at time that  
11 ramp is pretty steep. I'm sure it's not ADA  
12 Code. But, like I said, I haven't said  
13 anything.

14 But I would presume that if you  
15 had, it would be something that would be taken  
16 care of. I mean being, especially that he's  
17 a handy person, he's working on it overtime  
18 anyway.

19 So, yeah, I understand the ramp  
20 thing. The other thing, no, I don't have an  
21 issue with. The parking spots, I mean, I  
22 think that's a pretty small thing, compared to

1           what we have to deal with on a daily basis,  
2           whether the parking spot is five feet or 15  
3           feet, I don't see it.

4                        But I'm sure that person could  
5           talk to him. So from that perspective, I  
6           don't have a problem with it, and I have much  
7           more of a problem with a lot of the other bars  
8           here, where they don't provide any access.

9                        MR. WOJAHN: Sir, my impression is  
10          that this, she has talked to him on many  
11          occasions. Although, she's not here and I  
12          don't want to speak for her other than what I  
13          read in the e-mail.

14                       MR. FRANKS: Yeah, that's a shame.

15                       MR. WOJAHN: But hopefully it's  
16          something that can be addressed in the future.

17                        (Appause.)

18                       MR. BRAYMAN: How many more? Sir,  
19          are you the, you coming, so two more, three?  
20          Okay, sir, good evening.

21                       MR. ECKOFF: My name is Michael  
22          Eckoff, I live at 11370 Evans Trail in

1 Beltsville. And I've been coming to the Perk  
2 for probably about two to three years now.

3 And something that I want to say  
4 is first the kind of people who actually go  
5 there. You think of it as a student place and  
6 most of the student places you go to will be  
7 bars, say nearby here, Cornerstone and so on.

8 There's people that get drunk and  
9 there's people where there's a lot of loud  
10 music and there's no real conversation.

11 Perk is one place where you can  
12 actually go and you meet people who are  
13 intelligent, who are artistic, who have  
14 interests.

15 And, yes, if I get occasionally a  
16 few drinks, they don't, they're not loud and  
17 they don't get drunk. So, therefore, the only  
18 real reason you would want to take somebody's  
19 Liquor License away, is if they actually sell  
20 alcohol to somebody who is underage.

21 Or if there are things which are  
22 caused by that which disturb the peace. And

1 I don't believe Perk by any means is a place  
2 which you could say that about.

3 The other thing is, in terms of  
4 parking, all the violations, as I came there  
5 I didn't really notice a trash issue. Of  
6 course there's a few items here and there,  
7 and, but being there, it's not something which  
8 would jump in my place.

9 It's not something which has got  
10 me concerned with food. And overall the place  
11 is comfortable and clean and produces an  
12 awesome atmosphere.

13 So I hope the fact that Chris  
14 Gordon came over here and made a stand does  
15 not make you guys look and make it hard for  
16 him to work out whatever tax issues you have.

17 If it was some kind of a  
18 misunderstanding or if, in fact, there is a  
19 law where you guys don't, have only 20 percent  
20 or that you're charging more than you should  
21 be, I hope that can be worked out and I'm sure  
22 that he'll be reasonable. And I hope that

1           this place can continue to stay.

2                           (Applause.)

3                           MR. BRAYMAN: Next.

4                           MR. STEARN: Hello, I'm Mathias  
5           Stearn, that's S-t-e-a-r-n. I live at 8111  
6           51st Avenue. It seems like most of these  
7           people haven't been addressing the Liquor  
8           License issue, which seems to be the main  
9           issue.

10                           You know, there are very rarely,  
11           if ever, anybody that's drunk to the point  
12           that I see down on Route 1, near all of the  
13           main bars.

14                           I used to live in the South Campus  
15           Commons. And every night I would hear people  
16           stumbling drunk, yelling, screaming, it was  
17           very annoying. I'm glad that I've moved out  
18           of that area, away from these loud areas, into  
19           a nicer, quieter area.

20                           The Perk, we never see that kind  
21           of thing. You never see people stumbling  
22           drunk. There's never any violence. I've

1 heard, there was even a stabbing at one of  
2 these bars. Never at the Perk.

3 It would be ridiculous. Also, as  
4 to one of the other issues, alcohol  
5 consumption, nobody ever leaves, leaves in a  
6 car drunk.

7 The, always, if anybody is  
8 thinking about having another round and it's  
9 getting late, we will always say, and I'm not  
10 even an employee there, I'm just a customer.  
11 We always question, you do have a ride home?

12 It's, we never let people drive  
13 away drunk. And Chris has made it clear that  
14 there's an open invitation, that if people are  
15 too drunk to drive, and if they're not  
16 stumbling or visibly drunk, they are welcome  
17 to stay at any of the couches.

18 There are, people will gladly  
19 provide a ride, gladly provide a couch to stay  
20 on. I've offered to people before. It's a  
21 very helpful community. We take care of each  
22 other. And, if a person actually, you

1 mentioned somebody had trouble getting up the  
2 wheelchair? Well, this isn't directly  
3 related, and I don't think it should matter  
4 towards the Liquor License, but I would say  
5 that if they had asked anybody here, I'm sure  
6 anybody who goes to the Perk would have been  
7 glad to give them a hand. I've done so  
8 myself. Thank you.

9 (Applause.)

10 MR. BRAYMAN: All right, are you  
11 are last for this hearing? I think so.

12 MR. O'DONOGHUE: My name is Coleman  
13 O'Donoghue. I live at 4804 Tecumseh Street in  
14 Berwyn. And, I'm sorry I'm late tonight, I  
15 just wanted to just say a couple of quick  
16 things.

17 I'm a father of four and my kids  
18 range between 12 and 20, now. My wife and I  
19 have been going to the Perk with my whole  
20 family pretty much since day one, when it  
21 opened up.

22 And they way I met Chris, when it

1 was a Coffee Shop and his partner. His  
2 partner was outside with his son saying free  
3 coffee, so that led us in there.

4 But the bottom line was my next  
5 door neighbor, Kylan Hoffman Smith was killed  
6 in the Iraqi conflict, and his family was in  
7 town.

8 It was right about the same time  
9 when the Perk opened up. And Chris was, we  
10 built a bond then. And it was about family,  
11 friends, community.

12 It had nothing to do with beer or  
13 liquor sales or this or that. It was a person  
14 starting a business and it's a quality place.

15 It features music, art, food.  
16 It's not about liquor there, it's about a  
17 place to go for all ages. There's no, there's  
18 just a sense of calm that maintains itself  
19 within that establishment.

20 And it's a lot of fun to go to.  
21 And I think anybody here who hasn't been  
22 there, to get breakfast, lunch, dinner, a

1 smoothie, a cup of coffee, a latte, a cold  
2 Guinness, you should go.

3 And I just want just say that  
4 College Park needs College Perk.

5 (Applause.)

6 MR. BRAYMAN: Thanks everyone for  
7 coming down, Mr. Gordon as well. Jeannie, I  
8 saw that you had your hand up at one point,  
9 but I'm going to suggest that if staff has  
10 some more additional comments, that I would  
11 expect next week we would be looking at  
12 considering our position on all the Liquor  
13 Licenses across the city, including this one.

14 And additionally, if it's not done  
15 next week, you know, we have until the end of  
16 the month. But I would hope that next week we  
17 would send a signal as to what our position is  
18 for all of them.

19 So, since we've had a public  
20 hearing, though, it would not be an  
21 opportunity for all the comments. Although,  
22 Mr. Gordon, if you were in attendance as the

1 License Holder and if staff was introducing  
2 something more, I certainly would try to give  
3 you the opportunity to enter into that.

4 Okay? So at least we've gone  
5 through everybody that wanted to speak. I'd  
6 ask the Council to hold their comments until  
7 next week as well, where I think we'll be  
8 adding another 30 minutes.

9 And I know there's two more  
10 hearings we have to get to tonight, so what I  
11 want to do though is just take a very brief  
12 five minute break.

13 Let the room clear out. I would  
14 ask you, I'm going to come back in five  
15 minutes and I'll hoot and holler that we need  
16 to clear the room out.

17 We need it quiet for the next  
18 people and I also want to determine, I think  
19 Mr. Wanuck may have an attorney. Mark, you  
20 may go second, if you're not paying an  
21 attorney, in that the bill has got to be high  
22 now after that. I apologize. You all will

1           get me later. So we're going to take a brief  
2           recess.

3                               (Whereupon, the proceedings in the  
4           above-entitled matter were concluded at 9:45  
5           p.m.)

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