

MINUTES
Regular Meeting of the College Park City Council
Tuesday, March 11, 2008
8:00 P.M.

PRESENT: Mayor Brayman; Councilmembers Molinatto, Wojahn, Catlin, Perry, Stullich, Mark Cook, Hampton and Mary Cook; Student Liaison Danielle Kogut.

ABSENT: None

ALSO PRESENT: Joe Nagro, City Manager; Suellen Ferguson, City Attorney; Janeen Miller, City Clerk; Sara Imhulse, Assistant to the City Manager; Steve Halpern, City Engineer.

Mayor Brayman opened the meeting at 9:00 p.m. following an earlier Public Hearing.

Minutes: The following items were submitted for approval: Transcripts of the February 11, 2008 Public Hearings on the liquor license renewals for Town Hall Liquors, College Perk Coffeehouse, Thirsty Turtle, and Santa Fe Café/The Mark (in lieu of minutes), and minutes of the Regular Meeting of February 26, 2008. A motion was made by Councilmember Catlin and seconded by Councilmember Mary Cook to approve the transcripts and minutes. A motion to amend the minutes was made by Councilmember Stullich and seconded by Councilmember Catlin. The amendment was to the February 26 minutes, Item 08-G-36, Councilmember Stullich's comment should read, "However, she noted that the County Council has taken a position...." The minutes, as amended, were approved by a vote of 8-0-0.

Announcements: Councilmember Stullich announced the Calvert Hills Citizens Association would meet at the Old Parish House on Thursday, March 13, at 7:00 p.m. On Wednesday, March 12, a meeting on the Gypsy Moth spraying will be held at University Park Elementary School, at 7:30 p.m.

Councilmember Mary Cook stated the North College Park Citizens Association would meet on Thursday, March 13, at 7:30 p.m. at Davis Hall.

Councilmember Perry announced the Berwyn District Civic Association would hold their potluck dinner on March 29 in the Four Seasons Room at Holy Redeemer Church.

Councilmember Catlin announced the Lakeland Civic Association would hold their regular meeting on Thursday, March 13, at the College Park Community Center.

Councilmember Wojahn stated he met with former Councilmember Dave Milligan on revitalizing the Citizens Corps Council, which includes the Community Emergency Response Team and Neighborhood Watch. They are looking for interested volunteers.

Acknowledgement of Dignitaries: Mayor Brayman recognized Monroe Dennis, President of the Lakeland Citizens Association, and Jerry Anzulovic, President of the Berwyn District Civic Association.

Amendments To The Agenda: Councilmember Stulich removed item 08-O-01 from tonight's agenda; this item will return at the April 1 Worksession. Councilmember Wojahn removed item 08-G-42 from tonight's agenda; this item will return on March 25. Councilmember Wojahn added item 08-G-44, consideration of a letter in support of HB 1471 to eliminate funding for the Intercounty Connector.

City Manager's Report: Mr. Nagro said the Flexcars that were parked on Lehigh Avenue had been removed by Zipcar after they bought out the Flexcar company. Zipcar was unaware that the City had a contract with Flexcar. The cars will be returned for 30 days to honor the contract, then will be removed permanently by Zipcar because they are underutilized. Cars remain on campus and at the College Park Metro station.

Mr. Nagro discussed the planned Gypsy Moth spraying, which will take place in late April to early May in the Albion to Drexel areas of Calvert Hills.

The Spring Egg hunt will be held on Saturday March 15 from 10 – 12 at Youth and Family Services, and the Recreation Board will hold their Lunch with the Bunny from 11 – 1 on the same day at the College Park Community Center.

Mr. Nagro discussed damage from Saturday's windstorm.

Student Liaison's Comments: Ms. Kogut stated there was a huge turnout for the Communiversities Clean up last weekend.

Comments From The Audience On Non-Agenda Items:

Jack Robson, 4710 Harvard Road: He believes the Council holds too many Executive Session meetings and wants more information about what is going on.

Presentations: Dr. Nancy K. Torrieri from the American Community Survey Office of the U.S. Census Bureau gave a presentation on the American Community Survey. Dr. Torrieri stated the American Community Survey is a reengineering of the 2010 Census and replaces the decennial census long form. This is a continuous demographic survey and will provide more timely data to local governments in the form of estimates, not counts. Dr. Torrieri was joined by Phil Lutz from the Philadelphia Regional Office who discussed preparations for the 2010 census. He discussed the Local Update of Census Address program (LUCA) and the Boundary and Annexation Survey (BAS), which are preliminary to the 2010 survey and are being conducted now. Local governments are asked to help encourage residents to complete and return census forms. There was discussion about how census data can help with decision-making, the collection process, reporting methodology, and about the questionnaire itself.

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

08-R-05 Resolution Of The Mayor And Council Of The City Of College Park, Maryland Adopting The Recommendation Of The Advisory Planning Commission And Granting Variance Application Number CPV-2007-26, 5120 Kennebunk Terrace, College Park, Maryland, For A Variance Of Six Feet (6') From The Required Rear Yard Setback Of Twenty Feet (20') And A Variance Of 1.2% Or 63.6 Square Feet From The Maximum Allowable Lot Coverage Of Thirty Percent (30%) Or 1,590.9 Square Feet

08-R-06 Resolution Of The Mayor And Council Of The City Of College Park, Maryland Remanding CPV-2007-24 To The Advisory Planning Commission For Further Proceedings

The motion carried 8-0-0.

Action Items:

08-G-38 Approval Of A Letter To The Board Of License Commissioners Regarding the Santa Fe Café Request To Admit 18 – 20 Year Olds

A motion was made by Councilmember Stulich and seconded by Councilmember Molinatto that the City voice no objection and send a letter to the Board of License Commissioners in substantially the form as the attached to the motion providing further comment and conditions as to the proposal by Double Eagle, Inc. t/a Santa Fe Café to admit persons 18 and older to the restaurant for concerts.

Councilmember Stulich reviewed the Worksession discussion of this topic. Mayor Brayman read the conditions listed in the letter. The letter was revised.

Mark Srour, 7406 Baylor Avenue, the applicant: He agrees with the conditions in the letter. The BOLC hearing is tomorrow night at 7:00 p.m.

There were no comments from the audience.

An amendment to the motion was proposed by Councilmember Perry and seconded by Councilmember Wojahn that City staff attend the BOLC hearing tomorrow and submit the City's letter as part of the record.

There were no comments from the audience on the amendment.

The amendment carried 8-0-0.

Councilmember Stulich stated her cautious support for the proposal and discussed fire safety concerns.

Councilmember Perry will not support the motion because he believes there is too much chance for abuse.

Councilmember Wojahn expressed his support for the motion and thought it was good for the City to have more options for people 18 – 20 years old.

Councilmember Molinatto expressed his support for the motion.

Councilmember Catlin expressed his support for the motion.

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

08-G-37 Approval of A Motion To Voice No Objection To The Transfer Of A Class B (BH) Beer Wine And Liquor License To Oprock College Park Beverage, LLC t/a Moose Creek Steakhouse.

A motion was made by Councilmember Hampton and seconded by Councilmember Mary Cook that the City voice no objection to the transfer of a Class B (BH) Beer Wine and Liquor License to Oprock College Park Beverage, LLC t/a Moose Creek Steakhouse at the Holiday Inn, subject to the licensee entering into a Property Use Agreement in substantially the form attached, and that the City Manager be authorized to sign the Agreement.

Councilmember Hampton read the comments into the record.

There were no comments from the audience.

There were no comments from the Council.

The motion carried 8-0-0.

08-G-39 Approval of a Letter to Prince George's County Requesting Clarification of Occupancy Capacity At Santa Fe Café.

A motion was made by Councilmember Perry and seconded by Councilmember Catlin that the Council approve a letter from the Mayor to Chief Sedgwick of the Prince George's County Fire Department requesting clarification regarding the Fire Safety Law of Prince George's County requirement for sprinkler systems in existing nightclubs and bars with live entertainment.

Councilmember Perry read the comments into the record.

Mayor Brayman suggested revisions to the letter.

A motion to amend the letter was made by Councilmember Perry and seconded by Councilmember Molinatto to incorporate the revisions suggested by Mayor Brayman. The motion to amend the letter passed 7-1-0 (Councilmember Mark Cook opposed).

Comments from the audience:

Andrew Friedson thanked the Council for moving forward on this life safety issue.

Councilmember Perry described himself as the Councilmember who likes sprinklers and sees it as a basic safety measure. He hopes Prince George's County sees it the same way.

Councilmember Stullich urged all business owners that are in this situation to take action to install sprinkler systems.

Mayor Brayman hopes this letter moves things forward, and hopes this interpretation assists the tenant when dealing with the property owner.

The motion carried 7-1-0 (Councilmember Mark Cook opposed).

08-G-40 Approval of the Maryland Heritage Area Authority (MHAA) FY 2009 Grant Application

A motion was made by Councilmember Wojahn and seconded by Councilmember Molinatto to submit the City of College Park MHAA FY 2009 Grant Application for \$42,500 for Phase 1 design and development of a gateway park; \$5,000 for design, fabrication and installation of local and national register historic district street signs in Old Town and Calvert Hills; and \$5,000 for design, fabrication and installation of eight small interpretive signs that will complement the Anacostia Trails Heritage Area (ATHA) wayfinding signs and the City's historic neighborhoods walking tour.

Councilmember Wojahn read the comments into the record.

There were no comments from the audience on this item.

Councilmember Perry asked about the gateway park mentioned in the application and stated that the City does not now own that property. He asked where the matching funds would come from.

Councilmember Stullich stated the grant application is due now and she is in favor of taking advantage of the program if the property is acquired.

The motion carried 6-2-0 (Perry and Mark Cook opposed).

08-G-41 Approval of a Letter in Support of Community Legacy Program Funding

A motion was made by Councilmember Catlin and seconded by Councilmember Stullich that the Council authorize the Mayor to sign a letter to the House Appropriations Committee and the Senate Budget and Taxation Committee in support of Community Legacy Program Funding.

Councilmember Catlin read the comments in to the record.

There were no comments from the audience.

There were no comments from the Council.

The motion carried 8-0-0.

08-G-44 Approval Of A Letter In Support Of HB 1471 To Eliminate Funding For The Intercounty Connector

A motion was made by Councilmember Mary Cook and seconded by Councilmember Hampton that the Council approve a letter in support of HB 1471 to eliminate funding for the ICC. Councilmember Cook stated the City has already taken a position in opposition to the ICC.

There were no comments from the audience on this motion.

Councilmember Stullich expressed her support for this motion and her opposition to the ICC.

Councilmember Wojahn expressed his support for this motion and his opposition to the ICC.

Councilmember Perry is opposed to this motion and stated his support for the ICC.

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

08-G-43 Appointments To Boards and Committees

None.

Council Comments:

Councilmember Mary Cook reported on a meeting she held with County Department of Public Works & Transportation and State Highway Administration representatives about the intersection of Route 1 and Cherry Hill Road, and requested the City send a letter in support of DPW&T efforts to improve safety on Cherry Hill Road.

Councilmember Perry congratulated City staff on their handling of a situation at the corner of Osage and Patuxent streets to address the difficulty of large vehicles negotiating the tight corner.

Mayor Brayman announced there would be a brief Worksession after tonight's regular meeting to assess opinions on the Star Hotels proposal the Council heard last week.

A motion to adjourn the Regular meeting and enter into a Worksession was made by Councilmember Perry and seconded by Councilmember Molinatto. The motion carried 7-1-0 (Stullich opposed). The meeting adjourned at 10:58 p.m.

Janeen S. Miller, City Clerk

Pursuant to §C6-3 of the College Park City Charter, at 7:00 p.m. on March 18, 2008, in the Council Chambers at City Hall, a motion was made by Councilmember Perry and seconded by Councilmember Molinatto enter into an Executive Session to consult with Counsel and to consult with staff, consultants, or other individuals about pending or potential litigation. The motion passed 5-1-0 (Perry opposed, Mark Cook and Hampton absent).

Present: Mayor Brayman, Councilmembers Molinatto, Wojahn, Catlin, Perry, Stullich, Mary Cook and Mark Cook (arrived at 8:00 p.m.). Also in attendance were City Manager Joe Nagro, Assistant City Clerk Yvette Allen, City Attorney Suellen Ferguson, and Director of Public Services, Robert Ryan. Assistant to the City Manager Sara Imhulse arrived at 7:40 p.m.

Topics Discussed: A Property Use Agreement.

A motion was made by Councilmember Wojahn and seconded by Councilmember Stullich to adjourn the Executive Session. The Executive Session was adjourned at 8:03 p.m. by a vote of 7-0-0.
