

MINUTES
Regular Meeting of the College Park City Council
Tuesday, February 24, 2009
8:00 p.m.

PRESENT: Mayor Brayman; Councilmembers Molinatto, Wojahn, Catlin, Stullich, Mark Cook and Mary Cook; Student Liaison Dan Hartinger.

ABSENT: Councilmembers Hampton and Perry.

ALSO PRESENT: Joe Nagro, City Manager; Suellen Ferguson, City Attorney; Janeen Miller, City Clerk; Sara Imhulse, Assistant to the City Manager; Bob Ryan, Director of Public Services; Steve Halpern, City Engineer; Steve Groh, Director of Finance; Code Enforcement Officer Daves.

A quorum being present, Mayor Brayman called the Regular meeting of the College Park City Council to order at 8:08 p.m. The pledge of allegiance was led by Councilmember Molinatto.

Minutes: A motion was made by Councilmember Catlin and seconded by Councilmember Wojahn to adopt the minutes of the February 10, 2009 Regular Meeting and the February 17, 2009 Special Session. The motion carried 6-0-0.

Announcements:

Councilmember Stullich said the Calvert Hills neighborhood is trying to reinvigorate their Neighborhood Watch, and if anyone is interested in serving as a Block Captain to contact her or Morgan Gale.

Councilmember Mark Cook said the Yarrow neighborhood is also trying to reinvigorate their Neighborhood Watch, and anyone interested in serving as a Block Captain should contact him.

Acknowledgement of Dignitaries: Mayor Brayman recognized former City Councilmember Dave Milligan; Larry Bleau, President of the North College Park Citizens Association; and Jacky Sun, Cao Xuejuan, Gu Jinqun, and Shi Yanpin, all of whom are current or former elected officials from the Jiangsu Province in China, and are in College Park attending the University of Maryland in pursuit of their Master of Public Management degree at the School of Public Policy.

Amendments to the Agenda:

Added item 09-G-21, Letters in support of the Community Legacy Program.

City Manager's Report: Mr. Nagro called the Council's attention to the items in their red folders. He also announced that the parking pay stations are being installed in the City Hall parking lot. He discussed the status of budget preparation.

Student Liaison Comments: Mr. Hartinger spoke in support of items 09-G-14 and 09-G-15 which support measures to stabilize student housing rental prices in College Park.

Comments from the Audience on Non-Agenda Items:

Larry Bleau, 4901 Niagara Road, President, North College Park Citizens Association: Mr. Bleau reported on the February 12 NCPA meeting at which City budget priorities were selected and the US 1 Sector Plan was discussed.

Byron Patterson, 4813 Guilford Road: Announced the Alice Ferguson Foundation Potomac River Watershed Cleanup on April 4, requested the City more visibly post vacancies on City Boards and Committees, wants the City to be more aware of the trash produced by local businesses, and requested the Council to keep mindful of security in order to stabilize the residential population.

Consent Agenda:

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

- 09-G-12 Contract Award Of 5 Year Copier Lease To Oce North America For Copiers At Public Services, Public Works, Youth And Family Services And Spellman House For An Annual Cost Of \$7,775.76, And Authorization For The Director Of Finance To Execute Any And All Necessary Documents**
- 09-G-13 Contract Award to Metric Parking for Two “Accent 3” Multi-Space Pay Stations At A Cost Of \$35,190.00 For The Parking Garage (Requires an Extra Majority vote)**
- 09-G-14 Approval Of A Letter Stating The City’s Opposition To SB 658/ HB 916, “Political Subdivisions – Government Imposed Restrictions On Income Producing Real Property – Fiscal Impact Study”**
- 09-G-15 Approval of a Letter Stating the City’s Opposition to HB 1239, “Landlord and Tenant – Rent Control – Local Government Authority”**
- 09-G-16 Approval of a Letter Stating the City’s Opposition to HB 1182, “Communications Services – Taxation and Regulation”**
- 09-G-18 Approval Of A Motion To Voice No Objection To The Renewal Of City Liquor Licenses With The Exception Of The Liquor License For The College Perk Coffeehouse**

The motion carried 6-0-0.

Action Items:

09-G-17 Consideration of the Request for a Driveway Apron Variance at 7401 Princeton Avenue

A motion was made by Councilmember Stulich and seconded by Councilmember Mark Cook that the City Council approve the request by the Theta Chi Fraternity at 7401 Princeton Avenue for a second driveway apron and curb cut along Dickinson Avenue making a total of three driveway aprons and curb cuts at the property subject to the following condition: Provision of a six-foot landscape strip along Knox Road planted with two butterfly bush and nine mountain laurel and a two-foot grass landscape strip along Knox Road between the sidewalk and the parking lot.

Councilmember Stulich expressed some disappointment about the amount of landscape buffering and at not having had the ability to review the increased density for the property that was approved by the County.

An amendment to the main motion was made by Councilmember Mark Cook and seconded by Councilmember Stulich to add the condition that the applicant enter into a Declaration of Covenants with the City and to represent their agreement to this condition as they go through the permit process.

Speaking for the applicant was Ms. Teresa Hall. Mayor Brayman asked her if she is in agreement with the Covenants, and she said, "Yes." Mayor Brayman asked her if she will represent their support of the condition and the Covenants to the County, and she said, "Yes."

The amendment carried 6-0-0.

The main motion as amended passed 6-0-0.

09-G-19 Approval Of A Letter To The Board Of License Commissioners Stating The City's Opposition To The Renewal Of The Liquor License For Christopher H. Gordon, T/A College Perk Coffeehouse, 9078 Baltimore Avenue, College Park, MD 20740, For A Class B, Beer, Wine, And Liquor License, and to authorize City Staff to testify on behalf of the City

A motion was made by Councilmember Molinatto and seconded by Councilmember Wojahn that the Council oppose the renewal of the Class B, Beer, Wine and Liquor License, for Christopher Gordon, t/a College Perk on the basis that the property is not in compliance with City laws and does not meet the requirements of the State law with respect to liquor licenses, as per the attached letter to the Board of License Commissioners, which the Mayor is authorized to sign. City staff is authorized to appear before the Board of License Commissioners to testify regarding this license.

Councilmember Molinatto read the comments into the record. Mayor Brayman stated that a public hearing was held on February 4, so there will be no further public comment taken tonight.

There were no comments from the Council.

The motion carried 6-0-0.

09-O-01 Introduction Of An Ordinance Of The Mayor And Council Of The City Of College Park, Maryland, Amending Chapter 175 “Taxation” To Add Article III, “Homeowners’ Property Tax Credit”, Section 175-4 , “Supplement To State Homeowners’ Property Tax Credit” To Enact A Supplement Of 15% To The State Homeowners’ Property Tax Credit For Homeowners In The City.

A motion was made by Councilmember Catlin and seconded by Councilmember Mark Cook to Introduce Ordinance 09-O-01, An Ordinance Of The Mayor And Council Of The City Of College Park, Maryland, Amending Chapter 175 “Taxation” To Add Article III, “Homeowners’ Property Tax Credit”, Section 175-4 , “Supplement To State Homeowners’ Property Tax Credit” To Enact A Supplement Of 15% To The State Homeowners’ Property Tax Credit For Homeowners In The City.

Councilmember Catlin stated that the Public Hearing is scheduled for March 24, 2009 at 7:30 p.m. in the Council Chambers at City Hall.

09-G-21 Approval Of Two Letters In Support Of The Community Legacy Program

A motion was made by Councilmember Stulich and seconded by Councilmember Molinatto to approve two letters in support of the Department of Housing and Community Development Community Legacy Program, to authorize the Mayor to sign such letters, and to authorize staff to testify in support of the program if needed.

Councilmember Catlin asked why these letters are needed. Mayor Brayman said there was a request from the DHCD to send a letter of support for the program because budget cuts are possible.

The motion carried 6-0-0.

09-G-20 Appointments To Boards And Committees

Mayor Brayman nominated Timothy Dennee, a District 1 resident, to the Advisory Planning Commission. Councilmember Stulich reappointed Rita Zito to the Veteran’s Memorial Improvement Committee. A motion was made by Councilmember Wojahn and seconded by Councilmember Molinatto to accept these appointments. The motion carried 6-0-0.

Council Comments:

Councilmember Mary Cook stated she hopes to work with the 21st Delegation in the next two months to begin a campaign to get cars off the roads.

Councilmember Mark Cook requested a worksession discussion on the Senate Bill to modify/update the Maryland State Song.

Councilmember Wojahn discussed the upcoming budget and requested that staff make recommendations to Council of areas the Council can cut while having a minimal impact on City services.

Councilmember Catlin discussed the M-NCPPC Post Charrette meeting last week.

Comments From The Audience:

Byron Patterson, 4813 Guilford Road: Mr. Patterson asked questions about the Sector Plan and asked how he can get a list of the City’s Boards and Committees.

Adjournment:

A motion was made by Councilmember Molinatto and seconded by Councilmember Mary Cook to adjourn the Regular Meeting and reconvene in Executive Session to consult with counsel on a litigation matter. There will be no further public session tonight. Mayor Brayman adjourned the meeting at 9:03 p.m. by a vote of 6-0-0.

Janeen S. Miller
City Clerk

Date Approved

Pursuant to §C6-3 of the College Park City Charter, at 9:16 p.m. on February 24, 2009, in the Council Chambers at City Hall, a motion was made by Councilmember Mark Cook and seconded by Councilmember Wojahn to enter into an Executive Session, citing the following authority:

G: Consult with Counsel

The motion passed 6-0-0.

Present: Mayor Brayman, Councilmembers Molinatto, Wojahn, Catlin, Stullich, Mark Cook, and Mary Cook (left the meeting at 9:45 p.m.).

Absent: Councilmembers Jack Perry and Karen Hampton.

Also Present: Joe Nagro, City Manager; Janeen Miller, City Clerk; Suellen Ferguson, City Attorney; Sara Imhulse, Assistant to the City Manager; Bob Ryan, Director of Public Services; Dan Hartinger, Student Liaison.

Topic Discussed: To consult with legal counsel regarding litigation against Double Eagle, Inc., t/a Santa Fe Café.

A motion was made by Councilmember Stulich and seconded by Councilmember Wojahn to adjourn the Executive Session. Mayor Brayman adjourned the Executive Session at 9:57 p.m. by a vote of 5-0-0.
