

MINUTES
Regular Meeting of the College Park City Council
Tuesday, April 27, 2010
8:00 P.M.

PRESENT: Mayor Fellows; Councilmembers Nagle, Wojahn, Catlin, Perry, Stulich, Cook, Afzali and Mitchell.

ABSENT: None.

ALSO PRESENT: Joe Nagro, City Manager; Suellen Ferguson, City Attorney; Janeen Miller, City Clerk; Bob Ryan, Director of Public Services; Steve Groh, Director of Finance; Bob Stumpff, Director of Public Works; Student Liaison Jonathan Sachs; Deputy Student Liaison Becca Lurie.

Mayor Fellows opened the meeting at 8:01 p.m. and Councilmember Mitchell led the Pledge of Allegiance.

Minutes: A motion was made by Councilmember Perry and seconded by Councilmember Cook to adopt the minutes of the Public Hearing held on April 13, 2010, the Regular Meeting held on April 13, 2010, and the confidential minutes of the Executive Sessions held on April 7 and on April 13. Councilmember Catlin asked for a correction to little page 19 of the Regular Meeting minutes: Correct the name of the committee and change the word “developed” to “reviewed” in the final sentence of item 10-R-05 to more accurately reflect the circumstances. The motion passed 8 – 0 – 0.

Acknowledgement of Dignitaries: Mayor Fellows recognized Dr. Ann Wylie, Vice President of Administrative Affairs, University of Maryland; Dr. Jay Teston, Principal of Paint Branch Elementary School; and Maryland Delegate Tawanna Gaines.

Proclamations: Mayor Fellows read a Proclamation in recognition of National Public Works Week, May 16 – 22.

Announcements:

Councilmember Catlin announced that the City is sponsoring a charrette on the Domain development area (Campus Drive, Adelphi Road, and Mowatt Lane) from Wednesday through Friday of this week in the Council Chambers.

Councilmember Wojahn said there will be a clean-up of Narragansett Run and the Hollywood commercial district on Saturday, May 1. Meet at 11:00 a.m. at the Hollywood Shopping Center. He also announced that the North College Park Citizens Association would hold their picnic at Davis Hall on Saturday, May 8 starting at 11:00 a.m.

Councilmember Nagle invited District 1 residents to Davis Hall for a Town Hall meeting on Saturday, May 1 from 1:30 – 3:30 to discuss the FY 2011 budget.

Amendments to the Agenda: None.

City Manager’s Report: Mr. Nagro pointed out an item re: parking prohibition on Berwyn House Road that is in the red folders. The City will celebrate Arbor Day at 9:30 on Saturday, May 1 at the Branchville Volunteer Fire Department. The University will conduct a trial closing of Campus Drive from June 19 – August 13 in which all vehicles will be prohibited west of the “M” Circle. This will be discussed at next week’s Worksession.

Student Liaison Comments: Jonathan Sachs congratulated Rebecca Lurie on being appointed the SGA Student Liaison for next year. The Deputy Student Liaison is Aaron Zaccaria.

Ms. Lurie announced that the University of Maryland College Park Collegiate 4-H Club is starting a local 4-H Club that is open to local youth ages 8 – 18. They will meet once a month during the academic year.

Comments from the Audience on Non-Agenda Items: None.

Presentations: Mayor Fellows made presentations to Student Liaison Jonathan Sachs and Deputy Student Liaison Rebecca Lurie who are leaving their respective roles tonight. Ms. Lurie will return as the Student Liaison next week.

Mayor Fellows introduced Jay Teston, Principal of Paint Branch Elementary School, who made a presentation about the trip that 20 6th grade students recently took to China as part of the “One World, One Dream” initiative, a partnership with the Confucius Institute at the University of Maryland and the City of College Park. Dr. Teston introduced sixth graders Erica Elue and Inioluwa Obidiran who spoke about their travels and narrated the slide show. The City’s Education grant helped fund the trip. Dr. Wylie discussed the University’s involvement in the trip and other activities at Paint Branch.

Consent Agenda:

A motion was made by Councilmember Perry and seconded by Councilmember Cook to adopt the Consent Agenda, which consisted of the following:

- 10-G-49 Approval of a Sunday Field Use Request for Duvall Field by Boy Scout Troop 740 for May 2, June 6 and June 13, 2010.**

The motion passed 8 – 0 – 0.

Action Items:

- 10-O-02 Adoption of Ordinance 10-O-02, An Ordinance Of The Mayor And Council Of The City Of College Park, Maryland, Amending City Code, Sections 127-4, “Establishment Of Rent Ceiling” And 127-6, “Calculation Of Rent Ceiling After Initial Registration Year”, To Alter Prospectively The Calculation For The Rent Ceiling And The Annual Increase Therein For Single Family Dwellings, Except In Prince George’s County Tax Assessment District 01.**

A motion was made by Councilmember Catlin and seconded by Councilmember Nagle to adopt Ordinance 10-O-02, An Ordinance Of The Mayor And Council Of The City Of College Park, Maryland, Amending City Code, Sections 127-4, “Establishment Of Rent Ceiling” And 127-6, “Calculation Of Rent Ceiling After Initial Registration Year”, To Alter Prospectively The Calculation For The Rent Ceiling And The Annual Increase Therein For Single Family Dwellings, Except In Prince George’s County Tax Assessment District 01.

Councilmember Catlin said that when the City adopted rent stabilization in 2005 it was set up to regulate increases in rents and to establish a ceiling for rents of new properties that come on line. The ordinance tonight just looks at one small element of the rent stabilization ordinance. The initial rent ceiling was based upon evaluation of the property as an incentive to owners to improve their properties. There were two threshold options for new properties: the HUD Maximum Fair Rent for the Washington, DC area or the rent based on the assessment of the property. Because the assessments change every three years, it was recognized that every three years the ratio to calculate the monthly rent would need to be reexamined. He proposes that to keep the numbers in synch, the ratio should increase to .08%. This is in synch with what it was when the Council adopted the ordinance in 2005.

Councilmember Nagle asked what percentage of the rental properties would be affected by this change. Councilmember Catlin said that because the HUD Maximum Fair Rent is going up to \$2,520, the number of rental homes affected by this change is probably lower than he would expect.

Councilmember Stullich said that while this change won’t affect most rental properties, it will affect some especially new rental properties and those that are below the allowable cap. There was testimony that this ordinance could result in a significant increase in the rent. She is also concerned that it might encourage conversion of single family homes to rentals.

Councilmember Wojahn said he understands that a majority of assessments went down in the City, but with the increase in the factor from .06 to .08%, if you look in relation to last year, is there an increase here? This would bring it to where it was in FY 2008. He thinks it is a good practice to keep looking at and perhaps adjusting the factor.

Councilmember Catlin said that at .08%, he doesn’t think it would yield a cash flow profit at the prevailing prices of homes being sold in College Park. He said you need to look at the rent stabilization program in its entirety.

Councilmember Stullich said she hasn’t seen the trend reversed yet and that single family homes continue to be sold to investors. She does not see evidence that rents in the high rises are softening, which is an overall indication of the rental market. Property values have come down but the increase of .06% to .08% is a 33% increase.

Councilmember Perry asked how many properties this would affect. Councilmember Catlin said it is hard to know because different calculations can be used. A person can choose from a menu of options to set their rent. He asked what the rate is of compliance with the existing ordinance

today. The response was that it is currently not being enforced pending the outcome of litigation. He asked about the wording “except for tax assessment district 01.” Mr. Catlin said that area is on a different triennial reassessment schedule than the rest of the City. Mr. Perry said he has not seen a drastic change in the amount of rental housing in the City.

Councilmember Nagle said if we are interested in controlling rents, there is a whole other rental market that needs to be tapped. She doesn’t think this would apply to the larger houses, and that it would mostly impact a small percentage like the smaller units that have a lower assessed value. In District 1 last year, many rental properties remained vacant for the year. It’s not the same rental market that it was a few years ago.

Councilmember Stullich believes it is right to exclude apartment buildings because we hope to encourage more apartments to be built. There was a serious housing shortage for students which is what was driving up rents and encouraging the conversion of single family homes to rentals.

Mr. Sachs said students have concerns about possible rent increases which would impact those students who are barely surviving on scholarship money. After hearing the debate, he would not support this ordinance.

The motion failed 2 – 5 – 1 (Stullich, Cook, Afzali, Mitchell, Perry opposed; Catlin abstained).

10-O-03 Introduction of An Ordinance Of The Mayor And Council Of The City Of College Park, Maryland, Amending Chapter 110 “Fees And Penalties”, By Repealing And Reenacting §110-1 “Fees And Interests” To Increase The Application Fees For The Occupancy Permits Required By Chapter 144, And To Increase The Fees For Issuance And Renewal Of Parking Permits Issued Under Chapter 151, And By Repealing And Reenacting §110-2, “Penalties” To Increase The Fines For Parking Meter And Pay Station Violations.

A motion was made by Councilmember Wojahn and seconded by Councilmember Perry to introduce Ordinance 10-O-03, An Ordinance Of The Mayor And Council Of The City Of College Park, Maryland, Amending Chapter 110 “Fees And Penalties”, By Repealing And Reenacting §110-1 “Fees And Interests” To Increase The Application Fees For The Occupancy Permits Required By Chapter 144, And To Increase The Fees For Issuance And Renewal Of Parking Permits Issued Under Chapter 151, And By Repealing And Reenacting §110-2, “Penalties” To Increase The Fines For Parking Meter And Pay Station Violations.

The Public Hearing will be held at 7:15 p.m. on May 11.

10-O-04 Introduction of An Ordinance of the Mayor and Council of the City of College Park, Maryland to Adopt the Fiscal Year 2011 Operating and Capital Budget of the City of College Park, Maryland

A motion was made by Councilmember Mitchell and seconded by Councilmember Wojahn to introduce Ordinance 10-O-04, the Fiscal Year 2011 Operating and Capital Budget of the City of College Park.

The Public Hearing will be held at 7:30 p.m. on May 11.

10-G-50 Appointments To Boards And Committees

A motion was made by Councilmember Stullich and seconded by Councilmember Cook to appoint Jeff DUBY to the Recreation Board. The motion passed 8 – 0 – 0.

Council Comments:

Councilmember Afzali discussed his vote on 10-O-02, and made farewell remarks to the Student Liaison and Deputy Student Liaison.

Councilmember Stullich made farewell remarks to the Student Liaison and Deputy Student Liaison.

Councilmember Perry asked if the City was going to be represented at the Ridgeway hearing before the zoning hearing examiner on May 5. He thanked staff for recent code enforcement efforts.

Councilmember Catlin made farewell remarks to the Student Liaison and Deputy Student Liaison. He said the Lakeland community will be happy with the “lay on the table” item.

Councilmember Wojahn made farewell remarks to the Student Liaison and Deputy Student Liaison.

Councilmember Nagle made farewell remarks to the Student Liaison and Deputy Student Liaison.

Councilmember Mitchell made farewell remarks to the Student Liaison and Deputy Student Liaison.

Outgoing Student Liaison Jonathan Sachs made farewell remarks.

Becca Lurie, who is transitioning from Deputy Student Liaison to Student Liaison, also made remarks.

Comments from the Audience:

Delegate Tawanna Gaines: Reviewed the last General Assembly session.

Mr. Lurie, Becca’s father: Thanked the Council for providing the opportunity for young people to play a role in municipal government.

Adjournment: A motion was made by Councilmember Stulich and seconded by Councilmember Catlin to adjourn the meeting. Mayor Fellows adjourned the meeting at 9:28 p.m. by a vote of 8 – 0 - 0.

Janeen S. Miller, CMC
City Clerk

Date Approved