

**MINUTES**  
**Regular Meeting of the College Park City Council**  
**Tuesday, August 10, 2010**  
**8:00 p.m.**

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

**ABSENT:** Councilmember Stullich.

**ALSO PRESENT:** Joe Nagro, City Manager; Suellen Ferguson, City Attorney; Janeen Miller, City Clerk; Elisa Vitale, Senior Planner; Steve Groh, Director of Finance; Steve Halpern, City Engineer; Becca Lurie, Student Liaison.

Mayor Fellows opened the meeting at 8:00 p.m. Councilmember Perry led the Pledge of Allegiance.

**Minutes:** A motion was made by Councilmember Perry and seconded by Councilmember Cook to adopt the minutes of the July 13, 2010 Public Hearing on the Draft Implementation Plan, the July 13, 2010 Regular Meeting and the Confidential Minutes of the July 13 Executive Session. The motion was approved 7-0-0.

**Announcements:**

Councilmember Wojahn announced that the College Park Day Planning Committee would meet on Wednesday at 7:00 p.m. at the College Park Community Center.

Councilmember Catlin said that Berwyn Day would be held on the afternoon of Saturday, September 11.

Councilmember Cook announced that on Monday, August 16 at Laurel High School there would be a NAACP candidates forum for county council and school board candidates.

**Acknowledgement of Newly Appointed Committee Members:** Mayor Fellows recognized Harriett McNamee who was recently appointed to the Animal Welfare Committee.

**Proclamation:** Mayor Fellows read the Proclamation for Car Free Day which is designated as September 22, 2010.

**Amendments to the Agenda:** Councilmember Mitchell tabled item 10-G-68 until the September 15 Regular Meeting agenda to allow for further community input. Councilmember Wojahn requested the Engineer's stop sign request memo (a "lay on the table" item) be added to tonight's consent agenda (10-G-72).

**City Manager's Report:** Mr. Nagro said this is the last Council meeting for the month of August; the next meeting will be the September 7 Worksession. The following regular meeting

will be held on Wednesday, September 15, instead of Tuesday, September 14, which is Primary Election day. Mr. Nagro announced that web streaming of Regular Council meetings using Granicus software is targeted to begin with the October 12 Regular Meeting. The streaming of Worksessions will follow in January after the audio-visual equipment in the Council Chambers has been upgraded. Mr. Nagro also reported on the clean up after the recent storms.

**Student Liaison Comments:** Ms. Lurie said they are getting ready for school: Campus Drive will reopen after August 19, SGA is gearing up and they are holding a legislative retreat at the end of the month.

**Comments from the Audience on Non-Agenda Items:**

**Jerry Anzulovic, 4900 Ruatan Street:** Discussed the availability of early voting and absentee balloting for the upcoming elections. The nearest early voting center is the College Park Community Center in Lakeland.

**Consent Agenda:** A motion was made by Councilmember Perry and seconded by Councilmember Afzali to adopt the Consent Agenda which consisted of the following items.

- 10-R-21      Resolution Of The Mayor And Council Of The City Of College Park, Maryland Adopting The Recommendation Of The Advisory Planning Commission Regarding Variance Application Number CPV-2010-09, 9814 53<sup>rd</sup> Avenue, College Park, Maryland, Recommending Approval Of A Variance Of 2.5 Feet From The Parking Area Requirement To Permit Construction Of A Driveway Along The Northern Property Line And Approval Of A Variance Of 2.5 Feet From The Required 25-Foot Front Yard Setback To Construct A 4.5-Foot By 8.6-Foot Enclosed Entry.**
  
- 10-R-22      Resolution Of The Mayor And Council Of The City Of College Park, Maryland Adopting The Recommendation Of The Advisory Planning Commission Regarding Variance Application Number CPV-2010-09, 4911 Ruatan Street, College Park, Maryland, Recommending Approval Of A Variance Of 5.5 Feet From The Required 25-Foot Front Yard Setback To Replace An Existing Awning.**
  
- 10-G-65      Award Of A 3-Year Contract For Auditing Services To Barbacane, Thornton & Company LLP Of Wilmington, Delaware In The Amount Of \$50,430, And Authorization For The City Manager To Execute The Engagement Agreement.**
  
- 10-G-66      Extension Of Concrete Contract To NZI Construction Corporation For FY '11.**
  
- 10-G-72      Approval Of Staff Recommendation For The Installation Of A Stop Sign On 50<sup>th</sup> Avenue At Lackawanna Street.**

**The motion carried 7 – 0 – 0.**

**Action Items:**

**10-G-67 Adoption Of The City Of College Park Strategic Plan For 2010-2015 And Implementation Action Plan For FY 2011.**

**A motion was made by Councilmember Catlin and seconded by Councilmember Afzali to adopt the City of College Park Strategic Plan for 2010-2015 and Implementation Action Plan for FY2011.**

Mr. Catlin stated that he was taking this motion because Councilmember Stullich could not be here tonight, but it was she who took the lead on the project. The City Council began working on a Strategic Plan in August 2008 by forming a Strategic Planning Subcommittee. Former Councilmembers on the subcommittee were Mary Cook and Jonathan Molinatto and current councilmembers are Stephanie Stullich, Bob Catlin, Marcus Afzali and Christine Nagle. In July 2009, the City Council contracted with Managance Consulting and Coaching to facilitate the strategic planning process led by Denice Hinden. To obtain stakeholder input on the plan, three focus groups, a web-based survey and two public hearings were held during the planning process. The plan defines a vision for the city as a whole and for the city government; updates the city mission statement; establishes five priority goals for the 2010-2015 timeframe along with specific objectives; and includes a first year action plan for implementation. The action plan is intended to be reviewed and updated annually in conjunction with the city's annual budget. This year's budget includes some funding for action plan items but the majority of the items involve setting priorities for staff time.

There were no comments from the audience.

Councilmember Afzali commended Councilmember Stullich for her work on the document.

Councilmember Mitchell thanked the residents for their input.

Councilmember Nagle said this is just the beginning and we need to make sure the strategic plan becomes a document that is used to make smart decisions in the future.

Councilmember Wojahn also thanked former Councilmember Mary Cook for her role in starting this project.

Councilmember Perry referred to the strategic plan as a dream book. He sees shortcomings and ideas that we don't have the money to implement. People he hears from are interested in whether their trash is picked up, the streets are cleaned, the street lights stay lit, and the red cups are picked up. He doesn't think they are worried about some of the priorities in the dream book.

Mayor Fellows thinks it is important to engage in a strategic plan process and to dream about what College Park could be. We are a good city but could be an even greater city. He thinks

there is a need to engage in big picture thinking and long term thinking. He is impressed with how Council worked together throughout the process.

**The motion passed 7 – 0 – 0.**

**10-G-69      Petition Request For Traffic Calming In The 9400 Block Of 48<sup>th</sup> Avenue.**

**A motion was made by Councilmember Wojahn and seconded by Councilmember Nagle to install a traffic calming device or devices at a location to be determined by the City Engineer.**

Councilmember Wojahn said that the residents of the street all requested this device to address recent problems.

Due to the earlier public hearing there will be no further public comment tonight.

City Engineer Halpern confirmed that on this particular block, only one speed hump would work, and the use of any other traffic calming measure would likely result in the loss of on-street parking. He will consult with the residents in making his determination as to the location.

**The motion passed 7 – 0 – 0.**

**10-O-06      Adoption of 10-O-06, An Ordinance Of The Mayor And Council Of The City Of College Park, Maryland, Amending Chapter 4 “Administrative Organization”, By Repealing And Reenacting §4-3 “Departments” And §4-8 “Community Resources Department”, To Change The Name Of The Community Resources Department To The Youth, Family And Senior Services Department, To Change The Name Of The Planning And Community Development Department To The Planning, Community And Economic Development Department And To Make Conforming Changes.**

**A motion was made by Councilmember Afzali and seconded by Councilmember Mitchell to adopt Ordinance 10-O-06, An Ordinance Of The Mayor And Council Of The City Of College Park, Maryland, Amending Chapter 4 “Administrative Organization”, By Repealing And Reenacting §4-3 “Departments” And §4-8 “Community Resources Department”, To Change The Name Of The Community Resources Department To The Youth, Family And Senior Services Department, To Change The Name Of The Planning And Community Development Department To The Planning, Community And Economic Development Department And To Make Conforming Changes.**

Due to the earlier public hearing, there will be no further public comment tonight. There were no comments from the Council.

**The motion carried 6 – 1 – 0 (Perry opposed).**

**10-O-07            Adoption of 10-O-07, An Ordinance Of The Mayor And Council Of The City Of College Park, Maryland, Amending Chapter 11, “Authorities”, Article 1 “Housing Authority” To Delete An Unnecessary Provision.**

**A motion was made by Councilmember Perry and seconded by Councilmember Nagle to adopt Ordinance 10-O-07, an Ordinance Of The Mayor And Council Of The City Of College Park, Maryland, Amending Chapter 11, “Authorities”, Article 1 “Housing Authority” To Delete An Unnecessary Provision.**

Due to the earlier public hearing, there will be no further public comment tonight. There were no comments from the Council.

**The motion passed 7 – 0 – 0.**

**10-R-24            Resolution Of The Mayor And Council Of The City Of College Park, Maryland, Authorizing The Amendment Of The Lease Between The City And Ledo’s Restaurant, Inc., And Related Documents.**

**A motion was made by Councilmember Cook and seconded by Councilmember Perry authorizing amendment of the Agreement of Lease between the City and Ledo Restaurant, Inc. and that related documents be adopted. In addition, by this motion, the City Manager is authorized to execute the lease amendment agreement and related documents.**

Councilmember Cook stated that in September, 2009, the City entered into an Agreement of Lease with Ledo Restaurant, Inc., to lease the retail space on the first floor of the City’s parking garage. The City was pleased to have a local, long standing business as a tenant. Ledo’s has requested an amendment of the Lease to increase the Tenant Improvement Allowance repayable to the City by \$210,000, to change the date to begin repayment of Additional Rent from August to December, 2010, and to extend the Lease term and Tenant Improvement Allowance repayment period from 15 to 20 years. In consideration for this request, Ledo’s has agreed that equipment that the City has paid for that will be used in the restaurant will be owned by the City, and will be transferred to Ledo’s upon full repayment of the Tenant Improvement Allowance. The restaurant is on track to open by the end of August, and we are looking forward to that event.

**Comments from the Audience:**

**James Marcos, 7103 Quisinberry Way, Bowie, Co-Owner, Ledo Restaurant:** He supports the motion. He said there were some things that were out of their control that delayed certain install dates, but they are moving forward and hope to be open by the end of August.

**The motion passed 7 – 0 – 0.**

**10-R-23 Resolution Of The Mayor And Council Of The City Of College Park, Maryland Approving The Application And Financing For Community Legacy Projects In College Park, Maryland To Be Financed Either Directly By The Department Of Housing And Community Development (“The Department”) Of The State Of Maryland Or Through Other Departments Or Agencies Of The State Of Maryland.**

**A motion was made by Councilmember Wojahn and seconded by Councilmember Mitchell to adopt 10-R-23, a Resolution Of The Mayor And Council Of The City Of College Park, Maryland Approving The Application And Financing For Community Legacy Projects In College Park, Maryland**

Councilmember Wojahn stated that applications for FY 2011 Community Legacy funding are due to the Maryland Department of Housing and Community Development by September 1, 2010 and require a City Council Resolution. The proposed application is for \$200,000 for design and construction services for the Hollywood Gateway Park located at US 1 and Edgewood Road. The proposed eco-park would serve as an educational resource for City residents interested in incorporating native edible plants, rain gardens, pervious pavers and other environmentally friendly techniques into their landscapes. Staff has consulted with state officials and believes that given the state’s funding priorities which include green projects, given our readiness to proceed, and given the leveraging of City and Program Open Space funds to acquire the property, this project is well positioned to receive funding. There will be many opportunities for resident input into design of this park. He hopes this is the next step in the process of making this a park we can be proud of.

There were no comments from the audience.

Councilmember Nagle thanked staff for the creative thinking on this proposal but is not convinced that an eco-park wouldn’t become a cost or burden to the City if it were built at this location. She might be convinced if she thought it was the only option that the city had for this parcel, but she understands that the City can purchase another property and do a conversion if the other property is comparable to the Route 1 property, in which case the open space requirements would transfer to the newly acquired property, then the city would no longer have those requirements for the Route 1 property. She supports the goals of making College Park more bike-able, walk-able and outdoor-friendly, but doesn’t think the project at Route 1 and Edgewood accomplishes that. She would like the Council to say no to this grant request.

Councilmember Catlin supports this project and thinks it is a good place for a gateway park. Now it is a single family house on a very small lot that is zoned commercial. It is a very bad place for a house and an even worse place for a business. He thinks this is a good use for the property.

Councilmember Perry does not support the motion. This location is the last place he would put a park because “you can’t get there from here.” He thinks it is a waste of time, effort and resources. He would give the money back to the state and put the property back on the market.

The sector plan calls for the consolidation of parcels to develop a decent size lot that is more developable.

Councilmember Wojahn acknowledged that one recommendation of the sector plan is for the consolidation of properties but another recommendation is to put green spaces along Route 1. He urges envisioning the future of Route 1 when it will be a more bike-able and walk-able thoroughfare, and when that happens, this park would become a more valuable commodity. It is important as a gateway and is much better than what is there now.

Councilmember Afzali does not think this location would attract the best businesses. The abandoned house does not look good. He supports the park and would like to see a nice gateway on both sides of Route 1.

Councilmember Nagle does not think this location works well as a gateway park and would prefer another gateway for the Hollywood commercial district at Rhode Island Avenue.

Councilmember Wojahn said there is a lot of work to do in the Hollywood commercial district and there is still money in the CIP to do that. The majority of the people who drive to the Hollywood commercial district drive past this property. If it looks like junk people are going to think College Park is junk so we need to do something about it.

**The motion passed 4 – 3 – 0 (Cook, Perry and Nagle opposed).**

#### **10-G-70 Approval Of Application To Community Parks & Playgrounds For First Phase Of Duvall Field Construction**

**A motion was made by Councilmember Wojahn and seconded by Councilmember Catlin that the City Council authorize staff to submit an application for \$180,000 in Fiscal Year 2012 Community Parks and Playgrounds grant funds for the phase one construction at Duvall Field.**

Councilmember Wojahn commented that based on the final cost estimate prepared for the comprehensive renovation of Duvall Field, and the availability of funding, a phased approach is being taken to construct the improvements. Staff has determined that it would be possible to construct the new concession building as a first phase using existing funds plus an additional \$180,000 Community Parks and Playground grant. There was considerable community input into the development of the existing plans. Unfortunately, we can't move ahead with those plans at the rate that we had hoped but this is the first step in the process.

Councilmember Perry believes that the standard for the distance between the pitcher's rubber and home plate has been increased and asked if the plans include the new distance. Ms. Vitale said she would double check.

Councilmember Nagle asked if we are locked into the concession stand that is shown in the packet. Ms. Vitale said this model or an approved equivalent is what will be bid: a modular building with brick finish and a shingle roof. Other enhancements would be more expensive.

Councilmember Wojahn asked staff to review the public input process involved in the project to date. Ms. Vitale said the design was vetted by the NCPA and the College Park Boys and Girls Club before being approved by Council.

**The motion passed 5 – 1 – 1 (Perry opposed; Nagle abstained).**

### **10-G-71 Appointments To Boards And Committees**

A motion was made by Councilmember Afzali and seconded by Councilmember Cook to appoint Mary Cook to the Advisory Planning Commission for a three-year term, reappoint Thelma Lomax to the College Park Housing Authority for a five-year term, and reappoint Marg Gallagher to the Animal Control Board for a four-year term. The motion passed 7 – 0 – 0.

#### **Council Comments:**

Councilmember Wojahn said to register for car free day go to [www.carfreemetrodc.com](http://www.carfreemetrodc.com).

Councilmember Catlin announced that the paving project of the alley between 48<sup>th</sup> and 49<sup>th</sup> Avenue between Greenbelt Road and Tecumseh Street is scheduled for the next week or two.

Councilmember Cook reminded everyone that on Monday, August 16 at Laurel High School there would be a NAACP candidates forum for county council and school board candidates.

Councilmember Mitchell announced she was appointed to the Maryland Municipal League's Hometown Emergency Preparedness Ad-Hoc Committee.

#### **Comments from the Audience:**

**Denice Hinden, Managance Consulting and Coaching:** Discussed the Strategic Plan process and encouraged the Council to use it and to make time to update the action plan on an annual basis.

**Adjournment:** A motion was made by Councilmember Mitchell and seconded by Councilmember Afzali to enter into an Executive Session to consider a matter that concerns the proposal for a business or industrial organization to locate in Prince George's County, to consult with counsel on a legal matter, and to discuss a personnel matter. The Council will not return to open session tonight. The motion carried 6 – 1 – 0 (Perry opposed) and Mayor Fellows adjourned the regular meeting at 9:10 p.m.

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Janeen S. Miller, CMC  
City Clerk

Date Approved

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Pursuant to §C6-3 of the College Park City Charter, at 7:00 p.m. on August 4, 2010 in the Council Chambers at City Hall, a motion was made by Councilmember Nagle and seconded by Councilmember Wojahn to enter into an Executive Session, citing the following authority:

- D. Consider a matter that concerns the proposal for a business or industrial organization to locate in Prince George's County;**
- G. Consult with counsel on a legal matter;**

The motion passed 7-0-0 (Councilmember Stullich absent) and the Executive Session convened at 7:00 p.m.

**Present:** Mayor Fellows, Councilmembers Nagle, Wojahn, Catlin, Perry, Cook, Stullich (arrived at 7:24 p.m.), Mitchell and Afzali.

**Absent:** None.

**Also Present:** Joe Nagro, City Manager; Yvette Allen, Assistant City Clerk; Suellen Ferguson, City Attorney; Steve Groh, Director of Finance; Jimmy Marcos and Tommy Marcos, Owners of Ledo Original Restaurant.

**Topic Discussed:** Options for the renegotiation of the lease and amendment of documents.

**Actions Taken:** None.

A motion was made by Councilmember Wojahn and seconded by Councilmember Mitchell to adjourn the Executive Session. Mayor Fellows adjourned the Executive Session at 7:25 p.m. with a vote of 8-0-0.

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Pursuant to §C6-3 of the College Park City Charter, at 9:10 p.m. on August 10, 2010 in the Council Chambers at City Hall, a motion was made by Councilmember Mitchell and seconded by Councilmember Afzali to enter into an Executive Session, citing the following authority:

- D. Consider a matter that concerns the proposal for a business or industrial organization to locate in Prince George's County;**
- G. Consult with counsel on a legal matter;**
- A. Discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; or to consider any other personnel matter that affects one (1) or more specific individuals;**

The motion passed 6-1-0 (Councilmember Perry opposed; Councilmember Stullich absent) and the Executive Session convened at 9:25 p.m.

**Present:** Mayor Fellows, Councilmembers Nagle, Wojahn, Catlin, Perry, Cook, Afzali and Mitchell.

**Absent:** Councilmember Stullich.

**Part 1 (topics D&G):**

**Also Present:** Joe Nagro, City Manager; Suellen Ferguson, City Attorney; Janeen Miller, City Clerk; Elisa Vitale, Senior Planner; Becca Lurie, Student Liaison; Ilya Zusin, Michelle LaRocca and Joseph Mittleman (by phone) representing a developer of the Maryland Book Exchange property.

**Topic Discussed:** Issues relating to paying a parking waiver – fee in lieu – for a proposed new development at the Maryland Book Exchange property: the number of spaces to be provided vs. waived, and the amount of the parking waiver fee.

**Actions Taken:** None.

**Part 2 (topic A):**

**Also Present:** Joe Nagro, City Manager.

**Topic Discussed:** The City Manager’s performance evaluation.

A motion was made by Councilmember Mitchell and seconded by Councilmember Cook to adjourn the Executive Session. Mayor Fellows adjourned the Executive Session at 11:28 p.m. with a vote of 7-0-0.

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