

Minutes
Emergency Meeting of the College Park City Council
February 9, 2010
3:00 p.m.

Present: Mayor Fellows; Councilmembers Wojahn, Nagle, Catlin, Perry, Stullich, 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; Jonathan Sachs, Student Liaison; Becca Lurie, Deputy Student Liaison.

A quorum being present, Mayor Fellows called the meeting of the College Park City Council to order at 3:04 p.m. The pledge of allegiance was led by Councilmember Catlin.

Emergency Meeting: A motion was made by Councilmember Cook and seconded by Councilmember Perry to go into an Emergency Meeting due to the impending snow storm. The Council made a decision at noon today to hold the meeting at 3:00 p.m. instead of at 8:00 p.m. due to the forecasted snow which could present a safety hazard to the public. The motion passed 8-0-0. [Note: The City received approximately 25” of snow over the past weekend, and another 12” of snow is forecast for tonight and tomorrow.]

Minutes: A motion was made by Councilmember Wojahn and seconded by Councilmember Mitchell to approve the confidential minutes of the January 12 Executive Session. The motion passed 8-0-0. A motion was made by Councilmember Perry and seconded by Councilmember Catlin to approve the minutes of the Special Session on January 19 and the Regular Meeting on January 26. The motion carried 8-0-0.

Announcements:

Councilmember Afzali announced that today is Councilmember Catlin’s birthday.

Councilmember Stullich announced that the Old Town Civic Association would meet on Wednesday, February 17 at 7:00 p.m. at the Old Parish House.

Councilmember Perry announced that the Berwyn District Civic Association would meet on Thursday, February 18 at 8:00 p.m. at Fealy Hall. Agenda items include a discussion with the University of Maryland on their purchase of the Washington Post plant and vehicular congestion on 48th Avenue. He complimented city staff on their patience during snow removal operations.

Councilmember Catlin echoed the kudos to Public Works staff on snow operations and today’s trash removal.

Councilmember Wojahn said the North College Park Citizens Association meeting has been postponed because of the weather to February 25 at 7:30 p.m. at Davis Hall.

Councilmember Nagle praised Public Works on the good job they have done with snow removal and tree removal, and said we are fortunate to live in College Park.

Mayor Fellows also complimented the Public Works crews. He stated that the Council would hold their previously advertised Executive Session at the conclusion of this afternoon's emergency meeting, and likely would re-enter public session at the end of the Executive Session.

Amendments to the Agenda: The census proclamation/presentation and item 10-G-07 have been postponed to the February 23 agenda due to the weather.

City Manager's Report: Mr. Nagro and the Council discussed the recent and ongoing snow removal operations, the resulting changes to the refuse and recycling schedule, current conditions in the City, the problem of cars parked in the streets blocking the plows, the number of trees that have fallen, the condition of the equipment, and shoveling issues at residences and in the downtown area. There were questions about the cost of snow removal to date and the possible establishment of parking rules during a snow emergency.

Student Liaison Comments: Mr. Sachs stated the University of Maryland has been closed and discussed snow conditions on campus and on Route 1. Ms. Lurie thanked the City's public works staff.

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

Consent Agenda: None.

Action Items:

**10-G-18 Approval Of A Motion To Voice No Objection To The Renewal Of City
Liquor Licenses**

A motion was made by Councilmember Mitchell and seconded by Councilmember Wojahn to authorize the City Manager to send a letter to the Board of License Commissioners, and for staff to testify to the Board, stating that the City of College Park does not object to, and voices no opposition to, the renewal of liquor licenses held by business establishments located in the City of College Park.

There were no comments from the audience.

Mr. Ryan reported the City has not received any information to justify objecting to the renewal of any license. He also commented that seven City businesses with liquor licenses have closed in the last year.

The motion passed 8-0-0.

10-G-19 Appointments to Boards and Committees

A motion was made by Councilmember Mitchell and seconded by Councilmember Afzali to appoint Carolyn Bernache to the Education Advisory Committee. The motion passed 8-0-0.

Council Comments:

Councilmember Perry believes that the State Highway Administration should be taken to task about road conditions on US Route 1 and that the City should communicate our concerns to SHA.

Councilmember Stullich said she has received complaints about helicopter noise heard in the Estates/Yarrow neighborhoods coming from the College Park airport.

Councilmember Cook stated that conditions on US Route 1 are worse today than on Greenbelt Road, Kenilworth Avenue and East-West Highway.

Councilmember Afzali advised that if you do not have a car that does well in the snow, don't drive.

Councilmember Mitchell asked residents to watch out for your neighbors during the inclement weather.

Mayor Fellows thanked the Council for their flexibility in being able to hold this emergency meeting. The Council will recess into Executive Session, and it is possible that the Council will return into public session at the conclusion of the Executive Session.

Recess: A motion was made by Councilmember Stullich and seconded by Councilmember Afzali to recess the Emergency Meeting and go into the Executive Session for the following reasons: 1) To Consult with Counsel about negotiations as to the Washington Post property and 2) To Consult with Staff and Other Individuals about Potential Litigation over the A&A Tax. The motion carried 8-0-0 and the meeting was recessed at 3:48 p.m.

Reconvene: A motion was made by Councilmember Perry and seconded by Councilmember Mitchell to return to open session. The motion carried 8-0-0 and the Council resumed the Emergency Meeting at 5:40 p.m.

10-G-20: Approval of a Letter to the Board of Public Works conveying the City's position about the purchase by the University of Maryland of the Washington Post property.

A motion was made by Councilmember Perry and seconded by Councilmember Afzali that the City send a letter to the Board of Public Works that was in draft form and then discussed in the Executive Session outlining the City's position on the purchase by the University of Maryland of the Washington Post property.

There was no comment from the audience.

Councilmember Catlin said there are still some unresolved concerns such as traffic and neighborhood impacts but there will be a chance to ask some of those questions of University officials at the Berwyn District Civic Association meeting next week.

Councilmember Nagle is hopeful that some of these issues can be resolved before the Board of Public Works meets, since their meeting that was scheduled for tomorrow has been postponed due to the snow.

Councilmember Mitchell hopes there will be open dialog with the University of Maryland over some of these concerns.

Councilmember Afzali said the East Campus development will have a tremendous benefit to the City and the Washington Post plant is a necessary step for that to happen. He also echoes some of the concerns expressed by the Council about possible impacts. He hopes the University sees this letter of support as a good faith effort to work collaboratively with them on this project.

Councilmember Stullich said the University's offer to purchase the Washington Post property raises significant concerns about the potential loss to the City of property tax revenue, but because the university has agreed to a payment in lieu of taxes based on the assessment of the property we are able to take a position to not oppose this transaction. Concerns remain about the continuation of the PILOT and impact on traffic and neighborhoods – not all of these concerns can be resolved at this time. But through this letter we are showing a good faith desire to work with the University and trusting that they will work with us as well to resolve the issues that remain.

Councilmember Wojahn said that East Campus has the potential to be a benefit to our community but to ensure it does not have any detrimental impacts we need to make sure the City and University work together closely on the many unresolved issues regarding East Campus and the Washington Post property.

The motion passed 6-2-0 (Nagle and Cook opposed).

Mayor Fellows stated he believes this is a good step and the Council showed wisdom in going forward. He acknowledged there are a lot of issues still to discuss, that we desire a true partnership with the University and will continue to work to get there.

Adjourn:

A motion was made by Councilmember Stullich and seconded by Councilmember Cook to adjourn the Emergency Meeting. The meeting was adjourned at 5:49 p.m. by a vote of 8-0-0.

Janeen S. Miller, CMC
City Clerk

Date Approved

Pursuant to §C6-3 of the College Park City Charter, at 7:15 p.m. on February 2, 2010, in the Council Chambers at City Hall, a motion was made by Councilmember Afzali and seconded by Councilmember Cook to enter into an Executive Session, citing the following authority:

G: Consult with counsel;

H: Consult with staff or other individuals about potential litigation

The motion passed 6-0-0 (Wojahn arrived at 7:20 p.m.; Stullich absent).

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; Jim Rosapepe, State Senator; Jonathan Sachs, Student Liaison; Becca Lurie, Deputy Student Liaison; Terry Schum, Director of Planning; Steve Groh, Director of Finance; Bob Ryan, Director of Public Services; Bob Stumpff, Director of Public Works.

Topic Discussed: 1) Consult with the City Attorney on the University of Maryland's offer of a PILOT on the Washington Post property and of the City's response; 2) Consult with staff and other individuals about possible litigation over the A&A Tax issue.

Action Taken: None.

A motion was made by Councilmember Mitchell and seconded by Councilmember Wojahn to adjourn the Executive Session. With a vote of 7-0-0, Mayor Fellows adjourned the Executive Session at 7:58 p.m.

Pursuant to §C6-3 of the College Park City Charter, at 10:40 p.m. on February 2, 2010, in the Council Chambers at City Hall, a motion was made by Councilmember Afzali and seconded by Councilmember Mitchell to enter into an Executive Session, citing the following authority:

G: Consult with counsel;

H: Consult with staff or other individuals about potential litigation

The motion passed 7-0-0 (Councilmember Stullich absent).

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; Jim Rosapepe, State Senator; Jonathan Sachs, Student Liaison; Becca Lurie, Deputy Student Liaison.

Topic Discussed: 1) Consult with the City Attorney on the University of Maryland's offer of a PILOT on the Washington Post property and of the City's response; 2) Consult with Staff and other individuals about possible litigation over the A&A tax issue.

Action Taken: The City Council authorized the City Attorney to draft a letter.

A motion was made by Councilmember Cook and seconded by Councilmember Wojahn to adjourn the Executive Session. With a vote of 7-0-0, Mayor Fellows adjourned the Executive Session at 11:47 p.m.

Pursuant to §C6-3 of the College Park City Charter, at 3:48 p.m. on February 9, 2010, in the Council Chambers at City Hall, a motion was made by Councilmember Stullich and seconded by Councilmember Afzali to enter into an Executive Session, citing the following authority:

G: Consult with counsel;

H: Consult with staff or other individuals about potential litigation

The motion passed 8-0-0.

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

Absent: None.

Also Present: Joe Nagro, City Manager; Suellen Ferguson, City Attorney; Janeen Miller, City Clerk; Jonathan Sachs, Student Liaison; Becca Lurie, Deputy Student Liaison.

Topic Discussed: 1) Consult with Counsel about negotiations as to the Washington Post property and 2) Consult with Staff and Other Individuals about Potential Litigation over the A&A Tax.

Actions Taken: The City Council voted to approve a letter to Dr. Mote and directed the City Attorney to revise that letter based on discussions during the Executive Session. The City Council directed the City Attorney to revise a letter to the Board of Public Works based on discussions during the Executive Session.

A motion was made by Councilmember Perry and seconded by Councilmember Afzali to adjourn the Executive Session. With a vote of 8-0-0, Mayor Fellows adjourned the Executive Session at 5:38 p.m.
