

MINUTES
Regular Meeting of the College Park City Council
Tuesday, January 26, 2010
8:00 P.M.

PRESENT: Mayor Fellows (arrived at 8:23 p.m.); Councilmembers Nagle, Wojahn, Catlin, Stullich (arrived at 8:05 p.m.), Cook, Afzali and Mitchell.

ABSENT: None.

ALSO PRESENT: Joe Nagro, City Manager; Suellen Ferguson, City Attorney; Janeen Miller, City Clerk; Steve Groh, Director of Finance; Bob Ryan, Director of Public Services; Terry Schum, Director of Planning; Elisa Vitale, Senior Planner; Student Liaison Jonathan Sachs; Deputy Student Liaison Becca Lurie.

(The Oral Argument that was scheduled for 7:00 p.m. this evening did not occur because the applicant withdrew his request for Oral Argument.)

Mayor Pro-Tem Catlin opened the meeting and Councilmember Wojahn led the pledge of allegiance.

Minutes: The minutes of the January 12 Public Hearing on 09-O-09, the January 12 Regular Meeting, the Confidential Minutes of the December 1, 2009 Executive Session and the Confidential Minutes of the January 5, 2010 Executive Session were presented for approval. A motion was made by Councilmember Cook and seconded by Councilmember Mitchell to adopt the minutes. The motion passed 8-0-0.

(Councilmember Stullich arrived during the review of the minutes.)

Announcements:

Councilmember Cook announced the Colors Performing Arts Group will perform “Walk This Way” on Saturday at Northwestern High School.

Councilmember Perry noted the newspaper article about Capitol Heights in Washington Post. He also reminded residents to contact the City Engineer if they are having trouble with PEPCO streetlights.

Councilmember Wojahn announced a neighborhood cleanup is scheduled for Sunday at 2:00 p.m., weather permitting. Meet at MOMs.

Mayor Pro-Tem Catlin announced that the Four Cities Coalition would meet at City Hall on Wednesday, January 27 at 7:30 p.m. He announced that COGs Climate Energy and Environment Committee hopes to adopt the revised draft work plan at their meeting tomorrow. He pointed out items in the red folder.

Acknowledgment of Dignitaries: Mayor Pro-Tem Catlin recognized Larry Bleau, President of the NCPCA; Morgan Gale, President of the Calvert Hills Citizens Association; and Kevin Young, President of the Berwyn District Civic Association.

Acknowledgment of Newly Appointed Board and Committee Members: None.

Amendments to the Agenda: Pull 10-G-07 off the Consent Agenda and consider it under Action items (Mr. Wojahn). Add 10-R-04 to the Consent Agenda.

City Manager's Report: Pointed out the Fordham Road stop sign request that was in the red folders.

Student Liaison Comments: The SGA is reviewing the Governor's budget which included a 3% tuition increase. He also discussed the SGA's Haiti Relief program.

Comments from the Audience on Non-Agenda Items:

Larry Bleau, 4901 Niagara Road, President of the NCPCA: He reported on the last NCPCA meeting and the agenda for the February meeting which will include a motion to dissolve the Association.

Morgan Gale, 7010 Wake Forest Drive, President Calvert Hills Citizens Association: Discussed a quick response by police to an incident last week and the reporting of broken street lights.

(Mayor Fellows arrived during Mr. Gale's comments.)

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

10-R-04 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-2009-11, 5027 Muskogee Street, College Park, Maryland, Recommending Approval Of A Variance Of The Parking Area Requirement To Construct A 10-Foot By 20-Foot Driveway Partially In The Front Yard, And A Variance Of 2 Feet From The Required 25-Foot Front Yard Setback To Validate The Existing Covered Entryway And A Variance Of 3.2 Feet From The Required 8-Foot Side Yard Setback To Validate The Existing Awning Structure

The motion carried 8-0-0.

Action Items:

10-G-07 Approval Of Request For Driveway Apron Variance At 5200 Paducah Road Subject To The Owner Entering Into A Declaration Of Covenants With The City.

A motion was made by Councilmember Wojahn and seconded by Councilmember Nagle to approve the request for a Driveway Apron Variance At 5200 Paducah Road Subject To The Owner Entering Into A Declaration Of Covenants With The City

Comments from the Audience:

Anna Obeda, 5110 Paducah Road: She is an adjacent property to the applicant and is opposed to this request. Expanding the driveway apron will affect her aesthetically and reduce the buffer that exists between properties. Granting the variance may not present an issue for the City, but she wants to preserve the neighborhood. She does not want this to set a precedent for other properties.

The applicant was not present.

A motion was made by Councilmember Afzali and seconded by Councilmember Wojahn to postpone this item until the February 9 meeting in the hope that the applicant will be present to answer questions. The motion carried 7-1-0 (Perry opposed).

10-G-08 Award Of FY '10 Fire Department Grants

A motion was made by Councilmember Perry and seconded by Councilmember Catlin to approve the following grants under the FY 2010 Fire Department Capital Equipment Grant program: \$10,000 to the College Park Volunteer Fire Department, \$10,000 to the Branchville Volunteer Fire Company & Rescue Squad, and \$10,000 to the Berwyn Heights Volunteer Fire Department and Rescue Squad. In accepting these grant awards, each fire company has executed a "hold harmless" agreement prepared by the City Attorney.

Comments from the audience:

Frank Underwood, 4807 Ruatan Street, representing the Branchville Fire Company: Thanked the City Council on behalf of the fire service for their support.

Chuck Busco, Chief, Berwyn Heights Volunteer Fire Department: Thanked the City Council for their support.

William Corrigan, 9121 48th Place, Chief, College Park Fire Department: Thanked the City Council for their support.

The motion passed 8-0-0.

10-G-09 Award Of FY '10 Community Services Grants

A motion was made by Councilmember Cook and seconded by Councilmember Wojahn to award the following grants under the FY 2010 Community Services grant program:

Hollywood Elementary School, \$2,100 (of a \$2,100 request) towards funding for family instructional nights; Paint Branch Elementary School, \$2,500 (of a \$2,500 request) towards funding for the Nankai University Elementary School educational summit in Tianjin, China; Meals on Wheels of College Park, \$2,500 (of a \$2,500 request) to subsidize meal cost for program recipients; The National Museum of Language, Inc., \$2,500 (of a \$2,500 request) for exhibit improvement and development; Lakeland Community Heritage Project, \$2,500 (of a \$2,500 request) towards funding of their Heritage Day honors “Twelve Decades of Lakeland”; American Legion Auxiliary, College Park Post 217, \$1,000 (of a \$2,500 request) for scholarships for Miss College Park pageant participants (to cover education expenses); Pregnancy Aid Centers, Inc., \$2,500 (of a \$2,500 request) for its food pantry program; Strides Operations, Inc., \$1,000 (of a \$1,200 request) for its job readiness and placement program; University of Maryland, \$600 (of a \$2,500 request) for the Center on Civic Literacy/Osher Lifelong Learning Institute; Berwyn District Civic Association, \$300 (of a \$550 request) for its neighborhood directory. In accepting the grant award, each organization will be required to execute a “hold harmless” agreement prepared by the City Attorney.

Comments from the audience:

Kevin Young, 8800 49th Avenue, President, Berwyn District Civic Association: Thanked the Council for their award which will be used to update the neighborhood directory.

A motion was made by Councilmember Perry for a division of the question. The motion failed for lack of a second.

Councilmember Catlin stated that he needed to abstain from this vote.

The motion carried 5-1-2 (Perry opposed, Catlin and Nagle abstained).

10-G-10 Award Of FY ‘10 Public School Education Grants

A motion was made by Councilmember Mitchell and seconded by Councilmember Afzali to award the following grants under the FY 2010 Public School Education Grant program: Hollywood Elementary School, a non-competitive grant of \$5,000 for collaborative planning for teachers; Paint Branch Elementary School, a non-competitive grant of \$5,000 for project-based learning; Martin Luther King, Jr. Middle School in Beltsville, a competitive grant of \$1,700 for their AVID - Advancement via Individual Determination program; Hyattsville Middle School in Hyattsville, a competitive grant of \$2,000 for their SNAPP – Students Needing a Push and a Pat, Year 2, program; Cherokee Lane Elementary School in Adelphi, a competitive grant of \$1,000 for a new interactive website. In accepting the grant award, each school will be required to execute a “hold harmless” agreement prepared by the City Attorney.

There were no comments from the audience. There were no comments from Council.

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

10-G-11 Approval Of A Letter To M-NCPPC Providing Comments On The Preliminary Historic Sites And Districts Plan

A motion was made by Councilmember Stulich and seconded by Councilmember Catlin that the City send the attached letter to Redis C. Floyd, Clerk of the County Council, providing comments on the Preliminary Historic Sites and Districts Plan.

There were no comments from the audience on this item.

Councilmember Nagle asked if the property owners were contacted. Ms. Vitale said she called and left a message and did not hear back.

The motion passed 8-0-0.

10-G-12 Approval Of Revised “Rules And Procedures For The Mayor And City Council Of College Park”

A motion was made by Councilmember Afzali and seconded by Councilmember Mitchell that the Council approve the revised Rules and Procedures for the Mayor and Council of the City of College Park.

Councilmember Perry thanked the Council for their support of his proposed changes.

The motion carried 8-0-0.

10-CR-01 Introduction of Charter Amendment Resolution 10-CR-01, A Charter Resolution Of The Mayor And Council Of The City Of College Park, Maryland, Amending Article VII “Powers And Duties Of Mayor And Council,” §C7-6, “Condemnation,” To Eliminate A Reference To A State Code Provision That No Longer Applies.

A motion was made by Councilmember Perry and seconded by Councilmember Wojahn to introduce 10-CR-01, A Charter Resolution Of The Mayor And Council Of The City Of College Park, Maryland, Amending Article VII “Powers And Duties Of Mayor And Council,” §C7-6, “Condemnation,” To Eliminate A Reference To A State Code Provision That No Longer Applies.

The Public Hearing Will Be Held At 7:15 p.m. on February 23.

10-G-14 Approval of a Letter In Support Of PG/MC 108-10 Prince George’s County – Task Force To Study The Maryland-National Capital Park and Planning

Commission in Prince George's County And Approval Of A Letter In Support of the Bill

Mr. Nagro stated that this item was added by Councilmember Catlin at the last minute because of the timing of the legislation. PGCMA is asking for our support of the bill.

A motion was made by Councilmember Perry and seconded by Councilmember Nagle to approve a letter in support of PG/MC 108-10 and to authorize the Mayor to sign the letter.

Councilmember Perry said that M-NCPPC is a bi-county agency that has a lot of authority over us and gets a lot of money from us and this is a chance to form a task force to study the agency.

Councilmember Catlin thinks PGCMA wants more detail in the letter and will raise the issue at the Four Cities tomorrow night. In the meantime, he thinks it is OK to send this letter.

Councilmember Wojahn said that we give a significant amount of money to Park & Planning and PGCMA has asked for our support and that it's important that we stand with other municipalities around the county. He looks forward to seeing their report.

Councilmember Nagle thinks a lot of people in the City have concerns about Park & Planning and that this is a good first step and supports the legislation.

Councilmember Catlin stated that on his last tax bill he paid over \$1,000 to Park & Planning and only \$500 to the City of College Park.

Councilmember Mitchell attended last week's PGCMA meeting and thinks we should discuss this and other issues with other municipalities in the County.

The motion carried 8-0-0.

10-G-13 Appointments to Boards and Committees

A motion was made by Councilmember Mitchell and seconded by Councilmember Perry to appoint Mary King to the Education Advisory Committee. The motion passed 8-0-0.

10-G-15 Stop Sign at Fordham Road at Rhode Island Avenue

A motion was made by Councilmember Stulich and seconded by Councilmember Cook to support the staff recommendation in the City Engineer's January 25 report regarding a Stop Sign Request on Fordham Road at Rhode Island Avenue.

Councilmember Perry asked if the motion also included the parking prohibition as shown on the City Engineer's drawing and included in his report.

Councilmember Stulich withdrew her motion until further consultation can occur with the immediate property owners regarding the parking prohibition, and hopes to bring it back soon. Councilmember Cook, who gave the second, concurs with the request to withdraw the motion.

Council Comments:

Councilmember Catlin commented on the sudden closure of the Varsity Grille. He discussed a session he attended on the foreclosure crisis.

Councilmember Perry discussed his feelings about the recent demolitions along Route 1 to make way for new construction.

Councilmember Cook repeated the announcement about the Colors arts and education program at Northwestern High School on Saturday night.

Councilmember Afzali announced a meeting on Saturday, January 30 at 1:00 p.m. at Alario's with developers of the former College Perk property to discuss plans for the property. Everyone is invited.

Councilmember Mitchell announced Census forms will be sent to city residents in March and encouraged everyone to complete and return their form by April 1.

Mayor Fellows said the City will be involved in the Census and the topic will be discussed at an upcoming Worksession. He also stated that he was late for tonight's meeting because his father was being honored as a co-captain at tonight's basketball game.

Comments from the Audience: None

Adjournment: A motion was made by Councilmember Perry and seconded by Councilmember Wojahn to adjourn the regular meeting. Mayor Fellows adjourned the meeting at 9:22 p.m. by a vote of 8-0-0. The Council will reconvene in a Worksession to discuss the Draft Strategic Plan.

Janeen S. Miller, CMC
City Clerk

Date Approved

Pursuant to §C6-3 of the College Park City Charter, at 7:05 p.m. on January 5, 2010 in the Council Chambers at City Hall, a motion was made by Councilmember Perry and seconded by Councilmember Catlin to enter into an Executive Session, citing the following authority:

- G) Consult with Counsel
- H) Consult with staff, consultants or other individuals about pending or potential litigation
- I) Consider matters that relate to collective bargaining negotiations

The motion passed 5-0-0 (Councilmembers Cook, Afzali and Mitchell arrived later).

Present: Mayor Fellows, Councilmembers Nagle, Wojahn, Catlin, Perry and Stullich.
Councilmember Cook arrived at 7:18, Councilmember Afzali arrived at 7:12 and
Councilmember Mitchell arrived at 7:15.

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;
Steve Groh, Director of Finance; Bob Ryan, Director of Public Services; Bob
Stumpff, Director of Public Works; Jill Clements, Director of Human Resources.

Topic Discussed: 1) Union Negotiations, 2) A&A tax case negotiations.

A motion was made by Councilmember Wojahn and seconded by Councilmember Cook to
adjourn the Executive Session. Mayor Fellows adjourned the Executive Session at 7:37 p.m.
with a vote of 8-0-0.
