

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

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

ABSENT: Councilmember Wojahn.

ALSO PRESENT: Joe Nagro, City Manager; Suellen Ferguson, City Attorney; Janeen Miller, City Clerk; Bob Ryan, Director of Public Services; Student Liaison Becca Lurie.

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

Minutes: The minutes of the May 25, 2010 Regular Meeting were presented for approval. A motion was made by Councilmember Perry and seconded by Councilmember Mitchell to approve the minutes. The motion carried 7-0-0.

Announcements:

Councilmember Catlin announced that the Lakeland Civic Association would meet on June 10 at 7:30 at the College Park Community Center.

Councilmember Perry announced that the North College Park Citizens Association would also meet on June 10 at Davis Hall.

Councilmember Afzali said the second Explore College Park Tour event would be held on Wednesday June 23 at 7:00 p.m. at Plato's diner. Senator Jim Rosapepe is the speaker.

He also announced that on Sunday, July 11 at Davis Hall there would be a debate between the District 1 County Council candidates. Mayor Fellows will moderate.

Mayor Fellows announced that yesterday, June 7, marked the 65th anniversary of the incorporation of the City of College Park.

Amendments to the Agenda: Councilmember Nagle requested to postpone item 10-R-14, A Resolution Recommending Approval Of The College Park Housing Authority's Articles Of Organization, to the July meeting, to allow Council more time to review the item.

City Manager's Report: Mr. Nagro reminded Council and the viewers of the Council's summer schedule and that the next meeting is the July 6 Worksession. On July 13 there will be a Public Hearing on the Draft Strategic Plan Action Plan.

Mr. Nagro also reported that CB 16, the County bill that grants limited zoning authority to municipalities, passed the County Council 7-0-0.

Mr. Nagro then introduced Chief Dave Mitchell, new chief of the University of Maryland Police Department.

Chief Mitchell made remarks about his career and his familiarity with the City of College Park. He looks forward to working with the City.

Student Liaison Comments: Ms. Lurie said things have quieted down on campus. The Campus Drive closure will begin this month.

Comments from the Audience on Non-Agenda Items:

Larry Bleau, 4901 Niagara Road, President of the NCPCA: Next Thursday will be the last NCPCA meeting until fall. He reviewed the agenda and said the annual elections will be held. Mr. Bleau is not running for President again. Council thanked him for his service.

Andrew Vernalia, 8504 49th Avenue: Said he was nearly hit by a car while in the crosswalk on Paint Branch Parkway at Rhode Island Avenue (the Trolley Trail) a few weeks ago, and knows of several other close calls. He requested that a red light be installed there. He thinks it helps when the speed signs are posted there. He has seen drivers speed up when the yellow crossing light is pushed.

Presentations: Mayor Fellows and Stephen Jascourt, Co-Chair of the Committee for a Better Environment, presented the annual Green Awards. The first recipient was Russell Robinette, a Berwyn resident, for his near-daily litter pick-ups in Berwyn and the surrounding neighborhoods over the last several years. The second recipient was Joanna Calabrese, a graduating UMD student, who was involved in the effort to protect the Wooded Hillock from development by the University.

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

- 10-R-08 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-2010-01, 9020 Autoville Drive, College Park, Maryland, Recommending Denial Of A Variance Of The Parking Area Requirement To Widen The Existing Driveway By 4 Feet For A Length Of 20 Feet In The Front Yard, And Approval Of A Variance Of .6 Feet From The Required 25-Foot Front Yard Setback To Validate The Existing Structure**

- 10-R-09** 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-2010-02, 9118 48th Place, College Park, Maryland, Recommending Approval Of A Variance Of 5 Feet From The Required 25-Foot Front Yard Setback To Allow Construction Of An 8-Foot Entry And Front Porch Addition
- 10-R-10** 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-2010-04, 4605 Drexel Road, College Park, Maryland, Recommending Approval Of A Variance Of 3.4% Or 303 Square Feet From The Maximum Allowable Lot Coverage Of 30% Or 2,250 Square Feet To Allow The Construction Of An Enclosed Porch In The Rear Yard
- 10-R-11** Resolution Of The Mayor And Council Of The City Of College Park, Maryland Adopting The Recommendation Of The Advisory Planning Commission Regarding Appeal Number CEO-2010-02, 5013 Hollywood Road, College Park, Maryland, Approving An Appeal Of City Code, §87-23.B And C To Permit The Construction Of A Fence In The Front Yard And Side Yard Where The Side Lot Line Is A Continuation Of The Front Yard Line Of The Adjacent Lot

The motion carried 7 – 0 – 0.

Action Items:

- 10-O-05** Adoption of Ordinance 10-O-05, An Ordinance Of The Mayor And Council Of The City Of College Park, Maryland, Amending Chapter 144 “Occupancy Permits”, By Repealing And Reenacting §144-2 “Definitions And Word Usage”, §144-3 “Occupancy Permits Required”, §144-4 “Issuance, Renewal” §144-5 “Mandatory Disclosures” And §144-7 “Revocation, Reinstatement” To Clarify Application, Renewal And Revocation Requirements.

A motion was made by Councilmember Nagle and seconded by Councilmember Perry to adopt Ordinance 10-O-05, An Ordinance Of The Mayor And Council Of The City Of College Park, Maryland, Amending Chapter 144 “Occupancy Permits”, By Repealing And Reenacting §144-2 “Definitions And Word Usage”, §144-3 “Occupancy Permits Required”, §144-4 “Issuance, Renewal” §144-5 “Mandatory Disclosures” And §144-7 “Revocation, Reinstatement” To Clarify Application, Renewal And Revocation Requirements.

Councilmember Nagle stated that this Ordinance is intended to clarify definitions and procedures in Chapter 144, which requires an annual occupancy permit for certain properties, and to conform the wording of the code sections to more clearly reflect the current practice.

Mayor Fellows stated that because there was a public hearing on this ordinance earlier this evening, no public comment would be taken at this time.

There were no comments from the Council.

The motion carried 7 – 0 – 0.

10-R-12 Resolution Of The Mayor And Council Of The City Of College Park, Maryland, Authorizing Establishment Of School Zones And The Authority To Proceed With Operation Of Speed Monitoring Systems.

A motion was made by Councilmember Perry and seconded by Councilmember Cook to adopt Resolution 10-R-12 to establish school zones within the City and to authorize City staff to proceed with operation of speed monitoring systems.

Councilmember Perry stated that based on the authority given in §21-809 of the Transportation Article of the State Code, the Mayor and Council adopted §184-45 to authorize use of a speed monitoring system in the City for increased public safety. In order to proceed with this type of enforcement, the City must establish school zones, and for any roads not under the jurisdiction of the City, must request the authority of either the County or the State to allow the City to place a speed monitoring system. This resolution establishes the school zones and authorizes City staff to obtain any additional authority required to place the cameras.

There were no comments from the audience on this item.

A motion to amend the Resolution was made by Councilmember Nagle and seconded by Councilmember Afzali by adding “from the hours of 6 a.m. to 8 p.m. Monday – Sunday” to the end of section #5 after “Rhode Island Avenue.” This clarifies the hours for the University of Maryland area.

There were no comments from the audience on the amendment.

Councilmember Afzali said when they added the University of Maryland they didn't have the same restriction for that zone as for the other school zones so this just makes sure it has the same hours as the other school zones, and is still more than any other area because it includes weekends. This makes sure that it's not 24/7 because this law was never intended to be 24/7 monitoring.

Ms. Ferguson disagreed with that statement. She stated that she reviewed the proposed law at the request of Sen. Rosapepe's office. It was intentionally written without hours attached to enforcement for this particular zone, which is specifically intended not to be a school zone. The Council can decide the hours of enforcement, but it is incorrect to say it was not intended to be 24/7, because it was.

Councilmember Stulich encouraged her colleagues not to amend the proposal in this way. This is an area where more safety is needed. The legislature did not impose hour restrictions on this

particular zone and she would hate to see the Council relax the hours so people could speed at night.

There was discussion that the Trolley Trail crossing of Paint Branch Parkway would most likely be the first site where speed cameras are installed, but not the only site.

Councilmember Afzali wants the hours to be uniform throughout the City, even if the days are not.

The amendment passed 4 – 3 - 0 (Stulich, Perry, Catlin opposed).

Comments on the Resolution as amended:

Councilmember Perry said the purpose of this Resolution is to increase public safety.

The motion carried 7 – 0 – 0.

10-O-07 Introduction of 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.

A motion was made by Councilmember Perry and seconded by Councilmember Afzali to introduce 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. The Public Hearing will be held on August 10, 2010 at 7:45 pm.

10-R-13 Resolution Of The Mayor And Council Of The City Of College Park, Maryland Amending Resolutions 97-R-17 And 99-R-4 To Remove The Requirement That All Members Of The Education Advisory Committee Be Residents Of The City And To Delete An Unnecessary Requirement.

A motion was made by Councilmember Mitchell and seconded by Councilmember Nagle to adopt 10-R-13, A Resolution Of The Mayor And Council Of The City Of College Park, Maryland Amending Resolutions 97-R-17 And 99-R-4 To Remove The Requirement That All Members Of The Education Advisory Committee Be Residents Of The City And To Delete An Unnecessary Requirement.

Councilmember Mitchell said this would delete the residency requirement to give individuals who do not reside in College Park the opportunity to serve on the Education Advisory Committee.

There were no comments from the audience on this item.

Councilmember Perry spoke against the proposal. If we can't find enough City residents to fill the vacancies, then we should disband the committee. He does not believe people who live outside the City should be able to vote or set policy for the City. They can attend meetings but should not be part of the policy making function.

Councilmember Stulich said that allowing a few non-residents to serve on this committee does not preclude residents from also serving on the committee. There are many ways that people can feel a connection to College Park. The Education Advisory Committee does not set policy for the City; they are only an advisory committee.

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

10-O-06 Introduction of 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.

A motion was made by Councilmember Afzali and seconded by Councilmember Cook to introduce 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. The Public Hearing will be held on August 10, 2010 at 7:30 pm.

10-G-60 Appointments To Boards And Committees

A motion was made by Councilmember Stulich and seconded by Councilmember Mitchell to appoint Taimi Anderson and Patti Brothers to the Animal Welfare Committee and Peggy Wilson to the Education Advisory Committee. The motion carried 7 – 0 – 0.

Council Comments:

Councilmember Catlin discussed the International Town Gown Association he attended in Ames, Iowa last week. He said the Association has posted some economic interdependence studies on their web site.

Councilmember Perry said it was a pleasure to see Russell Robinette receive the Green Award tonight from the Committee for a Better Environment. He said this Saturday his family will participate in the Relay for Life in Catonsville for the American Cancer Society.

Comments from the Audience: None.

Adjournment: A motion was made by Councilmember Cook and seconded by Councilmember Mitchell to adjourn the meeting. Mayor Fellows adjourned the meeting at 8:53 p.m. with a vote of 7 – 0 – 0.

Janeen S. Miller, CMC
City Clerk

Date Approved