

MINUTES
Regular Meeting of the College Park City Council
Tuesday, April 26, 2011
8:00 p.m. – 10:03 p.m.

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

ABSENT: Councilmember Perry.

ALSO PRESENT: Joe Nagro, City Manager; Suellen Ferguson, City Attorney; Yvette Allen, Assistant City Clerk; Chantal Cotton, Assistant to the City Manager; Bob Ryan, Director of Public Services; Terry Schum, Director of Planning.

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

Minutes: A motion was made by Councilmember Stullich and seconded by Councilmember Mitchell to approve the minutes of the Public Hearing of April 12, 2011 on 11-O-04 and the Regular Meeting of April 12, 2011. The motion passed 7 – 0 – 0.

Announcements:

Councilmember Nagle said that at 10:00 a.m. on Saturday May 7 at Davis Hall she and Councilmember Wojahn would hold a Town Hall meeting to discuss the budget and the Strategic Action Plan.

Councilmember Wojahn announced the public meeting on the Pattern Book would be held on Monday, May 16 at City Hall.

Councilmember Afzali announced the next event in the “Experience and Enjoy College Park Tour” would be held on Wednesday, May 4 at 7:30 p.m. at Mama Lucia’s. Del. Ben Barnes is the guest speaker.

Acknowledgements: Mayor Fellows recognized former City Manager Dick Conti.

Proclamation: Mayor Fellows read the proclamation for “National Kids to Parks Day” which will be observed on Saturday May 21 to encourage Americans to get outdoors and enjoy our parks.

Amendments to the Agenda: None.

City Manager’s Report: Mr. Nagro announced the Four Cities Meeting on Wednesday at 7:30 p.m. in New Carrollton. He reported on his conversation with Councilmember Perry who hopes to be back soon.

Student Liaison Comments: Brian Burrell introduced the new SGA President, Kaiyi Xie, who made comments.

Comments from the Audience on Non-Agenda Items:

Tom McGraw, Greenbelt resident: Would like the City to consider a more enlightened view of parking. He received a parking ticket at 9:45 p.m. on a Friday when there were empty parking spots all around; could the City try rolling back the time of enforcement to 6:00 p.m. to encourage patronage of local businesses? He also noted that Ollie's Trolley, a business on US 1, has an unused bicycle parking rack out front which denies the owner outside seating.

Tim Miller: It is inconvenient to have to pay for parking in the evenings. As a result, patrons go elsewhere.

Sarah Jazs, Hollywood: Is the City Council hearing communication from residents? What is the City doing about interactive communication? 68% of people who responded to the resident survey said they preferred e-mail communication.

Roy Khalek, Owner of Ollie's Trolley: Discussed the success of the Taste of DC event and wondered if the City could do something similar to try to help local businesses.

Holly DeArmond, UMD Marketing Office: Made a presentation about the 13th Annual Maryland Day to be held on April 30, 2011 from 10:00 a.m. to 4:00 p.m.

Presentations:

2011 Green Awards: Stephen Jascourt, Chair of the Committee for a Better Environment, joined Mayor Fellows in presenting the 2011 Green Awards to Spellman House, Jason's Deli, Rick Borchelt, Vicky Hageman and Eric Maring.

Appreciation To Youth Family and Senior Services Graduate Interns: Mayor Fellows recognized the three Youth, Family and Senior Services Graduate Interns who have provided counseling services to residents during the last eight months: Linda Callahan, Emily Robinson and William Connelly.

15th Anniversary Lakeland STARS Recognition: Peggy Higgins, Director of the Youth, Family and Senior Services Department, discussed the history of the Lakeland STARS program which is celebrating its 15th anniversary. A short video was shown. She then introduced several people who were important in the development of the program. Tabettha Mwita, who has coordinated Lakeland STARS for 7 years, introduced the tutors and the students who were at the meeting and presented certificates. 500 college students have contributed 28,000 hours of tutoring to 500 elementary school students over the life of the program. Special recognition was given to Ms. Mwita for her service.

[The Council took a short recess.]

Action Items:

11-O-07 Introduction of the FY 2012 Budget Ordinance

A motion was made by Councilmember Catlin and seconded by Councilmember Wojahn to introduce the Fiscal Year 2012 budget. Councilmember Catlin said the Public Hearing would be held at 7:15 p.m. on May 10, 2011, and read the budget ordinance into the record.

11-R-07 A Resolution Expressing The City Council's Opposition To The Charter Changes Proposed In The Petitions Circulating In The City

A motion was made by Councilmember Wojahn and seconded by Councilmember Catlin to adopt Resolution 11-R-07 to oppose two amendments proposed to be added to the City Charter by means of petitions, as they are unnecessary and not in the public interest.

Councilmember Wojahn said the effects of these two proposed charter amendments would be very devastating to the City of College Park. One would limit the City's ability to collect property tax revenue beyond FY '11 levels regardless of any factors such as new development. The second would eliminate the ability to distinguish in any way between types of property and the way that property is regulated. It would eliminate the City's ability to inspect rental properties annually. The petitions are being circulated by a paid petition company. He recently read that the Prince George's Property Owners Association, many of whom do not live in the City, had initiated the petitions. Given the potentially detrimental impact and the misleading nature of the way the petitions are worded, he feels it is critical that the City take this stance.

Comments from the audience:

Mary Cook, 4705 Kiernan Road: She thinks it is wrong that the City Council is trying to influence the residents and it doesn't have a right to do so. Don't stop a democratic process.

Tim Miller, 5019 Niagara Place: He thinks the Council needs to stay out of this business. It is up to the residents to decide what they want to do – they are smart enough to decide for themselves.

Sarah Jazs, Hollywood: College Park residents are at the top of the organization chart. It's a democratic process and up to the residents to decide, whether it's the right thing to do or not.

Councilmember Afzali said no one has to listen to what the Council says, they are not forcing people to vote a certain way, they are not telling people not to sign the petitions. They are simply telling people the view of the Council which people have the right to know before deciding whether to sign. That does not impact on the democratic process. Residents need to know that the Council is opposed to these petitions and why.

Councilmember Nagle agrees that the City needed to put some information out about the petitions because there was some confusion, but thinks this Resolution is crossing the line. She thinks this is trying to influence the residents and sets a bad precedent.

Councilmember Stullich believes the Council should express its views on a matter that is this important. These referendums would be very harmful to residents in many ways that residents may not understand, especially when they are faced with a hired gun who will not provide a copy of the petition and can't provide any information about the reasons or potential effects of the petitions. For the Council to express its opinion on something that gets enough votes is not a violation of the democratic process. The "nondiscrimination" issue goes much farther than the rent stabilization law. The property tax freeze would be frozen at FY '11 levels and would severely curtail the city's ability to continue to provide services. The Council has the responsibility to make that clear to people.

Councilmember Catlin said if this had been in effect the City couldn't hire any contract police and would be precluded from ever having a police force. The Homestead Tax Credit and Homeowner's Tax Credit would both be eliminated if this passed.

Councilmember Wojahn said the Council's opinion on these petitions may not be relevant to each individual voter and that people are free to vote however they want. But since both of these amendments could have such a detrimental effect on the City, the Council has no choice but to express its opinion.

Councilmember Mitchell said residents listen to the Council for guidance but she is not certain the Council is doing the right thing. She does not believe she has enough information to make a great impact on what will happen down the road.

Councilmember Afzali said this resolution does not tell the residents what to do but just tells them what the Council thinks about this issue. If they do want to know what Council thinks, this is one way to state it. The Council would be negligent in its duty to stay silent on a matter this important. The Prince George's Property Owners Association doesn't care about the residents of the City.

Councilmember Stullich said good communication is a two way street and it is the Council's responsibility to listen to its residents and it's also their responsibility to communicate to residents about important issues. Just because we work for the voters doesn't mean we shouldn't express our views. We have a responsibility to do everything we can to protect the City from actions that would harm the City.

Councilmember Nagle questions the timing of this Resolution because these potential charter amendments have not even made it to the ballot. It is too soon to take this action. This is a good time to let it play out and see what the residents are really feeling. From what she hears, the people collecting the signatures are doing more harm to their cause than this Resolution ever could because they are rude and disrespectful. It is best to let the process play out, we are acting too soon.

Councilmember Catlin said members of the Prince George's Property Owners Association own hundreds of houses that generate millions of dollars in profit. They have plenty of money to spend and can easily dwarf any action of the Council.

Mayor Fellows said the comments made on both sides are fair and he is concerned by the perception that the Council is telling voters what to do. This is a political body and has the right to express its political position on any issue. He supports the motion because he is concerned about the confusion caused by the way the petitions are worded. One petition is extremely confusing and the second is disastrous, so it's wise for the City to do everything it can to defend the City.

Roll Call Vote:

Aye: Wojahn, Catlin, Stulich, Afzali

Nay: Nagle, Cook

Abstain: Mitchell

The motion passed 4 – 2 – 1.

11-R-08 A Resolution Of The Mayor And Council Of The City Of College Park, Maryland In Support Of "Envision Prince George's"

A motion was made by Councilmember Mitchell and seconded by Councilmember Nagle to adopt a Resolution in support of "Envision Prince George's" to express the City's support for the goals, visions and priorities established by Prince George's County and the strategic plan for implementation.

Councilmember Mitchell said it is in the City's interest to pass this resolution. Envision Prince George's has been in its inception since 2008 ensuring that the entire county has a strategic plan to help enhance public safety and education for all residents.

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

The motion passed 7 – 0 – 0.

Council Comments:

Councilmember Nagle commented on the life and legacy of William Donald Schaefer who passed away this week.

Comments from the Audience: None.

Adjournment: A motion was made by Councilmember Afzali and seconded by Councilmember Nagle to adjourn. Mayor Fellows adjourned the meeting at 10:03 p.m. with a vote of 7 – 0 – 0.

Janeen S. Miller, CMC City Clerk	Date Approved
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Pursuant to §C6-3 of the College Park City Charter, at 10:54 a.m. on Saturday, April 16, 2011 in the Council Chambers at City Hall, a motion was made by Councilmember Afzali and seconded by Councilmember Stullich to enter into an Executive Session for the following reason:

G) Consult with Counsel on a Legal Matter

The motion passed 6 –0 – 0 (Cook and Perry absent) and the Executive Session convened at 10:54 a.m.

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

Absent: Councilmembers Cook and Perry

Also Present: Joe Nagro, City Manager; Suellen Ferguson, City Attorney; Janeen Miller, City Clerk; Steve Groh, Director of Finance; Leo Thomas, Deputy Director of Finance; Brian Burrell, Student Liaison; Bob Ryan, Director of Public Services; Jeannie Ripley, Code Enforcement Manager.

Topic Discussed: Discussion of enforcement of the rent stabilization program with legal counsel.

Adjourn: A motion was made by Councilmember Afzali and seconded by Councilmember Stullich to adjourn the Executive Session. Mayor Fellows adjourned the Executive Session at 11:30 a.m. with a vote of 6 – 0 - 0.

Pursuant to §C6-3 of the College Park City Charter, at 10:52 p.m. on Saturday, April 19, 2011 in the Council Chambers at City Hall, a motion was made by Councilmember Afzali and seconded by Councilmember Stullich to enter into an Executive Session for the following reason:

G) Discuss a Personnel Matter

The motion passed 5 –1 – 0 (Catlin opposed, Cook and Perry absent) and the Executive Session convened at 11:00 p.m.

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

Absent: Councilmembers Cook and Perry

Also Present: Joe Nagro, City Manager; Steve Groh, Director of Finance.

Topic Discussed: Attendance of a staff member at an upcoming conference; COLA for employees not in the bargaining unit.

Action Taken: None

Adjourn: A motion was made by Councilmember Afzali and seconded by Councilmember Nagle to adjourn the Executive Session. Mayor Fellows adjourned the Executive Session at 11:29 p.m. with a vote of 6 – 0 - 0.