

MINUTES
Regular Meeting of the College Park City Council
Tuesday, July 10, 2012
7:30 p.m. – 9:51 p.m.

PRESENT: Mayor Fellows; Councilmembers Kabir, Wojahn, Catlin, Dennis, Stullich, Day, Afzali and Mitchell.

ABSENT: None.

ALSO PRESENT: Joe Nagro, City Manager; Janeen Miller, City Clerk; Suellen Ferguson, City Attorney; Chantal Cotton, Assistant to the City Manager; Bob Ryan, Director of Public Services; and Terry Schum, Director of Planning.
Student Liaison Joshua Ratner.

Mayor Fellows opened the meeting at 7:30 p.m. Councilmember Stullich led the pledge of allegiance.

[Note: There were two brief power outages at the start of the meeting.]

Minutes: A motion was made by Councilmember Mitchell and seconded by Councilmember Day to approve the minutes of the June 5, 2012 Special Session and the June 12, 2012 Regular Meeting. The motion passed 8 – 0 – 0.

Announcements:

Councilmember Kabir announced that the North College Park Civic Association would hold a special meeting on Thursday night.

Acknowledgement of Newly Appointed Board and Committee Members: Mayor Fellows recognized Nicholas Hardee, the General Manager of My Organic Markets, newly appointed to the Sustainable Maryland Certified Green Team.

Proclamation: Mayor Fellows read the proclamation for “Buy Local And Independent Week in College Park.” Free downtown parking will be extended one week to coincide with this promotion.

Amendments to the Agenda: Items added to the end of the agenda: 12-G-85, Motion to approve architect’s change orders; 12-G-85, Council consensus to send a letter to the Prince George’s County Board of Education.

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

Presentation: Bowie City Councilmember Todd Turner, who is the Chair of COG’s Transportation Planning Board, gave a presentation on accomplishments and issues facing the TPB.

City Manager's Report: There is a revised letter for 12-G-81 in the red folders. This is the Council's last meeting in July. The Four Cities meeting will be July 25 in Berwyn Heights. This is the last meeting for Elisa Vitale, Senior Planner for the City; she has taken a job with the District of Columbia government. Public Works continues to pick up brush left at curbs from last week's storm. There will be a city-wide National Night Out event at the College Park Aviation Museum on Tuesday, August 7 from 7 – 9 p.m.

Student Liaison's Report: New Student Liaison Joshua Ratner introduced himself and remarked on last night's Public Hearing about the rent stabilization ordinance. There was a lot of criticism of student behavior but there are other issues that face the City. Students want to be involved in the process of working on student issues with the City and PGPOA. Students need more affordable housing both on and off campus. There should be an incentive to students to live in the more expensive high-rises. The bigger problem is the lack of desirable on-campus housing.

Consent Agenda:

A motion was made by Councilmember Wojahn and seconded by Councilmember Mitchell to adopt the consent agenda, which consisted of the following items:

- 12-R-13 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-2012-02, 9608 Rhode Island Avenue, College Park, Maryland, Recommending Approval Of A Variance Of 2.5 Feet From The Required 25-Foot Front Yard Setback To Construct A 4-Foot Deep By 6-Foot Wide Cover Over The Existing Open Front Porch.**
- 12-G-77 Approval Of A Request To Extend A Permit For Two PODS To Be Located In The Driveway At 7314 Edmonston Road Through July 31, 2012.**
- 12-G-78 Approval To Extend "Free Summer Saturdays In The Downtown Parking Garage" For One Additional Week (Through August 18, 2012) To Promote Downtown Shopping During Maryland's Tax Free Week.**
- 12-G-79 Adoption of the FY 2013 Action Plan**
- 12-G-80 Approval Of A Maryland Municipal League 2013 Legislative Action Request For The Restoration Of Municipal Highway User Revenue For Local Infrastructure Projects And Public Transportation Enhancements**

The motion passed 8 – 0 – 0.

Action Items:

12-O-06 Ordinance Of The Mayor And Council Of The City Of College Park, Maryland, Amending City Code Chapter 127 “Rent Stabilization”, Sections 127-4 “Establishment Of Rent Ceiling”, 127-5 “Registration”, 127-7 “Individual Adjustment Of Rent Ceiling”, And 127-13 “Expiration Date” To Extend The Effective Date Of The Rent Stabilization Law Through September 1, 2017, To Clarify The Criteria To Be Considered In Determining Individual Adjustment Of Rent Ceilings And To Make Certain Other Changes For Clarification And Efficiency Of Enforcement.

A motion was made by Councilmember Stulich and seconded by Councilmember Afzali to adopt Ordinance 12-O-6, an Ordinance of the Mayor and Council of the City of College Park, Maryland, amending City Code Chapter 127 “Rent Stabilization”, Sections 127-4 “Establishment Of Rent Ceiling”, 127-5 “Registration”, 127-7 “Individual Adjustment Of Rent Ceiling”, and 127-13 “Expiration Date” to extend the effective date of the Rent Stabilization Law through September 1, 2017, to clarify the criteria to be considered in determining Individual Adjustment of Rent Ceilings and to make certain other changes for clarification and efficiency of enforcement.

Councilmember Stulich commented that in 2005, the City Council enacted Chapter 127, Rent Stabilization, in an effort to resolve significant difficult to solve problems that exist in the City with respect to rental housing. In 2009, the law was extended to September 1, 2012. Since that time, due to a number of factors, including the state of the economy and steep economic downturn, the housing crisis and attendant recession, the delay in planned construction of student and graduate student housing, the timing of additional units coming on line, the vacancy rates, the difficulties with enforcement of the law due to extensive non-compliance on the part of the regulated landlords and the pendency of litigation with respect to this law, the ability to evaluate the effects of the law and for the market to equalize have been compromised, the conditions that the rent stabilization program was designed to address have not yet been resolved, and additional time is needed to receive the full benefit from the law. As a result, this amendment would extend the law until September 1, 2017. The additional changes in the law are the result of actual experience in administering and enforcing the law, and are intended to clarify its operation.

Mayor Fellows remarked that the public hearing on this ordinance was held last night.

An amendment to 12-O-06 was proposed by Councilmember Wojahn and seconded by Councilmember Catlin to shorten the extension time of the Rent Stabilization Ordinance to have it expire on September 1, 2013.

Councilmember Wojahn said this amendment would require the City to come back after one year to review the progress that has been made. Recent discussions with the landlords have produced some good ideas and we want the opportunity to continue those discussions. This will show that the City wants to continue to work with the landlords and sets the stage to review the ordinance in one year and decide whether to continue it.

Comments from the audience on the amendment:

Andrew Foose, 5426 27th Street, NW, 20015: Tonight the City has an opportunity to choose a new path: cooperation over conflict, progress over stalemate. The City can bring the best practices and collective resources of other college towns across the county to bear on the issues facing College Park. Opting for a one year extension sends a message to landlords that the City wants to cooperate and will maximize the number of landlords that the PGPOA can convince to support the cooperation they will need to move forward. A longer extension will be interpreted as a sign that the City intends to continue rent stabilization and would undercut these efforts.

Lisa Miller, 11605 Twining Lane, Potomac, MD, 20854, President, Prince George's Property Owners Association: Appreciates the consideration of the one year extension. It is difficult to do something different and applauds this effort to move forward. Later this week the ITGA student group will meet on implementation of the "One Community, One Vision" plan they developed.

Councilmember Stullich believes rent stabilization has been an important tool to help address conversion of single family homes to rentals and serious quality of life problems that have driven long term residents away. Some have said that rent stabilization is an attempt to drive students out of College Park which is not true. As to why we didn't apply rent stabilization to the high rises, it was due to concerns about a shortage of student housing and did not want to disincentivize developers from building that housing. She wants to believe that the alternatives suggested by the PGPOA to deal with the quality of life issues are possible but she is leery of giving up a policy that has been helpful. We need to develop the metrics we will use to judge whether it has been successful.

Councilmember Kabir said that rent stabilization is not perfect but we need to have it. His concerns are the cost, that it does not encourage students to live in high rises, and the toxic atmosphere in the City between students and residents. We need to explore the alternatives. He will support the amendment because it is the least risky for all the parties.

Councilmember Day said we need to take advantage of this opportunity to have the five stakeholders (City, University, residents, landlords and students) at the table to address these issues. Nothing has changed in the last 7 years.

Councilmember Catlin said some of the PGPOA started talking to some Councilmembers in April about the sunset of the rent stabilization ordinance. At the same time, the University paid for some people to participate in an on-line course about town gown issues, and indicated they were interesting in getting involved in solving some of these issues, which they hadn't done before. There was too little time to make much progress before the sunset date so the negotiations turned toward how we might enact an extension and deal with enforcing it, which is where we are tonight. He is opposed to extending rent stabilization but there appears to be support on Council to extend it. He believes a one-year extension is appropriate so that this City Council and not a future Council makes the decision about its extension.

Councilmember Afzali said the potential of all the stakeholders working together to solve these issues is exciting and worth pursuing. However, he is going to vote against the amendment because it was not discussed as a City before tonight, there has been no change for resident feedback, with the one year suspension this Council would still have to make the choice next summer, and he doesn't want to make it more difficult to keep rent stabilization. He believes that the PGPOA really does want to work with the City. He is nervous about the one year suspension but thinks the opportunity is too great not to try it.

Councilmember Mitchell said we need to have all the parties at the table to move the City forward. She is sorry that all the City Council weren't able to take the ITGA course that she took because it was enlightening. She thinks the one year extension is the best thing to bring everyone to the table. We need to develop benchmarks and have continued dialog.

Councilmember Wojahn suggested that we develop workgroups with all stakeholders to hash out some of these ideas. He is sorry residents did not have the chance to comment on this amendment but there will be additional opportunity for residents to comment next year when Council decides whether to continue it.

Councilmember Dennis will support the amendment because we shouldn't miss this opportunity to get all the stakeholders at the table. If we don't make progress in one year we can step back.

Councilmember Stulich will not support the amendment. Trust is the fundamental issue. She believes some landlords are effective in preventing problems, some try but don't succeed, and others don't try at all. Tangible success is what matters. The challenge is not how we can get the well-intentioned people to do something good, but how to ensure there is the significant change the community is calling for. It is hard for the community to feel trust when many of these meetings have occurred behind closed doors and the community has not been a part of it. The discussions need to be conducted in an open and public manner that people have a chance to hear what is being considered before decisions are reached.

Mayor Fellows said he would vote against the amendment. He supports rent stabilization and it is difficult to tell exactly what it would do because we haven't had a chance to roll it out yet. He recognizes the spirit of collaboration and sees the benefit of having this Council evaluate the progress that has been made next summer. He has never met a landlord that likes rent control but in the communities where he has lived it has played a role in resolving landlord-tenant tensions. The College Park City University Partnership is addressing two of these issues, housing and public safety. He would like to surprise those that are skeptical and he wants to develop a process with the Council that will clearly measure the progress.

Roll Call Vote On The Amendment:

Yea: Kabir, Wojahn, Catlin, Dennis, Day, Mitchell

Nay: Stulich, Afzali

The amendment to 12-O-06 passed 6 – 2 – 0.

Roll Call Vote On the Main Motion as Amended:

Yea: Mitchell, Afzali, Day, Stulich, Dennis, Wojahn, Kabir

Nay: Catlin

12-O-06 as Amended passed 7 – 1 – 0.

12-R-14 Resolution Of The Mayor And Council Of The City Of College Park, Maryland, To Suspend Administration And Enforcement Of Chapter 127, “Rent Stabilization”, For One Year.

A motion was made by Councilmember Wojahn and seconded by Councilmember Day to adopt Resolution 12-R-14, to suspend administration and enforcement of Chapter 127, “Rent Stabilization”, for one year.

Councilmember Wojahn stated that the Mayor and City Council have found that, since 2005, homeownership in the City of College Park has declined at a pace substantially more significant than in Prince George’s County or the State of Maryland, that the percentage of owner occupancy in College Park has been and continues to be substantially less than in Prince George’s County or the State of Maryland, that the population of converted, previously owner-occupied units has expanded, that rents have continued to rise and that City Code violations remain substantially higher among rental units subject to the City’s existing rent stabilization program than among owner-occupied dwellings. The current rental market in the City continues to pose a threat to the public health, safety and welfare of City residents. The City continues to have a strong policy to promote home ownership and owner-occupancy of residences and reduce incentives for owners to convert their residences to rental units. One of the actions taken by the Mayor and Council to resolve these ongoing problems was to adopt Chapter 127, “Rent Stabilization”. This law has been extended to 2013. A number of landlords, including members of the Prince George’s Property Owners Association (“PGPOA”), have approached the Mayor and Council to discuss how best to achieve the goals of regaining a balance in types of housing and population in College Park neighborhoods and addressing quality of life concerns, including noise, littering, code violations, overcrowding, aggressive behavior, vandalism, underage drinking and crime. The landlords and PGPOA have made it clear that they do not support Chapter 127, and have actively worked to oppose it, but are willing to work to develop other methods to achieve the same goals. The landlords and PGPOA have pledged to work with the City and the University of Maryland to develop and engage in various strategies that produce measurable improvements in the resolution of the problems that Chapter 127 is designed to address. In reliance upon the commitment of the landlords and the PGPOA to work with the City and the University of Maryland and to develop and engage in various strategies that produce measurable improvements in the resolution of the public safety and health issues that Chapter 127 was enacted to address, the Mayor and Council have determined to suspend administration and enforcement of Chapter 127 for one year from adoption of this Resolution. If the landlords and PGPOA do not participate as pledged to develop and engage in various strategies that produce measurable results on these issues, and/or if results cannot be achieved, then the

administration and enforcement of Chapter 127 can resume by resolution of Council at an earlier time.

There were no comments from the audience.

Amendment #1: A motion was made by Councilmember Kabir and seconded by Councilmember Day that prior to the expiration of one year, the Council shall consider whether the period should be extended.

Councilmember Kabir stated that this amendment will give the stakeholders a formal opportunity to meet and review the progress made in the year that the ordinance will not be enforced, and will serve as a commitment for all parties involved to make progress.

There were no comments from the audience on the proposed amendment.

Councilmember Stullich doesn't understand the reason for the amendment now that rent stabilization has only been extended for one year at which point the Council needs to reconsider the whole thing.

Councilmember Wojahn will also vote against this because he does not think it is necessary to say now what we are going to do at that time.

Councilmember Afzali said this amendment is not logical now that the ordinance has only been extended for one year.

Councilmember Day said one of the purposes for the amendment was to make sure everyone knew there was that option that everything could go back into play.

Roll Call Vote on Amendment #1:

Yea: Kabir, Day

Nay: Wojahn, Catlin, Day, Stullich, Afzali, Mitchell

Amendment #1 failed 2 – 6 – 0

Councilmember Afzali noted that the Resolution states that administration and suspension of enforcement of the rent stabilization ordinance shall be for a period of one year from the date of the adoption, whereas the rent stabilization ordinance has now been extended until September 1, 2013, leaving a period in between when it wouldn't be suspended.

Amendment #2: A motion was made by Councilmember Afzali and seconded by Councilmember Mitchell to amend the resolution to read that the suspension of administration and enforcement of rent stabilization run through September 1, 2013 to coincide with the sunset date of the ordinance.

Amendment #2 passed 8 – 0 – 0.

Councilmember Stulich said most of the people she has heard from are in favor of continuing the rent stabilization policy. However, she thinks it is essential to give this opportunity the best chance to succeed. As her show of good faith and commitment to the process, she will vote in favor of the suspension.

Mr. Ratner said the last two “Whereas” clauses of the Resolution identify the landlords, PGPOA and University as stakeholders. He would like to see the students and SGA added as they also want to be involved in the discussions.

Amendment #3: A motion was made by Councilmember Wojahn and seconded by Councilmember Mitchell to add a “Whereas” clause identifying the stakeholders that the City plans to involve in these discussions.

Comments from the Audience on this amendment:

Marge Bado, 9513 49th Avenue: She doesn’t think this address the concerns it was intended to address. Why not make the high rises subject to rent control? A rental home next to her is overcrowded. Abolish the whole thing and start all over again.

Amendment #3 passed 8 – 0 – 0.

Vote on 12-R-14, As Amended: 8 – 0 – 0.

12-G-81 Letter to the Zoning Hearing Examiner on Application ERR-224 to Validate a Permit Issued in Error for 7510 Hopkins Avenue

A motion was made by Councilmember Stulich and seconded by Councilmember Day that the City send a letter to the Zoning Hearing Examiner regarding Validation of the Permit Issued in Error (ERR 224) for 7510 Hopkins Avenue.

The subject property is located at 7510 Hopkins Avenue at the southwest corner of the intersection of Hopkins Avenue and Norwich Road and is developed with a two-story, brick multifamily apartment building, with basement, on 0.195 acres. The building has six units: four one-bedroom units on two floors and two one-bedroom units in the basement. With six dwelling units, the property exceeds the maximum allowable density in the R-18 Zone. When the property was rezoned from R-55 to R-18 in 1960, the property owner, George Weber, indicated that the proposed use was a four-unit apartment building. Additionally, at the time of the 1961 variance application, Mr. Weber stated that the variance was needed for the construction of a 4 unit apartment building. The building was constructed and a Use and Occupancy Permit for an apartment building was issued in 1961; however, the applicant has not provided the City with a copy of the building permit. The City has not found that the applicant has met its burden that there has not been fraud or misrepresentation practiced in obtaining the permit; however, this six unit apartment building has peacefully existed in the neighborhood since 1961 and the City is not opposed to this use continuing.

Comments from the audience:

Attorney for the applicant, Matthew Tedesco, McNamee Hosea: Thank you for supporting the continuation of this use as a six-unit apartment building. Earlier today they offered a friendly amendment to the letter.

The motion passed 8 – 0 – 0.

12-G-82 Recommendation of Approval with Conditions for a Request for Reconsideration of Preliminary Plan 4-01026 and Conceptual Site Plan 01008/01 for Greenbelt Station

A motion was made by Councilmember Wojahn and seconded by Councilmember Kabir that the City Council recommend approval of Reconsideration of Preliminary Plan 4-01026 and Conceptual Site Plan 01008/01 for Greenbelt Station subject to the following conditions:

1. Execution of the Declaration of Covenants and Agreement negotiated between the City and CRM Mid-Atlantic Properties, LLC prior to the Planning Board hearing on July 26, 2012.
2. The site shall be developed in two phases, within the context of planned transportation improvements. Prior to the issuance of any building permits within the subject property during the given phase, the following road improvements associated with the phase shall: (a) have full financial assurances; or (b) have permits for construction through the operating agency's access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency.

Phase I: Limited to uses generating no more than the number of peak-hour trips as follows: (1) The trip cap for the South Core prior to the development of the North Core shall be 566 AM peak-hour trips and 822 PM peak-hour trips; and (2) At such time as the North Core develops with a vehicular connection to the South Core and access to the Metro Station, the trip cap in Phase I shall be 412 AM peak-hour trips and 933 PM peak-hour trips.

- A. The transportation improvements or improvements that provide like capacity include:
 - i. MD 193/Greenbelt Road: Construct a second left-turn lane along the westbound MD 193 approach. Modify signals and pavement markings as needed.
 - ii. Cherrywood Lane/Springhill Drive: Prior to the approval of the first detailed site plan for the subject property, the applicant shall submit an acceptable traffic signal warrant study to the appropriate operating agency/agencies at this location. If deemed warranted by the responsible agency, the applicant shall bond the signal with the appropriate agency prior to the release of the initial building permit, and install the signal if directed prior to the release of the bonding for the signal.
 - iv. MD 193/Site Access: Construct this access point to SHA standards as a signalized intersection, with separate outbound right-turn and left-turn lanes and exclusive left-turn and right-turn lanes into the site. Also, prior to the

- approval of the first detailed site plan for the subject property, the applicant shall submit an acceptable traffic signal warrant study to the appropriate operating agency/agencies at this location. If deemed warranted by the responsible agency, the applicant shall bond the signal with the appropriate agency prior to the release of the initial building permit and install the signal if directed prior to the release of the bonding for the signal.
- v. **Cherrywood Lane/Metro Access Drive: Install a single lane roundabout.**
- B. Phase II: Limited to uses generating no more than the number of peak-hour trips for Phases I and II (4,030 AM peak-hour vehicle trips and 6,879 PM peak-hour vehicle trips). The transportation improvements include:**
- i. **MD 193/site access: Construct a second left-turn lane along the southbound site access approach. Modify signals and pavement markings as needed.**
 - ii. **I-95/I-495/Greenbelt Metro Access Drive: Provide a new ramp into the site from northbound I-95/I-495 and a new ramp from the site onto southbound I-95/ I-495 (complete existing I-95/I-95/ Greenbelt Metro Access Drive interchange).**
 - iii. **MD 201: Construct or bond the following road improvements to MD 201. These road improvements are the improvements that are required to meet the Adequate Public Facilities Ordinance. At the current time, improvements to MD 201 are not listed in the State Highway Administration's Consolidated Transportation Program. The applicant will either make the improvements noted below or provide funding to the appropriate governmental agency at a cost of \$3.5 million (with appropriate inflation index) toward the ultimate MD 201 improvements.**
 - (a) **MD 201/Cherrywood Lane: Construct a second northbound through lane, begin 1,000 feet south of Cherrywood Lane and extend north for 2,500 feet. Construct a second left-turn lane along the eastbound Cherrywood Lane approach. Modify traffic signal and pavement markings as needed.**
 - (b) **MD 201/Sunnyside Avenue: Construct second through lane northbound and southbound along MD 201 a total distance of 2,500 feet in each direction. Modify traffic signal and pavement markings as needed.**

Councilmember Wojahn said the applicant is requesting a reconsideration to align the transportation-related conditions of both the Preliminary Plan and Conceptual Site Plan by applying Level of Service E as the test for transportation adequacy. Level of Service E was the level of service indicated originally in the general plan for the area, and this is an error that the applicant is seeking to correct.

Comments from the audience:

Attorney for the Applicant, Norman Rivera: They accept the conditions that were put forth in the motion and thank the City for their support.

The motion passed 8 – 0 – 0.

12-G-83 Approval Of Parking Restrictions On Berwyn House Road

A motion was made by Councilmember Catlin and seconded by Councilmember Dennis that the City Manager be authorized to establish parking limits along the North side of Berwyn House Road from an area directly across from Spellman House to Baltimore Avenue; and that a two (2) hour time limit be established for as many spaces as possible in this area, while maintaining the current number of spaces reserved for vehicles with handicapped parking permits; and, that based upon a survey by the City Engineer, an area of “no parking allowed” limited be established closest to Baltimore Avenue, sufficient to allow proper egress of vehicles from Berwyn House Road onto Baltimore Avenue.

Councilmember Catlin said that staff conducted a feasibility study to assess the potential for the establishment of metered parking, residential permit parking, or monthly permit parking on Berwyn House Road, from the intersection with Baltimore Avenue east to Rhode Island Avenue. Based upon observations and survey results, staff believes it is feasible to provide limited time parking, such as two hours, which may better accommodate customers at nearby businesses. With the development in that area and its adjacency to University of Maryland, it is a difficult place to park, and nearby businesses have a provision that if you walk-off their property you get towed, and there is really no public parking in the area. There is parking on this section of Berwyn house road that is free and open, but people tend to park there for extended periods of time. We need to have short duration parking for the commercial customers. The Koons Ford redevelopment may give us some new opportunity, but in the interim, he wants to see how providing this parking will work out.

There were no comments from the audience.

The motion passed 8 – 0 – 0.

12-G-84 Appointments To Boards and Committees

A motion was made by Councilmember Stulich and seconded by Councilmember Day to appoint Robert Boone, Lily Fountain, Julie Forker, Leo Shapiro and Priyanka Basumallick to the Farmers Market Committee. The motion passed 8 – 0 – 0.

COUNCIL COMMENTS:

Councilmember Wojahn said that the Council previously submitted a letter to the FHFA (Federal Housing Finance Agency) regarding the PACE loan program regarding a rule that they would not give any consideration to loans that had PACE liens as priority liens. They are proposing that rule again and the National League of Cities is seeking comments. He doesn't feel it is necessary to prepare a new letter but wants to resubmit the same letter in response.

Councilmember Catlin commented on the restaurant Pho Delight in Campus Village Shopping Center that is owned by a north College Park resident.

Councilmember Dennis also visited this restaurant and said it opened up in a previously unoccupied space.

12-G-86: Authorized A Letter To The County Board Of Education Regarding Leadership Changes:

Councilmember Mitchell requested that the City send a letter to the Prince George's County Board of Education regarding the departure of both the Superintendent and Assistant Superintendent and what direction the school board will take, who will be at the helm, what communication will go the parents. Councilmember Mitchell will draft the letter. Council would like to see the draft. Council consensus to proceed.

COMMENTS FROM THE AUDIENCE:

John Hawvermale, 1342 Excalibur Lane, Sandy Spring, MD 20860: At last night's hearing he heard a lot of criticism of "code enforcement" but believes people were throwing that term around loosely to include police, police response, the judicial system, the University of Maryland, and lack of student code of conduct. The implication was that the City's code enforcement department was not doing a good job. His experience is that they have a tough job and that they balance the demands of their job very well, the housing stock in College Park is superior to neighboring communities and they have initiated a pilot program to give notices of violations by e-mail. He thinks they are doing a good job and wanted to make that clarification.

12-G-85: Approved Change Orders Totaling \$87,685 To The Architect's Contract For City Hall Expansion Plans:

City Manager Joe Nagro requested Council's approval for two change orders from Proffit and Associates Architects relating to the City Hall expansion plans. One is the additional cost of design for LEED Gold by the architect, civil engineer, mechanical and electrical firms totaling \$54,365. The second is for design work for the additional space: the addition was originally planned to be 12,000 square feet but it is now over 20,000 with the expansion space. The design of the additional space totals \$33,320. Grand total of both change orders is \$87,685. A motion to approve the two change orders was made by Councilmember Afzali and seconded by Councilmember Wojahn. The motion passed 8 – 0 – 0.

Councilmember Afzali requested the addition of an item to the Four Cities agenda: the Green Line went down twice in the last week.

Adjourn: A motion was made by Councilmember Wojahn and seconded by Councilmember Day to adjourn the meeting. Mayor Fellows adjourned the meeting at 9:51 p.m. with 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 10:31 p.m. on July 3, 2012 in the Council Chambers of City Hall, a motion was made by Councilmember Stulich and seconded by Councilmember Kabir to enter into an Executive Session for the following reasons:

G: To Consult with Counsel on a legal matter

H: Consult with staff, consultants or other individuals about pending or potential litigation.

The motion passed 8 – 0 – 0 and the Executive Session convened at 10:41 p.m.

Present: Mayor Fellows; Councilmembers Kabir, Wojahn, Dennis, Catlin, Stulich, Day, Afzali and Mitchell.

Absent: None.

Also Present: Joe Nagro, City Manager; Janeen Miller, City Clerk; Suellen Ferguson, City Attorney; Bob Ryan, Director of Public Services; Chantal Cotton, Assistant to the City Manager.

Topics Discussed: The City Attorney advised the Council about future rent stabilization legal issues and strategies. The attorney will be drafting a resolution to suspend enforcement of the rent stabilization law once adopted. The City Attorney also advised the Council about potential litigation in reference to an upcoming matter.

Actions Taken: None.

Adjourn: A motion was made by Councilmember Afzali and seconded by Councilmember Wojahn to adjourn the Executive Session, and with a vote of 8 – 0 – 0, Mayor Fellows adjourned the meeting at 11:30 p.m.