

**MINUTES**  
**Regular Meeting of the College Park City Council**  
**Tuesday, March 27, 2012**  
**8:00 p.m. – 8:58 p.m.**

**PRESENT:** Mayor Fellows; Councilmembers Kabir, Wojahn, Catlin, Dennis, Stullich (arrived at 8:03 p.m.), 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; Terry Schum, Director of Planning; Elisa Vitale, Senior Planner; Student Liaison John Natalizio.

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

**Minutes:** A motion was made by Councilmember Afzali and seconded by Councilmember Mitchell to adopt the minutes of the Special Session March 20, 2012, the Regular Meeting of March 13, 2012 and the Public Hearing on March 13, 2012. The motion passed 7 – 0 – 0.

**Announcements:**

Councilmember Afzali said on Wednesday the College Park Woods Neighborhood Watch would host a Neighborhood Watch update at the Swim Club. Also, on Thursday March 29 County Councilmember Eric Olson will host a Town Hall meeting at 6:30 p.m. at Parkdale High School.

Councilmember Mitchell commented on the interview for the College Park Academy Charter School application that was held today. A response from the County should be received within 60 days.

Mayor Fellows said that Saturday is Good Neighbor Day – meet at the College Park Community Center.

Councilmember Wojahn said the Committee for a Better Environment is hosting the movie, “Kilowatt Ours”, on Saturday.

(Councilmember Stullich arrived.)

**Amendments to the Agenda:** None.

**City Manager’s Report:** Mr. Nagro announced that starting next week (in April) Council meetings will begin at 7:30 p.m. instead of 8:00 p.m. The Fiscal Year 2013 budgets will be distributed to Council on Friday and posted to the website on Monday morning. Budget

Worksessions will be Saturday April 14 and April 21. Friday, April 6 is a City Holiday. The Public Works yard will be open on Saturdays in April from 7:30 a.m. to 12 noon. Mr. Nagro introduced the new County Police District 1 commander, Major Rob Brewer.

Major Brewer introduced himself to Council and said he is attending as many community meetings as possible right now.

**Student Liaison's Report:** John Natalizio said he met with the SGA's diversity coalition – they will hold a mixer. He is still working on the survival guide and a community service initiative.

**Comments from the Audience on Non-Agenda Items:**

**James Jaladoni, 4313 Knox Road, Sustainable U Coordinator for MaryPIRG:** He discussed the campaign Energy Service Corps., consisting of education and weatherization and requested the City's help in reaching out to residents to make everyone as energy efficient as possible and to find sponsors to help purchase the light bulbs, weather stripping and caulking.

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

- 12-G-46      Spring Field Use Request by the College Park Boys and Girls Club for Duvall Field February 1 – June 20, 2012**
- 12-G-47      Spring Field Use Request by the College Park Boys and Girls Club for Calvert Hills Playground Field from March 1 – June 30, 2012 for soccer practice**
- 12-G-48      Sunday Field Use Request by the College Park Boys and Girls Club for Duvall Field from March 11 – May 13 for Lacrosse games**

The motion carried 8 – 0 – 0.

**Action Items:**

- 12-G-49      Approval of Declaration of Covenants for the Greenbelt Station South Core Development**

A motion was made by Councilmember Wojahn and seconded by Councilmember Kabir that the City Council approve a Development Agreement and Declaration of Covenants between the City of College Park and CRM Mid-Atlantic Properties, LLC (CRM) regarding the obligations and responsibilities of the parties with respect to the project known as the south core of Greenbelt Station. This Agreement will replace the south core portion of the Development Agreement executed by the City and Metroland Developers, LLC and Greenbelt Metropark LLC on August 3, 2005 that included both the north and south cores.

Councilmember Wojahn commented that this development has a long history: Development of the Greenbelt Station project was approved under a single conceptual plan for both the north and south cores but progress on the project stalled. The original developer of the south core lost the property to foreclosure and Sun Trust Bank currently owns the property and is readying the site for resale. As part of this process, the bank is seeking to sever the current Development Agreement with the City and execute a new Agreement for the south core only. The language in the new agreement is similar to the previous agreement in terms of the financial commitments to the City. It divides the south core from the north core so that the Agreement proposes to pay a total of \$1.25 million to the City for public facilities improvements in north College Park with the first payment of \$625,000 made at the time of the sale of the apartment component of the project and the remaining \$625,000 paid 36 months later. The issue of the pedestrian overpass has raised a lot of concerns, so there will be discussion of an amendment to remove provision 4 of the agreement that refers to a TIF to fund such an overpass. The north core developer has no objection to this Agreement and will pursue a new Agreement with the City at a later date.

**Comments from the audience:**

**Christine Nagle, 9506 52<sup>nd</sup> Avenue:** Five years ago, there was a citizen generated petition calling for no bridge, a citizen survey conducted by the City, and several meetings about this issue. She was under the impression that the issue was resolved and there would be no bridge. She is surprised to see it back here tonight. They still do not want a bridge. Many of the reasons for the original connection no longer exist. There is no funding mechanism. There are environmental concerns. Instead of supporting the tax base in Greenbelt by building a bridge, think about revitalizing nearby commercial areas in College Park. The issue of the bridge is solely in the hands of the Council and the residents are asking the Council to resolve it once and for all with no bridge.

**Norman Rivera, Attorney for the applicant:** Condition #4 of the proposed development agreement says CRM would support the City's position for a TIF to fund a pedestrian overpass. They respectfully request that condition #4 be deleted. The zoning conditions still stand, but at this point there is no county or city commitment to build a bridge. He would like to agree with the citizens; although it might be a great idea, it is problematic. He urges the Council to approve the agreement without condition #4.

**Marcia Duryea Booth, 5208 Huron Street:** She read and submitted written testimony in opposition to the bridge.

**Lourene Miovski, 9818 53<sup>rd</sup> Avenue:** She is concerned that people in the area have not been heard. The current council may not be aware that a petition against the bridge was circulated several years ago. The area of the south core where a bridge would land is now shown as residential, not commercial.

**Leslie W. Booth, 5208 Huron Street:** He wants to make sure this does not come back again and would prefer the area be kept as green space because there is so little left.

**Mark Shroder, 4909 Muskogee:** He supports the bridge because of the outdoor recreational and exercise opportunities it would provide. It would provide potential life saving connectivity if there is ever a disaster that closes off the neighborhood. Many of the arguments he has heard against it have nothing to do with the bridge. Sooner or later people's needs have to be met.

**Lisa Ealley, 9526 Rhode Island Avenue:** Supports residents of Daniels Park in opposing the bridge. She doesn't want to be bothered by noise coming from the bridge when she is at an outdoor party at a neighbor's house. Preserve the green space. If she wanted to visit the Greenbelt side, she would use the Metro underpass. Greenbelt said they would not police or maintain the bridge. Resolve this once and for all – residents thought this was out of the equation and were surprised to hear that it was again under consideration.

**Diana Claburn, 5001 Cheyenne Place:** She echoes what has already been said. Once and for all she would like this bridge resolved. Please take it out and don't ever bring it up again.

**Ruth V. Herbert, 5004 Cheyenne Place:** Here we go again. Almost five years ago we fought against the bridge, and we will fight again. This would bring problems to our peaceful quiet neighborhood. It is of no benefit to us.

**Jane Sprouse, 5214 Iroquois Street:** She can't find one reason that we would need this bridge.

**Mary Cook, 4705 Kiernan Road:** Residents are still against the bridge. She doesn't believe any Councilmember would accept this monstrosity in their neighborhood. She commends Mr. Rivera for understanding what is happening here tonight.

**Norman Rivera:** Some of the original issues that drove the destination for the bridge aren't there anymore. In the alternative they are proposing trail connectivity from the south core to the north core. You don't want to force this on the residents. From a planning standpoint it makes sense to support a TOD, but it has to be case-based. They are willing to move forward without condition #4.

Councilmember Kabir acknowledged this is a controversial issue with residents on both sides.

**A motion to amend the agreement was made by Councilmember Kabir and seconded by Councilmember Wojahn to remove condition #4 from the Declaration of Covenants.**

**Comments from the audience on the amendment:**

**Christine Nagle, 9506 52<sup>nd</sup> Avenue:** She is pleased with the amendment. Hopefully in the future the council will discuss these issues with the residents first.

Councilmember Wojahn said he hears the concerns and wants to correct some inaccuracies. A flier said the bridge would definitely put in at the end of Huron Street which is not the case; there were several options. The flier said the bridge would look like the one at the end of Berwyn Road, which is not the case; the design had not been discussed. The flier said there would be no additional police patrols, which is not true – we could have our contract police patrol there.

There are people on both sides of the issue. A bridge would provide access to a large network of trails and recreational opportunities on the other side of the tracks. He is concerned that in 20 years people will say, “if only we had better access to that area” and that it will improve our property values and quality of life. That said, however, he will support the amendment.

**The amendment passed 7 – 1 – 0 (Stullich opposed).**

**The main motion, as amended, passed 8 – 0 – 0.**

### **12-G-50 Appointments To Boards and Committees**

A motion was made by Councilmember Catlin and seconded by Councilmember Dennis to appoint Dan Blasberg, Michael Burrier and Matthew Cardoso to the Citizens Corps Council, and to reappoint Leonard Smith to the Veteran’s Memorial Improvement Committee. The motion passed 8 – 0 - 0.

#### **Council Comments:**

Councilmember Wojahn asked about the pedestrian beacon signals that are going up on Rhode Island Avenue. The County said it is in the City’s hands.

Councilmember Dennis asked for an update on the proposed state senate bill to allow municipalities to allow liquor licenses within 1,000 feet of a church or school. Councilmember Catlin responded that this will have to wait until the next legislative session.

**Comments from the Audience:** None.

**Adjourn:** A motion was made by Councilmember Afzali and seconded by Councilmember Stullich to adjourn the regular meeting and to convene in Executive Session for the purposes of consulting with counsel on a legal matter, consulting with staff about pending or potential litigation, and to discuss collective bargaining negotiations. The Council will not be coming back into open session. Mayor Fellows adjourned the meeting at 8:58 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 8:58 p.m. on March 27, 2012 in the Council Chambers at City Hall, a motion was made by Councilmember Afzali and seconded by Councilmember Day 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.
- I: Discuss collective bargaining negotiations

The motion passed 8 – 0 – 0 and the Executive Session convened at 9:02 p.m.

**Present:** Mayor Fellows; Councilmembers Kabir, Wojahn, Catlin, Dennis, Stullich, Day, and Afzali.

**Absent:** Councilmember Mitchell left at the end of the Regular meeting and was not present for the Executive Session.

**Also Present:** Joe Nagro, City Manager; Janeen Miller, City Clerk; Suellen Ferguson, City Attorney; Student Liaison John Natalizio was present for topic 1.

**Topics Discussed:**

1. Petitions turned in to the City Clerk re: proposed City Charter amendments.
2. Update on collective bargaining negotiations.

**Actions Taken:** None.

**Adjourn:** A motion was made by Councilmember Afzali and seconded by Councilmember Wojahn to adjourn the Executive Session. With a vote of 7 – 0 – 0, Mayor Fellows adjourned at 10:07 p.m.

---

---

Pursuant to §C6-3 of the College Park City Charter, at 7:08 p.m. on March 20, 2012 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 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 6 – 0 – 0.

**Present:** Mayor Fellows; Councilmembers Kabir, Catlin, Dennis, Day, Afzali and Mitchell. Councilmember Wojahn arrived at 7:13 p.m. and Councilmember Stullich arrived at 7:43 p.m.

**Absent:** None.

**Also Present:** Joe Nagro, City Manager; Janeen Miller, City Clerk; Suellen Ferguson, City Attorney; Steve Groh, Director of Finance; Bob Ryan, Director of

Public Services; Jeannie Ripley, Code Enforcement Manager; Terry Schum, Director of Planning; Dr. Basu, consultant.

**Topics Discussed:** Future rent stabilization legal issues.

**Actions Taken:** None.

**Adjourn:** A motion was made by Councilmember Afzali and seconded by Councilmember Day to adjourn the Executive Session. With a vote of 8 – 0 – 0, Mayor Fellows adjourned the Executive Session at 8:03 p.m.

---

Pursuant to §C6-3 of the College Park City Charter, at 7:06 p.m. on March 13, 2012 in the Council Chambers at City Hall, a motion was made by Councilmember Catlin and seconded by Councilmember Day to enter into an Executive Session for the following reasons:

D: Consider a matter that concerns the proposal for a business to locate in the County.

G: To Consult with Counsel on a legal matter

The motion passed 6 – 0 – 0.

**Present:** Mayor Fellows; Councilmembers Kabir, Catlin, Dennis, Day, Afzali and Mitchell. Councilmember Wojahn arrived at 7:08 p.m. and Councilmember Stullich arrived at 7:09 p.m. Councilmember Mitchell left at 7:39 p.m.

**Absent:** None.

**Also Present:** Joe Nagro, City Manager; Janeen Miller, City Clerk; Suellen Ferguson, City Attorney; Terry Schum, Director of Planning; Norman Rivera, attorney.

**Topics Discussed:** Proposed revisions to a development agreement.

**Actions Taken:** None.

**Adjourn:** A motion was made by Councilmember Stullich and seconded by Councilmember Wojahn to adjourn the Executive Session. With a vote of 7 – 0 – 0, Mayor Fellows adjourned at 7:46 p.m.