

**MINUTES**  
**Regular Meeting of the College Park City Council**  
**Tuesday, September 8, 2015**  
**Council Chambers**  
**7:30 p.m. – 8:37 p.m.**

**PRESENT:** Mayor Fellows; Councilmembers Kabir, Wojahn, Brennan, Dennis, Stulich (arrived at 8:07 p.m.) Day, Hew and Mitchell.

**ABSENT:** None.

**ALSO PRESENT:** Joe Nagro, City Manager; Bill Gardiner, Assistant City Manager; Janeen Miller, City Clerk; Suellen Ferguson, City Attorney; Terry Schum, Director of Planning; Steve Halpern, City Engineer; Jill Clements, Director of Human Resources; Bob Ryan, Director of Public Services; Peggy Higgins, Director of Youth, Family and Senior Services; Cole Holocker, Student Liaison; Adler Pruitt, Deputy Student Liaison.

Mayor Fellows opened the Regular Meeting at 7:30 p.m. Councilmember Kabir led the Pledge of Allegiance.

**Minutes:** A motion was made by Councilmember Day and seconded by Councilmember Mitchell to approve the minutes of the Special Session on August 5, 2015, the August 11, 2015 Regular Meeting, and the Confidential Minutes of Closed Sessions held on July 14 and August 5, 2015. The motion passed 7 – 0 – 0.

**Announcements:**

Councilmember Wojahn said the North College Park Citizens Association would meet on Thursday at 7:30 p.m. at Davis Hall. He also announced the next “Live Smart, Eat Local” event that will be held on September 22 at Azteca Restaurant.

Councilmember Brennan said there will be a social event on September 17 called “Third Thirsty Thursdays” at Ledo’s Restaurant. It is an opportunity for the University and City to come together to promote homeownership and businesses in the City.

Councilmember Dennis announced that the Lakeland Civic Association would meet on Thursday September 10 at 7:00 p.m. at the College Park Community Center.

Councilmember Mitchell announced that on Thursday at 6:30 p.m. there would be a presentation of supplies to the new principal and teachers at Paint Branch Elementary School.

Councilmember Hew announced the passing of Edward Parker Wood, the founder of Wood’s Florist.

**Acknowledgement of Dignitaries:** Mayor Fellows recognized former University Park Mayor John Tabori.

**Acknowledgement of Newly Appointed Board and Committee Members:** Mayor Fellows recognized Christine O'Brien who was recently appointed to the Tree and Landscape Board and thanked her for her service.

**Amendments to the Agenda:** None.

**City Manager's Report:** Mr. Nagro reported on weekend activities in the City: there were 29 calls to the hotline. There were 16 warnings issued for noise complaints and two municipal infractions.

**Student Liaison's Report:** Mr. Holocker said that the on-campus tailgates are working. He read a resolution passed by the SGA congratulating Joe Nagro on his retirement.

**Comments From The Audience on Non-Agenda Items:**

**Former University Park Mayor John Tabori:** Mayor Tabori read a resolution from the Town of University Park congratulating Joe Nagro on his retirement. He followed with personal remarks about his long association with Mr. Nagro.

**Dave Dorsch, 4607 Calvert Road:** Why didn't the University of Maryland have some program planned for the students on Labor Day? He congratulated Joe Nagro on his retirement.

**Presentations:**

Mayor Fellows presented the 2015 "Jack Perry Award" to Ms. Jackie Kelly.

**CONSENT AGENDA:** A motion was made by Councilmember Day and seconded by Councilmember Dennis to adopt the Consent Agenda, which consists of the following items:

- 15-R-14**      **Approval of a Resolution Of The Mayor And Council Of The City Of College Park, Maryland Adopting The Recommendations Of The Advisory Planning Commission Regarding Variance Application Number CPV-2015-04, 4803 Lackawanna Street, College Park, Maryland, Recommending Approval Of Variances From The Prince George's County Zoning Ordinance: Section 27-442(C) Prescribing Maximum Lot Coverage And Section 27-442(E) Prescribing Minimum Front Yard Setback**
  
- 15-R-15**      **Approval of a Resolution Of The Mayor And Council Of The City Of College Park, Maryland Adopting The Recommendation Of The Advisory Planning Commission Regarding Request For Certification Of A Non-Conforming Use CNU-2015-01 For College Park Wesleyan Church, 4915 Edgewood Road, College Park, Maryland Recommending Approval Of The Request For Certification Of A Non-Conforming Use**
  
- 15-R-16**      **Approval of a Resolution Of The Mayor And Council Of The City Of College Park, Maryland To Dissolve The Farmers Market Committee**

- 15-R-17**      **Approval of a Resolution Of The Mayor And Council Of The City Of College Park, Maryland To Dissolve The Sustainable Maryland Certified Green Team**
- 15-G-93**      **Approval of Fall Field Use Requests from College Park Boys and Girls Club for use of Duvall and Calvert Road Fields**
- 15-G-94**      **Approval of a Sunday Field Use Request for Duvall Field from Berwyn Baptist Church**
- 15-G-95**      **Approval of a Sunday Field Use Request for Duvall Field from Open Bible Deaf Church**
- 15-G-96**      **Approval of a request by Mr. John Saylor, 5209 Kenesaw Street, to park a prohibited vehicle (trailer) on Kenesaw Street**
- 15-G-97**      **Approval of the Renewal of MOU with University of Maryland Department of Transportation Services for resident and College Park employee ridership of Shuttle-UM in the amount of \$6,000**
- 15-G-98**      **Under the City Manager’s employment agreement, the Mayor and Council may approve bonuses for the City Manager, and have done so in the past. Joe Nagro, our retiring City Manager, agreed to extend his retirement date, originally set for June, 2015, to September, 2015, in order to stay on board while the Mayor and Council continued the process of selecting a new City Manager. In recognition of this benefit, the Mayor and Council have decided to give the City Manager a bonus of \$5,000. Instead of a cash award, the Mayor and Council and Mr. Nagro have agreed that the \$5,000 bonus will be applied toward the City Manager’s purchase of the City vehicle he currently uses, a 2009 Chevrolet Equinox. This vehicle is valued at approximately \$10,000. Mr. Nagro will purchase the vehicle from the City for the remaining balance of \$5,000. This motion will approve the sale of this vehicle to Joe Nagro at the reduced price of \$5,000.**

**The motion passed 7 – 0 – 0.**

**ACTION ITEMS:**

- 15-G-99**      **Approval of a City Position on the application by College Park Liquors for a BOLC Special Sunday Off-Sale Permit**

**A motion was made by Councilmember Stulich and seconded by Councilmember Day that the City approve a position of no opposition to the application by College Park Liquors for a BOLC Special Sunday Off-Sale Permit subject to the applicant entering into a Property Use Agreement with the City in substantially the form attached, that the City Manager be authorized to sign the PUA, and that staff be authorized to testify to the City’s position at the BOLC hearing**

Councilmember Stulich said that College Park Liquors has applied to the Prince George's County Board of License Commissioners for a Special Sunday off-sale permit. Council met with the applicant and requested certain conditions in return for not opposing the permit, which are reflected in the Property Use Agreement. These conditions include an agreement to invest \$50,000 in interior improvements, a minimum of 50% clear window area, a clear aisle along the front of store and use of scanner ID technology.

There were no comments from the audience or from the council

**The motion passed 7 – 0 – 1 (Councilmember Kabir abstained).**

**15-G-100 Award of contract for bikeshare to Zagster, Inc., in an amount not to exceed \$300,000 for the City-funded portion of the program, subject to review and approval by the City Attorney**

**A motion was made by Councilmember Kabir and seconded by Councilmember Wojahn that a three-year contract for a College Park Bikeshare System be awarded to Zagster, Inc. in an amount not to exceed \$300,000, contingent on the approval by the University of Maryland of a contract with Zagster, Inc. with generally the same terms and conditions, and subject to review and approval of contract terms by the City Attorney.**

Councilmember Kabir said this contract represents the city portion of the bikeshare system. Zagster, Inc. was one of three firms that responded to a Request for Proposals to provide a bikeshare system both on- and off-campus. The City and University have determined that Zagster's proposal is the most responsive, economical and flexible compared to the other bidders. It is anticipated that the College Park system will launch in January 2016 with a total of 125 bikes, 250 docks and 14 stations. Final decisions on station locations, membership rates, branding and marketing will be made in conjunction with the University and Zagster.

**Comments from the audience:**

**Dave Dorsch, 4607 Calvert Road:** \$300,000 is a lot of money. Why do we have to pay them to come to the City when they charge for the bikes? We should be asking how much they are going to pay us. Why do we have to subsidize it? We pay for road infrastructure but bicyclists pay zero. It is outrageous to spend taxpayer money to bring bikeshare to the City.

Councilmember Kabir clarified that whoever wants to use the bike will have to pay for it. Ms. Schum said we hope the system will pay for itself, but someone has to initiate it and own it; it is typical that governments do so. In this case, it will be the City and the University.

Councilmember Wojahn said that transportation infrastructure is subsidized and that if we want our transportation system to work effectively we need to invest in it.

**The motion passed 8 – 0 – 0.**

**15-O-04 Adoption of Ordinance 15-O-04, An Ordinance Of The Mayor And Council Of The City Of College Park, Amending Chapter 175 “Taxation”, Article IV, “Revitalization Tax Credit”, Sections §175-9 “Eligibility Requirements”; §175-10 “Eligibility Criteria”; §175-11 “Tax Credit – Amount And Term”; §175-12 “Application Process”; And §175-13 “Waiver”, To Change Eligibility Requirements And Criteria, To Clarify That A Tax Credit Will Be Granted Only If Financially Feasible, To Clarify The Application Process, And To Delete A Certain Waiver Option.**

**A motion was made by Councilmember Wojahn and seconded by Councilmember Stulich to adopt Ordinance 15-O-04, an Ordinance of the Mayor and Council of the City of College Park, Maryland, amending Chapter 175 “Taxation” Article IV, “Revitalization Tax Credit”, Sections §175-9 “Eligibility Requirements”; §175-10 “Eligibility Criteria”; §175-11 “Tax Credit – Amount And Term”; §175-12 “Application Process”; and §175-13 “Waiver”, to change eligibility requirements and criteria, to clarify that a tax credit will be granted only if financially feasible, to clarify the application process, and to delete a certain waiver option.**

Because of the Public Hearing held earlier tonight, no audience comments were taken.

Councilmember Wojahn said that the City, pursuant to 9-318 of the Tax-Property Article, Annotated Code of Maryland, is authorized to establish revitalization districts by resolution for the purpose of encouraging redevelopment and to grant a property tax credit against the City’s real property tax for a property located within the revitalization district. The Mayor and Council adopted Article IV, “Revitalization Tax Credit”, to establish a revitalization tax district and to set the criteria for granting a tax credit. The City has now granted a number of tax credits, and based on this experience, staff and the City Attorney recommended modifications to the Ordinance to ensure the program meets its goals of incentivizing high-quality redevelopment projects. The recommendations were extensively discussed by the Mayor and Council. The Ordinance includes several substantive modifications which change the eligibility requirements and criteria, provide flexibility with respect to the tax credit amount and term, eliminate the waiver provision for completed projects, and ensure that tax credits are granted only if financially feasible.

There were no comments from the Council.

**The Ordinance was adopted with a vote of 8 – 0 – 0.**

**15-G-101 Appointments to Boards and Committees**

A motion was made by Councilmember Wojahn and seconded by Councilmember Kabir to appoint Taylor Roethle as the IFC representative to the Neighborhood Quality of Life Committee, Adler Pruitt as a student representative to the Neighborhood Quality of Life Committee and Ryan Belcher as a resident representative to the Neighborhood Quality of Life Committee. The motion passed 8 – 0 – 0.

**COUNCIL COMMENTS:**

Councilmember Day thanked Mr. Nagro for his service to the City and reflected on his association with Mr. Nagro over the years.

Councilmember Stullich congratulated Mr. Nagro on his retirement.

Councilmember Dennis also congratulated Mr. Nagro.

Councilmember Brennan remarked on Mr. Nagro's tenure with the City and reflected on his association with Mr. Nagro.

Councilmember Wojahn made personal remarks on his association with Mr. Nagro over the years and thanked him for his support.

Councilmember Kabir echoed previous comments and said that Mr. Nagro will be missed.

Retiring City Manager Joe Nagro reflected on his 26 year tenure of service to the City and thanked the Council and staff for their support over the years.

**COMMENTS FROM THE AUDIENCE:**

**Oscar Gregory, 9215 Limestone Place:** When a constituent stands up to speak about the public use of funds, he does not know if it is appropriate for Councilmembers to address someone with an opposing viewpoint. That keeps people like him from coming to the microphone to speak their minds.

**ADJOURN:**

A motion was made by Councilmember Stullich and seconded by Councilmember Mitchell to adjourn the Regular Meeting. With a vote of 8 – 0 – 0, Mayor Fellows adjourned the meeting at 8:37 p.m.

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Janeen S. Miller, CMC  
City Clerk

Date  
Approved

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Pursuant to §C6-3 of the College Park City Charter, at 7:16 p.m. on September 1, 2015, a motion was made by Councilmember Dennis and seconded by Councilmember Day to enter into a Closed Session to discuss a personnel matter regarding a specific individual. The motion passed 7 – 0 – 0 and the Council entered into the closed session at 7:16 p.m.

**Present:** Mayor Andrew Fellows; Councilmembers Kabir, Wojahn, Brennan, Dennis, Day, Hew and Mitchell.

**Absent:** Councilmember Stulich.

**Also Present:** Suellen Ferguson, City Attorney; Jill Clements, Director of Human Resources.

**Topics Discussed:** Council discussed a bonus/gift for a City employee.

**Actions Taken:** None.

**Adjourn:** A motion was made by Councilmember Dennis and seconded by Councilmember Day to adjourn the closed session, and at 7:42 p.m. with a vote of 7 – 0 – 0, Mayor Fellows adjourned the meeting.

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