

**MINUTES**  
**Regular Meeting of the College Park City Council**  
**Tuesday, January 12, 2016**  
**Council Chambers**  
**7:30 p.m. – 9:15 p.m.**

**PRESENT:** Mayor Wojahn; Councilmembers Kabir, Nagle, Brennan, Dennis, Day, Stulich (arrived at 7:31 p.m.), Cook (arrived at 7:40 p.m.) and Kujawa.

**ABSENT:** None.

**ALSO PRESENT:** Scott Somers, City Manager; Bill Gardiner, Assistant City Manager; Janeen Miller, City Clerk; Suellen Ferguson, City Attorney; Bob Ryan, Director of Public Services; Bob Stumpff, Director of Public Works; Terry Schum, Director of Planning; Peggy Higgins, Director of Youth, Family and Senior Services; Miriam Bader, Senior Planner.

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

**Minutes:** A motion was made by Councilmember Dennis and seconded by Councilmember Day to adopt the minutes of the December 7, 2015 Regular Meeting. The motion passed 7 – 0 – 0.

**Announcements:**

Councilmember Dennis invited everyone to the tribute for Dr. Martin Luther King, Jr. to be held on Saturday from 2 – 4 at The Clarice. He also announced that the Lakeland Civic Association would meet on Thursday at 7:00 p.m. at the College Park Community Center.

Councilmember Brennan said there would be a day of community service on Saturday at 8:00 a.m. to pick up trash in Berwyn and Lakeland. He also announced that the next Third Thirsty Thursday event would be held on January 21 at Ledo's Original Restaurant from 5 – 7 p.m. At 8:00 p.m. that same night, the Berwyn District Civic Association will meet at Fealy Hall.

Councilmembers Nagle and Kabir discussed the North College Park Citizens Association meeting on Thursday, January 14 at Davis Hall.

**Acknowledgement of Newly Appointed Board and Committee Members:** Mayor Wojahn acknowledged Alethea Ten Eyck-Sanders who was recently appointed to the Education Advisory Committee, and thanked her for serving.

**Proclamations:**

Mayor Wojahn presented a proclamation to B. W. Tom Davis and thanked him for his service on the Cable Television Commission. He then read the proclamation for the 25th Annual Tribute to Dr. Martin Luther King, Jr.

**Amendments to the Agenda:** None

**City Manager's Report:** Mr. Somers reminded everyone that City offices would be closed on Monday, January 18 for the Martin Luther King holiday; refuse and recycling collection will be one day later that week. Christmas trees will be collected on the regular yard waste collection day – place them at your curb by 7:00 a.m.

**Comments From The Audience on Non-Agenda Items:** None

**PRESENTATIONS**

Mayor Wojahn presented FY '16 Public School Education Grants to four of the City's ten neighborhood school grant recipients: Berwyn Heights Elementary (Principal Karen Singer), Buck Lodge Middle School (Principal Kenneth Nance), Hyattsville Middle School (Principal Thornton Boone, Teachers Lori Colding, and Else Dent) and Hollywood Elementary (Principal April Lee).

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

- 16-G-02** Approval of the appointment of Councilmember Monroe Dennis as the Mayor Pro Tem
- 16-G-03** Award of a contract to Playground Specialists, Inc., of Emmitsburg, Maryland, in the amount of \$44,949 to remove/replace the play structure at the Old Town playground, to be fully funded by a grant from Community Parks and Playgrounds.
- 16-G-04** Approval of a Memorandum of Understanding between the City of College Park and the University of Maryland to coordinate efforts to create a City/University Bikeshare System

The motion passed 8 – 0 – 0.

**ACTION ITEMS:**

- 15-G-132** Approval of City comments on DSP 13045 for Greenbelt Station South Core Phase III (Tabled from November 24, 2015)

A motion was made by Councilmember Kabir and seconded by Councilmember Nagle that the City Council support Detailed Site Plan 13045, Phase III of the South Core of Greenbelt Station, subject to the following:

- 1. Prior to final plat certification, the applicant shall create a lot that is a minimum of 175-feet long by 50-feet wide, shown as Alignment 2A in the City of College Park Pedestrian Overpass Feasibility Study Additional Concept Alternatives, Addendum to the Technical Summary. This lot shall be held by the Homeowners' Association to be turned over to a public agency on demand for construction of a public pedestrian overpass. After 10 years from the date of final plat certification, if a pedestrian**

**overpass has not been constructed, the lot will become the property of the Homeowners' Association.**

- 2. Prior to certificate approval of the Detailed Site Plan, the applicant shall revise the site plan to relocate the pedestrian overpass to the area shown as Alignment 2A in the City of College Park Pedestrian Overpass Feasibility Study Additional Concept Alternatives, Addendum to the Technical Summary.**
- 3. Prior to certificate approval of the Detailed Site Plan, the applicant shall provide the City of College Park with broker information and promotional material associated with the proposed retail site.**
- 4. Subsequent to the determination that Lot 116 is to be retail or a public park and prior to the issuance of a building permit for lot 116, the applicant shall provide a Detailed Site Plan revision to address site layout and building details.**

Councilmember Kabir commented that this project is located entirely within the City of Greenbelt and is subject to a Development Agreement between the City of Greenbelt and the Applicant, as well as conditions of approval related to the Conceptual Site Plan. The primary concerns of the City of College Park relate to the requirement for showing a location for a pedestrian overpass on the site plan. An overpass at the proposed location will provide easy pedestrian and bicycle access to: Lake Artemisia, the Anacostia Watershed trail system, a retail site and the proposed FBI site near Greenbelt Metro station. College Park City Council adopted a resolution at the September 25, 2012 Council meeting to relocate the pedestrian overpass south of the Board of Education property. The District Council adopted a resolution that the general location of the pedestrian overpass should be south of the City's Public Works facility on industrial zoned property and not adjacent to any residential homes.

**Comments from the audience:**

**Emily Larkin, 9006 50<sup>th</sup> Place:** She is an avid cyclist. Right now the railroad tracks divide our community. There are only two places to cross the tracks in north College Park. When Metro is closed you can't use the tunnel. The sidewalk on Greenbelt Road is unpleasant and unsafe. She would hate to lose this opportunity to add another crossing. She supports showing this crossing on the plans.

**Jeff Lemieux, 92 Ridge Road, Greenbelt, Co-Chair, Washington Area Bicyclist**

**Association:** He agrees with the prior speaker and hopes this crossing will stay in the plan. It can be difficult to go east-west and believes there will be even more of a need if the FBI relocates to Greenbelt Station.

**Alan Hew, 9118 Autoville Drive:** He complimented the Council on the decision to move forward with securing the potential for this overpass. It is important to think forward to the future.

**Mark Shroder, 4909 Muskogee:** He discussed the Viers Mill Road pedestrian bridge in Montgomery County that connects the Rock Creek Trail from Lake Needwood to the DC line. That bridge does not have any retail component and the residents value the amenity. He encourages support of the bridge regardless of the retail. However, he does not believe that 10 years is long enough to raise the money to build the bridge.

**David Blumgart, 4109 31<sup>st</sup> Street, Mt. Ranier:** He is in support of keeping the overpass in the plans. One thing that makes this area so livable is the extensive path of connected trails. Anything that can help open up the choke point across the railroad tracks will make a big difference.

**Phil Melton, 9005 50<sup>th</sup> Place, member, Prince George's County Bike Action Committee:** The choke point at Greenbelt Road/MD 193 is a serious obstacle. This would provide needed access that is all-weather, all-hours. Don't allow fear to interfere with our growth.

**Cheryl Molinatto, 5210 Huron Street:** She and her husband are strongly in support of this bridge – they live near this area. They would love a closer access point across the tracks that is closer than MD 193. This would provide a convenient and safe crossing. New residents in the South Core development can walk over to College Park to partake of our many amenities.

**Laurie Lemieux, 92 Ridge Road, Greenbelt, Owner, Proteus Bikes:** She appreciates the trails and anything we can do to promote connectivity between our neighborhoods. Having another path over the tracks will be good for her personally and for her business. Many studies show that bicycles and pedestrians are good for business.

**Scott Wilson, 6100 42<sup>nd</sup> Place, Hyattsville, Washington Area Bicyclist Coalition:** This extra connection in the northern part of the City is important.

**Linda Rioux, 4900 Blackfoot Road:** She agrees with what everyone said. She has seen the comment on forums that this will serve only a minority of people. If you think it is a minority, it is because it is not safe out there now. Make it safe and more people will use it.

**Justin Frye, Woodlawn Development (the applicant):** The Park and Planning CSP condition includes language that the pedestrian overpass shall not detrimentally affect College Park or the Greenbelt Station development. Approval of this motion would detrimentally impact their development and would result in loss of potential townhouse lots. The NCPCA was previously opposed to this. The 10 year sunset clause creates a new, undue level of uncertainty for current and future residents and for their marketing efforts.

Councilmember Nagle said she would vote in support of the motion. She acknowledged that there will never be agreement among all the parties. She looks forward to continuing the discussion on additional ways to improve pedestrian and bicycle connectivity and safety.

Councilmember Cook will also support the motion. However, we have other projects that we will need to fund, such as City Hall. We have to think about the cost of the projects that the City will have to fund.

Councilmember Day supports this motion but with some reservation. Connectivity is the key, but he does not think this is the correct location. We shouldn't be forcing the developer to do anything that causes them to lose lots.

Councilmember Brennan discussed the current access points across the railroad tracks and said the additional connectivity is invaluable. As we explore this further it is important to have people from all sides at the table. He is not sure that the 10 year sunset provision will allow

enough time to secure funding and build the project. We should think about revisiting this in 10 years and decide then whether to sunset it.

Councilmember Stulich said the trails in this area are one of the strongest attributes of living in College Park. She understands the developer's concerns but feels that this is a chance for the developer to give back to the community. She thinks this additional connection would add a lot to the community and attract people to live here. This is the best opportunity we are ever going to have to create this additional access point.

Councilmember Kabir understands that 10 years may not be enough time, but we need to try. He understands the loss of some units is a sacrifice for the developer, but they should think about the appreciation from the community for working with us. We will work together to address any remaining concerns.

There was discussion about the 10 year sunset provision in the motion, and whether that language might get into the Planning Board's final resolution. Councilmember Brennan said placing the sunset at this point is a final statement for an uncertain future. It might be beneficial to provide some flexibility to future Councils.

**Amendment: A motion was made by Councilmember Brennan and seconded by Councilmember Stulich to amend the motion by removing the last sentence in Condition #1 regarding the 10-year sunset provision ("After 10 years from the date of final plat certification, if a pedestrian overpass has not been constructed, the lot will become the property of the Homeowners' Association").**

Ms. Ferguson said this approach gives you the greatest flexibility, although the Planning Board might not accept it; they may put in an endpoint of their own.

**Comments on the amendment:**

**Mark Shroder, 4909 Muskogee:** He supports this amendment. He has been hearing about the Greenbelt development for 20 years and said then it would not be developed in his lifetime.

Councilmember Cook opposes the amendment. We shouldn't hold everyone in limbo forever.

Councilmember Stulich supports the amendment; 10 years is not enough time to make this happen.

**Roll Call Vote on the Amendment:**

**Aye: Kabir, Nagle, Brennan, Dennis, Stulich, Day, Kujawa**

**Nay: Cook**

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

**Main Motion as Amended:**

**7 – 1 – 0 (Cook opposed)**

**The amended motion passed.**

**16-G-05 Authorization for the City Manager to spend the \$5,000 received from FY '16 discretionary grant funds from County Council Member Lehman for animal welfare purposes**

**A motion was made by Councilmember Stulich and seconded by Councilmember Nagle to accept an FY '16 \$5,000 discretionary grant from County Council Member Lehman for use by the City for animal control and welfare programs and to authorize the City Manager to spend the grant funds for these purposes, which may include support of Trap-Neuter-Release programs for feral cats.**

Councilmember Stulich said we greatly appreciate the \$5,000 grant from Council Member Lehman for our animal control and welfare programs. One unfunded animal welfare issue is feral cat colonies. The Animal Control Officer has identified at least four separate colonies in the City. Some residents choose to care for these colonies by providing food and water, while other residents raise concerns about their impact on birds and other wildlife. Often these cats are unneutered so their numbers can grow over time, intensifying the issue. One recognized approach to handling this issue is known as Trap-Neuter-Release (TNR) in which organizations or individuals trap the cats humanely, take them to a vet to be neutered, and then release them back to their colony. County and City laws allow the release of captured feral cats if they have had their ears "tipped" to indicate they have been neutered. This approach would reduce feral colonies over time and is considered more humane than trapping and euthanizing feral cats. The Animal Welfare Committee would like to work with non-profit TNR programs to address this issue. Council Member Lehman's grant provides resources that could be used for this purpose. By this motion the City Manager will be authorized to use these grant funds to support this effort, as well as other animal welfare programs in the City.

There were no comments from the audience.

Councilmember Nagle thanked Council Member Lehman and said she hopes we can use this toward TNR.

**The motion passed 8 – 0 – 0.**

**16-G-06 Approval of a facilitator for the 2016 Council retreat**

**A motion was made by Councilmember Brennan and seconded by Councilmember Day to authorize the City Manager to execute a contract with The Novak Consulting Group in an amount not to exceed \$4,500 to facilitate a one-day Council retreat in February.**

Councilmember Brennan said last year the City Council voted to have annual Council retreats with the intention to meet again in January or February of 2016. With a newly installed Council, new City Manager, and the newly adopted Strategic Plan, a Council retreat in February is very timely. The City Manager contacted several experienced retreat facilitators for proposals. One of the responses was from The Novak Consulting Group. The Council used Catherine Tuck Parrish from The Novak Consulting Group for the 2015 Strategic Planning process. Based on our experience with Ms. Tuck Parrish from that past endeavor, and on her unique familiarity

with the newly adopted Strategic Plan and with the City in general, she is the ideal candidate to facilitate this retreat.

There were no comments from the audience or the Council.

**The motion passed 7 – 1 – 0 (Cook opposed).**

**15-O-07 Adoption of Ordinance 15-O-07, An Ordinance Of The Mayor And Council Of The City Of College Park, Amending Chapter 11 “Authorities”, Article II, “Airport Authority”, §11-5 “Creation; Members; Compensation; Conflicts Of Interest” And §11-6, “Purpose; Use Of Airport”; Chapter 15 “Boards, Commissions And Committees”, Article II, “College Park Recreation Board”, §15-3, “Membership; Terms” And Article VIII, “Committee For A Better Environment”, §15-34, “Powers And Duties” ; And Chapter 179 “Tree And Landscape Maintenance”, §179-2, “Purpose; Applicability”, §179-5, “Tree And Landscape Board” And §179-6, “Comprehensive Landscape Plan; Costs” To Incorporate Changes Recommended By The Airport Authority, Committee For A Better Environment And The Tree And Landscape Board, To Remove Certain References To Conflicts Of Interest From §11-5, To Set The Membership Of The Recreation Board At Up To Ten Members With The Goal Of Representation From Each District, And To Make Certain Non-Substantive Changes.**

**A motion was made by Councilmember Stullich and seconded by Councilmember Dennis to adopt Ordinance 15-O-07, An Ordinance Of The Mayor And Council Of The City Of College Park, Amending Chapter 11 “Authorities”, Article II, “Airport Authority”, §11-5 “Creation; Members; Compensation; Conflicts Of Interest” And §11-6, “Purpose; Use Of Airport”; Chapter 15 “Boards, Commissions And Committees”, Article II, “College Park Recreation Board”, §15-3, “Membership; Terms” And Article VIII, “Committee For A Better Environment”, §15-34, “Powers And Duties” ; And Chapter 179 “Tree And Landscape Maintenance”, §179-2, “Purpose; Applicability”, §179-5, “Tree And Landscape Board” And §179-6, “Comprehensive Landscape Plan; Costs” To Incorporate Changes Recommended By The Airport Authority, Committee For A Better Environment And The Tree And Landscape Board, To Remove Certain References To Conflicts Of Interest From §11-5, To Set The Membership Of The Recreation Board At Up To Ten Members With The Goal Of Representation From Each District, And To Make Certain Non-Substantive Changes.**

Councilmember Stullich commented that in 2015, the City Council undertook a comprehensive review of our 17 City-appointed Boards. As part of this process, we met with the Chairs of each Board and reviewed whether any changes were needed to the charge and mission of the Board. Several recommendations resulted from those meetings. Last November, Council adopted three resolutions to make updates to the Animal Welfare Committee, Education Advisory Committee and Veterans Memorial Committee. The remaining Boards requiring revisions were created by Ordinance and appear in the City Code, so those changes must be enacted by Ordinance. This

ordinance addresses the changes needed for the Airport Authority, Committee for a Better Environment, Recreation Board and Tree and Landscape Board.

Due to the earlier public hearing no comments were taken from the audience. There were no comments from the Council.

**The motion passed 8 – 0 – 0.**

**16-O-01 Introduction of 16-O-01, An Ordinance of the Mayor and Council of the City of College Park, Maryland to Amend the Fiscal Year 2016 Operating and Capital Budget of the City of College Park, Maryland (Amendment #2)**

**A motion was made by Councilmember Dennis and seconded by Councilmember Brennan to introduce Ordinance 16-O-02, An Ordinance of the Mayor and Council of the City of College Park, Maryland to Amend the Fiscal Year 2016 Operating and Capital Budget of the City of College Park, Maryland (Amendment #2).**

Mayor Wojahn announced that the Public Hearing will be held at 7:15 p.m. on Tuesday, January 26, 2016 in the Council Chambers.

**16-G-07 Appointments to Boards and Committees**

A motion was made by Councilmember Nagle and seconded by Councilmember Cook to make the following appointments:

- Appointed Mayor Wojahn to fill Mayor Fellows vacancy as a Class B Director of the College Park City-University Partnership (term to expire 6-30-17)
- Appointments to College Park City-University Partnership Subcommittees:
  - Housing and Development - Councilmembers Brennan and Day
  - Transportation - Mayor Wojahn and Councilmember Cook
  - Education - Councilmembers Day and Dennis
  - Public Safety - Councilmembers Kabir and Stulich
  - Sustainability - Councilmembers Kujawa and Nagle
- Appointments to COG Subcommittees:
  - Board of Directors – Mayor Wojahn (Councilmember Dennis, alternate)
  - Transportation Planning Board – Councilmember Dennis (Councilmember Kabir, alternate)
  - Air Quality Committee – Councilmember Day (Councilmember Dennis, alternate)
  - Region Forward Coalition – Mayor Wojahn (Councilmember Nagle, alternate)
  - Human Services and Public Safety Policy – Vacant (Mayor Wojahn, alternate)
  - Climate, Energy and Environment Policy – Councilmember Nagle (Councilmember Brennan, alternate)
  - Chesapeake Bay and Water Resources Policy – Councilmember Nagle (Councilmember Brennan, Alternate)

- Reappointed Larry Bleau to the Advisory Planning Commission, Appointed John Rigg to the Advisory Planning Commission, Reappointed Gail Kushner to the Ethics Commission, Reappointed Donna Weene and Janis Oppelt to the Committee for a Better Environment, Reappointed Doris Davis, Tom Davis and Joe Ruth to the Veterans Memorial Committee, and Appointed Alan Hew to the Committee for a Better Environment

**COUNCIL COMMENTS:**

Councilmember Stullich thanked Councilmember Brennan for picking up litter in Old Town.

Councilmember Cook said the Veterans Memorial Committee is meeting tomorrow night at 6:00 p.m. and is looking for new members.

**COMMENTS FROM THE AUDIENCE:** None.

**ADJOURN:** A motion was made by Councilmember Brennan and seconded by Councilmember Day to adjourn the meeting. With a vote of 8- 0 - 0, Mayor Wojahn adjourned the meeting at 9:15 p.m.

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Janeen S. Miller, CMC  
City Clerk

Date  
Approved