

MINUTES
Regular Meeting of the College Park City Council
Tuesday, January 26, 2016
Council Chambers
7:30 p.m. – 9:04 p.m.

PRESENT: Mayor Wojahn; Councilmembers Kabir, Nagle, Brennan, Dennis, Day, Cook and Kujawa.

ABSENT: Councilmember Stullich.

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; Terry Schum, Director of Planning; Steve Groh, Director of Finance; Jill Clements, Director of Human Resources; Steve Halpern, City Engineer; Cole Holocker, Student Liaison.

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

Minutes: A motion was made by Councilmember Dennis and seconded by Councilmember Brennan to adopt the minutes of the Special Session on January 5, 2016, and the transcript in lieu of minutes for the December 1, 2015 Oral Argument in CEO-2015-02, Cruz Development Corporation. The motion passed 7 – 0 – 0.

Announcements:

Councilmember Nagle said that even though County schools are closed due to the snowstorm, certain schools are open to provide a free lunch to students.

Councilmember Kabir thanked the Public Works staff for their work clearing the City streets after the historic blizzard last weekend.

City Manager's Report: Mr. Somers discussed the items in the red folder; the "lay on the table" item for a stop sign on Quebec at 49th Avenue; the Family Fun Bowling Bash on January 31. He reported on the City's snow removal efforts for last weekend's blizzard and said this will be a discussion topic at next week's Worksession.

Student Liaison's Report: Mr. Holocker said the University is opening on time tomorrow, however there is limited parking on campus due to the snow so consider using transit. The SGA will meet on Wednesday at 6:00 p.m.

Comments From The Audience on Non-Agenda Items:

Anna Ubeda, 5110 Paducah Road: She commented on the unusually poor quality of snow clearing in Sunnyside during this storm. Usually, the City does a better job, but something was different this time. Listen to the neighbors and move forward to find a solution. She lives at an intersection and a deep amount of snow was dumped in her driveway. Consider designated areas in each neighborhood to dump the snow.

Anna Stebbing, 5202 Mineola Road: She can't sleep at night because of the permit parking restrictions just imposed on her block. Her family has four cars, and they are only allowed two parking permits. There wasn't enough input from the residents. This has created a hardship – she doesn't know how to solve this problem. There is not a parking problem during the day – the problem starts after 9:00 p.m. Can she use the visitor passes for her cars? What is she supposed to do? She asked the Council to reconsider.

Barbara Llewelyn, 5200 Mineola Road: She has the same problem with the parking as the last speaker. The parking restrictions they imposed have changed everyone's life. They have four cars. She wasn't able to attend the public hearing. Council did this too quickly. She is hoping for a solution in the very near future. The people on her block that were complaining have driveways so she doesn't understand this.

Mayor Wojahn said a meeting for the neighbors will be scheduled at Davis Hall in the near future to discuss these issues.

Mayor Wojahn announced that the presentations of the FY '16 Public School Education Grants listed on the agenda will be postponed since the schools are closed due to the snow.

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

- 16-G-08 Approval of a Request for a Driveway Apron Variance for 9032 48th Place, subject to the applicant entering into a Declaration of Covenants with the City in substantially the form attached, and authorization for the City Manager to sign the Declaration of Covenants**
- 16-G-09 Approval of request by the College Park Community Foundation for City co-sponsorship of the 2016 Mothers Day Weekend 5K Race**
- 16-G-11 Approval of a letter to County Council Member Glaros requesting FY '17 funding for a Transportation Demand Management District**

The motion passed 6 – 0 – 0 (Councilmember Nagle stepped away from the dais).

ACTION ITEMS:

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

Councilmember Dennis said this budget amendment ordinance was introduced on January 12th and a public hearing was held earlier this evening. This budget amendment contains 2 separate components. The first component corrects a clerical error in the adoption of Ordinance 15-O-05, FY2016 Budget Amendment #1, on November 24, 2015. The second component transfers budgeted funds from 3 vacant positions in Public Works to cover 2 new positions. In Public Works, a new position would be created, entitled Assistant Director, Operations and Facilities, who would be responsible for supervising Public Works staff as well as being involved in the maintenance of all City buildings, negotiating contracts, and researching and recommending building systems. This exempt position would report to the Director of Public Works. The second new position is a Communications Coordinator who would work under the direction of the Assistant City Manager to improve the communications between the City and its residents in the ways identified in the strategic plan, including website review and social media. It has not yet been determined whether this position would begin as a full-time exempt position or might start as an intern. The funding provided by this budget amendment would allow flexibility in making this decision once applications are reviewed. Once this budget amendment is effective, the FY 2016 budget would have a -0- use of unassigned reserve and the unassigned reserve balance would be 29.4% of the expenditure budget.

Mayor Wojahn said we held a public hearing earlier in the evening so no additional audience comments will be taken at this time.

There were no comments from the Council.

The motion passed 7 – 0 – 0.

16-G-10 City Council Support for Deletion of School Facilities Surcharge exemption areas for Student Housing, and Creation of Exemption for Graduate Student Housing

Councilmember Brennan noted that there was new information in the red folder this evening regarding this item, so he would improvise and change the motion that was in the packet.

A motion was made by Councilmember Brennan and seconded by Councilmember Cook to support state legislation that would support the changes to remove the exemption areas from the Town of Riverdale Park, City of Hyattsville, and request that staff discuss the issue with staff from other municipalities. He further moved that we support providing the exemption to the surcharge upon approval of both the City and the County. The surcharge is a County fee to fund public schools. The City has opposed legislation that would have allowed other level of government to determine what property tax the City would have imposed, so it may seem inconsistent for the City to support legislation in which it determines whether or not the County fee should be charged. To that extent we also propose that there be legislation that would create an exemption to the school facilities surcharge for graduate student housing in the City of College Park upon the approval of the City of College Park.

Mr. Gardiner requested clarification of the motion. He then discussed the updated information in the red folder and how that differed from the staff recommendation and the information provided

to Council last week in the packet. He said that based on the direction from Council at the last Worksession, we prepared legislation that would remove the exemption for student housing from areas within the City of College Park and create the possibility of an exemption from the surcharge for graduate student housing, contingent upon the approval of both the City Council and the County Council. We then received comments on the proposed legislation and two changes were proposed. One is whether the exemption should still remain in Hyattsville and Riverdale Park. The second issue is who is the determiner of whether graduate student housing would receive the exemption - the City of College Park alone, or the City and the County.

The Council discussed the two issues.

A substitute motion was made by Councilmember Nagle and seconded by Councilmember Brennan that the City Council support State legislation that will: 1) Remove the current exemption to the County school facilities surcharge for new student housing in the City of College Park; and 2) Create an exemption to the County school facilities surcharge for new multi-family (not dormitory) housing located in College Park that has been designated by both the City Council and the County Council as graduate student housing.

There were no comments from the audience or the Council.

The motion passed 7 – 0 – 0.

16-G-13 Consideration of a state bond bill request for the Hollywood Streetscape Project

A motion was made by Councilmember Kabir and seconded by Councilmember Nagle that that the City Council request a State Bond bill for \$200,000 in capital funding for the Hollywood Streetscape project.

Councilmember Kabir explained that the City has developed plans that will significantly improve the safety and attractiveness of the public areas in the heart of the Hollywood commercial district. Approximately 6,000 residents live in the neighborhoods of north College Park serviced by the Hollywood Commercial District, where two destination retailers, REI and MOMs, are located. The Hollywood Streetscape project will provide a more unified and safe streetscape within the District. The estimated total capital cost exceeds \$1 million. The City would like to proceed with the streetscape phase of the plan, at an estimated cost of \$106,000 for design and \$425,000 for construction (\$531,000 total). City funds would pay for \$331,000 of the cost, and the State bond bill would provide the remaining \$200,000. If funded, the project schedule would be as follows: Final Design - March 2016 to August 2016; Permits - September 2016 to November 2016; Advertise for Bids - December 2016 to February 2017; Construction - April 2017 to July 2017.

There were no comments from the audience.

Councilmember Nagle said this project will help revitalize the Hollywood Commercial District so she will support the request.

The motion passed 7 – 0 – 0.

16-G-12 Appointments to Boards and Committees

A motion was made by Councilmember Brennan and seconded by Councilmember Dennis to appoint Dawn Powers to the Education Advisory Committee. The motion passed 7 – 0 – 0.

COUNCIL COMMENTS:

Councilmember Kabir thanked the volunteers, including the Phi Psi fraternity, who helped shovel snow after the blizzard.

Councilmember Nagle thanked Councilmember Kabir for his efforts after the blizzard – he was everywhere. There was a real sense of community.

Councilmember Brennan thanked Public Works staff; they were very responsive to the concerns that came in. He also thanked City Engineer Steve Halpern for attending the BDCA meeting last week – SHA got feedback from the community about the situation on MD 193 and will return with a proposed solution.

Councilmembers Dennis, Day and Kujawa also thanked the Phi Psi fraternity and other groups for their help with snow shoveling.

Councilmember Cook mentioned that Cherry Hill Road is a place where people typically get stuck after a snowfall. She added that workers from the Monument construction project helped clear a space for a resident who was moving just after the blizzard.

Mayor Wojahn echoed the appreciation that was expressed this evening.

COMMENTS FROM THE AUDIENCE: None.

ADJOURN: A motion was made by Councilmember Brennan and seconded by Councilmember Day to adjourn the Regular meeting and enter into a Closed Session to: Consider Matters That Relate To Collective Bargaining Negotiations, Consider The Acquisition Of Real Property, and Consult With Counsel On A Legal Matter. The motion passed 7 – 0 – 0, and Mayor Wojahn adjourned the Regular Meeting at 9:04 p.m.

Janeen S. Miller, CMC
City Clerk

Date
Approved

Pursuant to §C6-3 of the College Park City Charter, at 11:10 p.m. on January 19, 2016, a motion was made by Councilmember Kabir and seconded by Councilmember Brennan to enter into a Closed Session to: Consult with Counsel on a Legal Matter. The motion passed 8 – 0 – 0 and the Council entered into the closed session at 11:10 p.m.

Present: Mayor Wojahn; Councilmembers Kabir, Nagle, Brennan, Dennis, Stullich, Day, Kujawa and Cook.

Absent: None.

Also Present: Suellen Ferguson, City Attorney; Scott Somers, City Manager; Janeen Miller, City Clerk; Bill Gardiner, Assistant City Manager.

Topics Discussed: The City Attorney advised the City Council about a recent legal filing.

Actions Taken: None.

Adjourn: A motion was made by Councilmember Brennan and seconded by Councilmember Day to adjourn the closed session, and at 11:16 p.m. with a vote of 8 – 0 – 0, Mayor Wojahn adjourned the Closed Session.

Pursuant to §C6-3 of the College Park City Charter, at 9:04 p.m. on January 26, 2016, a motion was made by Councilmember Brennan and seconded by Councilmember Day to enter into a Closed Session to: Consult with Counsel on a Legal Matter, Consider the Acquisition or Sale of Real Property For A Public Purpose; and Consider Matters That Relate To Collective Bargaining Negotiations. The motion passed 7 – 0 – 0 and the Council entered into the closed session at 9:10 p.m.

Present: Mayor Wojahn; Councilmembers Kabir, Nagle, Brennan, Dennis, Day, Kujawa and Cook.

Absent: Councilmember Stullich.

Also Present: Scott Somers, City Manager; Bill Gardiner, Assistant City Manager; Suellen Ferguson, City Attorney; Steve Groh, Director of Finance; Jill Clements, Director of Human Resources; Terry Schum, Director of Planning. Student Liaison Cole Holocker joined to topics 2 and 3.

Topics Discussed: 1) Collective Bargaining parameters; 2) possible real property acquisition; 3) legal position with respect to a recent legal filing.

Actions Taken: None.

Adjourn: A motion was made by Councilmember Dennis and seconded by Councilmember Day to adjourn the closed session, and at 10:27 p.m. with a vote of 7 – 0 – 0, Mayor Wojahn adjourned the meeting.