

MINUTES
Regular Meeting of the College Park City Council
Tuesday, March 13, 2007
8:09 P.M.

PRESENT: Mayor Brayman; Councilmembers Milligan, Krouse, Catlin, Perry, Fellows, Stulich, Cook and Hampton; Student Liaison Jesse Blitzstein.

ABSENT: None.

ALSO PRESENT: Joe Nagro, City Manager; Janeen Miller, City Clerk; Sara Imhulse, Assistant To The City Manager; Bob Levan, City Attorney; Steve Groh, Director of Finance.

The meeting opened with the Pledge of Allegiance led by Councilmember Fellows.

Minutes: Minutes of the February 20 Special Session, the February 27 Public Hearing on 07-CR-01, the February 27 Public Hearing on 07-O-01, and the Regular Meeting on February 27, were presented for approval. A motion was made by Councilmember Perry and seconded by Councilmember Hampton to adopt the minutes as written. The motion passed 8-0-0.

Announcements:

Councilmember Perry announced that the Berwyn District Civic Association would hold its monthly meeting at 8:00 p.m. on Thursday, March 15, at Fealy Hall.

Councilmember Hampton announced that the West College Park Citizens Association would hold a meeting on Sunday, April 22, at 7:00 p.m. at the College Park Woods Swim Club. The Swim Club will be selling mulch for a fundraising activity. For details, call Suzy Bellamy at 301-935-5020. Also, scholarships are available from Prince George's Elected Municipal Women; contact the Clerk's office for an application.

Acknowledgement Of Dignitaries: Mayor Brayman recognized former Mayor Joe Page; former Councilmembers Peter King, Mark Shroder, and Don Byrd; Mary Lintner, President of the College Park Boys and Girls Club; Suchitra Balanchandran, President of the West College Park Citizens Association; Dr. Phyllis Johnson, Director of the Beltsville Agricultural Research Center; Janis Oppelt, Co-Chair of the Committee For A Better Environment; and Shannon Beam, the newly crowned Miss College Park.

Acknowledgement of Newly Appointed Board And Committee Members: Mayor Brayman recognized David Miller who was just appointed to the Recreation Board and thanked him for his service.

Amendments To The Agenda: Three legislative items were added to the agenda and will be heard at the end of the meeting: 07-G-31 re: SB 582; 07-G-32 re: SB 726; and 07-G-33 re: HB 1148.

City Manager's Report: The record closed on Friday March 9 at 5:00 p.m. on 07-O-01. No additional comments were received by the Clerk's office. There is an oral argument before Mayor and Council scheduled on Tuesday, April 10 at 6:45 p.m. on CPV-2007-02. There will be an Executive Session next Tuesday, March 20, starting at 6:30 p.m. The Collective Bargaining Unit at Public Works has ratified the proposed contract, and it will come before the Council for ratification on March 27.

Student Liaison Comments: None.

Comments From The Audience On Non-Agenda Items:

Mayor Page introduced Dr. Phyllis Johnson, President of the College Park Rotary. Dr. Johnson described Rotary as a service organization with the motto "service above self" and outlined some of their projects. Mayor Page and Dr. Johnson presented checks to the College Park Boys and Girls Club (\$500) and to Meals on Wheels (\$300).

Mary Lintner accepted the check for the Boys and Girls Club and introduced Nikki Keller, who won the Mayor's Award for Outstanding Youth. They thanked the Rotary Club for their support.

Don Byrd accepted the check for College Park Meals on Wheels. Through generous donations they have received, Meals on Wheels now charges only \$4.00 per day to recipients for two meals a day, delivered Monday through Friday. They deliver 156 meals using 96 volunteers and 1.5 paid employees.

Diane Minor, Development Officer for the Prince George's County Office of the National Capitol Area Chapter of the American Red Cross: Ms. Minor described the recent reorganization of the Red Cross. The National Capitol Area Chapter now includes Prince George's, Montgomery, and Fairfax Counties; the District of Columbia, and the cities of Falls Church and Fairfax, and Ft. Belvoir, serving approximately 3.5 million people over 1400 square miles. She distributed a brochure about their activities.

Mark Shroder, President of the North College Park Citizens Association, 4909 Muskogee Street: He presented Council with a list of FY 2008 Budget Priorities recommended by the NCPCA.

Peter King, 3413 Duke Street: Commented on the signs put up by Furniture Liquidators each weekend in the Route 1 and Cherry Hill Road areas. Mr. Nagro commented on the City's response. The question was raised if the company can receive a violation for each sign.

Shannon Beam, Miss College Park, 9438 Dubarry Avenue, Seabrook, MD: She received \$2,300 in scholarships as the new winner of the Miss College Park Scholarship Pageant sponsored by American Legion Post #217. Her platform is the prevention of underage drinking. She looks forward to working in College Park.

Don Byrd, PO Box 6, College Park: Responded to public comments made last month by a former Councilmember about actions taken during Mr. Byrd's tenure as the Director of Public Services for the City.

Emily Guskin, former Student Liaison to the City Council, 205 Lee Street #211, Gaithersburg, MD: Ms. Guskin was happy to be back in College Park and sent regards to the Council.

Consent Agenda: None.

Action Items:

07-G-28 Award Of FY 2007 Fire Department Capital Equipment Grants

A motion was made by Councilmember Fellows and seconded by Councilmember Milligan to award the following FY2007 Fire Department Capital Equipment Grants: \$8,000 to College Park Volunteer Fire Department, Inc.; \$8,000 to Branchville Volunteer Fire Company & Rescue Squad, Inc.; \$8,000 to Berwyn Heights Volunteer Fire Department & Rescue Squad, Inc.

There were no comments from the audience on this item.

The motion passed 8-0-0.

07-G-29 Award of FY 2007 Community Services Grants

A motion was made by Councilmember Fellows and seconded by Councilmember Stullich to award FY 2007 Community Services Grant Awards. Councilmember Fellows read the list of proposed awards.

A motion to amend the awards was made by Councilmember Catlin and seconded by Councilmember Cook. The grant to Boy Scout Troop 298 would be reduced by \$500. The grant to the National Museum of Language would be increased by \$500. The grant to Maryland Votes would be reduced by \$1,000. The grant to the American Legion Auxiliary College Park Post 217 would be reduced by \$250. The West College Park Citizens Association grant would be reduced by \$250. The College Park Woods Swim Club would receive a grant of \$1,500 – they were not funded under Councilmember Fellows motion. The overall grant total would remain the same.

Councilmember Perry moved to divide the question to vote on each award separately. This motion failed for lack of a second.

Councilmember Catlin's amendment failed by a vote of 2-4-2. (Catlin and Cook in favor, Krouse and Perry abstained.)

A motion to amend the awards was made by Councilmember Cook and seconded by Councilmember Hampton. This amendment would reduce the award to National Museum of Language by \$250 and would increase the award to the West College Park Citizens Association to \$1,000. The other amounts are the same as in Councilmember Catlin's amendment.

Councilmember Perry moved to divide the question to vote on each award separately. This motion failed for lack of a second.

Councilmember Cook's proposed amendment passed by a vote of 4-2-2 (Milligan and Krouse abstained).

The final award amounts are as follows:

\$2,000 to Hollywood Elementary
\$2,000 to College Park Boys and Girls Club
\$1,500 to Boy Scout Troop 298
\$2,000 to Meals On Wheels of College Park
\$2,250 to The National Museum of Language, Inc.
\$1,000 to Maryland Votes (League of Young Voters Education Fund)
\$1,750 to American Legion Auxiliary, College Park Post #217 (Miss College Park Scholarship Program)
\$1,000 to West College Park Citizens Association
\$1,500 to College Park Woods Swim Club

There were no comments from the audience.

Councilmember Perry noted that he would have to vote against the motion because the Council failed to divide the question to allow him to vote individually on the awards. He is in favor of most but is opposed to two of the awards.

Councilmember Milligan agreed this is a difficult decision to make. He has requested that the Council revisit the Community Services Grant Award program in the future. He does not want to divide the question because there is a target amount of money available and that approach could disadvantage a group at the bottom of the list. He commented on the awards to the College Park Woods Swim Club and the West College Park Citizens Association.

Councilmember Fellows agreed with many of Councilmember Milligan's comments. Most if not all of the programs are laudable and it would take hours of work to fine-tune the awards. He will support the motion although he acknowledged it is not perfect.

Based on discussion with Mr. Grayson of Maryland Votes in last week's worksession, Mayor Brayman commented that the Board of Election Supervisors should coordinate with Maryland Votes on the project they would conduct with this funding. Councilmember Perry suggested this be accomplished by amendment.

An amendment was made by Councilmember Catlin and seconded by Councilmember Hampton to clarify that a project funded by any grant that Maryland Votes obtains from the City by this program would require that Maryland Votes consult with the City's Board of Election Supervisors and to communicate with them during the administration of the grant. If the Board of Election Supervisors did not feel comfortable with how Maryland Votes planned to spend the money, the BOES would notify Council.

There were no comments from the audience.

This amendment passed 6-0-2 (Perry and Krouse abstained).

The vote on the main motion as amended passed by a vote of 6-1-1 (Perry opposed, Krouse abstained).

07-R-07 Resolution In Support Of Global Warming Solutions – Reductions in Greenhouse Gas Emissions

A motion was made by Councilmember Stullich and seconded by Councilmember Fellows to adopt Resolution 07-R-07 in support of SB 409 and HB 890 – The Maryland Global Warming Solutions Act.

Councilmember Stullich acknowledged that there will be some financial cost to the City but believes in comparison to the potential catastrophic cost if we continue down the path of global warming, that the cost that this bill would impose are reasonable, appropriate and necessary.

Comments From The Audience:

Suchitra Balanchandran, 9320 St. Andrews Place: Commends the City for supporting this Resolution.

Deron Lovaas, 9718 51st Place: Congratulates the Council for considering this Resolution, which puts Maryland in the lead in global warming policy.

Councilmember Perry believes this is another attempt to grow the government and increase taxes that will trickle down to everyone. He doesn't believe you can have a

consensus in science and the global warming prediction is a consensus. He believes it is scary that people are buying in to this.

Mayor Brayman commented that he hopes this is wrong and that it will lead to cleaner air no matter what.

The motion passed 6-1-1 (Perry opposed, Catlin abstained).

07-O-02 Introduction of An Ordinance to Amend the Election District Boundaries Of The City Of College Park To Include Land Annexed Since The Adoption of 03-O-02.

A motion was made by Councilmember Fellows and seconded by Councilmember Perry to introduce Ordinance 07-O-02. The Public Hearing is scheduled for March 27 at 7:45 p.m. in the Council Chambers.

07-G-30 Appointments To Boards and Committees

A motion was made by Councilmember Fellows and seconded by Councilmember Stullich to reappoint Nancy Lineman to the Cable Commission, to appoint Pam Toschik to the Committee For A Better Environment, and to reappoint James Garvin to the Airport Authority.

The motion passed 8-0-0.

Council Comments:

Councilmember Milligan commented on his trip to Annapolis on Saturday to support the College Park Boys and Girls Club bond bill.

Councilmember Krouse wants the staff to look at the Town of Riverdale Park's Ordinance 2007-OR-03 regarding rental licensing and inspections and to bring it back to a future worksession.

Councilmember Perry asked about the street cuts that are sinking with recent rains.

Councilmember Cook wants the City to consider having a citywide clean up day.

Councilmember Fellows commented on the copy he received of "What If The Washington Region Grew Differently," which discusses transportation, land use and zoning.

Student Liaison Blitzstein commented there would be no Community Clean-up for the next two weeks due to Spring Break. And for that reason, he will not be here next Tuesday.

Comments From The Audience: None.

At 9:44 p.m. Mayor Brayman took a brief recess. The meeting will reconvene in a worksession format to discuss three issues which may require the Council to vote.

The meeting reconvened at 9:54 p.m.

**07-G-31 Modifications To The Exemption Zone for the Prince George's
County School Facilities Surcharge – SB 582**

The Council met with Emma Simson, SGA President, Laura Moore, Graduate Student Association President, Devon Ellis and David Daddio. The students proposed a modification to the exemption zone previously supported by the City Council that would increase the school facilities surcharge exemption zone and move it east of Route 1 in certain areas.

A motion was made by Councilmember Fellows and seconded by Councilmember Stulich to authorize staff to prepare and sign a letter to Sen. Rosapepe that the City supports a modification to increase the exemption zone from the City's previous position. The new zone is described on the attachment.

There were no comments from the audience on this item.

Councilmember Fellows called this a great partnership between the students and the City.

Councilmember Perry stated that he could not support housing on the west side of 48th Avenue in Berwyn, or on the bowling alley site because that is too good a piece of property.

Councilmember Krouse agreed that he couldn't support housing on the west side of 48th Avenue in Berwyn.

Councilmember Stulich stated that this modification tries to encourage student housing closer to campus.

Councilmember Catlin stated this is a good compromise. He believes the majority of housing will be as proposed in the Sector Plan. He does not think these modifications will impact adjacent residential communities because of other limiting factors.

Mayor Brayman commented that if he were a resident of Berwyn, he would be angry right now.

The motion passed 6-2-0 (Perry and Hampton opposed).

07-G-32 SB 726 – Election Law – Maryland Student Voting Rights Act

The Council discussed this bill at last week’s worksession. At that time, the Council did not take a position on the bill, but directed staff to send a letter to Senator Rosapepe outlining an unintended and detrimental effect the bill would have on students who wished to vote in local elections. The hearing on this bill has already been held. Senator Rosapepe’s staff stated that if the City is interested in an amendment, the City should submit formal testimony to the Committee asking for the amendment. Senator Rosapepe is not prepared to introduce an amendment based on last week’s letter.

Devon Ellis stated that students voted not to support the portion of SB 726 that would impede their ability to vote in local elections.

Councilmember Krouse stated his opposition to the entire bill.

A motion was made by Councilmember Stulich and seconded by Councilmember Hampton to authorize staff to send a letter to the Committee stating that if SB 726 goes forward, the City formally requests the amendment as described in last week’s letter. (This motion does not take a position on the bill.)

A motion to amend was made by Councilmember Krouse and seconded by Councilmember Cook to take a position in opposition to SB 726, or, if it goes forward, to submit testimony requesting the amendment described in last week’s letter.

Ms. Simson clarified SGA’s position on the bill. Ms. Moore clarified GSA’s position on the bill.

Bob Levan clarified that the bill in itself does not apply to College Park at all. Its impact on College Park is only because the City relies on the County’s voter list, and if the bill were to take effect, the City would be using voter lists that were inaccurate for our purposes and would invalidate registered voters.

There were no comments from the audience on the amendment.

The amendment failed 2-6-0 (Krouse and Hampton voted aye).

The main motion carried 8-0-0.

07-G-33 HB 1148 – Rent Control – Local Government Preemption

The hearing on this bill is next week. The bill would impact the City's Rent Stabilization program. There is some question about whether the bill is going forward.

A motion was made by Councilmember Fellows and seconded by Councilmember Krouse to send a letter to the sponsors of HB 1148 stating the City's opposition to the bill.

There were no comments from the audience.

The motion passed 7-1-0 (Perry opposed).

Adjournment:

A motion was made by Councilmember Fellows and seconded by Councilmember Hampton to adjourn the meeting. The meeting was adjourned at 11:52 p.m. by a vote of 8-0-0.

Janeen S. Miller, City Clerk

Pursuant to §C6-3 of the College Park City Charter, on March 13, 2007 at 7:00 p.m., in the Council Chambers at City Hall, a motion was made by Councilmember Perry and seconded by Councilmember Hampton to enter into an Executive Session to consider a matter that concerns the proposal for a business to locate in Prince George's County. The motion passed unanimously 8-0-0.

Present: Mayor Brayman, Councilmembers Krouse, Milligan, Catlin, Perry, Fellows, Stulich, Hampton and Cook. Also in attendance were Jesse Blitzstein, Bob Levan, Joe Nagro, Janeen Miller, Frank Brewer, Irene Redmiles and Terry Schum.

Topics Discussed: To discuss a proposed business development locating in the City.

A motion was made by Councilmember Perry and seconded by Councilmember Fellows to adjourn the Executive Session. The Executive Session was adjourned at 8:02 p.m. by a vote of 8-0-0.
