

MINUTES
Regular Meeting of the College Park City Council
Tuesday, May 27, 2008 – 8:00 P.M.

PRESENT: Mayor Brayman; Councilmembers Molinatto (arrived 8:10 p.m.) Wojahn, Catlin, Perry, Stullich, Mark Cook, Hampton and Mary Cook. Jonathan Sachs, SGA President sitting in as the Student Liaison.

ABSENT: None

ALSO PRESENT: Joe Nagro, City Manager; Yvette Allen, Assistant City Clerk; Sara Imhulse, Assistant to the City Manager, Suellen Ferguson, City Attorney; Steve Groh, Director of Finance; Leo Thomas, Deputy Director of Finance; Terry Schum, Director of Planning; Elisa Vitale, Planner; Bob Stumpff, Director of Public Works; Steve Halpern, City Engineer; Bob Ryan, Director of Public Services; Carole Sheringham, Human Resources Manager; and Peggy Higgins, Director of Community Resources.

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

Minutes: A motion was made by Councilmember Wojahn to approve the minutes of May 13, 2008 Public Hearing on Ordinance 08-O-02 (FY '09 Budget), May 13, 2008 Public Hearing on the FY 2009 Constant Yield Tax Rate, and May 13, 2008 Regular Meeting. Seconded by Councilmember Hampton. The motion carried 7-0-0.

Announcements: Councilmember Stullich announced that the Committee for a Better Environment will hold a Gardening Workshop on May 31st at the Old Parish House from 9:30 a.m. to 11:30 a.m.

Councilmember Mark Cook announced that May is Pregnancy Awareness month and that his wife is participating this year. The baby is due in November.

Councilmember Mary Cook announced the Cherry Hill Neighborhood 2nd Annual Barbecue to be held this Saturday.

Acknowledgement of Dignitaries: Mayor Brayman recognized former Mayor Page, former Councilmembers: Dave Milligan, John Krouse and Don Byrd. Civic Association Presidents Morgan Gale, and Jerry Anzuvolic. Graduate Student President, Laura Moore and former SGA President Andrew Friedson.

Acknowledgement of Newly Appointed Board And Committee Members: None.

Oath of Office: Mayor Brayman administered the Oath of Office to Mr. George Marx for his reappointment to the College Park Housing Authority.

Amendments To The Agenda: None.

City Manager's Report: Mr. Nagro announced that parking meters would not be enforced tonight during the meeting due to the large amount of people attending. Beginning tomorrow the Special Lot will be closed. A fence will be placed around the two homes on Yale Avenue and the Special Lot this Thursday and the permits should be in by the middle of next week. The ground breaking is tentatively scheduled for Thursday, June 19th. Finally, Pepco has requested that we pay for the relocation of the high voltage lines. A conference call with Capstone has been scheduled to try to resolve this issue.

Student Liaison Comments: Jonathan Sachs reported that Dan Hartinger is out of town and should be back next week.

Comments From The Audience On Non-Agenda Items:

Mayor Page introduced Richard Taylor, President of the College Park Rotary Club. Mr. Taylor will present checks to the College Park Boys and Girls Club and the College Park Meals on Wheels on behalf of the Rotary Club.

Mr. Taylor stated that Rotary International is an organization that began in 1905 which grew from 5 business leaders to 1.2 million members around the world and 32,000 local rotary clubs in 200 countries, all of which are contributors to the Rotary International Foundation. Rotary International spends over a hundred million dollars a year on humanitarian activities and educational projects.

The College Park Rotary Club meets every Wednesday night at the Sir Walter Raleigh Restaurant on Greenbelt Road. The College Park Rotary Club takes on projects and fundraisers to help organizations that contribute to the community.

Donald Byrd accepted a check in the amount of \$300.00 on behalf of the College Park Meals on Wheels. Mr. Byrd thanked the College Park Rotary Club and expressed their gratitude and stated that Meals on Wheels delivers over 156 meals a day at a cost of \$4.00 per person. Without organizations such as the Rotary, this could not be done.

Mary Lintner accepted a check in the amount of \$500.00 on behalf of the College Park Boys and Girls Club. Ms. Lintner thanked the Rotary Club and hopes that with this money, they could reach out to all residents of College Park. Ms. Lintner introduced Mary Sailors, who is a student at Seaton High School and the recipient of the Boys and Girls Club Mayoral Award. Miss Sailors thanked the Rotary club for their continued generosity in support of the College Park Boys and Girls Clubs.

Ms. Lintner presented Mayor Joe Page an I Love College Park bear for his support of the College Park Boys and Girls Club.

Donald Byrd, 5101 Iroquois Street, Meals on Wheels: Mr. Byrd thanked the Mayor and Council for the generous contribution they made to Meals on Wheels and invited all to come out and volunteer. You may contact them at 301-474-1002 between the hours of 9:00 a.m. to 12:00 p.m. Monday through Friday.

Kim Lugo, Neighborhood Watch: Neighborhood Watch will begin a McGruff program in the near future and wants all residents of College Park to volunteer to become a McGruff House. For more information on this program, please call Ms. Lugo at 301-985-5476 or e-mail her at kslugo@yahoo.com. Ms. Lugo also urged all College Park residents to get involved in Neighborhood Watch.

John Krouse, 9709 53rd Avenue, College Park Swim Club: The College Park Woods Swim Club was unable to open this weekend due to weather related issues. The pool will open Saturday, May 31 and memberships are still available. For more information or an application, please contact Mr. Krouse at: johnkrouse@yahoo.com.

Alan Tyler, 7204 Bowdoin Avenue: There are several houses in his neighborhood that are for sale which have good curb appeal, however, they have issues that need to be resolved. The drain in front of 4614 Harvard Road gets clogged a lot, the sidewalk needs repair and there are dead trees in the alleyway. A mud puddle in the front of a house on Rhode Island Avenue where the road needs to be repaired, and there is a broken sidewalk in front of a house on Dartmouth Avenue.

Presentations: Mayor Brayman and Janis Oppelt, Co-Chair of the Committee for a Better Environment presented the Green Awards. The winner of the Three R's Reduce, Reuse, and Recycle was awarded to the National Archives and Records Administration. The award for Environmentally Friendly Landscaping and Beautification was awarded to the College Park Wesleyan Church and Pastor Rich Schaffner. The award for Conservation of Natural Resources was presented to Liz and Chuck Dorsey of College Park Woods and the last award of Other Environmental Achievements was presented to Teresa Wertz of Hollywood. Jackie Kelly from North College Park was honored with a Special Recognition Award for her contributions to a landscaping project at the Hollywood Elementary School in North College Park.

Consent Agenda: None.

Action Items:

08-O-02 An Ordinance Of The Mayor And Council Of The City of College Park, Maryland to Adopt The Fiscal Year 2009 Operating And Capital Budget Of The City Of College Park, Maryland.

A motion was made by Councilmember Catlin and seconded by Councilmember Stullich to adopt the FY 2009 Operating and Capital Budget of the City of College

Park. The Ordinance was introduced on April 22, 2008, and the Public Hearing was held on May 13, 2008.

Councilmember Catlin read the Budget Ordinance into the record. Councilmember Catlin further stated that since the introduction of the budget, changes have been made that will impact the use of the Undesignated Reserve. They are:

1. Increase parking permit revenue due to the addition of 15 new monthly permits on Guilford Drive (-\$5,400)
2. Increase rental revenue for Duvall Field (-\$750)
3. Add a \$1500 stipend for Student Liaison to Mayor & Council budget (+\$1,500)
4. Add \$15,000 for strategic planning process (details to be determined) (+15,000)
5. Increase printing for Neighborhood Watch from \$500 to \$1,000 (+\$500)
6. "Buy Local" campaign (with match) (+\$2,000)

The use of the Undesignated Reserve per the Requested Budget was \$196,590. With these changes, the use of Undesignated Reserve is \$209,440.

A motion was made by Councilmember Hampton and seconded by Councilman Perry to Delete the Police Contract Funding and Return Tax Rates to FY08 Levels:

- 1. Reduce the real property tax rate from 32.2 to 29.9 cents per \$100 of assessed valuation. The tax rate decrease would reduce budgeted real property tax revenues by \$377,042**
- 2. Reduce the personal property tax rate from 80.5 to 74.8 cents per \$100 of assessed valuation. The tax rate decrease would reduce budgeted personal property tax revenues by \$68,583.**
- 3. Delete the \$500,000 in funding for a police services contract**
- 4. Reduce the use of undesignated reserve from \$209,440 to \$155,065 to balance the budget.**

Councilmember Hampton further stated that this amendment returns the City's proposed FY09 property tax rates to their FY08 levels, 29.9 cents for real property and 74.8 cents for personal property, and removes the funding for a proposed police services contract.

Comments from the Audience:

Jack Robson, 4711 Harvard Road & Chair of the Board of Election Supervisors.

The results of the Elections of November 2005, the residents voted by 51% to raise our taxes by \$480. Three districts voted against the referendum; district three voted in favor which carried the entire city. Mr. Robson opposes this amendment.

Andrew Friedson, 4615 Norwich Road. Safety is a priority, police are a priority in College Park and strongly urges Council to vote against the amendment.

Dennis Ellis, 3712 Marlborough Way. Never sees the University of Maryland Police in College Park Woods except under extraordinary circumstances. The Park police only drive by to go to the park. Prince George's County police is the only police they see. Mr. Ellis also spoke about crime in the area. Strongly urges Council to vote against the amendment.

John Krouse, 9709 53rd Avenue. Opposed the amendment. Crime is up in his neighborhood and the contract police are needed to patrol the city during the day and evening. Mr. Krouse asked if this amendment is passed, how much money would they save on their tax bill. Mayor Brayman responded with \$50 to \$70 per household on average. Mr. Krouse expressed that the residents should not trade a successful program for a small amount of money.

Laura Moore, 50 Crescent Road, Greenbelt Road & President of Graduate Student Body. Safety is a huge concern for the graduate students. Opposes amendment.

Jeanne Jennings, 4517 Clemson Road. Opposes the amendment. As a victim of crime, does not wish anyone to go through the same experience.

Dave Kolesar, 5015 Lackawanna Street. Opposes the amendment. Within the last year he has been a victim of armed robbery twice, once by knifepoint and another by gun. His house has also caught stray bullets by gunfire. Encourages Council to vote against this amendment.

Joy Henery, 5013 Hollywood Road. Has lived in the College Park for forty-nine years. North College Park is not safe, there have been break-ins, car thefts etc. Extra police presence in the area would make a big difference in the ball fields, tot-lots and Metro station. Opposes the amendment.

Morgan Gale, 7010 Wake Forest Drive. Code Enforcement and Contract Police are two of the major issues discussed in the neighborhood during the election. The level of the contract officers now is just a tip of what we are able to accomplish. Opposes the amendment.

Mark Wimer, 4507 Beechwood Road. Urges all to vote against the amendment.

Adele Ellis, 4608 Beechwood Road. Opposes the amendment. All the City's efforts to enhance College Park pale in comparison to peoples' safety.

Guy Levalley, 7305 Hopkins Avenue. The City is in need of additional policing. The quality of life and safety would suffer if any cuts were made. Opposes the amendment.

Rene Domogauer, 6902 Carleton Terrace. The City cannot afford to ignore the growing problem of crime. Opposes the amendment.

Page Lacey, 7305 Hopkins Avenue. Within the last several years, the City has helped the residents deal with crime and code enforcement issues. The amendment would be a terrible step backwards. Opposes the amendment.

Kathy Bryant, 7406 Columbia Avenue. Echoes all speakers before her. Opposes the amendment. We need more police enforcement.

Max Verghese, 4310 Knox Road, # 4502. College Park has the fifth lowest real and personal property tax in Prince George's County. Hiring additional contract police officers would have a positive impact on the community. Opposes the amendment.

Max Etin, 4310 Knox Road, #4210. Urges Council to vote against the amendment. As a victim of crime, the serious crime problem needs to be addressed. The City needs more protection.

Chris Aubry, 4715 Norwich Road. Opposes the amendment. The current level of contract police services is not adequate. We need to get our own police force.

Christine Nagle, 9506 52nd Avenue. Supports the amendment. The amendment does not take away the services we are now receiving. Has seen several contract police officers in her neighborhood and does not feel more is needed.

Dave Milligan, 4920 Iroquois Street. Opposes amendment. The budget was completed in record time with pretty much a unanimous result and does not know what has changed between now and then. Less than one hundred dollars a year is not going to cause people to file bankruptcy or cause foreclosures. The contract police program has made a difference in the City and should be expanded.

Andrew Fellows, 5807 Bryn Mawr Road. Opposes amendment. There are different crime issues in all four districts of the City and hopes that Council will make sure that all districts are covered.

Jim McFadden, 4800 Calvert Road. Opposes amendment. We need more of a police force.

Dave Dorsch, 4607 Calvert Road. Supports amendment. Does not feel that we should be paying the police twice. We need to search for another way to make the neighborhoods safe such as installing more cameras and officers on foot. We need to prevent crime before it happens.

Kim Lugo, 4718 Muskogee Street. Opposes amendment. There is not enough Neighborhood Watch participation in the City. If we get more officers, they will get to know our neighborhoods and the city much better. If there is a crime, you need to report it to the police and Neighborhood Watch.

Charles McCrudden, 4610 Beechwood Road. Opposes the amendment. When he and his wife purchased their house, safety and schools were the main reason why they choose College Park. Increase in police protection is a small price to pay.

Chuck Montrie, 7008 Wake Forest Drive. Opposes amendment. Stepson was placed in the trunk of his car at gunpoint. The City needs more police.

Ruth Herbert, 5004 Cheyenne Place. Supports the contract police. Further stated that some are not doing their job and has seen several sitting in one location.

Stacey Baca, 8408 49th Avenue. Opposes amendment, in favor of additional police. Spoke about the recent crime in her neighborhood.

Ellen Fox Davis, 7404 Baylor Avenue. Opposes amendment. Lives in a very nice neighborhood, however there has been a rise in crime and extra police presence is needed in College Park.

Bill Robertson, 4911 Muskogee Street. Opposes amendment. Thanked all for their hard work on the budget. Spoke about vehicles speeding in the neighborhood, vehicles not stopping at stop signs and increased crime in the neighborhoods. Also, the pedestrian crosswalk is not working on Fox Street.

Miranda Martin, 4800 Guilford Road. Opposes amendment. The cost is well worth the extra police presence since she lives three blocks from the metro.

Steven Permut, 4330 Hartwick Road. Opposes amendment. Extra police presence is very much needed.

Councilmember Mary Cook thanked all for attending the meeting. She explained that she and Councilmember Hampton came to this amendment due to the large amount of phone calls they received from constituents opposing having their taxes raised. Most of her calls were from people who could not afford the extra tax hike and others were from people who do not feel extra police are needed. Councilmember Cook further stated that adding police is not going to prevent crime. This amendment is asking to postpone adding additional contract police and to reevaluate this item next year.

Councilmember Wojahn thanked all for attending the meeting and sharing their stories. Per the testimony we receive, the City has a very serious crime problem that needs attention now, not next year.

Councilman Perry thanked all for attending the meeting. Councilman Perry spoke about the “All Hands On Deck” taking place in Washington, D.C. voicing his opinion that it doesn’t work. Also discussed that three of the four College Park districts stated they did not want a police force. Councilman Perry further discussed the cost of the proposed

program and that three officers can't make a big difference. The contract police program we have now is successful and there is no need for additional police.

Councilmember Catlin spoke about his taxes and what he has paid since he moved to the City. Stated that the decrease to 1% in the city homestead tax rate has cut residents tax bills by several hundred dollars a year and the increase for the three additional contract officers is a drop in the bucket from the decrease. Opposes the proposed amendment.

Councilmember Molinatto spoke of the high-speed car chase that ended in College Park. More participation in Neighborhood Watch and more police are needed. Further stated that this amendment is an irresponsible maneuver targeting a program that we had been working toward fulfilling for quite some time. With this amendment, we would jeopardize the entire city for a few dollars a month. Opposes this amendment.

Councilmember Stullich spoke of the growing crime problem. She has seen the police reports. However, by doubling our spending on contract police, she believes we will make a tangible difference in the lives and the safety of our neighborhoods. Councilmember Stullich also spoke of the intruder who entered her house in the middle of the night. She further stated that our tax rate is the fifth lowest in Prince George's County.

Jonathan Sachs, SGA President, stated that the student body's main concern is police protection. Encouraged Council to vote against the amendment.

Councilman Perry stated that we pay the Prince George's County police in our County tax bill and we should not have to pay the police twice. Prince George's County Police is not providing sufficient police protection for the City. Why should we raise our taxes just because we have a low tax rate.

Councilmember Stillich stated that if we adopt the budget with the additional contract police, we would still have one of the lowest municipal tax rates in Prince George's County. The Prince George's County police is stretched thin and we have the responsibility to increase the safety of all College Park residents.

Councilmember Mary Cook stated that three additional contract police officers are not going to make a dent in crime. Everyone needs to get involved in neighborhood watch.

VOTE ON THE AMENDMENT: COUNCILMEMBERS PERRY, HAMPTON AND MARY COOK – AYE. COUNCILMEMBERS MOLINATTO, WOJAHN, CATLIN, STULLICH, AND MARK COOK – NAY. AMENDMENT FAILS 3-5-0.

A motion was made by Councilman Perry to amend the proposed budget to remove the \$20,000 Direct grant to the College Park Boys and Girls Club and remove the \$1,500 stipend for Student Liaison. Motion failed for lack of a second.

VOTE ON MAIN MOTION: COUNCILMEMBERS MOLINATTO, WOJAHN, CATLIN, MARK COOK AND STULLICH – AYE. COUNCILMEMBERS PERRY, HAMPTON, MARY COOK – NAY. MOTION CARRIED 5-3-0.

08-O-04 An Ordinance Of The Mayor And Council Of The City Of College Park, Maryland, Amending Chapter 110 “Fees And Penalties”, By Repealing And Reenacting § 110-1 “Fees And Interests” To Increase The Application Fees For The Occupancy Permits Required By Chapter 144 And To Clarify A Fee Category.

A motion was made by Councilmember Wojahn and seconded by Councilmember Molinatto to adopt Ordinance 08-O-04.

Councilmember Wojahn read the comments into the record.

A motion was made by Councilmember Mary Cook and second by Councilman Perry to amend the ordinance for Single Family residences, Condominium Units, and Town House Units to \$170.00 per each unit.

Mary Cook stated that the amount of administrative work that goes into these inspections both inside and out is approximately the same and believes they should cost the same.

Mayor Page, 4608 Drexel Road: If there is a need to raise more funds, the City should have fundraisers and apply the money towards what we want to do instead of raising taxes. Mayor Page stated that when he was in office, communication was the key. The City needs to communicate with all security forces in our area.

Morgan Gale, 7010 Wake Forest Drive: What is the impact on the budget for the next fiscal year?

Steve Groh, Director of Finance: The net result would be cutting the revenue \$35,660.

Councilmember Wojahn stated that he has a problem with decreasing occupancy fees while we increase property taxes for the residents. Opposes amendment.

VOTE ON THE AMENDMENT: COUNCILMEMBER MARY COOK, HAMPTON, AND PERRY – AYE. COUNCILMEMBERS MOLINATTO, WOJAHN, CATLIN, MARK COOK AND STULLICH – NAY. MOTION FAILED 3-5-0.

VOTE ON MAIN MOTION: COUNCILMEMBERS MOLINATTO, WOJAHN, CATLIN, MARK COOK AND STULLICH – YES. COUNCILMEMBERS HAMPTON AND MARY COOK, OPPOSED. COUNCILMEMBER PERRY ABSTAINED. MOTION CARRIED: 5-2-1.

08-G-61 Approval of the FY 2009 Program Open Space Application

A motion was made by Councilmember Wojahn and second by Councilmember Molinatto to approve the FY 2009 Program Open Space Application.

Councilmember Wojahn read the motion in to record.

Motion carried 7-1-0. Councilman Perry opposed.

Adjournment

Councilmember Stullich moved and seconded by Councilmember Molinatto to adjourn the meeting to enter into Executive Session to consider a matter that concerns the proposal for a business or industrial organization to locate in Prince George's County and to discuss a matter directly related to a negotiating strategy. Motion passed 6-2-0. Councilmembers Perry and Mark Cook opposed.

Meeting adjourned 10:59 p.m.

Yvette Allen
Assistant City Clerk

Pursuant to §C6-3 of the College Park City Charter, at 7:40 p.m. on May 20, 2008, in the Council Chambers at City Hall, a motion was made by Councilmember Stullich and seconded by Councilmember Wojahn to enter into an Executive Session to consider the acquisition or sale of real property for a public purpose. The motion passed 5-0-0.

Present: Mayor Pro Tem Catlin, Councilmembers Molinatto (arrived at 7:41 p.m.), Wojahn, Stullich, Mary Cook, Hampton and Mary Cook. Also in attendance were City Manager Joe Nagro, City Clerk Janeen Miller, City Attorney Suellen Ferguson, Planning Director Terry Schum, Planner Dorothy Friedman, Finance Director Steve Groh, and Student Liaison Dan Hartinger.

Absent: Mayor Brayman, Councilmember Perry

Topic Discussed: Possible acquisition of real property for a public purpose.

A motion was made by Councilmember Stulich and seconded by Councilmember Wojahn to adjourn the Executive Session. The Executive Session was adjourned at 8:05 p.m. by a vote of 6-0-0.

Pursuant to §C6-3 of the College Park City Charter, at 11:10 p.m. on May 27, 2008, in the Council Chambers of City Hall, a motion was made by Councilmember Stulich and seconded by Councilmember Molinatto to enter into an Executive Session to consider a matter that concerns the proposal for a business to locate in Prince George's County and to discuss a matter directly related to a negotiating strategy. The motion carried 6-2-0 (Perry and Mark Cook opposed).

Present: Mayor Brayman, Councilmembers Molinatto, Wojahn, Catlin, Perry, Mark Cook, Stulich, Hampton and Mary Cook. Also in attendance were Senator James Rosapepe, Delegate Joseline Pena-Melnyk, Council Councilmember Eric Olson, City Manager Joe Nagro, Assistant City Clerk Yvette Allen, City Attorney Suellen Ferguson, Planning Director Terry Schum, Assistant to the City Manager Sara Imhulse, and Director of Public Services Robert Ryan.

Topic Discussed: An update to the Council on recent negotiations/discussions about the East Campus development.

A motion was made by Councilmember Perry and seconded by Councilmember Hampton to adjourn the Executive Session. The Executive Session was adjourned at 12:21 a.m. by a vote of 8-0-0.
