

MINUTES
Regular Meeting of the College Park City Council
Tuesday, February 10, 2009
8:00 p.m.

PRESENT: Mayor Brayman; Councilmembers Molinatto, Wojahn, Catlin, Stulich, Mark Cook, Hampton and Mary Cook; Student Liaison Dan Hartinger.

ABSENT: Councilmember Jack Perry.

ALSO PRESENT: Joe Nagro, City Manager; Suellen Ferguson, City Attorney; Janeen Miller, City Clerk; Sara Imhulse, Assistant to the City Manager; Bob Ryan, Director of Public Services; Steve Halpern, City Engineer; Terry Schum, Director of Planning, Elisa Vitale, Senior Planner.

A quorum being present, Mayor Brayman called the Regular meeting of the College Park City Council to order at 8:14 p.m. following an earlier Worksession. The pledge of allegiance was led by Councilmember Mary Cook.

Minutes: A motion was made by Councilmember Hampton and seconded by Councilmember Mary Cook to adopt the minutes of the January 13, 2009 Regular Meeting and the January 27, 2009 Regular Meeting. The motion carried 7-0-0.

Announcements:

Councilmember Mary Cook announced the North College Park Citizens Association would meet on Thursday at 7:30 p.m. at Davis Hall.

Councilmember Catlin announced the Lakeland Civic Association would meet on Thursday at 7:30 p.m. at the College Park Community Center. The Berwyn District Civic Association will meet on Thursday, February 19 at 8:00 p.m. at Fealy Hall.

Councilmember Wojahn announced the Post Charrette meeting on the US 1 Corridor Sector Plan would be held on February 19 from 6:30 – 9:00 p.m. at the College Park Community Center.

Acknowledgement of Dignitaries: Mayor Brayman recognized Larry Bleau, President of the North College Park Citizens Association.

Amendments to the Agenda: None.

City Manager's Report: Mr. Nagro discussed the progress of the Parking Garage construction, reminded the Council to submit their FY '10 budget wish list items by the end of the week, and discussed problems with water main breaks on Calvert Road that representatives from WSSC are here to address.

Student Liaison Comments: Mr. Hartinger discussed the US Greenest Campus competition and stated the University of Maryland is leading the competition. He thanked the Council for their support of the State Textbook legislation.

Comments from the Audience on Non-Agenda Items:

Larry Bleau, 4901 Niagara Road, President, NCPCA: Mr. Bleau announced the agenda for Thursday's 7:30 p.m. NCPCA meeting: the US 1 Corridor Sector Plan and City Budget priorities will be discussed.

Byron Patterson, 4813 Guilford Road: Discussed the problem of young people loitering at business establishments in the 7400 block of Baltimore Avenue.

Derrick Phillips, WSSC Customer Care Office: Addressed the water main and road repair problems on Calvert Road: They need two more nights to do the tie-ins. They work at night to accommodate the businesses. Will work on the temporary patch and finish the permanent patch in two weeks, depending on the weather.

Presentation of Certificate of Appreciation to Mayor Brayman and The City Council From Dwayne Sims, Founder, Negro League Legends Hall Of Fame. Mr. Sims presented the City with a certificate of appreciation for the City's past support of the NLLHOF. He was accompanied by James Tillman, Sr., a member of the Washington Homestead Grays Negro League Baseball Team from 1941 – 1943.

Presentation of Proclamations to Prince George's County Police Officers on behalf of the Residents of the City of College Park. Mayor Brayman presented proclamations to Prince George's County Police officers in recognition of their role in the investigation and arrest of a suspect in a Christmas Eve assault on a parishioner at Holy Redeemer Church.

Consent Agenda:

A motion was made by Councilmember Molinatto and seconded by Councilmember Hampton to adopt the Consent Agenda. The Consent Agenda consisted of the following items:

- 09-G-04 Approval Of A Letter To Redis C. Floyd, Clerk Of The County Council, Providing The City's Comments On The Preliminary Countywide Master Plan Of Transportation**

- 09-G-05 Approval Of An Agreement Between The City Of College Park And The Maryland-National Capital Park And Planning Commission To Locate A Skateboard Park ("Skatespot") At Sunnyside Neighborhood Park, And Authorization For The City Manager To Sign The Agreement.**

- 09-G-06 Approval Of A Letter In Support Of HB 85/SB 183 "College Textbook Competition And Affordability Act Of 2009"**

09-G-08 Approval Of A Letter Opposing SB 363 “Homestead Property Tax Credit – Applications – Use Of Social Security Numbers”

The motion carried 7-0-0.

Action Items:

09-G-09 Consideration Of The Request From The Varsity To Waive The Right To Appeal The Planning Board Decision

Mayor Brayman asked Ms. Schum for an overview of this request. Ms. Schum explained the applicant has requested that she and Dorothy Friedman waive their right of appeal of The Varsity’s Detailed Site Plan. The reason the two individuals (Ms. Schum and Ms. Friedman) were named is because they were listed as parties of record representing the City before the County’s Planning Board. This development will also go before the District Council because there is a zoning change for the property. The City took a position to recommend approval with a number of conditions. All of the conditions were incorporated by the Planning Board, with the exception of one, having to do with the parking spaces in the garage. The applicant, through his attorney, had agreed to this condition when they came before the City Council. The City would like to reserve the right to comment when this comes before the District Council, and signing this letter will preserve that right.

Mr. Mark Vogel spoke as the applicant. He said they don’t have any problem with the City’s position, stated their support for the City’s conditions, and stated that this request is for peace of mind and will save the applicant some time.

Mayor Brayman asked Mr. Vogel and Ms. Schum about the applicant’s appearance before the Planning Board last month. Mayor Brayman expressed his concern that, at the Planning Board hearing, the applicant’s attorney backed off his statement of support for the City’s condition concerning parking. There was discussion about what happened at the Planning Board hearing. Mayor Brayman requested Mr. Vogel to express unity with the City when they go before the District Council.

A motion was made by Councilmember Mark Cook and seconded by Councilmember Catlin to authorize Ms. Schum and Ms. Friedman, as representatives of the City of College Park before the Prince George’s County Planning Board, to sign a waiver of the right of appeal and 30 day notice requirement for Detailed Site Plan 07062, The Varsity at College Park. Agreeing to waive the City’s right of appeal does not preclude the City from making comments before the Prince George’s County District Council nor from advocating the imposition of conditions of approval supported by the City and not included in the Planning Board’s conditions of approval voted on January 22, 2009.

Councilmember Catlin stated he will also sign a similar waiver for the applicant.

The motion carried 7-0-0.

09-G-10 Appointments To Boards And Committees

Councilmember Hampton reappointed Denise Mitchell to the Education Advisory Committee. Mayor Brayman reappointed Ed Lynch to the Ethics Commission.

A motion was made by Councilmember Molinatto and seconded by Councilmember Hampton to approve the nominations. The motion passed 7-0-0.

Council Comments:

Councilmember Mary Cook commented on the Charrette process.

Comments From The Audience: None.

Adjournment:

A motion was made by Councilmember Wojahn and seconded by Councilmember Molinatto to adjourn the Regular Meeting. Mayor Brayman adjourned the meeting at 9:36 p.m. by a vote of 7-0-0.

Janeen S. Miller
City Clerk

Date Approved

Pursuant to §C6-3 of the College Park City Charter, at 11:35 p.m. on February 3, 2009, in the Council Chambers at City Hall, a motion was made by Councilmember Mark Cook and seconded by Councilmember Wojahn to enter into an Executive Session, citing the following authority:

- D: Consider a matter than concerns the proposal for a business or industrial organization to locate in Prince George’s County.
- G: Consult with Counsel

The motion passed 7-0-0.

Present: Mayor Brayman, Councilmembers Molinatto, Wojahn, Catlin, Stullich, Mark Cook, Hampton and Mary Cook.

Absent: Councilmember Jack Perry

Also Present: Joe Nagro, City Manager; Janeen Miller, City Clerk; Suellen Ferguson, City Attorney; Sara Imhulse, Assistant to the City Manager; Terry Schum, Director of Planning; Dan Hartinger, Student Liaison.

Topic Discussed: The East Campus Development.

A motion was made by Councilmember Wojahn and seconded by Councilmember Stullich to adjourn the Executive Session. Mayor Brayman adjourned the Executive Session at 11:54 p.m. by a vote of 7-0-0.
