

MINUTES
Regular Meeting of the College Park City Council
Tuesday, January 12, 2010
8:00 P.M.

PRESENT: Mayor Fellows; Councilmembers Nagle, Wojahn, Catlin, Stullich, Cook, Afzali and Mitchell; Deputy Student Liaison Becca Lurie.

ABSENT: Councilmember Perry.

ALSO PRESENT: Joe Nagro, City Manager; Suellen Ferguson, City Attorney; Yvette Allen, Assistant City Clerk; Steve Groh, Director of Finance; Bob Ryan, Director of Public Services; Peggy Higgins, Director of Community Resources; Terry Schum, Director of Planning; Bob Stumpff, Director of Public Works.

Mayor Fellows opened the meeting at 8:09 p.m. Councilmember Nagle led the Pledge of Allegiance.

Minutes: The minutes from the December 8, 2009 Regular Meeting were presented for approval. A motion was made by Councilmember Cook and seconded by Councilmember Mitchell to approve the minutes as submitted. The motion passed 7-0-0.

Announcements:

Councilmember Wojahn announced there would be a neighborhood clean-up event on Sunday, January 31, 2010 beginning at 2:00 p.m. in the Hollywood commercial district area. Meet at the REI Shopping Center.

Councilmember Catlin announced the Lakeland Civic Association would meet on Thursday, January 14, 2010 at 7:30 p.m. at the College Park Community Center, and that the Berwyn Civic Association would meet on Thursday, January 21, 2010 at Fealy Hall at 8:00 p.m.

Councilmember Cook announced the 19th Annual College Park Tribute to Dr. Martin Luther King, Jr., to be held on Saturday January 16th, at the Clarice Smith Performing Arts Center.

Councilmember Afzali announced that the College Park Swim Club will hold a breakfast fundraiser to benefit the pool on Sunday, January 17, 2010. If interested, see him to purchase a ticket.

Councilmember Mitchell announced that the Prince George's County Board Of Education will hold a budget meeting on January 14, 2010 at 7:00 at Laurel High School.

Acknowledgment of Dignitaries: Mayor Fellows recognized Larry Bleau, President of the North College Park Citizens Association and Jerry Anzulovic, member of the Berwyn District Civic Association.

Acknowledgment of Newly Appointed Board and Committee Members: None.

Amendments to the Agenda:

Remove item numbers 10-G-02 and 10-G-03 from the agenda. Both items will return at a later date.

City Manager's Report:

Mr. Nagro reminded Council that on January 19th the meeting will begin at 6:30 p.m. with Council Orientation by the Maryland Municipal League followed by the Worksession meeting at 8:00 p.m. Also, all City offices will be closed on Monday, January 18, 2010 for the Martin Luther King Jr. holiday which will delay trash and recycling one day this week.

Student Liaison Comments:

Deputy Student Liaison Becca Lurie reported that commencements will be held on Sunday, January 24th and that a University of Maryland basketball game will be held the same evening.

Comments from the Audience on Non-Agenda Items:

Larry Bleau, 4901 Niagara Road, President of the NCPCA: Reported on items on the agenda for this week's NCPCA meeting: crime issues, planning overview, discussion of Azteca restaurant and the Association's Bylaws amendment.

Carl Baker, 4907 Tecumseh Street: Five College Park streets are listed with the post office as Berwyn Heights. Mr. Baker wanted to know if College Park receives the tax credit on these properties. Mr. Groh stated this has been an issue for years and that the city receives the tax credit.

Presentations: Peggy Higgins, Director of Community Resources gave an update on the College Park 4th Annual Family Summit – Connecting Family – Building Community that took place on October 27, 2009.

Consent Agenda:

The Consent Agenda consisted of the following items:

- 10-R-01 A Resolution Of The City Of College Park Paying Tribute To Dr. Martin Luther King, Jr.**

- 10-G-01 Approval Of Spring Field Use Requests For Duvall Field And Calvert Road School Field, And For The Duvall Field Concession Stand, By The College Park Boys & Girls Club**

- 10-R-02** Resolution Of The Mayor And Council Of The City Of College Park, Maryland Adopting The Recommendation Of The Advisory Planning Commission Regarding Appeal Number CEO-2009-03, 5016 Berwyn Road, College Park, Maryland, Recommending Approval Of Variances From City Code §87-23, Paragraph B And F To Allow Construction Of A 6 Foot-High Fence In The Front Yard Located Up To 1 Foot From The Front Building Extending From The West Side Lot Line To 1 Foot In Front Of The West Corner Of The Existing House To Enclose An Existing Driveway
- 10-R-03** Resolution Of The Mayor And Council Of The City Of College Park, Maryland Adopting The Recommendation Of The Advisory Planning Commission Regarding Variance Application Number CPV-2009-14, 8101 51st Avenue, College Park, Maryland, Recommending Approval Of A Variance Of 8.5 Feet From The Required 25-Foot Side Yard Setback For Corner Properties And Relief From The Condition Of Approval Of The November 15, 1984 Final Decision For Appeal 7383, Which States That The Carport Shall Be Open On Three Sides

A motion was made by Councilmember Cook and seconded by Councilmember Wojahn to adopt the Consent Agenda. **The motion carried 7-0-0.**

Action Items:

- 09-O-09** Adoption of Ordinance 09-O-09, Ordinance Of The Mayor And Council Of The City Of College Park, Maryland, Amending Chapter 132 “Litter And Graffiti”, By Adding Article IV, “Shopping Carts”, §132-15 “Storage Of Shopping Carts” And §132-16, “Violations And Penalties” And Amending Chapter 110, “Fees And Penalties”, §110-2, “Penalties”, To Prohibit Off-Premise Shopping Carts And To Provide For A Penalty

A motion was made by Councilmember Cook and seconded by Councilmember Wojahn to approve the adoption of Ordinance 09-O-09 to prohibit off-premises shopping carts and to provide for a penalty.

There were no comments.

The motion carried 7-0-0.

- 10-G-04** Approval Of A Letter To The Prince George’s County Council With Comments On Proposed Legislation Creating A New Subtitle 27A Of The Prince George’s County Zoning Ordinance

A motion was made by Councilmember Afzali and seconded by Councilmember Cook to approve a letter to the Prince George’s County Council transmitting comments and recommendations on CB-1-2010, CB-2-2010 and CB-3-2010 that would create a new Subtitle 27A to the County Code for Urban Centers and Corridor Nodes.

Councilmember Afzali stated that the Prince George’s County Planning Board transmitted legislation to the County Council in the spring of 2009 for the purpose of establishing new

zoning categories and associated design regulations and development review procedures for selected urban centers and corridor nodes to promote transit-oriented development. The Legislation creates four new zones and detailed design regulations that are form based. Substantive changes have been made to the bills since they were first introduced and the City Council previously asked for additional time to review these changes prior to any action on the bills. The Planning, Zoning and Economic Development Committee (PZED) of the County Council has scheduled a meeting on January 12, 2010 and will take public comment on the re-introduced bills.

Councilmember Catlin stated that this proposed legislation has no impact on the Route One Sector Plan.

Councilmember Wojahn asked Terry Schum if there were any changes made at the PZED hearing that was held earlier today. Ms. Schum stated that no changes were made and that an additional committee hearing will be scheduled at a later date. Ms. Schum will keep Council updated.

There were no comments from the audience.

The motion carried 7-0-0.

10-G-05 Appointments to Boards and Committees

Councilmember Wojahn reappointed Joseph Smith to the Tree and Landscape Board for a two year term. Councilmember Afzali appointed Alan Hew to the Committee for a Better Environment for a three year term.

A motion was made by Councilmember Stullich and seconded by Councilmember Nagle to accept these nominations. The motion carried 7-0-0.

Council Comments: None.

Comments from the Audience:

Morgan Gale, 7010 Wakeforest Drive: Thanked Public Works for the great job they did with the snow removal during the December snow storm.

Adjournment:

A motion was made by Councilmember Stullich and seconded by Councilmember Mitchell to adjourn the Regular Meeting and reconvene in Executive Session to 1) Consult with Counsel about litigation. There will be no further public session tonight. The meeting was adjourned at 9:05 p.m. by a vote of 7-0-0.

Yvette Allen
Assistant City Clerk

Date Approved

Pursuant to §C6-3 of the College Park City Charter, at 9:05 p.m. on January 12, 2010, in the Council Chambers at City Hall, a motion was made by Councilmember Afzali and seconded by Councilmember Wojahn to enter into an Executive Session, citing the following authority:

G: Consult with counsel;

The motion passed 7-0-0 (Councilmember Perry absent).

Present: Mayor Fellows, Councilmembers Nagle, Wojahn, Catlin, Stullich, Cook, Afzali and Mitchell.

Absent: Councilmember Perry,

Also Present: Joe Nagro, City Manager; Suellen Ferguson, City Attorney; Yvette Allen, Assistant City Clerk; Becca Lurie, Deputy Student Liaison; Bob Ryan, Director of Public Services; and Peggy Higgins, Director of Community Resources.

Topic Discussed: 1) Rent Stabilization Litigation

A motion was made by Councilmember Afzali and seconded by Councilmember Stullich to adjourn the Executive Session. Mayor Fellows adjourned the Executive Session at 9:37 p.m.
