

**MINUTES**  
**Regular Meeting of the College Park City Council**  
**Tuesday, November 23, 2010**  
**8:00 p.m. – 8:38 p.m.**

**PRESENT:** Mayor Fellows; Councilmembers Nagle, Wojahn, Catlin, Perry, Stullich (arrived at 8:10 p.m.), Cook, Afzali, and Mitchell.

**ABSENT:** None.

**ALSO PRESENT:** Joe Nagro, City Manager; Suellen Ferguson, City Attorney; Janeen Miller, City Clerk; Chantal Cotton, Assistant to the City Manager; Becca Lurie, Student Liaison; Aaron Zaccaria, Deputy Student Liaison; Bob Ryan, Director of Public Services; Bob Stumpff, Director of Public Works.

Mayor Fellows opened the meeting at 8:00 p.m. Councilmember Catlin led the Pledge of Allegiance.

**Minutes:** A motion was made by Councilmember Perry and seconded by Councilmember Cook to approve the minutes of the Regular Meeting of November 9, 2010 and the Confidential Minutes of the Executive Sessions on October 26 and November 3. The motion carried 7 – 0 – 0.

**Announcements:** None.

**Proclamation:** Mayor Fellows read the Municipal Government Works Proclamation and proclaimed November to be Municipal Government Works month.

**Amendments to the Agenda:** None.

**City Manager's Report:** Mr. Nagro reminded everyone that City offices are closed on Thursday and Friday for the Thanksgiving holiday. There is no Council meeting next Tuesday because it is the 5<sup>th</sup> Tuesday of the month. He reviewed next week's schedule: the Legislative Dinner will be held next Monday November 29 at Ledo Restaurant, Tuesday is the East Campus Public Forum at Ritchie Coliseum, and dinner with Dr. Loh is on Wednesday. He discussed the resident survey. Mr. Nagro also gave a report on the speed cameras.

(Councilmember Stullich arrived during the City Manager's report.)

**Student Liaison Comments:** Ms. Lurie wished everyone a happy Thanksgiving.

**Comments from the Audience on Non-Agenda Items:**

**Vito Riccio, 5910 Chestnut Hill Road, owner of Vito's Pizzeria:** He discussed his business and requested agenda time to discuss issues relating to his liquor license.

**Consent Agenda:**

**A motion was made by Councilmember Perry and seconded by Councilmember Cook to adopt the Consent Agenda, which consisted of the following:**

**10-G-96 Two-year Extension of Contract #CP-06-04 for Right-Of-Way Grass Mowing Contract to ValleyCrest Landscape Maintenance For A Total Amount Of \$86,864.68 (requires 6 votes).**

**The motion carried 8 – 0 – 0.**

**Action Items:**

**10-G-97 Approval of a Property Use Agreement for Transfer of Location for a Class D, Beer and Wine License for the Use of The Jerk Pit, LLC, t/a The Jerk Pit, to 9078 Baltimore Avenue, College Park, 20740 from 8145-C Baltimore Avenue, College Park, 20740, Authorization For The City Manager To Sign The Property Use Agreement, And Authorization For Staff To Testify At The Board Of License Commissioners Hearing**

**A motion was made by Councilmember Mitchell and seconded by Councilmember Afzali that the Council voice no objection to the application of the Jerk Pit for the transfer of a Class D Beer and Wine license from its current location at 8145-C Baltimore Avenue to 9078 Baltimore Avenue, subject to the licensee entering into a Property Use Agreement in substantially the same form as attached; the City Manager is authorized to sign the agreement and City staff is authorized to present the City's position to the Board of License Commissioners.**

Councilmember Mitchell stated an application for a transfer of location of a Class D, Beer and Wine license has been submitted to the Prince George's County Board of License Commissioners ("BOLC") by Ms. Lisa Rose, President, for the use of The Jerk Pit, LLC, t/a The Jerk Pit ("Licensee"), which has moved to a new location at 9078 Baltimore Avenue, College Park, MD 20740 (site of the former College Perk). The BOLC hearing is scheduled for December 21, 2010.

The City Attorney and Director of Public Services met with the applicant to discuss a new Property Use Agreement ("PUA"). The Council discussed the new PUA in a work session with Ms. Rose. A PUA has existed for the previous location since 2005. During discussion, the current alcohol to food ratio of 20/80 % was determined to be acceptable to the Licensee. The new PUA includes the requirements that beer will not be sold in pitchers and that the minimum price of an alcoholic beverage will be \$2.00. Ms. Rose met with the North College Park Civic Association and the Autoville Drive community and at their request a limitation has been included that allows only non-amplified music and voice entertainment on the outside deck/patio and only before 8 p.m.

There were no comments from the audience.

Councilmember Catlin asked about the length of the lease on the property; it is for five years.

Councilmember Perry asked about site improvements on the lot. Ms. Lisa Rose, applicant, stated it is a gravel parking lot and she does not know if the owner plans any improvements.

Ms. Ferguson stated if there is a DSP for this property, then it would have to be followed.

**The motion passed 7 – 1 – 0 (Perry opposed).**

**10-O-09 Introduction of 10-O-09, An Ordinance Of The Mayor And Council Of The City Of College Park, Maryland, Amending Chapter 184 “Vehicles And Traffic”, Article III “Parking Regulations” By Repealing And Reenacting §184-6 “Definitions” And §184-8, “Permits Required For Certain Vehicles” To Clarify The Definitions Of Public Street and Prohibited Vehicles.**

**A motion was made by Councilmember Nagle and seconded by Councilmember Mitchell to introduce Ordinance 10-O-09, An Ordinance Of The Mayor And Council Of The City Of College Park, Maryland, Amending Chapter 184 “Vehicles And Traffic”, Article III “Parking Regulations” By Repealing And Reenacting §184-6 “Definitions” And §184-8, “Permits Required For Certain Vehicles” To Clarify The Definitions Of Public Street and Prohibited Vehicles.**

Councilmember Nagle said the Public Hearing is scheduled for Tuesday, December 14 at 7:30 p.m. in the Council Chambers.

**10-G-98 Appointments To Boards And Committees**

A motion was made by Councilmember Afzali and seconded by Councilmember Wojahn for the following appointments: Appoint Mayor Fellows to a Class B Board position on the College Park City University Partnership for a three-year term; move Richard Wagner into the Class C vacancy on the College Park City University Partnership and maintain the same term which expires in January of 2011; reappoint Senator Rosapepe to a Class B Board position on the College Park City University Partnership for a three-year term; and appoint Mark Shroder to the District 1 seat on the Noise Control Board. The motion carried 6 – 2 – 0 (Nagle and Cook opposed).

**Council Comments:**

Councilmember Mitchell thanked those Councilmembers who attended the PGCMA legislative dinner last week and urged the City’s continued representation.

Councilmember Perry discussed the MML Sources of Revenue survey, Highway User Tax, and the Admissions and Amusement Tax. He also announced that the wall in College Park Woods has come down.

Councilmember Catlin congratulated the University of Maryland Women's Field Hockey team for winning the NCAA tournament on Sunday.

Councilmember Wojahn requested a future Worksession discussion of the Beltway Plaza development.

Councilmember Nagle discussed the procedure used to complete the MML survey. She also discussed the event at the Moose Lodge for senior citizens.

**Comments from the Audience:** None.

**Adjournment:** A motion was made by Councilmember Perry and seconded by Councilmember Wojahn to adjourn the Regular Meeting and to reconvene in a Worksession. Mayor Fellows adjourned the Regular Meeting at 8:38 p.m. He stated that the Council would then enter into an Executive Session after the Worksession, and would not return to a public meeting after the Executive Session.

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| Janeen S. Miller, CMC<br>City Clerk | Date<br>Approved |
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Pursuant to §C6-3 of the College Park City Charter, at 9:12 p.m. on November 23, 2010 in the Council Chambers at City Hall, a motion was made by Councilmember Wojahn and seconded by Councilmember Nagle to enter into an Executive Session, citing the following authority:

**A.** Discuss the compensation of a specific individual.

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

**Present:** Mayor Fellows, Councilmembers Nagle, Wojahn, Catlin, Perry, Stulich, Cook, Afzali and Mitchell.

**Absent:** None.

**Also Present:** Joe Nagro, City Manager; Janeen Miller, City Clerk; Suellen Ferguson, City Attorney; Chantal Cotton, Assistant to the City Manager.

**Topic Discussed:** Council discussed the payment of a stipend to the outgoing student liaison.

**Adjourn:** A motion was made by Councilmember Perry and seconded by Councilmember Wojahn to adjourn the Executive Session. Mayor Fellows adjourned the Executive Session at 9:17 p.m. with a vote of 8 - 0 - 0.