

MINUTES
Regular Meeting of the College Park City Council
Tuesday, October 11, 2011
8:00 p.m. – 11:05 p.m.

PRESENT: Mayor Fellows; Councilmembers Nagle, Wojahn, Catlin, Perry, Stullich, Cook, Afzali and Mitchell.

ABSENT: None.

ALSO PRESENT: Joe Nagro, City Manager; Janeen Miller, City Clerk; Suellen Ferguson, City Attorney; Bob Ryan, Director of Public Services; Terry Schum, Director of Planning; Elisa Vitale, Senior Planner; Marcella Morris, Student Liaison.

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

Minutes: A motion was made by Councilmember Perry and seconded by Councilmember Mitchell to approve the minutes of the Regular Meeting on September 27, 2011. The motion passed 8 -0- 0.

Announcements: Councilmember Wojahn announced details about College Park Day, coming up on October 22, 2011.

Councilmember Stullich announced that there would be a trash pick-up event in Old Town on Sunday at 11:00 a.m. Meet at City Hall.

Councilmember Afzali announced the next Experience and Enjoy College Park Tour event would be on Monday at 7:30 p.m. at The Barking Dog.

Councilmember Mitchell discussed the Alpha Phi Omega invasive plant removal event she attended at Cherry Hill Park on Saturday where she presented the City's proclamation.

Mayor Fellows congratulated the UMD Solar Decathlon team that won the international competition.

Amendments to the Agenda: Councilmember Stullich asked to move item 11-G-92 after the Book Exchange item.

City Manager's Report: Mr. Nagro reported on the Ribbon Cutting for Bobby's Burger Palace, the UMD Off-Campus Safety Walk, and the Recycle Sculpture Workshop being held on Saturday, November 10 at Davis Hall. The sculptures will be on display in the Council Chambers following the workshop. There will be a presentation on Thursday, November 17

about the University's Student Housing Market Study at Oakland Hall, then the UMD will post it on their website.

Student Liaison Comments: Ms. Morris reported that this is Homecoming week and the game is Saturday night, weekly trash pick-ups have started, and discussed the Safety Walk and the voter registration drive.

Comments from the Audience on Non-Agenda Items:

Richard Rubin, 8818 Patricia Court: Discussed issues with tall grass at a rental property on his street. Said that absentee landlords are running a business and they should be bound by business standards to protect nearby homeowners.

Alex Krevet, 5102 Denton Hall: Is looking for a space on Saturday, October 14 for a Mobile Greenhouse sustainable agriculture workshop. He will follow up with Mr. Ryan.

Charles Sarahan, Box E, College Park: Invited participation in an Oktoberfest program.

Consent Agenda:

A motion was made by Councilmember Perry and seconded by Councilmember Wojahn to adopt the Consent Agenda which consisted of the following item:

11-R-17 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-2011-02, 9505 49th Place, College Park, Maryland, Recommending Denial Of A Variance Of 20% From The Maximum Allowable Lot Coverage To Allow Construction Of A New Dwelling

The motion passed 8 – 0 - 0.

Action Items:

11-G-96 Discussion Of CB-60-2011, Proposal For Reorganization Of The County Fire Commission And Possible City Position On The Bill

Mayor Fellows invited County Fire Chief Marc Bashoor and Special Assistant to the County Executive Kerry Watson to discuss CB-60-2011 and CB-45-2011, the County's proposed legislation to restructure the Fire Commission. The Council then heard from Chuck Walker from the Prince George's County Volunteer Fire and Rescue Association, to discuss their opposition to the legislation. Mayor Fellows announced that Council will not take a position on this tonight.

11-G-93 Motion Recommending Disapproval Of Detailed Site Plan 10028 For The Maryland Book Exchange Property

A motion was made by Councilmember Stulich and seconded by Councilmember Afzali that the City Council recommend disapproval of Detailed Site Plan 10028 for the Maryland

Book Exchange based on the findings contained in the City staff report dated September 30, 2011, and that a letter be sent to the Prince George's County Planning Board along with the staff report, staff's presentation from the October 4, 2011, Worksession meeting, letters received from the Old Town Civic Association, University of Maryland, Saint Andrew's Episcopal Church, the Episcopal/Anglican Ministry, and the Advisory Planning Commission, and the comments of the Old Town Historic District Local Advisory Committee.

Councilmember Stullich provided the following comments: The detailed site plan was reviewed and evaluated for conformance with the following criteria:

1. The requirements of the Zoning Ordinance for Detailed Site Plans found in Section 27-281.01 and Section 27-285(b);
2. The requirements of the Zoning Ordinance for Mixed Use Zones found in Section 27-546.19; and
3. The Goals, Principles and Policies and Development District Standards contained in the *2010 Approved Central US 1 Corridor Sector Plan and Sectional Map Amendment*.

The recommendation for disapproval is based on the failure of the Detailed Site Plan to comply with those criteria in the following ways:

1. Section 27-281.01, which requires that for property adjacent to a Historic District, the Detailed Site Plan shall address building siting, setbacks, height and massing, building materials, facade treatments and architectural expression, landscaping, fences and walls, accessory structures, lighting, paving materials, and signs to ensure that the development complements the character of the Historic District.
2. Sections 27-546.19(b)(3), (c)(4) and (c)(5), which require the applicant to provide a statement and demonstrate that all proposed uses will be compatible with existing or approved future development on adjacent properties and also require that the proposed development meets the standards for compatibility with respect to the size, height and massing; building materials and color and design; appropriate scaling and architectural detailing; and minimization of adverse impacts on adjacent properties and the surrounding neighborhood, including the hours of operation of deliveries and the location of loading and delivery spaces.
3. Sector Plan Development District Standards for Building Form, specifically Building Height and Step-back Transitions that require the development to step down through the block to a maximum height of 2 or 3 stories facing existing residential development.

The Prince George's County Historic Preservation Commission will hear the case on Tuesday, October 18. The Commission meeting will begin at 6:30 PM and will be held in the 1st Floor Media Conference Room at the County Administration Building. The Prince George's County Planning Board will hear the case on Thursday, November 3. The Planning Board meeting will begin at 10:00 AM and will be held in the County Council Hearing Room at the County Administration Building.

Comments from the Audience:

Russ Warfel, Myers Rodbell, attorney for the applicant: Mr. Warfel stated that the Sector Plan is only to provide recommendations and guidance; not strict requirements which must be met. The applicant believes the property is in the UMD subarea, not the Downtown College Park subarea as staff believes. Different standards apply to each subarea. Concerning the Step-back: The development on Yale Avenue is less intense than it is on US 1, and the site naturally steps down due to grade changes. The block across from the building does not include single family detached dwellings, so the Step-back transition is not required. The College Park Parking Garage has similar massing and scale without a Step-back transition and there should be a similar standard applied to this case. They believe the proposal meets the Development District Standards in the Sector Plan because it targets student housing adjacent to the University and concentrates higher density student housing in a designated walkable node. They believe the proposal meets the Standards for Building Form for architectural elements, meets LEED Silver standards, and will meet the more stringent stormwater management guidelines.

The proposal provides additional set backs on Route 1 and College Avenue to provide public gathering space. Open courtyards are provided on site. Approval would increase the tax base 10-fold from \$100,000 to \$1.25 M per year. It would provide a location closer to the University for students now living in the Old Town neighborhood.

Cindy Lollar and Greta McVey, 4607 Fordham Road: They discussed a negative personal experience they had with the owner of the property, Mr. Zusin, who ignored their concerns about an incident they had with tenants of another property that he owns. They would love to see a beautiful new building at that location built by someone who cares about the neighborhood, but they don't believe that is the case here.

Kathy Bryant, Old Town Civic Association, 7406 Columbia Avenue: The Old Town Civic Association is opposed to the current development proposal. The DSP does not conform to the intent and requirement of the US 1 Sector Plan and would have a severe impact on the neighborhood. She read the letter submitted by the OTCA that detailed their objections.

Eve Müller, 4710 College Avenue: Opposed to the plan in its current form: it is too large for the location and thoughtlessly planned. Believes the developer has refused to respond to community concerns and places profit above the larger community good. The balance between students and long time residents is slipping away, raising concerns about raising their family here.

Dawn & Kelly Lueschon-Dineen, 4714 Norwich Road: They are opposed to the development. In the 8 months they have lived here they have faced excessive issues due to the disproportionate population of undergraduate students who treat the neighborhood as if it were an annex of the UMD. They believe a balance of graduate students, professionals and families is necessary for the long-term survival of the neighborhood.

Kaiyi Xie, SGA President: He believes it is beneficial for students to live closer to campus and he urges the Council not to dismiss the concept of housing at this location. He acknowledges that the developer could have done more to work with the City and the County in the planning and design of this development. He hopes the Council does not oppose this development simply because it is student housing.

Anne Morrison, 4601 Knox Road: 67 year resident. She objects to a six story building at this location – it does not comply in any way.

Dennis Herschbach, 7309 Princeton: This is a crucial decision for a neighborhood that is fighting all the time to keep their quality of life and is having a tough time. This is a humongous building – go stand on that corner and imagine what it will look like. Don't put that building at the edge of a community that is struggling to stay alive. Where will the overflow cars go? The density of students exceeds the tipping point.

Nigel Key, 4710 College Avenue: This is a for-profit dormitory comprised of small suites packing in the maximum number of renters, the vast majority of whom will be undergraduate students. This will severely impact the quality of life in the Old Town neighborhood and exacerbate the ongoing problems.

James E. McFadden, 4800 Calvert Road: This vote is critical to this neighborhood. The project is ugly and does nothing for the neighborhood. It is not in compliance and pays no respect to the residents who live on two sides. Ask the residents who live near the single family homes that this developer owns. They are bullying the elderly residents who live in the neighborhood.

Leo Shapiro, 6907 Rhode Island Avenue: It is very telling that so many parties have come out against this. It is extremely rare for staff not to be able to work with an applicant to develop a proposal they can support, which is a sign of the extraordinary intransigence of this developer. We are dealing with extreme arrogance and greed by this developer. The proposal does not conform with the letter or the spirit of the law and is not good for College Park.

Lawrence Paulson, Senior Warden, St. Andrew's Episcopal Church, 4512 College Avenue: They have submitted a letter outlining their concerns about this project. The church and rectory were constructed in 1930 to serve students. In 2006 the rectory was renovated and the residential Episcopal Student Center was opened. St. Andrews does not oppose the concept of student housing at this site, but this development would have to change significantly to be acceptable to St. Andrews. The building does not step down on the Yale Ave side to be compatible with the adjacent residential neighborhood. The fortress-like design, siting and building materials proposed do not demonstrate any sensitivity to the neighborhood. The proposal to locate the garage entrance on Yale Avenue would increase traffic noise and congestion and create a safety hazard. The development will exacerbate problems with flooding experienced by St. Andrews from groundwater runoff.

Guy LeValley, 7305 Hopkins: This is not an issue of student housing vs. non-student housing. It is about the wrong building in the wrong place. The development would more-than-double the population of Old Town College Park and is 2½ times higher than any surrounding building. It provides inadequate parking, access and traffic management. The developer has refused to provide specifics to neighbors about certain details of the proposal.

Page Lacey, 7305 Hopkins: She is a 41 year resident. She agrees with the protests that have been made, and also noted that when the project was first presented at an Old Town meeting they were told by the developer that they would encourage graduate students and visiting faculty. There are not enough parking spaces. It is not a student issue. This building violates everything College Park stands for.

Wendy Child, 4512 Hartwick Road: This is a significant site that has the potential to be a great addition to College Park if it is an appropriate development by an appropriate developer. The cheapest student housing available is still in single family homes. Her major objection is with this developer and his attitude toward the residents and the City. The way in which he runs his other rental houses leaves her with doubt about this project.

Aaron Springer, 4622 Harvard Road: He objects to the size and scale of this project – it does not fit with College Park in terms of site lines or historically. The density is just not appropriate.

Martin Klapac, 4805 Harvard Road: He is against the developer because he can't maintain a piece of property nor control the problems it creates. He has shown an unwillingness to meet with them when they ask.

Councilmember Stulich acknowledged written testimony submitted by David Kidwell-Slak that is in the red folders. She also read an e-mail from former Mayor Brayman stating that Councilmember Cook had received a contribution from this developer and asked whether he should recuse himself from the vote.

Councilmember Cook said he returned the contribution of \$150 the same day it was deposited by his treasurer, that it was for an office outside the City for which he was running, and it would not influence his vote. He objects to the personal attacks on the developer.

An amendment to the motion was made by Councilmember Cook and seconded by Councilmember Nagle that the City support the proposal with the condition that the property on the Yale Avenue side be stepped-down if the County Planning Board also supported this.

Comments from the audience on the amendment:

Leo Shapiro: The amendment should have been made before it was apparent that there was such powerful opposition to the proposal. There was ample opportunity for discussion of compromise on the part of the developer before tonight. It is very telling that the developer would only consider this now.

In response to a question by Councilmember Mitchell, the City Attorney said that because of the unusual way this amendment came about, there has been none of the accompanying conversation that we would normally have about additional conditions when expressing conditional support.

Kathy Bryant: The step-down should have been presented originally by the developer.

Russ Warfel, Attorney for the Applicant: If the amendment is successful, the applicant is willing to discuss a step-down but they still have a Planning Board date of November 3, so there might be a scheduling problem.

Mayor Fellows said the amendment is really a substitute motion because it means the developer and staff would have to work together to develop the details.

Eve Müller: She is offended by the idea that after the many months of opportunity to work with this developer that Councilmember Cook would make this proposal for working together without any idea of what the concession would be. There has been no interest by the developer in compromise until 60 seconds ago. This is a sabotaging of what has gone before.

Jim McFadden: A step-down would reduce the graduate student population of the building, which is not what they want. This has been a difficult group to deal with. To try this now is totally unacceptable.

Guy Levally: Any amendment from Councilmember Cook should not be considered at this point, after two hours of testimony and a year and a half, because it would derail this entire process. He should recuse himself.

Wendy Child: Character does matter and all of their complaints, which can be backed up by code-enforcement statistics, are relevant as to how this project would be managed.

Dennis Herschbach: The best predictor of future behavior is past and current behavior, so be careful. He lives two doors down from another property owned by the developer and they have suffered.

Council comments on the amendment:

Councilmember Afzali said this should have been raised at last week's Worksession and it is not right to propose this at the last minute.

Councilmember Wojahn is concerned that the Council doesn't really know what they are voting for if they vote for the amendment. Council has not seen any details about this radical amendment. What about the other issues? If the developer is serious about this, they can delay their Planning Board date and come back with a new proposal.

Councilmember Mitchell thinks this tactic is not fair to the residents. If the applicant was willing to work with the City and the residents why didn't they do so before now?

Councilmember Nagle said that Councilmember Cook was trying to achieve a compromise on one of the biggest concerns expressed about the project.

In response to a question from Councilmember Stullich, Ms. Schum stated that it would be necessary for the applicant to be willing to continue this application indefinitely to provide the time necessary to work with City and County staff to revise the plan. Without a willingness to delay the Planning Board date, the amendment becomes unworkable. Shortly after submitting their DSP, the developer was told to address this concern and would not do so. Even if the developer were to agree to a satisfactory compromise on the step-down, it would take time to review it, and between now and November 3 is not a workable time frame.

Councilmember Stullich urged the applicant to withdraw their proposal from the Planning Board and come back to the community and the City with a revised proposal. The step-down issue is only one of the areas of concern.

A motion was made by Councilmember Perry and seconded by Councilmember Nagle that the amendment be tabled. The motion to table the amendment failed 3 – 5 – 0 (Wojahn, Catlin, Stullich, Afzali and Mitchell opposed).

Councilmember Stullich called the question on the amendment.

The vote on the amendment was 0 – 6 – 2 (Mitchell, Afzali, Stullich, Catlin, Wojahn and Nagle opposed; Cook and Perry abstained) and the amendment failed.

Council discussion of the main motion:

Councilmember Stullich said there has been a lot of emotional testimony and urged her colleagues not just to hear the emotion but to hear the reality of the experiences behind it. They are not anti-student, but the neighborhood is out-of-balance and can become more in-balance if we make the right decisions. It is not just who is living in it, it is also the scale, massing, density and design.

Councilmember Afzali noted that the City's parking garage was built before the new Sector Plan was adopted so that building is irrelevant to this debate. Both City and County planning staff who are more expert at interpreting the Sector Plan than he is have a problem with this proposal, the Old Town Civic Association opposes it, so how can we support this project? He is not opposed to student housing there but this project can't be approved. The potential tax revenue is not a reason to approve a project.

Student Liaison Morris said the idea of housing on the Maryland Book Exchange site is different from other housing they see and the proximity to campus is a good draw and might draw students out of the Old Town neighborhood. She agrees that the concerns expressed by City and County staff are valid and this project could do a lot more to align with the Sector Plan.

Councilmember Wojahn said this is not a vote about whether students should or should not live on this property. It is about whether the proposal fits into the Sector Plan. This is the first

development considered under the new plan. Development Districts Standards are binding and includes the Step-back transition requirement.

Councilmember Catlin corrected the earlier tax revenue statement and said the \$1 Million claimed is total revenue and the City's piece is much smaller. Regarding the parking garage: there was talk about how it would fit into the neighborhood and it was downsized. He supports the staff recommendation for denial and said we can do better than what has been proposed.

Councilmember Nagle said she had been a supporter of the project in the past and thinks student housing is a smart use of this site but with lesser density. The community is united in their opposition to this project and there is a bad behavior issue that needs to be addressed. She was initially hopeful for this project when it came before the Council but will support the motion to deny.

Roll Call on the Main Motion:

Aye: Nagle, Wojahn, Catlin, Stullich, Afzali, Mitchell

Nay: Perry

Abstain: Cook

Motion carries 6 – 1 – 1.

11-G-92 Approval Of The City's Participation In The Hyattsville Community Development Corporation Route One Corridor Market Study For A Cost Of \$5,000, And Authorization For The City Manager To Sign The Agreement Subject To Legal Review

A motion was made by Councilmember Catlin and seconded by Councilmember Nagle that the City Council authorize the City Manager to enter into an agreement with the Hyattsville Community Development Corporation (CDC) in order to participate in the proposed Route 1 Corridor Retail Market Study. The city will contribute \$5,000 from community development program matching funds (account # 3011-36-35) toward the total cost of the study, which will be administered by the CDC.

Councilmember Catlin noted that Stuart Eisenberg, Executive Director of the Hyattsville CDC, made a presentation to the City Council to request participation in the market study, which will analyze the corridor as a whole from south of I-495 through the Gateway Arts District with a special focus on the proposed development at the Cafritz property. The Cafritz team, as well as the City of Hyattsville, the Town of Riverdale Park and the Town of University Park are being asked to participate in the market study which is estimated to cost around \$25,000. The study will establish primary and secondary trade area limits, identify market sectors, establish income and growth trends, consumer consumption behavior and market capture rates for the subareas along the corridor including College Park. The data and conclusions of the study will be helpful in evaluating the Cafritz proposal as well as other future development proposals and plans in

College Park and the entire Route 1 corridor. The last decent market study of the area was in 2006 and there have been a lot of changes since then, so it would be good to have an update.

There were no comments from the audience.

Councilmember Mitchell said this is a good opportunity for the City to have this information to enhance our redevelopment opportunities on the US corridor.

The motion passed 6 – 1 – 0 (Councilmember Perry opposed; Councilmember Stulich was out of the Council Chambers for the vote).

11-O-14 Adoption Of An Emergency Ordinance Of The Mayor And Council Of The City Of College Park, Maryland, Amending Chapter 144, “Occupancy Permits”, §144-4, “Issuance, Renewal”, To Clarify The Effective Date Of Permits Issued And Renewed

A motion was made by Councilmember Mitchell and seconded by Councilmember Wojahn to adopt Emergency Ordinance 11-O-14, an Ordinance of the Mayor and Council of the City of College Park, Maryland, amending Chapter 144, “Occupancy Permits”, §144-4, “Issuance, renewal”, to clarify the effective date of permits issued and renewed.

Councilmember Mitchell said that the Mayor and Council have adopted Chapter 144 of the City Code, which requires that owners of residential rental and nonresidential units in the City obtain an annual occupancy permit and undergo an annual health and safety inspection. The Mayor and Council have determined that clarification of the law is required with regard to the time period during which a new or renewed permit is valid. It is necessary for the public health, safety and welfare that this ordinance be adopted as an emergency measure, effective immediately, to insure the proper reading of the law.

There were no comments from the audience. There were no comments from the Council.

The motion passed 8 – 0 – 0.

11-G-94 Motion To Authorize The City Attorney To Pursue An Update Of The Report Issued By Sage Policy Group, Inc. in 2009

A motion was made by Councilmember Stulich and seconded by Councilmember Wojahn to authorize the City Attorney to pursue an update of the report issued by Sage Policy Group, Inc. in 2009.

Councilmember Stulich stated that prior to adoption of the Rent Stabilization law, the City Attorney requested an opinion from an expert with respect to whether the proposed law was supported by a rational basis. An update of this expert opinion was requested in 2009, before the

law was extended. The Rent Stabilization law will sunset in 2012 unless other action is taken by Council. It is appropriate to again request an update of the report prior to Council consideration of this law in 2012.

There were no comments from the audience. There were no comments from the Council.

Roll Call Vote:

Aye: Mitchell, Afzali, Stulich, Wojahn

Nay: Cook, Perry, Catlin, Nagle

Mayor Tie-Break: Aye

The motion passed 5 – 4 – 0.

11-O-13 Introduction Of An Ordinance Of The Mayor And Council Of The City Of College Park, Maryland, Amending Chapter 141, “Nuisances”, §141-7, “Signs Or Advertisements” To Clarify That The Law Is Applicable In All City Rights Of Way, And To Include Enforcement Of Sign Posting Restrictions In State Rights Of Way And To Set A Fine.

A motion was made by Councilmember Nagle and seconded by Councilmember Perry to Introduce An Ordinance Of The Mayor And Council Of The City Of College Park, Maryland, Amending Chapter 141, “Nuisances”, §141-7, “Signs Or Advertisements” To Clarify That The Law Is Applicable In All City Rights Of Way, And To Include Enforcement Of Sign Posting Restrictions In State Rights Of Way And To Set A Fine.

The Public Hearing Is Scheduled For Wednesday, November 9 at 7:30 p.m.

11-CR-02 Introduction Of A Charter Resolution Of The Mayor And Council Of The City Of College Park, Maryland, Amending Article III “Mayor And Council”, §C3-6, “Vacancies” And Article IV, “Voting And Elections” §C4-5, “Petitions For Candidacy” To Adopt A Process To Fill The Offices Of Mayor And Council In The Event There Is No Qualified Candidate.

A motion was made by Councilmember Catlin and seconded by Councilmember Nagle to introduce a Charter Resolution Of The Mayor And Council Of The City Of College Park, Maryland, Amending Article III “Mayor And Council”, §C3-6, “Vacancies” And Article IV, “Voting And Elections” §C4-5, “Petitions For Candidacy” To Adopt A Process To Fill The Offices Of Mayor And Council In The Event There Is No Qualified Candidate.

The Public Hearing Is Scheduled For Wednesday, November 9 at 7:45 p.m.

11-G-95 Appointments To Boards And Committees

A motion was made by Councilmember Stulich and seconded by Councilmember Nagle to appoint Chris Kujawa to the Rent Stabilization Board as a resident representative. The motion passed 7 – 0 – 0- (Councilmember Mitchell was out of the Chambers for the vote).

Council Comments:

Councilmember Wojahn announced the North College Park Citizens Association would meet on Thursday, October 13 at 7:30 p.m. at Davis Hall.

Councilmember Catlin said the Berwyn District Civic Association would meet on Thursday, October 20 and that the Lakeland Civic Association would meet Thursday, October 13. Pizza Autentica is now open in the Varsity. Bobby Flay’s place and Royal Farms will open on Thursday.

Councilmember Stulich suggested we schedule a public information meeting with the developer of the Cafritz property just south of College Park at the Worksession on November 1 from 7:30 – 9:30 p.m. She requested to have the traffic impact numbers available at that meeting and that staff make a presentation about the process since the development requires a zoning change.

Councilmember Mitchell said she has the link to the Transition Report on the County’s Permitting Process if anyone wants it.

Mayor Fellows’ goal is to try to run a fair process and expressed his hopes that the Council remains collegial.

Comments from the Audience:

Monroe Dennis, President, Lakeland Civic Association: Discussed his candidacy for District 2 Councilmember.

Adjourn: A motion was made by Councilmember Stulich and seconded by Councilmember Nagle to adjourn the meeting. Mayor Fellows adjourned the meeting at 11:05 p.m.

Janeen S. Miller, CMC	Date
City Clerk	Approved

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Pursuant to §C6-3 of the College Park City Charter, at 11:20 p.m. on October 4, 2011 in the Council Chambers at City Hall, a motion was made by Councilmember Afzali and seconded by Councilmember Stulich to enter into an Executive Session for the following reasons:

A: To Consult with Counsel on a Legal Matter

The motion passed 6 – 0 – 0 and the Executive Session convened at 11:27 p.m.

Present: Mayor Fellows; Councilmembers Nagle, Wojahn, Catlin, Stulich, Afzali and Mitchell.

Absent: Councilmembers Cook and Perry.

Also Present: Joe Nagro, City Manager; Suellen Ferguson, City Attorney; Janeen Miller, City Clerk; Chantal Cotton, Assistant to the City Manager; Bob Ryan, Director of Public Services; Marcella Morris, Student Liaison.

Topics Discussed: The City Attorney discussed a possible update to the study that was conducted in 2005 and updated in 2009 by Sage Policy Group, and the Rent Stabilization ordinance.

Actions Taken: None.

Adjourn: A motion was made by Councilmember Wojahn and seconded by Councilmember Nagle to adjourn the Executive Session. Mayor Fellows adjourned the Executive Session at 11:39 p.m. with a vote of 6 – 0 - 0.