

MINUTES
Public Hearing and Regular Meeting of the College Park City Council
Monday, April 25, 2016
Council Chambers
7:36 p.m. – 10:45 p.m.

PRESENT: Mayor Wojahn; Councilmembers Kabir, Nagle, Brennan, Dennis, Stullich, Day, Cook and Kujawa.

ABSENT: None.

ALSO PRESENT: Bill Gardiner, Assistant City Manager; Yvette Allen, Assistant City Clerk; Suellen Ferguson, City Attorney; Terry Schum, Director of Planning; Steve Groh, Director of Finance; Peggy Higgins, Director of Youth, Family and Senior Services; Jill Clements, Director of Human Resources and Cole Holocker, Student Liaison.

Mayor Wojahn opened the Regular Meeting at 7:36 p.m.

Announcements:

Councilmember Kabir reminded everyone that Councilmembers from Districts 1, 2 and 4 will host a Budget Town Hall Meeting on Friday, April 29, 2016 at the Youth and Family Services building at 6:00 p.m.

Councilmember Nagle announced that this Saturday, April 30, is the final day of Spring Cleanup Month. Davis Hall will be open from 7:30 a.m. to noon. Residents may drop-off bulky trash, electronics for recycling, and yard waste.

Councilmember Brennan announced that the College Park Community Foundation will host the 3rd Annual College Park Mother's Day Race on Saturday, May 7, beginning at 8:00 a.m.

Councilmember Kujawa announced that the Student Liaison subcommittee met today with the applicant. A new student liaison will be appointed within the next few weeks.

Councilmember Cook announced that the Veterans Memorial Committee will meet on Thursday, May 28 at the VFW located at 5051 Branchville Road at 6:00 p.m.

Mayor Wojahn stated that this was the last week of the National Mayor's Challenge for Water Conservation. He challenged all residents to take the pledge at www.mywaterpledge.com.

City Manager's Report: Mr. Gardiner reported that the Primary Election will be held tomorrow, Tuesday, April 25; Maryland Day will be held on campus this Saturday April 30; the mbike bikeshare program will launch on Wednesday, May 4, and the Arbor Day celebration will be held on Thursday, April 28 in the 8500 block of Rhode Island Avenue on the hiker/biker trail.

Acknowledgement of Newly Appointed Board Members: Mayor Wojahn acknowledged Marilyn Morin who was recently appointed to the Citizens Corp Council and thanked her for her service.

Proclamations: Mayor Wojahn read the City's proclamation for Children's Mental Health Awareness Week which will take place May 1 – 7, 2016.

Amendments To And Approval Of The Agenda:

A motion was made by Councilmember Dennis and seconded by Councilmember Day to approve the agenda as presented. The motion passed 8 – 0 – 0.

Presentations: Mayor Wojahn introduced Peggy Higgins, Director of Youth, Family and Senior Services, and together they recognized and thanked the three graduate interns for their service to the City: Jessica Quaranto of Chicago School of Professional Psychology; Kalphria Wilson of the University of Maryland and Christopher Soves (absent, in class) of Catholic University.

Ms. Higgins introduced Catarina Marzella, a 2010 – 2014 UMD College Park Scholars Tutor/Coordinator of the Lakeland S.T.A.R.S (Students Taking Active Responsibility) Program. Certificates were presented to the Lakeland S.T.A.R.S. students and to their tutors from the University of Maryland College Park Scholars program.

Mayor Wojahn introduced Len Lucchi, City Lobbyists, and Eddie Pounds from O'Malley, Miles, Nylen and Gilmore, P.A. who gave a presentation on this year's Maryland General Assembly Session.

Public Comment on Consent and Non-Agenda Items: None

Public Hearing: Greater College Park RISE (Regional Institution Strategic Enterprise) Zone Application

Bill Gardiner, Assistant City Manager, gave a brief summary of the purpose of the program and an overview of the application process of City participation in the RISE Zone with the University of Maryland, Prince George's County, and Riverdale Park.

Mr. Gardiner explained that in 2014, the State created the RISE Zone program to encourage investment and job creation near universities committed to economic development in their communities. The City has been working with the University, the County, the CPCUP, and Riverdale Park on a joint RISE Zone application. The Prince George's County Council has introduced a resolution in support of the RISE Zone with a five-year, 75 percent County tax credit for high-technology new investment.

The application specifies that anywhere in the entire RISE Zone, new commercial and industrial buildings will be eligible for the minimum real property tax credit on the increased value of the property due to new investment (a new building or the expansion / major renovation of an existing building). Hotels, motels, grocery stores, and retail are NOT included in this category of commercial and industrial.

The proposed tax credits are:

City of College Park:	50 percent first year, 10 percent following four years
Prince George's County:	50 percent first year, 10 percent following four years

Additionally, the application proposes that within the Innovation District and the Research Park areas of the RISE Zone, new investment for high technology businesses in the fields of engineering, data analytics, earth sciences, virtual reality, cybersecurity, quantum computing, linguistics, additive manufacturing, e-commerce, robotics, aerospace, biotechnology and similar industries will be eligible for the following real property tax credits on the increase to the property assessment:

City of College Park:	50 percent for five years or a 75 percent for five years
Prince George's County:	75 percent for five years

The intent of the higher RISE Zone tax credits is to attract technology investment to these specific parts of the RISE Zone. The proposed tax credits are significant and targeted. The RISE Zone incentives offered by the State, County, municipalities, and University should lead to new investment that would not occur otherwise.

Councilmember Cook asked, on behalf of a resident, "What would preclude a business from leaving after five years?"

Mr. Gardiner stated that there is no legislation that will preclude a business from leaving the City after five years. The tax credit is only in effect for five years so after that date, the City will begin to tax it at full value.

Comments From The Audience:

David Engle, 4103 Metzertott Road: Came to UMD in 2011 to thrive in entrepreneurship (Start-up Village). He graduated in May 2016 and decided to stay to build his businesses. Mr. Engle supports the idea of collaborating through the RISE Zone and foster innovation.

Eric Golman, 4103 Metzertott Road: Mr. Golman recently won the Kevin Plank Underarmour Cupid Cup competition for his business "Javaend" (coffee and tea), and he was successful through the sense of community in College Park. Mr. Golman supports the RISE Zone program.

Councilmember Cook stated that that the RISE Zone doesn't support food and clothing businesses and asked Mr. Engle how he felt about it? Mr. Engle stated that every company helps each other and may not directly benefit from the tax incentives, but will benefit from the community itself.

Mayor Wojahn asked Mr. Gardiner to clarify which type of businesses qualify as technology.

Mr. Gardiner stated that if a new building was constructed that housed Javasend warehouse and operations, and that new building was in the RISE Zone, it would be eligible for the minimum tax credit. If it was high tech, it would be eligible for the higher level.

David Dorsch, 4607 Calvert Road (PGPOA): PGPOA supports the RISE Zone program.

Oscar Gregory, 9253 Limestone Place: Mr. Gregory is against the RISE Zone program moving forward; feels that there should be more discussion with all residents. Homeowners pay association dues to cover services that benefit the community. Since 1997, the highest source of

funds comes from the City's homeowner property taxes. The second highest comes from income taxes. Most of these funds do not benefit the residents or their neighborhoods, but rather commercial property. Businesses are now being offered even more benefits and receive the same service as the resident and the residents don't get a tax break

Edward Lynch, 3530 Marlborough Way: Mr. Lynch asked who owns the land in the area of discussion and asked if the University of Maryland will continue to retain the fee on the land that they own. Mr. Lynch stated that he is not comfortable with the 75% tax break.

Mayor Wojahn stated that the land classification varies in this large zone and has a various owners.

Public Hearing concluded at 9:29 p.m.

CONSENT AGENDA:

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

16-G-55 Approval of Minutes from the April 12, 2016 Regular Meeting

The motion passed 8 – 0 – 0.

ACTION ITEMS:

16-G-56 Approval, with conditions, of DSP-12030 for Pregnancy Aid Center

A motion was made by Councilmember Kabir and seconded by Councilmember Nagle to support the Pregnancy Aid Center Detailed Site Plan #12030 as follows:

- 1. Approval of modifications to the development district standards to allow for a 1-story building and lower ceiling height, to allow for zero building frontage build-out along Erie Street and 48th Avenue, to allow for variable building setbacks, to eliminate interior parking lot landscaping, to increase the number of parking spaces, to allow a lesser parking lot setback and to not provide for any streetscape amenities along any street frontage at this time.**
- 2. Approval of the departure to reduce the driveway width to less than 22 feet.**
- 3. Approval of the site plan subject to the following conditions:
Prior to certification, including review by City staff, the applicant shall revise the site plan as follows:**
 - A. Move the Parking Lot Light Pole, identified as Pole 1, at least 15 feet to the west to lessen light spillage to the residences located along the south side of Erie Street. The intent is to reduce illumination from 2.3 foot-candles in this area to as close to 0.0 foot-candles at the property line as is reasonably possible.**

- B. Correct the Parking Schedule on Sheet 1 to reflect net office space rather than gross square footage.**
- C. Add an additional bicycle parking space for a total of 8 bicycle parking spaces to meet the Sector Plan requirements.**
- D. Add a note denying access from Route 1 to the property.**
- E. Correct the Architectural Elevation labels on PE-1 and PE-2.**
- F. Indicate that fencing along Erie Street shall be metal or wood picket but not chain-link and replaced upon the applicant's receipt of public grant funds for beautification of the streetscape along Erie Street. The applicant shall make replacement of the existing fence along Erie Street a priority upon receipt of any such public grant funds.**

No comments from the audience.

The motion passed 8 – 0 – 0.

16-G-16 Request by the University of Maryland to rename Paint Branch Parkway to Campus Drive

Bill Gardiner, Assistant City Manager, explained that the University of Maryland has asked the City Council to support their request to Prince George's County to rename Paint Branch Parkway to Campus Drive. Paint Branch Parkway extends 1.6 miles between the intersection of Baltimore Avenue at Campus Drive and Kenilworth Avenue at Good Luck Road. Re-naming this section Campus Drive will improve wayfinding to the University from Kenilworth Avenue.

Council discussed this request during Worksessions in February and April. During the Council Worksession on April 19, University officials offered to request the appropriate department research the connection between Paint Branch and indigenous people in this area.

A motion was made by Councilmember Day and seconded by Councilmember Stullich to support changing the name of Paint Branch Parkway to Campus Drive, and to authorize the Mayor to sign and send a letter stating the Council's support for the new name to Prince George's County Executive Rushern Baker and Maryland National Capital Park and Planning Commission Chair, Elizabeth Hewlett.

Councilmember Day stated that the name change has been discussed on several occasions and all businesses in the area are in approval of the road name change.

Comments from the audience:

David Dorsch 4607 Calvert Road stated that this street name change is not necessary. The name change will not help people locate the University of Maryland. We must also consider the cost of changing all maps and gps systems.

Councilmember Stullich stated she will support this motion. She queried District 3 residents and out of 49 responses, 32 constituents supported the name change (14 opposed and 3 were unclear). Councilmember Stullich asked that the University of Maryland and the City conduct research on the Native American heritage in this area and find an alternative way to honor and recognize their heritage.

Councilmember Day stated that Paint Branch Parkway is a county road, not a city road.

Councilmember Brennan stated that there are mixed reviews from District 2 residents. He respects both sides of the discussion and understands both perspectives. On one hand people have grown attached to the name, but understand the University's benefit and stake in changing the name. If the name is changed, hopefully the City and the University can partner to have the graffiti removed along the sound barrier.

Councilmember Kabir stated that there were only a few comments from District 1 residents regarding the road name change. The road name change may help alleviate cars from Route 1 and requested that the University of Maryland preserve the area heritage.

Councilmember Dennis stated his district and neighborhood is adjacent to Paint Branch Parkway and hopes that the name "Paint Branch" can be connected to the geographical area and that the indigenous people can be recognized.

Councilmember Cook stated that District 4 residents were queried and the majority was not in favor of changing the name.

The motion passed 7 – 0 – 1 (Councilmember Cook abstained.)

16-R-10 Resolution for the purpose of approving the City's participation in the Greater College Park RISE Zone Application

Bill Gardiner, Assistant City Manager, gave a brief overview of the RISE Zone application. In order for the City to participate in the RISE Zone application, we must do the following:

1. Hold a public hearing on the application (which was completed earlier this evening)
2. Pass a resolution approving the City's real property tax credit for qualified businesses for each year of the five-year term of the RISE Zone.
3. Provide a statement from the Planning Department that the boundaries of the proposed RISE Zone do not overlap a development district established under the Economic Development Article, Title 12, Subtitle 2, Annotated Code of Maryland, or a special taxing district established under the Local Government Article, Title 21, Annotated Code of Maryland.
4. Approve the application, which includes the Zone goals, the types of businesses / industry sectors eligible for the incentives, the boundaries of the Zone, and anticipated development in the Zone.

A motion was made by Councilmember Day and seconded by Councilmember Brennan to adopt Resolution 16-R-10, which authorizes the City's participation in the Grater College Park RISE Zone as generally described in the attached application, and sets the minimum real property tax credit level for certain commercial and industrial development, and establishes a five-year 75% credit for certain high technology business in the Innovation District and the Research Park.

Councilmember Day stated that the City will see profits and benefits in the long term and feels that the City should match the County.

Councilmember Nagle thanked all who testified and sent in written comments. Ms. Nagle stated that this is a good opportunity to bring new business to the City and find innovative energy for new ideals and creative ventures. Hopefully the new businesses will stay in the City after the five years which may potentially reduce personal property taxes in the future. Councilmember Nagle personally prefers a 50% tax credit for high technology business, but will support the 75% if that is what her colleagues will pursue tonight.

Councilmember Kujawa will also support the 75% tax credit for high technology if this is what the majority of her colleagues want. Suggested that all pertinent information is relayed to the residents sooner as this increase was recently made available.

Councilmember Cook stated that we shouldn't restrict this zone to limited types of business that will be allowed to get the tax credits. She will not vote in favor of this motion.

Councilmember Stulich stated that she will support the motion as stated. She further stated that it is difficult to attract high quality business to College Park and this tax credit should help revitalize the area.

Councilmember Brennan noted that business do not get the same services as City residents such as trash pick-up; businesses are responsible for their own trash services. We need to have a downtown identity and feels that the City should match the County's contribution. This will create a bright future for our innovated district and the Route 1 Corridor.

A motion was made by Councilmember Kabir and seconded by Councilmember Nagle to amend the original motion to adopt Resolution 16-R-10, which authorizes the City's participation in the Grater College Park RISE Zone as generally described in the attached application, and sets the minimum real property tax credit level for certain commercial and industrial development, and establishes a five-year 50% credit for certain high technology business in the Innovation District and the Research Park.

No comments from the audience.

Councilmember Nagle will support the 75% credit, but would prefer to start with the 50% tax credit. A 50% tax credit will also attract new business/development.

Councilmember Stulich stated that she would prefer to start off with the 75% credit. If we need to lower the tax credit, it can be done in the future.

Councilmember Brennan stated that we should start with the 75% credit. This tax credit does not guarantee that we are going to attract any businesses and we must put our best foot forward now and tell these businesses we want them in College Park. We can't afford to lose any more of the great talent coming from the University of Maryland to go to the surrounding areas. If we need to lower the tax credit or remove it completely in the future, we can do so.

Councilmember Day will support the 75% credit. We need to think of the future of our growth and expansion and continue to work with the County and University of Maryland.

Bill Gardiner, Assistant City Manager, stated the State Resolution requires a tax credit level be set for a five year period. After the five year program, we can reapply to extend the program.

Roll Call Vote on the Amendment:

Aye: Cook and Kabir

Nay: Kujawa, Day, Stullich, Dennis, Brennan, Nagle

The amendment failed 2 – 6- 0.

Roll Call Vote on the Main Motion:

Aye: Kabir, Nagle, Brennan, Dennis, Stullich, Day, Kujawa

Nay: Cook

The main motion passed 7 – 1 – 0.

16-O-02 Introduction of the FY 2017 Budget Ordinance.

Steve Groh, Director of Finance gave an overview of Ordinance 16-O-02.

A motion was made by Councilmember Nagle and seconded by Councilmember Dennis to introduce Ordinance 16-O-02, an Ordinance of the Mayor and Council of the City of College Park, Maryland to adopt the Fiscal Year 2017 Operating and Capital budget of the City of College Park Maryland.

The Public Hearing will be held on May 10, 2016 at 7:30 p.m. in the Council Chambers

16-G-58 Appointments to Boards and Committees

A motion was made by Councilmember Kabir and seconded by Councilmember Dennis to reappoint David Turley to the Animal Welfare Committee, Harry Pitt to the Noise Control Board and to appoint David Toledo to the Education Advisory Committee and Recreation Board. The motion passed 8 – 0 – 0.

Mayor and Councilmember Reports/Comments:

Councilmember Brennan announced that Friday will be the last day to enter the “Litter Logo” competition. Please submit your logo by Saturday, April 30.

Student Liaison’s Report: Mr. Holocker reported that Katherine Swanson was elected as the next Student Government Association President.

City Manager’s Report/Comments: Mr. Gardiner apologized for the delay in live airing of the meeting tonight.

ADJOURN: A motion was made by Councilmember Nagle and seconded by Councilmember Day to adjourn the meeting and go into a Closed Session. With a vote of 8 – 0 – 0, Mayor Wojahn adjourned the meeting at 10:45 p.m.

Jameen S. Miller *7/12/2016*
For Yvette T. Allen, CMC Date
Assistant City Clerk Approved

Pursuant to §C6-3 of the College Park City Charter, at 10:45 p.m. on April 25, 2016 a motion was made by Councilmember Nagle and seconded by Councilmember Day to enter into a Closed Session to conduct collective bargaining negotiations or consider matters that relate to the negotiations. The motion passed 8 – 0 – 0 and the Council entered into the closed session at 10:45 p.m.

PRESENT: Mayor Wojahn; Councilmembers Kabir, Nagle, Brennan, Dennis, Stullich, Day, Cook and Kujawa.

Also Present: Scott Somers, City Manager (by phone); Bill Gardiner, Assistant City Manager; Suellen Ferguson, City Attorney; Jill Clements, Director of Human Resources

Topics Discussed: Discussion on the collective bargaining negotiations.

Actions Taken: None.

Adjourn: A motion was made by Councilmember Stullich and seconded by Councilmember Brennan to adjourn the closed session. With a vote of 8 – 0 – 0, Mayor Wojahn adjourned the closed session at 10:55 p.m.