MEETING OF

UNIVERSITY PARK MAYOR AND COMMON COUNCIL
UNIVERSITY PARK ELEMENTARY SCHOOL
4315 UNDERWOOD STREET
7:30 P.M.

March 1, 2010
REGULAR SESSION

1. CALL TO ORDER: Mayor Tabori

Present: Ms. Toscano, Mr. Carey, Ms. Mallino, Ms. O'Connor, Mr. Lucas, Ms. Bradley Chacón
Excused: Ms. McPherson
Absent: None

2. PLEDGE OF ALLEGIANCE was led by Mr. Lucas

3. APPROVAL OF THE AGENDA

Ms. Mallino moved to change item 8B to continuing business, to become item 7D.

Moved by: Ms. O'Connor **Seconded by:** Ms. Toscano
Yea: 6 **Nay:** 0 **Abstain:** 0

4. APPROVAL OF MINUTES: *Special Meeting February 9, 2010 Meeting*

Moved by: Mr. Lucas **Seconded by:** Ms. Toscano
Yea: 6 **Nay:** 0 **Abstain:** 0

February 22, 2010 Meeting

Moved by: Ms. Mallino **Seconded by:** Ms. Toscano
Yea: 6 **Nay:** 0 **Abstain:** 0

5. PUBLIC COMMENT

No public comment.

6. DEPARTMENT REPORTS

A. MAYOR'S REPORT- Mayor John Rogard Tabori

Mayor Tabori and Attorney Ferguson have not had a chance to meet to prepare the Belcrest Plaza appeal letter. Mayor Tabori said that he would testify against the appointment of Mr. David Byrd as the head of the Parks and Planning Commission. Mayor Tabori objects to this appointment on the grounds of process and procedure. Ms. Mallino proposed a motion from Council endorsing Mayor Tabori's testimony before the County Council in opposition to the appointment process.

Motion: To approve the Mayor's testimony before the County Council in opposition to the current process of appointing a new head of the Parks and Planning Commission.

Moved by: Ms. Mallino **Seconded by:** Mr. Carey
Yea: 6 **Nay:** 0 **Abstain:** 0

Ms. Bradley Chacón asked Mayor Tabori what he meant when he said that if the Byrd appointment stands, there would be no reconsideration for zoning issues affecting the Town. Mayor Tabori explained his concerns in more detail.

Mayor Tabori distributed the February 2010 Snow Storm Cost Breakdown report, which is included in these minutes as **Attachment 6A**. He said that his general understanding of the Federal Emergency Management Agency (FEMA) policy for disaster declarations is that towns will be able to identify a 48 hour window of expenses, and then be reimbursed for 75% of those expenses. Mayor Tabori expressed his thanks to Schummer, Inc. for responding promptly and with extremely competitive rates for heavy equipment operations to finish clearing the Town roads of snow and ice. Mr. Carey asked how the work performed by Schummer was directed. Mayor Tabori said that Schummer was directed by Town Hall to clear storm drains, intersections, and parts of some streets around University Park. Mr. Carey asked about sidewalk clearance. Mayor Tabori said that University Park's ordinances do not allow Town Hall to ticket households. This right is reserved to the County. Mayor Tabori said that along Tennyson, where there was an absolute necessity for public safety, the Public Works Department staff cleared sidewalks and the residents will be billed for this expense as part of their tax bill. Ms. Bradley Chacón and Ms. Mallino discussed this issue; this topic falls within the scope of Ms. McPherson's Committee on Public Safety.

B. REPORT ON POLICE DEPARTMENT ACTIVITIES- Chief Michael Wynnyk

Chief Wynnyk distributed a handout of the February Crime Statistics report, which is included in these minutes as **Attachment 6B**.

Chief Wynnyk said he is still working on the paperwork and process for purchasing the new police radios. Mr. Carey and other Council members raised questions about how the Town responded to the snow storm events. Chief Wynnyk said that the Town's Emergency Plan is reviewed annually and signed by the Mayor. The Plan's current approach for ensuring resident

safety is for residents to shelter in place. Council members discussed the sidewalk snow clearing issue with Chief Wynnyk.

7. CONTINUING BUSINESS

A. UPDATE AND POSSIBLE REVIEW OF BELCREST APPEAL LETTER

Mayor Tabori said that he and Attorney Ferguson have not had the opportunity to work on this letter. It is not due to be submitted until March 11.

B. INTER-MUNICIPAL STREAM COMMITTEE MOU

(To be considered at March 15, 2010 meeting)

C. SUPPORT FOR SCHOOLS AND NON-GOVERNMENTAL ORGANIZATIONS SERVING UNIVERSITY PARK

Motion: To approve/disapprove a request that the Mayor, in consultation with the Council Committee on Policy and Rules, propose and recommend for Council approval prior to March 31, a policy and procedure to guide Town of University Park fiscal and other support for the activities of Public Schools and non-governmental organizations serving the youth and residents of University Park.

(No vote was taken on this motion)

Ms. Mallino moved that there be a substitute motion to Mr. Carey's motion. Mayor Tabori added that he proposed grouping the grants under a budget line item, including both revenue grants and spending grants. Council members discussed the general terms of the proposal and potential framework.

Motion: To approve the Policy and Rules Committee develop and recommend for Council consideration a policy that directs Town corporate contributions and endorsement of activities that enhance the public welfare and quality of life for the residents of University Park and the report emanating from this Committee will occur after the formal presentation of the Mayor's fiscal year 2011 budget.

Moved by: Ms. Mallino **Seconded by:** Ms. Toscano
Yea: 6 **Nay:** 0 **Abstain:** 0

Mr. Lucas raised the point about attendance to the District Council on March 11, in terms of the hearing about the Belcrest Plaza appeal. Mayor Tabori indicated that the District Council has 30 days to review the letter, and then will set a date for a public hearing. There is a 90-day period to conclude the appeal and issue a position. Council members discussed how to engage residents to

come to the meeting to raise the issues and concerns that will significantly affect the quality of life in University Park. The legislators on the District Council are much more concerned and attentive about in-person public comments by residents than by an email or letter.

D. LEGISLATIVE RESOLUTION 10-0-05 *Introduction* LUP Request For UP Grant

Motion: To approve/disapprove the Introduction of LR 10-0-05: Request from Lewisdale-University Park Boys and Girls Club for a grant of $12,000 from the Town.

(No vote was taken on this motion)

Ms. Bradley Chacón proposed a substitute motion to Mr. Carey's motion.

Motion: To further defer discussion and consideration of all future funding request[s] until the Council has developed its 2011 budget and has had an opportunity to meet and discuss future community funding requests.

Moved by: Ms. Bradley Chacón **Seconded by:** Ms. Lucas
(No vote was taken on this motion)

Ms. O'Connor recommended a compromise solution between Mr. Carey's and Ms. Bradley Chacón's motions, to grant some funds to the Lewisdale-University Park Boys and Girls Club (LUPBGC) now, as spring is nearly here and athletic activities will be starting up.

Mr. Lucas said he still had many unanswered questions about the request. He raised the point that club uses the Town field and the Town funds the cost of field maintenance. Mr. Lucas noted that during his time on Council, the LUPBGC had previously requested a veranda, and is now having funding issues. Mr. Heitkemper said the veranda request was from the Civic Association, or some other organization, not LUPBGC.

Mr. Heitkemper raised concerns about the agenda being switched, between last week's Council meeting and tonight's meeting. Mayor Tabori clarified the process for considering and voting on motions, and for preparing and approving the budget, for Mr. Heitkemper and the Council. Ms. Toscano raised the point that University Park already contributes to Parks and Planning and University Park allows the LUPBGC to use the Town fields without imposing a fee. Ms. Toscano and Mr. Heitkemper discussed this point.

Motion: To approve the Introduction of LR 10-0-05: Request from Lewisdale-University Park Boys and Girls Club for a grant of $2,000 from the Town.

Moved by: Mr. O'Connor **Seconded by:** Mr. Carey

Roll Call Vote:	Mallino	Nay
	Lucas	Nay
	McPherson	Excused
	Carey	Yea
	Toscano	Nay
	O'Connor	Yea
	Bradley Chacón	Yea
Yea: 3	**Nay:** 3	**Abstain:** 0

Motion carries, as Mayor Tabori voted Yea as the tiebreaker.

Ms. Bradley Chacón explained her difficulty in assessing the grant request without a context and criteria. Ms. O'Connor raised her point in favor of the motion to ensure that children in the community are supported and get outside away from video games.

Mayor Tabori explained that he voted yea, on the basis that this motion should be considered by the full Council. He voted in favor to allow the motion to move forward. The ordinance will need to be advertised for 20 days, so the earliest a Council vote could be taken is in April.

E. UPDATE ON COLLEGE HEIGHTS ESTATES HISTORIC DISTRICT

Mayor Tabori reported on the meeting sponsored last week by County Councilmember Eric Olson. Attendees included Mr. Peter Kurtz from the State Historic District, two members of the Prince George's County Historic District staff, Mr. Blunk and Ms. Silverberg from the College Heights Estates Association (CHEA), Ms. Toscano, Mayor Tabori, and Attorney Ferguson. Mr. Olson's legislative aide, Ms. Dannielle Glaros, chaired the meeting.

Mayor Tabori said there were two critical highlights to the meeting. If University Park continues to object to the historic designation, Mr. Kurtz said the College Heights Historic District designation would not move forward. The second part of the discussion was if University Park would consider extending our current historic district to include Ward 6 and 7. The state and local representatives in attendance said they could support that position. Mayor Tabori said that the national historic registration process extends the possibility of tax advantages to homeowners. The local designation applies restrictions to local zoning even if the homeowners do not seek tax advantages. Mayor Tabori said his time limit for looking at the compromise position of extending the University Park historic designation was July 1.

Ms. O'Connor said that she was opposed to Ward 6 becoming a Historic District. Ms. Bradley Chacón said there could be benefits from such a designation. Ms. Toscano explained that Mayor Tabori's and Attorney Ferguson's presentation eloquently spoke to the formal and historical records arguing in favor of excluding University Park from coming under CHEA's CHHD designation. The Overarching Historic District of University Park is the alternative name being proposed. Mr. Lucas spoke in favor of the national historic designation as well. Ms. Mallino pointed out that the national program supports mechanical improvements in the home, like energy efficient furnaces.

Mayor Tabori noted that University Park's 75th Anniversary is in 2011. Mayor Tabori asked for Council's permission to consider the issue further.

Motion: To approve the Mayor's request to consider exploring the options for University Park under the National Historic District designation.

Moved by: Ms. Mallino **Seconded by:** Mr. Lucas
Yea: 6 **Nay:** 0 **Abstain:** 0

F. UPDATE ON STORM FINANCES AND POSSIBLE MOTION

(To be considered at March 15, 2010 meeting)

8. NEW BUSINESS

A. APPLICATION TO CONSTRUCT DECK (Mannix, 4406 Sheridan Street) Ward 1

Motion: To approve the construction of a 12'x 23' wood deck with steps on Lot 9, Block 2, Section 1 at 4406 Sheridan Street.

Moved by: Ms. Mallino **Seconded by:** Ms. Bradley Chacón
Yea: 6 **Nay:** 0 **Abstain:** 0

Ms. O'Connor recommended that permit requests be handled on the agenda after Public Comments, for the convenience and consideration of the residents seeking permits. The Council members agree this was a good idea and asked Mayor Tabori to adjust future agendas accordingly.

B. STATE OF MARYLAND ENERGY GRANT

Motion: To approve to authorize the Mayor to sign the documents necessary to accept an energy grant award from the State of Maryland in the amount of $13,000 on behalf of the Town of University Park.

Moved by: Ms. Mallino **Seconded by:** Mr. Carey
Yea: 6 **Nay:** 0 **Abstain:** 0

Ms. Mallino asked Mayor Tabori if he had done any pricing yet on the items that would be included under this grant. Mayor Tabori said that he had one formal bid, for $13,000, for an energy efficient heating system with three separate zone controls.

9. ADJOURNMENT at 10:10 p.m.

Submitted by: _____
John Rogard Tabori
Mayor

APPENDIX 6A. FEBRUARY 2010 SNOW STORMS COST BREAKDOWN

Public Works Overtime	$21,000
Emergency Tree Removal	$ 7,700
Non-Emergency Tree & Debris Removal	$ 5,500
Contracting Snow Removal Services	$10,700
Salt & Incidentals	$ 1,700
	$46,600
Dump Truck & Plow (4'x10')	$13,326

APPENDIX 6B. REPORT ON POLICE DEPARTMENT ACTIVITIES

Police Information
Crime Statistics (February 1st-28th) 2010

Ward 1

Theft from Auto- On February 1, 2010 at 3:30pm in the 4300 block of Sheridan St., suspect/s entered an unlocked 2001 Toyota Corolla and stole a backpack containing an I-Pod, a GPS unit, headphones and some clothing items. No suspect/s was located. The investigation is on-going.

Ward 2

Breaking & Entering– On February 22, 2010 between the hours of 6:30 am and 6:40pm, on the 6400 block of Adelphi Rd. the homeowner arrived home and found the rear sliding door had been left open and property removed from the home. Suspect/s stole an Acer laptop computer and a small amount of cash. Resident advised that the rear door was left unlocked. The UPPD searched the area for suspect/s and witnesses. Investigation is on-going.

Ward 3

Ward 4

Ward 5

Ward 6

Theft from Auto- On February 10, 2010 at 3:30am in the 6700 block of Wells Parkway, suspects entered an unlocked 1999 Land Rover and stole a Tom-Tom GPS unit. Two suspects had been observed looking into the vehicle and the police were notified. The suspects were not located. The investigation is on-going.

Ward 7

**Anyone with tips regarding crimes committed in University Park is encouraged to contact the UPPD. All information will be kept confidential.