



**MEETING OF
UNIVERSITY PARK MAYOR AND COMMON COUNCIL
UNIVERSITY PARK ELEMENTARY SCHOOL
4315 UNDERWOOD STREET
7:30 PM**

**October 3, 2011
REGULAR SESSION**

1. CALL TO ORDER: Mayor Tabori at 7:33 pm

Present: Mr. Carey, Mr. Cron, Mr. Gekas, Ms. McPherson, Ms. Toscano, Ms. Bradley Chacón
Excused: None
Absent: None

2. PLEDGE OF ALLEGIANCE was led by Ms. McPherson

3. APPROVAL OF THE AGENDA

Moved by: Ms. Toscano
Yea: 6

Seconded by: Mr. Carey
Nay: 0 **Abstain:** 0

4. APPROVAL OF MINUTES: *September 19, 2011 Meeting*

Moved by: Ms. Toscano
Yea: 6

Seconded by: Mr. Gekas
Nay: 0 **Abstain:** 0

5. PUBLIC COMMENT

Mr. Robert Parker, President of the University Park Civic Association, let the Council and the Mayor know that the annual Chili Cook-off date had been set for October 22, 2011.

Mr. Burrows clarified that his scoff in the newsletter was at the notion that the MARC train may not play heavily into alleviating the vehicular traffic on U.S. Route 1. He noted that the Camden line is a commuter rail, but does not run on the weekends.

6. PRESENTATION OF PRINCE GEORGE'S COUNTY BEAUTIFICATION AWARDS

Former Mayor John Brunner made the presentations to Mr. and Mrs. Dylla and (in absentia) Mr. and Mrs. Stickles.

7. PERMITS

A. APPLICATION TO REPLACE 3 WINDOWS; ADD 2 WINDOWS, REMOVE ONE DOOR, REPLACE WINDOWS WITH FRENCH DOORS; REPLACE PICTURE WINDOW WITH DOUBLE HUNG WINDOWS (Roy and Ruth Alvarez, 4103 Van Buren Street) Ward 7

Motion: To approve the remodeling project to replace three windows; add two new windows on the 2nd floor; remove one door on the 1st floor; replace two windows with French doors and replace a picture window with double hung windows on the 1st floor located on Lot 3, Block 32, Section No. 3 at 4103 Van Buren Street.

Moved by: Mr. Cron
Yea: 6

Seconded by: Ms. Bradley Chacón
Nay: 0 **Abstain:** 0

B. APPLICATION TO INSTALL AN 8' X 12' CEDAR STORAGE SHED (Holly Brewer/Roland Stephen, 3806 Calverton Drive) Ward 7

Motion: To approve to install of an 8' x 10' cedar storage shed on Lot 4, Block No. 44, Plat No. 6 at 3806 Calverton Drive.

Moved by: Ms. Bradley Chacón
Yea: 6

Seconded by: Ms. McPherson
Nay: 0 **Abstain:** 0

C. THE TOWN OF UNIVERSITY PARK 75TH ANNIVERSARY GRAND CELEBRATION ON OCTOBER 9, 2011; STREET CLOSURES, PARKING RESTRICTIONS, LIVE MUSIC/ENTERTAINMENT, MERCHANDISE AND FOOD VENDORS

Mr. Lucas praised the work of the 75th Anniversary Committee, in particular Ms. Sarah Mosely and Ms. Beth Domingo. Mayor Tabori thanked Ms. Moseley and all the contributors who volunteered to support the committee. He commended their efforts and noted that the event will have a wonderful effect on the community.

Motion: To approve closing Queens Chapel Road on October 9, 2011 from 10:00am to 5:00pm; to restrict parking on 40th Avenue from Tennyson Road to Queens Chapel and Sheridan Street to 43rd Avenue; live music by the Cotillion Band, Dear Creek Band, UMD Marching Band, live performances; and the sale of merchandise and food

Moved by: Mr. Carey

Seconded by: Mr. Gekas

Yea: 6

Nay: 0

Abstain: 0

D. BLOCK PARTY, WARD 6

Motion: To approve closing Underwood Street from 40th Street to 41st Street for a block party in Ward 6 and Ward 7 on Sunday, October 30; set-up begins at noon; the event will be held from 1:30 pm to 4 pm; and clean up ends at 5 pm.

Moved by: Mr. Cron

Yea: 6

Seconded by: Ms. Bradley Chacón

Nay: 0

Abstain: 0

8. DEPARTMENT REPORTS

A. MAYOR'S REPORT- Mayor John Rogard Tabori

Mayor Tabori said that Prince George's Plaza owners are considering forming a committee to develop their community in a positive manner with respect to University Park. Mayor Tabori and Hyattsville representatives attended a meeting this morning with the owners' representatives. Mayor Tabori said that there are discussions about improved pedestrian access and a commuter/circulator bus.

Mayor Tabori said that the most recent Cafritz presentation was to the Riverdale Park community. Mayor Tabori and Ms. Toscano attended the meeting. The development team presented a much more complete design at the Riverdale Park meeting. Mayor Tabori reiterated his concerns about MUTC zoning and the related processes around that designation. The MUTC design requirements would require the buildings to be placed directly onto U.S. Route 1. This would not provide any buffering or green space between University Park and the commercial buildings. This design approach may also create problems for Whole Foods.

Mayor Tabori said that both University Park and Riverdale Park have concerns about putting residential and apartment buildings directly adjacent to the railroad tracks. This creates an isolated community and may make the dwellings less desirable.

Riverdale Park has opened the discussion about using Maryland Avenue as an access point onto the Cafritz property.

Mayor Tabori proposed an executive session this evening, to discuss the letter from the Town of University Park to the Cafritz development team.

Mr. Burrows asked if there had been any discussion of financial revenue sharing between Riverdale Park and University Park, due to the impact of the development on University Park's police department first responder commitments. Mayor Tabori said the issue has been raised to Riverdale Park's mayor and council members, County representatives, Prince George's County representatives, and the Cafritz developers. Mayor Tabori added that the streets will eventually become the responsibility of either the County or Riverdale Park.

Motion: To approve moving \$5000 from undesignated unreserved funds to fund an

economic development market study for the immediate area, if two or more other parties also participate.

Moved by: Mr. Carey
Yea: 6

Seconded by: Ms. Toscano
Nay: 0 **Abstain:** 0

Mayor Tabori said that the question to join in the economic development study was being considered at the College Park Council meeting on October 4, 2011. Mayor Tabori clarified that to date, only three market studies have been performed. Hyattsville conducted a study in 2006 that focused on their restaurant district. The Cafritz developers conducted a study in 2007 to look at the retail mix in the area, including restaurants and grocery stores. In 2008 Hyattsville conducted a follow-up to their original study, which indicated that the immediate area was now at saturation point for restaurants. The stuffy that Mayor Tabori advocated conducting would look at specialty grocery stores, which were not considered as an independent category when the previous studies were conducted.

Mr. Paul Essex, a resident of Woodberry Street, asked why the Council was emphasizing economic studies when University Park has no commercial district. Mayor Tabori said that the Town is located between the two largest commercial developments in Prince George's County – Prince George's Plaza and the U.S. Route 1 corridor. The Town needs sufficient information to determine how development will impact staffing. The impact on Town resources may be such a burden that the Town would have the basis to pursue revenue sharing with the developers.

Mr. Peter Ripley, a resident of Pineway, asked who is being considered to conduct this study. Mr. Eisenberg replied that Bowlen Smart is organization that would carry out the study.

Ms. Linda Verrill, a resident of Ward 4, focused her questions on the CSX railroad crossing. She recommended that the CSX crossing be put in place during Phase 1 of the Cafritz development.

Mayor Tabori mentioned the two bills that Delegate Eric Olson has introduced to the District Council. He asked the Town Council to allow him to write a letter in support of the bills, if the Council so agreed.

Motion: To approve writing a letter in support of bills introduced by Delegate Olson, to be available for review by the Town Council by October 7, and to be submitted to the District Council by October 11, 2011.

Moved by: Mr. Carey
Yea: 6

Seconded by: Mr. Cron
Nay: 0 **Abstain:** 0

B. REPORT ON STEP-UP ENERGY GRANT ACTIVITIES – Chuck Wilson

Mr. Wilson was excused from reporting at this meeting, due to the crowded calendar.

C. REPORT ON PUBLIC WORKS DEPARTMENT ACTIVITIES – Michael Beall

Mr. Beall was excused from reporting at this meeting, due to the crowded calendar.

9. CONTINUING BUSINESS

A. UPDATE ON BELCREST PLAZA/LANDY PROJECT

B. TOWN STREET REPAIR AND MAINTENANCE PLAN

Mayor Tabori said that a slow gas leak has been detected on Underwood Street. Washington Gas Light Company (WGL) is working to fix the problem.

C. 9-PONDS UPDATE

D. UPDATE ON CAFRITZ PROPERTY

E. CHARTER AMENDMENT 11-CR-02 TO REPEAL AND RE-ENACT ARTICLE III, "MAYOR AND COMMON COUNCIL", SECTION 301, "NUMBER, TERM OF OFFICE", AND SECTION 301 "MEETING OF MAYOR AND COUNCIL, AND ARTICLE V, "REGISTRATION, NOMINATIONS AND ELECTIONS", SECTION 504 "ELECTION" OF SAID CHARTER TO REMOVE TERM LIMITS FOR THE OFFICES OF MAYOR AND COUNCIL, AND TO CHANGE THE TERMS OF OFFICE SO THAT MAYOR AND COUNCIL ARE ALL ELECTED IN THE SAME YEAR WITH TWO YEAR TERMS BEGINNING JULY 1. *Not up for adoption earlier than November 2011*

Motion: To approve/disapprove Charter Amendment 11-CR-02 to repeal and re-enact Article III, "Mayor and Common Council", Section 301, "Number of Term of Office", and Section 304 "Meetings of Mayor and Council", and Article V, "Registration, Nomination, and Elections", Section 504 "Elections" of said Charter to remove term limits for the offices of Mayor and Council, and to change the terms of office so that Mayor and Council are all elected in the same year with two year terms beginning July 1.

Moved by:
Yea:

Seconded by:
Nay: **Abstain:**

**F. ORDINANCE 11-O-06 COMPENSATION OF MAYOR AND COUNCIL
*Not up for adoption earlier than November 2011***

Motion: To approve/disapprove Ordinance 11-O-06 to enact Article 1, Section 2-115 "Compensation of Mayor and Council" of Chapter 2 of the Code of Ordinances

to allow for compensation of Town officials elected in or after May, 2012.

Moved by:

Seconded by:

Yea:

Nay:

Abstain:

Mayor Tabori clarified that no vote will be taken on these motions until November 2011. Former Mayor Mr. Harold Freedman, a resident of Woodberry Street, said he is in favor of term limits as a way of forcing the Town residents to review who is sitting on the Council. He recommended that the Mayor and Council members serve two three year terms and the terms be staggered. Mr. Ed Lee, a town resident, raised several issues. Mr. Lee asked that Mr. Carey's omnibus motion be separated into individual motions. He said that he had conducted research and determined that term limits at the municipal level are a rarity. Mr. Carey said he agreed with separating the original language of the amendment into parts. Mr. Lee noted that having half of the Town vote every year, and having the other half of the Town vote every other year, was unfair. As a final point, Mr. Lee said that if the Town abolishes term limits, a recall capability should be added to the Charter.

Mr. Essex said he was for term limits and opposed to compensation for the Council members and the Mayor. Ms. Fletcher, a resident of Van Buren Street, was strongly opposed to compensation. Mr. Burrows said he looked forward to the hearings on the proposed charter amendments. He said he was in favor of some type of acknowledgement for the Council members and the Mayor. Mr. Dana Shea said he was concerned that the newsletter said a vote on the motion(s) could take place on October 17. He also favored separating the amendments. He was not in favor of term limits for the Mayor, and was in favor of keeping the current staggered elections.

After discussion between the Mayor and Council, Ms. Bradley Chacón made a motion.

Motion: To work with the Town Attorney to separate proposed Charter Amendment 11-CR-02 into three separate amendments, to hold a meeting of the Rules Committee and hold a public hearing before a vote on the proposed amendments, and to vote on the proposed amendments no earlier than November 17, 2011 and no later than the end of December, 2011.

Moved by: Ms. Bradley Chacón

Seconded by: Ms. McPherson

Yea: 4

Nay: 0

Abstain: 2 (Cron, Toscano)

G. MOTION TO ENTER EXECUTIVE SESSION

Motion: To adjourn the public meeting and enter into executive session to consider two matters: the letter to the Cafritz developers and a personnel matter.

Moved by: Mr. Carey

Seconded by: Ms. Toscano

Yea: 6

Nay: 0

Abstain: 0

10. ADJOURNMENT at 9:50 pm

11. EXECUTIVE SESSION

Submitted by: _____

John Rogard Tabori
Mayor