



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

**October 17, 2011
REGULAR SESSION**

1. CALL TO ORDER: Mayor Tabori at 7:35 pm

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

2. PLEDGE OF ALLEGIANCE was led by Mr. Cron

3. APPROVAL OF THE AGENDA

Moved by: Ms. Toscano
Yea: 5

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

4. APPROVAL OF MINUTES: *October 3, 2011 Meeting*

Corrections noted:

Correct the spelling for Mr. Burrow's name. 'Burroughs' is incorrect.

p. 6, first paragraph, line 8: Replace "...separating his original motion into parts" with
"...separating the original language of the amendment into parts"

Moved by: Mr. Cron
Yea: 5

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

5. PUBLIC COMMENT

Mr. Burrows, a Town resident, raised the concern that the pace of the meetings and hearings for the term limit and compensation discussions is so rapid that people who are not connected to the internet are excluded. He recommended that the Town send out a mailer.

Mr. Freedman brought several traffic issues to the Council's attention. He asked that a stop sign be installed at the intersection of Woodberry Street, College Heights Drive, and Clagett-Pineway to slow down the cars turning onto Clagett-Pineway from College Heights Drive. He also pointed out that there are no sidewalks on Pineway and College Heights Drive. The road is narrow and pedestrians are forced to walk in the street.

Mr. Lee also raised concerns about traffic signage. He said that he hoped the upcoming traffic survey would support additional signage along 40th Avenue and College Heights Drive. He noted that similar intersections have different traffic control signs.

6. PERMITS

A. APPLICATION TO INSTALL A KOHLER COMMAND PRO GENERATOR (Howland, 4318 Clagett Road) Ward 5

Motion: To approve the installation of a Kohler quiet operation house generator used to keep sump pump working during power outages; dimensions (L x W x H) In. 48 x 26.2 x 29 located on Lot: 13, Block: 26, Section No: 6-A at 4318 Clagett Road

Moved by: Ms. Toscano
Yea: 5

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

B. APPLICATION TO REPLACE THE EXISTING STORAGE SHED WITH A NEW 10' X 14' VINYL SIDED SHED (Konstantin Vinnikov, 6803 Forest Hill Drive) Ward 7

Motion: To approve replacing existing storage shed with a new 10'x14' vinyl shed located on Lot: 7, Block: 35, Section No. 7 at 6803 Forest Hill Drive

Moved by: Ms. Toscano
Yea: 5

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

C. APPLICATION TO EXPAND PATIO WITH AN 18" RETAINING WALL AND REPLACE BACK STEPS ONTO THE PATIO AND REPLACE EXISTING GATE (La Duca, Huelsnitz, 4120 Woodberry Street) Ward 7

Motion: To approve a patio expansion with an 18" retaining wall and replace back steps onto the patio and replace existing gate located on Lot: 3, Block: 30, at 4120 Woodberry Street

Moved by: Ms. Toscano

Seconded by: Mr. Gekas

Yea: 5

Nay: 0

Abstain: 0

D. APPLICATION TO REPLACE EXISTING BRICK RETAINING WALL WITH A NEW 30' LONG X 3.5' HIGH BRICK RETAINING WALL (Dougherty, 4205 Underwood Street) Ward 4

Motion: To approve replacing existing brick retaining wall with a new 30' long x 3.5' high brick retaining wall located on Lot: 9, Block: 31, Section: 7, at 4205 Underwood Street

Moved by: Ms. Toscano

Seconded by: Mr. Carey

Yea: 5

Nay: 0

Abstain: 0

E. APPLICATION TO SEND A LETTER OF SUPPORT FOR A WAIVER REQUEST TO REPAIR AND REPLACE AN EXISTING RETAINING WALL AND RAILING WHICH DOES NOT CONFORM TO ZONING ORDINANCE SECTION 27-420 (a) (Lippert, 6907 Forest Hill Drive) Ward 7

Motion: To approve a letter of support for a waiver of the fence/wall location for a retaining wall with a railing located on Lot 11, Block 42 at 6907 Forest Hill Drive

Moved by: Mr. Carey

Seconded by: Ms. McPherson

Yea: 5

Nay: 0

Abstain: 0

7. DEPARTMENT REPORTS

A. MAYOR'S REPORT- Mayor John Rogard Tabori

None; topics to be covered under other agenda items.

B. REPORT ON POLICE DEPARTMENT ACTIVITIES - Chief Wynnyk

Chief Wynnyk provided the April crime report, which is attached at the end of these minutes as **Appendix 7B**.

Chief Wynnyk said the 75th Anniversary Celebration was successful. He also reported that the Town had received a grant for \$8,000 for e-citation writing.

C. REPORT ON THE DEPARTMENT OF PUBLIC WORKS – Mickey Beall, Director

Mr. Beall reported that he and Mr. Baden attended a FEMA meeting to find out if the Town was eligible for reimbursements for expenses related to hurricane Irene and tropical storm

Lee. The Town may be eligible for funding.

Woodberry Street and College Heights Drive are the last two streets that will be paved this year, before winter sets in.

D. REPORT OF THE TOWN ATTORNEY - Suellen Ferguson

Nothing to report.

E. REPORT OF TOWN TREASURER - Dan Baden

Mr. Baden said the auditors have made minor changes to their audit findings. The Town audit report will be presented to the Council and the Mayor at the November 7 meeting.

8. CONTINUING BUSINESS

A. PRESENTATION ON SMARTGROWTH PRINCIPLES

Lynn Desautels, Ph.D.
Senior Policy Analyst
US EPA Office of Sustainable Communities Smart Growth Program

Dr. Desautels presented information and materials about approaches to smart growth. A key aspect of smart growth is preserving green space and reducing energy consumption by creating walkable, self-sufficient communities. The information in the presentation will be posted to the Town web site.

B. UPDATE ON CAFRITZ PROPERTY

Mayor Tabori said that the development team has formally submitted the request to develop the property to the Maryland-National Capital Parks and Planning Commission. The formal name of the request is "The Cafritz Property at Riverdale Park, A-10018".

Mr. Reed represented the development team in attendance at the Council meeting. He discussed the decision to request rezoning as a Mixed-Use Town Center (MUTC). This zoning designation was strongly recommended by Riverdale Park. He said the Cafritz owners are willing to commit to submitting the residential development plan to the District Council for the detailed site plan.

Mr. Gekas asked if the railroad track overpass would be shown in Phase 1. Mr. Reed said that it would not be.

Ms. McPherson questioned the decision to request MUTC zoning. Mr. Reed said that Riverdale Park insisted on this zoning type.

Mr. Carey discussed the possibility of a circulator bus to tie together the communities. Mayor Tabori and Mr. Reed discussed this in detail.

Mr. Reed said the grading for the entire site would take place during Phase I. Mr. Reed and the Council discussed concerns about massing buildings along U.S. Route 1 and transitioning the parking spaces as the property is built out. Mr. Reed showed on the presentation slides how the green strip would buffer the retail space from U.S. Route 1, and noted that there are plans to add a sculpture garden to the buffer strip. In some places this buffer space would be 90 feet wide or wider.

Town Attorney Ferguson asked Mr. Reed if the developer would agree to a reference to the railroad bridge overpass. Mr. Reed said he anticipates that a condition requiring an overpass would be put in place. Mayor Tabori asked how much traffic the railroad overpass would be expected to relieve. He also asked who controlled Rivertech Court, the road leading up the railroad tracks from the east. Mr. Reed said that Rivertech Court was a county road. Mayor Tabori asked about the plan for obtaining right-of-way permissions. Mr. Reed said that the discussion has begun with CSX for permission to cross the railroad tracks. University of Maryland, which owns the property the ERCO building sits on, will be approached in the next 30 days. Prince George's County will be approached once an engineering study is in place. Mr. Burrows asked when the hiker/biker trail would be built. Mr. Reed said the emphasis in Phase 1 would be on the retail space, so the hiker/biker trail would follow later.

Mayor Tabori expressed strong concerns about deferring the railroad bridge to a later phase of the development. He listed the implications for public safety access. Without a road network into the development, Van Buren Boulevard would be the only entrance into the community for police and fire/ambulance services.

C. UPDATE ON BELCREST PLAZA/LANDY PROJECT

This agenda item was not covered during the meeting.

D. TOWN STREET REPAIR AND MAINTENANCE PLAN

This agenda item was not covered during the meeting.

E. 9-PONDS UPDATE

This agenda item was not covered during the meeting.

F. 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 December 5, 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:

Seconded by:

Yea:

Nay:

Abstain:

G. ORDINANCE 11-O-06 COMPENSATION OF MAYOR AND COUNCIL

****Not up for adoption earlier than December 5, 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:

9. NEW BUSINESS

10. ADJOURNMENT at 10:15 p.m.

Submitted by: _____

**John Rogard Tabori
Mayor**

APPENDIX 7B. REPORT ON POLICE DEPARTMENT ACTIVITIES

Police Information

Crime Report (September 1st -30th) 2011

Ward 1

Theft from Auto- Between September 16, 2011 10:00pm and September 17, 2011 3:00pm in the 4300 block of Sheridan St. suspect/s broke the rear passenger side vent window of a 2002 Toyota, Corolla and stole a bike rack. No suspect/s was located. The investigation is on-going.

Ward 2

Ward 3

Theft from Auto- Between September 10, 2011 9:30pm and September 12, 2011 9:30am in the 6700 block of Queens Chapel Rd. suspect/s broke the rear passenger side vent window of a 2003 Honda, Accord and stole a GPS power cord and a roadside kit. No suspect/s was located. The investigation is on-going.

Ward 4

Theft from Auto- On September 12, 2011 between midnight and 8:00am in the 4200 block of Van Buren St. suspect/s entered a 1997 Honda, Civic and stole a JVC car radio. No suspect/s was located. The investigation is on-going.

Ward 5

Ward 6

Ward 7

Theft from Auto- On September 26, 2011 at 4:15am in the 4100 block of Woodberry St. suspect/s entered an unlocked 2003 Toyota, Corolla and stole coins from the console area of the vehicle. Two suspects were located and arrested on Wells Parkway. Case closed.

Theft from Auto- On September 26, 2011 at 4:28am in the 4200 block of Woodberry St. suspect/s entered an unlocked 2006 Honda, CVR and stole coins from the console area of the vehicle. Two suspects were located and arrested on Wells Parkway. Case closed.

**Anyone with tips regarding crimes committed in University Park is encouraged to contact the UPPD. All information will be kept confidential. Callers wishing to remain anonymous may call Crime Solvers at 1-866-411 TIPS (8477) OR text "PGPD plus your tip" to CRIMES (274637) on your cell phone OR go to <http://www.princegeorgescountymd.gov/police/> and submit a tip online.