



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

**January 23, 2012
REGULAR SESSION**

An Executive Session has been called to discuss personnel matters, tonight's Council meeting will begin at 7:00PM and close for Executive Session until approximately 7:30 PM at which time the Regular Legislative Session will resume, the meeting will re-open to the public.

**AN EXECUTIVE SESSION WILL BE CALLED TO DISCUSS MATTERS
CONCERNING PERSONNEL ISSUES**

Motion: To approve/disapprove closing the meeting to discuss matters concerning personnel issues

Moved by:
Yea:

Seconded by:
Nay:

Abstain:

1. CALL TO ORDER: Mayor Tabori at 7:30 pm

Present: Mr. Brosch, Mr. Gekas, Ms. McPherson, Mr. Carey, Mr. Cron, Ms. Bradley Chacón

Excused: None

Absent: None

2. PLEDGE OF ALLEGIANCE was let by Mr. Gekas

3. APPROVAL OF THE AGENDA

Moved by: Ms. McPherson
Yea: 6

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

4. APPROVAL OF MINUTES: *January 9, 2012*

Approval of the minutes for January 9, 2012 was held in abeyance until Council Member Brosch has the opportunity to review them. He did not receive an review packet in advance of this evening's meeting

5. PUBLIC COMMENT

A. Azalea Classic ~ Sarah Elder

Ms. Elder addressed the Council and the Mayor. The upcoming Azalea Classic will be held on April 21, 2012. She thanked the Council and the Mayor and the University Park Elementary School administration for their continued support of the event. The entrance fee for the event has been held constant over the past 10 years, to allow all who wish to participate an opportunity to do so.

B. Cable installation ~ Victor Allen

Mr. Victor Allen was not able to attend the meeting. Ms. Lakisha M. Pingshaw, IT Project Manager in the Prince George's County Office of Information Technology and Communications attended the meeting in Mr. Allen's place. Ms. Pingshaw explained that the cable installation would be routed from outside the Town into the school as part of the Inter-County Broadband Network (ICBN), which is part of the overall One Maryland Broadband Network (OMBN), a state-wide initiative. Over 120 sites in Prince George's county will be tied together with over 105 miles of fiber. Construction is free; the only request the program makes is for municipalities to waive the cost of permit fees. Construction will consist of directional boring in the public right-of-way; after the construction is completed, the construction area will be restored.

Several council members questioned the request to waive the permitting fee. Mayor Tabori asked for information on where the cables would be routed before voting on the initiative. Attorney Ferguson said this network fills in some of the gaps in the I-Net. She recommended the Council approve the request, subject to a review of the drawings. She added that the work is being carried out under a federal grant.

The Council and Mayor postponed a vote on the request until they have had the opportunity to review the construction plans. Mayor Tabori said he would put this topic on the February 6, 2012 Council meeting agenda.

C. Reconsideration of the Cafritz application ~ Mr. Amster

Mr. Amster raised the point to the Council and the Mayor that the Cafritz proposal, as voted on by the Council on January 9, 2012, no longer exists. The application was amended, to exclude the portion of the property that fell within the municipal boundary of College Park. He interpreted this change in the application as a chance for the Council to re-vote on the development proposal. He noted that by eliminating College Park from the application, the District Council no longer requires a supermajority to approve the zoning change. Mr. Amster asked the University Park Council to vote on the new application and vote to reject it.

Mayor Tabori corrected Mr. Amster's position that the Cafritz amended application constitutes an entirely new application. Mayor Tabori explained that the planning board could make the decision to sever a portion of a property from an application.

D. Other public comments ~ Mr. Mickey Lucas

Mr. Lucas asked about the upcoming legislative session in Annapolis. He said he couldn't envision any new school being built without integrating solar panels into the construction. He noted that the success schools in Colorado have had with energy savings from

integrating solar systems into the building design.

Mr. Lucas asked about the meetings on storm sewer management; he asked for information on when those meetings would take place.

Mr. Lucas asked about the status of the Maryland Book Exchange redevelopment proposal. Attorney Ferguson said that next step for the proposal would be to go before the District Council. They discussed an unrelated proposal to demolish the Appleby's and FedEx Kinkos buildings and put in a high-rise development with a Harris Teeter grocery store on the ground floor.

6. PERMITS

A. APPLICATION TO COMPLETE FENCING ACROSS THE REAR OF THE PROPERTY, CONNECT EXISTING FENCE TO THE HOUSE AND INSTALL A GATE ACROSS THE DRIVEWAY (MacQueen, Knutson 4319 Woodberry Street) Ward 4

Motion: To approve completing the fence line across the rear of the property, add a small section of fence to connect the house to the existing fence on the side of the property, and install a gate across the driveway located on Lot: 7, Block: 24, Section: 6A at 4319 Woodberry Street

Moved by: Mr. Carey
Yea: 6

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

Mr. MacQueen addressed the Council and the Mayor to explain his permit request.

B. APPLICATION TO INSTALL A STANDBY HOME GENERATOR (Griffith, 6712 Queens Chapel Road) Ward 5

Motion: To approve the installation of a standby home generator to back-up electric during outages; dimensions (L x W x H) 48" x 33" x 30" located on Lot 1, Block: 26 at 6712 Queens Chapel Road

Moved by: Mr. Carey
Yea: 5

Seconded by: Mr. Cron
Nay: 1 (Brosch) **Abstain:** 0

7. DEPARTMENT REPORTS

A. MAYOR'S REPORT ~ Mayor John Rogard Tabori

Mayor Tabori thanked the Council and the community for their patience and involvement in the Cafritz negotiations. Mayor Tabori said that he has personally participated in nearly 100 meetings. He engaged in well over 300 phone calls, meetings, and discussions. Today he

participated in the nearly six-hour-long meeting with the Maryland-National Capital Parks and Planning Commission (M-NCPPC) to ensure the negotiations between Cafritz, Riverdale Park, and University Park were not be overturned or modified by the planning staff.

Mayor Tabori emphasized that it is imperative for University Park to stay engaged and aware of the process around the zoning application. It is essential for elected officials to continue to represent the community before organizations like M-NCPPC. He said that by his estimate, the County Council will vote in favor of the zoning change 7 – 2. Mayor Tabori strongly encouraged the University Park Council to stay engaged at the planning and negotiating table, otherwise real, material harm could be done to the University Park community. M-NCPPC will recommend that all the conditions in the agreement be brought to the District Council for a vote.

Mayor Tabori addressed the point of contention that the Cafritz site was zoned R55. He said that based on his research and the historical uses of that property, it was not an R55 zone. Mr. Brosch asked about the purpose of today's M-NCPPC meeting. Mayor Tabori said that M-NCPPC must translate the agreements into the staff recommendations. Mayor Tabori emphasized the importance of having elected officials attend M-NCPPC meetings; otherwise, the staff is free to modify the conditions and covenants as they think appropriate.

Ms. Bradley Chacón asked what would happen if University Park re-voted on the development proposal and voted against it. Mayor Tabori said it would weaken the covenants considerably. Ms. Bradley Chacón asked about the question of density. How will this be revisited? Mayor Tabori said there were several places [in the process] where density would be considered.

Mayor Tabori reiterated that the question of whether or not the amended Cafritz proposal would be considered a minor amendment was raised in today's M-NCPPC meeting. The answer from the attorneys was that this was clearly a minor adjustment, not a new application.

Mr. Brosch raised the point that the area being excluded from the development proposal was the storm water management area. He asked if this would change where the stormwater management area was located. Mayor Tabori said it did not; the storm water management plan has already been approved.

Mr. Carey asked for a copy of the market survey. Mayor Tabori said he had a draft and will get that to him.

Mayor Tabori said the record for public comment on the Cafritz development is open until January 22, 2102.

B. REPORT ON THE DEPARTMENT OF PUBLIC WORKS ~ Mickey Beall, Director

Motion: To approve waiving the formal bid process and to authorize the purchase of a used trash packer for the Public Works Department fleet from Brandywine Trucks and Equipment for a total cost of \$23,500

Moved by: Ms. Bradley Chacón
Yea: 6

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

Motion: To approve authorization to declare the 1998 Ford 850 Packer surplus and dispose of the vehicle by the best possible method

Moved by: Ms. McPherson
Yea: 6

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

C. REPORT ON POLICE DEPARTMENT ACTIVITIES ~ Chief Wynnyk

Refer to Appendix 7C for the December 2011 police report.

D. REPORT ON STEP-UP GRANT ACTIVITIES ~ Chuck Wilson
First year summary, attached

Mr. Gekas presented Mayor Tabori with a check in the amount of \$35 for the monies spent powering the LED lights on the Town Christmas tree with solar energy.

8. CONTINUING BUSINESS

A. REQUEST TO SUPPORT ROUTE 1 RIDE; THE BUS SERVICE DEDICATED TO PROMOTING TRANSPORTATION OPTIONS AND ECONOMIC DEVELOPMENT ALONG THE ROUTE 1 CORRIDOR (First Reading)

Motion: To introduce a one-time contribution in support of the Route 1 Ride in the amount of \$2000, said amount to come from the STEP-UP funds.

Moved by: Mr. Carey
Yea: 6

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

9. NEW BUSINESS

An interested person asked for a full description of the Town Clerk position. She noted that the advertisement had said the position description would be posted. Mayor Tabori and Attorney

Ferguson referred the applicant to the Town Code, which describes the responsibilities of the position.

Attorney Ferguson addressed inquiries concerning the validity of Council Member Toscano's position on the Council. Attorney Ferguson said she had made the determination that CM Toscano met the legal requirements of the position while serving. In February 2012, Ms. Toscano will enter into a lease that will change her domicile to Ward 6.

10. ADJOURNMENT at 9:50 pm

**AN EXECUTIVE SESSION WILL BE CALLED TO DISCUSS MATTERS
CONCERNING PERSONNEL ISSUES**

Motion: To approve closing the meeting to discuss matters concerning personnel issues

Moved by: Mr. Carey
Yea: 6

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

Submitted by: _____

John Rogard Tabori
Mayor

APPENDIX 7C. REPORT ON POLICE DEPARTMENT ACTIVITIES

Police Information
Crime Report
(December 1st -31st) 2011

Ward 1

Ward 2

Theft from Auto- Between December 28, 2011 9:00pm and December 29, 2011 12:00 noon in the 6500 block of 41st Ave. suspect/s entered an unlocked 2012 Mazda, Van and stole a Leatherman Pocket tool and some coins. No suspect/s was located.

The investigation is on-going.

Theft from Auto - Between December 28, 2011 10:00pm and December 29, 2011 11:30 am in the 4100 block of Tennyson Rd. suspect/s entered an unlocked 2008 Ford, Taurus and stole a Garmin, GPS unit and a plug adapter. No suspect/s was located.

The investigation is on-going.

Ward 3

Ward 4

Theft- On December 14, 2011 between 2:30pm and 3:30pm in the 4200 block of Van Buren St. suspect/s stole packages from the front door porch of the residence. Three female suspects were arrested and charged. Case Closed.

Theft- On December 14, 2011 between 2:30pm and 3:30pm in the 6800 block of Pineway suspect/s stole packages from the front door porch of the residence. Three female suspects were arrested and charged. Case Closed.

Theft- On December 14, 2011 between 2:30pm and 3:30pm in the 4200 block of Van Buren St. Suspect/s stole packages from the front door porch of the residence. Three female suspects were arrested and charged. Case Closed.

Theft- On December 14, 2011 between 2:30pm and 3:30pm in the 4100 block of Beechwood Rd. suspect/s stole packages from the front door porch of the residence. Three female suspects were arrested and charged. Case Closed.

Tampering with Auto- On December 29, 2011 between 3:50 am and 4:00 am in the 6600 block of Wells Parkway, a suspect entered an unlocked 2002 Saturn, 4 door and ransacked the contents of the console and glove box. Nothing was taken from the vehicle. No suspect/s was located. The investigation is on-going.

Theft from Auto- On December 29, 2011 at 4:00 am in the 6600 block of Wells Parkway, a suspect entered an unlocked 2003 Honda, Odessa and stole a power inverter and headphones. No suspect/s was located. The investigation is on-going.

Ward 5

Breaking and Entering- On Wednesday December 14, 2011 at 3:25 pm in the 4200 block of Clagett Rd. UPPD officers responded to an alarm call at the residence. Upon arrival officers discovered a side kitchen door had been kicked open. The residence was checked and found to be safe. During the same time frame, officers were advised that there were individuals removing property from the front door step of a residence in the 4200 block of Van Buren St. Officers responded and placed three black, female adults under arrest. During the investigation, information was gathered that determined the suspects arrested would be charged for the Breaking & Entering and multiple thefts in University Park. Case Closed.

Ward 6

Ward 7

**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.