



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

**February 27, 2012
REGULAR SESSION**

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

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

2. PLEDGE OF ALLEGIANCE by Mr. Carey

3. APPROVAL OF THE AGENDA

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

4. APPROVAL OF MINUTES: February 6, 2012

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

5. COUNTY COUNCIL MEMBER ERIC OLSON PRESENTS A PROCLAMATION TO THE STEP-UP ENERGY PROGRAM TO RECOGNIZE THE COMPLETION OF THEIR FIRST YEAR

Council member Olson read the proclamation recognizing the Town of University Park for the success of the STEP-Up energy program. He presented a plaque to Mayor Tabori.

6. PUBLIC COMMENT

Mr. Gekas raised the point that a Town resident in his ward has requested a speed bump on Tennyson Road 40th and 41th. Mayor Tabori said a speed bump is planned for this location. Once the permanent speed bumps are put in place on Sheridan Street and Tuckerman Street, as part of the permanent paving of these roads, the temporary speed bumps can be relocated. Mayor Tabori said it was important to be patient and make sure the speed humps are placed appropriately. Mr. Brosch asked for the criteria for placing humps. Mayor Tabori said a preliminary traffic study would be needed. The humps require a minimum distance between them to be effective. Mayor Tabori added that a hearing would be held before speed humps

are placed. There may also be a traffic study impact from the Cafritz development, depending on whether or not the immediate area is covered by a TDMZ.

Mayor Tabori's said that he anticipated that speed humps could be in place in six – nine months. Mr. Carey pressed the Mayor to have traffic studies carried out in two areas – Tennyson Road and in Ward 6. Mayor Tabori said that his only concern is that if we do a survey now, and are not able to place speed bumps in two or more years, we have essentially wasted out money. A new study would have to be conducted. Mayor Tabori further added that the Council would make a decision on Cafritz zoning in April. Once the Cafritz zoning is determined, the Cafritz developers will conduct a baseline traffic study.

Mr. Lucas raised the concern that a Town resident had received a counterfeit \$100 bill from the SunTrust Bank. He warned residents to make sure that check their currency carefully before accepting it.

7. PERMITS

A. APPLICATION TO REPLACE EXISTING SHED (Will DeHart, 6712 40th Avenue) Ward 6

Motion: To approve the application to replace the existing 20'x17'6" shed located on Lot: 27, Block: 39, Section: 7 at 6712 40th Avenue

Moved by: Mr. Cron
Yea: 6

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

B. APPLICATION TO ENCLOSE EXISTING SUN PORCH (Stephen and Carrie Murphy, 4412 Underwood Street) Ward 7

Mr. Murphy said the existing porch has jalousie windows. The porch will be enclosed with hardiplanks with installed awning windows.

Motion: To approve the application to enclose the existing sun porch located on Lot: 1, Block: 25 at 4412 Underwood Street

Moved by: Ms. McPherson
Yea: 6

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

8. DEPARTMENT REPORTS

A. MAYOR'S REPORT ~ Mayor John Rogard Tabori

Ms. Bradley Chacón brought up budget process relative to community organizations. Mayor Tabori said that due to the server crash, he had not been able to create a five year history of community grants in time for this evening's Council meeting. Both Ms. Bradley Chacón and

Mr. Carey spoke in favor of reducing the paperwork burden on the groups applying for funding. Ms. Bradley Chacón advocated keeping the process simple, but also ensuring that the groups justify the funding request.

Mayor Tabori said State delegate Ann Healey has asked for University Park's endorsement of a bill proposed in the State legislature to address blighted properties in Maryland. Ms. McPherson asked for a clarification of the terms in the proposed bill. Several Council members raised questions. Mayor Tabori said he would ask for clarifications on the language.

Motion: To approve Mayor Tabori writing a letter of endorsement of SB 753 on behalf of the Town of University Park.

Moved by: Mr. Carey
Yea: 6

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

Mayor Tabori said that the Planning Board resolution with respect to the Cafritz application has been submitted to the County Council sitting as the District Council. The earliest a hearing could be held would be in mid-April. Mayor Tabori brought up the issue so that anyone registered as a person of record, or anyone wishing to become registered as a person of record, could do so. He said that the County Council must schedule a meeting within 60 days of receipt from the Planning Board, which was February 21. The potential hearing date is April 18. The Council may have an additional hearing, and has 30 days after the hearing to move the issue forward. This means that Attorney Ferguson may be unavailable to University Park for up to 150 days on matters touching on the Cafritz case.

Mayor Tabori asked the Council for assistance with the Route-1-Ride circulator bus meetings. He asked if a Council member would be willing to assume these duties. Mr. Brosch said he would be willing. The other Council members assented. Mayor Tabori said he would continue to participate in the meetings from time to time.

Mayor Tabori announced that ethics financial disclosure forms are due to be filed. He said that Mr. Krauland has moved out of University Park and thus has had to resign from the Ethics Committee. Mayor Tabori asked the Council members to send him any recommendations for new members for the Ethics Committee.

Mr. Carey asked Mayor Tabori to provide information on tax rates in University Park and the surrounding municipalities at one of the March Council meetings.

Ms. McPherson asked about the status of the search for a new Town Clerk. Mayor Tabori said that 19 applications were submitted, and one was subsequently withdrawn. The 18 applications will be sent to the reviewing committee on Tuesday. The committee is composed of two town clerks and two town managers from other municipalities. He noted that January 26, 2009 was when the Charter amendment was passed to establish the Town Clerk as a distinct position.

Mr. Carey asked if there could be a conversation in May or June with the school board and

the UPES principal, to cover issues of mutual interest, including school overcrowding. Mayor Tabori suggested holding a Town forum.

B. REPORT OF THE TOWN ATTORNEY ~ Suellen Ferguson, Esq.

Attorney Susan Ford reported on behalf Attorney Ferguson that there were no new activities to report.

C. REPORT ON POLICE DEPARTMENT ACTIVITIES ~ Chief Wynnyk

Lt. McCully said the officers were in the last steps of certification for the e-Citation program. The Department has six terminals installed in the police cruisers.

Officer Sunday suffered an accident the evening of February 17th. He had stopped a suspected drunk driver when a drunk driver struck his patrol car. The patrol car was so damaged that the insurance company has declared it a total loss. The driver who hit the patrol car was arrested for driving under the influence.

Lt. McCully said the Town was seeking approval for a red light camera at Adelphi Road and East-West Highway (Md 410).

D. REPORT ON STEP-UP GRANT ACTIVITIES ~ Chuck Wilson

Step-UP Report attached

9. CONTINUING BUSINESS

A. BUDGET ADJUSTMENTS *Adoption*

Motion: To approve adopting the budget item transfers as presented by the Town Treasurer, to make the necessary adjustments per the fiscal year six- month analysis, and to transfer the funds to the appropriate budget items.

Moved by: Mr. Cron

Seconded by: Mr. Gekas

Yea: 6

Nay: 0

Abstain: 0

B. REPORT ON THE PUBLIC FACILITIES AND SERVICE COMMITTEE

Mr. Carey reviewed the motions and requests from the Public Facilities and Services Committee. He read into the minutes the report from the Committee.

The Committee requests that Mayor and staff take a comprehensive look at traffic safety issues in Town, including:

1. Identify traffic safety issues in town, including location.
2. Identify a suite of remedial actions which the Town can take to address each identified issue.

The Committee requests that the sidewalk along Underwood Street, adjacent to University Park Elementary School, be repaired by the Town as part of the current paving project, it being in deteriorated condition and representing a trip hazard; further, the Town examine other needed repairs to the public right-of-way adjacent to the School, to be undertaken jointly with the School District. The purpose of this is the safety of students, teachers, staff, and visitors using the facilities at University Park Elementary School.

The Committee requests that the Town sponsor a twice/year event for collection of harmful household waste not otherwise collectable in the Town's regular trash collection, yet accepted at the Household Hazardous Waste Acceptance Site. These items include acid car batteries, fluorescent light bulbs, oil-based paints, latex paints, automotive fluids and fuels, gas grill propane tanks, photographic chemicals, cleaning agents, helium balloon tanks, poisons, cooking oils, solvents, varnishes and stains, household batteries, driveway sealers, insecticides, herbicides, swimming pool chemicals, fertilizers, fire extinguishers, mercury, and other hazardous materials. A licensed hazardous materials company professional will remove all acceptable items from resident's vehicle and dispose of them in an environmentally safe manner.

Motion: The Council requests the Mayor, with the Director of Public Works and Chief of Police, develop and recommend for Council by April 6, 2012: a plan for marking and signage of roads and streets within the Town of University Park, including estimated costs and a recommended timetable for implementation, to do such marking and signage in consultation with the Manual of Uniform Traffic Control Devices (Federal Highway Administration, U.S. Department of Transportation, 2009). Such plan to be referred to the Committee on Public Facilities and Services for further recommendation to the Council.

Moved by: Mr. Carey
Yea: 6

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

Mayor Tabori said that many municipalities are out of conformance with the Manual of Uniform Traffic Control Devices because they are trying to meet local conditions. True compliance would require removing some of the stop signs in University Park. Mr. Carey said there was sufficient flexibility in the process to allow the Council to waive removal of the stop signs.

Town resident Mr. Lee said he did not understand how the traffic signage study could be done, without a traffic study in Ward 6. He noted that the other wards have three-way stop signage that the Chief of Police has said does not conform to the Manual of Uniform Traffic Control Devices. Mr. Lee strongly advocated for a three-way stop sign at 40th and Forest Hill Drive.

10. NEW BUSINESS

A. EMERGENCY PURCHASE OF A NEW COMPUTER SERVER FOR TOWN HALL

Motion: To approve to waive the bidding requirements of Section 2-105(b) of the Town Code and to authorize the purchase of a new computer server for Town Hall

from the Dell Corporation with installation by Alpha Engineering Associates, Inc., for a price not to exceed \$20,000, subject to approval of the contract by the Town attorney.

Moved by: Ms. Bradley Chacón

Seconded by: Mr. Gekas

Yea: 5

Nay: 1 (Mr. Brosch)

Abstain: 0

B. EMERGENCY TRANSFER OF FUNDS AND REQUEST TO OVERRIDE PROCEDURE

Mr. Brosch raised concerns about proceeding with a procurement without going out to request bids.

Motion: Due to the immediate need for a new computer server for Town Hall, I move to override the Council's usual procedure requiring two meetings to approve a transfer of more than \$2,000, and to approve the transfer of \$20,000.00 from Designated Reserves Cable Capital Equipment to IT (Information Technology) Costs to ensure sufficient funds are available to pay for the purchase and installation of a new computer server.

Moved by: Mr. Carey

Seconded by: Ms. McPherson

Yea: 5

Nay: 1 (Mr. Brosch)

Abstain: 0

11. ADJOURNMENT at 10:10 pm

Submitted by: _____

**John Rogard Tabori
Mayor**