



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

**October 15, 2012
REGULAR SESSION**

An Executive Session has been called to consult with Counsel to obtain legal advice and consider matters that relate to negotiations.

1. CALL TO ORDER: Mayor Tabori at 7:30 p.m.

Present: Mr. Brosch, Ms. Christiansen, Mr. Carey, Mr. Cron, Mr. Alvarez
Excused: Mr. Gekas, Ms. Sorensen
Absent: None

2. PLEDGE OF ALLEGIANCE led by Mr. Alvarez

3. APPROVAL OF THE AGENDA

Moved by: Mr. Cron
Yea: 5
Seconded by: Mr. Carey
Nay: 0
Abstain: 0

4. APPROVAL OF MINUTES: *September 24, 2012*

Moved by: Mr. Carey
Yea: 5
Seconded by: Mr. Alvarez
Nay: 0
Abstain: 0

5. APPROVAL OF MINUTES: *October 1, 2012*

Moved by: Mr. Carey
Yea: 4
Seconded by: Mr. Cron
Nay: 0
Abstain: 1
(Christiansen)

6. PUBLIC COMMENT

Mr. Cron read an email message into the record on behalf of a resident on College Heights Drive regarding speed limit signage on College Heights Drive and driver speed in that area.

7. PERMITS

**A. APPLICATION TO ENCLOSE BACKYARD WITH A 4' FENCE AND GATE
(Dempsey, 4303 Tuckerman Street) Ward 1**

Motion: To approve the application to enclose the section of the backyard between the

house and the garage with a 4' fence and gate located on Lot: 15 and part of Lot 16, Block: 5, Section One, at 4303 Tuckerman Street

Moved by: Mr. Brosch
Yea: 5

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

B. APPLICATION TO REPLACE SECTIONS OF THE EXISTING 4' FENCE INCLUDING GATES (Kunz, 4416 Underwood Street) Ward 3

Motion: To approve the application to replace the existing 4' fence including gates located on Lot: 23, Block: 14, Section Three, at 4416 Underwood Street

Moved by: Ms. Christiansen
Yea: 5

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

C. APPLICATION TO CONSTRUCT A 30' X 18' DETACHED PATIO WITH THE PLACEMENT OF A DUMPSTER (Ferguson, 4017 Tennyson Road) Ward 2

Motion: To approve the application to construct a 30' x 18' detached patio with pavers and place a dumpster on 41st Avenue for yard waste and debris located on Lot 6, P.B. 3, P. 25, at 4017 Tennyson Road

The permit for the Dumpster is not to exceed a 90 day limit on 41st Avenue

Moved by: Mr. Carey
Yea: 5

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

8. PRESENTATIONS

A. MARVIN BLUMBERG COMPANY, LANDY PROPERTY DESIGN CHANGES

Mr. Blumberg, Mr. Chip Reed, Esq., Mr. Chris Hatcher and Mr. Gordon Ingerson, KPN Architects. The design changes proposed to this project are minor in nature and improve the overall plan. The Prince George's County Planning Board Staff support the proposed changes. *See agenda item 10B for Council vote on this matter.*

9. DEPARTMENT AND COUNCIL REPORTS

A. MAYOR'S REPORT ~ Mayor John Rogard Tabori

1. Street paving; *no report at this time.*
2. Traffic Engineer – Mayor Tabori reported that he is working on scheduling interviews with three (3) Traffic Engineers.
3. Cafritz – committee has been meeting regularly. Useful matrixes are being developed to help committee members manage this complicated project.
4. Maryland Book Exchange (MBE) – Mayor Tabori asked Suellen Ferguson to give a brief update on the solutions to the County Councils Remand Order the developer will present to College Park and the Planning Board.
5. STEP-UP; *no report at this time.*

6. Pepco – Mayor Tabori reports that a meeting with Pepco officials to walk through town is being scheduled.

B. REPORT OF THE TOWN TREASURER ~ *Dan Baden*

Mr. Baden is excused from the meeting. Refer to appendix **9B** for the Treasurer's report.

C. REPORT ON THE DEPARTMENT OF PUBLIC WORKS ~ *Michael Beall*

Mr. Beall reported on the speed limit signs posted in town and the installation of new signs. Mr. Beall reported on WSSC water main repairs and patchwork on town roads.

D. REPORT ON POLICE DEPARTMENT ACTIVITIES ~ *Chief Wynnyk*

Chief Wynnyk attended the public safety committee meeting held by Mr. Alvarez. A public safety meeting for the hearing impaired (with signer) was held for residents. The CERT Team has a new member, recommended by Mr. Stickles. Grant applications have been submitted for School Bus and DUI grants. Refer to appendix **9D** for the September 2012 police report.

E. REPORT FROM THE TOWN ATTORNEY ~ *Suellen Ferguson*

County Council Bills CB-79 and CB-80 have been pulled from the agenda.

F. COUNCIL REPORTS

i. Council Committee report on Police, Traffic & Public Safety;

Mr. Alvarez (Chair) reported that the Committee, the Town Chief of Police and several Town residents discussed the Traffic Study for Wards 2 and 6 completed by Mr. Cook in the Spring 2012. The Police, Traffic & Public Safety Committee recommended reinstalling speed bumps or speed tables on Sheridan as soon as possible. The Committee also recommended that all speed bumps or speed tables be uniform throughout the Town. Mr. Alvarez recommended that speed tables and not speed bumps be installed. Further discussion of the Traffic Study and a discussion of the use of stop bars, speed cameras, curb painting and additional speed control in the Town will be held at a future meeting.

Motion: To authorize the Mayor to proceed with installing lower cost speed tables on Sheridan, Tuckerman, and Pineway; the remaining issues to be referred to the Police, Traffic & Public Safety Committee for further review and recommendations.

Moved by: Mr. Carey

Yea: 5

Seconded by: Mr. Alvarez

Nay: 0

Abstain: 0

ii. BALLOT INITIATIVE #7 ~ *Mr. Brosch*

Mr. Brosch proposed the Town Council take a stand against gambling and gaming in Prince George's County and the State of Maryland, and moved that Council take a formal stand

against the ballot initiative to urge residents to vote against Question No.7.

Motion: The Town Council of University Park take a formal position in opposition to Ballot Question No. 7.

Moved by: Mr. Brosch

Seconded by: Mr. Alvarez

During the brief discussion, 4 of 5 of the council members present expressed personal opposition to Question 7. At the conclusion of this discussion, Mr. Carey moved to table the motion to oppose Question 7, noting that this issue has little to do with the business of the Town of University Park, and this issue is not on the declared agenda for this meeting, therefore Council members have not had an opportunity to discuss this with constituents.

Motion: To table the motion in opposition to Ballot Question No. 7

Moved by: Mr. Carey

Seconded by: Mr. Cron

Yea: 3

Nay: 2

Abstain: 0

(Brosch, Alvarez)

10. CONTINUING BUSINESS

A. FISCAL YEAR 2012 BUDGET TRANSFERS (*2nd Reading*)

Motion: To approve adopting the FY-12 Budget item transfers as presented by the Town Treasurer, to make the necessary adjustments per the fiscal year-end analysis, and to transfer the funds to the appropriate budget items

Moved by: Mr. Carey

Seconded by: Mr. Alvarez

Yea: 5

Nay: 0

Abstain: 0

B. MARVIN BLUMBERG COMPANY, LANDY PROPERTY DESIGN CHANGES

The town supports the Landy design changes. Upon receipt of the referral from Park and Planning, the said letter will be brought before Council for final review.

Motion: The Town has no objections to any of the minor amendments proposed to the Detailed Site Plan for the Landy Property. We support the redesign of the parking or loading areas, which has the effect of reducing the impervious area and thereby buffering the flows of storm water into Wells Run upstream of University Park. We also support the minor amendments, which will encourage bicycle use.

Moved by: Mr. Cron

Seconded by: Mr. Carey

Yea: 5

Nay: 0

Abstain: 0

11. NEW BUSINESS

A. FISCAL YEAR 2013 BUDGET TRANSFERS TO COVER COSTS RELATED TO STORM CLEANUP AS REFLECTED IN THE SEPTEMBER TREASURERS REPORT (*Introduction*) A final vote is scheduled for November 19.

Motion: To approve the introduction of FY 2013 budget item transfers to cover costs related to storm cleanup recommended by the Town Treasurer, to transfer a total of \$40,000 from *undesignated reserves*, and move \$35,000 into the *Park Tree Maintenance* line item and \$5,000 into the *Street Tree Maintenance* line items.

Moved by: Ms. Christiansen
Yea: 5

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

B. REQUEST TO EXTEND COMPOST PILOT PROGRAM (STEP-UP)

Motion: To approve a two-month extension of the current STEP-UP kitchen waste compost pilot until the end of December 2012 using budgeted STEP –UP funds and to schedule time in November to consider expanding the program into 2013.

Moved by: Mr. Carey
Yea: 5

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

C. REQUEST TO DEVELOP A CONSULTING SERVICE AGREEMENT WITH LIVE GREEN (STEP-UP). *In order to avoid a conflict of interest Chuck Wilson will be the sole administrator on the Live Green agreement.*

Motion: To approve developing a technical consulting service agreement with Live Green similar in scope to the agreement in place with STEP-UP’s current technical service consultant subject to Town Attorney review.

Moved by: Mr. Carey
Yea: 4

Seconded by: Ms. Christiansen
Nay: 0 **Abstain:** 1 (Brosch)

D. REQUEST TO AMEND EXISTING EVALUATION CONTRACT WITH PINNACLE COMMUNICATIONS RESOURCES COMPANY, LLC (STEP-UP)

Motion: To approve amending the contract with Pinnacle Communications Resources Company, LLC to complete unfinished program evaluation work using the scope of work and the unspent funds from the original SERA contract subject to Town Attorney review.

Moved by: Mr. Carey
Yea: 5

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

E. REQUEST TO NEGOTIATE CONTRACT WITH ICF TO COMPLETE UNFINISHED UTILITY EVALUATION WORK (STEP-UP)

Motion: To approve negotiating a contract directly with ICF to complete unfinished utility evaluation work using the scope of work and the unspent funds from the original SERA contract subject to Town Attorney review.

Moved by: Mr. Carey
Yea: 5

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

F. MARYLAND BOOK EXCHANGE (MBE)

Motion: To approve authorizing Mayor Tabori to draft a letter of opposition on the Maryland Book Exchange as reported out from the Planning Board and to support College Park's position and any compromise they might make.

Moved by: Mr. Carey

Seconded by: Mr. Cron

Yea: 5

Nay: 0

Abstain: 0

G. AN EXECUTIVE SESSION HAS BEEN CALLED TO CONSULT WITH COUNSEL TO OBTAIN LEGAL ADVICE AND CONSIDER MATTERS THAT RELATE TO NEGOTIATIONS

Motion: To approve closing the Legislative meeting at 10:25 p.m. to move into Executive Session to consult with Counsel to obtain legal advice and consider matters that relate to negotiations

Moved by: Ms. Christiansen

Seconded by: Mr. Cron

Yea: 5

Nay: 0

Abstain: 0

12. ADJOURNMENT

Motion: To adjourn at 10:55 p.m.

Moved by: Ms. Christiansen

Seconded by: Mr. Carey

Yea: 5

Nay: 0

Abstain: 0