



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

**November 19, 2012
REGULAR SESSION**

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

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

2. PLEDGE OF ALLEGIANCE was led by Mr. Gekas

3. APPROVAL OF THE AGENDA

Mr. Carey requests time to discuss the quality of minutes. Mayor Tabori agrees to discuss this issue during the Mayor's Report.

Moved by: Mr. Gekas
Yea: 5

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

4. APPROVAL OF MINUTES: *November 1, 2012*

Moved by: Mr. Carey
Yea: 4

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

5. APPROVAL OF EXECUTIVE SESSION MINUTES: *November 1, 2012*

Moved by: Mr. Carey
Yea: 4

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

6. APPROVAL OF MINUTES: *November 5, 2012*

Moved by: Mr. Alvarez
Yea: 5

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

7. PUBLIC COMMENT

No comments

8. PRESENTATION

A. Paula Martino, Housing Code Officer

Ms. Martino reported that the Town currently has an inventory of 81 rental properties with one in limbo; the property owners and renters have agreed to sell the home to the renters. The Town has seen a reduction in the number of homes rented to students.

Recently, the Maryland General Assembly updated the law requiring lead paint tests. The new law requires rental properties built from 1950 - 1974 to have a lead inspection. The expanded time frame will capture 99% of homes in Town. Most property owners are conscientious landlords however, some landlords will need time to understand the new requirements for lead testing.

Council covered a range of rental issues with Ms. Martino. Mr. Gekas asked for instruction on the procedure to manage a constituent complaint. Ms. Martino walked Council through the process and procedures of yearly inspections, how complaints are handled and what jurisdiction the Housing Code Officer has when conducting inspections on both rental properties and owner occupied homes. She explained that it is appropriate for Council members to bring complaints from residents and from renters to the attention of Ms. Martino, all complaints are investigated. Problems that persist will be addressed until proper corrections are made.

Mr. Alvarez asked for clarification on the number of vehicles allowed to park on streets with parking restrictions, as well as streets that have no parking restrictions. Ms. Martino explained that streets with parking restrictions require Council action to approve parking waivers on a yearly basis. These requests are managed by Ms. Martino. The landlord sends a letter of request to the Mayor asking that their parking waiver be renewed. Such requests are placed on the meeting agenda for Council vote. Parking waivers are granted for no more than five (5) vehicles to those rental addresses where restrictions apply. Streets without parking restrictions are public streets and the Town Code is silent in these locations. Some parking problems fall under the jurisdiction of the police. Ms. Ferguson provided guidance on the laws in Town on parking with Chief Wynnyk.

Mr. Carey asked for clarification on the differences between a commercial vehicle and a non-commercial vehicle. Ms. Ferguson provided a legal description, stating that she has given a legal opinion on this matter in the past that she will share with Council.

- Other items discussed; Housing Code laws are stated in Chapter 13 of the Town Code, only those listed items can be enforced.
- Ms. Martino stated that tall grass complaints tend to be problems for elderly residents. It would be helpful if there were a list of names she could direct residents to when needing assistance.
- The Town Council recently enacted a new law that requires a Town permit to place a Pod on your property; this law also restricts the amount of time Pods may remain on the property.
- Council requested that Rental Reports be added to meeting packets (they are also posted on the Town website).
- Many towns now offer electronic payment options, on-line applications and licensing. Council agreed to look into this option.

9. PERMITS

A. COUNCIL DISCUSSION AND VOTE ON PEPCO'S REQUEST TO TRIM AND REMOVE TREES IN TOWN

The walkthrough with Pepco and Town officials will be rescheduled at a date TBA.

Mayor Tabori reported that Pepco officials have been contacted, however at this time the meeting has not been rescheduled.

10. DEPARTMENT AND COUNCIL REPORTS

A. MAYOR'S REPORT ~ *Mayor John Rogard Tabori*

1. Traffic Engineer; Bids are expected to be submitted. The Engineer recommended by Council will be invited to the next meeting on December 3, 2012.
2. Town of UP Veterans Day Observance; the event was very nice; Mayor Tabori thanked the individuals who helped organize the event.
3. The Mayor reminded everyone that Holiday celebrations will be held on Saturday, December 1 with a community pot-luck dinner at 5PM in RPC, Custis Hall. Followed by the Town Christmas Tree lighting at 7PM at Henson Green.
4. Minutes; Mr. Carey invited the Mayor to join Council in discussing options for recording meeting minutes. Ms. Sorensen stated that the Policy, Rules & Municipal Structure Committee plans to review options, some of which were provided at the Maryland Municipal League Convention. Ms. Sorensen stated that the committee plans to address the issue, the committee will recommend alternatives and suggestions to Council at the meeting on December 17. Ms. Sorensen added that committee meetings are public meetings, everyone is welcome to attend. Mr. Gekas would like audio files to be available, both to Council members and posted on the website.
5. Pods/laws; the County Council has approved the Town's legislation, the Town Code is in the process of being updated and reviewed by the Town Attorney.

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

Mr. Baden is excused from the meeting due to an injury. Treasurer's Report attached as **Appendix 10B**.

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

Mr. Beall reported that speed tables are now being installed. The installation should be completed by next week.

Leaf collection has begun and a new program is being tested this year. Previously, trucks drove through Town picking up all leaves along the curb line. This year trucks are only picking up leaf piles. Work is going so quickly that trucks should be able to drive through Town 5-7 times. Curbs and streets will be cleaned of leaves before the end of the season.

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

Report was distributed see **Appendix 10D**

Chief Wynnyk disclosed recent arrests.

Halloween ends at 8 pm.

Ms. Sorensen stated that she has fielded questions and concerns from residents on the way Town police handled teenagers in Town last year on Halloween. She asked Chief

Wynnyk to discuss the procedure Town police are instructed to use to manage activities. She asked that there be a discussion on curfew hours and procedure prior to Halloween next year.

Mr. Brosch has concerns about cars that park too close to corners, especially those corners closest to intersections where vehicles enter and exit Town. Mr. Carey suggested that this issue be addressed, adding that a serious accident had recently occurred at the corner of Van Buren and Route 1. Trees and overgrown bushes that block the view of drivers entering and exiting Town streets were also mentioned as a safety concern that Mr. Carey would like to see addressed.

Mayor Tabori suggested to Council that these concerns including the issue of school bus safety be added to the list of safety problems for the Traffic Engineer to address.

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

No report at this time

F. COUNCIL REPORTS

Cafritz Oversight & Monitoring Committee report attached as Appendix 10F. At the request of Ms Christiansen, Tabori gave a brief report on committee activities.

11. CONTINUING BUSINESS

A. REQUEST TO EXPAND THE KITCHEN WASTE COMPOSTING PROGRAM (STEP-UP)

Motion: To approve the expansion of the STEP-UP pilot kitchen waste composting program, independent of STEP-UP, to 150 homes on a voluntary basis, as recommended beginning January 7, 2013; collection and hauling be taken over by the Town Department of Public Works using the compostable liner and airtight bucket collection; materials to be delivered to USDA Agricultural Research Service in Beltsville; all capital costs to be paid for by STEP-UP prior to transition; an initial one year agreement with USDA with the possibility of annual renewal for up to 5 years (pending USDA funding).

Moved by: Mr. Brosch

Seconded by: Mr. Alvarez

Yea: 5

Nay: 0

Abstain: 0

A. FISCAL YEAR 2013 BUDGET TRANSFERS TO COVER COSTS RELATED TO STORM CLEANUP AS REFLECTED IN THE SEPTEMBER TREASURERS REPORT

Motion: To approve the adoption 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: Mr. Carey
Yea: 5

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

B. COUNCIL DISCUSSION TO DEVELOP A POSITION STATEMENT FOR NEW INCENTIVES TO FOSTER TRANSIT ORIENTED DEVELOPMENT (TOD) IN PRINCE GEORGE’S COUNTY.

Report from attendees of the hearing the County Council Committee on Planning Zoning & Economic Development (PDEZ) held on ways to foster Transit Oriented Development (TOD) in Prince George’s County on Wednesday, Nov. 14, 2012.

Mayor Tabori did testify as a private citizen at the hearing. He has worked on this issue with Dr. Jay Hellman for some time. Mayor Tabori asked Council members who attended the County Council Committee meeting to report on the Planning Zoning & Economic Development (PDEZ) hearing. Mr. Gekas reported that the 3 hour meeting was well worth attending, he understands how important these hearings are and why Mayor Tabori attends such meetings. The meeting was informative and provided planning with municipal input options for designing Transit Oriented Districts (TOD). This is an important issue to discuss as we plan for future development.

Mr. Carey discussed the importance of expanding the areas of focus; target areas should not be limited to the first half mile around transit zones. Comprehensive discussions that include areas outside the first half mile of the TOZ need to be discussed and addressed for long term success.

12. NEW BUSINESS

A. THE POLICE, TRAFFIC & PUBLIC SAFETY COMMITTEE RECOMMENDS, THE MAYOR AND CHIEF OF POLICE COLLECT INFORMATION ON SPEED VIOLATOR VOLUME ON ADELPHI ROAD TO DETERMINE IF A REQUEST TO INSTALL A SPEED CAMERA IS WARRANTED.

Motion: To approve the recommendation of the Police, Traffic and Public Safety Committee that the Council direct the Mayor to begin the process of determining whether there is justification for a speed camera to be installed on Adelphi Road. The Mayor is authorized to seek bids for this purpose from qualified vendors. The Mayor will provide the information for Council review and approval prior to entering into any contract for speed camera services.

Moved by: Mr. Alvarez
Yea: 5

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

B. FISCAL YEAR 2013 BUDGET TRANSFER REQUEST TO COVER COSTS RELATED TO THE HOLIDAY CANDLELIGHT TOUR

Motion: To approve the FY 2013 Budget item transfer to cover costs related to the Holiday Candlelight Tour recommended by Mayor Tabori after a request from the University Park Woman's Club (UPWC) to transfer a total of \$500.00 from *undesignated reserves*, and move into *PTA/Other Donations*.

Moved by: Ms. Sorensen
Yea: 5

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

13. ADJOURNMENT at 10:00 p.m.

Moved by: Ms. Sorensen
Yea: 5

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