



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

**January 7, 2013  
REGULAR SESSION  
MINUTES**

**AMENDED AGENDA 2  
With ADDENDUM**

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

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

**2. PLEDGE OF ALLEGIANCE** was led by Ms. Sorensen

**3. APPROVAL OF THE AGENDA**

**Moved by:** Mr. Cron  
**Yea:** 7  
**Seconded by:** Ms. Christiansen  
**Nay:** 0  
**Abstain:** 0

**4. APPROVAL OF EXECUTIVE SESSION MINUTES: *December 3, 2012***

**Moved by:** Mr. Gekas  
**Yea:** 7  
**Seconded by:** Mr. Alvarez  
**Nay:** 0  
**Abstain:** 0

**5. APPROVAL OF MINUTES: *December 3, 2012***

**Moved by:** Mr. Brosch  
**Yea:** 6  
**Seconded by:** Ms. Christiansen  
**Nay:** 0  
**Abstain:** 1 (Sorensen)

**6. APPROVAL OF SPECIAL SESSION MINUTES: *December 14, 2012***

**Moved by:** Mr. Gekas  
**Yea:** 6  
**Seconded by:** Mr. Brosch  
**Nay:** 0  
**Abstain:** 1 (Cron)

**7. APPROVAL OF MINUTES: *December 17, 2012***

Motion to table the minutes

**Moved by:** Ms. Sorensen  
**Yea:** 7  
**Seconded by:** Ms. Christiansen  
**Nay:** 0  
**Abstain:** 0

**8. APPROVAL OF EXECUTIVE SESSION MINUTES: *December 17, 2012***

Motion to table the minutes

**Moved by:** Mr. Carey  
**Yea:** 7

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

**9. PUBLIC COMMENT**

- Mr. Cron reported large pot holes in need of repair. Mayor Tabori noted the pot holes when he filled in as bus driver for the morning drive of the Town Shuttle Bus. The mayor has reported problem to Mickey Beall; repairs will be done as soon as possible.
- A resident inquired on the process for removing Pods from properties; the Mayor and Ms. Ferguson discussed the process for using different options to resolve this issue. The Town will issue letters stating the new law and requirements, the law requires a permit application be applied for and approval issued by the Council. A letter explaining this process will be issued to the properties owners. If the Pod is not removed or permit applications applied for, fines will be issued.
- Mr. Ripley expressed concerns on a commercial vehicle that advertises a dog walking business is continually parked on Town streets; Ms. Ferguson discussed parking laws as listed in the Town code and Mr. Ripley's specific concerns. Mr. Ripley also inquired on the Town's tax rate for next year; Mayor Tabori stated that the Town will discuss taxes and the budget for FY-2014 at length beginning in March. Budget hearings will be scheduled and the budget will be discussed at regular Town meetings and Budget Hearings. Public input is encouraged throughout this process.

**10. PERMITS**

**A. APPLICATION TO REPLACE EXISTING 4' FENCE  
(Bruce and Barbara White, 6523 40<sup>th</sup> Avenue) Ward 2**

**Motion:** To approve the application to replace existing 4' wood fence along the north side and rear of the property located on Lot: 16, Block: 20, Section: 5A at 6523 40<sup>th</sup> Avenue

**Moved by:** Mr. Gekas  
**Yea:** 7

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

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

*Motion will be inserted when conditions for the Pepco permit are final.*

*Important note: Council discussion on the permit request from PEPCO to trim/remove trees in town continues, thus a final vote may not occur at this time.*

**Motion:** To approve moving into a Work Session to discuss the PEPCO permit request to trim and remove trees in Town.

**Moved by:** Mr. Carey  
**Yea:** 7

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

Mr. Gekas reported that he and Mr. Brosch took a bike ride through Town to do a review of utility poles in town and to research how much voltage each pole carries to evaluate how the

Town may limit tree trimming around the power lines. Most utility poles in town deliver power at 7,000 volts near homes; however, some poles deliver at 13,000 volts. Mr. Gekas discussed the state laws called Blue Sky laws that govern PEPCO. He suggested Council allow PEPCO to remove the trees the Town Arborist and PEPCO agree should be removed. However, Mr. Gekas suggested Council *not* allow PEPCO to trim trees in Town around the 7,000 volt lines. Mr. Gekas also asked that PEPCO provide the Town with a schematic map of all power lines to each home in University Park.

Mr. Carey discussed the Blue Sky standards for pruning and their effects on trees in University Park, specifically how they may have led to the designation of a tree in front of 4315 Van Buren Street for removal. Ms. Ferguson discussed specific trees of concern for Mr. Carey in Ward 4. She provided information on ways to interpret recommendations from arborists for the Town and PEPCO.

Ms. Bridget Warren, works for a member of the Prince George's County Council, she offers her experience at the county level. The County provides daily updates during power outages, and added that she must drive to the Public Library because we lose power so often when storms pass through the Washington DC area. Ms. Warren asked that Council take a step back she offered a reminder to Council members to allow the professionals to make those decisions which trees to trim or remove. Trimming and removal of hazardous trees in town would be alleviated if the town allowed Mickey Beall, Public Works director and Town and PEPCO Tree Arborist make the decision whether to cut down a tree and/or remove trees, to help keep residents who have medical needs or require power for other reasons. Ms. Warren stated her concerns that saving a tree this year may cost the Town much more 2 years from now.

Mr. Carey stated that the blue dots of doom markings on trees in Ward 4 were not the trees that went down during the recent storms. Mr. Gekas suggest that the Council is trying to create a compromise; Ms. Warren objected to the actions Council is attempting to achieve, stating that the professionals are better suited to make these decisions. Ms Ferguson and other Council members discuss reasons for trimming and removing trees this year vs. in the future.

Mayor Tabori asks for Council to move back into the regular Session

**Motion:** To move back into Regular Session

**Moved by:** Ms. Sorensen

**Seconded by:** Mr. Cron

**Yea:** 7

**Nay:** 0

**Abstain:** 0

## 11. DEPARTMENT AND COUNCIL REPORTS

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

Mayor Tabori reports that legal action is being taken against Maryland Book Exchange (MBE). More information will be provided as this issue moves forward.

### B. COUNCIL AND COMMITTEE REPORTS

Ms. Sorensen reports that the committee on Policy, Rules & finds that hiring a Recording Secretary to attend meetings and takes minutes would be best. The tape has not been a fool proof method of recording Town meetings. The committee encourages Council to support the motion on item 13A which moves funds into the budget to cover the costs to fill the position

and provide service for the remaining portion of the year. Mayor Tabori reports that the ad for the position will be posted and he suggests that the position will be filled by the end of February.

Mayor Tabori reports that a Special Session will be held on Monday, January 14. He has invited the Planning Board staff and Chip Reed to the meeting. The mayor addressed issues that are outstanding and describes the key missing elements to the project with regard to the CSX Bridge crossing, a landing agreement with the American Center of Physics and other important conditions which have not yet been satisfied. It is the recommendation of the PB staff, Riverdale Park, Rushern Baker and others that the Cafritz project should be withdrawn until these conditions are met and in place.

TMP, the circulator bus and permission for landing privileges and bridge funding be confirmed before the project move forward.

Ms. Christiansen reports on the Cafritz Oversight & Monitoring Committee, she restates the position Mayor Tabori provided.

Mr. Papazian reports that he has worked with the COM committee, Ms. Ferguson and Mayor Tabori on the progress made on the TMP for the Town. Mr. Papazian stresses the importance of having those key issues on traffic management conditions established and ready for implementation before the project is approved on January 17. He agrees with the Town that this project should not be allowed to move forward or approved until these items are addressed.

Mr. Carey inquires if any collaboration efforts have begun with neighboring municipalities on the circulator bus; Ms. Ferguson and Mayor Tabori described the research data required and other important elements necessary before moving forward.

## **12. CONTINUING BUSINESS**

### **A. CAFRITZ DEVELOPMENT PROJECT; PRELIMINARY PLAN OF SUBDIVISION (PPS) A-10028**

### **B. THE CITY OF HYATTSVILLE HAS REQUESTED THAT THE PRINCE GEORGE'S COUNTY DEPARTMENT OF PUBLIC WORKS & TRANSPORTATION (DPW&T) UNDERTAKE A REVIEW OF THE INTERSECTION ON ADELPHI ROAD & WELLS PARKWAY TO CONSIDER THE INSTALLATION OF A DEDICATED LEFT ARROW TURN SIGNAL ON ADELPHI ROAD AND WELLS PARKWAY**

*In addition to items listed below Council may wish to add appropriate safety measures to include in the letter to DPW&T on behalf of the Town of University Park*

**Motion:** To disapprove authoring the Mayor to draft a letter in support of the request from the City of Hyattsville to the Prince George’s County Department of Public Works & Transportation to undertake a review of the intersection on Adelphi Road and Wells Parkway and to consider the installation of a dedicated left arrow turn signal

**Moved by:** Mr. Alvarez

**Seconded by:** Ms. Sorensen

Mr. Alvarez describes his concerns for this action and his reasons to disapprove; he is concerned that this will make it easier for traffic to cut through town when/or if Whole Foods is built. Mr. Carey states that he uses that intersection frequently, and that during rush hour it is often difficult to safely make a left turn from Adelphi Road onto Wells Parkway in University Park; a left-turn arrow could make this safer. Ms. Sorensen asks for advice from the traffic engineer, Mr. Papazian states that his main concern would be to focus on the safety of the intersection.

Mr. Alvarez and Ms. Sorensen agree to modify the motion:

**Motion:** To approve authoring the Mayor to draft a letter in support of the request from the City of Hyattsville to the Prince George’s County Department of Public Works & Transportation to undertake a review of the intersection on Adelphi Road and Wells Parkway and to make recommendations for improving safety. And request that the Department of Public Works & Transportation be invited to a Town meeting to present the recommendations before the decision is made to install a dedicated left arrow turn signal

**Moved by:** Mr. Alvarez

**Seconded by:** Ms. Sorensen

**Yea:** 7

**Nay:** 0

**Abstain:** 0

**C. THE CITY OF HYATTSVILLE HAS REQUESTED THAT THE PRINCE GEORGE’S COUNTY DEPARTMENT OF PUBLIC WORKS & TRANSPORTATION (DPW&T) UNDERTAKE A REVIEW OF THE PEDESTRIAN SIGNAL TIMING TO DETERMINE IF ADEQUATE TIME IS ALLOTTED FOR PEDESTRIAN CROSSING AT THE INTERSECTION OF ADELPHI ROAD & WELLS PARKWAY**

*In addition to ideas listed below Council may wish to add appropriate safety measures to include in the letter to DPW&T on behalf of the Town of University Park*

**Motion:** To approve authorizing the Mayor to draft a letter in support of the request from the City of Hyattsville to the Prince George’s County Department of Public Works & Transportation to undertake a review of the pedestrian signal timing to determine if adequate time is allotted for pedestrian crossing at the intersection of Adelphi Road and Wells Parkway. In addition, Council may wish to include additional intersections on Adelphi Road for review for pedestrian safety issues, specifically the crossings at Tennyson, Toledo Road and Belcrest/Underwood.

**Moved by:** Ms. Sorensen

**Seconded by:** Ms. Christiansen

**Yea:** 7

**Nay:** 0

**Abstain:** 0

**13. NEW BUSINESS**

**A. BUDGET TRANSFER**

**Motion:** To approve the transfer of \$2000 from Unreserved Funds to a new account labeled “Recording Secretary” to cover the costs of the Recording Secretary for the balance of the fiscal year.

**Moved by:** Ms. Sorensen

**Seconded by:** Mr. Carey

**Yea:** 7

**Nay:** 0

**Abstain:** 0

**B. EXECUTIVE SESSION**

**Motion:** To move into Executive Session to discuss legal advice on legal matters.

**Moved by:** Mr. Carey

**Seconded by:** Mr. Cron

**Yea:** 7

**Nay:** 0

**Abstain:** 0

**14. ADJOURNMENT** the meeting was closed by unanimous consent at 9:15 p.m.