



**MEETING OF
UNIVERSITY PARK MAYOR AND COMMON COUNCIL
RIVERDALE PRESBYTERIAN CHURCH
6513 QUEENS CHAPEL ROAD
7:30 PM**

**August 12, 2013
REGULAR SESSION
MINUTES**

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

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

2. PLEDGE OF ALLEGIANCE was led by Mr. Alvarez

3. APPROVAL OF THE AGENDA

Moved by: Ms. Christiansen **Seconded by:** Mr. Alvarez
Yea: 5 **Nay:** 0 **Abstain:** 0

4. APPROVAL OF SPECIAL SESSION MINUTES: *May 15, 2013*

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

5. APPROVAL OF MINUTES: *May 20, 2013*

Moved by: **Seconded by:**
Yea: **Nay:** **Abstain:**

6. APPROVAL OF MINUTES: *July 1, 2013*

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

7. APPROVAL OF EXECUTIVE SESSION MINUTES: *July 1, 2013*

Ms. Sorensen asked to have the time she arrived changed to reflect to correct time of her arrival.

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

8. APPROVAL OF MINUTES: *July 15, 2013* was moved to item 15 E on the agenda, then tabled to the next meeting.

Moved by: **Seconded by:**
Yea: **Nay:** **Abstain:**

9. APPROVAL OF SPECIAL SESSION MINUTES: July 27, 2013

Approval of minutes is reviewed by council members who attended the meeting; these minutes were set aside on August 12 because a quorum of attending members was not present.

Moved by:

Seconded by:

Yea:

Nay:

Abstain:

10. PUBLIC COMMENT

Mr. Harold Freeman asked to give a brief presentation at the next meeting on the proposed development project located at the University of Maryland Golf Course.

11. PRESENTATION

A. UTC SITE SAFEWAY DEVELOPMENT PROJECT LOCATED IN HYATTSVILLE

Mr. Matthew C. Tedesco, of McNamee Hosea is representing Safeway at UTC, he introduced the members of his team present at the meeting; Mr. Jim Castillo, Senior Director of Development and Construction, ECHO Realty, Matthew Jones, PE, Bohler Engineering, [name to be inserted of the gentleman from] Parker Rodriguez, Inc., and Mr. Mike Lenhart, traffic consultant for the project.

Mr. Tedesco stated that the applicant decided that amending the current DSP to remove housing from the original plans was the best plan of action. He also stated that new stormwater management plan is designed to go above the concept plan in the original plan.

Mayor Tabori asked about the possibility of a traffic light at the entrance of the Safeway at UTC on East West Highway and for the number of parking spaces in the amended plan. Mr. Lenhart stated that SHA did not think a traffic light was necessary and that they have 285-287 parking spaces dedicated at this time.

A copy of the power point presentation will be posted on the Town website.

B. TOWN WIDE TRAFFIC STUDY

Mr. Ed Papazian, P.E. *Kimley-Horn and Associates* discussed the information presented in the first phase of the Town wide traffic study that was done at the end of May before school ended. Counts are done over a 3 hour period; Mr. Papazian stated that the most important periods to track are weekday evening from 3:00-6:00 p.m., and the Saturday mid-day period due to the fact that most people shop at those times. The second evaluation will be done after the Whole project is completed. Important traffic periods to highlight are weekday evenings and midday on Saturday. Mr. Papazian is confident that these numbers will provide a solid base that will be used to evaluate how traffic from the project affects the town.

C. TREE COMMITTEE TO PROPOSE A MUNICIPAL-WIDE TREE ORDINANCE

Mr. Chris Aubry, member of the Tree Committee discussed a proposal to establish a municipal-wide tree ordinance. Mr. Aubry stated that this proposal was similar to the one Takoma Park adopted.

Following the presentation Council agreed that more information was needed on this subject and that the public should have the opportunity to consider and comment on the proposal. Mr. Aubry was asked to take the concept back to the Tree Committee and that the committee host public hearings to give the community time to hear the proposal and give their input.

12. PERMITS

A. APPLICATION TO ENCLOSE A PORTION OF THE BACKYARD WITH A 45 INCH FENCE WITH 2 SINGLE GATES (Limon, 4106 Beechwood Road) Ward 4

Motion: To approve the application to enclose a portion of the backyard with a 45” (3’ 9”) fence with 2 single gates located on Lot: 13, Block: 31, Section: 7 at 4106 Beechwood Road.

Moved by: Mr. Alvarez **Seconded by:** Ms. Christiansen
Yea: 5 **Nay:** 0 **Abstain:** 0

B. APPLICATION TO ADD A SECTION OF 4 FOOT STICK BUILD FENCE (Smith, 6708 Baltimore Avenue) Ward 3

Motion: To approve the application to add a section of 4ft stick build fence located on Lot: 41, Block: 15, Section: 3 at 6708 Baltimore Avenue.

Moved by: Ms. Christiansen **Seconded by:** Mr. Brosch
Yea: 5 **Nay:** 0 **Abstain:** 0

C. APPLICATION TO ENCLOSE YARD WITH A 3’ 6” SPLIT RAIL FENCE (Henry, 6502 44th Avenue) Ward 3

Motion: To approve the application to enclose yard with a 3ft 6inch split rail fence located on Lot: 1 & 31, Block: 12, Section: 3 at 6502 44th Avenue.

Moved by: Ms. Christiansen **Seconded by:** Mr. Brosch
Yea: 5 **Nay:** 0 **Abstain:** 0

13. CONSENT AGENDA

Motion: To approve/disapprove the following consent agenda item

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

A. 4400 BLOCK OF SHERIDAN STREET BLOCK PARTY/STREET CLOSURE (Saturday, September 28 from 4:00 - 10:00 p.m.) Ward 1

The police department has been notified and supports this request

B. LETTER(S) OF RECOGNITION TO ELLEN THORP AND LINDA VERRILL FOR THEIR CONTRIBUTIONS TO THE TOWN WHILE SERVING ON THE CAFRITZ OVERSIGHT & MONITORING COMMITTEE.

14. COMMITTEE APPOINTMENT

Council agreed to tie all committee appointments into one motion. Appointments listed in items 14 A, and 15 A, B, C, and D were approved with a few additions as listed in these minutes.

A. CAFRITZ OVERSIGHT & MONITORING COMMITTEE

Motion: To approve the appointment of Colin Philips to the Cafritz Oversight & Monitoring Committee as a new member.

15. COUNCIL STANDING AND ADVISORY COMMITTEE APPOINTMENTS

A. COUNCIL COMMITTEES AND TREE COMMITTEE LIAISON

The Town Code establishes the first three committees listed in Chapter 2, Section 2-103. The Tree Committee is established by Ordinance in Chapter 16, Section 16-103. The Stream Committee operates under a one-year special committee mandate from Council. The current committee appointments are listed in italics.

Motion: To approve the appointments to the following council committees as stated in the Town Code Chapter 2, Section 2-103, and Chapter 16, Section 16-103:

Police, Traffic, and Public Safety:

Mr. Alvarez (Chair), Mr. Cron, Mr. Gekas

Policy, Rules, and Municipal Structure:

Ms. Sorensen (Chair), Ms. Christiansen, Mr. Carey

Public Facilities and Services:

Mr. Carey (Chair), Mr. Cron, Mr. Brosch, Mr. Gekas

Trees: (Council Liaison to Committee):

Mr. Alvarez

B. STREAM COMMITTEE RENEWAL

Motion: To approve the renewal of the Stream Committee

C. STREAM COMMITTEE AND COUNCIL LIAISON

Motion: To approve the following appointments to the Stream Committee; Mr. Tom Stickles (Chair), Vice Chair position is open; Council Liaison, Mr. Roy Alvarez.

D. 9 PONDS MOU COMMITTEE APPOINTMENTS

Motion: To approve the following appointments to the 9 Ponds MOU Committee;

1. *Mr. Tom Stickles*
2. *Mr. Len Carey*
3. *Mr. David Brosch*

Motion: To approve the renewal of committees and the Council Committee appointments as listed in items 14 A, and 15 A, B, C, and D.

Moved by: Mr. Cron

Yea: 5

Seconded by: Ms. Christiansen

Nay: 0

Abstain: 0

16. DEPARTMENT AND COUNCIL REPORTS

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

- Chris Dodge, Mid-Atlantic Sales Executive, Granicus, Inc. will give a presentation on meeting solutions on September 9. <http://www.granicus.com/Government/Local.aspx>
- General Orders Manual (GOM) will be introduced at the meeting on September 23.
- The office has received the details site plan for the University of Maryland student housing @ Knox Road, DSP-13025.
- Save the date; on October 19, 2013 from 1:00 – 4:00 p.m. a special event will be held to dedicate the 21 Solar Panels on University Park Elementary School. More information will be announced as it becomes available.

B. REPORT FROM THE TOWN ATTORNEY ~ *Suellen Ferguson, Esq.*

No report at this time.

C. TOWN CLERK'S REPORT ~ *Tracey Toscano, Clerk*

No report at this time.

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

Chief Wynnyk gave a brief report on police activities and said that the first day of school is Monday for Prince George's County students.

E. COUNCIL AND COMMITTEE REPORTS

No reports at this time.

17. CONTINUING BUSINESS

A. ORDINANCE 13-O-06 TO AMEND FISCAL YEAR 2014 BUDGET (*2nd Reading*)

**The earliest date that this Ordinance may be considered for passage is August 12, 2013.*

**A super majority is required to amend the budget (5 votes).*

Motion: To approve to amend the FY 2014 Budget, Ordinance 13-O-06, to add *MEA Energy Grant Revenue* and *MEA Energy Grant Expenditures* line items to reflect receipt and expenditure of the Maryland Energy Administration's Smart Energy Communities Grant Program.

Moved by: Mr. Alvarez

Seconded by: Mr. Brosch

Yea: 5

Nay: 0

Abstain: 0

B. ORDINANCE 13-O-07 TO AMEND THE TOWN CODE (*2nd Reading*)

**The earliest date that this Ordinance may be considered for passage is August 12, 2013.*

Motion: To approve to amend Chapter 8, "Traffic and Vehicles", Section 9-104, "Parking" to prohibit parking on the south side of Wells Parkway from Adelphi Road to Eversfield Drive.

Moved by: Mr. Alvarez

Seconded by: Ms. Christiansen

Yea: 5

Nay: 0

Abstain: 0

C. ORDINANCE 13-O-10 TO AMEND FY-2014 BUDGET (*Introduction*)

**The earliest date that this Ordinance may be considered for passage is September 23, 2013.*

**A super majority is required to amend the budget (5 votes).*

Motion: To approve the introduction to the FY 2014 Budget, Ordinance 13-O-10, to transfer \$57,500 from *Unreserved Funds* and add *Cafritz Legal Fees* line item to insure that funds are available, *as needed* and reflect the expenditure of legal fees associated with the various appeals of the Planning Board Decisions with regard to the Cafritz Property Development.

Moved by: Mr. Alvarez

Seconded by: Mr. Cron

Yea: 4

Nay: 0

Abstain: 1 (Ms. Christiansen)

D. CAFRITZ TRAFFIC MANAGEMENT PROGRAM (TMP)

Motion: To approve the Cafritz Traffic Management Program as the final version supported by the Town of University Park.

Moved by: Ms. Christiansen

Seconded by: Mr. Alvarez

Yea: 5

Nay: 0

Abstain: 0

18. NEW BUSINESS

A. RESCHEDULE THE SEPTEMBER 9 TOWN MEETING DATE TO SEPTEMBER 16

The District Council has elected to review oral arguments on the DSP-13009 Cafritz Property at Riverdale Park on September 9. The request to reschedule the Town meeting is to allow the Council and residents to attend the hearing.

Motion: To reschedule the September 9 Town meeting to September 16.

Moved by: Ms. Sorensen

Seconded by: Ms. Christiansen

Yea: 5

Nay: 0

Abstain: 0

B. DATE AND TIME FOR A SPECIAL SESSION TO CONSIDER THE PURCHASE OF RIVERDALE PRESBYTERIAN CHURCH, CAFRITZ LEGAL ACTIONS AND CARRY OVER ITEMS ON THE AGENDA.

Motion: To call a Special Session on August 22 at 7:30 p.m. for Council to consider the purchase of Riverdale Presbyterian Church, legal actions regarding Cafritz, and any remaining items on tonight's agenda.

Moved by: Mr. Cron

Seconded by: Mr. Alvarez

Yea: 5

Nay: 0

Abstain: 0

19. ADJOURNMENT by consent at 10:22 p.m.

