



**MEETING OF  
UNIVERSITY PARK MAYOR AND COMMON COUNCIL  
WILL BE HELD AT  
RIVERDALE PRESBYTERIAN CHURCH  
6513 QUEENS CHAPEL ROAD**

**7:30 PM  
July 21, 2014  
REGULAR SESSION**

**\*\*\*\*\*Temporary Agenda Subject to Change\*\*\*\*\***

**1. CALL TO ORDER: *Mayor Carey***

<b>Present:</b>	Thompson	<b>Absent:</b>	Thompson
	Gekas		Gekas
	Hess		Hess
	Vacant		Vacant
	Sorensen		Sorensen
	Cron		Cron
	Alvarez		Alvarez

**2. PLEDGE OF ALLEGIANCE ~ Ms. Sorensen**

**3. APPROVAL OF THE AGENDA**

<b>Moved by:</b>	<b>Seconded by:</b>
<b>Yea:</b>	<b>Nay:</b> <b>Abstain:</b>

**4. PUBLIC COMMENT**

**5. TAKE BACK OUR YARD (TBOY) PROGRAM COORDINATOR**

Mayor Carey will introduce Sophie Jin, Asian Tiger Mosquito Program (Take Back Our Yards).

**6. PERMITS**

**A. REQUEST FOR A SPECIAL EXCEPTION AND BUILDING PERMIT TO  
CONSTRUCT RETAINING WALL  
(Louis Pope, 6909 Oakridge Road) Ward 5**

To consider the request for a Special Exception and Building Permit to construct a retaining wall on concrete driveway, for a property located on Lot 41, Block A at 6909 Oakridge Road, with the requisite findings to approve this Special Exception per Section 4-115 Sub-sections A-E of the Town Code. Council should consider the following conditions:

1. Provide certifications by a licensed Professional Engineer or registered Land Surveyor that positive drainage is entirely to the street and no drainage directed towards neighboring properties.
2. Provide certifications by a licensed Professional Engineer or registered Land Surveyor that the retaining wall has been constructed entirely on your property and does not physically cross the property line onto the neighboring property.
3. Provide certifications by a licensed Professional Engineer or registered Land Surveyor that the retaining wall is “constructed of approved materials within the allowable stresses of acceptable engineering practices,” and “designed to resist the pressure of the retained material, including both dead and live load surcharges, to which they may be subjected, and to ensure stability against overturning, sliding, excessive foundation pressure, and water uplift” as required by Section 4-110 of Town Code.
4. Any further work must be brought to the Town through the permit process.

**Section 4-115. Special Exceptions.**

The Common Council may consider an application for a special exception based upon a particular case or situation, and may approve the application provided that there is a showing of hardship, unique topography, unusual circumstances or safety considerations that warrant an exception. Special exceptions shall be granted by the Council only if it finds that such exception:

- (a) will not adversely affect the public health, safety, welfare or interest, nor the reasonable use of adjoining properties;
- (b) will not violate any covenants applicable to the property;
- (c) can be granted without substantial impairment of the purpose and intent of the Town building regulations;
- (d) will not interfere with or obstruct the visibility of motorists or cyclists; and
- (e) will not unduly impede the enforcement of any other applicable law. (Revised, effective December 12, 1989, February 28, 1998)

**Moved by:**

**Seconded by:**

**Yea:**

**Nay:**

**Abstain:**

**B. APPLICATION TO CONSTRUCT A DECK WITH STEPS (Mike Okumusoglu, 4401 Underwood Street) Ward 3**

To approve the request to construct a 17' x 12' deck with steps located on Lot 15 and part of 16, Block 12, Section Three at 4401 Underwood Street.

**Moved by:**

**Seconded by:**

**Yea:**

**Nay:**

**Abstain:**

**C. REQUEST FOR A SPECIAL EXCEPTION TO INSTALL NON-CONFORMING 6' FENCE**

**(Prince George's County Board of Education, 4315 Underwood Street) Ward 4**

To consider the Special Exception for the installation of a non-conforming 6' fence located on Lot: 1-16: 31-40, Block: 22 at 4315 Underwood Street. Council should consider the requisite findings to approve this Special Exception per Section 4-115 Sub-sections A-E of the Town Code.

**Section 4-115. Special Exceptions.**

The Common Council may consider an application for a special exception based upon a particular case or situation, and may approve the application provided that there is a showing of hardship, unique topography, unusual circumstances or safety considerations that warrant an exception. Special exceptions shall be granted by the Council only if it finds that such exception:

- (a) will not adversely affect the public health, safety, welfare or interest, nor the reasonable use of adjoining properties;
- (b) will not violate any covenants applicable to the property;
- (c) can be granted without substantial impairment of the purpose and intent of the Town building regulations;
- (f) will not interfere with or obstruct the visibility of motorists or cyclists; and
- (g) will not unduly impede the enforcement of any other applicable law. (Revised, effective December 12, 1989, February 28, 1998)

**Moved by:**

**Seconded by:**

**Yea:**

**Nay:**

**Abstain:**

**7. CONTINUING BUSINESS**

**A. LEGISLATIVE RESOLUTION 14-O-08 ADOPTING THE PERSONNEL MANUAL  
(2<sup>nd</sup> Reading)**

*The earliest date LR 14-O-08 may be considered for adoption is August 11, 2014*

To adopt Legislative Resolution 14-O-08, approving the University Park Personnel Manual and to delete Section 2-111, "Employee probationary period", Section 2-112, "Injury While Working", and Section 2-113, "Employee Drug and Alcohol Testing", as these provisions will now be included in the Personnel Manual.

**Moved by:**

**Seconded by:**

**Yea:**

**Nay:**

**Abstain:**

**B. RESOLUTION 14-R-09 TO SUPPORT THE PRINCE GEORGE’S COUNTY MUNICIPAL COLLABORATION FY 2015 MEA EMPOWER LMI COMMUNITIES GRANT APPLICATION AND DHCD SUSTAINABLE COMMUNITIES-COMMUNITY LEGACY GRANT APPLICATION**

To adopt Resolution 14-R-09 to support of the Prince George’s County Municipal Collaboration FY 2015 MEA Empower LMI Communities Grant application and DHCD Sustainable Communities-Community Legacy Grant application.

**Moved by:**

**Seconded by:**

**Yea:**

**Nay:**

**Abstain:**

**C. LEGISLATIVE RESOLUTION 14-O-10 ADOPTING A DISCRIMINATION AND HARASSMENT POLICY FOR THE TOWN OF UNIVERSITY PARK.**

To adopt Legislative Resolution 14-O-10 approving the Discrimination and Harassment Policy as proposed.

**Moved by:**

**Seconded by:**

**Yea:**

**Nay:**

**Abstain:**

**D. POLICE GENERAL ORDERS MANUAL (GOM)**

**The Mayor and Council will discuss the Police General Orders Manual (GOM).**

Pursuant to Section 2-205 of the Town Code, any amendments of the General Operating Rules and Regulations instituted by the Chief of Police pursuant to Section 2-207 of the Code shall be forwarded by the Chief to the Council for approval. If the Council does not take action within 30 days of receipt, the amendment is deemed approved. The Council may amend the General Operating Rules and Regulations by resolution.

*The revised General Operating Rules and Regulations will be introduced on July 21.*

To accept the Police General Orders Manual (GOM) and refer it immediately to the Council Committee on Police, Traffic, and Public Safety for review and recommendation to the Council by August 11, 2014.

**Moved by:**

**Seconded by:**

**Yea:**

**Nay:**

**Abstain:**

**8. NEW BUSINESS**

**A. SCOPE OF WORK FOR THE EDITOR OF THE UNIVERSITY PARK NEWSLETTER**

To discuss the scope of work as proposed for the Editor of the University Park Newsletter.

**B. SCHEDULING ANTI-HARASSMENT TRAINING FOR ELECTED OFFICIALS**

To schedule Anti-Harassment Training for Elected Officials on August \_\_\_\_\_ to be provided by the Local Government Insurance Trust.

**Moved by:**

**Seconded by:**

**Yea:**

**Nay:**

**Abstain:**

**9. COUNCIL STANDING COMMITTEE APPOINTMENTS**

*(Established by Town Code and appointed by the Council, per Section 2-103)*

***The current committee appointments are listed in italics, new members are listed in bold.***

**Motion:** To appoint the following Members and Chairs of Council Standing Committees per Town Code Chapter 2, Section 2-103:

**Police, Traffic, and Public Safety:**

*Mr. Alvarez (Chair), Mr. Cron, Mr. Gekas, Mr. Thompson, Council Member Ward 4*

**Policy, Rules, and Municipal Structure:**

*Ms. Sorensen (Chair), Mr. Hess, Mr. Thompson, Council Member Ward 4*

**Public Facilities and Services:**

*Mr. Gekas (Chair), Mr. Cron, Mr. Thompson, Mr. Hess*

**Moved by:**

**Seconded by:**

**Yea:**

**Nay:**

**Abstain:**

**10. SPECIAL COMMITTEES**

*(Unless otherwise indicated, established and appointed by the Council, per Section 2-103)*

**A. STREAM COMMITTEE RENEWAL AND APPOINT CHAIR AND COUNCIL LIAISON**

To renew the Stream Committee for a two-year period and appoint **Mr. Dana Shea as Chair and Council Member James Gekas as Council Liaison.**

**Moved by:**

**Seconded by:**

**Yea:**

**Nay:**

**Abstain:**

**B. UNIVERSITY PARK MEMBERS OF THE INTER-MUNICIPAL COMMITTEE ON WELLS RUN.**

To appoint *Mayor Lenford Carey*, **Council Member James Gekas** and **Mr. Dana Shea** as University Park members to the Inter-municipal Committee on Wells Run.

**Moved by:**

**Seconded by:**

**Yea:**

**Nay:**

**Abstain:**

**C. DEVELOPMENT OVERVIEW COMMITTEE (DOC)**

To appoint **Council Member Roy Alvarez as Chair**; and **Council Member Joe Thompson, Council Member Bradlee Hess, Ms. Arlene Christiansen, Ms. Sarah Starrett, Mr. Corey Tucker, Mr. Colin Philips, and Mayor Lenford Carey (ex officio)** as members of the Development Overview Committee.

**Moved by:**

**Seconded by:**

**Yea:**

**Nay:**

**Abstain:**

**D. VETERANS MEMORIAL DESIGN ADVISORY COMMITTEE**

To appoint **Ms. Michele Dudash Fenster** as a new member and **Council Member Roy Alvarez** as Council Liaison to the Veterans Memorial Design Advisory Committee.

**Moved by:**

**Seconded by:**

**Yea:**

**Nay:**

**Abstain:**

**E. TREE COMMITTEE APPOINTMENTS**

To approve the appointments of **Ms. Jo Williams, Ms. Beth Alvarez and Ms. Alice Leaderman** as new members of the Tree Committee.

**Moved by:**

**Seconded by:**

**Yea:**

**Nay:**

**Abstain:**

**F. Mayor pro tem**

(Traditionally proposed by Mayor and appointed by the Council, per Charter Section 307)

Per Section 307 of the Charter, to elect **Council Member Michael Cron** as the Mayor pro tem, authorized to perform the duties of the Mayor and have the authority of the Mayor for the period of the Mayor's absence, and to perform the duties and exercise the authority of the Mayor during an emergency when the Mayor is absent or otherwise unable to act.

**Moved by:**

**Seconded by:**

**Yea:**

**Nay:**

**Abstain:**

**11. APPROVAL OF MINUTES: *June 16, 2014***

**Moved by:**

**Seconded by:**

**Yea:**

**Nay:**

**Abstain:**

**12. APPROVAL OF MINUTES: *July 7, 2014***

**Moved by:**

**Seconded by:**

**Yea:**

**Nay:**

**Abstain:**

**13. APPROVAL OF SPECIAL SESSION MINUTES: *July 11, 2014***

**Moved by:**

**Seconded by:**

**Yea:**

**Nay:**

**Abstain:**

**14. DEPARTMENT AND COUNCIL REPORTS**

**A. MAYOR'S REPORT ~ *Mayor Len Carey***

- Save the date! A Special Election for Ward 4 Council Member will be held on Tuesday, August 12, 2014 from 8am – 8pm at Riverdale Presbyterian Church.
- Report on Chick-fil-A hearing
- Report on Council Action on CB-42-2014

**B. COUNCIL REPORTS**

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

**D. REPORT FROM THE TOWN CLERK ~ *Tracey Toscano***

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

**15. ADJOURNMENT**

**\*\* An Executive Session May Be Called \*\***