



**MEETING OF
UNIVERSITY PARK MAYOR AND COMMON COUNCIL
WILL BE HELD
VIA VIDEO AND AUDIO CONFERENCE
7:30 p.m.
February 6, 2023
REGULAR SESSION**

The Council meeting will be conducted entirely remotely with no in-person meeting attendance. To join the Council meeting through a video conference, please use the link below.

Join Meeting:

<https://us02web.zoom.us/j/86539222754?pwd=OGdVa3ZDejk2Wk1adVhlMkdmN0lNdz09>

To join with audio only, dial: (301) 715-8592

Meeting ID: 865 3922 2754

Passcode: 472374

Public Participation:

Participants who join the video/audio conference will be muted during the meeting except for Mayor, Council, and staff. Participants can turn their video on during the meeting, so we can all see each other, or can turn it off if they would rather. Participants will have the opportunity to speak during Public Comment - agenda item #5. During that time, all participants will be taken off mute. If you would like to comment, please state your name and Mayor Biermann will call on you to speak. Public comments will be limited to three minutes.

Public comments or questions may also be made by emailing the Town Clerk TC Hegeman at thegeman@upmd.org. All electronic comments must be submitted by 12 p.m. on February 6, 2023. Comments received will be read by the Town Clerk during public comment.

1. CALL TO ORDER: *Mayor Biermann*

Present:	Dubayah Gathercole Morrissey Morgan McGaughey Wells Sweet	Absent:	Dubayah Gathercole Morrissey Morgan McGaughey Wells Sweet
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2. APPROVAL OF THE AGENDA

Moved by:

Seconded by:

Yea:

Nay:

Abstain:

3. APPROVAL OF CLOSED SESSION MINUTES: *January 17, 2022*

Moved by:

Seconded by:

Yea:

Nay:

Abstain:

4. APPROVAL OF MINUTES: *January 17, 2022*

Moved by:

Seconded by:

Yea:

Nay:

Abstain:

5. VEO PRESENTATION

Jeff Hoover, Director of Government Partnerships, will discuss VeoRide service in Town.

6. PUBLIC COMMENT

7. MAYOR, COUNCIL, AND COMMITTEE COMMENTS AND REPORTS

8. CONTINUING BUSINESS

BUDGET ADJUSTMENTS – TRANSFER OF FUNDS (*Second Reading*)

Motion: To approve the budget adjustments for Fiscal Year 2023 in the total amount of \$78,500 as recommended by the Town Treasurer in the December 22, 2022 memo to the Mayor and Council.

Moved by:

Seconded by:

Yea:

Nay:

Abstain:

9. NEW BUSINESS

A. PEPCO VEGETATION MANAGEMENT PERMIT

Motion: To approve the PEPCO permit application to prune and remove trees in the Town right(s) of way, subject to the conditions of the permit.

Moved by:

Seconded by:

Yea:

Nay:

Abstain:

B. ARBOR DAY PROCLAMATION

Motion: To adopt Resolution 2023-R-01, adopting a Town Arbor Day Proclamation and to designate April 28, 2023, as Arbor Day in University Park.

Moved by:

Seconded by:

Yea:

Nay:

Abstain:

C. BEE CITY RESOLUTION

Motion: To adopt Resolution 2023-R-02 designating University Park as a Bee City USA® affiliate.

Moved by:

Seconded by:

Yea:

Nay:

Abstain:

D. NO MOW MONTH RESOLUTION

Motion: To adopt Resolution 2023-R-03, designating the month of April as “No Mow Month” to support a pollinator-friendly habitat.

Moved by:

Seconded by:

Yea:

Nay:

Abstain:

E. POLICY FOR TRAFFIC CALMING DEVICES

Motion: To consider a procedure for emplacing traffic calming devices and authorize the Town Attorney to prepare an ordinance to adopt the procedure if approved.

Moved by:

Seconded by:

Yea:

Nay:

Abstain:

9. ADJOURNMENT

**** A Closed Session may be called ****

Agenda Item 3

Closed Session Minutes 01/17/23

Public Record of Closed Session

Motion: To close public meeting			Motion: To resume public meeting		
Moved by:	Seconded by:		Moved by:	Seconded by:	
Councilmember Wells	Councilmember Morrissey		Councilmember Morrissey	Councilmember Gathercole	
Yea: 6*	Nay: 0	Abstain:	Yea: 7	Nay: 0	Abstain:
*Councilmember Sweet excused until 7:00 p.m.					

TIME: 6:04 p.m.

DATE: January 17, 2023

PLACE (IF OTHER THAN TOWN HALL): Virtual

PERSONS PRESENT: Mayor Biermann, Councilmembers Dubayah, Gathercole, Morrissey, Morgan, McGaughey, Wells, Sweet (at 7p.m.), Town Attorney, Suellen Ferguson

AUTHORITY FOR CLOSING SESSION:

THE COUNCIL VOTED TO MEET IN CLOSED SESSION UNDER THE FOLLOWING PART(S) OF SECTION 10-508 TO:

- 1) DISCUSS (I) THE APPOINTMENT, EMPLOYMENT, ASSIGNMENT, PROMOTION, DISCIPLINE, DEMOTION, COMPENSATION, REMOVAL, RESIGNATION OR PERFORMANCE EVALUATIONS OF APPOINTEES, EMPLOYEES, OR OFFICIALS OVER WHOM IT HAS JURISDICTION; OR (II) ANY OTHER PERSONNEL MATTER THAT EFFECTS ONE OR MORE SPECIFIC INDIVIDUALS; OR
- 2) PROTECT THE PRIVACY OR REPUTATION OF INDIVIDUALS WITH RESPECT TO A MATTER NOT RELATED TO PUBLIC BUSINESS; OR
- 3) CONSIDER THE ACQUISITION OF REAL PROPERTY FOR A PUBLIC PURPOSE AND MATTERS DIRECTLY RELATED THERETO; OR
- 4) CONSIDER A MATTER THAT CONCERNS THE PROPOSAL FOR A BUSINESS OR INDUSTRIAL ORGANIZATIONS TO LOCATE, EXPAND OR REMAIN IN THE STATE; OR
- 5) CONSIDER THE INVESTMENT OF PUBLIC FUNDS; OR
- 6) CONSIDER THE MARKETING OF PUBLIC SECURITIES; OR
- 7) CONSULT WITH COUNSEL TO OBTAIN LEGAL ADVICE; OR
- 8) CONSULT WITH STAFF, CONSULTANTS, OR OTHER INDIVIDUALS ABOUT PENDING OR POTENTIAL LITIGATION; OR

- 9) CONDUCT COLLECTIVE BARGAINING NEGOTIATIONS OR CONSIDER MATTERS THAT RELATE TO NEGOTIATIONS; OR

- 10) DISCUSS PUBLIC SECURITY, IF THE PUBLIC BODY DETERMINES THAT PUBLIC DISCUSSION WOULD CONSTITUTE A RISK TO THE PUBLIC OR TO PUBLIC SECURITY, INCLUDING:
 - (i) DEPLOYMENT OF FIRE AND POLICE SERVICE AND STAFF; AND
 - (ii) THE DEVELOPMENT AND IMPLEMENTATION OF EMERGENCY PLANS;

- 11) PREPARE, ADMINISTER, OR GRADE A SCHOLASTIC, LICENSING, OR QUALIFYING EXAMINATION; OR

- 12) CONDUCT OR DISCUSS AN INVESTIGATIVE PROCEEDING ON ACTUAL OR POSSIBLE CRIMINAL CONDUCT; OR

- 13) COMPLY WITH A SPECIFIC CONSTITUTIONAL, STATUTORY, OR JUDICIALLY IMPOSED REQUIREMENT THAT PREVENTS PUBLIC DISCLOSURES ABOUT A PARTICULAR PROCEEDING OR MATTER; OR

- 14) BEFORE A CONTRACT IS AWARDED OR BIDS ARE OPENED, DISCUSS A MATTER DIRECTLY RELATED TO A NEGOTIATING STRATEGY OR DISCLOSURE WOULD ADVERSELY IMPACT THE ABILITY OF THE PUBLIC BODY TO PARTICIPATE IN THE COMPETITIVE BIDDING OR PROPOSAL PROCESS.

- 15) DISCUSS CYBERSECURITY, IF THE PUBLIC BODY DETERMINES THAT PUBLIC DISCUSSION WOULD CONSTITUTE A RISK TO:
 - (i) SECURITY ASSESSMENTS OR DEPLOYMENTS RELATING TO INFORMATION RESOURCES TECHNOLOGY;
 - (ii) NETWORK SECURITY INFORMATION, INCLUDING INFORMATION THAT IS:
 - 1. RELATED TO PASSWORDS, PERSONAL IDENTIFICATION NUMBERS, ACCESS CODES, ENCRYPTION, OR OTHER COMPONENTS OF THE SECURITY SYSTEM OF A GOVERNMENTAL ENTITY;
 - 2. COLLECTED, ASSEMBLED, OR MAINTAINED BY OR FOR A GOVERNMENTAL ENTITY TO PREVENT, DETECT, OR INVESTIGATE CRIMINAL ACTIVITY; OR
 - 3. RELATED TO AN ASSESSMENT, MADE BY OR FOR A GOVERNMENTAL ENTITY OR MAINTAINED BY A GOVERNMENTAL ENTITY, OF THE VULNERABILITY OF A NETWORK TO CRIMINAL ACTIVITY; OR
 - (iii) DEPLOYMENTS OR IMPLEMENTATION OF SECURITY PERSONNEL, CRITICAL INFRASTRUCTURE, OR SECURITY DEVICES.

LIST OF TOPICS DISCUSSED: Hiring process for Town Administrator and Treasurer.

ACTIONS TAKEN: Motion to allocate up to \$2,000 from the Town Administrator salary line item for the purpose of paying expenses for advertising for candidates for the position.

Motion: Councilmember Wells Seconded: Councilmember Gathercole Yea: 7 Nay: 0

MEETING ADJOURNED: 7:28 p.m.

SIGNED: Martha Wells, Councilmember Ward 6

Agenda Item 4
Draft Minutes 01/17/23

**MEETING OF
UNIVERSITY PARK MAYOR AND COMMON COUNCIL
VIA VIDEO AND AUDIO CONFERENCE**

**7:30 p.m.
January 17, 2023
MINUTES**



1. CALL TO ORDER: *Mayor Biermann* at 7:31PM

Present: Mayor Biermann, Mr. Dubayah, Ms. Gathercole, Ms. Morrissey, Mr. Morgan, Mr. McGaughey, Ms. Wells and Mr. Sweet

Absent: None

2. APPROVAL OF THE AGENDA

Moved by: Ms. Wells **Seconded by:** Mr. McGaughey

Yea: 7 **Nay:** 0 **Abstain:**

3. APPROVAL OF CLOSED SESSION MINUTES: *January 3, 2022*

Moved by: Ms. Gathercole **Seconded by:** Mr. McGaughey

Yea: 7 **Nay:** 0 **Abstain:**

4. APPROVAL OF REGULAR MINUTES: *January 3, 2022*

Moved by: Ms. Wells **Seconded by:** Mr. McGaughey

Yea: 7 **Nay:** 0 **Abstain:**

5. PUBLIC COMMENT

- A resident spoke about the need for a Town Administrator and the hopes that everyone can work together to facilitate filling the position. He elaborated on why the Town Hall needs to be renovated.
- The Town Clerk read a resident comment for the request of a mirror to be installed at the corner of the 4100 block of Woodberry Street and Wells Parkway.

6. MAYOR, COUNCIL, AND COMMITTEE COMMENTS AND REPORTS

- Mayor Biermann stated the issue of Town Hall is definitely on our radar. The Council is aware that we are going to have to talk soon about what we want to do especially with the state grant money because time is running out on appropriating those funds.
- Ms. Morrissey will lead the Town Administrator process, working with Mr. Morgan and Ms. Gathercole and bring the results to him for review.

- Next month, we are hoping that we will break ground on the Tot Lot.

Policy Rules of Municipal Structure Committee – Ms. Morrissey

- The next meeting is February 2.
- There is an ad hoc committee formed that will start a new process for the Town Administrator search.

Police, Traffic and Public Safety Committee - Ms. Gathercole

- The next meeting is February 8.
- The Chief asked people to follow his blog because he has information on how to stay safe.
- There are over 11,880,000 cars that passed through our 3 automated speed camera locations.

Development Overview Committee – Ms. Wells

- The committee met last week and had a presentation on a project to take down about half of the parking garage between the new library and across from the area that is being developed. They will replace it with 210 apartments, raising the height of that side of the building by 2 stories.

The Sustainability Committee - Mr. Dubayah

- The Bee City Resolution will be submitted to the Town this week. It can be voted on at the next Council meeting. There is a \$100 annual membership fee.

The Transit Task Force Committee - Mr. McGaughey

- Currently looking at the environmental impact of running the shuttle instead of having everyone drive their cars to the metro.

7. CONTINUING BUSINESS

EMERGENCY PARKING ORDINANCE.

Motion: To adopt the emergency parking ordinance 23-O-01. The ordinance prohibits parking on the south side of Claggett Pineway from Woodberry Street to Claggett Road.

Moved by: Ms. Gathercole Seconded by: Mr. Morgan

Yea: 7 Nay: 0 Abstain:

8. NEW BUSINESS

A. BUDGET ADJUSTMENTS – TRANSFER OF FUNDS (*Introduction*)

Motion: To approve the introduction of the budget adjustments for Fiscal Year 2023 in the total amount of \$78,500 as recommended by the Town Treasurer in the December 22, 2022 memo to the Mayor and Council.

Moved by: Ms. Gathercole Seconded by: Ms. Wells

Yea: 7 Nay: 0 Abstain:

B. ELECTION HOURS

Motion: To approve the May 9, 2023 election hours as 1:00 p.m. to 8:00 p.m. and that further we permit the ballots to be mailed to the registered voters of the Town for the municipal election.

Moved by: Ms. Wells

Seconded by: Ms. Gathercole

Yea: 7

Nay: 0

Abstain:

9. DEPARTMENT REPORTS

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

Not present.

B. REPORT FROM THE TOWN CLERK ~ *TC Hegeman*

- There were 2 Building permits issued administratively and the supporting documentation is in the packet. There were O pod/dumpster permits.

C. REPORT FROM THE CHIEF OF POLICE ~ *Chief Harvey Baker*

- Crime Report on January 4th – one incident.
- The Police Clerk and Town Clerk attended Adult Mental Health training.
- Three officers will attend training on January 26 offered through the Montgomery County Police Department called “Cannabis Green Lab”. This training will enable officers to identify someone who is under the influence of marijuana.
- First Amendment Audit training is February 2.
- There will be a 5-day Instructor training class on February 6.

D. REPORT FROM TE DIRECTOR OF PUBLIC WORKS ~ *Mickey Beall*

- There is a meeting scheduled with Prince Georges County DOE to discuss our MOU Proposal.
- Will meet with the Town’s Arborist and the PEPCO planner next week regarding vegetation management.
- There is a preconstruction meeting regarding the Tot Lot Playground the beginning of February.
- Contacted VeoRide regarding the scooters that are being left all over Town. VeoRide needs to execute the geofencing as discussed.
- Phase 2B, all of the concrete work that can be completed at this time, has been completed. Our goal is to remove the temporary speed humps on Clagett Road and Pineway and install new speed humps on Pineway and a raised crosswalk on Clagett. We will install a speed hump on the 4000 block of Van Buren Street.

9. ADJOURNMENT at 8:11PM

Moved by: Ms. Wells

Seconded by: Ms. Gathercole

Yea: 7

Nay: 0


Abstain:

Agenda Item 8
Budget Adjustments

MEMO

Date: December 22, 2022

To: Mayor and Council

From: Dan Baden, Treasurer 

Re: Budget Adjustment Substantiation

An analysis of the fiscal year 2023 Budget has been performed and the adjustments shown below outline the proposed changes that should be made to the FY2023 Budget. All these adjustments are covered from other line items within each Departmental Budget.

The Adjustments are as follows:

<u>Account Name</u>	<u>From</u>	<u>To</u>
General Government		
Salaries – General Government	\$14,500	
Building Maintenance		\$12,000
Website		2,500
Police Department		
Salaries – Police	\$12,500	
Parking Enforcement	5,000	
Traffic Study Analysis	5,000	
Training		\$10,000
Small Equipment		5,000
Medical Exams		2,500
Vehicle Maintenance		5,000
<u>Public Works</u>		
Salaries – Public Works	\$10,000	
Payroll Taxes & Benefits	25,000	
Garage Security and Access	10,000	
Public Works Director Vehicle	7,000	
Landfill	4,000	
Fuel		\$20,000
Vehicle Maintenance		12,000
Work Storage		10,000
EV Charging Stations		4,000
Composting		3,500

Park Upkeep	\$2,500
Tools & Supplies	1,500
Uniforms	1,500
Street Lights	1,000

Prior Years Surplus

Increase by **\$160,507** to agree with the FY2022 audit. Total Fund Balance at 7/1/22 is \$2,513,979.

The transfer to Building Maintenance in the General Government Budget is needed to cover the cost of mold remediation in the amount of \$12,000 and for the installation of additional security cameras is the amount of \$2,350.

The additional funds needed for the Website are for the website code analysis and update being performed by General Code.

Additional explanation for the Police and Public Works proposed changes can be found on the attached memos from Chief Baker and Mickey Beall.

The transfers proposed will be presented at the January Town Meetings.



UNIVERSITY PARK POLICE DEPARTMENT

6724 Baltimore Avenue

University Park, Maryland 20782

(301) 277-0050 FAX (301) 779-1905

Memorandum

December 20, 2022

To: Mayor Joel Biermann

From: Chief Harvey Baker 3

Subj: **FY2023 Mid-Year Budget Line-Item Transfers**

I request the transfer of \$22,500 from University Park Police line items for which a FY23 budget surplus is expected, to cover unexpected and added costs in other line items as indicated below:

FROM: 6345-03 – Salaries \$10,000

TO: 6355-03 - Training – Northwestern University School of Police, Staff and Command is hosted in Maryland every 3-5 years. It was advertised well after the FY23 was approved and the start of the new fiscal year. The budget transfer will pay for Captain Graddy to attend the training from March – May 2023.

FROM: 6634-03 – Parking Enforcement transfer \$5,000

TO: 6350-03 Small Equipment – The transfer will be made to purchase 8 Glock Gen 5, 9 mm firearms. Currently we have two officers issued Gen 5, 9 mm firearms.

FROM: 6345-03- Salaries \$2,500

TO: 6325 –03 Medical Exams – To offset the increase costs of pre-employment medical exams.

FROM: 6330-03 – Traffic Study Analysis transfer \$5,000

TO: 6370-03 Vehicle Maintenance - To offset the increased costs of using an outside vendor to repair police vehicles.

I request this be included among the transfers on the agenda for the next council meeting.

Cc: Dan Baden



TOWN OF UNIVERSITY PARK

MAYOR
Joel Biermann

COMMON COUNCIL
Ralph Dubayah
Mary Gathercole
Laurie Morrissey
Nathaniel Morgan
David McGaughey
Martha Wells
William Sweet

Memorandum

To: Mayor Joel Biermann and Council
From: Mickey Beall
Re: FY23 Mid-Year Line Item Transfers
Date: December 5, 2022

I request the transfer of \$56,000 from DPW line items for which an FY23 budget surplus is expected, to cover added costs in other line items as follows:

FROM:

Payroll Tax and Benefits	\$25,000
Salaries	\$10,000
Garage Security and Access Control	\$10,000
DPW Director's Vehicle	\$ 7,000
Landfill	\$ 4,000

TO:

Fuel: \$20,000

To cover additional costs due to a increase in diesel fuel prices. The national average price of diesel has risen nearly 30% since February and is expected to continue to climb as shortages are being reported.

Vehicle Maintenance: \$12,000

To cover costs to replace a turbo charger, pickup truck bed, and trailer ramps totaling \$12,000.

Work Storage: \$10,000

To cover additional costs related to a plumbing leak and equipment needed to improve the functionality of the garage.

EV Charging Stations: \$4,000

To cover additional costs related to the storm damage on January 3rd.

Composting: \$3,500

To cover greater the cost of purchasing enough bags to meet the demand from participants.

Park Upkeep: \$2,500

To cover the unexpected costs related to installing EWF at the Tot Lot as a safety measure while waiting to renovate the space and to replace EWF washed out at the Wells playground and the Adelphi Meadow path from a summer storm.

Tools & Supplies: \$1,500

To cover additional costs related to a variety of materials and supplies needed for DPW operations.

Uniforms: \$1,500

To cover greater than anticipated expenses due to increased cost related to providing gloves and mask for staff.

Street Lights: \$1,000

To cover an increase in costs related to the electrical usage by the Town's streetlights.

I request this be included among the transfers on the agenda for the appropriate upcoming council meeting.

Agenda Item 9A
Pepco Vegetation Permit

Miscellaneous Information:	
Inspector Name:	John Anna, Adirondack

QUESTIONS TO BE COMPLETED BY PERMITTEE:

1. Will aerial wires or cables be installed within the public rights-of-way under this permit? No

If yes, complete the following:

Total length of aerial utility installations (To be measured longitudinally along the centerline of the utility. Multiple wires or cables on the same poles that provide the same type of utility service shall be measured as one installation.) (LINEAR FEET):

Total number of new poles to be installed within the public rights-of-way (EACH):

Total number of existing poles to be relocated within the public rights-of-way (EACH):

Total number of new guys to be installed within the public rights-of-way (EACH):

2. Will underground utilities be installed within the public rights-of-way under this permit? No

If yes, complete the following:

a. In the following table list the length of all underground utilities to be installed within the public rights-of-way under this permit. (Length shall be measured longitudinally along the utility. Multiple conduits or cables within the same trench that provide the same type of utility service shall be measured as one utility installation.

Location	From	To	Length (LF)
Street			
Total Length of Underground Utilities (Linear Feet):			Per plans

b. What is the total length of utilities that will be installed under the roadway or paved shoulders under this permit (LINEAR FEET)?

c. Will excavation of roadway pavement or paved shoulders be required to install underground utilities under this permit?

d. If yes, what is the length of the cut? (Measured longitudinally along the centerline of the utility in LINEAR FEET)

3. Will sidewalk closure(s) be required to perform this work? If yes, a plan for rerouting pedestrian traffic must be included with the application. No

4. Will excavation of sidewalk(s) be required to install utilities under this permit?

a. If yes, what type of sidewalk will be excavated? (concrete, asphalt, concrete pavers, etc.)

Required Bonds:

Name and Address of Bonding Company:	Performance Bond		L&M Bond	
	Amount:		Amount:	
	Date Approved:		Date Approved:	
	Bond Number:		Bond Number:	
	Bond Type:		Bond Type:	

Required Fee(s):

Admin. and Insp. Fee:	None	Date Paid:	NA	Payment Type:	NA
Impact Fee:	None	Date Paid:	NA	Payment Type:	NA
Extension Fee:		Date Paid:		Payment Type:	

Approval:

The proposed work shall be performed and completed in accordance with the approved plans and other supporting documents submitted by the Permittee, any and all special terms and conditions contained herein, and all other applicable County, State and Federal laws, rules, regulations, and ordinances, all of the foregoing as may be amended from time to time, and subject to the inspection and control of the Town's arborist, as appropriate.

<input type="checkbox"/>	Approved	<input type="checkbox"/>	Denied
<input type="checkbox"/>	Approved - See Attached Special Conditions and Appendix A	<input type="checkbox"/>	Denied - See Attached Comments for Revision

See Attached Special Conditions and Appendix A- University Park 2021 Work Plan with respect to pruning only.

Joel T. Biermann, Mayor

Applicant's Signature

Applicant's Name: Cody Hesseltine

Applicant's Title: Program Manager

SPECIAL CONDITIONS:

<input checked="" type="checkbox"/>	1. Proposed pruning of Town trees shall be performed and completed in accordance with this permit, Appendix A, and other supporting documents submitted by the Permittee, any and all special terms and conditions contained herein, Title 20, Public Service Commission Regulations, Section 20.50.12.09, Vegetation Management Requirements, applicable ANSI standards, and all other applicable laws, rules, regulations and ordinances, subject to the inspection by and coordination with of the Town's arborist.
<input checked="" type="checkbox"/>	2. On a date(s) prior to any pruning work, the arborist designated by PEPCO shall meet with the Town arborist to review all trees in the Town's rights of way that PEPCO intends to prune as part of its work plan under this permit. Each arborist representative present shall be an International Society of Arboriculture Certified Arborist and a Maryland Licensed Tree Expert. All trees to be pruned must be reviewed. The Town's arborist and the PEPCO arborist will agree on a vegetation management plan for each tree. If the Town arborist and the PEPCO arborist are unable to reach agreement on the vegetation management plan for a tree, then that tree must be removed from the work plan and is not approved for pruning under this permit. A list of all trees to be removed from the work plan shall be developed by the PEPCO arborist and will be reviewed for accuracy by the Town arborist. Once a final list of the trees to be removed from the work plan is developed, a copy shall be provided to the Town and to PEPCO. Any trees on this final list may not be pruned under this permit. PEPCO shall abide by the vegetation management plan agreed to as a result of the meeting.
<input checked="" type="checkbox"/>	3. Any changes to the vegetation management plan for Town trees included in this permit must be approved by the Town arborist or designee, who shall be on site during all work. Changes to the vegetation management plan may be made on site during the work only if approved by the Town arborist. Otherwise, Permittee shall provide at least 48 hours' advance notice to the Town Public Works Director of the proposed change.
<input checked="" type="checkbox"/>	4. The Permittee shall notify the Town of University Park at least 4 business days prior to starting work by contacting Michael Beall, Town Public Works Director, the Town's main point of contact, at 301-927-4262. The Permittee shall notify the Public Works Director one business day in advance of the first day of work with respect to the location of the work. Thereafter, the Permittee shall email to the Public Works Director by 8am each morning the location of work for that day.
<input checked="" type="checkbox"/>	5. The Permittee's arborist shall be available at all times during the work.
<input checked="" type="checkbox"/>	6. Any claim for physical damage caused by work performed under this permit on public property shall be the sole responsibility of the Permittee or its contractor. Physical damage to public property shall be repaired to the satisfaction of the Town Public Works Director.
<input checked="" type="checkbox"/>	7. No work shall be performed before 8:00 A.M. and after 5:00 P.M, Monday through Friday, and no work shall be permitted on holidays and weekends, unless prior permission has been granted by the Mayor or Director of Public Works.
<input checked="" type="checkbox"/>	8. Permittee shall maintain proper traffic control at all times per State Highway Administration standards.
<input checked="" type="checkbox"/>	9. Permittee shall coordinate all activities with the Town Arborist, who may be present during all removal activities.
<input checked="" type="checkbox"/>	10. A copy of the permit shall be on site and available for public inspection at all times.
<input checked="" type="checkbox"/>	11. The Permittee shall copy the Town on any general notice correspondence sent by the Permittee related to the progress of the work, such as door hangers or start of work

	notices.
<input checked="" type="checkbox"/>	12. The Permittee shall provide the Town with a complete list of all contractors and subcontractors assigned to work on the project and shall include the name of a designated contact person and a telephone number in case of urgent or emergency situations for each listed entity. Such telephone number shall be answered by the contact person or a designee with appropriate authority to answer any questions or respond to any concerns regarding urgent or emergency situations.
<input checked="" type="checkbox"/>	13. This permit does not include any authority for a staging area or overnight storage of equipment in the Town.
<input checked="" type="checkbox"/>	14. Work may begin at any time following issuance of this permit, subject to the notification requirements contained herein. Work shall be completed within ninety (90) days of commencement.
<input checked="" type="checkbox"/>	15. The Town may revoke this permit at any time for failure to follow its requirements.
<input checked="" type="checkbox"/>	16. This permit does not include any permission to perform any removal of Town trees.

Appendix A – University Park 2023 Work Plan with respect to pruning and removals.

Agenda Item 9B
Arbor Day Proclamation

Arbor Day Proclamation

Whereas, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and

Whereas, the holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and

Whereas, Arbor Day is now observed throughout the nation and the world, and

Whereas, trees can reduce the erosion of our precious topsoil by wind and water, lower our heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife, and

Whereas, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products, and

Whereas, trees in our Town increase property values and beautify our community, and

Whereas, trees whenever they are planted, are a source of joy and spiritual renewal,

NOW, THEREFORE, I, Joel T. Biermann, Mayor of the Town of University Park, do hereby proclaim April 28, 2023 as

Arbor Day

in the Town of University Park, and I urge all to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and

Further, I urge all to plant and care for trees to gladden the heart and promote the well-being of this and future generations.

Dated this 7th day of February in the year 2023.

Mayor _____

Joel T. Biermann

Agenda Item 9C
Bee City Resolution

RESOLUTION OF THE MAYOR AND COUNCIL
OF THE TOWN OF UNIVERSITY PARK
DESIGNATING UNIVERSITY PARK AS A BEE CITY USA® AFFILIATE

WHEREAS, the mission of BEE CITY USA is to galvanize communities to sustain pollinators, responsible for the reproduction of almost 90% of the world's flowering plant species, by providing them with healthy habitat, rich in a variety of native plants and free to nearly free of pesticides; and

WHEREAS, thanks to the more than 3,600 species of native bees in the United States, along with introduced honey bees, we have very diverse dietary choices rich in fruits, nuts, and vegetables; and

WHEREAS, bees and other pollinators have experienced population declines due to a combination of habitat loss, poor nutrition, pesticides (including insecticides, fungicides, and herbicides), parasites, diseases, and climate change; and

WHEREAS, pollinator-friendly communities can benefit local and regional economies through healthier ecosystems, increased vegetable and fruit crop yields, and increased demand for pollinator-friendly plant materials from local growers; and

WHEREAS, ideal pollinator-friendly habitat (A) Is comprised of mostly native wildflowers, grasses, vines, shrubs, and trees blooming in succession throughout the growing season to provide diverse and abundant nectar and pollen, since many wild pollinators prefer or depend on the native plants with which they co-adapted; (B) is free to nearly free of pesticides, as many pesticides can harm pollinators and/or their habitat; (C) comprises undisturbed spaces (leaf and brush piles, unmown fields or field margins, fallen trees and other dead wood) for nesting and overwintering; and (D) provides connectivity between habitat areas to support pollinator movement and resilience; and

WHEREAS, Integrated Pest Management (IPM) is a long-term approach to maintaining healthy landscapes and facilities that minimizes risks to people and the environment by: identifying and removing the causes of pest problems rather than only attacking the symptoms (the pests); employing pests' natural enemies along with cultural, mechanical, and physical controls when prevention is not enough; and using pesticides only when no other method is feasible or effective; and

WHEREAS, supporting pollinators fosters broad-based community engagement in environmental awareness and sustainability; and

WHEREAS, the Town of University Park ("Town"), a municipal corporation of the State of Maryland, should become a certified BEE CITY USA community because the Town has partnered with the University of Maryland Bee Lab, the Anacostia Watershed Society and resident volunteers to establish and maintain a pollinator meadow; and

NOW, THEREFORE, BE IT RESOLVED THAT, in order to enhance understanding among the Town's staff and the public about the vital role that pollinators play and what each of us can do

to sustain them, the Mayor and Common Council of the Town of University Park choose to support and encourage healthy pollinator habitat creation and enhancement, by adopting the following:

1. The Town is hereby designated as the BEE CITY USA sponsor.
2. The Director of Public Works is designated as the BEE CITY USA Liaison.
3. Facilitation of the Town's BEE CITY USA program is assigned to the Sustainability Committee.
4. The Mayor and Common Council, with assistance from the Sustainability Committee,

will:

- a. **Celebration:** Host at least one educational event or pollinator habitat planting or restoration each year to showcase the Town's commitment to raising awareness of pollinator conservation and expanding pollinator health and habitat.
- b. **Publicity & Information:** Install and maintain at least one authorized BEE CITY USA street sign in a prominent location, and create and maintain a webpage on the Town's website which includes, at minimum a copy of this resolution and links to the national BEE CITY USA website; contact information for the Town's BEE CITY USA Liaison and the Sustainability Committee; reports of the pollinator-friendly activities the community has accomplished the previous year(s); and the recommended native plant species list and integrated pest management plan.
- c. **Habitat:** Develop and implement a program to create or expand pollinator-friendly habitat on public and private land, which includes, but is not limited to, identifying and inventorying the Town's real property that can be enhanced with pollinator-friendly plantings: creating a recommended locally native plant list to include wildflowers, grasses, vines, shrubs, and trees and a list of local suppliers for those species; and, tracking (by square footage and/or acreage) annual area of pollinator habitat created or enhanced.
- d. **Pollinator-Friendly Pest Management:** Create and adopt an integrated pest management (IPM) plan designed to prevent pest problems, reduce pesticide use, and expand the use of non-chemical pest management methods.
- e. **Policy & Plans:** The Mayor and Common Council will support and are committed to continued actions in support of the BEE City designation, including sponsoring an annual Pollinator Meadow Day, ongoing development of a Town Climate Action framework, and a Green Purchasing Policy, among others.
- f. **Renewal:** After completing the first calendar year as a BEE CITY USA affiliate, each February, the Town will apply for renewal of the Town's BEE CITY USA designation following the format provided by BEE CITY USA, including a report of the previous year's BEE CITY USA activities, and paying the renewal fee based on the Town's population.

APPROVED by the Mayor and Common Council of the Town of University Park at a regular meeting on the 6th day of February, 2023.

ATTEST:

MAYOR AND COMMON COUNCIL
TOWN OF UNIVERSITY PARK

T'Alicandra Hegeman, Town Clerk

By: _____
Joel Biermann, Mayor

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By: _____
Suellen M. Ferguson, Town Attorney

Agenda Item 9D
No Mow Resolution

**RESOLUTION OF THE MAYOR AND COMMON COUNCIL
OF THE TOWN OF UNIVERSITY PARK DESIGNATING THE MONTH OF APRIL,
AS “NO MOW MONTH”, TO ENCOURAGE RESIDENTS TO VOLUNTARILY DELAY
LAWN CARE AND MOWING TO SUPPORT POLLINATOR-FRIENDLY HABITAT
DURING A CRITICAL PERIOD OF POLLINATOR EMERGENCE**

WHEREAS, as a BEE CITY USA affiliate, the Town of University Park and the Town’s Bee City USA Committee, are encouraged to develop and implement a program to create or expand pollinator-friendly habitat on public and private land, to adopt sustainable pollinator-friendly land management practices; and

WHEREAS, the Town is in a unique position to significantly increase pollinator-friendly habitat by encouraging pollinator-friendly lawn-care practices, including the use of dye-free mulch, and by incentivizing its residents to take direct and meaningful action on private properties; and

WHEREAS, ideal pollinator-friendly habitat comprises mostly native wildflowers, grasses, vines, shrubs, and trees blooming in succession throughout the growing season, undisturbed spaces including leaf and brush piles, un-mown fields or field margins, fallen trees and other dead wood for nesting and overwintering; is free or nearly free of pesticides, comprises and provides connectivity between habitat areas to support pollinator movement and resilience; and

WHEREAS, the formative period for establishment of pollinator and other insect species, and the many songbirds and other urban wildlife species that depend upon them, occurs in late spring and early summer when they emerge from dormancy and require flowering plants as crucial foraging habitat, and these opportunities are dramatically reduced with early spring leaf-litter removal and grass-mowing; and

WHEREAS, Bee City USA has encouraged local governments to adopt “No Mow April” to support pollinator-friendly habitat during the month of April, which is a critical period of pollinator emergence; and

WHEREAS, the Mayor and Common Council have determined that encouraging residents as part of a pilot program to support No Mow April on private property is in the public interest.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Common Council of the Town of University Park recognize No Mow April to actively promote, and educate the community about, the critical period of pollinator emergence, generation of crucial pollinator-supporting habitat and early spring foraging opportunities; and

BE IT FURTHER RESOLVED, that for the duration of the month of April, the Town of University Park encourages all residents to voluntarily delay homeowner lawn-care and

mowing practices until May 1, for the purpose of allowing pollinator species to emerge and early flowering grasses and forbs to establish; and

BE IT FURTHER RESOLVED that Town Code Enforcement may suspend enforcement of §13-103 of the Town Code if the delay in mowing to support pollinator species results in ground-cover exceeding established weed and turf grass height, restrictions, to the extent that a hazardous situation is not created or allowed to continue.

APPROVED by the Mayor and Common Council of the Town of University Park at a regular meeting on the 6th day of February, 2023.

EFFECTIVE the 6th day of February, 2023.

ATTEST:

MAYOR AND COMMON COUNCIL
TOWN OF UNIVERSITY PARK

T'Alicandra Hegeman, Town Clerk

By: _____
Joel Biermann, Mayor

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By: _____
Suellen M. Ferguson, Town Attorney

Agenda Item 9E
Traffic Calming Device Policy

Traffic Calming Devices

Purpose - To promote and maintain safe vehicular speeds on residential streets and to enhance the livability of neighborhoods.

Definitions

CHOKER - These devices physically reduce the width of the road, thereby forcing the driver to reduce the vehicle speed to safely travel through the device

EDGE LINES MARKINGS - These markings are used to delineate lane widths, thereby potentially reducing vehicle speeds. The area between the edge of the road and the lane marking can be used for parking in selected situations or as a bike lane.

INTERSECTION MODIFICATIONS - Changing the intersection by restricting through movements or raising the pavement height to effectively regulate vehicle speeds. These changes can also include reducing the corner radius at the intersections.

MEDIAN OR PEDESTRIAN REFUGE ISLANDS - These devices are generally used with multilane roadways. They are used to reduce the width of a road which can regulate vehicle speeds and provide improved pedestrian crossing opportunities.

ROAD MEDIANS - These devices can range in length, width and architectural features. They are effective in reducing the width of the street and reducing the turning radius of intersections.

RUMBLE STRIPS - These devices create tire noise and are used primarily to alert drivers to a change in road conditions.

SPEED HUMPS - These devices are designed to produce an elongated pavement rise that is designed to allow vehicles to travel over them safely, at or below the posted speed limit. These devices are typically considered when the average traffic volumes are greater than 500 vehicles per day and when 15% of the total volume of the traffic is exceeding the posted speed limit by five miles per hour or more.

SPEED BUMPS - Common name for a class of traffic calming devices that uses vertical deflection to slow motor vehicle traffic in order to improve safety conditions. Although speed bumps are effective in keeping vehicle speeds down, their use is sometimes controversial-as they can increase traffic noise, may damage vehicles if traversed at too great a speed, and slow emergency vehicles.

TRAFFIC CALMING - The terminology used to describe various methods of reducing vehicular speeds and volumes on residential neighborhood streets. These methods typically require the

installation of physical devices such as traffic circles, rumble strips, edge lines markings and speed humps that were developed for the purpose of discouraging vehicular speeding.

TRAFFIC CIRCLES - These devices are generally installed in intersections. The roadway alignment is deflected around the center island thereby reducing vehicle speeds.

Request for installation of traffic calming device by petition

A request for the installation of a traffic calming device can be made by petition.

A. Petition request.

(1) Homeowners of a street can submit a petition to the Town Administrator requesting that a traffic calming device be installed on that street. The petition shall define the portion of the street for which the request for the installation of a traffic calming device is being made. The petition must be signed by at least 75% of the homeowners that are located within 500 feet of the requested installation site and front the street for which the traffic calming device is requested.

(2) If a traffic calming device is requested for an intersection, the petition must be circulated to the homeowners of all intersecting streets within 500 feet of the requested installation site.

(3) The Town Clerk shall review the petition to determine the total number of eligible homeowners on the street(s) and shall compute the percentage of homeowners signing the petition. If that percentage is 75% or greater, the Town Clerk shall validate the petition, forward it to the Town Administrator and inform the Mayor and Council that a petition has been validated for the installation of a traffic calming device at a particular location.

(4) A previous petition made in the same area after initial refusal by Town to install traffic calming shall not be considered by the Town without findings that the traffic conditions, volumes or other relevant factors have materially changed.

B. To assist residents in petitioning for traffic calming devices, the Town Clerk is authorized to distribute a standard petition form to request the installation of a traffic calming device.

Review of petition by Traffic Town Engineer

A. Upon receipt of a validated petition, the Town Traffic Engineer or other person authorized by the Town, shall evaluate the petition and conduct all necessary studies. A report shall be issued by the Town Traffic Engineer or other person authorized by the Town, within 90 days of receipt of a validated petition, provided that a traffic study can be conducted in accordance herewith.

In the event that a traffic study cannot be conducted in a timely fashion, this time frame shall be extended by the Mayor and Council to a date certain. The report shall, if warranted, contain a recommended traffic calming method and a recommended installation site. The report shall take into consideration any hill, curve or street condition that may affect the placement of the traffic calming device. In addition, the Town Traffic Engineer or other person authorized by the Town, will include estimated costs for the recommended solution or solutions, so that the cost effectiveness of such solutions can be evaluated.

B. Upon completion of the report, the Town Traffic Engineer or other person authorized by the Town, shall forward the report to the Town Clerk. Upon receipt of the report, the Town Clerk shall notify the Mayor and Council that a report has been received and request that a public hearing be scheduled regarding the petition.

Public hearing; criteria for evaluating requests.

A. Conduct of public hearing.

(1) After having been notified by the Town Clerk that a report from the Traffic Engineer or other person authorized by the Town, pertaining to a petition for the installation of a traffic calming device has been received, the Mayor and Council shall schedule a public hearing to solicit the opinions of the entire neighborhood and the Town at large.

(2) The Town Clerk shall send notice of the public hearing to all homeowners of the street for which a traffic calming device is requested. The public hearing shall be advertised in the Newsletter.

(3) After conducting the public hearing and declaring the hearing record closed, the Mayor and Council shall announce its decision within 45 days of the close of the hearing record. This time may be extended by majority vote of the Council.

(4) The Mayor and Council may approve, approve with modifications or deny the request for the installation of a traffic calming device.

(5) The Town Clerk shall notify the petitioners and their neighborhood of the Mayor and Council's decision, which shall also be published in the Newsletter.

B. Guidelines for evaluating a request for the installation of a traffic calming device. Petitions requesting the installation of a traffic calming device shall be evaluated in accordance with the standards established by the State Highway Administration and the Institute of Traffic Engineering Guidelines. The following criteria are intended to further guide the Mayor and Council in determining whether a request for a traffic calming device is reasonable and justified. These shall not be considered exclusive criteria:

(1) The street proposed for a traffic calming device has an identified speeding problem which cannot be alleviated any other way than by a traffic calming device. Such a problem can be identified through a combination of resident complaints, police radar surveillance and ticketing practices and the history of the previous efforts to control speeding on the street. Traffic calming devices will only be installed to address documented safety or traffic concerns supported by traffic engineering studies. Devices can be implemented individually or in conjunction with other traffic calming measures depending upon area conditions and characteristics.

(2) The street carries a higher volume of nonresidential traffic than would normally be expected. Streets considered for traffic calming must be primarily residential with a majority of residential homes and driveways fronting on the street.

(3) The installation of traffic calming devices shall be assessed for their potential impact on public transportation, fire and rescue operations and street maintenance operations, e.g., street sweeping and snow plowing.

(4) The potential impact of traffic calming devices on adjacent neighborhoods shall be assessed.

(5) If a problem is determined during the engineering study, the Department of Public Works will consult with the homeowners of the particular street and develop a plan for the type and location of traffic calming devices.

(6) The costs of recommended solution or solutions by the Traffic Engineer or other person authorized by the Town, should be evaluated by the Council.

Follow up evaluation; removal or alteration of devices

A. Upon request of the 75% of the homeowners of the street containing a traffic calming device and after six months have elapsed from the initial installation of the traffic calming device, the Mayor and Council shall consider removing or altering the traffic calming device.

B. In the event that no request for a study is made pursuant to Subsection A above, the Town Traffic Engineer or other person authorized by the Town, not less than one year after implementation, shall perform a follow up evaluation to determine the effectiveness of the implemented plan. This will include an evaluation of both traffic data and resident sentiment.

C. The request for removal or alteration may be made by petition subject to the procedures set forth in this paper.

Authority of the Town

A. If Town Traffic Engineer or other person authorized by the Town or the Police, Traffic and Public Safety Committee recommends, the Mayor and Council may initiate the installation of traffic calming devices.

B. Authority of the Town over traffic calming devices. Nothing here shall be construed as preempting the Town, at its initiative, from installing, altering, maintaining or removing a traffic calming device. The Town Manager will notify the affected residents of any proposed change to a traffic calming device. The residents will have an opportunity to discuss the proposed change with the Mayor and Council before the change is adopted and implemented.

C. If by decision of the Mayor and Council, a specific traffic calming device is deemed inappropriate for the petitioned instance, other speed control devices may be substituted.