

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

**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, 2023*

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

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

4. APPROVAL OF REGULAR MINUTES: *January 3, 2023*

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: