



**MEETING OF
UNIVERSITY PARK MAYOR AND COMMON COUNCIL
UNIVERSITY PARK ELEMENTARY SCHOOL
4315 UNDERWOOD STREET
7:30 p.m.
February 3, 2020
MINUTES**

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

Present: Mr. Brosch, Mr. Schultz, Ms. Morrissey, Ms. Verrill, Ms. Wells, Mr. Stephen
Absent: None
Excused: Mr. Caskey

2. PLEDGE OF ALLEGIANCE was led by Ms. Wells.

3. APPROVAL OF THE AGENDA

Moved by: Mr. Stephen

Seconded by: Ms. Wells

Yea: 6

Nay: 0

Abstain: 0

4. PRESENTATION

A. HYATTSVILLE VOLUNTEER FIRE DEPARTMENT

Hyattsville Fire Department Chief Josh Wortman, Deputy Fire Chief Ryan Pidgeon and Board of Directors Chair Mr. Stephen Hulick distributed a copy of the Hyattsville Volunteer Fire Department 2019-2020 overview. Their goal is to make a better appearance and have a proactive approach to the community. The following are highlights of their presentation:

- The department has a live-in program with students from University of Maryland, Montgomery College, and other local schools.
- Monday-Friday, 7a.m.-4p.m. the station is staffed with career Prince George's County firefighters; volunteers staff the station on all evenings, weekends and holidays.
- There are currently 120 diverse volunteers.
- There is a need for volunteers with administrative duties.
- The department no longer hires a third-party organization to do their fundraising due to many complaints from the community. All fundraising is now done by mail.
- They thanked University Park for their financial support over the years.
- In the next few years there will be a need to replace or refurbish the current apparatus.
- The plan is that the firefighters move next door to the recently purchased Red Cross building until the fire department is demolished and re-built.
- The firefighters are trained to be proactive and look for potential fire hazards at non-emergency

calls.

5. CONSENT AGENDA

Motion: To approve the following consent agenda item.

Moved by: Ms. Verrill

Seconded by: Ms. Wells

Yea: 6

Nay: 0

Abstain: 0

A. BUILDING PERMIT APPLICATION TO INSTALL 4’ FENCE

(Amber Watson and Alexander Stewart, 6609 Wells Parkway) Ward 4

To install a 4’ fence, located on Lot 19, Block 22 and Section 7 at 6609 Wells Parkway.

6. PERMITS

A. PUBLIC HEARING

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
- (a) will not unduly impede the enforcement of any other applicable law. (Revised, effective December 12, 1989, February 28, 1998)

A. BUILDING PERMIT APPLICATION WITH SPECIAL EXCEPTION FOR A 6’ FENCE (Mathieu Greenwood and Gunita Singh of 4318 Clagett Pineway) Ward 5

A request has been made for a building permit to install a 100’ section of non-conforming 6’ fence on the rear property line located on Lots 69 and Block E at 4318 Clagett Pineway. This requires a Special Exception per Section 4-115 Sub-sections A-E of the Town Code. To approve a Special Exception, Council must make the requisite findings.

Motion: To approve the request for a building permit to install a 100’ section of non-conforming 6’ fence on the rear property line located on Lots 69 and Block E at 4318 Clagett Pineway, requiring a Special Exception per Section 4-115 Sub-sections A-E of the Town Code. Applicant shows that safety, hardship and unusual circumstances are the issues. Council approved the request for a building permit, with findings required by Section 4-115 Sub-sections A-E of the Town Code having been met.

Moved by: Ms. Verrill

Seconded by: Mr. Stephen

Yea: 4

Nay: 2 (Schultz, Brosch)

Abstain: 0

7. PUBLIC COMMENT

None

8. CONTINUING BUSINESS

A. ADOPT LEGISLATIVE RESOLUTION 2020-O-01: RESTRICTED PARKING AND RESTRICTED ENTRY ALONG UNDERWOOD STREET AND QUEENS CHAPEL ROAD NEARBY UNIVERSITY PARK ELEMENTARY SCHOOL (Second Reading)

Motion: To adopt Legislative Resolution 2020-O-01 to amend Town Code, Chapter 9 to restrict parking on the east (Baltimore Ave.) side of Queens Chapel Road for 95 feet north of Underwood, and on the south (Wells Run) side of Underwood for 93 feet east of Queens Chapel Road, Monday through Friday 7 a.m. to 9 a.m., and also prohibit entry onto Underwood eastbound (towards Baltimore Ave.) from Queens Chapel Road during those same hours as recommended by the Police, Traffic and Public Safety Committee.

The earliest date this motion may be considered for passage is February 3, 2020.

Moved by: Mr. Schultz

Seconded by: Ms. Verrill

Yea: 6

Nay: 0

Abstain: 0

B. ADOPT CHARTER RESOLUTION 20-CR-01: AMENDING ARTICLE V, “REGISTRATION, NOMINATIONS AND ELECTIONS, SECTION 503 “REGISTRATIONS” AND SECTION 506 “CANDIDATES FOR OFFICE” (Second Reading)

Motion: To adopt Charter Resolution 20-CR-01 to repeal and re-enact Article V, “Registration, Nominations and Elections”, Section 503 “Registration” and Section 506 “Candidates for Office” to clarify that qualified persons register to vote in the Town through Prince George’s County Board of Elections, delete the provision for a supplemental voter registration list, include the requirement for candidates to file a financial disclosure statement at the same time as the candidate petition, require that the candidate petition and financial disclosure statement be filed at least 29 days prior to the election, clarify the petition requirements for write-in candidates, delete outdated references, and make conforming and clerical changes.

The earliest date this motion may be considered for passage is February 24, 2020.

Moved by:

Seconded by:

Yea:

Nay:

Abstain:

9. NEW BUSINESS

A. APPROVE AMENDMENT TO UPPD GENERAL ORDER SECTION 402.1, *FOREIGN NATIONALS*

Motion: To approve amendment of the General Order Manual revising section 402.1, *Foreign Nationals* to provide instructions on dealing with issues of citizenship status.

Moved by: Ms. Verrill

Seconded by: Ms. Morrissey

Yea: 6

Nay: 0

Abstain: 0

PUBLIC COMMENT: (Comments are in reference to 9A)

- A resident commended all those involved in the very careful and thoughtful approach in crafting the amendments to the Charter, the Code and the General Orders Manual. He said that these policies and the Code amendment will serve the Town now and for many, many years to come.
- A resident did some historical research on the Town and he applauds these amendments.

B. INTRODUCTION OF LEGISLATIVE RESOLUTION 2020-O-02: CHAPTER 2, ENACTING SECTION 114, *WELCOMING TOWN (Introduction)*

Motion: To approve introduction of Legislative Resolution 2020-O-02 to amend Town Code, Chapter 2 by enacting section 114, “Welcoming Town” to regulate how US Citizenship status information is obtained, used and retained, and to make provision for Town benefits and services without regard to US citizenship status.

The earliest date this motion may be considered for passage is March 2, 2020.

Moved by: Ms. Verrill

Seconded by: Ms. Wells

Yea: 6

Nay: 0

Abstain: 0

C. CONTRACT FOR THE INFRASTRUCTURE PROJECTS

Motion: Per Section 2-105 (b) of the Town Ordinances, to override sealed-bid procedures for good cause and award a contract for approximately \$1 million to NZI Construction Corporation, 11601 Spruce Avenue, Beltsville, Maryland to repair concrete and asphalt infrastructure on streets impacted by the WSSC CHE Water Main Replacement Project, as well as sidewalk repairs needed on various streets throughout town, and to authorize the Mayor and Town Attorney on the behalf of the Town to negotiate and sign a contract with NZI Construction Corp. for such purchase. Good cause to override the sealed bid procedure is that the Town will “ride” an existing Prince Georges County unit cost contract executed in February of 2017 after a competitive bid process consistent with that adopted by the Town. Further, it will enable those streets which are not part of a group where new sidewalks are proposed and grant funding is being sought to be completed in 2020. Waiting for grant funding to begin construction would delay all construction until Summer 2022 and the grant requirements make it necessary to contract any grant-funded work separately. The current Prince Georges County contract expires in November 2020.

Excerpt from Town Code Article 1, Section 2-105 – Duties of the Treasurer.

(b) Purchasing. The Treasurer shall oversee all purchase orders. Except in situations where good cause has been demonstrated to the Council, the Treasurer shall make any single purchase or expenditure of more than ten thousand dollars (\$10,000.00) by means of sealed bids. Such bids shall be opened publicly after public notice at such time and place as the Treasurer shall determine. Whenever the State of Maryland, or any department thereof, or any Prince George’s County, or the Metropolitan Washington Council of Governments or individual member government, or other local government in Maryland, has conducted a competitive bid process that is consistent with that adopted by the Town, and has awarded a contract that authorizes local governments to purchase the bid item at the bid price, the Treasurer may purchase the bid item at the bid price from the successful bidder, subject to the prior approval of the Mayor.

Moved by: Ms. Wells

Seconded by: Mr. Schultz

Yea: 6

Nay: 0

Abstain: 0

Motion: To remove items 2, 3 and 4 from the Public Works Director’s memo and refer them for discussion at the Police, Traffic and Public Safety Committee meeting.

Moved by: Ms. Wells

Seconded by: Mr. Stephen

Yea: 6

Nay: 0

Abstain: 0

Note: The next meeting for the Police, Traffic and Public Safety Committee meeting is scheduled for February 19 at 7:30 p.m. at Town Hall.

D. LETTER OF SUPPORT FOR LEGISLATION TO ADOPT ELECTRIC INDUSTRY – COMMUNITY CHOICE AGGREGATION ACT

Motion: To authorize the Mayor to write and send a letter of support for SB315 and HB561 to adopt a Community Choice Aggregation (CCA) Act which would allow local governments the opportunity to negotiate with electricity providers on behalf of its residents creating more flexibility in negotiating the purchase of renewable energy at competitive rates.

Moved by: Mr. Brosch

Seconded by: Mr. Stephen

Yea: 6

Nay: 0

Abstain: 0

E. HELPING HANDS UNIVERSITY PARK (HHUP) FEDERAL GRANT OPPORTUNITY FOR SENIORS

HHUP Chair Loretta Vitale Saks explained the grant opportunity for seniors. The HHUP volunteers are considering a volunteer peace corps to provide services to seniors and adults with disabilities for non-medical reasons.

Motion: To consider the request for HHUP to participate in the Community Care Corporation grant application along with Aging in Place Prince George’s County to benefit University Park seniors.

Moved by: Ms. Verrill

Seconded by: Ms. Morrissey

Yea: 6

Nay: 0

Abstain: 0

10. APPROVAL OF MINUTES: *January 27, 2020* as amended.

Moved by: Ms. Verrill

Seconded by: Mr. Brosch

Yea: 5

Nay: 0

Abstain: 1 (Wells)

11. APPROVAL OF CLOSED SESSION MINUTES: *January 27, 2020*

Moved by: Mr. Schultz

Seconded by: Ms. Morrissey

Yea: 5

Nay: 0

Abstain: 1 (Wells)

12. MAYOR AND COUNCIL REPORTS

A. MAYOR'S REPORT

- The part-time Town Administrator position has been advertised. The deadline for resumes is February 14. The panel selected to review the resumes and do the first round of interviews are: Councilmember for Ward 6 Martha Wells; Councilmember for Ward 4 Linda Verrill; Councilmember for Ward 2 Joe Schultz; Town Attorney for University Park Suellen Ferguson; City Administrator for New Carrollton Tim George; City Administrator for Hyattsville Tracey Nicholson-Douglas; City Clerk for College Park Janeen Miller, Town Clerk for University Park Andrea Marcavitch; University Park resident Emily Ryan; University Park resident David Tully; University Park resident Sandy James. Treasurer for University Park Dan Baden will run the panel and Mayor Carey will be an observer. The panel will select two to six applicants and the Council will then perform the second round of interviews.
- Mayor Carey will attend the Maryland Municipal League's Legislative Committee meeting on February 5 followed by the Maryland Mayor's Association meeting from February 5-7.
- Mayor Carey and Hyattsville's City Administrator are discussing vehicle traffic, pedestrian safety and bike lanes along Adelphi Road (between East West Highway and University Boulevard). Eventually, they will engage County Councilmembers Glaros and Taveras. The plan is to put together a comprehensive proposal to eventually get some solutions for this area.

B. COUNCIL AND COMMITTEE REPORTS

Development Overview Committee - Ms. Wells

The next meeting is scheduled for Thursday, February 13. Mr. Schultz will chair the meeting. Discussion will include the Dewey Property.

Policy, Rules and Municipal Structure Committee - Ms. Verrill

The next meeting is scheduled for Thursday, February 27 at Town Hall at 7:00 p.m. (the February 6 meeting was cancelled). The March 5 meeting is cancelled due to the rescheduling of the February meeting.

Sustainability Committee - Mr. Schultz

The next meeting is scheduled for Wednesday, February 5 at Town Hall.

13. ADJOURNMENT by consent at 9:35 p.m.

Submitted by: _____
Lenford C. Carey, Mayor