



**MEETING OF  
UNIVERSITY PARK MAYOR AND COMMON COUNCIL  
VIA VIDEO AND AUDIO CONFERENCE  
7:00 p.m.  
June 21, 2021  
MINUTES**

*A closed session was called to begin at 7:00 p.m.*

**Motion:** To 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; to consider the acquisition of real property for a public purpose and matters related thereto; and to consult with Counsel to obtain legal advice.

**Moved by:** Ms. Wells

**Seconded by:** Mr. Stephen

**Yea:** 6

**Nay:** 0

**Abstain:** 0

**1. CALL TO ORDER: Mayor Carey** at 7:31 p.m.

**Present:** Mr. Biermann, Mr. Schultz, Ms. Morrissey, Ms. Verrill, Mr. Caskey, Ms. Wells, Mr. Stephen

**Absent:** None

**Excused:** None

**2. PLEDGE OF ALLEGIANCE** – was led by Mayor Carey.

**3. APPROVAL OF THE AGENDA** as amended.

The agenda was rearranged accordingly until all members of the 22<sup>nd</sup> District were present. Agenda item 9A was moved after agenda item 4.

**Moved by:** Ms. Verrill

**Seconded by:** Ms. Wells

**Yea:** 7

**Nay:** 0

**Abstain:** 0

**4. APPROVAL OF MINUTES:** *June 7, 2021*

**Moved by:** Ms. Wells

**Seconded by:** Ms. Verrill

**Yea:** 7

**Nay:** 0

**Abstain:** 0

**5. PRESENTATION**

**A. 22<sup>nd</sup> DISTRICT BRIEFING TO COUNCIL**

The 22nd District Senator and Delegates – Senator Paul Pinsky, Delegate Anne Healey, Delegate Alonzo Washington, and Delegate Nicole Williams – briefed Council on the 2021 General Assembly Session and legislative issues of interest.

- Senator Pinsky updated on the following local issues: 1) the culvert along route 410 has been cleaned out; 2) State Highway Administration is working with the County to consider installing a left-hand arrow on Adelphi Road turning onto Wells Parkway in University Park; 3) the Delegation is ready to help with any further financial assistance for what is decided with the Town Hall; and 4) the Purple Line is currently a mess but the project will eventually get done. He continued briefing on State issues such as, Covid, police reform, education, and environment.
- Delegate Anne Healey gave an update on the following: Census numbers, voting rights, and the upcoming 50<sup>th</sup> anniversary of the Women’s Caucus in the Maryland General Assembly.
- Delegate Alonzo Washington gave an update on police/Mobile Crisis Unit, equality in education and the National Strategic Economic Development Fund.
- Delegate Nicole Williams gave an update on police accountability. She said that at the next session they will discuss Qualified Immunity.

**6. CONSENT AGENDA**

**Motion:** To approve the following consent agenda items.

**Moved by:** Ms. Wells

**Seconded by:** Mr. Biermann

**Yea:** 7

**Nay:** 0

**Abstain:** 0

**A. BUILDING PERMIT APPLICATION TO INSTALL 4’ FENCE**

**(Limer Batista, 4302 East West Highway) Ward 1**

*To install a 4’ fence on Lots 9 & 10, Block 4 and Section 1 at 4302 East West Highway.*

**B. BUILDING PERMIT APPLICATION TO INSTALL TWO RETAINING WALLS**

**(Maising Zhu of 6804 40<sup>th</sup> Avenue) Ward 6**

*To install two retaining walls – a 4’x 37’ retaining wall in front of the house and a 34” (maximum height) x 28’4” retaining wall on one side of the driveway, located on Lot 22, Block 39 and Section 7 at 6804 40<sup>th</sup> Avenue.*

**7. PUBLIC COMMENT**

- A resident supports the ban on gas-powered leaf blowers.

## 8. MAYOR, COUNCIL, AND COMMITTEE COMMENTS AND REPORTS

### A. MAYOR'S REPORT – *Mayor Carey*

- Mayor Carey officially swore in Mr. McGaughey on June 18. Ms. Gathercole, Mr. Morgan, and Ms. Wells were sworn in at the Town Hall on June 21 at 6:00 p.m.
- The Town Clerk is relocating to Connecticut at the end of June but will continue to work for the Town remotely while working on transitioning the position.
- The Maryland Municipal League is meeting on June 27-30 in Ocean City and the virtual session is scheduled for July 19-20.
- A walk-through site visit for Phase 2B of the infrastructure project along Underwood Street, College Heights Drive, Woodberry Street and Clagett-Pineway is scheduled for June 30. Town residents on those nearby areas affected are receiving flyers to invite them.
- Governor Hogan has removed the State of Emergency beginning July 1.
- Mayor Carey is working on plans to eventually have the Council meet again in person.
- Lines for Pickleball will be painted on the tennis courts.
- The Independence Day parade is scheduled to begin at 1 p.m. on July 4. Participants include a float by Helping Hands, a mounted unit from Maryland National Capital Park and Planning Police, and personnel from the Hyattsville Volunteer Department.

### B. COMMITTEE REPORTS AND COUNCIL COMMENTS

#### **Public Facilities and Services Committee - Mr. Stephen**

The Committee did not meet last week.

## 9. NEW BUSINESS

### A. ADOPTION OF RESOLUTION 2021-R-04 RECOGNIZING THE CONTRIBUTION OF RESIDENT SARAH ELDER

**Motion:** To adopt Resolution 2021-R-04, proclaiming gratitude to resident Sarah Elder for service to our community.

**Moved by:** Mr. Stephen

**Seconded by:** Ms. Verrill

**Yea:** 7

**Nay:** 0

**Abstain:** 0

### B. RECOGNIZE OUTGOING COUNCILMEMBERS FROM WARDS 2, 4 AND 5

Mayor Carey and Councilmembers recognized departing Councilmembers Schultz, Verrill and Caskey for their years of volunteer work on the Council.

### C. AMEND TOWN GARAGE LEASE

**Motion:** To approve amending the current garage lease as recommended in the June 18, 2021 memo from the Town Administrator.

**Moved by:** Ms. Wells

**Seconded by:** Ms. Morrissey

**Yea:** 7

**Nay:** 0

**Abstain:** 0

## 10. ADMINISTRATOR AND DEPARTMENT REPORTS

### A. REPORT FROM THE TOWN ADMINISTRATOR ~ *David Deutsch*

- Participated in a webinar sponsored by the Maryland Municipal League and learned that a consultant was hired in managing the American Rescue Plan Funds Program at the State level. University Park is due for approximately 1.1 million dollars by July 15. A series of recommendations will be presented to the Council next month regarding proposals for how the funds will be allocated.

### B. REPORT FROM THE TOWN ATTORNEY ~ *Suellen Ferguson*

No report.

### C. REPORT FROM THE TOWN CLERK ~ *Andrea Marcavitch*

- Summary of permits issued in the month of June: 4 building; 2 POD/dumpster and 0 vendor.

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

June crime report - 3 incidents.

- A new program in Town called 9 p.m. Routine campaign began this month. This consists of all residents remembering at 9:00 p.m. to lock your car and home doors and leave the exterior lights on.
- Recent Community Activities: assisted with 6<sup>th</sup> grade promotion at UPES and the parade on Queens Chapel Road; conducted Walking Wednesday in ward 4 on June 16; and organized and partnered with Maryland National Capital Park Police to host Movie Night in the Park on June 17.

### E. REPORT FROM THE TOWN TREASURER ~ *Dan Baden*

May 2021 Treasurer's Report was distributed.

### F. REPORT FROM THE DIRECTOR OF PUBLIC WORKS ~ *Michael Beall*

- Flyers were delivered by Public Works related to the Phase 2 Site walk-through.
- Mr. Beall thanked Councilmembers for the Town having joined the State Pension Plan in 2009, as it has changed the lives of his staff and they are very grateful.
- Mr. Beall was asked when the sidewalk on 44<sup>th</sup> between 410 and Sheridan Street will be addressed. He said the highest priorities are the sidewalks that provide direct access for students to get to school. Mayor Carey said that the intent of the Infrastructure Plan was to eliminate the backlog of needed sidewalk repairs. Accordingly, the priority list will be reviewed to see if that is being done.

## 11. ADJOURNMENT by consent at 9:46 p.m.

Submitted by: Lenford C. Carey

Lenford C. Carey, Mayor

## Public Record of Closed Session

<b>Motion: To close public meeting</b>	<b>Motion: To resume public meeting</b>
Moved by: Ms. Wells                      Seconded by: Mr. Stephen	Moved by: Ms. Verrill                      Seconded by: Mr. Caskey
Yea: 6              Nay: 0              Abstain:	Yea: 7              Nay: 0              Abstain:

TIME: 7:03 p.m.

DATE: June 21, 2021

PLACE (IF OTHER THAN TOWN HALL): Via Zoom

PERSONS PRESENT: CMs Biermann, Schultz, Morrissey, Verrill, Wells, Caskey (arrived 7:10 p.m.),  
Stephen, Mayor Carey, Town Attorney Ferguson, and Town Administrator Deutsch

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: 1. Vaccination requirements and employee terminations; 2. Capability of Town Clerk's Office; and 3. Status of garage purchase and related negotiations.

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ACTIONS TAKEN: None

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MEETING ADJOURNED: 7:27 p.m.

SIGNED: *Lenford C. Carey, Mayor*