

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

7:30 p.m.

July 19, 2021

MINUTES



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

Present: Mr. Biermann, Ms. Gathercole, Ms. Morrissey, Mr. Morgan, Mr. McGaughey, Ms. Wells, Mr. Stephen (arrived at 7:32 p.m.)

Absent: None

Excused: None

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

3. APPROVAL OF THE AGENDA as amended.

Add line item 11E Veo-Ride Contract Extension to the agenda.

Moved by: Ms. Wells

Seconded by: Mr. McGaughey

Yea: 7

Nay: 0

Abstain: 0

4. APPROVAL OF MINUTES: *July 6, 2021*

Moved by: Mr. Stephen

Seconded by: Ms. Wells

Yea: 7

Nay: 0

Abstain: 0

5. APPROVAL OF PUBLIC CLOSED SESSION MINUTES: *July 6, 2021*

Moved by: Ms. Wells

Seconded by: Mr. McGaughey

Yea: 7

Nay: 0

Abstain: 0

6. APPROVAL OF CONFIDENTIAL CLOSED SESSION MINUTES: *July 6, 2021*

Moved by: Ms. Gathercole

Seconded by: Mr. Stephen

Yea: 7

Nay: 0

Abstain: 0

7. PRESENTATION

A. DISCUSSION OF LOCAL STORMWATER MANAGEMENT EFFORTS

Prince George's County Councilmember Dannielle Glaros and Soltesz Engineer Ken Dunn presentation on local stormwater management efforts at Nine Pond and Guilford Run.

- Prince George's County residents receive a 25% reduction in flood insurance.
- University Park did an amazing job hosting a local [rain-check rebate program](#). This program can be helpful for homeowners to invest in techniques that can help manage water on their property.
- The Prince George's County Clean Water Partnership Program is highly successful. Information on the projects in the County can be found at <https://thecleanwaterpartnership.com/>.
- The County plans to use a large portion of the money from American Rescue Plan for stormwater management.
- The Nine Pond project is likely to begin in early winter.
- The County is limited to what it can do about the Guilford Run project so additional solutions along the Guilford Run Watershed are going to need to be explored.
- The Calvert Hills Stormwater Management project is obtaining various easements required to move forward on the project.

8. CONSENT AGENDA

Motion: To approve the following consent agenda items.

Moved by: Mr. Stephen

Seconded by: Ms. Morrissey

Yea: 7

Nay: 0

Abstain: 0

A. BUILDING PERMIT APPLICATION TO INSTALL FENCE

(Jack Pinney, 6705 Queens Chapel Road) Ward 3

To install a 4' fence on Lot 12 and part of lot 13 and Block 16 at 6705 Queens Chapel Road.

B. BLOCK PARTY/STREET CLOSURE FOR CLAGETT ROAD (FROM QUEENS CHAPEL ROAD TO CLAGETT PINEWAY)

(Saturday, September 11, 2021 from 4 – 8:30 p.m.) Ward 5

The police department has been notified and supports this request.

C. DUMPSTER PERMIT EXTENSION

(Daniel and Catherine Rooney, 4209 Van Buren Street) Ward 4

A dumpster permit has been issued for 30 days and extended by the Mayor for an additional 60 days. Per [Town Code Section 7-107](#), Mr. and Mrs. Rooney are asking Council to extend the dumpster permit until November 18, 2021.

9. PUBLIC COMMENT

None

10. MAYOR, COUNCIL, AND COMMITTEE COMMENTS AND REPORTS

A. MAYOR’S REPORT – *Mayor Carey*

- The first Meadow Day event in University Park is scheduled for Saturday, July 24 on Adelphi Road from 10-12.
- The Maryland Department of Agriculture informed University Park that they will be spraying for mosquitoes on July 19, approximately 1 mile from the intersection of Baltimore Avenue and East West Highway.

B. COMMITTEE REPORTS AND COUNCIL COMMENTS

Public Facilities and Services Committee - Mr. Stephen

The Committee met on July 15. The meeting notes will be available on the website soon.

Development Overview Committee - Ms. Wells

At the July Committee meeting discussion included the proposed site at the intersection of East West Highway and America Boulevard, and the University of Maryland Golf Course.

Police, Traffic and Public Safety Committee - Ms. Wells

The next meeting is scheduled for Wednesday, July 21.

Town Attorney – Ms. Suellen Ferguson

Due to a recent development with the negotiations for the Public Works maintenance facility (garage), Ms. Ferguson recommended that the Council take a few minutes in a closed session to discuss this matter prior to agenda items 11A-C.

11. NEW BUSINESS

A. APPROVAL OF AGREEMENT OF SALE FOR PURCHASE OF GARAGE

Motion: To approve the Agreement of Sale in substantially the form attached to purchase the real property located at 4201 48th Street, Bladensburg, Maryland 20710 for a public purpose for the sum of \$825,000.00 with the other minor amendments as outlined by the Town attorney.

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

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

Roll Call Vote:	Mr. Biermann	Yea
	Ms. Gathercole	Yea
	Ms. Morrissey	Yea
	Mr. Morgan	Yea
	Mr. McGaughey	Yea
	Ms. Wells	Yea
	Mr. Stephen	Yea

B. INTRODUCTION OF EMERGENCY LEGISLATIVE RESOLUTION 21-O-05: PURCHASE OF GARAGE (First Reading)

Motion: To introduce Legislative Resolution 21-O-05 to authorize the acquisition of certain real property located at 4201 48th Street, Bladensburg, Maryland 20710 for a public purpose of acquiring the Property for Town vehicle repair, maintenance and storage, and the use of funds in the “Public Works Garage” line item in the FY22 Budget for that purpose as minorly amended by the Town attorney to conform with the Agreement of Purchase.

The earliest date this Ordinance may be considered for passage is August 16, 2021. Adoption as an emergency measure requires at least four votes. If adopted as an emergency measure it will be effective upon adoption.

Moved by: Ms. Wells

Seconded by: Mr. Biermann

Yea: 7

Nay: 0

Abstain: 0

Roll Call Vote:	Mr. Biermann	Yea
	Ms. Gathercole	Yea
	Ms. Morrissey	Yea
	Mr. Morgan	Yea
	Mr. McGaughey	Yea
	Ms. Wells	Yea
	Mr. Stephen	Yea

C. INTRODUCTION OF EMERGENCY LEGISLATIVE RESOLUTION 21-O-06: FY22 BUDGET ADJUSTMENTS (First Reading)

Motion: To introduce Legislative Resolution 21-O-06 to approve the budget adjustments for Fiscal Year 2022 to recognize American Rescue Plan (ARP) funds as a revenue line item and a new expenditure line item, and to allocate \$375,000 of ARP funds to the Public Works Garage line item for use toward acquisition of 4201 48th Street, Bladensburg, Maryland 20710.

The earliest date this Ordinance may be considered for passage is August 16, 2021. Approval requires a two-thirds vote of Council to amend the budget. If adopted as an emergency measure it will be effective upon adoption.

Moved by: Mr. McGaughey

Seconded by: Ms. Wells

Yea: 7

Nay: 0

Abstain: 0

Roll Call Vote:	Mr. Biermann	Yea
	Ms. Gathercole	Yea
	Ms. Morrissey	Yea
	Mr. Morgan	Yea
	Mr. McGaughey	Yea
	Ms. Wells	Yea
	Mr. Stephen	Yea

D. AMERICAN RESCUE PLAN (ARP) FUNDS

Mr. Deusch discussed uses for the \$2.1 million for ARP funds.

- The funds are required to be committed by December 31, 2024, and totally spent by December 31, 2026.
- One half of the funds have not yet been received but expected to be deposited soon. The balance (one-half) is expected twelve months later.
- A strong recommendation is to use a portion of the funds for the purchase of a Public Works maintenance facility.
- Other recommendations for the ARP funds but still need more consideration are: 1) local stormwater management projects; give to the local food banks, and broadband.
- It was suggested by a Councilmember to use the Committee structures to help prepare the plan on what the money will be used for and to make some strong recommendations.

E. VEORIDE CONTRACT EXTENSION

Motion: To extend current mobility share agreement between College Park, University Park and VeoRide, Inc. until September 30, 2021.

Moved by: Mr. Biermann

Seconded by: Ms. Wells

Yea: 7

Nay: 0

Abstain: 0

A closed session was called at 9:18 p.m. before agenda items 11 A-C were taken up by Council.

Motion: To close the public meeting and move to a closed session to discuss 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. McGaughey

Yea: 7

Nay: 0

Abstain: 0

12. ADMINISTRATOR AND DEPARTMENT REPORTS

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

No report.

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 July: 3 building; 2 dumpster/POD and 0 vendor.
- Working to increase the number of residents that sign up to receive notices and alerts from the Town's website. Residents can be notified of the latest information, announcements, the Chief's blog, Council and Committee agendas and minutes, and more. Notifications are sent via email or text. Visit www.upmd.org/notifyme to sign up.

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

No crime to report

- On June 30, a traffic detail took place on Baltimore Avenue, East West Highway and Adelphi Road. As a result, the following were issued: 20 citations; 28 written warnings; 13 repair orders, and 5 parking tickets.
- The 4th of July parade was very successful.
- National Night Out is scheduled for August 3 from 6 -9 p.m.
- On July 22, a new officer will join the police department with one vacancy remaining.
- VerraMobility Automated Speed Enforcement training is scheduled for July 21.
- Additional training is planned using the Police One Online Academy: Workplace Bullying; Advanced Defensive Driving Techniques; Community Policing Strategies; Crisis of Leadership and Accident Reconstruction.
- Data will be retrieved from the automated speed cameras on Adelphi Road and East West Highway and this information will be available for the Committee.

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

June 2021 Treasurer's Report was distributed.

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

- Basement bathroom renovations at Town Hall are underway and expected to be completed by the end of August.
- In reference to stormwater management in Phase 2B of the Infrastructure Project, Mr. Beall said that there is potential for the Town to save on engineering and construction costs.

13. ADJOURNMENT by consent at 10:00 p.m.

Submitted by: _____
Lenford C. Carey, Mayor

Public Record of Closed Session

Motion: To close public meeting	Motion: To resume public meeting
Moved by: Ms. Wells Seconded by: Mr. McGaughey	Moved by: Ms. Wells Seconded by: Ms. Gathercole
Yea: 7 Nay: 0 Abstain: 0	Yea: 7 Nay: 0 Abstain: 0

TIME: 9:20 p.m.

DATE: July 19, 2021

PLACE (IF OTHER THAN TOWN HALL): Via Zoom

PERSONS PRESENT: Councilmembers Mr. Biermann, Ms. Gathercole, Ms. Morrissey, Mr. Morgan, Mr. McGaughey, Ms. Wells, Mr. Stephen; Mayor Carey, Town Attorney Suellen Ferguson and Town Administrator David 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: Town Attorney gave an update on the negotiations for the maintenance facility (garage) purchase, and Council consulted with Town Attorney.

ACTIONS TAKEN: None

MEETING ADJOURNED: 9:28 p.m.

SIGNED: *Lenford C. Carey*