



**MEETING OF  
UNIVERSITY PARK MAYOR AND COMMON COUNCIL  
VIA VIDEO AND AUDIO CONFERENCE  
7:30 p.m.  
March 6, 2023  
MINUTES**

**1. CALL TO ORDER: *Mayor Biermann* at 7:30PM**

**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:** Mr. McGaughey      **Seconded by:** Mr. Sweet

**Yea:**                                      **Nay:**                                      **Abstain:**

**Motion:** To amend the agenda following item 8A, the Traffic Calming Device Ordinance to enter into a Closed Session followed by a return to public session to cover the last item on the agenda.

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

**Yea: 6**                                      **Nay: 1**                                      **Abstain:**

**Motion:** To adopt agenda as amended.

**Yea: 6**                                      **Nay: 1**                                      **Abstain:**

**3. APPROVAL OF MINUTES: *February 21, 2023***

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

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

**4. APPROVAL OF CLOSED SESSION MINUTES: *March 1, 2023***

**Moved by:** Mr. Sweet                      **Seconded by:** Mr. Dubayah

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

**5. AZALEA CLASSIC UPDATE**

Jaime McGaughey thanked Mayor, Council and the Town for their support. She gave a brief background about the race and how it's the biggest fundraiser for the University Park Elementary School. The race is on April 29, 2023, rain or shine.

**6. PUBLIC COMMENT**

*None*

**7. MAYOR, COUNCIL, AND COMMITTEE COMMENTS AND REPORTS**

**Mayor**

- Briefly discussed the memo submitted to Council prior to the meeting.
- March 25 is the date for the ribbon cutting for the Tot Lot. I invited Len Carey and County Council Member Eric Olson as well as all the residents that were involved with the process.

**Policy Rules of Municipal Structure Committee – Ms. Morrissey**

- The Committee met on Thursday and will submit minutes to the committee and TC.
- A discussion about updating the racially exclusive language on old deeds and the gas-powered leaf blower policy.
- From the Ad Hoc Committee: an ad for the hiring of an interim Town Administrator will be distributed to Mayor and Council and will go to the municipal leagues of Maryland, Virginia, and Pennsylvania. The ad will also be posted on the Town's website.

**Development Overview Committee – Ms. Wells**

- The Committee will meet on Thursday night.
- Met with County Council Member Eric Olson last Wednesday to discuss the mud in Wells Run which was the result of an improperly placed siltation device. DPIE came out the next day and the developers were already fixing the problem. Will also discuss in the future the storm water rules.

**The Transit Task Force 2 Committee - Mr. McGaughey**

- The Committee will meet a week from tomorrow to discuss a final draft that we will discuss with the Mayor and bring before the public.

**The Sustainability Committee – Mr. Dubayah**

- The Committee will meet tomorrow night.
- We will have a presentation by Mike Hunninghake who is the Program Manager for Sustainable Maryland. He will discuss the procedure for recertification. There is a one-hour webinar on the process on April 5 from 2-3 p.m.

**PFSC Committee – Mr. Morgan**

- The Committee discussed storm water issues for Ward 2 and currently are in the process of prioritizing and editing suggestions from the RK&K report.
- The next meeting is March 16.

**Police, Traffic and Public Safety Committee - Ms. Gathercole**

- The Committee is not meeting this month.
- The Chief will host his Community Policing forum on April 22 from 2-3 at the Word of God

Baptist Church.

**8. CONTINUING BUSINESS**

**A. TRAFFIC CALMING DEVICE ORDINANCE** *(Second Reading)*

**Motion:** To adopt Ordinance 23-O-02, an ordinance amending Chapter 9, Vehicles and Traffic, of the Code of the Town to add Article 4, Traffic Calming Devices, §§9-401 through 9-407, to provide a resident petition process for installation and removal of traffic calming devices.

**Moved by:** Ms. Gathercole      **Seconded by:** Ms. Wells  
**Yea:** 7      **Nay:** 0      **Abstain:**

**Motion:** To amend 9-403 in item 2, as it states 500 feet; I would like it to read 500 feet along the same street.

**Moved by:** Mr. Dubayah      **Seconded by:**  
**Yea:**      **Nay:**      **Abstain:**

*Mr. Dubayah withdrew the amended motion.*

**B. Closed Session**

**Motion:** To enter into Closed Session to discuss a matter of personnel and employment issues and will return to public session when we are finished with that discussion.

**Moved by:** Ms. Wells      **Seconded by:** Ms. Gathercole  
**Yea:** 7      **Nay:** 0      **Abstain:**

**9. NEW BUSINESS**

**Motion:** That Dan Baden be hired as the Treasurer, an at will employee, at Grade 18, Step 9 with an annual salary of \$64,116 with other payments as consistent substantially the same as what has been presented by the Mayor in his memorandum this evening and that this agreement be memorialized in a letter to Mr. Baden from the Mayor to be signed by both to be prepared with the assistance of the Town Attorney.

**Moved by:** Ms. Morrissey      **Seconded by:** Ms. Wells  
**Yea:** 7      **Nay:** 0      **Abstain:**

**10. ADJOURNMENT by consent at 8:35 p.m.**

## Public Record of Closed Session

Motion: To close public meeting	Motion: To resume public meeting
Moved by: M. Wells                      Seconded by: M. Gathercole	Moved by: D. McGaughey      Seconded by: W. Sweet
Yea: 7              Nay:              Abstain:	Yea: 7              Nay:              Abstain:

TIME: 8:00 p.m.

DATE: March 6, 2023

PLACE (IF OTHER THAN TOWN HALL): Zoom

PERSONS PRESENT: Mayor Biermann, Councilmembers Dubayah, Gathercole, Morrissey, Morgan, McGaughey, Wells, Sweet and Town Attorney 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: Discussion of appointment of Dan Baden as Treasurer by Mayor, details of his individual contract.

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ACTIONS TAKEN: \_\_\_\_\_

Councilmembers were asked if they would support the appointment. The actual approval of the appointment would be done in public. At least a majority indicated they would.

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MEETING ADJOURNED: 8:30 p.m. \_\_\_\_\_

SIGNED: *Martha M Wells*  
Martha M Wells (Mar 17, 2023 08:59 EDT) \_\_\_\_\_