



**MEETING OF  
UNIVERSITY PARK MAYOR AND COMMON COUNCIL**

**UNIVERSITY PARK ELEMENTARY SCHOOL  
4315 UNDERWOOD STREET**

**7:30 p.m.**

**June 19, 2017**

**MINUTES**

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

**Present:** Mr. Thompson, Mr. Hess, Ms. Verrill, Mr. Caskey, Mr. Cron, Mr. Alvarez

**Absent:** None

**Excused:** Mr. Gekas

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

**3. APPROVAL OF THE AGENDA**

**Moved by:** Mr. Cron

**Yea:** 6

**Seconded by:** Mr. Thompson

**Nay:** 0

**Abstain:** 0

Sergeant Enig introduced University Park's newest Officer, David Johnson who joined the Police Department a few months ago. He was a former Loudoun County Sheriff's Deputy from Virginia and expressed that he was happy to have the opportunity to work in University Park.

**4. SWEARING-IN OF COUNCILMEMBERS-ELECT BY MAYOR CAREY**

**Joe Schultz, Ward 2 Councilmember**

**Linda Verrill, Ward 4 Councilmember**

**David Caskey, Ward 5 Councilmember**

**Martha Wells, Ward 6 Councilmember**

**5. APPRECIATION OF OUTGOING WARDS 2 AND 6 COUNCILMEMBERS**

Mayor Carey and Councilmembers recognized departing Councilmember Mr. Cron for his six-years of volunteer work on the Council. Mr. Cron thanked the Mayor and Councilmembers and said that he enjoyed being on the Council.

**6. PERMITS**

**A. BOARD OF ZONING APPEALS: Variance Request V-51-17  
(Carol Cron et al., 3901 Underwood Street) Ward 6**

Zoning Ordinance Section 27-442(e) (Table IV) prescribes that each lot shall have a side yard at least 8 feet in width and a rear yard at least 20 feet in depth/width. Section 27-442(c)(Table II) prescribes that not more than 30% of the net lot area shall be covered by buildings and off-street parking. Therefore, a variance of 5 feet side yard width, 6 feet rear yard depth/width and 3.5% net lot coverage is requested for Lot 50, Block 39 and Section 7 at 3901 Underwood Street by the applicant.

**Motion:** To support the application by Carol Cron to validate existing conditions and construct a screened porch located on Lot 50, Block 39 and Section 7 at 3901 Underwood Street based on the following criteria:

- (1) A specific parcel of land has exceptional narrowness, shallowness, or shape, exceptional topographic conditions, or other extraordinary situations or conditions; and
- (2) The strict application of this Subtitle will result in peculiar and unusual practical difficulties to, or exceptional or undue hardship upon, the owner of the property; and
- (3) The variance will not substantially impair the intent, purpose, or integrity of the General Plan or Master Plan.

Authorize the Mayor to send a letter to the Board of Zoning Appeals stating the Council’s position.

**Moved by:** Mr. Alvarez  
**Yea:** 5

**Seconded by:** Mr. Caskey  
**Nay:** 0                      **Abstain:** 1 (Cron)

**B. BUILDING PERMIT APPLICATION TO REPLACE EXISTING 5’ FENCE  
(Patricia and Samuel Walker, 6502 43<sup>rd</sup> Avenue) Ward 2**

**Motion:** To approve the request for a building permit to replace, with similar dimensions, placement and materials, an existing 5’ fence located on Lot 22, Block 9 and Section 2 at 6502 43<sup>rd</sup> Avenue.

**Moved by:** Ms. Verrill  
**Yea:** 6

**Seconded by:** Mr. Caskey  
**Nay:** 0                      **Abstain:** 0

**C. BUILDING PERMIT APPLICATION TO REMOVE AND REPLACE SIDEWALK, STEPS  
AND PATIO  
(David and Rosemarie Tully, 4320 Underwood Street) Ward 4**

**Motion:** To approve the request for a building permit to remove and replace the following: 8’x 4’ sidewalk in front of street steps, 5’ wide steps with brick sidewalls which lead to the street, 25’ walkway, 4’ wide steps near mudroom, 3’x 3’ basement stairs landing, 18’ sidewalk which leads to the driveway, and 8’x 20’ patio with type “S” mortar and 3500psi concrete located on Lot 30, Block 23 and Section 6-B at 4320 Underwood Street.

**Moved by:** Ms. Verrill  
**Yea:** 6

**Seconded by:** Mr. Hess  
**Nay:** 0                      **Abstain:** 0

**D. BUILDING PERMIT APPLICATION TO REMOVE AND REPLACE EXISTING DRIVEWAY (Brittany Moore, 4205 Underwood Street) Ward 4**

**Motion:** To approve the request for a building permit to remove and replace a 10'x 30' driveway located on Lot 9, Block 31 and Section 7 at 4205 Underwood Street.

**Moved by:** Ms. Verrill  
**Yea:** 6

**Seconded by:** Mr. Hess  
**Nay:** 0

**Abstain:** 0

**E. BUILDING PERMIT APPLICATION TO INCREASE TWO BASEMENT WINDOW OPENINGS (Sherri Joyce, 4204 Van Buren Street) Ward 4**

**Motion:** To approve the request for a building permit to increase two basement window openings located on Lot 15 and part of 14, Block 29 and Section 7 at 4204 Van Buren Street.

**Moved by:** Ms. Verrill  
**Yea:** 6

**Seconded by:** Mr. Thompson  
**Nay:** 0

**Abstain:** 0

**7. PUBLIC COMMENT**

- In reference to #8B - amending Chapter 9 of Town Code - a resident expressed concern regarding the no parking 100 feet from East/West Highway. He was under the impression that the distance would be approximately 15 feet less than that. He asked for an explanation (See 8B Note).

**8. NEW BUSINESS**

**A. LEGISLATIVE RESOLUTION 17-O-04 TO AMEND CHAPTER 13 OF THE TOWN CODE (Introduction)**

**Motion:** To introduce Legislative Resolution 17-O-04 amending the University Park Town Code Section 13- 204(b) Occupancy Requirements and Section 13-217, Fire Safety Requirements, to require that habitable rooms have a clear ceiling height of not less than 7 feet and to incorporate by reference the Prince George’s County Fire Code and the National Fire Protection Association (NFPA) 101 Life Safety Code.

*The earliest date this motion may be considered for passage is July 10, 2017.*

**Moved by:** Mr. Thompson  
**Yea:** 6

**Seconded by:** Ms. Verrill  
**Nay:** 0

**Abstain:** 0

**Sponsored by Mr. Thompson**

**B. LEGISLATIVE RESOLUTION 17-O-05: TO AMEND CHAPTER 9 OF TOWN CODE (Introduction)**

**Motion:** To introduce Legislative Resolution 17-O-05 as recommended by the Police, Traffic and Public Safety Committee amending the University Park Town Code Section 9-104(2) Parking to also include (xv) 44<sup>th</sup> Avenue and (xx) 43<sup>rd</sup> Avenue -- no parking 100 feet from East/West Highway on the east side.

*The earliest date this motion may be considered for passage is July 10, 2017.*

**Moved by:** Mr. Thompson  
**Yea:** 6

**Seconded by:** Mr. Alvarez  
**Nay:** 0

**Abstain:** 0

**Sponsored by Mr. Thompson**

Note: In reference to the concerned resident (see Public Comment), Chief Wynnyk explained that 100 feet is a safe distance, especially for buses to get around.

### C. COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)

**Motion:** To approve a Cooperation Agreement with Prince George's County authorizing the County to include the Town's population with that of the County's unincorporated areas to increase the County's entitlement for Community Development Block grants and other federal funding for fiscal years 2018 – 2020, and authorize the Mayor to sign the Agreement.

**Moved by:** Mr. Thompson  
**Yea:** 6

**Seconded by:** Mr. Cron  
**Nay:** 0                      **Abstain:** 0

### D. TRANSFERRING PUBLIC WORKS FUNDS IN FISCAL YEAR 2017 BUDGET

**Motion:** To introduce the transfer of \$10,000 from within Public Works line items from Salaries to Capital Equipment as additional funds needed to enable the purchase of the 2017 Kubota SSV65HC skid steer, which was included in the approved fiscal 2017 budget.

**Moved by:** Mr. Cron  
**Yea:** 6

**Seconded by:** Mr. Thompson  
**Nay:** 0                      **Abstain:** 0

### E. POLICE DEPARTMENT SURPLUS VEHICLE

**Motion:** To declare the 2009 Chevy Impala (VIN # 2G1WS57M591307197) as surplus and authorize the Chief of Police to auction vehicle for disposal.

**Moved by:** Mr. Alvarez  
**Yea:** 6

**Seconded by:** Ms. Verrill  
**Nay:** 0                      **Abstain:** 0

### 9. APPROVAL OF MINUTES: *Special Session May 22, 2017*

**Moved by:** Mr. Alvarez  
**Yea:** 6

**Seconded by:** Mr. Cron  
**Nay:** 0                      **Abstain:** 0

### 10. APPROVAL OF MINUTES: *June 5, 2017* as amended.

**Moved by:** Mr. Alvarez  
**Yea:** 6

**Seconded by:** Mr. Hess  
**Nay:** 0                      **Abstain:** 0

## 11. DEPARTMENT AND COUNCIL REPORTS

### A. MAYOR'S REPORT

- Mr. Beall reported that there was a preliminary inspection of the solar array system at University Park Elementary School. There are no significant issues, only a few minor issues. A copy of the report is available for those who are interested.
- Mr. Beall said that the project of removing the infected ash trees in Town is almost complete.
- Mayor Carey introduced the President of the Prince George's County Municipal Association Mr. Joseph Solomon, who is also a Councilmember for the city of Hyattsville and also served on the Maryland Municipal League Legislative Committee. Mr. Solomon was invited to attend the meeting to

witness the swearing in of the new Councilmembers.

## **B. COUNCIL AND COMMITTEE REPORTS**

### **Development Overview Committee - Mr. Hess**

- Next meeting is scheduled for Wednesday, June 21, 2017 to discuss the project of converting the commercial building into a 319 unit residential building located at 3700 East West Highway. Mayor Carey reported that this topic will be presented to the Council at the July 10, 2017 Council meeting.

### **Green Team - Mr. Thompson**

- In reference to the Sustainable Maryland Recertification, the Town will ask for 205 points worth of activities, 150 is required for certification. This is a nice stamp that showcases residents of University Park are doing good things.

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

- Ms. Ferguson attended the State Ethics Commission Meeting. Two provisions of concern that were discussed at the meeting were: 1) Financial Disclosure Statements will no longer be required to be online for municipalities; and 2) you cannot use your title when running for office.

## **D. REPORT FROM THE TOWN CLERK ~ *Tracey Toscano***

- Detailed information will be emailed to Councilmembers in reference to the Maryland Municipal League Summer Convention.

## **E. REPORT FROM THE CHIEF OF POLICE~ *Chief Wynnyk***

May 2017 Crime Report was distributed.

- Four officers from the University Park Police Department recently took a supervisory promotional test through Standard and Associates, three out of four officers passed.
- Chief Wynnyk responded to a concern of a possible pest and mosquito issue at the home that recently burned down along Baltimore Avenue. He said that the security of the house was addressed, but he has not heard anything about when the house will be demolished and is assuming that this is an insurance issue. The Town Attorney said this could be looked into since there are safety requirements.

### **Code Compliance**

- The International Building Code states that the standard requirement for a basement ceiling is 7 feet. To date, 50 of the 85 rental inspections have been completed.

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

May 2017 Treasurer's Report was distributed.

- Six proposals were received for a Town Auditor. A recommendation will be presented to the Council at the July 10, 2017 Council Meeting.
- Effective July 1, 2017, Town Hall employees will switch from Care First to United Health Care Insurance.

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

- The soccer field will be closed for maintenance until June 30.
- Mr. Beall is moving forward with a proposed MOU with the city of Hyattsville to provide the Town with street sweeper services approximately seven times a year.
- The Tennyson Road project with Anacostia Watershed Society has been redesigned due to the heavy traffic conditions in the area Work has begun with the project at University Park Elementary School.

The working crew has asked to use the cul-de-sac as a staging area for the summer months. Since this project is to be completed before the school year begins, they would like permission to work late into the evenings and weekends if necessary. A representative from the Anacostia Watershed Society will be invited to attend the July 10 Council meeting to discuss these requests.

- The Town has purchased four mosquito traps for use at Town Hall.

Mr. Cron wanted to recognize Martha Wells for stepping up and serving the community as Councilmember for Ward 6. He thanked everyone for the support he received and said that he thoroughly enjoyed the past-six years while serving as Councilmember for Ward 6.

**12. ADJOURNMENT** by consent at 9:25 p.m.

Submitted by: \_\_\_\_\_  
Lenford C. Carey, Mayor