



**MEETING OF
UNIVERSITY PARK MAYOR AND COMMON COUNCIL
UNIVERSITY PARK ELEMENTARY SCHOOL
4315 UNDERWOOD STREET
7:30 p.m.
November 20, 2017
MINUTES**

1. CALL TO ORDER: *Mayor Carey*

Present: Mr. Thompson, Mr. Schultz, Mr. Hess, Ms. Verrill, Mr. Caskey, Mr. Alvarez
Absent: None
Excused: Ms. Wells

2. PLEDGE OF ALLEGIANCE was led by Mr. Hess

3. APPROVAL OF THE AGENDA

Moved by: Mr. Thompson
Yea: 6

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

4. PRESENTATIONS

Campus Community Connection Pilot - Andrew M. Fellows from the University of Maryland gave a presentation on the Campus Community Connection Pilot of the National Center for Smart Growth Research and Education and the College of Information Studies (formerly the Environmental Finance Center's Sustainability and Resiliency Financing Initiative), which will provide assistance of campus experiential learning programs and other faculty, student and staff efforts to collaborate with our community.

Highlights of his presentation:

- This is the second of a three-year pilot.
- Mr. Fellows distributed a summary of the first-year report.
- The ten projects from University Park that were submitted to Mr. Fellows have been exposed to over two hundred University students during the 2016-2017 academic year. The plan is to have five hundred students and dozens of faculty members be exposed to these projects.
- Mr. Fellows looks forward to the coming year when he will come back to the Council with some recommendations on the Wells Run projects.
- The plan of action is to get College Heights Estates to play a leading role in how to use the trails and to develop a partnership with University Park.
- Thanked University Park for signing the Purple Line Corridor development agreement.
- There is an on-going group on campus talking about how to make biking safer in the surrounding area and to make sure the M-Bike system has a seamless connection with Capital Bike Share.
- Working on identifying a local compost site.
- Mr. Fellows said that if anyone has any ideas or needs a contact person at the University, he may be able to help.

5. PERMITS

A. BUILDING PERMIT APPLICATION TO REPLACE WATER LINE (Antti Pulkkinen of 4221 Sheridan Street) Ward 1

Motion: To approve the request for a building permit to dig or trench in the Town right-of-way, to enable replacement of water line located on Lot 26, Block 7 and Section two at 4221 Sheridan Street.

Moved by: Mr. Thompson
Yea: 6

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

B. BUILDING PERMIT APPLICATION TO REPLACE EXISTING DRIVEWAY (Bryan and Jennifer Eichhorn of 4204 Woodberry Street) Ward 4

Motion: To approve the request for a building permit to replace an existing driveway located on Lot 28 and Block 27 at 4204 Woodberry Street.

Moved by: Ms. Verrill
Yea: 6

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

C. BUILDING PERMIT APPLICATION EXTENSION (Davis Boucaud, 4413 Beechwood Road) Ward 5

Motion: To approve the request to extend the building permit which was approved by Council on April 24, 2017 for an additional six (6) months to construct a 17'x 24' two-story addition, a 13.3'x 6' and 6'x 6.10' two story additions, a 5'x 17' deck with steps, a 10.5'x 18.25' second story addition, replace existing basement areaway steps, remove existing garage and portion of driveway to meet lot coverage requirements, and extend dumpster permit for an additional six (6) months, located on Lots 9 & 10 and Block B at 4413 Beechwood Road.

Moved by: Mr. Caskey
Yea: 6

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

6. PUBLIC HEARING - APPEALS OF RENTAL HOUSING CODE VIOLATION NOTICE (PER TOWN CODE SECTION 13-210)

Excerpt from Town Code Article 2 – Rental Housing Code, Section 13-210. Right to appeal.

Any person affected by any notice which has been issued in connection with the enforcement of any provision of this article, or of any rule or regulation adopted pursuant thereto, may request and shall be granted a hearing on the matter before the Town Council or its designated committee.

A. APPEAL FROM VIOLATION NOTICE - BASEMENT CEILING HEIGHT (Hector Garcia, 6403 40th Avenue, Ward 2)

Public Hearing

1. An appeal of the requirement of Town Code Section 13-204 (a) that habitable space shall have a clear ceiling height of not less than seven (7) feet for at least one-half (1/2) of the space. Owner requests a variance of four (4) inches, resulting in a basement ceiling with the height of six (6) feet, eight (8) inches.

Excerpt from Town Code Article 2 - Rental Housing Code.

Section 13-204 Occupancy requirements

No person shall rent or lease to another for occupancy any non-owner occupied premises, or any premises which is occupied by the owner and rented to more than one other person, including any dwelling and rooming units or portions thereof, which does not comply with the following requirements.

- (a) Minimum ceiling heights – Habitable space, including all space that will be used for habitation, shall have a clear ceiling height of not less than seven feet for at least one-half (1/2) of the space. In attics or top half stories the ceiling height shall be not less than seven (7) feet for at least one-third (1/3) of the area of such space when used for habitation. In calculating the floor area for any habitable space, only those portions of the floor area of the rooms having a clear ceiling height of five (5) feet or more may be included.

Motion: To deny the request for a variance and stipulate that the enforcement of the denial not commence until the end of the current lease for the basement tenant no later than July 31, 2018.

Moved by: Mr. Caskey
Yea: 6

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

Note: The tenant currently residing in the attic should immediately relocate to the basement since the attic is not a safe living space.

7. PUBLIC COMMENT

- A representative from the University Park group that is working on relief efforts for Puerto Rico citizens updated on their progress.
 - Getting ready to send three people to Puerto Rico on the first week of December, which includes a solar expert, a water expert and a state department official.
 - The plan is to help two or three communities on the Eastern side of the island.
 - The final step is to put together a project and then the group will start fundraising.
- A resident from Bowie, Maryland who was born in Puerto Rico and came to the United States when he was seven years old, recently visited Puerto Rico to help his family and gave a detailed update of the devastation on the island.
- A member of the group said that the name that they chose for themselves is “Solar Power for Puerto Rico”. Updates and information will be in the newsletter and they plan to reach out to residents at Town events to ask for small donations.
- A Councilmember urged residents of University Park to look at the minutes from the recent Policy, Rules and Municipal Structure Committee that have been posted online and encouraged comments.
- A Councilmember suggested posting a reminder in the newsletter of the importance of getting a Town permit prior to work performed on their property.
- Mayor Carey stated the importance of Councilmembers keeping an eye on what is going on throughout the Town and to confirm if permits were issued.

8. CONTINUING BUSINESS

A. ADOPT LEGISLATIVE RESOLUTION 17-O-09: AMENDING FY 2018 BUDGET FOR NEW PLAYGROUND (*Second reading*)

Motion: To adopt LR 2017-O-09 to transfer \$25,000 from Unreserved Undesignated to Public Works Line Item W17 Park Playground funds for a site development concept plan, peer review, and Department of Permitting, Inspections and Enforcement (DPIE) waiver fees for the new multi-age playground adjacent to Wells Parkway near the 911 Memorial.

The earliest this resolution may be considered is at the December 4, 2017 Council meeting.

Moved by:

Seconded by:

Yea:

Nay:

Abstain:

B. ADOPT LEGISLATIVE RESOLUTION 17-O-10: AMENDING FY 2018 BUDGET FOR GEOTECHNICAL ENGINEERING ANALYSIS OF TENNIS COURTS (*Second reading*)

Motion: To adopt LR 2017-O-10 to transfer \$10,000 from Unreserved Undesignated to General Government Line Item G12 Engineering to cover the cost of subsurface investigation and geotechnical engineering analysis of the tennis courts near Queens Chapel Road across from University Park Elementary School.

The earliest this resolution may be considered is at the December 4, 2017 Council meeting.

Moved by:

Seconded by:

Yea:

Nay:

Abstain:

C. ADOPT LEGISLATIVE RESOLUTION 17-O-11: AMENDING FY 2018 BUDGET FOR REDESIGN AND EXPANSION OF TOWN HALL (*Second reading*)

Motion: To adopt LR 2017-O-11 to transfer \$12,750 from Unreserved Undesignated Funds to G4 Architecture and Related Services Line Item for costs associated with a feasibility study and needs assessment for the redesign and expansion of the Town Hall.

Moved by:

Seconded by:

Yea:

Nay:

Abstain:

The earliest this resolution may be considered is at the December 4, 2017 Council meeting.

9. NEW BUSINESS

A. COMMITTEE NAME CHANGE – GREEN TEAM TO SUSTAINABILITY COMMITTEE

Motion: To rename the “Green Team” to “Sustainability Committee” per request of the Green Team.

Moved by: Mr. Schultz

Seconded by: Mr. Thompson

Yea: 6

Nay: 0

Abstain: 0

B. SCHEDULING SPECIAL SESSION FOR DECEMBER

Motion: To approve the addition of a Council Special Session on Monday, December 11 to discuss the zoning rewrite and approve a position of the Town ahead of a December 15 deadline for comment.

Moved by: Mr. Thompson

Seconded by: Mr. Hess

Yea: 6

Nay: 0

Abstain: 0

10. APPROVAL OF MINUTES: *November 6, 2017* as modified.

Moved by: Mr. Alvarez
Yea: 6

Seconded by: Ms. Verrill
Nay: 0

Abstain: 0

11. DEPARTMENT AND COUNCIL REPORTS

A. MAYOR'S REPORT

- The North County Transportation Study is underway. Mayor Carey will be paying close attention to the parking issues.
- Mr. Beall had asked Mayor Carey to inform the Council that the skid steer, approved by the Council for purchase, is working very well for leaf transfer.
- The Town tree lighting at Henson Green is scheduled for December 2 at approximately 6 p.m. and is preceded by the Community Pot Luck, which will be held at University Park Elementary School.
- The University Park Woman's Club Annual Candlelight Holiday House Tour is scheduled for December 8.

B. COUNCIL AND COMMITTEE REPORTS

Public Facilities and Services Committee - Mr. Thompson

- Next meeting is scheduled for December 5 at 7:30 p.m. at Town Hall. (Agenda is posted on the Town Website)
- Mr. Alvarez said that there will be several members from the Tree Committee at this meeting to discuss options for the Adelphi Field.

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

No report.

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

- Ms. Toscano offered tickets for the PGCMA Legislative Dinner at Martins Crosswinds scheduled for December 7.
- Tickets for the Women's Club Candlelight Holiday House Tour are available at Town Hall.
- Anacostia Trails Heritage Area will hold their Holiday Party at the Visitor's Center located in the Pyramid Atlantic building on December 13.

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

October 2017 Crime Report was distributed.

- Chief attended the Inter-municipal bike/pedestrian meeting with Mayor Carey.
- Chief attended a safe streets meeting with Hyattsville. The goal is to prevent truancy by keeping students from Northwestern High School in school and out of University Park, Prince George's Plaza and other communities during school hours.

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

October 2017 Treasurer's Report was distributed.

- The Audit was completed in October and the reports were filed with the State by November 1 as required by law.
- The auditors are expected to attend the December 18 Council meeting with a formal presentation.

12. ADJOURNMENT by consent at 9:45 p.m.

Submitted by: _____
Lenford C. Carey, Mayor