



**MEETING OF
UNIVERSITY PARK MAYOR AND COMMON COUNCIL
WILL BE HELD AT
UNIVERSITY PARK ELEMENTARY SCHOOL
4315 UNDERWOOD STREET
7:30 p.m.
April 1, 2019
REGULAR SESSION**

1. CALL TO ORDER: *Mayor Carey*

Present:	Brosch	Absent:	Brosch
	Schultz		Schultz
	Morrissey		Morrissey
	Verrill		Verrill
	Caskey		Caskey
	Wells		Wells
	Stephen		Stephen

2. PLEDGE OF ALLEGIANCE

3. APPROVAL OF THE AGENDA

Moved by:	Seconded by:	
Yea:	Nay:	Abstain:

4. CONSENT AGENDA

Motion: To approve the following consent agenda item.

Moved by:	Seconded by:	
Yea:	Nay:	Abstain:

A. TO ENDORSE THE FEDERAL INTERAGENCY ANNUAL SPRING 3-MILE WALK/RUN ON THURSDAY, MAY 2 FROM 12:00 P.M. - 1:30 P.M. AND TO PROVIDE POLICE ASSISTANCE WITH TRAFFIC CONTROL AT THE TOLEDO ROAD AND ADELPHI ROAD INTERSECTION.

The police department has been notified and supports this request.

B. BUILDING PERMIT APPLICATION TO REPLACE EXISTING 6' AND 4' FENCE AND ADD 4' SECTION OF FENCE

(Andrew Shivone, 4319 Clagett Pineway) Ward 5

To replace existing 6' and 4' fence and add a new 4' section of fence located on Lot 37, 38 and 10' of 36 and Block E at 4319 Clagett Pineway.

5. PERMIT

A. PARKING PERMIT REQUEST

(Gregory Little, 4205 Tuckerman Street) Ward 2

To consider a request for on-street parking of a commercial vehicle until July 31, 2019.

Moved by:

Seconded by:

Yea:

Nay:

Abstain:

Excerpt from Town Code Article 2 – Vehicles, Section 9-201(c). Parking and Storage of Vehicles

Any vehicle registered or licensed as a truck upon any public street or alley, except while loading or unloading passengers or freight or while actually in use in connection with a service call in the immediate area, unless the owner of such vehicle is a resident of University Park, and the Mayor and Council approve a permit for parking or storing such vehicle upon a finding that off-street parking facilities cannot be provided on the premises of the owner of such vehicle and that parking or storage of such vehicle does not adversely affect vehicular or pedestrian traffic. This provision shall not apply to any recreational or van-type vehicle or pick-up truck with a 3/4 ton or less manufacturer's rated capacity, without regard to the license tag designation of the vehicle, which is owned by residents of the Town of University Park, used primarily for personal transportation and does not display any form of commercial advertising on the body of, or affixed to, the vehicle. The term "truck" shall be defined to include buses for transportation of 12 or more persons and vehicles licensed as taxicabs.

6. PUBLIC HEARING — APPEAL 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.

Note: Code Compliance Officer Craig Brown reported that on inspection of 4414 East West Highway, the windows were in violation of the Code and would have to be replaced.

**A. APPEAL OF VIOLATION NOTICE — EGRESS WINDOWS
(Edith Franco, 4414 East West Highway, Ward 1)**

An appeal of the requirement to comply with Town Code Chapter 13, Article 2 and Section 13-217 Fire Safety Requirements. This section incorporates by reference Chapter 24 of the NFPA 101 Life Safety Code, 2015 edition. Owners request a variance to retain the current clear opening of two bedroom windows measuring at 16”x 23” which does not comply with secondary egress window area requirements.

NFPA 101 Life Safety Code, Chapter 24, Section 2.2.3.3 Secondary Means of Egress

It shall be an outside window or door operable from the inside without the use of tools, keys, or special effort and shall provide a clear opening of not less than 5.7 square feet. The width shall be not less than 20 in. and the height shall be not less than 24 in. The bottom opening shall be not more than 44 in. above the floor.

Excerpt from Town Code Article 2 - Rental Housing Code, Section 13-220 Enforcement Authority
A. It shall be the duty and responsibility of the Town to enforce the provisions of this Code as herein provided.
B. The Mayor and Council may waive applicability of the document to a unit of rental property on application of the property owner if:
(1) Adequate notice in a form and manner specified by the subdivision as afforded any tenant of the unit;
(2) The tenant is afforded in opportunity to comment on the application either in writing or in person; and
(3) The waiver would not threaten the health or safety of any tenant.

Moved by:

Seconded by:

Yea:

Nay:

Abstain:

7. PUBLIC COMMENT

8. NEW BUSINESS

A. INTRODUCTION OF LEGISLATIVE RESOLUTION 19-O-03: FISCAL YEAR 2020 BUDGET (Introduction)

Motion: To approve the introduction of Legislative Resolution 19-O-03: Fiscal Year 2020 Budget.

The earliest date this motion may be considered for passage is May 20, 2019.

Moved by:

Seconded by:

Yea:

Nay:

Abstain:

Presentation by Mayor Carey and Staff.

B. INTRODUCTION OF LEGISLATIVE RESOLUTION 19-O-04: PARKING RESTRICTION 4300 BLOCK OF UNDERWOOD STREET, SOUTH SIDE (Introduction)

Motion: To approve the introduction of Legislative Resolution 19-O-04 to amend Town Code, Chapter 9 to restrict parking on the South side of Underwood Street West from its intersection with Queens Chapel Road for a distance of 470 feet, on school days between the hours of 7 a.m. and 3 p.m.

The earliest date this motion may be considered for passage is May 6, 2019.

Moved by:

Seconded by:

Yea:

Nay:

Abstain:

C. WELCOMING TOWN

Motion: To instruct the Town Attorney to draft changes to the provisions of the Town Charter, Code and Personnel Manual that are inconsistent with the Town's status as a Welcoming Town; and to draft an Order, in cooperation with the Chief of Police, for the Police General Order Manual, to prohibit enforcement of civil violations of federal immigration laws, and any criminal investigations or enforcement initiated solely on the basis of citizenship or immigration status.

Moved by:

Seconded by:

Yea:

Nay:

Abstain:

9. APPROVAL OF MINUTES: *March 18, 2019*

Moved by:

Seconded by:

Yea:

Nay:

Abstain:

10. MAYOR AND COUNCIL REPORTS

A. MAYOR'S REPORT

B. COUNCIL AND COMMITTEE REPORTS

11. ADJOURNMENT

**** A Closed Session may be called ****