



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

**UNIVERSITY PARK ELEMENTARY SCHOOL
4315 UNDERWOOD STREET**

7:30 p.m.

February 25, 2019

MINUTES

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

Present: Mr. Brosch, Mr. Schultz, Ms. Morrissey, Ms. Verrill, Mr. Caskey, Ms. Wells, Mr. Stephen

Absent: None

Excused: None

2. PLEDGE OF ALLEGIANCE was led by Mr. Caskey

3. APPROVAL OF THE AGENDA as amended (Move agenda item #5 before #4.)

Moved by: Mr. Caskey

Seconded by: Mr. Brosch

Yea: 7

Nay: 0

Abstain: 0

4. 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.

A. RECONSIDERATION TO AN APPEAL OF VIOLATION NOTICE — EGRESS WINDOWS (Jeffrey Walters, 6712 44th Avenue, Ward 3)

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 all four-bedroom windows – two windows measuring at 17” x 27” and the other two windows measuring at 15”x 27” – 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....
A.24.2.2.3.3
 A window with dimensions of 20 in.x24 in. has an opening of 3.3 square feet, which is less than the required 5.7 square feet. Therefore, either the height or width needs to exceed the minimum requirement to provide the required clear area. The current minimum width and height dimensions, as well as the minimum clear opening, became a requirement of this *Code* in the 1976 edition and were based on tests conducted to determine the minimum size of the wall opening required to allow a fire fighter wearing complete turnout gear and a self-contained breathing apparatus entry to the room from the exterior to effect search and rescue. Prior edition of the *Code* limited the width or height, or both, to not less than 22 in. and a clear opening of 5 square feet. For existing window frames and sash of steel construction, adherence to these dimensional criteria is essential to allow fire fighter entry. For existing window frames and sash of wood construction that can easily be removed prior to entry by fire fighters to achieve the 5 square foot hole in the wall, the clear opening created by the occupant upon opening the window from the interior room side is required only to provide an opening measuring not less than 20 in. x 24 in. or 3.3 square feet.

was excused at 8:20 p.m.

Motion: To deny the reconsideration request on the variance for the third-floor bedroom windows and to uphold the prior decision made at the January 7, 2019 Council meeting.

Moved by: Mr. Caskey

Seconded by: Ms. Wells

Yea: 3

Nay: 3 (Morrissey, Verrill, Brosch) **Abstain:** 0

Mayor Carey breaks the tie by voting “Yea” - Motion Approved.

PUBLIC HEARING COMMENT

- A resident stated the Council needs to be consistent on this issue and not compromise. The resident asked why we are looking for scientific proof from a “standards developing organization,” as these organizations have done the science, so that we don’t have to.
- A resident is concerned about the dangerous precedent the Council seems to be setting by making exceptions to safety codes in general. The Town is responsible for making sure that the rental properties are safe. The Code Compliance Officer is doing the job that he has been asked to do and he needs to be supported by the Council.

5. PUBLIC COMMENT

- A resident expressed concern about the landlord who is asking for a reconsideration request on replacing bedroom windows. She feels that all landlords should play by the rules and special treatment should not be expected. The required egress windows are a safety issue and need to be taken seriously.

6. CONTINUING BUSINESS

General Government

Salaries	7,000.00	
Council Retreat/Orientation	3,750.00	
Employee Awards and Events	3,250.00	
Unreserved Undesignated		14,000.00

Police

Salaries	15,000.00	
Police Officer – Unreserved – Designated		15,000.00

The earliest this may be considered is at the March 4, 2019 Council meeting.

*** A budget amendment ordinance requires 5 votes.**

Moved by:

Seconded by:

Yea:

Nay:

Abstain:

7. NEW BUSINESS

A. LETTER OF SUPPORT FOR RIVERDALE PARK STATION BANNERS

Motion: As recommended by the Development Overview Committee, to authorize the Mayor and Town Attorney to write a letter to the Maryland-National Capital Park and Planning Commission (M-NCPPC) in support of minor amendment 16 to DSP 13009 for Riverdale Park Station to permit banners on light poles in commercial areas of property.

Moved by: Ms. Wells

Seconded by: Mr. Caskey

Yea: 6

Nay: 0

Abstain: 0

B. COMPENSATION FOR ELECTION PERSONNEL (PER TOWN CHARTER SECTION 502(c))

Town Charter, Section 502 (c) Supervisors of Elections

Pursuant to authorization of the Mayor and Common Council, the Chairman of the Supervisors of Elections may employ necessary personnel to assist in the performance of their duties. The Mayor and Common Council shall establish compensation for personnel employed by the Chairman.

Motion: To approve compensation of election personnel, as recommended by the Town Clerk in the February 22, 2019 memo to Mayor and Council, at \$15.00 per hour to assist in the performance of the Supervisors of Elections duties.

Moved by: Ms. Wells

Seconded by: Mr. Schultz

Yea: 6

Nay: 0

Abstain: 0

8. APPROVAL OF MINUTES: February 4, 2019

Moved by: Mr. Schultz

Seconded by: Ms. Verrill

Yea: 6

Nay: 0

Abstain: 0

9. APPROVAL OF SPECIAL SESSION MINUTES: February 14, 2019

Moved by: Ms. Verrill

Seconded by: Mr. Schultz

Yea: 4

Nay: 0

Abstain: 2 (Caskey, Morrissey)

10. DEPARTMENT AND COUNCIL REPORTS

A. MAYOR'S REPORT

- Schedule of events:

February 28 - Police Department Meet and Greet at the Word of God Baptists Church from 5:00-7:00 p.m. Mayor Carey will not be able to attend the Meet and Greet since he will be attending County Councilmember Dannielle Glaros' event on District 3 School Infrastructure.

March 2 - Public Uses of the Town Hall Workshop at Town Hall from 2:00-5:00 p.m. A volunteer is needed to welcome guests.

March 4 - Council Meeting.

March 7 - Planning Board Hearing on the 7-Eleven sign in Upper Marlboro at 10:00 a.m.

March 18 - Council Meeting. The preliminary report will be available from the Municipal and Financial Services Group in regards to Town Operations and Management.

March 23 - Strategic Plan Retreat at Friends Community School. The time is yet to be determined.

April 1 - Council Meeting. The final report regarding the Town Operations and Management Study.

- The Municipal and Financial Services Group has two Focus Groups planned, one for February 28 and the other for March 5.
- On Wednesday, February 27, Mayor Carey, Mickey Beall and an engineer from CPJ (Charles P. Johnson Associates) will meet with the director of the Department of Permitting and Inspections and Enforcement to discuss the delay of the Town bridges.

B. COUNCIL AND COMMITTEE REPORTS

Policy, Rules and Municipal Structure Committee - Ms. Verrill

- The Committee met on Thursday, February 7. Although the University Park Elementary School was reserved for the meeting, Ms. Verrill was informed that the building was being painted and they would not be able to hold their meeting there. The Committee chose to hold their meeting on the benches outside the school. Ms. Verrill said this is one reason why a dedicated meeting place for the Council is important.

Police, Traffic and Public Safety Committee - Mr. Schultz

- The Committee met on Wednesday, February 20.

Sustainability Committee - Mr. Schultz

The next meeting is scheduled for Wednesday, February 27.

- Discussion will include composting.

Development Overview Committee - Ms. Wells

- The Committee met on Thursday, February 14. There was a presentation from the developers for the Gilbane Property and a presentation from the Riverdale Park Station on the light pole banners.
- Ms. Wells reminded the Council of the letter that was approved by the Council and sent to the Maryland National Capital Park and Planning about the acquisition of the property between Albion Road and Riverdale Park Station. A response from Park and Planning was received stating that they have decided

to negotiate for that property based on the strong recommendations from University Park, Riverdale Park, and the College Park communities.

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

No report.

D. REPORT FROM THE TOWN CLERK ~ *Andrea Marcavitch*

- Distributed the Financial Disclosure Statements and reminded the Council that they are due by April 30.
- The candidate packets are available for those who would like to run for the Office of Councilmember for Wards 2, 4, 5, and 6. Packets are available on the Town's Website under "Elections" or at Town Hall.
- Reservations have been made for the Mayor and Councilmembers who plan to attend the Maryland Municipal League Summer Conference scheduled for June 23-26 in Ocean City, MD.

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

February 2019 Crime Report

- The police department now has a new uniform that is optional for all shifts. It is a very comfortable and sharp-looking uniform.
- Chief Baker has gone through the interview process and has identified a candidate for the police officer's position. A background investigation is the next step.
- The following training is scheduled for some of the officers during the month of March: 1) Police Officers Supervisor School; 2) Police Executive Leadership Training; and 3) Mental Health First Aid Training for Public Safety.

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

- A countertop is scheduled to be installed in the foyer of Town Hall within the next ten days. At that time the Town Hall foyer upgrade project will be complete.
- The Submerged Gravel Wetland project next to the playground has begun. The playground will be closed, for safety reasons, on February 26 in order to remove some trees in the area.
- The tennis courts have not been repaired due to the weather. The plan is to have the project completed by April or May.
- The Pepco Vegetation Management Plan has been completed with the exception of some logs that need to be removed.
- Prince George's County is interested in expanding their composting capabilities by allowing co-mingled food scraps with the yard waste and have asked University Park to pilot this program. Mr. Beall plans to change the composting collection date from Tuesday to Monday, which is the yard waste collection. An email will be sent to the composting participants informing them that this change will go into effect on March 11. Residents who are interested in joining the composting program can get more information on the Town website.
- Mr. Beall is looking into the possibility of changing the streetlights to LED. He is waiting to hear back from Pepco.

11. ADJOURNMENT by consent at 9:33 p.m.

Submitted by: _____
Lenford C. Carey, Mayor