



MEETING OF  
UNIVERSITY PARK MAYOR AND COMMON COUNCIL  
*UNIVERSITY PARK ELEMENTARY SCHOOL*  
*4315 UNDERWOOD STREET*  
7:30 PM

March 6, 2014  
MINUTES

**AN EXECUTIVE SESSION WAS CALLED AT 6:30 PM TO CONSULT WITH COUNSEL TO OBTAIN LEGAL ADVICE ON THE MATTER OF CAFRITZ.**

**1. CALL TO ORDER: *Mayor Tabori* at 7:40 p.m.**

**Present:** Mr. Brosch, Mr. Gekas, Ms. Christiansen, Mr. Carey, Mr. Cron,  
Mr. Alvarez  
**Absent:** Ms. Sorensen  
**Excused:** None

**2. PLEDGE OF ALLEGIANCE**

**3. APPROVAL OF THE AGENDA**

**Moved by:** Mr. Cron  
**Yea:** 6  
**Seconded by:** Mr. Carey  
**Nay:** 0  
**Abstain:** 0

**4. APPROVAL OF MINUTES: *February 10<sup>th</sup>, 2014***

**Moved by:** Mr. Cron  
**Yea:** 6  
**Seconded by:** Mr. Alvarez  
**Nay:** 0  
**Abstain:** 0

**5. APPROVAL OF EXECUTIVE SESSION MINUTES: *February 10<sup>th</sup>, 2014***

**Moved by:** Mr. Cron  
**Yea:** 6  
**Seconded by:** Mr. Gekas  
**Nay:** 0  
**Abstain:** 0

**6. PUBLIC COMMENT**

- **Bruce Burrows - 4400 East West Highway.**  
Thanked the Mayor and those who participated in expanding the write up in the newsletter about the Cafritz process.  
Recommended that the Council consider revalidating the former assessment that was made on what it would cost to expand the Town Hall.
- **Jayson Amster - Pineway.**  
Reported to the Council that the appeal challenging the Cafritz ordinance granting the zoning change has been scheduled for argument before the Court of Special Appeals within the first two weeks of September.  
Questioned why the Town has decided not to enforce the private agreement with the Cafritz developer through the courts.

- **Justin Bollis - 6509 43<sup>rd</sup> Avenue**  
Addressed the placement and issuance of the University Park permit for the shipping container placed behind the western side of the 6500 block of 43<sup>rd</sup> Avenue. There are a number of safety concerns of the containers present location: restriction of access for emergency vehicles, blind spots for pedestrians and traffic and, increased traffic when donations are brought to the container. It was suggested that the container be moved to the Church parking lot.
- **Steve Hurt - 4400 Tuckerman**  
A small area of the sidewalk on Tuckerman sticks up about one inch which makes a tripping hazard.
- **Arlene Christiansen**  
A constituent asked Ms. Christiansen to bring to the attention of the Council that Town owned lot on Rt. 1 has trees that are covered with ivy. In order to preserve the trees, action may soon be taken to remove the ivy..

## 7. PERMITS

### A. APPLICATION TO INSTALL A GENERATOR (Alvarez, 4103 Van Buren Street) Ward 7

**Motion:** To approve the application to install a generator located on Lot: 3, Block: 32 at 4103 Van Buren Street.

**Moved by:** Mr. Cron

**Seconded by:** Mr. Gekas

**Yea:** 5

**Nay:** 0

**Abstain:** 1 (Alvarez)

### B. UNIVERSITY PARK CIVIC ASSOCIATION (UPCA) MUTT STRUTT

- A. To approve the UPCA Mutt Strutt, on Sunday, June 8, 2014 from 9:30 a.m. to 11:00 a.m. UPPD escort is requested.

**Moved by:** Mr. Carey

**Seconded by:** Ms. Christiansen

**Yea:** 6

**Nay:** 0

**Abstain:** 0

## 8. DEPARTMENT AND COUNCIL REPORTS

### A. MAYOR'S REPORT ~ *Mayor John Rogard Tabori*

- There will be two items on the March 17th agenda:
  - A request to purchase and dedicate two park benches for two members of the community
  - To arrange the Cafritz site manager to come and explain the plans of the project on Rt. 1.
- A letter will be presented to the Council for modification in reference to the TDDP.
- Last call from the public for any suggestions on the budget which will be submitted on March 31.
- Mayor Tabori offered to the Council a special session on "How We Build Budgets".

**B. COUNCIL AND COMMITTEE REPORTS**

- Ms. Christiansen reported that the Cafritz Oversight and Monitoring Committee looked at the development issues regarding the Cafritz property as well as planning and developing issues that are within one mile of the town. They also discussed the future of the Cafritz Oversight and Monitoring Committee.
- Mr. Carey plans to call a meeting of the Public Facilities and Services Committee.
- Mr. Carey attended a program in Chevy Chase on March 2 and found that they are very interested the Step Up program in University Park.
- Mayor Tabori had a discussion with Patrick Wojan, District 1 representative in College Park who expressed interest in forming a work group between the four communities: College Park, University Park, Riverdale Park and Hyattsville.

**9. CONTINUING BUSINESS**

**A. BUDGET TRANSFERS (2<sup>nd</sup> Reading)**

**Motion:** To approve the adoption of the budget modifications to transfer \$26,500 from Department of Public Works *Payroll Tax and Benefits* line item to cover additional expenses in the following areas:

<i>Building Maintenance</i>	\$6,000
<i>Park Tree Maintenance</i>	\$5,000
<i>Street Tree Maintenance</i>	\$5,000
<i>Travel and Dues</i>	\$1,500
<i>Tools Supplies and Equipment</i>	\$2,500
<u><i>Work and Storage Space</i></u>	<u>\$6,500</u>
Total:	\$26,500

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

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

**B. COUNCIL CONSIDERATION ON WHETHER TO PROCEED WITH OR WITHDRAW THE APPEAL IN THE MATTER OF THE PLANNING BOARD DECISION ON CAFRITZ PROPERTY AT RIVERDALE PARK SP- 130002, CIVIL ACTION CASE CAL 13-21085.**

**Motion:** To withdraw the appeal in the matter of the Planning Board Resolution on the Special Permit for the Cafritz Property at Riverdale Park Town Center Development Plan Special Permit SP-130002, Civil Action No. CAL 13-21085.

**Moved by:** Mr. Cron

**Seconded by:** Mr. Alvarez

**Roll Call Vote:**

- Mr. Brosch - Nay
- Mr. Gekas - Nay
- Ms. Christiansen - Nay
- Mr. Carey - Yea
- Mr. Cron - Yea
- Mr. Alvarez - Yea

Mayor Tabori - Yea

**Yea: 4**

**Nay: 3** Brosch  
Gekas  
Christiansen

**Abstain: 0**

**C. COUNCIL CONSIDERATION ON WHETHER TO PROCEED WITH OR WITHDRAW THE APPEAL IN THE MATTER OF THE DISTRICT COUNCIL ORDER AFFIRMING THE PLANNING BOARD DECISION, WITH CONDITIONS, IN DSP-13009 CAFRITZ PROPERTY AT RIVERDALE PARK TOWN CENTER DEVELOPMENT PLAN, CIVIL ACTION CASE CAL 13-32328.**

**Motion:** To withdraw the appeal in the matter of the District Council decision in DSP-13009 Cafritz Property at Riverdale Park Town Center, Civil Action No. CAL 13-32328.

**Moved by:** Mr. Alvarez

**Seconded by:** Mr. Cron

**Roll Call Vote:**

- Mr. Brosch - Nay
- Mr. Gekas - Nay
- Ms. Christiansen - Nay
- Mr. Carey - Yea
- Mr. Cron - Yea
- Mr. Alvarez - Yea
- Mayor Tabori - Yea

**Yea: 4**

**Nay: 3** Brosch  
Gekas  
Christiansen

**Abstain: 0**

**D. LEGISLATIVE RESOLUTION 14-O-03 TO AUTHORIZE THE PURCHASE OF RIVERDALE PRESBYTERIAN CHURCH**

**Motion:** To withdraw Ordinance 14-O-03 authorizing the acquisition of Riverdale Presbyterian Church on 6513 Queens Chapel Road.

**Moved by:** Ms. Christiansen

**Seconded by:** Mr. Gekas

**Yea: 6**

**Nay: 0**

**Abstain: 0**

**E. CHICK-FIL-A DSP-99044/07 PRINCE GEORGE’S PLAZA DISCUSSION ON WHETHER TO SUPPORT THE CITY OF HYATTSVILLE’ POSITION, TO DEVELOP A SEPARATE TOWN POSITION, OR NOT TO COMMENT ON THIS PROJECT.**

**Motion:** To approve preparation of a draft letter by the Mayor and Town Attorney on the matter of the DSP-99044/07 Prince George’s Plaza, Chick-Fil-A for the District Council Oral Argument hearing on March 17, 2014. This is specifically to oppose the variance for the drive thru and to coordinate with Hyattsville to the best of our ability.

**Moved by:** Mr. Alvarez

**Seconded by:** Mr. Gekas

**Yea: 6**

**Nay: 0**

**Abstain: 0**

**10. NEW BUSINESS**

**A. CAFRITZ OVERSIGHT AND MONITORING COMMITTEE**

**Motion:** To approve changing the name of the Cafritz Oversight and Monitoring Committee and to direct this advisory committee to additionally monitor and report to the Council on planning, zoning and development issues within a mile radius of the Town's borders. Additional members will be recruited to join the current chair and members on the committee and the Mayor will serve ex officio. The Committee is to produce a Mission Statement and provide a new name for the Committee and to report back to the Council on these two subjects.

**Moved by:** Ms. Christiansen

**Seconded by:** Mr. Carey

**Yea: 6**

**Nay: 0**

**Abstain: 0**

**11. ADJOURNMENT** by consent at 9:55 p.m.