

**Town of Riverdale Park**  
**Work Session Minutes**  
**March 26, 2018**  
**8:00 p.m.**

**In Attendance**

Mayor Alan K. Thompson  
CM Marsha Dixon, Ward 1  
CM David Lingua, Ward 2  
CM Colleen Richardson, Ward 5 (left at 9:30 p.m.)  
CM Alejandro Silva, Ward 6

John N. Lestitian, Town Manager  
Leonard Addison, Public Works Director  
Patrick Timmons, Lieutenant Colonel, Riverdale Park Police Department  
Andrew Powell, Lieutenant, Riverdale Park Police Department  
Jessica Barnes, Town Clerk  
Kevin Simpson, Development Services Director

**Call to Order**

Mayor Thompson called the work session to order at 8:32 p.m.

CM Lingua requested that a moment of silence be observed for Linda Brown, the woman who was part of the 1954 U.S. Supreme Court case, *Brown v. Board of Education*.

CM Dixon requested that Discussion Item 10 be moved to Discussion Item 3.

**Mayor's Report**

Mayor Alan Thompson deferred his report to the April 2<sup>nd</sup> Legislative Meeting.

**Town Manager's Report**

Town Manager John N. Lestitian reported:

- Over 80 people attended the Easter Egg Party last Saturday
- The first Community Walk of 2018 was also held on Saturday. The next Community Walk will be held on April 11<sup>th</sup> at 5:30 p.m. starting at Town Hall
- FY2019 Budget Public Hearing dates are Saturday, April 21 at 1 p.m. and Saturday, April 28 at 9:00 a.m.
- Neighborhood Improvement Staff are continuing inspections of rental properties and have found several life safety related violations. Staff are working with appropriate owners to abate the violations.
- FY2019 Proposed Budget will be sent out on April 9<sup>th</sup> and will be posted on the Town's website

*Discussion:*

Resident Corey Bettenhausen asked if the violations were mostly owner occupied rentals or non-owner occupied rentals. Town Manager Lestitian stated that there were not any owner occupied rentals registered with the Town.

Resident Audrey Bragg reminded the Council and staff to begin budgeting for the Town's 100-year anniversary celebration. CM Lingua stated that volunteers would be needed to help with the Town's centennial celebration.

### **Council Committee & Ward Reports**

Mayor Thompson reported that CM Aaron Faulx was on travel and CM Christopher Henry was unable to attend the meeting due to a family matter.

#### **CM Marsha Dixon, Ward 1**

CM Marsha Dixon deferred her report to the April 2<sup>nd</sup> legislative meeting.

#### **CM David Lingua, Ward 3**

CM David Lingua reported:

- Sincere appreciation to staff for coming out for Community Walk and Easter Egg Party
- Reminder that as the Town grows it will need more volunteers for assistance with planning and execution of events

#### **CM Colleen Richardson, Ward 5**

CM Colleen Richardson deferred her report to the April 2<sup>nd</sup> legislative meeting.

#### **CM Alejandro Silva, Ward 6**

CM Alejandro Silva deferred his report to the April 2<sup>nd</sup> legislative meeting.

### **Discussion Items**

1. Fence Permit Request: 6-foot wooden fence located along property owned by the Madison Hill Home Owners Association near Silk Tree Drive (Ward 4)

Mayor Thompson reported that CM Henry had sent an e-mail in support of the fence permit application and requested that it be placed on the April 2<sup>nd</sup> consent agenda. There were no comments from the Council or public.

2. Vision and Commitment to Infrastructure

Town Manager Lestitian explained that each core area statement would serve as a supporting pillar of a concise vision for the Town. He reported that staff had not received any community input to date and would like to have the resolution placed on the April 2<sup>nd</sup> agenda for approval.

3. Legislative Committee recommendation regarding voter expansion

CM Dixon stated that the Legislative Committee had received feedback from residents at two meetings regarding the draft legislation and the Committee voted in favor of introducing legislation at the April 2, 2018, Legislative Meeting.

CM Lingua stated that the Legislative Committee met on February 21 and March 8 to discuss voter expansion. CM Lingua gave an overview of the proposed amendments to the Charter including qualifications based on residency, age, same day voter registration and expansion of the reporting time for election results. CM Lingua stated that he wanted to consider the change in voting age as a separate issue but the Committee determined otherwise. He also stated that community input was imperative.

Resident Catherine Bergmann of 6205 43<sup>rd</sup> Street stated that she was very supportive of the proposed Charter Amendment and she felt like it was the right thing to do. Ms. Bergmann stated that it created a more welcoming community and may increase community participation. She also stated that it gave her hope that the energy and creativity of younger people will inspire the community.

Resident Alan Tomelson of 4709 Sheridan Street stated the he felt that the proposed Charter Amendment was a model of unsound policy making and he was unaware of a ground swell of residents wanting the change. Mr. Tomelson stated that the issue had never come up until this year and he had not heard any evidence that Riverdale Park is not a welcoming community. Mr. Tomelson stated that the founding fathers had put a special value on resident voting as it demonstrated commitment to the American political community and by extension to Riverdale Park. Mr. Tomelson urged the Council to emphatically reject the proposed Charter Amendment.

Resident Bruce Wernek stated that it was a complex issue and it marginalized naturalized citizens. Mr. Wernek stated that it sent the message that people do not need to become citizens. Mr. Wernek stated that it was not appropriate to award those who came here illegally and broke the law, with voting rights. He also stated that voting at 16-years-old was just too young. Mr. Wernek also suggested that the proposed Charter Amendment had significant political overtones and law and order candidates would be disadvantaged. Mr. Wernek stated that the biggest concern of illegal immigrants was being deported and he asked if the Town would support the INS and if the answer was no then the Town was a sanctuary city. Mr. Wernek stated that it was a very complex issue that cannot be simply “rubber stamped”. Mr. Wernek stated that voter turnout is an issue and voter expansion will not fix it.

Resident Dan Collinge of Sheridan Street stated that he was supportive of the measure.

Resident Alison Spain of 4520 Tuckerman Street read a letter of support from residents Kate and Joe Kelly. Ms. Spain stated that when the constitution was written, women were not able to vote and some people were only considered to be 3/5 of a person. She stated that many non-citizens pay taxes and that she heard a lot of fear in the comments of other speakers. Ms. Spain also stated that inclusion can only make the community stronger and maybe make people a little less afraid. She also stated that she would love to see voting rights extended to 16-year-olds.

CM Richardson thanked everyone for their comments.

Resident Sheila Smith of 5001 Riverdale Road stated that she was a proud resident that voted in all elections and was opposed to non-citizens and 16-year-olds voting. Ms. Smith stated that she welcomed all people and encouraged those who were not citizens to become citizens. Ms. Smith stated that the Mayor, Council, and staff do not ask for proof of citizenship before addressing issues. Ms. Smith stated that the brain was not fully developed at 16-years-old and she was astounded and hopeful after witnessing the march this past weekend in Washington, D.C. Ms. Smith reported that there were 2,950 registered voters in Riverdale Park and less than 10% voted in the last election. She asked what the Mayor and Council were doing to reach out to the 90% of registered voters who are not voting. Ms. Smith asked how the 45-

day residency requirement would be handled if same day voting was implemented and stated that she was unsure about the 5-day extension of election results.

Resident Mara Collinge of Sheridan Street stated that she was supportive of the initiative and it seemed to be well thought out. She stated that if you live here now, you are my neighbor. Ms. Collinge stated that 16-year-olds can work and drive.

Resident Bob Smith of 5001 Riverdale Road asked what the rationale was for the legislation and what the Council was trying to resolve.

Resident Audrey Bragg stated that she had e-mailed her Councilmember and polled her neighbors regarding the proposed legislation. Ms. Bragg stated that the U.S., County, and State have uniform rules regarding voting and she liked for all levels of government have the same rules. Ms. Bragg stated that voter turnout had been low over the years because there was not any competition among the candidates. Ms. Bragg stated that she was not supportive of the proposed legislation because you should have to be a member to vote. She stated that visitors don't get to vote, they are welcomed but they don't get to make the rules. She also stated that she was concerned about voter fraud with same day voter registration so she was not supportive of that idea. She stated that the proposed legislation needed work.

Resident Heather Cronk of 6804 46<sup>th</sup> Avenue stated that it would be great to celebrate the 100-year anniversary of the Town with the Town moving in a forward direction and the proposed legislation helped to move the Town forward. Ms. Cronk stated that the community was evolving we should be giving young people more ability to influence rather than less. Ms. Cronk stated that she was very supportive of the proposed legislation.

Resident Corey Bettenhausen of 4512 Riverdale Road asked about the supplemental voter roll and how it would be protected. CM Dixon explained that it would be protected to the extent that it was able to be under the law.

The Council took a brief recess.

Resident Christy Achess of Ravenswood Road stated that she moved to Riverdale Park in 2004 and was drawn to its diversity. Ms. Achess stated that she was against the proposal and that there was value in being a citizen and being able to vote.

Resident Alan Tomelson of 4709 Sheridan Street stated that he had heard that several other towns had done similar things but it was okay for Riverdale Park to be different. Mr. Tomelson stated that the founders had created a framework for government with the possibility for change, opportunities to become citizens, and the rule of law. He stated that if we cannot be united by the rule of law then he did not know what would unite us.

Resident Bob Smith of 5001 Riverdale Road stated that the draft legislation was flawed and not well thought out.

CM Dixon stated that there had been two public legislative committee meetings and several notices in *Town Crier*. She stated that she appreciated any and all opinions but after careful consideration she felt that it was in the Town's best interest to move forward. CM Dixon stated that she had looked at several other models including all ten in State of Maryland. CM Dixon stated that the community was evolving and change was happening. She also stated

that the proposed legislation would not preclude or hurt any outreach that has been done or that will be done to reach inactive voters.

Resident Bob Smith of 5001 Riverdale Road stated that he had missed the legislative committee meeting notices and asked if CM Dixon was open to further discussion. CM Dixon replied that she was open to further discussion.

CM Silva stated that the legislation was only for the Town of Riverdale Park and did not impact anything outside of the town limits. CM Silva discussed the difficulty in finding people who are eligible to vote in his ward. He stated that the town belonged to everyone. He also stated that he was supportive of lowering the voting age to 16-years-old.

CM Dixon stated that there were residents who own homes and pay taxes but cannot vote and that was a problem.

Resident Alan Tomelson asked if the proposed legislation would allow for a 16-year-old to hold office. CM Dixon stated that it was not included in the proposed legislation.

Resident Sheila Smith of 5001 Riverdale Road asked what the next steps would be and Mayor Thompson gave an overview of the legislative process as it related to Charter Amendments.

#### 4. Revisions of Chapters 55, 56 and 67 of the Town Code

Town Manager Lestitian stated that staff recommended that owner occupied rentals be removed from the ordinance and that staff would track the issue for 12 months and report back to the Council.

CM Lingua stated that he had heard lots of concerns from Ward 3 residents regarding owner occupied rentals and he did not want to push it out another year. CM Lingua stated that it was an issue of the safety of living spaces that were being rented out.

CM Dixon stated that she was concerned about the difficulty of enforcing owner occupied rentals and did not want to put staff in a difficult situation or encourage residents to report each other. She asked how the Town would actually know if an owner occupied home was being rented out. Mayor Thompson stated that staff had various methods for finding rental properties.

Resident Corey Bettenhausen asked how staff determines that properties are being used as rental properties and Development Services Director Kevin Simpson gave an overview.

#### 5. Chapter 68, Weeds, Rubbish, and Garbage Maintenance

Development Services Director Kevin Simpson gave an overview of the proposed repeal and replacement of Chapter 68, a new section of the Code to address weeds, rubbish, and garbage maintenance. Town Manager Lestitian stated that the legislation was brought to Council last spring and the appeal language had been updated to be consistent with other language in the Code.

CM Lingua asked if staff had reviewed the County Code. Town Manager Lestitian stated that staff had reviewed the County Code, as well as Codes from other jurisdictions, when the legislation was first created and staff would review the County Code again to see if there were any substantive changes since that time.

Mayor Thompson suggested that it should be listed as a new business discussion item on next week's agenda.

#### 6. Economic Development Initiatives: Redevelopment Zone and Going Green

Development Services Director Kevin Simpson gave an overview of the legislation prepared for the two economic development initiatives. Town Manager Lestitian stated that the Redevelopment Zone map had been created based on mailing addresses and some small changes may be needed for areas that do not have an actual address.

Development Services Director Kevin Simpson also discussed the expansion of the Go Green Initiative to include both businesses and residential properties which was consistent with the Town's vision for business and economic development as well as sustainability.

CM Lingua asked if property owners had to be in good standing in order to apply for the grants. Development Services Director Kevin Simpson replied that it was a requirement.

Resident Corey Bettenhausen requested clarification regarding whether the Town Center was included in the Redevelopment Zone.

Town Manager Lestitian stated that staff would request introduction of the legislation next week as there were several new business prospects and staff would like to have this in place as soon as possible.

#### 7. Ordinance 2018-OR-02 to amend the Town's personnel regulations to comply with the Maryland Healthy Working Families Act

CM Lingua asked if common law marriage should also be included in the legislation. Town Manager Lestitian stated that it was his intent to work with employees to extend a liberal interpretation because the goal is for employees and their families to be healthy. Town Manager Lestitian also stated that the proposed amendments follow the new state law that was recently enacted.

Mayor Thompson stated that the Town cannot be less expansive and the proposed amendments were drafted by the Town Attorney. Town Manager Lestitian stated that he would research the definition of common law marriage in state law and see if the language in the ordinance needed to be adjusted.

#### 8. Sweeper purchase; request to waive bid requirements

Public Works Director Addison discussed the need for a new street sweeper. Director Addison also stated that DPW equipment was expensive and it made sense to waive bid requirements and join with larger groups with greater bidding power to get lower prices.

#### 9. Direct report employees to Town Manager

Town Manager Lestitian gave an overview of the clarifying changes needed to the Charter, Code, and personnel policy. Town Manager Lestitian explained that the form of government was changed but additional clarification was needed in the Charter, Code, and personnel policy to implement an effective and efficient Council-Manager form of government.

Mayor Thompson stated that when the charter change was made, it was mentioned at that time that tweaks and polishing would be needed and he viewed the proposed changes as those types of things.

Town Manager Lestitian suggested that this item be discussed under new business at the April 2<sup>nd</sup> legislative meeting.

#### 10. Budget: project planning and debt

Town Manager Lestitian gave a brief overview of the Town's current debt, the intended uses of existing loans and advanced refunding (defeasance) of Loan #2. Town Manager Lestitian stated that debt is not a bad thing but having a debt policy is important.

Town Manager Lestitian stated that the Mayor and Council also had the option to direct that additional projects be included in the reallocation process and a different amount of Loan #2 be advanced refunded. Town Manager Lestitian gave an overview of the types of projects that could be included and CM Lingua stated that he would rather see the funds go towards long term projects as seeking additional funding would likely mean higher interest rates and fees.

#### 11. April Work Session meeting date

Town Clerk Jessica Barnes requested that the Council take action to change the April work session date to April 30, 2018 as there was an error on the adopted Council Meeting Schedule.

#### 12. Minutes from the February 26, 2018 Work Session

Mayor Thompson requested that the February 26, 2018 Work Session minutes be placed on the consent agenda for the April 2<sup>nd</sup> Legislative Meeting.

#### 13. Minutes from the March 5, 2018 Legislative Meeting

Mayor Thompson requested that the March 5, 2018 Legislative Meeting minutes be placed on the consent agenda for the April 2<sup>nd</sup> Legislative Meeting.

### **Unfinished Business**

There was no unfinished business.

### **New Business**

CM Lingua stated that he would like to discuss the stewardship of Riverside Neighborhood Park and the reseeded of the fields in the park at the April 2<sup>nd</sup> meeting. CM Lingua stated that he would also like to discuss access to the restrooms at the Park for Town events.

Mayor Thompson stated that he had received a request from a resident regarding sidewalks on Kenilworth Avenue. Mayor Thompson requested that staff contact the Purple Line to see if new sidewalks will be installed along Kenilworth Avenue as part of that project.

**Adjournment**

The meeting was adjourned at 11:06 p.m.