

Town of Riverdale Park
Legislative Meeting Minutes
May 7, 2018
8:00 p.m.

In Attendance

Alan K. Thompson, Mayor
CM Marsha Dixon, Ward 1
CM Aaron Faulx, Ward 2
CM David Lingua, Ward 3
CM Christopher Henry, Ward 4
CM Colleen Richardson, Ward 5
CM Alejandro Silva, Ward 6

John N. Lestitian, Town Manager
David Morris, Police Chief
Jessica Barnes, Town Clerk
Kevin Simpson, Development Services Director

Call to Order

Mayor Thompson called the legislative meeting to order at 8:04 p.m.

Mayor Thompson announced that the contractor that provided audio visual services to the Town was delayed and expected to arrive by 8:30 p.m.

Pledge of Allegiance

The Pledge of Allegiance was recited followed by a moment of reflection.

Approval of Agenda

CM Henry made a motion to approve the agenda as amended. The motion was seconded by CM Faulx. Vote: 6-0-1 (favorable, Mayor Thompson abstained)

Discussion:

CM Dixon requested that Legislative Action Item 2 be move to Consent Agenda. There was no opposition to the request from members of the Council.

Mayor Thompson suggested moving the reports to the end of the agenda under unfinished business due to the lack of audio and video as a result of the contractor's delay. The Council discussed several options for reorganizing the agenda.

CM Henry made a motion to amend the agenda by moving all reports to after the Legislative Action Items and before Unfinished Business. CM Richardson seconded the motion. Vote: 6-0-1 (favorable, Mayor Thompson abstained)

CM Henry made a motion to move Legislative Action Item 1 to Legislative Action Item 4 due to the contractor's continued delay. The motion was seconded by CM Lingua. Vote: 6-0-1 (favorable, Mayor Thompson abstained)

Presentation

Proclamation for Building Safety Month

Mayor Thompson read the proclamation recognizing Building Safety Month in English and Spanish. Development Services Director Kevin Simpson accepted the proclamation.

Correspondence Summary

The Correspondence Summary was included in the meeting materials.

Mayor's Report

Mayor Alan K. Thompson reported:

- Attended a ribbon cutting last month for the sidewalk connecting College Park to Riverdale Park Station.
- Recently swore in the Ethics Commission members and reminded Council to turn in their Financial Disclosure Forms to the Town Clerk
- Update on the Bridge completion schedule: now being reported that it may be closer to Father's Day
- Had a great time at ArtsFest2018!
- Recent visit from Comptroller Franchot
- May 5th Community Walk went well

Town Manager Report

Town Manager John N. Lestitian reported:

- Micro Clean-up was part of the May 5th Community Walk and 6 bags of litter were collected
- Next Community Walk will be held on May 23rd at 5:30 p.m. starting at Town Hall
- FY2019 Budget will be up for adoption during a Special Legislative Meeting on May 21st
- Town Hall and Department of Public Works will be closed on Monday, May 28th
- Please coordinate with the Town Clerk to have FY2019 Budget binders updated
- Recently selected to serve on DC Superior Court Grand Jury through June 28th and will be in the office on Thursdays and Fridays until service is completed.

Finance Report

As of April 30, 2018, subject to audit:

Expenses: \$ 395,532

Revenue: \$220,083

CM Lingua made a motion to adopt the Finance Report subject to audit. The motion was seconded by CM Faulx. Vote: 4-0-1 (favorable, Mayor Thompson abstained)

Discussion:

Town Manager Lestitian gave a brief overview of Revenue and Expense Comparison report.

Fire Department Report

The Fire Department's report was included in the meeting materials.

Council Committee & Ward Reports

CM Marsha Dixon, Ward 1

CM Marsha Dixon reported that she attended the May 5th Community Walk and staff did a good job planning the route to cover more than one ward.

CM Aaron Faulx, Ward 2

CM Aaron Faulx reported:

Legislative Meeting Minutes

May 7, 2018

Page | 2

- Thanked staff for their efforts in preparing the FY2019 Budget
- Welcomed Denizens Brewing to Riverdale Park
- Recently met with group working to bring support to Riverdale Elementary School
- Riversdale House Museum would like to host a movie night in September
- Discussion regarding student recognition program to recognize exceptional students from each ward

CM David Lingua, Ward 3

CM David Lingua reported:

- Overview of CKAR CDC meeting held on May 1st
- Attended ArtsFest2018, Community Walk on May 5th and meeting with Comptroller Franchot
- Also attended an event at Parkdale High School with Governor Hogan highlighting the Capital One Branch located inside the school and operated by students
- Discussion regarding recent e-mail regarding air conditioning at Riverdale Elementary School during testing week and the issue of aging County schools
- On May 17th the Town will be hosting Prince George's County Municipal Association meeting

CM Alejandro Silva, Ward 6

CM Alejandro Silva stated that he did not have a report.

Public Comments on Non-Agenda Items and Consent Agenda Items

Delegate Alonzo Washington stated that Governor Hogan would be signing his legislation to make Community College free for Maryland students. Delegate Washington also gave an overview of upcoming grant opportunities and the recent restoration of Highway User Revenues. Delegate Washington stated that he recently attended a Community Walk and encouraged the Town to continue to transform their property maintenance standards.

Consent Agenda

Motion to approve consent agenda items:

1. Fence Permit Request for 5511 Taylor Road for a 5-foot split rail wooden fence (Ward 3)
2. Motion to authorize the Town Manager to send a letter to Prince George's County Board of Zoning Appeals in support of a variance request for 4512 Riverdale Road for variances of 11.7 feet front yard width for the dwelling, 12.5% net lot coverage and 1.5 feet side lot line and 1.5 rear lot line setbacks for an accessory building (Ward 1)
3. Street Closure Request for 4900 block of Sheridan Street on June 10, 2018 from 5 p.m. to 8 p.m. for Community Block Party (Ward 2)
4. Minutes from March 26, 2018 Special Legislative Meeting, March 26, 2018 Work Session, April 2, 2018 Legislative Meeting, April 21, 2018 Special Legislative Meeting

CM Faulx made a motion to approve the Consent Agenda. CM Lingua seconded the motion.

Vote: 6-0-1 (favorable, Mayor Thompson abstained)

Legislative Action Items:

1. Motion to adopt Charter Amendment Resolution 2018-CR-01 regarding voter registration and elections

CM Dixon made a motion to adopt Charter Amendment Resolution 2018-CR-01 regarding voter registration and elections. The motion was seconded by CM Faulx.

Roll Call Vote:

CM Marsha Dixon, Ward 1: Yea

CM Aaron Faulx, Ward 2: Yea

CM David Lingua, Ward 3: Nay

CM Christopher Henry, Ward 4: Nay

CM Colleen Richardson, Ward 5: Yea

CM Alejandro Silva, Ward 6: Yea

Motion passes 4-2-1 (favorable, Mayor Thompson abstained)

Discussion:

Mayor Thompson discussed the parameters for the discussion.

Resident Bob Smith of 5001 Riverdale Road asked the Council to rethink the legislation as it created two classes of voters and potential liability that the Town was not ready for. Mr. Smith stated that the legislation needed to be right and it was not.

Resident Alan Tomelson of 4709 Sheridan Street stated that he had several concerns with the legislation including: the lack of detailed information regarding the process for verification of potential voters; overall concerns with the Charter Amendment process; the lack of evidence that there were any proactive expressions of interest from residents regarding the Charter Amendment; and the extensive list of rights currently denied to 16-year-olds. Mr. Tomelson stated that he was looking for meaningful detail.

Resident Joe Kelly of 4522 Tuckerman Street stated that he had lived in Town for 30 years and did not think that there was anything wrong with learning more from the person who lived next door nor was there anything wrong with counting their opinions on local, town-wide matters. Mr. Kelly stated that the opinions of his neighbors should count as much as his.

Resident Sabrina Smith of 4500 Garfield Street stated that she had attended most of the meetings on the issue and remained supportive of the idea. Ms. Smith recounted comments that she had heard during other meetings on the topic and reminded the Council that there had been many points in history when the expansion of voting rights was discussed. Ms. Smith stated that a person's fundamental right to vote should not be limited because people are uncomfortable about letting others vote.

Resident Kay Troup of 5311 Taylor Road stated that she had issues regarding the Charter Amendment. Ms. Troup asked what the basis was for the Charter Amendment and if the Council had received complaints from those who were unable to vote. Mr. Troup asked if the Council had discussed the issue with other municipalities. Ms. Troup also discussed concerns regarding the election process, voter verification, updating and distribution of the voter roll, the duties of the Election Watchers and how 16-year-olds would be registered to vote. Ms. Troupe stated that she was opposed to entire Charter Amendment.

Resident Sue Sheehan of 4707 Tuckerman Street stated that the Town elections would be a catastrophe and she did not understand where the idea came from. She stated that she was not in favor of charter changes.

Resident Joe Kelly of 4522 Tuckerman Street encouraged the Council to realize that they were not solving a problem but instead paving a new path.

Resident Dan Collige of Sheridan Street stated that he was in support of the measure and he was certain that the process could be worked out as approximately 350 people voted in last election. Mr. Collige stated that if people are effected by the decisions made then they should have the right to vote for those making the decisions.

Resident Cathy Bergmann pf 6205 43rd Street stated that she has never been prouder than she was now and she was supportive of anything that that makes it easier for her neighbors to vote.

Resident Ana Lopez of 5412 Kenilworth Terrance stated that she was a citizen and had lived in Town for 7 years. She stated that she was supportive of the Charter Amendment because she wanted her friends and neighbors to have the opportunity to vote.

Resident Juan Carlos Rodrigues of Rittenhouse Street stated that he had lived in Riverdale Park for 4 years and it was a good place to live. He stated that the Charter Amendment would show people that Riverdale Park was united for everyone. He also stated that the Town should engage the younger people because they are our future.

Resident Sandy Silberman of 6410 54th Place stated that she supported the Charter Amendment and was really proud of the Town.

CM Richardson stated that she thought that it was a good thing to allow everyone to vote and Riverdale Park needed to “come up to speed”.

CM Dixon explained that residents often came to her with a concern or desire and she in turn formulated a way to help them. She stated that she started by asking residents for their input on voter expansion through one on one discussions and entries in the *Town Crier*. She stated that she continued to solicit feedback until she felt there was enough to move forward and during the first Legislative Committee meeting residents suggested lowering the voting age to 16-years-old.

CM Dixon also explained that legislation was often not specific and it was best to create a framework and then work through the procedures. She stated that she did not expect that the current election procedures would change very much and the State of Maryland was also considering same day voter registration for State elections. CM Dixon stated that the overall goal was to welcome people to vote. CM Dixon stated that she had spoken with representatives of several of the Maryland municipalities with similar laws and they reported very few issues.

CM Henry asked Ms. Troupe to expand on her comments regarding the impact on Town elections. Ms. Troupe discussed her concerns.

Resident Sabrina Smith of 4500 Garfield Street stated that during her time as a Town election judge, she never saw anything resembling chaos and did not think that the election process changes would be beyond the capacity of the Town’s election judges.

Resident Sue Sheehan of 4707 Tuckerman Street asked how a list of registered voters would be created for campaigning purposes.

Resident Alan Tomelson of 4709 Sheridan Street stated that many of the public comments were not about provisions of the Charter Amendment. Mayor Thompson stated that he allowed for a liberal amount of latitude during public comments provided that they were not personal in nature.

CM Henry stated that he would vote against the charter change as it was not clear and Ward 4 residents were against the change. CM Henry stated that he did not feel comfortable with 16-year-olds voting and he did not want chaos in the Town.

CM Lingua stated that he had canvassed Ward 3 and found that the overwhelming majority of people in his ward were opposed to the Charter Amendment.

CM Faulx thanked everyone for participating in the discussion as the high level of public turnout at the meetings was refreshing. CM Faulx discussed his upbringing and career and stated that the Charter Amendment sent the message that the Town embraces equality.

CM Silva stated that anyone who lives in Town was a resident and should have the right to vote. CM Silva stated that it was a very simple concept, if you live in Town then you can vote. He also stated that the Charter Amendment would not impact anything outside of the Town.

CM Dixon stated that Maryland already allowed for same day voting during early voting and a sample voter registration application was provided to the Legislative Committee.

2. Motion to authorize the Town Manager to send a letter to Prince George's County Board of Zoning Appeals regarding a variance request for 5610 Taylor Road for a variance of 2% net lot coverage and waivers of the fence location and height requirements for a fence over 4 feet in height in the side yard (Ward 3)

CM Lingua made a motion to authorize the Town Manager to send a letter to the Prince George's County Board of Zoning Appeals recommending approval of a variance request for 5610 Taylor Road for a variance of 2% net lot coverage and waivers of the fence location and height requirements for a fence over 4 feet in height in the side yard. CM Henry seconded the motion. Vote: 5-0-1 (favorable, Mayor Thompson abstains)

Discussion:

CM Lingua stated that he had spoken with the applicant and gave an overview of their discussion. CM Lingua stated that additional rain barrels would be installed under the porch. CM Lingua also requested that Town staff make contact with Mr. Trejo regarding the drain in the south west corner of his backyard.

3. Motion to authorize the Town Manager to send a letter of support for Central Kenilworth Avenue Revitalization's (CKAR) grant application

CM Lingua made a motion to authorize the Town Manager to send a letter of support for Central Kenilworth Avenue Revitalization's (CKAR) grant application. CM Faulx seconded the motion. Vote: 6-0-1 (favorable, Mayor Thompson abstained)

Discussion:

CM Lingua gave an overview of the request.

4. Motion to adopt Ordinance 2018-OR-06 establishing Redevelopment Zone Initiative Incentive Program

CM Dixon made a motion to adopt Ordinance 2018-OR-06 establishing Redevelopment Zone Initiative Incentive Program. The motion was seconded by CM Faulx. Vote: 4-0-1 (favorable, Mayor Thompson abstained)

Discussion:

CM Dixon gave an overview of the ordinance.

5. Motion to adopt Ordinance 2018-OR-07 establishing Go Green Initiative Incentive Program

CM Faulx made a motion to adopt Ordinance 2018-OR-07 establishing Go Green Initiative Incentive Program. The motion was seconded by CM Silva. Vote: 4-0-1 (favorable, Mayor Thompson abstained)

Discussion:

CM Faulx gave an overview of the ordinance.

6. Motion to adopt Ordinance 2018-OR-08 Chapter 68, Weeds, Rubbish, and Garbage Maintenance

CM Faulx made a motion to adopt Ordinance 2018-OR-08 Chapter 68, Weeds, Rubbish, and Garbage Maintenance with amendment. The motion was seconded by CM Lingua. Vote: 4-0-1 (favorable, Mayor Thompson abstained)

CM Lingua motion to amend the ordinance by striking “or other vegetative growth” on line 115. The motion was seconded by CM Faulx. Vote: 4-0-1 (favorable, Mayor Thompson abstained)

CM Lingua made a motion to revisit an item previously decided (in order to address the appropriate line number). The motion was seconded by CM Faulx. Vote: 4-0-1 (favorable, Mayor Thompson abstained)

Discussion:

Resident Corey Bettenhausen suggested striking “other vegetative growth” in line number 110. Staff stated that they had no objection.

Resident Sheila Smith stated that she noticed that the definition of noxious weeds was added to the ordinance.

7. Introduction of Ordinance 2018-OR-09 regarding Chapter 15- Building Code- Revisions

CM Faulx introduced Ordinance 2018-OR-09 regarding Chapter 15- Building Code- Revisions and read a brief overview.

8. Introduction of Ordinance 2018-OR-10 regarding FY2019 Operating and Capital Improvement Project Budget

CM Lingua introduced Ordinance 2018-OR-10 regarding the FY2019 Operating and Capital Improvement Project Budget.

9. Mayor's Nominations for Board of Code Appeals and Mixed-Use Town Center Local Design Review Committee

CM Lingua made a motion to approve the Mayor's nominations for the Mixed-Use Town Center Local Design Review Committee. The motion was seconded by CM Faulx. Vote: 4-0-1 (favorable, Mayor Thompson abstained)

Discussion:

Mayor Thompson discussed his recommendations for M-UTC membership.

10. Vision and Commitment to Arts and Recreation

Town Manager Lestitian stated that the vision and commitment to art and recreation was part of a continuing effort towards the creation of a concise vision for the Town and staff was seeking input from the Council and the public.

Unfinished Business

There was no unfinished business.

New Business

There was no new business.

Adjournment

CM Faulx made a motion to adjourn the meeting at 11:02 p.m. The motion was seconded by CM Lingua. Vote: 4-0-1 (favorable, Mayor Thompson abstained)