

Town of Riverdale Park
Legislative Meeting Minutes
September 8, 2015
8:00 p.m.

In Attendance

Vernon S. Archer, Mayor
CM Alan Thompson, Ward 2
CM David Lingua, Ward 3
CM Christopher Henry, Ward 4 (arrived at 9:40 p.m.)
CM Alejandro Silva, Ward 6

Sara Imhulse, Town Administrator
David Morris, Chief of Police
Jessica Barnes, Town Clerk

Call to Order

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

A moment of silence was observed in remembrance of former Governor Marvin Mandel.

Pledge of Allegiance

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

Approval of Agenda

CM Thompson made a motion to approve the agenda as revised. The motion was seconded by CM Silva. Vote: 3-0 (favorable)

Discussion:

Legislative Action Items 1, 3 and 4 were moved to the Consent Agenda at the request of CM Ebbeler. Mayor Archer requested that two legislative action items be added to the agenda as well.

Mayor's Report

Mayor Vernon Archer reported:

- Overview of the status of the Dog Park
- Update regarding 7-Eleven
- Thank you to the Riverdale Park Police Department for everything that they do to keep the Town safe.
- Partial victory in the establishment of a Quiet Zone in Town
- Riverdale Park Volunteer Fire Department will be hosting a 5K on September 12th and a parade on September 19th at 11 a.m.
- Riverdale Park Day will be held on Saturday, October 3rd from 12 noon to 5 p.m. at Riverside Neighborhood Park

Presentation

Recognition of residents and businesses for their assistance with National Night Out
Ramona Morat was recognized for her many years of outstanding volunteerism.

Correspondence Summary

The Correspondence Summary was included in the meeting materials.

Treasurer's Report

As of 8/31/15 (subject to audit),

Revenue: \$ 1,173,316.89

Expenditures: \$ 814,428.71

CM Thompson made a motion to adopt the Treasurer's Report subject to audit. The motion was seconded by CM Lingua. Vote: 3-0 (favorable)

Town Administrator's Report

Town Administrator Sara Imhulse reported:

- MML Fall Conference will be held October 26-28, 2015 at the Cambridge Hyatt Resort
- Riverdale Park Day will be held on Saturday, October 3rd from 12 noon to 5 p.m. at Riverside Neighborhood Park. Volunteers are needed, please contact Town Hall for details.
- Will be out of the office from September 18th to October 2nd and will be attend the annual ICMA Conference in Seattle September 27-30th
- Overview of luncheon with Senator Cardin
- Thank you to College Park City Manager Joe Nagro

Police and Code Report

Chief of Police David Morris reported:

- Thank you to Mayor and Council for continued support of PD
- Thank you everyone who assisted with the National Night Out on August 4, 2015. Approximately 500 people attended, and everyone had a great time. Next year at the same location
- RPPD will assist the RVFD with a 5K run and parade as part of the Prince George's County Volunteer Fire Rescue Association Annual Convention, which is being hosted by the RVFD.
- The RPPD has been working with personnel from Prince George's County Public Safety Communications for installation of their CAD system. Officers will have the ability to monitor neighboring agencies and be able to access the Prince George's County warrant database.
- Ward 3 Public Safety Community Walk will be held on November 14, 2015 at 9:30 am at Town Hall.

Fire Department Report

President Lamphier presented the Fire Department report to the Council and Public.

President Lamphier discussed the changes to paid staffing at Riverdale Heights Station 13.

Council Committee & Ward Reports

CM Alan Thompson, Ward 2

CM Alan Thompson reported:

- Planning Board Meeting regarding 7-Eleven on September 10th
- Update on status of Bridge

- Upcoming RPVFD events: overview of street closures in Ward 2
- Support for the RPPD for recent incident at McDonald's. Recognition of the professionalism of RPPD officers.

CM David Lingua, Ward 3

CM David Lingua reported:

- Overview of CKAR meeting held on 9/1
- Next CKAR meeting will be held on 10/6 at 6801 Kenilworth Avenue
- National Night Out was very well attended
- Support for the RPPD

CM Alejandro Silva, Ward 6

CM Alejandro Silva stated that he did not have a report but he was trying to schedule a Ward 6 Public Safety Community Walk.

Public Comments on Non-Agenda Items and Consent Agenda Items

Mr. Lenny Wertz, CKAR President, gave a brief update on CKAR projects. Mr. Wertz discussed concerns regarding investment waivers for businesses requesting liquor board licenses for Sunday sales.

Consent Agenda

Motion to approve consent agenda items:

1. Fence Permit Request: 6 foot vinyl backyard fence, 5407 54th Avenue (Ward 6)
2. Fence Permit Request: 6 foot wooden backyard fence, 4710 Sheridan Street (Ward 2)
3. Street Closure Request: October 3, 2015, from 5:00 p.m. to 9:00 p.m. for the 4900 block of Sheridan Street for Block Party (Ward 2)
4. Street Closure Request: September 19, 2015, from 12 noon to 6:00 p.m. for 43rd Street between East-West Highway and Queensbury Road for Block Party (Ward 1)
5. Parade Permit Request: Riverdale Volunteer Fire Department, September 19, 2015, from 10:00 a.m. to 11:00 a.m.
6. Street closure request on Riverdale Road from 54th Place to Lafayette Avenue on September 19, 2015, from 10:00 a.m. to 11:00 a.m. for Riverdale Volunteer Fire Department Parade (Wards 1, 2, 3, 4, and 5)
7. Street closure request at Tuckerman Street and Lafayette Avenue on September 12, 2015, from 12:00 p.m. to 4:00 p.m. for Riverdale Volunteer Fire Department equipment rodeo
8. Street closure request on Queensbury Road from 48th Avenue to Natoli Place on September 12, 2015, from 3:00 p.m. to 9:00 p.m. for Riverdale Volunteer Fire Department corn-hole tournament
9. Street closure request at Tuckerman Street and Lafayette Avenue on September 19, 2015, from 11:00 a.m. to 4:00 p.m. for Riverdale Volunteer Fire Department Hook-Up Competition
10. Street closure request at Tuckerman Street and Lafayette Avenue on September 13, 2015, from 11:00 a.m. to 6:00 p.m. for Riverdale Volunteer Fire Department Field Events (Bucket Brigade, Battle of the Bucket, Tug-O-War, etc.)
11. Resolution 2015-R-12 regarding no parking on both sides of the street on Jefferson Street from Kenilworth Avenue to 54th Avenue (Ward 6)
12. Motion to authorize sale of trash truck to Town of University Park for \$33,000
13. Minutes from June 22, 2015 Special Legislative Meeting
14. Minutes from July 6, 2015 Legislative Meeting
15. Minutes from August 31, 2015 Special Legislative Meeting

16. Motion regarding fence permit request for a 6 foot vinyl backyard fence at 6402 46th Avenue (Ward 1)
17. Motion regarding fence permit request for a 5 foot wooden backyard fence and retaining wall replacement at 6110 44th Avenue (Ward 1)
18. Motion regarding fence permit request for a 6 foot wooden backyard fence at 4609 Queensbury Road (Ward 1)

CM Thompson made a motion to approve the consent agenda. The motion was seconded by CM Lingua. Vote: 3-0 (favorable)

Legislative Action Items

1. Motion to authorize the Mayor to send a letter to Board of Appeals regarding Variance Request V-61-15, a variance of 2.5 feet front yard depth and a waiver of parking area location requirement for 5404 Spring Lane (Ward 6)

CM Silva made a motion to authorize the Mayor to send a letter to Board of Appeals to approve Variance Request V-61-15, a variance of 2.5 feet front yard depth and a waiver of parking area location requirement for 5404 Spring Lane (Ward 6). There was no second to the motion.

CM Thompson made a motion to authorize the Mayor to send a letter to Board of Appeals requesting denial of Variance Request V-61-15, a variance of 2.5 feet front yard depth and a waiver of parking area location requirement for 5404 Spring Lane (Ward 6). CM Lingua seconded the motion. Vote: 2-0 (favorable), CM Silva abstained.

Discussion:

Officer Blanco translated for the applicant. The applicant explained why he needed additional parking and apologized for violating the law. He also stated that he thought that the driveway made his property look neater.

CM Thompson discussed his reason for opposing the variance. Several active issues in Ward 2 regarding front yard driveways.

Mayor Archer stated that he was concerned that precedence would be set by taking action then asking for forgiveness from the Council after the fact.

2. Motion to authorize the Mayor to send a letter to Board of Appeals recommending denial of Variance Request V-64-15 through V-69-15 for Troops First Foundation, Leroy Petry Honor Village, a request for waiver of parking area location requirement (Ward 3)

CM Lingua made a motion to authorize the Mayor to send a letter to Board of Appeals recommending denial of Variance Request V-64-15 through V-69-15 for Troops First Foundation, Leroy Petry Honor Village, a request for waiver of parking area location requirement (Ward 3). The motion was seconded by CM Thompson. Vote: 2-0 (favorable), CM Silva and CM Henry abstained.

Discussion:

There was significant discussion regarding Legislative Action Item 2.

Norman Rivera, attorney for the applicant, gave overview of the development and the reason for the variance request.

Mayor Archer stated that he could not find any records that indicated that the Town had requested one story houses. He also stated that front yard driveways were universally denied/rejected by the Town.

Mr. Dennis Danner discussed the need for driveways in the front of the houses.

Mr. Rick Kell explained that the project was a big undertaking for their organization and they needed assistance from the Town to move it forward.

Mayor Archer asked why a variance was needed and why side driveways were not an option.

Town Administrator Imhulse stated that staff had tried to meet with the applicant to discuss their needs however paperwork had already been filed requesting the variance.

Mayor Archer called a brief recess to review the Charter with regard to the final vote.

~~3. Motion regarding a curb cut request for new single family home at 6317 47th Avenue (Ward 1)~~

Discussion:

CM Thompson requested that the rules of order be waived. CM Thompson stated that CM Ebbeler, via e-mail, had requested that the Council defer the curb cut request for 6317 47th Avenue. CM Thompson read the e-mail which outlined CM Ebbeler's concerns with the application.

The applicant, Mr. Jay Endelman, gave an overview of the timeline of his application and addressed the concerns mentioned in CM Ebbeler's e-mail.

Mayor Archer stated that Mr. Endelman would be first on the September 28th worksession agenda.

4. Motion to waive bid requirements and authorize purchase of 1 Type 6-C-1 Chev Truck 4x4 from Hertich Fleet Services for approximately \$31,000 through State Contract BPO001B5400299, 2 Type 9P Ford Utility AWD from Apple Ford for approximately \$62,000 through State Contract MD01B5400280, 1 Type 3-1 Patrol Sedan Dodge from Fred Frederick Dodge for approximately \$28,000 through State Contract BPO001B5400278, and outfit the vehicles with Brekford for approximately \$75,000 through State Contract BPO #060B249022.

CM Lingua made a motion to waive bid requirements and authorize purchase of 1 Type 6-C-1 Chev Truck 4x4 from Hertich Fleet Services for approximately \$31,000 through State Contract BPO001B5400299, 2 Type 9P Ford Utility AWD from Apple Ford for approximately \$62,000 through State Contract MD01B5400280, 1 Type 3-1 Patrol Sedan Dodge from Fred Frederick Dodge for approximately \$28,000 through State Contract BPO001B5400278, and outfit the vehicles with Brekford for approximately \$75,000

through State Contract BPO #060B249022. The motion was seconded by CM Henry. Vote: 4-0 (favorable)

5. Motion to send a letter to the Board of Education regarding the Master Plan Support Project as presented by consultants Brailsford & Dunlavey

CM Thompson made a motion to send a letter to the Board of Education supporting the Master Plan Support Project as presented by consultants Brailsford & Dunlavey. The motion was seconded by CM Henry. Vote: 4-0 (favorable)

Discussion:

Mayor Archer gave an overview of the report by Brailsford & Dunlavey. The Council discussed that the letter should include endorsement of Master Plan Support Program with a high priority of rebuilding William Wirt Middle School.

6. Letter of support for Commissioner John P. Shoaff in his independent decision of whether to recuse himself or not

CM Thompson made a motion to send a letter of support for Commissioner Shoaff's independent decision regarding recusal. CM Henry seconded the motion. Vote: 4-0 (favorable)

Discussion:

The Council discussed the letter submitted to the Planning Board Chair, by the applicant, requesting Commissioner Shoaff to recuse himself from hearing and deciding 7-Eleven's application for a Special Permit and related departures.

Unfinished Business

There was no unfinished business.

New Business

- CM Lingua made a motion to direct the Mayor to send a letter to the Board of License Commissioners regarding the recently approved legislation for Sunday Sales that investment waivers not be granted to any businesses in and around the Town of Riverdale Park affected by this legislation. CM Henry seconded the motion. Vote: 4-0 (favorable)

Adjournment

CM Thompson made a motion to adjourn the meeting at 10:40 p.m. The motion was seconded by CM Lingua. Vote: 4-0 (favorable)

Typed from notes by JEB.