

Town of Riverdale Park
Legislative Meeting Minutes
March 7, 2016
8:00 p.m.

In Attendance

Vernon S. Archer, Mayor
CM Jonathan Ebbeler, Ward 1
CM Alan Thompson, Ward 2
CM David Lingua, Ward 3
CM Christopher Henry, Ward 4
CM Alejandro Silva, Ward 6

Sara Imhulse, Town Administrator
Leonard Addison, Director of Public Works
David Morris, Chief of Police
Jessica Barnes, Town Clerk

Frederick Sussman, Town Attorney

Call to Order

Mayor Archer called the legislative meeting to order at 8:01 p.m.

Pledge of Allegiance

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

1. Motion regarding Ward 1 Council seat

CM Lingua made a motion to declare the Ward 1 seat vacant. The motion was seconded by CM Henry.

CM Lingua made a motion to amend the previous motion by replacement with a motion to retroactively excuse the absences of the Ward 1 Council Member from the regular meetings held in October 2015 and December 2015 for medical reasons. The motion was seconded by CM Thompson.

Roll call vote to amend motion:

Ward 6: aye
Ward 4: nay
Ward 3: aye
Ward 2: aye
Ward 1: abstain

CM Lingua made a motion to retroactively excuse the absences of the Ward 1 Council Member from the regular meetings held in October 2015 and December 2015 for medical reasons. The motion was seconded by CM Thompson.

Roll call vote on amended motion:

Ward 6: aye
Ward 4: nay
Ward 3: aye

Ward 2: aye
Ward 1: abstain

Discussion:

There was extensive discussion regarding Legislative Action Item 1. Each member of the council was given the opportunity to speak. The Council also had the opportunity to ask questions as needed. Town Attorney Fred Sussman provided clarification as requested by the Council.

CM Ebbeler asked that his legal counsel speak on his behalf and attorney Bruce Markus discussed CM Ebbeler's position. CM Thompson made a motion to extend the speaker's time by five minutes. CM Ebbeler seconded the motion. The motion passed by unanimous consent.

The Council recessed twice and the meeting was called back to order at 9:50 p.m. and 10:05 p.m. respectively.

Public Comments regarding Legislative Action Item 1:

Bob Smith from Ward 3 stated that he was concerned that the policy was not clearly defined for an excused absence.

Audrey Bragg from Ward 2 stated that the town is a great place to live and CM Ebbeler had been a good representative. She stated that decisions needed to be made at the beginning of meetings regarding whether absences were excused or not and that this situation was a good opportunity to change things and make it better. She encouraged the Council to work together to resolve the issue. She also discussed alternative ways to participate in meetings such a Skype or teleconferencing.

Marita Novicky from Ward 2 commented that without a policy it was hard to determine how a decision should be made and encouraged the Council to consider a decision carefully.

Jeffery Yorke stated that CM Ebbeler was working even when he was not present. He also stated that he felt that the situation was unfair.

Jim Spiropulos a business owner in Ward 1 stated that he was appreciative of the job done by the entire Council. He also stated that CM Ebbeler had done a good job up to this point. He encouraged the Council to take a step back and try to move forward.

Ashley Ebbeler of Ward 1 asked why the attendance issue was addressed now and stated that a policy was needed to be fair.

Dan Barron of Ward 1 stated that he appreciated the Council's hard work. He asked that the Council consider an option without negative consequences like a lawsuit or special election.

Corey Bettenhausen of Ward 1 stated there was too much "wobble room" in the policy. He stated that he appreciated the Mayor trying to keep the council going and hold everyone to higher standards.

Lora Katz of Ward 1 stated that she came to the meeting looking for clarity not conflict and she appreciated the Council's hard work. She stated that she also appreciated what CM Ebbeler had done for the Town and that it was a very difficult situation. She encouraged the

Council to find a constructive resolution to the situation. She also stated that she liked the idea of non-physical participation in meetings.

Approval of Agenda

CM Henry made a motion to approve the revised agenda. The motion was seconded by CM Thompson. Vote: 5-0 (favorable)

Discussion:

Mayor Archer discussed changes to the agenda.

Mayor's Report

Mayor Vernon Archer did not have a report.

Correspondence Summary

The Correspondence Summary was included in the meeting materials.

Treasurer's Report

There was no Treasurer's Report.

Town Administrator Report

There was no report from Town Administrator Imhulse as she was sick.

Police Department Report

Chief of Police David Morris reported that the Police Department annual summary would be presented at a future council meeting.

Public Works Report

Director of Public Works Leonard Addison reported:

- Saturday bulk trash drop-off would be held on March 19 at DPW
- Reminder: check the March and April Town Crier for information regarding Community Clean-up, Earth Day, and mosquito control.

Fire Department Report

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

Council Committee & Ward Report

CM Jonathan Ebbeler, Ward 1

CM Jonathan Ebbeler gave an update on economic development progress in Town (Town Center tenants, expansion in historic area, Cafritz project).

CM Alan Thompson, Ward 2

CM Alan Thompson reported:

- Charter Amendment Resolution introduced
- Dog Park Construction still under way

CM David Lingua, Ward 3

CM David Lingua did not have a report.

CM Christopher Henry, Ward 4

CM Christopher Henry did not have a report.

CM Colleen Richardson, Ward 5:

Mayor Archer reported that CM Richardson was unable to attend the meeting due to her father's emergency surgery.

CM Thompson made motion to excuse CM Richardson from the meeting. The motion was seconded by CM Henry. Vote: 3-0 favorable (CM Ebbeler and CM Lingua abstained)

CM Alejandro Silva, Ward 6

CM Alejandro Silva did not have a report.

Public Comments on Non-Agenda Items and Consent Agenda Items

Sue Sheehan of Tuckerman Street discussed concerns relating to the closing of Lafayette Avenue and the progressing construction of the Cafritz project (noise from machinery, tree removal, and traffic issues). CM Thompson provided an update on the creation of a berm. Ms. Sheehan asked if dividers could be placed along the Field of Dreams from Lafayette Avenue to Tuckerman Street. CM Ebbeler requested that Ms. Sheehan send him a list of her concerns and he would discuss them with the Cafritz team.

Consent Agenda

Motion to approve consent agenda items:

1. Removal of resident designation for 3 parking spaces near dog park (Ward 2)
2. Minutes from February 1, 2016 Legislative Meeting
3. Minutes from February 29, 2016 Special Legislative Meeting

CM Thompson made a motion to approve the consent agenda. The motion was seconded by CM Henry. Vote: 4-0 favorable (CM Ebbeler abstained)

Legislative Action Items

2. Motion to recommend approval without conditions for Hotel at Cafritz Property at Riverdale Park, SE-4775 and authorize Town Administrator to provide a letter of support (Ward 1)

CM Ebbeler made a motion to recommend approval without conditions for Hotel at Cafritz Property at Riverdale Park, SE-4775 and authorize Town Administrator to provide a letter of support. The motion was seconded by CM Thompson. Vote: 5-0 (favorable)

3. Motion to approve and authorize the execution of a Termination and Release of Declaration of Covenant relating to ERCO property (Ward 2)

CM Thompson made a motion to approve and authorize the execution of a Termination and Release of Declaration of Covenant relating to ERCO property (Ward 2). The motion was seconded by CM Lingua. Vote: 5-0 (favorable)

4. Motion to waive bid requirements and authorize purchases of \$45,000 with Hadco Lighting to retrofit streetlights as part of MSEC FY 15 grant program

CM Henry made a motion to waive bid requirements and authorize purchases of \$45,000 with Hadco Lighting to retrofit streetlights as part of MSEC FY 15 grant program. The motion was seconded by CM Lingua. Vote: 5-0 (favorable)

Discussion:

Director Addison gave an overview of the project.

5. Introduction of Charter Amendment Resolution 2016-CR-01 regarding Council-Manager Form of Government

CM Thompson introduced Charter Amendment Resolution 2016-CR-01 regarding Council-Manager Form of Government. CM Thompson read the purpose of the Charter Amendment.

Unfinished Business

There was no unfinished business.

New Business

CM Lingua made a motion to suggest that the editor of Town Crier include attendance record as part of Council Action. The motion was seconded by CM Henry. Vote: 5-0 (favorable)

Adjournment

CM Ebbeler made a motion to adjourn the meeting at 11:03 p.m. The motion was seconded by CM Lingua. Vote: 5-0 (favorable)

Closed Session: To consider the acquisition or sale of real property for a public purpose and matters directly related to such acquisition or sale; and to consult with legal counsel to obtain legal advice.

CM Thompson made a motion to go into a Closed Session at 10:20 p.m. The motion was seconded by CM Lingua. Vote: 5-0 (favorable) The Closed Session ended at 10:45 p.m.

Typed from notes by JEB.