

Town of Riverdale park  
Monday, June 6, 2011  
Regular Legislative Meeting Minutes

**Attendance**

|                      |                  |
|----------------------|------------------|
| Vernon S. Archer     | Mayor            |
| CM Alice Ewen        | Ward 1 (8 :15pm) |
| CM Anthony Ebbeler   | Ward 1           |
| CM Alan Thompson     | Ward 2           |
| CM David Lingua      | Ward 3           |
| CM Christopher Henry | Ward 4           |
| CM Raymond Rivas     | Ward 5           |
| CM Alexander Silva   | Ward 6           |

Town Administrator- Ms. Sara Imhulse  
Police Department – Capt. Patrick Timmons, Acting Police Chief  
Fire Department – President Steve Lamphier

The Legislative Meeting for the Town of Riverdale Park began at 8:07 p.m. The Pledge of Allegiance was recited, followed by a moment of reflection directed by Mayor Archer.

**Approval of Agenda**

CM Henry motioned to approve the agenda.  
CM Thompson Second.  
Motion passes 4-0

Discussion: Mayor Archer rearranged items depending on who is present in the audience. The agenda will be juggled.

**Presentation to Susanne Dunn for 25 Years of Employment with the Town of Riverdale Park.**

Mayor Archer and Capt. Patrick Timmons presented Susanne Dunn with a plaque from the Town of Riverdale Park for her 25 years of service to the Town of Riverdale Park.

**Swearing in of Mayor and Council Members by Circuit Court Judge, Honorable Marilyn M. Bland.**

The Elected Mayor and Council were sworn in by Mrs. Maka Anawi from the Circuit Court of Prince George’s County. Mayor Archer acknowledged Former CM Ewen and Former CM Allen-Smith and presented them with gifts of flowers.

**Mayor’s Report**

- Recognized Erica **Vivar** who won Queen of the Latin American Festival in Riverdale Park last week.
- We have 3-4 teachers who will travel to our Sister City of Ipala, Guatemala.
- This Saturday Mayor Archer will present a proclamation to the 54h Service Brigade at the Reserve Building on Route 1 at 1pm.

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- Mayor Archer was part of the Parkdale High School Graduation to congratulate the graduating students.
- Met with Mayor Elect of Hyattsville and Mayor of University Park regarding Wells Run and the use of the Nine Ponds area. Nine Ponds can be an effective storm water management system. They will meet during the MML Conference to discuss next steps.
- There's been a renewed effort by the **Caford's** Family to develop their property on Route 1. They will be making a presentation soon.
- Congratulations and Thanks to Former CM Mary Donaldson, Former CM Sue Sheehan and Former CM Eugene Reid who worked on the Public Traffic Safety Committee. They have resigned and left it to the Council to reconsider if they will need to reconstitute this committee with others.

*This concludes the Mayor's Report*

**Treasurer's Report**

As of May 31, 2011: Revenue = \$6,312,718, Expenses = \$4,157,215.

CM Thompson moved to approve the treasurer's report subject to audit.  
CM Ewen Second  
Motion passes 5-0

This concludes the Treasurer's Report

**Town Administrator's Report**

- The Town has been awarded \$100K from the CDBG grant that will fund the Dog Park and the Kenilworth Revitalization Project. Thanks to CM Olsen.
- Work Session in on June 2th because of the MML Conference.
- The next Special Legislative Meeting will be held on June 20<sup>th</sup> because of the MML Conference at the end of the month and the Legislative Meeting will be held on Tuesday, July 5th due to the July 4<sup>th</sup> Holiday.

This concludes the Town Administrator's Report

**Police Department Report**

- The promotional process for the rank of Sergeant has began today for four Officers.
- Latin Festival – We had staff at the event. Everything went well.
- Will be applying for a grant from the State of MD for the officers to have an electronic ticket device.
- Speed Camera – A candidate has been found and will start on June 13<sup>th</sup>.

**Code Enforcement Issues**

- Report was submitted last week.

*This concludes the Police Department Report*

**Public Works Report**

- The next Saturday Drop Off will be June 18<sup>th</sup> 9am – 2pm.
- We anticipate that the tree trimming contractor will be in the area by the end of this week. They will be concentrating in Ward 3. Residents may see notices to park their cars in other areas.
- Bulk Trash – By appointment only. Please call Bates Trucking at 301- 773-2069. You have to call on Tuesday by 2pm. You will have to tell them what you have to be picked up. Put your bulk trash on the curbside by 7am on Wednesday morning.
- PEPCO – Starting this month thru 2012 will replace your meters to enable the company to read them remotely. Residents will be able to monitor usage online as well. They are using a Federal Grant to make the switchover. Mr. Addison is trying to nail down a date of when they will be in this area.

*This concludes the Public Works Report*

**Fire Department Report**

- Chief Ryan is out of the hospital. He has been able to visit the station but has a long road ahead of him. Thanks to all for your prayers and well wishes.
- An article about Balloon Framing has been submitted to the June Town Crier. There is some info about general fire tips as well.
- All the brickwork is being re-pointed at the Fire Station.
- The HVAC system and Bunk Room has been funded for renovation.

*This concludes the Fire Department Report*

**Ward and Committee Reports**

**Ward 1, CM Ebbeler, Economic Development Committee**

- There is an issue with a proposal concerning No Parking signs on West and East Beal Circle. The only objections are on the East Beal side.
- Thanks Administrator Imhulse for making the transition to Council easy for him.

*This concludes Ward 1, CM Ebbeler's Report*

**Ward 2, CM Thompson, Finance Chairman Committee**

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- Sorry to see the Traffic Committee dissolve.
- The Dog Park Committee is working with residents on the 53<sup>rd</sup> block of Tuckerman.

*This concludes Ward 2, CM Thompson's Report*

**Ward 3, CM Lingua, Public Safety Committee**

- Public Safety Committee met on a personnel issue on closed session on May 16<sup>th</sup>, June 2<sup>nd</sup> and June 6<sup>th</sup>.
- C-Card Mtg @7pm at the Multi Cultural Center tomorrow night (6200 Sheridan St.)
- Business Outreach Committee Meeting @ 6pm at the Multi Cultural Center tomorrow night.
- Thanked the residents in Ward 3 for electing CM Lingua to a 4<sup>th</sup> term on Town Council. It is his intention to serve well. Encourages residents to get involved.
- Welcomed CM Ebbeler and CM Silva to the Council.

*This concludes Ward 3, CM Lingua's Report*

**Ward 4, CM Henry, Public Works Committee**

- Welcomed all new Council members.
- Thanked residents for their support and Mr. Addison and Mayor Archer for appointing him to Public Works Chair again.
- Looking forward to improvements on the Town's aesthetics and continue to bring young vibrant businesses to out town.

*This concludes Ward 4, CM Henry's Report*

**Ward 5, CM Rivas, Community Affairs Committee**

Not in attendance

*This concludes Ward 5, CM Rivas Report*

**Ward 6, CM Silva, Legislative Committee**

- CM Silva appreciated the residents for electing him to the Council. He will do his best!

*This concludes Ward 6, CM Silva Report*

**Public Comments**

- Erin **Markivich** of the Anacostia Trails Heritage Area is a certified state heritage area that extends from DC line to Laurel and from Montgomery County line to BW Parkway. Their primary mission is to promote and support cultural resources through

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marketing and technical assistance. They now have a Governing Board made up of Municipal Liaisons. Managing Board and Director of Interpretation who is in charge of signage. CM Lingua asked if they had a Liaison from Riverdale Park? What are the requirements?? The Town of Riverdale Park can have a Councilman/woman and/or Mayor represent the Town. CM Lingua asked if this is something that this Council should be considering. When is the next advisory board meeting? Erin responded that the Council should consider having a presence at the next meeting that will be held sometime this month.

- Michael Herman – 4716 Oliver Street – Mr. Herman came to the meeting to say thank you to the Mayor and Council for their hard work. He came out to vote during the recent election and ran into a lot of pleased residents.
- Jim Coleman – Thanked each one of the Town Staff, Council and Mayor of their unwavering support for the Farmer’s Market. Mr. Coleman presented a plaque of a Washington Post Article stating that this was a great place to buy fresh produce.
- Central Kenilworth Avenue Revitalization Committee, Lenny **Worths**, thanked the Mayor and Council for their continued work and invited everyone out to the next meeting at 6200 Sheridan Rd tomorrow night.

## **Legislative Action**

### **1. To adopt Robert’s Rules of Order.**

CM Thompson moved to adopt the Robert’s Rules of Order newly revised 10<sup>th</sup> edition during this term except in the case of precedence of state, federal or charter regulations requiring otherwise.

CM Lingua Second

Motion passes 5-0

Discussion: CM Henry requested Council receive a copy of the Roberts Rules of Order.

### **2. To approve minutes for May 2, 2011 Regular Legislative meeting.**

CM Thompson moved to accept the minutes.

CM Lingua Second

Motion passes 5-0

Discussion: Page 2 - Ebbeler, Page 3 – Ebbeler, Page 4 - Ebbeler

### **3. To approve minutes for April 25, 2011 special legislative meeting.**

CM Thompson moved to accept the minutes.

CM Lingua Second

Motion passes 5-0

### **4. To approve building permit (Curb Cut) for Dumm’s Corner Market.**

CM Ebbeler moved to approve building permit (Curb Cut) for Dumm’s Corner Market.

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CM Henry Second  
Motion passes 5-0

Discussion: CM Ebbeler stated that this permit was discussed at the METC meeting. Mr. Jimmy Spiropoulous stated that the purpose of the Curb Cut is to establish a larger loading zone for the market.

**5. To approve building permit (Fence) for 4-foot fence at 5322 Riverdale Rd (Ward 2).**

CM Thompson moved to approve the building permit for a 4-foot fence at 5322 Riverdale Rd.  
CM Ebbeler Second  
Motion passes 5-0

Discussion: CM Thompson spoke to the neighbors about this permit.

**6. To approve a property use agreement in support of liquor license transfer for Rinaldi's Riverdale Bowl.**

Discussion: The applicant's attorney asked that this be put on the agenda for June 20<sup>th</sup>.

**7. To approve memorandum of understanding with M-NCCPC regarding firing range use.**

CM Lingua moved to approve memorandum of understanding with M-NCCPC regarding firing range use.  
CM Thompson Second  
Motion passes 5-0

Discussion: Acting Police Chief Timmons stated that it is taking a long time and that the police department is having a problem scheduling firing range time as well as other police departments. Mr. Sussman stated that this agreement has been in association for many months. The M-NCPPC put out a draft that was reviewed by Mr. Fred Sussman and other Town Attorneys. Mr. Sussman has submitted a final draft on behalf of the Town of Riverdale Park. If passed tonight the Town will be the first to have an agreement.

**8. To approve 2011-CR-01 a Charter Amendment Resolution concerning issuance of debt.**

CM Thompson moved to adopt Charter Amendment Resolution 2011-CR-01 amended to state "as introduced by CM Thompson"  
CM Lingua Second  
Motion passes 5-0

Discussion: CM Thompson stated that the refinance would be able to save the Town approximately \$200K.

**9. To approve 2011-OR-03, an Ordinance concerning Town charges and fees.**

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CM Thompson moved  
CM Henry Second  
Motion passes 5-0

Discussion: CM Thompson stated that some of these fees are required to be justified so that everything is done appropriately.

**10. To adopt FY12 budget.**

CM Thompson moved to adopt the FY12 budget.  
CM Lingua Second  
Motion passes 5-0

Discussion: CM Thompson thanked the finance committee, Town Staff and Mayor Archer for attending all the budget meetings. CM Henry thanked CM Thompson for coordinating this budget process. He also thanked the Mayor, Town Staff, and Administrator Imhulse for doing all of the work.

**11. To authorize the Acting Police Chief to sign a Memorandum of Understanding with the State of Maryland for a grant t purchase a license plate reader.**

CM Lingua moved t authorize the Acting Police Chief to sign a Memorandum of Understanding with the State of Maryland for a grant t purchase a license plate reader.  
CM Henry Second  
Motion passes 5-0

Discussion: Capt. Timmons stated that the grant has already been awarded but they are asking every department to sign this Memorandum of Understanding to agree to furnish stats to them. CM Henry asked how this will be used. Capt. Timmons responded that the reader will allow them to obtain information from the MVA on whether the tags are suspended, expired, etc.

**12. To approve 2011-R-16, a resolution to approve amendments to the LGIT Trust Agreement.**

CM Thompson moved to approve 2011-R-16, a resolution to approve amendments to the LGIT Trust Agreement.  
CM Henry second  
Motion passes 5-0

Discussion: CM Thompson explained that this will help keep our insurance premiums down and advised the Council to adopt it.

**13. To discuss Zoning Appeals Request for 5005 Somerset Road (Ward 2)**

CM Thompson reviewed the area of zoning variance and recommends a granting of this request for the steps but not for the driveway.  
CM Thompson moved to accept the variance for steps but not for the driveway.  
CM Lingua Second.  
Motion Passes 5-0

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Discussion: CM Thompson stated that 3 yrs ago the residents objected to the request for a new driveway and that he doesn't believe their opinions have not changed. He also wants to uphold the decision from the previous Council. The Resident of this home expressed concern for this decision. CM Thompson instructed them to remove the illegal portion of the driveway (in front of the house) and that the driveway can be extended to the back of the house. CM Lingua further explained that it is unfortunate that either of the Realtors did not instruct them that the driveway was not in compliance of County Law.

**14. To approve Council Committee assignments.**

CM Lingua moved approves Council Committee assignments as follows:

Economic Committee – CM Ebbeler (Chair) w/CM Thompson and CM Lingua

Deputy Mayor and Vice Council – CM Thompson

Finance Committee – CM Lingua (Chair) w/CM Ebbeler

Public Safety Committee – CM Lingua (Chair) w/ CM Silva and CM Rivas

Public Works Committee – CM Henry (Chair) w/CM Thompson and CM Ebbeler

Community Affairs Committee – CM Rivas (Chair) w/CM Silva and CM Henry

Legislative Committee – CM Silva w/CM Henry and CM Rivas

CM Henry second

Motion 5-0

**15. To approve an Amendment to Declaration of Covenants with State of Maryland on behalf f University of Maryland, College Park for an increase in allowable density 9on 60.71 acres of land.**

CM Thompson moved to adopt the Amendment to Declaration of Covenants with State of Maryland on behalf f University of Maryland, College Park for an increase in allowable density on 60.71 acres of land.

CM Ebbeler Second

CM Thompson moved to combine Items #15 and #16.

CM Henry Second

Motion passes 5-0

Discussion: CM Thompson explained that the question at hand is restrictions tied to covenant statements on the properties as a result of previous actions of this Council as other entities of this town. It is a desire of the University of Maryland to have the Purple Line METRO be constructed closer to the Hague Dr./River Rd section and to preserve the current 'through' street from River Tech Ct to Lafayette Ave, to name a few. Town attorney, Mr. Sussman stated that the Town is committing in good faith to working with all the parties in hopes of benefiting by the economic development.

**16. To approve an agreement with the University of Maryland, for the use of University of Maryland, and M-Square Associates, LLC, pertaining to an increase in allowable density on 6.71 acres of land and related matters.**

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**New Business**

- CM Lingua moved that the Town of Riverdale Park work with PEPCO to install a street light at transformer pole at 818410-8127.  
CM Thompson second  
Motion passes 5-0

Discussion: The lights in those areas are blocked by trees. By placing a light here it will allow more lighting in that area which the residents need. It is also a public safety issue (car break-ins, home invasions, etc) at the 48<sup>th</sup> Ave. and Oliver Street, South East corner. CM Ebbeler read about a peeping Tom incident and asked if this was the same area. CM Lingua stated that this was a different block of Oliver Street. Approximate costs are \$1K to the Town.

**Unfinished Business**

**Adjournment**

CM Thompson moved to adjourn 10:03pm  
CM Lingua Second.  
Motion passes 5-0

Typed from DVD 06-06-11.