

REGULAR MEETING OF THE GREENBELT CITY COUNCIL held Monday, February 22, 2010.

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

ROLL CALL was answered by Councilmembers Konrad E. Herling, Emmett V. Jordan, Leta M. Mach, Silke I. Pope, Edward V. J. Putens, Rodney M. Roberts and Mayor Judith F. Davis.

ALSO PRESENT were Michael McLaughlin, City Manager; David Moran, Assistant City Manager; John Shay, City Solicitor; Terri Hruby, Assistant Director of Planning; Lesley Riddle, Assistant Director of Public Works; and Cindy Murray, City Clerk.

Mayor Davis asked for a moment of silence in memory of Greenbelt residents Irene Dickerson, Michael Jones, Marcette Lentz, and Alma Marsden, and former resident Peggy L'Ecuyer. She then led the pledge of allegiance to the flag.

CONSENT AGENDA: It was moved by Mr. Putens and seconded by Mr. Herling that the consent agenda be approved. The motion passed 7-0.

Council thereby took the following actions:

MINUTES OF COUNCIL MEETINGS

Work Session, September 30, 2009  
Work Session, December 8, 2009  
Work Session, December 16, 2009  
Regular Meeting, January 11, 2010  
Work Session, January 20, 2010  
Regular Meeting, January 25, 2010  
Interviews, February 1, 2010  
Interviews, February 3, 2010  
Work Session, February 3, 2010  
Interviews, February 17, 2010  
Approved as presented.

COMMITTEE REPORTS:

Greenbelt Advisory Committee on Environmental Sustainability, Report #2010-1 (City Membership – International Council for Local Environmental Initiatives): Council accepted this report and approved City membership in the International Council for Local Environmental Initiatives.

REAPPOINTMENT TO ADVISORY GROUPS: Council appointed the following individuals to new terms on their respective advisory groups:

Theresa Bugg	Advisory Committee on Education
Veronica Martin-Frederick	Advisory Committee on Education
Sudhanshu Sinha	Advisory Committee on Education
Virginia Zanner	Arts Advisory Board

Lester Whitmer  
John Lippert

Board of Appeals  
Greenbelt Advisory Committee on  
Environmental Sustainability

RESIGNATION FROM ADVISORY GROUP: Council accepted with regret the resignation of Kathleen Lewis from the Advisory Committee on Education.

APPROVAL OF AGENDA: Mayor Davis requested “Newspaper Deliveries - Opt-Out Provision” be added to the agenda. Ms. Mach requested “Appointments to Boards and Committees” be added to the agenda. It was moved by Mr. Putens and seconded by Mr. Herling that the agenda be approved as amended. The motion passed 7-0.

PRESENTATIONS:

Recognition of Stevie Hunt: Mayor Davis read and presented to Stevie Hunt a certificate recognizing his meritorious service to the City for his actions and quick thinking in identifying and reporting a gas leak on Lakeside Drive in November 2009.

PETITIONS AND REQUESTS:

Christopher Shuman, 1-G Gardenway, thanked Public Works for cleaning the vegetation and removing fallen branches from the underpass by Gardenway. He reported that trash dropped from pedestrians using the walkway continues to be a problem and requested routine trash patrols of the area, as well as more police patrols. Mayor Davis suggested the area be referred to the Greenbelt Advisory Committee on Environmental Sustainability as a possible location for a community cleanup event.

Mr. Shuman also reported on street drainage problems on Gardenway and requested repairs be funded during the next fiscal year.

MINUTES OF COUNCIL MEETINGS:

Executive Session of January 20, 2010: Mr. Jordan moved that the minutes of the executive session of the City Council held Wednesday, January 20, 2010, be approved as presented. He further requested that the minutes of this meeting reflect that the Council met in executive session at 7:05 p.m. in the MultiPurpose Room of the Community Center. Council held this closed meeting in accordance with Section 10-508 (a)(7) and (9) of the State Government Article of the *Annotated Code of Public General Laws of Maryland* to consider matters that relate to the collective bargaining negotiations and consult with legal counsel. Mr. Putens seconded the motion.

ROLL CALL:	Mr. Herling	-	yes
	Mr. Jordan	-	yes
	Ms. Mach	-	yes
	Ms. Pope	-	yes
	Mr. Putens	-	yes
	Mr. Roberts	-	yes
	Mayor Davis	-	yes

Executive Session of January 25, 2010: Mr. Jordan moved that the minutes of the executive session of the City Council held Monday, January 25, 2010, be approved as presented. He further requested that the minutes of this meeting reflect that the Council met in executive session at 7:35 p.m. in the Library of the Municipal Building. Council held this closed meeting in accordance with Section 10-508 (a)(7) of the State Government Article of the *Annotated Code of Public General Laws of Maryland* to consult with legal counsel regarding Greenbelt Station North Core. Ms. Pope seconded the motion.

ROLL CALL: Mr. Herling - yes  
Mr. Jordan - yes  
Ms. Mach - yes  
Ms. Pope - yes  
Mr. Putens - yes  
Mr. Roberts - yes  
Mayor Davis - yes

ADMINISTRATIVE REPORTS:

Mr. Putens requested a briefing be scheduled with Comcast on Xfinity service.

Mr. Herling commented on the Prince George's County Municipal Association meeting which he attended with Mr. Jordan and Ms. Mach.

Ms. Mach commented on the Maryland Municipal League (MML) Communications Committee meeting and the Council of Governments (COG) Clean Air Partners meeting.

Mayor Davis reported on the Council of Governments reception for Maryland State legislators, the Governor's State of the State address, and the Blue and Gold banquet for Cub Scout Pack #202. She also commented on the Roosevelt Democratic Club meeting and congratulated Dr. Liz Park, Director of Social Services, for being recognized as the Club "Sweetheart" for 2010.

COMMITTEE REPORTS: None

LEGISLATION:

An Ordinance to Amend Chapter 13, "Personnel," of the Greenbelt City Code for the Purpose of Changing Section 243, "Impasse in Collective Bargaining," to Extend the Negotiation Timeline to April 1 for Calendar Year 2010

Mayor Davis read the agenda comments. Mr. Putens introduced the ordinance for first reading and moved suspension of the rules in order to allow second reading and passage of the ordinance tonight. Mr. Jordan seconded the motion.

ROLL CALL: Mr. Herling - yes  
Mr. Jordan - yes  
Ms. Mach - yes  
Ms. Pope - yes  
Mr. Putens - yes  
Mr. Roberts - yes

Mayor Davis - yes

Mr. Putens introduced the ordinance for second reading and moved that it be adopted.  
Mr. Jordan seconded the motion.

ROLL CALL: Mr. Herling - yes  
Mr. Jordan - yes  
Ms. Mach - yes  
Ms. Pope - yes  
Mr. Putens - yes  
Mr. Roberts - yes  
Mayor Davis - yes

The ordinance was declared adopted (Ordinance No. 1305, Book 12).

A Resolution to Repeal and Reenact with Amendment Resolution Number 969 to Adopt Revised Standing Rules for the Council of the City of Greenbelt, Maryland

Ms. Pope introduced the resolution for first reading.

A Resolution to Negotiate the Purchase of Design and Installation of Major Mechanical Equipment for the Greenbelt Aquatic and Fitness Center from Shapiro and Duncan, Incorporated, of Rockville, Maryland, at a cost not to exceed \$550,000

Mayor Davis read the agenda comments. Ms. Mach introduced the resolution for first reading.

COUNTY NEW MIXED USE ZONE LEGISLATION: Mayor Davis read the agenda comments.

Mr. Roberts expressed concern the bill lacks requirements for recreation areas within the urban centers. Ms. Hruby explained that recreation areas must be located within prescribed limits outside of the urban center, but recreational open areas are not required within the urban center.

Mr. Putens moved that Council submit a letter to the County Council, neither supporting or opposing the legislation, but noting the following concerns: role of the Zoning Hearing Examiner; applicability of the Zoning Map Amendment process; municipal involvement in the future review of the legislation; needed coordination with the Zoning Ordinance update and the ability to revise the regulating plan. The letter should also note the City's comments and recommendations regarding LEED certification, urban design standards, functional overlays, and building envelope standards, as well as the need for the County to revisit the legislation once it has been applied and tested so that appropriate revisions can be made before it is implemented on a county-wide basis. Ms. Pope seconded. The motion passed 6-1. (Roberts)

STATE LEGISLATION: Mayor Davis read the agenda comments.

Mr. Putens moved that Council support House Bill 28/Senate Bill 345. Mr. Jordan seconded. Mayor Davis and Ms. Mach noted the proposed bill referenced condominium and homeowner associations only, and requested it be amended to include cooperatives also. The motion passed 7-0.

Mr. Putens moved that Council support House Bill 29 and House Bill 842. Mr. Jordan seconded. The motion passed 7-0.

Mayor Davis moved that Council support House Bill 216. Mr. Putens seconded. The motion passed 7-0.

Christopher Shuman, 1-G Gardenway, expressed his support of the bill.

Mr. Jordan moved that Council support House Bill 282. Mr. Herling seconded. After discussion regarding the specific balance between transportation projects and bicycle and pedestrian access funding was not included in the bill, Council recommended the bill be amended to provide increased bicycle and pedestrian access funding. The motion passed 7-0.

Mr. Putens moved that Council support House Bill 786. Ms. Mach seconded. The motion passed 7-0.

Ms. Mach moved that Council support House Bill 829/Senate Bill 560. Ms. Pope seconded. The motion passed 7-0.

Mr. Herling moved that Council support Senate Bill 156. Ms. Mach seconded. The motion passed 7-0. Mayor Davis suggested the bill be amended to include municipalities in the enforcement section. Ms. Mach suggested the bill should specify “adequate” recycling locations based on the number of dwelling units.

David Abraham, 5995 Springhill Drive, reported that Empirian Village has three recycling areas, but said the closest area to his residence is approximately one-half mile away.

Mr. Roberts reported a large amount of mail is left by residents on the floor of each building in Empirian Village and suggested recycling should be provided in each building.

Mr. Shuman, 1-A Gardenway, commented that businesses need to be encouraged to recycle. Mayor Davis said that Luisa Robles, the City’s Recycling Coordinator, is currently working with the business community to increase recycling.

**PLAN FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDED TREE WORK IN EMPIRIAN VILLAGE:** Mayor Davis read the agenda comments.

Ms. Riddle presented a PowerPoint presentation on the proposed plan for tree work on Springhill Drive and Breezewood Drive, including crown reduction and pruning work, and the removal and replacement of some street trees on Springhill Drive that are no longer viable as street trees.

Mr. Putens and Mr. Roberts questioned the use of Crepe Myrtle and Hedge Maple as replacement street trees on Springhill Drive, noting there are other varieties of trees that provide a better tree canopy. After discussion, Ms. Riddle said she would identify other small growth tree alternatives and provide the information to Council.

Mr. Putens moved that Council approve the use of \$50,000 of Community Development Block Grant

funds for crown reduction and pruning work from Care of Trees and for the removal and replacement of trees along Springhill Drive. Ms. Pope seconded. The motion passed 7-0.

RENEWAL OF CITY LIQUOR LICENSES: Mayor Davis read the agenda comments.

Mr. Shay noted that any protest regarding renewal of liquor licenses must be submitted to the County Board of License Commissioners by March 1. After discussion regarding the recent incident at TGI Friday's, along with continuing problems of overcrowding, Council requested a work session with the management of the establishment be scheduled.

Mr. Roberts moved that Council oppose renewal of the liquor license for TGI Friday's and take no position on other liquor license renewals in the City. Ms. Pope seconded. The motion passed 7-0.

SNOW EMERGENCY 2010: Mayor Davis read the agenda comments.

Council commended the Police and Public Works Department for their heroic efforts during the recent snow storms. It was noted that staff will be conducting an after action review in the near future.

Mr. Putens and Ms. Pope questioned whether there should be an emergency plan, addressing vehicular parking and identification of fire hydrants, for future snow events. The establishment of a task force to consider these actions and the City's response to the storms was suggested. Ms. Pope commented that city employees should be included on the task force.

Council recommended waiting for the after action review to be complete before further action was taken.

APPOINTMENTS TO 75<sup>TH</sup> ANNIVERSARY COMMITTEE: Mayor Davis read the agenda comments.

Mr. Putens moved to appoint the following individuals to serve on the committee. Mr. Herling seconded. The motion passed 7-0.

Frank DeBernardo  
Barbara Havekost  
Elizabeth Jay  
Dave Mills  
Franklin Noll  
Barbara Young

COUNCIL REPORTS: Council provided information from the following meetings and conferences they had recently attended.

Ms. Mach - COG Metropolitan Washington Air Quality Committee

Mayor Davis - COG Climate, Energy and Environment Policy Committee  
- MML Mayors' Association Conference  
- Postmaster, Greenbelt Post Office

NEWSPAPER DELIVERIES - OPT-OUT PROVISION: Mayor Davis moved that Council send a letter to the *Gazette* and the *Examiner* emphasizing the existing “opt-out” provision and noting that legislation will be considered if improvements are not made. Ms. Mach seconded. The motion passed 7-0.

APPOINTMENTS TO COMMITTEES: Ms. Mach moved to appoint Nelson Galeano and Joyce Gladstone to the Advisory Planning Board and John Drago to the Arts Advisory Board. Ms. Pope seconded. The motion passed 7-0.

MEETINGS: Council reviewed the meeting schedule.

ADJOURNMENT: A motion to adjourn the regular meeting was made by Ms. Mach and seconded by Mr. Putens. The motion passed 7-0.

Mayor Davis adjourned the regular meeting of Monday, February 22, 2010, at 10:51p.m.

Respectfully submitted,

Cindy Murray  
City Clerk

"I hereby certify that the above and foregoing is a true and correct report of the regular meeting of the City Council of Greenbelt, Maryland, held February 22, 2010."

Judith F. Davis  
Mayor