



REGULAR MEETING OF THE GREENBELT CITY COUNCIL held Monday,
November 23, 2009.

Mayor Davis called the meeting to order at 8:12 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 E. Moran, Assistant City Manager; Robert Manzi, City Solicitor; and Cindy Murray, City Clerk.

Mayor Davis asked for a moment of silence in memory of Greenbelt residents Ernest Varda and Margaret Kendall and former residents Ray Stevens and Teresa Brady. She then led the pledge of allegiance to the flag.

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

Council thereby took the following actions:

MINUTES OF COUNCIL MEETINGS

Regular Meeting, September 29, 2009
Interviews, October 12, 2009
Regular Meeting, October 12, 2009
Regular Meeting, October 26, 2009
Notes, Four Cities Meeting, October 29, 2009
Work Session, November 9, 2009
Special Charter Meeting, November 9, 2009
Approved as presented.

COMMITTEE REPORTS

Park and Recreation Advisory Board Report #09-3 (Numbered Trail Markers at Buddy Attick Park): Council accepted this report and agreed to place it on the agenda of a future meeting.

Community Relations Advisory Board Communication to Council (Racial Graffiti Incident): Council accepted this communication.

EMPLOYEE SPECIAL HOLIDAY: Council assigned this year's employee special holiday as a floating holiday for employees for use in FY 2010.

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

Laura Kressler	Public Safety Advisory Committee
Luis Vazquez	Public Safety Advisory Committee
Kelly Ivy, Sr.	Park and Recreation Advisory Board

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RESIGNATION FROM ADVISORY GROUP: Council accepted the resignations of the following individuals from their respective advisory groups.

Marie Gueye	Advisory Committee on Education
Jim Cohen	Advisory Planning Board
Emmett Jordan	Advisory Planning Board
Silke Pope	Public Safety Advisory Board
Michele Crosby	Youth Advisory Board

Council also removed Richard Ransom as a member of the Park and Recreation Advisory Board.

APPROVAL OF AGENDA: Ms. Mach requested “Appointment to Committees” be added to the agenda as Item #18. It was moved by Mr. Putens and seconded by Mr. Herling that the agenda be approved as amended. The motion passed 7-0.

PRESENTATIONS:

Introduction of New Staff – Councilmember Turner’s Office: Mr. Altmann Pannell, the new Constituent Services Aide for County Councilmember Ingrid Turner, introduced himself to Council. He said he was excited about his new position and looked forward to working with the Greenbelt community. Mr. McLaughlin commented he would be meeting with Mr. Pannell next week to discuss the history of Greenbelt and provide a tour of the City. Council thanked Mr. Pannell for the introduction.

Introduction of New Police Officer: Captain Tom Kemp introduced Carlos Torres, a new City police officer, to the City Council. Council welcomed Officer Torres to the Greenbelt Police Department.

Municipal Government Month – Proclamation: Mayor Davis read and presented to Beverly Palau, the City’s Public Information and Communications Coordinator, a proclamation recognizing November as Municipal Government month. Ms. Palau recapped the educational game show program “Greenbelt Works” which promotes citizen awareness of the role and function of Greenbelt Government. She noted that the program would be available on the City website through December.

PETITIONS AND REQUESTS: None

ADMINISTRATIVE REPORTS

Mr. McLaughlin announced the Festival of Lights begins on December 4th.

Mayor Davis commented on the Halloween Parade, the Prince George's County Municipal Association legislative dinner, County Councilmember Turner's senior luncheon at the Community Center and Public Safety Town Hall meeting, the Public Safety Awards dinner at the American Legion, the Washington Metropolitan Area Transit Authority (WMATA) public forum, and a conference call with the White House Office of Intergovernmental Affairs on the H1N1, and the Public Safety Awards dinner at the American Legion.

Mayor Davis congratulated Ms. Mach who will chair the Metropolitan Washington Council of Governments (COG) Air Quality Committee next year. She also announced she had been nominated as president of the COG Board.

legislation: None

Greenbelt Homes, Incorporated (GHI) and Right-of-Way Encroachments

Ms. Hruby explained that City staff has been working with GHI staff over the last several months to discuss possible approaches to eliminating and/or minimizing the extent of encroachments of GHI structures and yards into City rights-of-way. She said the City and GHI staff agreed the location to address first is on Crescent Road between Gardenway and Eastway, where the most severe encroachments exist. Ms. Hruby explained the two options being considered. Option #1 would establish a new right-of-way line based on the yard that extends furthest into the Crescent Road right-of-way; and Option #2 would establish a new right-of-way line based on the location of the utility pole which is located the farthest from the street line. She commented that some utility poles would be on GHI property with Option #1 but these poles would be located on public rights-of-way with Option #2.

Ms. Mach and Mr. Putens asked if homeowners would have to move existing fences and hedges if Option #2 was approved. Ms. Hruby said staff recommends that existing fences and hedges be allowed to remain in the public right-of-way but that any new or replacement fences or hedges be required to adhere to the new right-of-way lines.

Mr. Jordan questioned whether Option #2 would have any impact on property assessments. Ms. Hruby said it would not significantly impact assessments.

Mr. Roberts said he preferred Option #1 which would allow the affected homeowners to retain the yard lines that had been in place for 70 years.

Ms. Mach questioned if the utility companies would have concerns with Option #1 since several utility poles would be located on private property. Ms. Hruby said the utility companies typically want their poles located in the public right-of-way, but the City wouldn't know their position until a petition for vacation is submitted to them.

Ms. Lewis, 2-C Gardenway, said she was pleased this project was moving forward but suggested both options be staked out by the survey so the GHI Board and homeowners could see the impact of both options.

Mayor Davis asked what the cost would be to mark both options. Ms. Hruby estimated the cost would be approximately \$5,000 but suggested only Option #2 be marked initially, and then if that option wasn't acceptable, to proceed with marking Option #1.

Ms. Lewis asked when a Council work session with GHI would occur. Mayor Davis suggested that the option(s) should be marked, reviewed by the City, GHI, and the homeowners, and then all parties should decide whether a work session was needed. She commented that if everyone was comfortable enough with a recommendation, a work session may not be needed.

Mr. Herling suggested both options be marked so everyone involved could clearly see both options. Mr. Putens stressed the need for GHI and the homeowners to be comfortable with the final recommendation.

Mr. James, 56-D Crescent, commented that the utility companies already deal with many utility poles located on GHI property.

Mr. Halley, 62-B Crescent, said Option #1 was more beneficial to him as an affected homeowner, but he was not opposed to Option #2. He also said it was only necessary to stake Option #2, since it would be easy to identify where Option #1 goes without staking this separately.

Mr. Roberts moved that staff proceed with the survey work and recommended GHI make the decision on whether both Option #1 and Option #2 are marked, since they would be paying for the costs of the survey. Ms. Mach seconded. The motion passed 7-0.

Ms. Lewis said the issue would be discussed at the GHI Board meeting on December 3.

Proposed 2010 Legislative Program: Mayor Davis read the agenda comments.

Council discussed the proposed list of legislative priorities. It was recommended the following items be added under "Other Issues of City Interest".

1. Revise location policy for noise barriers
2. Reestablishment of the landlord-tenant commission
3. Use of the University of Maryland shuttle by Greenbelt residents
4. Require art for new development

Under "County Issues – Greenbelt Middle School", Mayor Davis suggested a request be added for the county to work in conjunction with the City to develop plans for the renovation and use of the historic portion of the old school.

Mr. Putens moved to approve the proposed legislative program as amended. Mr. Herling seconded. The motion passed 7-0.

APPOINTMENT OF COUNCILMEMBERS TO BOARDS AND COMMITTEES: Mayor Davis read the agenda comments.

Ms. Mach moved to approve the following liaison assignments to the City advisory boards and committees. Listed below are the assignments tentatively agreed to at that time.

Advisory Committee on Education	- Ms. Mach
Advisory Planning Board	- Mr. Putens
Arts Advisory Board	- Mr. Roberts
Community Relations Advisory Board	- Mr. Jordan
Forest Preserve Advisory Board	- Mayor Davis
Greenbelt Advisory Committee on Environmental Sustainability	- Mr. Herling
Park and Recreation Advisory Board	- Mr. Herling
Public Safety Advisory Committee	- Mr. Putens
Senior Citizens Advisory Committee	- Ms. Pope
Youth Advisory Committee	- Mr. Roberts
Friends of the Greenbelt Museum Board	- Mayor Davis
Greenbelt Access Television Board	- Mr. Jordan

Mr. Herling seconded. The motion passed 7-0.

National League of Cities (NLC) Congress of Cities and Exposition Briefing:
Mayor Davis read the agenda comments.

Mayor Davis, Mr. Putens, Mr. Herling, Ms. Mach and Ms. Pope discussed the National League of Cities Congress of Cities and Exposition Briefing they had recently attended. They commented on the many informative sessions and committee meetings they had attended.

APPOINTMENT TO BOARDS AND COMMITTEES: Ms. Mach moved to appoint Don Rich to the Advisory Committee on Education. Mr. Putens seconded. The motion passed 6-0. (Jordan – abstained)

MEETINGS: Council reviewed the meeting schedule. Mayor Davis requested the meeting with Media Representatives be moved to the “Ready to be Scheduled” list.

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, November 23, 2009, at 10:38 p.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 November 23, 2009."

Judith F. Davis
Mayor