



REGULAR MEETING OF THE GREENBELT CITY COUNCIL held February 11, 2008.

Mayor Davis called the meeting to order at 8:00 p.m.

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

ALSO PRESENT were Michael P. McLaughlin, City Manager; John F. Shay, Jr., City Solicitor; David E. Moran, Assistant City Manager; and Kathleen Gallagher, City Clerk.

Mayor Davis introduced and welcomed former County Councilmember Floyd Wilson, who was in attendance.

The Mayor read a statement from the National League of Cities regarding the tragic shootings in Kirkwood, Missouri, that killed City Councilmembers Michael Lynch and Connie Karr, Public Works Director Kenneth Yost, and police officers Tom Ballman and Bill Biggs, as well as critically injuring Mayor Michael Swoboda. 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 as presented. The motion passed 5-0.

Council thereby took the following actions:

MINUTES OF COUNCIL MEETINGS

- Work Session, January 22, 2008
- Work Session, January 23, 2008
- Regular Meeting, January 28, 2008
Approved as presented.

COMMITTEE REPORTS: Advisory Planning Board Report #08-01 (Capitol Cadillac Expansion): The City Council received this report and agreed to consider it with the discussion of this topic later on the agenda.

REQUEST FOR USE OF FACILITIES: The City Council approved waiving the facility rental fees as requested in the letter from the Eleanor Roosevelt High School Grad Night Committee. The committee remains responsible for personnel costs.

RESOLUTION OF THE GREENBELT BOARD OF APPEALS FOR VARIANCE 07-002-V: The Council approved granting a variance of 13 feet from the required 20-foot rear yard setback for the purpose of constructing a deck to the rear of a single-family home located at 6816 Green Crescent Court in the Greenspring II development.

RESIGNATIONS FROM ADVISORY GROUP: Council accepted the resignations of Sandra Lange and Sharon Anderson from the Arts Advisory Board.

REAPPOINTMENTS TO ADVISORY GROUPS: Council reappointed the following individuals to new terms on their advisory boards or committees: Laretta Baugh, Advisory Committee on Education; Dan Hamlin, Scott Legendre, and Dea Zugby, Community Relations Advisory Board.

APPROVAL OF AGENDA: It was moved by Mr. Putens and seconded by Mr. Herling that the agenda be approved as presented. The motion carried 5-0.

PRESENTATIONS

Oath of Office for New City Police Officer – Jason Kelley: Chief James Craze and Sgt. Carl Schinner were present for the introduction and swearing-in of Greenbelt's newest police officer, Jason Kelley. Mayor Davis administered the oath of office, and Mr. Kelley was welcomed by Council.

Introduction of New Staff: Lesley Riddle, the new Superintendent of Parks and Grounds, was introduced by Public Works Director Ken Hall. Savitri Belizaire, the new Case Manager for the Greenbelt Assistance in Living Program, was introduced by Community Resource Advocate Christal Batey. Councilmembers welcomed both to the City staff.

PETITIONS AND REQUESTS

Sheldon Goldberg, 7848 Jacobs Drive, said residents of Greenbelt East were dissatisfied with the level of communication from Verizon now that they are actively working to lay the fiber optic cable. He said Verizon had offered briefings to communities that had not yet occurred, nor had they provided any information on pricing or programming. Mr. Putens said he had received calls saying residents had also reported getting no response upon calling the phone number provided on the door-hangers to get information. He said his own homeowners association had attempted to get someone to come and talk to their board, but Verizon is not responding to requests from homeowners associations either. Mr. McLaughlin said it had been brought to the City's attention last week that some residents were concerned. Representatives from Verizon could not come to tonight's meeting but had agreed to come to the February 25 meeting. Tom White, 8 Woodland Way, commented that Bowie had been through the same thing and that Greenbelt might want to compare notes on how they had handled it.

Mr. Goldberg said there was also some concern that people assigned to the new election precinct might not go to the right precinct to vote.

Sydney Siegel spoke to say that she was a member of the Generating Outstanding Leadership Development (GOLD) program at Greenbelt Elementary School. Members of the GOLD program were sharing information on Peace Week in the Prince George's County schools and that she wanted to make the City Council aware of it. Brief discussion ensued on whether there should be City involvement. Council thanked Ms. Siegel for coming.

ADMINISTRATIVE REPORTS

Mr. McLaughlin said the City was aware that Bowie had been through the Verizon upgrade to FIOS, too, and that Bowie had said Verizon had done an excellent job of restoring disturbed ground to its original state. He announced that the Community Visioning Sessions had been completed. He said comments had been transcribed and posted on the City Web site but could also be picked up in hard copy from his office. Residents may also make additional comments on the Web site. He said staff would do a report, compiling topics and comments, with the goal of holding Council work sessions sometime after the budget process.

Mayor Davis gave Ms. Riddle materials on the effect of underground work on trees and the use of tunneling rather than trenching in undertaking such projects. She thanked everyone who had contributed to the visioning process—citizens, City staff, and the advisory group members who had served as facilitators—and added that this undertaking was something she had wanted to do for a long time. She said she had attended a COG lunch with state legislators, meetings of the MML Legislative Committee and the Maryland Mayors Association, and the presentation of an award to Delegate Tawanna Gaines at a meeting of the Maryland Black Mayors Association. She also announced that she had received a copy of the report published from the Greener Greenbelt initiative.

Ms. Mach, as a board member, attended the second round of awards from the Greenbelt Community Foundation. She read out the list of grantees and their projects and thanked the citizens for their support of the foundation.

Mr. Putens commented on the Springhill Lake newsletter, saying that he found it difficult to understand why they were not running a regular notice about the installation of window guards.

Mr. Herling noted a number of items from the Recycling & Environment Advisory Committee meeting.

LEGISLATION

A Resolution of the City of Greenbelt, Maryland, to Authorize Acceptance of Bond Bill Funds from the Maryland Legislature, to Authorize Acceptance of the Requirement for a Preservation Easement on the Property, and to Authorize the City Manager to Execute All Necessary Documents

Mayor Davis read the agenda comments. Ms. Mach introduced the resolution for first reading. The Mayor asked Terri Hruby, Assistant Director for Planning, if this was a good thing or a bad thing. Ms. Hruby said that although there had been instances where the City had judged easements to be overly restrictive, in this case the Maryland Historical Trust had been very involved in and supportive of the work.

CAPITOL CADILLAC EXPANSION PROJECT - REVISION TO DETAILED SITE

PLAN: The Mayor read the agenda comments. Ms. Hruby reviewed the highlights of the plan. She stressed that the expansion project uses a surface that is already impervious, meets the requirements for CM zoning, conforms to the existing covenants limiting trip generation, and would replace existing signage with new signage. She then reviewed a number of revisions that had already been made in response to conditions recommended by the Advisory Planning Board and City staff. Three conditions still remained as part of the staff recommendation for Council support, related to green building techniques and the eventual elimination of a temporary trailer.

Mr. Roberts asked about property maintenance violations. Ms. Hruby said those had been resolved. Mr. Herling asked whether, with the economy being what it was, the sales picture for Hummers justified the expansion. Daniel Jobe, president of Capitol Cadillac, explained that the Hummer expansion was mandated by General Motors and that Capitol Cadillac had chosen to go to a more modest design than the expansion plan originally supported by Council in 2005.

Mr. Putens made a motion that the staff recommendation be supported. Mr. Herling seconded.

The Mayor asked what would be done regarding the improvements that were to have been made to the historic part of the site as part of the original plan. Ms. Hruby recommended that nothing be done at the present time, since it would require a great deal of disturbance to the site that would not now need to occur otherwise. The disturbance area for the currently proposed work is not near the historic site.

Mayor Davis asked that Capitol Cadillac notify the City or the county if the storm water management area needs clean-up. She also asked Mr. Jobe to consider assisting the City with the construction of a bus shelter on Walker Drive.

André Gingles, attorney for Capitol Cadillac, said an error needed to be corrected in the staff recommendation to indicate that the temporary trailer must be removed within 60 days of the occupancy of the Buick, Pontiac, GMC showroom, not the Hummer showroom. He said they will not be completing the two sequentially but rather will begin the Hummer showroom work, then get approval on the other building, then continue to use the trailer until the work on both is finished. Ms. Hruby said the statement had not been an error because there was still the issue that the trailer was originally given a permit in 2001 and was no longer in compliance with county regulations. After some further discussion, it was agreed to revise the third condition but let the second condition stand. Councilmembers Putens and Herling agreed to that modification to the motion on the floor, which then became to support the revised Detailed Site Plan for Capitol Cadillac dated February 1, 2008, with the following conditions:

- That Capitol Cadillac agrees to follow up with the City at the completion of the project to verify the implementation of green building techniques as agreed to by Capitol Cadillac and referenced in the correspondence dated January 31, 2008.
- That Capitol Cadillac agrees to bring the temporary trailer into conformance with county code within 30 days or remove the trailer within that time period.

- That Capital Cadillac agrees to remove the temporary trailer within 60 days of the occupancy of the Buick, Cadillac, GMD showroom.

When the vote was taken, the motion carried 5-0.

ACTION PLAN FOR SPELLMAN OVERPASS AREA: Mayor Davis read the agenda comments. It was moved by Mr. Putens and seconded by Mr. Roberts that Council approve the plan for the Spellman Overpass as outlined in the City Manager's staff memo of January 12, 2008. At Ms. Mach's request, it was agreed to amend item #3, "Better Environmental Design," to include replacing the playground sliding board with an open slide and continuing regular clearing of underbrush, since both of these items had been previously discussed with the goal of improving visibility in the area. The plan was approved on a 5-0 vote.

STATE LEGISLATION: Mayor Davis read the agenda comments for the following items.

HB 364/SB 269 – Speed Cameras: The Mayor noted that the Maryland Municipal League (MML) was going to recommend shortening the warning period so that jurisdictions would not have to wait a year to begin recouping some of their costs. Mr. Roberts argued for imposition of points rather than fines to make it clear that the goal was safety, not fundraising. Other Councilmembers pointed out, with confirmation from Chief Craze, that points could not be assigned without identification of the driver, whereas fines could be imposed. Mr. Putens made a motion to support HB 364/SB 269 with the reduction of the 12-month warning period as proposed by the MML. Mr. Herling seconded the motion, which passed 5-0.

HB 373/SB 204 – Maryland Transit Administration – Transit-Oriented Development: In response to a question from Mr. Herling, Mr. Moran read aloud the definition of transit-oriented development included in the bill. It was moved by Ms. Mach and seconded by Mr. Putens that Council support HB 373/SB 204. The motion passed 5-0.

SB 336/HB 509 – Task Force to Study Deposits on Beverage Containers: It was noted that the Recycling & Environment Advisory Committee had originally suggested that the City suggest pursuit of such a bill. It was moved by Mr. Herling and seconded by Mr. Putens that Council support SB 336/HB 509. The motion passed 5-0.

SB 431 – Forest Conservation Act: It was moved by Mr. Roberts and seconded by Mr. Putens that Council support SB 431. The motion passed 5-0.

HB 512/SB 302 – Maryland Affordable Housing Investment Fund: Ms. Mach said this bill did not define eligibility, with the result that it was not clear whether cooperatives would be covered. She moved that Council support HB 512/SB 302 with the conditions that it apply to cooperatives. Mr. Herling seconded, and the motion carried 5-0.

Mayor Davis said the City had learned that the bill Greenbelt had requested prohibiting the transfer of liquor licenses to gas stations would come up at a hearing on February 18. She said she could not be there to testify. Mr. Roberts said he could be there, and Ms. Mach said she might be able to attend. The Mayor also summarized information that had been shared at the MML Legislative Committee meeting, including the fact that cuts would be needed to fill the gap

in the state budget and that Maryland Transportation Secretary John Porcari anticipated strong support in his area. Mr. McLaughlin asked if Council would like to send Mr. Porcari a letter urging that reestablishment of the Neighborhood Conservation Program be a high priority when funding allowed, and there was agreement to do so.

MEETINGS: Council reviewed the schedule of upcoming meetings. Mayor Davis noted that it was time for a stakeholder meeting with the State Highway Administration.

ADJOURNMENT: A motion to adjourn the meeting was then made by Ms. Mach and seconded by Mr. Putens. The motion carried 5-0. The Mayor adjourned the regular meeting of February 11, 2008, at 10:07 p.m.

Respectfully submitted,

Kathleen Gallagher
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 11, 2008."

Judith F. Davis
Mayor