



REGULAR MEETING OF THE GREENBELT CITY COUNCIL held February 25, 2008.

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

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

ALSO PRESENT were Michael P. McLaughlin, City Manager; Robert A. Manzi, City Solicitor; David E. Moran, Assistant City Manager; and Kathleen Gallagher, City Clerk.

Mayor Davis asked for a moment of silence in memory of former Greenbelt residents Joyce (“Joann”) Keith Foerter and Margaret W. Liebe. She then led the pledge of allegiance to the flag.

CONSENT AGENDA: The Mayor asked to remove the minutes of the February 11, 2008, regular meeting from the consent agenda. It was moved by Mr. Putens and seconded by Ms. Mach that the consent agenda be approved as amended. The motion passed 4-0.

Council thereby took the following actions:

MINUTES OF COUNCIL MEETINGS

- Interview, February 20, 2008
Approved as presented.

APPOINTMENT TO ADVISORY GROUP: Council appointed James R. Cohen to the Advisory Planning Board.

APPROVAL OF AGENDA: Mayor Davis asked to add as item #16 “Indian Creek Sedimentation,” and Mr. Putens asked to add as #17 “Letter in Support of BARC.” It was then moved by Mr. Putens and seconded by Ms. Mach that the agenda be approved as amended. The motion carried 4-0.

PRESENTATIONS: None.

PETITIONS AND REQUESTS: None.

MINUTES OF COUNCIL MEETINGS: Mayor Davis asked to correct the minutes of the regular meeting of February 11, 2008, to say that she had attended a meeting of the Maryland Mayors Association and had attended a presentation of an award to Delegate Tawanna Gaines at

a meeting of the Maryland Black Mayors Association. With those changes, it was moved by Mr. Putens and seconded by Ms. Mach that this set of minutes be approved. The motion carried unanimously.

ADMINISTRATIVE REPORTS

Mr. McLaughlin displayed the latest issue of the Recreation Department's *Youth Newsletter*, which featured the March 2 Artful Afternoon's celebration of Dr. Seuss's birthday and the Read Across America program, co-sponsored by the Recreation Department and the ACE Reading Club. He announced the City had received a grant from COG's transportation technical assistance program. Mayor Davis congratulated both Councilmember Herling and Mr. McLaughlin for their work in resubmitting this proposal. Mr. McLaughlin also announced the March 7 deadline for the Recycling & Environment Advisory Committee's t-shirt contest for Earth Day.

Mayor Davis reported damage to a storm drain at the northeast corner of Hanover Parkway and Ora Glen Drive.

Ms. Mach said she and Mr. Roberts had testified on the bill to prohibit gas stations from transferring liquor licenses. She also introduced Julie McHale, Assistant Director for Programs, at the last meeting of the Democratic Club to discuss the Recreation Department's health programs.

Mayor Davis spoke at St. Hugh's about the "If I Were Mayor" contest and will speak at Greenbelt and Springhill Lake Elementary Schools in the upcoming week. She said she had turned in the City's Banner City form, attended a meeting of the COG Board of Directors, and attended the first meeting of the Greater Washington 2050, a regional visioning group. She also met with Delegate Tawanna Gaines and others from the Prince George's County Municipal Association regarding Delegate Gaines' efforts with the Governor to include municipal representation at interviews with candidates for judicial appointments in order to educate them regarding the importance of upholding municipal infractions.

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 second reading and moved its adoption. Mr. Roberts seconded the motion.

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

The resolution was declared adopted (Resolution No. 1028, Book No. 8).

VERIZON – UPDATE ON FIBER OPTIC PROGRESS: The Mayor read the agenda comments. Tara Potter, Assistant Vice President of External Affairs, and Shawn Tittley, the local Construction Manager, were present for Verizon. Ms. Potter said they were aware of the complaints that had been made. She said they attempt to make contact with homeowners associations (HOAs) in advance when they have correct contact information. She said the Verizon telephone number that had been given as the customer service number on the door hangers was not working properly but is now. Regarding the cut Comcast cable in one yard, she said it was an accident and that the mutually understood process among utility and telecommunications companies is that they all repair their own and bill whoever did the damage. In this case, for example, she said Comcast would not want Verizon to fix its cable.

In response to a question, Mr. Tittley said it was difficult to project when they would reach what neighborhood, but they anticipate taking about a year for the whole City.

Mr. Putens said he had expected Verizon to do a much better job of handling communication with residents when it came into the neighborhood. He said not even his own HOA had been able to get a response to its request for a meeting, not everyone received a door hanger, and the phone number was not working. He said this kind of project involves people’s personal property, and they take it personally.

Sheldon Goldberg, 7848 Jacobs Drive, speaking for the Windsor Green HOA, said it took them a lot of time, effort, and “phone calls that went nowhere” just to get Mr. Tittley’s name and determine that it was he to whom they needed to speak. He also asked when pricing and programming information would be available. Ms. Potter said it was all available on the Verizon Web site. She also gave the following customer service phone numbers: 888-553-1555 for product information and 888-550-2244 for restoration issues or any customer care needs related to the installation.

Mayor Davis asked why Verizon was not taking the initiative in communicating with the HOAs. Ms. Potter responded that they should be doing so and that she would look into it.

Ms. Mach said Greenbelt Homes, Inc. (GHI), was concerned about the double-disruption of the work WSSC was coming in to do, together with the Verizon work. Ms. Potter said it was unlikely that they could coordinate, especially since cable and water lines are supposed to stay far away from one another. She said she would look into it and would talk with GHI, however.

Mr. Putens concluded with a plea that Verizon do a much better job of communication since to date they had made things difficult for both the City Council and the HOAs.

NEW AGREEMENT WITH ICMA-RC FOR DEFERRED COMPENSATION PLAN:

Mayor Davis read the agenda comments. It was moved by Mr. Putens and seconded by Mr. Roberts that Council authorize the City Manager to sign the Amendment to the Administrative Services Agreement with ICMA-RC for the provision of a deferred compensation program. In response to a question from Ms. Mach, Mr. McLaughlin clarified that the financial savings would be to the employees, not the City, and that there would be no fiscal impact on the City. When the vote was taken, the motion carried 4-0.

STATE AND COUNTY LEGISLATION: The Mayor read the agenda comments for the following bills.

HB 927 (PG/MC 119) - Zoning Appeals: The Mayor said there had been many questions about what “aggrieved” meant. Mr. Manzi replied that to be considered “aggrieved” one must show some injury that exceeded that suffered by the general public. He said under current law, Prince George’s and Montgomery Counties were the only parts of the state where someone at a distance could appeal. This bill would bring this area into line with the rest of the state. That notwithstanding, Mr. Roberts made a motion that Council oppose HB 927(PG/MC 119). Mr. Putens seconded the motion, which passed 4-0.

HB 1010/SB 685 – Prohibition on Roadside Advertising or Solicitation of Money: Mayor Davis asked about the Volunteer Fire Department’s boot drive, adding that she did not want to undercut this successful fundraising effort. Ms. Mach said she considered this to be a public safety issue and that there must be another way for them to raise that money. She asked if the law would apply to Greenbelt and county roads as well as state roads. Mr. Moran said he believed it would. Mr. Putens agreed that the law should not treat some groups preferentially. There was some discussion of the fact that Cecil County allows some groups to solicit this way if they have a permit. Ultimately, Mr. Roberts made a motion that Council support HB 1010/SB 685. Ms. Mach seconded the motion, which carried 4-0.

HB 682/SB 874 – Condominium and Homeowner Associations - Imposition of and Liability for Liens: Mr. Putens made a motion that Council support HB 682/SB 874. Ms. Mach seconded the motion, which carried 4-0.

CB-3-2008 – Establishment of a Historic Property Grant Program: The Mayor asked Mr. Moran to check to be sure that cooperatives were treated equitably with other forms of housing under this bill. With that condition, Ms. Mach made a motion that Council support CB-3-2008. Mr. Roberts seconded the motion, which carried 4-0.

The Mayor asked to add several bills that were not included in the agenda comments.

HB 1471 and HB 1416: These two bills would both put brakes on action on the Inter-County Connector. HB 1471 would end its funding. HB 1416 would require further environmental study. It was moved by Mr. Putens and seconded by Ms. Mach that Council support both bills, which Council agreed to do on a 4-0 vote.

SB 309/HB 712 - Global Warming Solutions - Reductions in Greenhouse Gases: It was moved by Ms. Mach and seconded by Mr. Putens that Council support this bill, which is sponsored by Senator Pinsky. The motion passed 4-0.

INDIAN CREEK SEDIMENTATION: A video was played showing sediment from the headwaters of Indian Creek entering its junction with Paint Branch. The video was produced by the Citizens to Conserve and Restore Indian Creek (CCRIC) on February 16. Mayor Davis said this problem was brought to the attention of the Code Enforcement office, and Inspector Willie Davis had gone with someone from the state environmental office to look at it. Mr. McLaughlin said they had concluded that the source was likely the Konterra development. The Mayor moved that the City send a very strong letter to all the appropriate authorities at the federal, state, and county levels saying this was affecting everything downstream. Mr. Roberts said he thought it was caused by considerably more than just Konterra since there is another new development across Route 1 from Konterra. He said there is a broad development area in Beltsville and Laurel contributing and that there is no enforcement taking place. He said he had complained to the county about one of the problem areas but had not received a response. He said the whole problem needed to be addressed. Mr. McLaughlin said the letter would address the problem in the creek and talk about development upstream, including but not limited to Konterra. Ms. Mach seconded the Mayor's motion, which carried 4-0.

LETTER IN SUPPORT OF BELTSVILLE AGRICULTURAL RESEARCH CENTER:

Mr. Putens said he had put this on the agenda because even though BARC staff had said that Congressman Hoyer was responding to the announcements of possible budget reductions for BARC and other USDA programs, he thought a letter of support for BARC and Congressman Hoyer's efforts was still in order. He made this motion, and Ms. Mach seconded. Mr. Roberts said he would like to go further in the letter and ask that additional legislation be enacted to protect BARC's property and mission. It was agreed that sentiment could also be expressed. The motion carried 4-0.

MEETINGS: Council reviewed the schedule of upcoming meetings. Mr. Putens said that no pre-budget work session had been scheduled this year and asked that it be done in future years.

ADJOURNMENT: A motion to adjourn the meeting was then made by Ms. Mach and seconded by Mr. Putens. The motion carried 4-0. The Mayor adjourned the regular meeting of February 25, 2008, at 9:37 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 25, 2008."

Judith F. Davis
Mayor