



WORK SESSION OF THE GREENBELT CITY COUNCIL held Wednesday, August 22, 2007, for the purpose of discussing proposed changes to Chapters 4 and 11 of the City Code and a proposed policy on encroachment on City property.

Mayor Davis called the meeting to order at 8:04 p.m. It was held in the Multipurpose Room of the Community Center.

PRESENT WERE: Councilmembers Leta M. Mach, Edward V. J. Putens, Rodney M. Roberts, and Mayor Judith F. Davis. Councilmember Herling was unable to attend because of illness.

STAFF PRESENT WERE: Michael McLaughlin, City Manager; Terri Hruby and Jim Sterling, Assistant Directors, Planning and Community Development; and Kathleen Gallagher, City Clerk.

ALSO PRESENT WERE: Bill Orleans; and Thomas X. White, Greenbelt News Review.

Chapter 4

Mayor Davis opened the discussion by saying that the language on dumpsters and PODS did not address all the issues she had wanted addressed, including enclosures for dumpsters and time limits for PODS. Mr. McLaughlin said the proposed language was the best that could be done, given limitations on City authority and that the PODS issue was being approached as a zoning enforcement issue. Ms. Hruby added that she thought Park & Planning was now considering revising some of its language, which would eventually open other possibilities. The Mayor asked how it was that Berwyn Heights was able to draft a more restrictive ordinance. Mr. McLaughlin responded that drafting an ordinance does not make it enforceable.

Council first went through the proposed changes to the buildings and property maintenance code, many of which were to make the City Code consistent with the International Code Council International Building Code. There was discussion of whether a \$500 fine would be adequate for failure to comply with a stop-work or similar order. Mr. Sterling said that can be a daily fine because the inspector goes back daily to see if there has been compliance. In addition, since most of these are homeowners doing interior renovations who may not be aware of the permitting requirements, it was agreed the fine was adequate.

There was discussion of the fact that the county does not always notify homeowners seeking a county permit that they must also be permitted by a municipality. It was suggested that this topic be raised at the legislative dinner.

Regarding PODS, Mr. Sterling said the county was talking about changing its approach to allow for a time period in a driveway. Ms. Hruby added that the county policy was probably still evolving, and that the proposed City Code would give the City the authority to enforce the county

law. Mr. Sterling said that currently City inspectors will allow up to 30 days for PODS if they find that they are being used for the intended purpose. The Mayor said she liked the idea of giving the inspectors the discretion to make judgments about time periods and that 30 days would be necessary for renovation. She said she thought the proposed policy would suffice for now.

Regarding dumpsters, Ms. Hruby said screening was another zoning-related issue. Mr. Sterling questioned whether Council's concern was limited to dumpsters. He asked about the trash cans behind Roosevelt Center. Mr. McLaughlin added that trash disposal in that area was always a "balancing act" since the same space must serve as a loading dock for deliveries.

The Mayor asked about the dumpsters visible from Crescent Road at the Greenway Plaza apartments. Mr. Sterling said he could talk with the new property manager about whether screening them is possible.

Ms. Hruby added that she would look at the county's landscaping code to see if language could be added to the City's ordinance to allow enforcement via that route.

Encroachment Policy

Ms. Hruby reviewed the history of the policy. Based on concerns previously expressed by Council, staff eliminated any allowance for grandfathering.

Mayor Davis commented that discovering encroachments only as a result of complaints or building permits might leave a lot undiscovered. Ms. Hruby replied that it simply meant the City was not seeking them out. Mr. Putens said he was concerned about Lakeside in the absence of specific complaints, since the whole area had been implicated. He said he thought all the residents backing to the lake should be notified of the policy, even if they were not encroaching. Ms. Hruby said they would do that, since encroachments had been found in only two areas.

Ms. Hruby confirmed that there is no formal agreement at this time with GHI regarding existing encroachments.

Mayor Davis asked if the City could check its perimeters for new encroachments on an annual basis. Mr. McLaughlin replied that this would carry staffing implications and that he thought it would be adequate to make all staff aware of the policy. It was also suggested that the information be shared with the civic associations and mentioned at the upcoming stakeholder meeting.

Chapter 11

Mr. Sterling said the changes were aimed at increasing enforcement against vehicles with out-of-state tags, additional requirements for booting, and clarification on the storage of inoperative vehicles and vehicles lacking proper registration. One reason for revising the law is to be able to deal more effectively with people selling cars from houses in Greenbelt East.

There was considerable discussion of the car selling issue. Mr. Sterling said the county could shut them down as illegal businesses if they could catch them. Mr. Putens said he had learned that the state Department of Motor Vehicles can pull their dealer tags if they are operating illegally, and he asked staff to look into how to make complaints. Mr. Sterling said on one occasion, a home-dealer who lost his tags came back with North Carolina tags.

Mayor Davis said notification on the parking changes should be sent to apartment complexes as well as homeowner/civic associations.

The Mayor also asked about motorized scooters. Mr. Sterling said that would be a Police Department matter, not a Code Enforcement matter, since it would involve moving violations.

It was agreed that the encroachment policy, as well as the ordinances to revise the chapters, would appear on a Council agenda in the near future.

Other Business

LEAF House: Regarding an e-mail indicating that she had supported locating this structure on City property, Mayor Davis said she had never said this and had called the General Manager of GHI to clarify her position.

Parvovirus: Mr. Sterling reported on the recent occurrence of parvo at the Animal Shelter.

Ms. Mach said she had been reappointed to the MML Communications Committee. She also filled Council in on a request from Harriet Phelps to the Senior Citizens Advisory Committee regarding establishing Elder Gardens or small-plot gardens on the City land used for garden plots.

Mayor Davis said she had attended a county meeting on “mansionization.” She also initiated discussion on the amicus brief being considered and whether the City had a role regarding the “piecemealing” of the project in extending the ICC from Rt. 1 to Kenilworth Avenue. It was mentioned that the Beltsville sector plan had just been published showing the extension of the road.

Mayor Davis asked if it was the case that it is still part of the City Code that bicycles must be registered with the Police Department. Ms. Gallagher said she believed it was. The Mayor also asked if the City had law requiring helmets.

There was also a discussion of the agenda items to be proposed for the Four Cities meeting to be held with several members of the School Board.

The meeting was adjourned at 10:50 p.m.

*Respectfully submitted,
Kathleen Gallagher
City Clerk*

