



REGULAR MEETING OF THE GREENBELT CITY COUNCIL held November 26, 2007.

Mayor Davis called the meeting to order at 8:03 p.m.

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

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 resident Lillian Williams and former residents Robert James Bicknell, Sr., and Betty Cousin. She then led the pledge of allegiance to the flag.

CONSENT AGENDA: Mr. Herling asked to remove the joint report from the Community Relations Advisory Board and the Public Safety Advisory Committee from the consent agenda. Ms. Mach asked to remove the minutes from the work session of October 15. It was moved by Mr. Putens and seconded by Ms. Mach that the consent agenda be approved as amended. The motion passed 5-0.

Council thereby took the following actions:

MINUTES OF COUNCIL MEETINGS

- Regular Meeting, September 24, 2007
- Regular Meeting, October 8, 2007
- Interview, October 22, 2007
- Notes, Four Cities, October 30, 2007

Approved as presented.

COMMITTEE REPORTS

Advisory Committee on Trees, 10/30/2007 Report (Invasive Species Control Policy): Council accepted this report and agreed to defer discussion of it pending completion of staff review of the report from the Recycling and Environment Advisory Committee on the use of pesticides.

Advisory Planning Board, Report #07-02 (Old Line Bank Site Plan): Council accepted this report and agreed to consider it later on the agenda with the site plan.

MEMA GRANT FOR MOBILE DATA COMPUTER PURCHASE: Council approved using Greenbelt's share of the funding from this grant for the purchase of at least three additional Panasonic Toughbooks from the State of Maryland contract held by Pelican Mobile; in the event that supplementary funding becomes available for mobile data computers through this grant, Council further authorized purchase of additional units commensurate with the available funding.

EMPLOYEE SPECIAL HOLIDAY: The City Council assigned this year's employee special holiday to Monday, December 24, 2007.

RESIGNATIONS FROM ADVISORY GROUPS: The City Council accepted with regret the following resignations: Jeff Pedelty from the Advisory Planning Board and Pamela Hagerhorst from the Arts Advisory Board.

REAPPOINTMENT TO ADVISORY GROUP: The City Council appointed Kevin Murphy to a new term on the Employee Relations Board.

APPROVAL OF AGENDA: Mr. Roberts asked to add CB #38 to the agenda as item #22. Mr. Putens asked to add to the discussion of meeting dates the scheduling of a meeting with the Charlestowne North Tenants Association. It was then moved by Mr. Putens and seconded by Mr. Herling that the agenda be approved as amended. The motion passed 5-0.

PRESENTATIONS

Recycle Right Awards: Among other activities recognizing America Recycles Day, the Recycling and Environment Advisory Committee (REAC) and the Public Works Department conducted their annual "Recycle Right" contest to recognize five households on the City's recycling routes. REAC Chair Neal Barnett, committee member Marian Holland, and City Recycling Coordinator Cindy Murray presented special recycling bins to the contest winners, as well as a number of prizes awarded by COG. The winners from all but the Thursday route were present at the meeting.

Darlene and Corey Squibb 1 Greenknolls Monday City Route
Vicki and Cara van Duyl 65-J Ridge Road Tuesday City Route
Jose Tillard and Gisela Bardossy 9-A Southway Wednesday City Route
Francis Carnovale and Victoria Noyes 7903 Kara Court Thursday City Route
Robert and Priscilla Fearrington 7202 Mandan Road Contractual Route

PETITIONS AND REQUESTS

Homeowners and Bank Protection Act of 2007: John Lloyd, 12-E Plateau Place, spoke on behalf of the Lyndon LaRouche Political Action Committee, which is seeking support from local jurisdictions for legislation they have drafted with the goal of having it adopted as federal law. Mr. Lloyd provided background information to Council and said they would like Greenbelt to consider adopting a resolution or proclamation of support to send to its state and federal delegations. He mentioned a number of municipalities in other states that he said were participating. He said that the thrust of the legislation was to freeze foreclosures until mortgages

could be restructured and other measures taken to keep homeowners in their houses. The Mayor thanked Mr. Lloyd and explained that Council would consider the matter at a future date after review of the material.

Charlestowne North: Mary Anne Scott, representing the tenants association, said they wished to request a work session with Council regarding their recent notices of rent increases. Mayor Davis said that a date would be set when the calendar was reviewed later in the meeting but that she expected that an executive session would be scheduled for Monday, December 3.

MINUTES OF COUNCIL MEETINGS: Ms. Mach asked to correct the minutes of the October 15, 2007, work session to indicate that it was Prince George's County, not FEMA, that was providing funding for the tower and infrastructure for the interoperable radio system. With that change, the minutes were approved 5-0 on a motion by Ms. Mach, seconded by Mr. Herling.

ADMINISTRATIVE REPORTS

Mr. McLaughlin announced that the Festival of Lights would be this weekend. A meeting on vending boxes was to be held the next day with representatives of the newspapers, on which he would provide a report by the end of the week. The City's bond rating was upheld by Moody's at the A2 level, and the reviewers noted the actions taken by the City to correct the use of Fund Balance. Eight responses were received to a Request for Proposals for banking services.

Mr. Herling, Mr. Putens, Ms. Mach, and Mayor Davis discussed their attendance at the National League of Cities annual conference. Mr. Putens reported a light out on Mathew Street. Ms. Mach noted that the City's Playful City USA designation had been awarded at the NLC conference. Mayor Davis also commented on the American Legion's public safety awards dinner, the Maryland Global Warming Initiative's Town Hall Meeting, which she attended with Ms. Mach and Mr. Roberts, and attending the Magnolia Elementary School student council induction ceremony to administer the oath of office.

COMMITTEE REPORTS

Community Relations Advisory Board/Public Safety Advisory Committee, Joint Report on Public Safety in the Vicinity of Spellman Overpass (11/19/2007): Mr. Herling had removed the joint report on the Spellman Overpass from the consent agenda. He said it was because he wanted to ask the City Manager to provide, when the item returned for discussion, options for how the \$40,000 in the budget for enhanced safety measures might be spent. Mr. McLaughlin said he would do so. Mr. Herling moved, with a second from Mr. Putens, that the report be received, and the motion carried unanimously.

LEGISLATION

.An Ordinance to Amend Chapter 19, "Taxation," of the Greenbelt City Code in Order to Repeal and Reenact with Amendments Section 19-1 for the Purpose of Establishing a City Homeowners' Property Tax Credit Program Indexed to the State of Maryland's Homeowners' Property Tax Credit Program

Mayor Davis read the agenda comments and introduced the ordinance for first reading.

AWARD OF PURCHASE – PUBLIC WORKS DUMP TRUCK: Mayor Davis read the agenda comments. It was moved by Mr. Herling and seconded by Mr. Putens that Council approve awarding the purchase of the two-ton dump truck to Kip Kilmon Tyson’s Ford of Vienna, Virginia, at a cost of \$59,984.

Following a question from the Mayor and some initial discussion, it was concluded that the truck to be replaced was 11 years old. Mr. Roberts said that in the future, he would like staff to provide information on both the age and mileage on vehicles to be replaced. He said he thought the City should be getting greater usage on its vehicles. Mr. McLaughlin commented that in the past budget, it had been explained that the City could downsize its fleet by replacing vehicles more often, and that this was the principle being employed. Mr. Roberts added that he also thought the City could get better value on the sale of the replaced vehicles than it gets at auction.

Ms. Mach asked the status of efforts to enhance CNG capabilities. Mr. Hall said he expected to have a report to Mr. McLaughlin about this issue in January. When the vote was taken, the motion carried 5-0.

PETITION FOR VACATION OF RIGHT-OF-WAY - GREENBELT STATION: The Mayor read the agenda comments. It was moved by Mr. Putens and seconded by Ms. Mach that the City Council support the petition from MetroPark to vacate the right-of-way for Railroad Avenue. Mr. Manzi explained that this matter should have been caught earlier in the process. He said that in fact there will be buildings located on this area according to the site plan Council previously approved. When the vote was taken, the motion carried 5-0. Bill Orleans then asked whether the City should consider holding on to the right-of-way for leverage with the developer. Mr. Manzi said that, in terms of this particular right-of-way, “we’re beyond that.”

PROPOSED STATE LEGISLATION – PG 310-08 (GREENBELT STATION LIQUOR LICENSES): The Mayor read the agenda comments. Ms. Mach noted that on page 4 of the bill there was a reference to the development as a “Town Centre” and that the City Council had made it clear previously that Greenbelt already has a town center located elsewhere. Mr. McLaughlin said Delegate Gaines would be asked to correct this. Mr. Herling moved that the City Council support the bill with that qualification. Ms. Mach seconded the motion, which carried 4-1 (Roberts).

OLD LINE BANK, CAPITAL OFFICE PARK – SITE PLAN: The Mayor read the agenda comments. Terri Hruby, Assistant Director for Planning, noted that there are covenants on the property related to the buffer at Kenilworth. She said the 7’ 10” height for the sign takes into account the topography of the land and the visibility from the road. She reviewed the staff and Advisory Planning Board issues. Larry Taub, attorney for the project, introduced representatives from the bank, including President and CEO Jim Cornelsen. It was explained that the sign would be illuminated from within and that there would be no dumpsters at the site because trash and recycling would be removed directly from the building by the cleaning staff. Ms. Hruby clarified that the City has maintenance responsibility for Service Road. Mayor Davis asked if it might not be possible to come up with a better name for the street. Mr. McLaughlin said the naming of

streets falls under County Park & Planning but that the City could ask to make a suggestion.

Mr. Putens moved that the City Council approve the site plan for Old Line Bank with the condition that the applicant agree to follow up with the City at the completion of the project to verify that at a minimum the promised green building techniques, as referenced in the submission titled “*Green Building Techniques; Old Line Bank*” (10/30/07) had been implemented. Mr. Herling seconded the motion, which passed 5-0.

COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION – PY34: Mayor Davis read the agenda comments and asked whether residents from all parts of the City would be able to apply for the funding for home modifications. Mr. Moran said the expectation was that there would be an income restriction but no geographic restriction. Ms. Mach said she thought it would be a good thing to lay the groundwork for projects to be done citywide based on income in case Greenbelt runs out of eligible infrastructure. It was discussed that the money available for that type of project is very limited. Mr. Roberts commented that the time was perhaps coming when the federal government should revise the rules for the program if jurisdictions were becoming ineligible. The Mayor noted that larger, older cities are still likely to have eligible infrastructure. Mr. Roberts made a motion to approve submission of the PY 34 application with the upgrading of street lighting and installation of emergency call boxes in Springhill Lake as the first priority and, as a second priority, the provision of one-time grants for home modifications to low-income seniors and disabled adults. Mr. Putens seconded the motion, which carried 5-0.

PROPOSED 2008 LEGISLATIVE PROGRAM: The Mayor read the agenda comments. Ms. Mach asked to add an interest item regarding including housing cooperatives in state housing programs. With that addition, she moved that the program as drafted be approved, including: as State Priorities, funding for Greenbelt Lake dredging, public safety funding for the county radio upgrade, prohibiting the transfer of liquor licenses to gas stations, and reporting requirements for groups/individuals circulating petitions; as County Priorities, reestablishing the county Landlord-Tenant Commission, an increase in the M-NCPPC funds provided to Greenbelt, the new fire station, and legislation to enable the new planning authority for site plans. Mr. Herling seconded the motion, which carried 5-0.

CB-38: Mr. Roberts said this bill, which had been sponsored by County Councilmember Turner to allow the text amendment requested by the owners of the Hanover Apartments to permit the addition of apartments for seniors, had been delayed but not withdrawn. He said he wanted to ask Council to send another letter asking Ms. Turner to withdraw it completely. Mayor Davis replied that her understanding was that the purpose of the delay was to permit continued discussions between the City and Hanover Apartments. She said Councilmember Turner was essentially obliging the City at this point. Mr. Manzi confirmed that understanding and added that a few new ideas had been raised. Ms. Hruby also noted that the site-specific nature of the bill was being driven not by Mr. Taub on behalf of his client but by the County Council. Mr. Roberts said that if the City Council was not willing to send a letter asking for withdrawal of the bill, he would send a personal letter to Ms. Turner on his own behalf.

MEETINGS: Council reviewed the schedule of upcoming meetings. The executive session to consult with the City Solicitor regarding Charlestowne North was scheduled for December 3.

Mr. Putens asked to move the work session with the Garden Club to the “ready to be scheduled” list. He also asked to add the Board of Elections to the list for later scheduling, and Mayor Davis asked to add Pepco for purposes, among other things, of discussing purchase of street lights by the City.

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 November 26, 2007, at 10:40 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 November 26, 2007. "

Judith F. Davis
Mayor