



REGULAR MEETING OF THE GREENBELT CITY COUNCIL held October 22, 2007.

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

ROLL CALL was answered by Councilmembers Konrad E. Herling, Leta M. Mach, Rodney M. Roberts, and Mayor Judith F. Davis. Councilmember Edward V. J. Putens arrived at 8:10 p.m.

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 resident Vilma Moien. She then led the pledge of allegiance to the flag.

CONSENT AGENDA: It was moved by Mr. Herling and seconded by Ms. Mach that the consent agenda be approved as presented. The motion passed 4-0.

Council thereby took the following actions:

MINUTES OF COUNCIL MEETINGS

- Interview, October 8, 2007
Approved as presented.

RESIGNATION FROM ADVISORY GROUP : The City Council accepted with regret the resignation of Kilolo Ajanaku from the Advisory Committee on Education.

REAPPOINTMENT TO ADVISORY GROUP : Council appointed Emmett Jordan to a new term on the Advisory Planning Board.

APPROVAL OF AGENDA: Ms. Mach asked to add "Appointment to Advisory Group" to the agenda as item #20. With that amendment, she moved, with a second from Mr. Herling, that the agenda be approved. The motion passed 4-0.

PRESENTATIONS

Abitibi Consolidated Recycling Award: Paula Reed, Baltimore-Washington area manager for Abitibi Consolidated, which provides recycling bins and service at the City recycling drop-off centers located at Buddy Attick Park and at Hanover Drive, presented the City with a \$1,000 prize for increasing its recycling by 211% at the Hanover Drive recycling location during the period of May-June 2007. Neal Barnett, chair of the Recycling & Environment Advisory Committee (REAC), Cindy Murray, the City's Recycling Coordinator, and William Smith, the City's

Refuse and Recycling Supervisor, were present to receive the award.

America Recycles Day – Proclamation: Mayor Davis read and presented to Mr. Barnett a proclamation recognizing November 15 as America Recycles Day. Mr. Barnett recapped some of the City’s recent recycling projects and noted that REAC and the Public Works Department would once again conduct their annual “Recycle Right” contest to recognize good work on the part of a household on each of the City’s four recycling routes and one commercial route. Ms. Murray added that the City had expanded its electronic recycling to include televisions.

Playful City USA Designation: Greenbelt has been named a 2007 Playful City USA. As such, it is one of the 31 communities across the country that will be the first and founding Playful City USA communities. Ms. Mach read a plaque that was awarded to the City in recognition of this honor, and she thanked Mr. McLaughlin, Bill Phelan of the Public Works Department, and the Park & Recreation Advisory Board for their efforts in support of this project. She said the Community Build Day for the South Ora Court playground had been rescheduled for November 3 and that citizens of all ages were invited to help with the renovation of the playground.

PETITIONS AND REQUESTS

Chris Fleshman, President of the Greenbelt Volunteer Fire Department & Rescue Squad, attended the meeting to request Council to respond to the county’s plans to cut the volunteer budget of the fire stations. Mr. Roberts made a motion to add this item to the agenda. Mr. Putens seconded the motion, which carried 5-0. It was then moved by Mr. Putens and seconded by Mr. Herling to special-order the topic to follow legislation. The motion carried 5-0.

Robert Schmertz, 513 Charlestowne North, attended to inform Council of another rent increase at the apartment complex. He said the apartments were being renovated and that not only is there a 20-40% increase for people moving back into renovated apartments but tenants have to reapply and may be rejected if their credit is not good regardless of their track record at the complex. Mr. Putens and Mayor Davis both encouraged him to hold a formal meeting of the tenants’ association and to invite management to provide more information. Mary Anne Scott, president of the tenants’ association, also spoke to say they were giving too short notice for people to vacate if they did not want to stay. The Mayor commented that this was an example of why the county needs to rejuvenate the now inactive Tenant-Landlord Commission.

ADMINISTRATIVE REPORTS

Mr. McLaughlin announced that ground-breaking had taken place for the new Public Works facility expansion, which would be completed in about a year.

Mr. Herling announced the Third Annual Utopia Film Festival would take place this weekend, and he noted that Beltway Plaza had been an important part of the project.

Ms. Mach commented on the performance of *The City* at the Clarice Smith Performing Arts Center, which continued with programs taking place in Greenbelt with the cooperation of the Greenbelt Museum, the City’s arts program, and participation on a panel by Mr. Herling. She also

announced there would be a COG Air Quality Committee Town Meeting on November 1.

Mayor Davis commented on *The City*, a Meal and Reel event at the New Deal Café, and the Chautauqua and reception held by the Greenbelt Museum for its 20th anniversary. She also commented on the Maryland Municipal League's fall meeting, which was held in Greenbelt, and she thanked Mr. McLaughlin and Mr. Moran for their work in organizing the conference.

LEGISLATION

.A Resolution to Amend the Charter of the Greenbelt Advisory Committee on Education (ACE), Adopted by Resolution Number 806, to Provide Further Definition of ACE Activities and Core Schools and to Correct the Designation of Appointment Terms

The Mayor read the agenda comments. Ms. Mach introduced the resolution for second reading and moved its adoption. Mr. Putens seconded the motion.

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

The resolution was declared adopted (Resolution No. 1026, Book 8).

COUNTY FUNDING FOR VOLUNTEER BUDGET OF FIRE DEPARTMENTS : There was further discussion of this topic. Mr. Roberts asked Mr. Fleshman for clarification on whom the order for the cut was coming from. It was noted that a Four Cities meeting was upcoming on October 30. Mr. Roberts moved that the City send a letter, add this item to the Four Cities agenda, and request a meeting with county representatives if that was determined to be appropriate. Mr. Putens seconded the motion, which carried 5-0.

GREENBELT MIDDLE SCHOOL – REVISED SCHEME D SITE PLAN: Mayor Davis read the agenda comments. Donald Lee, Acting Director for Planning and Architectural Services for the Capital Improvement Program, introduced Rupert McCave, Capital Improvement Program Officer, Architects Adrian King and Eugene Delmar, and new Chief Operating Officer Lawrence Fryer. Mr. Lee said what they are proposing is a modification to the previously discussed Scheme D. He said it was presented to the School Board last week and, while the board is basically in concurrence with the modified plan, they wanted the City Council's comments before going further.

Mr. King said they had attempted to address the objections the City raised in 2002. He said they want to acquire LEED status on the new building and will be adding buffer between the bus lot and the school.

Following Mr. Delmar's review of the modified plan, Ms. Mach said that the City's Advisory Committee on Education (ACE) had made suggestions on original Scheme D. She said she was

very pleased to see two stories for the building in the new plan, as well as the goal of achieving LEED status. On the other hand, she said, ACE had wanted a connection between the old and new structures, and she asked why the two could not at least be closer. She also asked how the plan fits into the K-8 program or the International Baccalaureate Program. Mr. McCave replied that decisions had not yet been made by the board on the concepts. He said he thought it likely that Greenbelt Middle School would be on a 6-7-8 model, and Mr. King confirmed that.

In response to a question from the Mayor, Mr. Delmar said the ball fields would definitely be lighted. Mr. Putens later noted that the City has had maintenance and use agreements for other school properties but that the middle school fields had been in too bad a condition for the City to take them over. He strongly encouraged the county to work out an agreement with the City when the fields were redone.

Mayor Davis also asked if they knew what elementary schools would feed into the middle school. Mr. Lee said they did not have that information tonight. The Mayor asked what the walking access would be for students attending from Berwyn Heights, and it appeared that this needed further consideration. Regarding capacity, Mr. King said Scheme D assumed 990 seats compared with the current 770.

Mr. Roberts raised concerns about not using the old structure for educational purposes. Mr. Putens asked what had happened to the plan to put regional administration space there. Mr. King said the latter would be located elsewhere. In response to a question from Mr. Putens, he said that there were classrooms in the old structure that would be suitable for special needs classes. Ms. Mach said it had been stated years ago that the old structure was better suited to small spaces than for regular classes.

Ms. Mach asked if moving the parking lot to the opposite end of the new building might be a way to bring the two structures closer. Mr. Roberts later said the thought that would be considerably better aesthetically though not necessarily functionally. Mr. Putens said he liked Ms. Mach's suggestion, too.

Ms. Mach went on to say she would like the opportunity to hear more from parents and ACE on the modified plan. Jeff Morissette, chair of ACE, agreed on the need for time for public comment. He asked if presentations were being made in College Park or Berwyn Heights, and Mr. Lee said no. Mr. McLaughlin stated that the City had notified both municipalities of tonight's meeting.

Mr. Morissette went on to ask what would happen if the board decided to go to a K-8 system. He asked if there was anything in modified Scheme D that would exclude its becoming a K-8 and, if so, could that be remedied to allow the flexibility. Mr. King said the current design reflects 7-8 or 6-7-8 and, in response to a question from Mayor Davis, proceeded to enumerate many differences between K-8 and middle school facilities. He agreed with her statement that most K-8s in existing facilities will necessarily have started as elementary schools, not middle schools.

José Morales, 8162 Mandan Terrace and a former member of the School Board, said the opening of the new school would not occur until 2010 or 2011, and he suggested that the City insist upon regular updates from the School Board.

The Mayor said she understood the School Board and school administration staff wanted approval from the City tonight but that she did not think the City was ready to go that far, even though there was a good deal to like in the modified plan. She said the City should refer the plan to ACE and the Advisory Planning Board (APB). She added that ideally the School Board should hold a public meeting for the residents of Greenbelt, Berwyn Heights, and College Park. Mr. Roberts asked if Council might be ready to approve the plan with conditions. He said overall he was fairly satisfied with it. Mr. McLaughlin asked Mr. Lee to discuss how their process would work. Mr. Lee said it would be very helpful to know if the City Council could concur with this concept versus the prior version since they hoped to get School Board approval to move forward. Mr. McCave added the other need was to get it on the CIP timeline in order to get funding. He said he would like to get a general approval with requested changes because November 27 is the CIP date for state funding. The Mayor said she would not want to do that without assurance that significant changes could still be made since there has not yet been an opportunity to consult with the usual advisory groups. Ms. Mach added that before she could approve it, she would want to know if it could be changed to a PK-8. Mr. McCave said that would be a board decision.

Mr. Roberts moved that Council approve modified Scheme D with conditions. He said he did not want to hold this process up. Mr. Putens seconded the motion.

Mr. Herling asked if the old gym could be used as classrooms. Mr. Putens and Mayor Davis both addressed the issue of the need for a community gym and the need to maintain it as a gym given that it is part of an historic structure.

Mr. Morisette said he wanted it noted that although the middle school was designed for 750, there are 920 students there now.

Mr. McLaughlin got clarification that the City would still refer the revised plan to ACE and the APB. He also suggested that Mr. Morales' suggestion that regular updates be requested from the School Board be added to the motion, which was agreed to. When the vote was taken, it carried 5-0.

DISTRICT COUNCIL PROPOSED LEGISLATION, CB-38-2007: The Mayor read the agenda comments. It was moved by Mr. Roberts and seconded by Mr. Putens that Council oppose CB-38-07. Mayor Davis said she had talked with County Councilmember Ingrid Turner about this matter at the MML meeting and that Ms. Turner cited the great need in the county for this type of housing. She asked why, if there was such a great need, this legislation was so site-specific. Mr. Putens said this legislation was a slap in the City's face.

Lawrence Taub, representing Federal Capital Partners, the owner of the Hanover Apartments, said it was not intended to be. Rather, he said, it was their opinion that it had reached the point where "we agreed to disagree." He said it was not that they had no intention of working with the City but that annexation was no longer an issue they wished to pursue. He said they did attempt to make the bill as generic as possible but that it became clear it would not go through the County Council that way. Nonetheless, he said it would not escape scrutiny since the Detailed Site Plan would be available to both the county and to Greenbelt. Mayor Davis responded that the City had to discover this legislation on its own. She said that although this impacts Greenbelt,

no one chose to let the City know about it.

Mr. Roberts said he thought this was bad legislation for any R18 property because it is not genuinely a property for senior residents if that limitation is guaranteed for only ten years. Mr. Putens and Ms. Mach also expressed their disappointment in and disapproval of the bill. When the Mayor took the vote, it was 5-0 in favor of the motion to oppose. The Mayor said the City would write a letter but that she also recommended attending the public hearing on November 20. Ms. Hruby suggested also writing a letter to Federal Capital Partners asking them to withdraw the legislation.

REQUEST REGARDING FESTIVAL OF LIGHTS: The Mayor read the agenda comments. Ms. Mach made a motion that Council approve continuing the practice established last year of including the poster contest and any other non-City holiday activities in the Festival of Lights brochure but deny the request to post the rules and display the posters in the Youth Center. Mr. Roberts seconded the motion. Mayor Davis said she had no objection to listing the contact information in the brochure so people could follow up if they wished. Mr. Manzi said there was no problem including the information in a separate section, which would be open to all groups to list in and which would clearly be for non-City-sponsored events. When the vote was taken, the motion carried 5-0.

AWARD OF PURCHASE – MOBILE DATA COMPUTERS FOR POLICE VEHICLES: Mayor Davis read the agenda comments, indicating that this item had been postponed from the last regular meeting. Mr. Putens said he had raised the issue because it was not clear to him that enough research had been done. Kelly Ivy, 34 Lakeside Drive, said he had been using the Toughbooks on the job at Amtrak for a long time and would highly recommend them. The Mayor sought clarification on a mention in the back-up materials of reprogramming the video camera money for MDCs; she wanted to know whether approval of this purchase would include that reprogramming. Mr. McLaughlin said it would not, since to date, Council had directed that it wanted those funds held for the cameras. At the October 8 meeting, Mr. Roberts had moved the staff recommendation to purchase ten Toughbooks as replacement laptops from Pelican Mobile on state bid #DBM-0106-RADEQ at a projected cost of \$64,000. Mr. Herling had seconded the motion. When the vote was now taken on that motion, it carried 5-0.

MDOT DRAFT 2008-2013 CONSOLIDATED TRANSPORTATION PROGRAM: Mayor Davis read the agenda comments. There was brief discussion of the issue of the extension of the Green Line. Mr. Roberts said he was not ready to take a position on that question. Mr. Putens moved that Council restate last year's positions on the issues in this year's letter to the Secretary of the Maryland Department of Transportation. Several modifications were made to the staff recommendation, with the result that Mr. Putens moved specifically that the letter would state the City's continued objection to the Intercounty Connector and the widening and extension of MD 201; its opposition to the University of Maryland Connector Road; and its support for the Purple Line Study, US 1 Improvement project, dedication of funds toward improving transit in the region, improvement of the TheBus service, and exploration of the possibility of an extension to the Green Line. Also included in the motion was restatement of the City's prior request that the funding allocated to the MD 201 Extended and the University of Maryland Connector Road projects be redirected to more worthwhile projects, such as the US 1 Improvement Project. Mr.

Herling seconded the motion, which carried 5-0.

PROPERTY TAX CREDIT PROGRAM: The Mayor read the agenda comments and then made a motion that the City staff be directed to draft the legislation necessary to establish a program to piggyback on the state program and provide to eligible residents 25% of the amount of the credit given to them by the state. Ms. Mach seconded. Mayor Davis noted that this program is income-based. When the vote was taken, the motion carried 5-0.

APPOINTMENT TO ADVISORY GROUP: Ms. Mach moved the appointment of Debra Payne to the Advisory Committee on Education. Mr. Putens seconded the motion, which carried 5-0.

MEETINGS: Council reviewed the schedule of upcoming meetings.

FINAL COMMENTS: Since this was the last meeting of the 36 th Council, Councilmembers thanked their colleagues and staff.

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 October 22, 2007, at 11:25 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 October 22, 2007. "

Judith F. Davis
Mayor