



REGULAR MEETING OF THE GREENBELT CITY COUNCIL held September 24, 2007.

Mayor Davis called the meeting to order at 8:05 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; Robert A. Manzi, City Solicitor; David E. Moran, Assistant City Manager; and Kathleen Gallagher, City Clerk.

Mayor Davis asked everyone to observe a moment of silent meditation. 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

- Notes, Meeting, September 9, 2007
- Regular Meeting, September 10, 2007
- Approved as presented.

ADVISORY COMMITTEE ON EDUCATION, COMMUNICATION, 9/19/2007 (ACE CORE SCHOOLS) : Council agreed to receive the report tonight and consider the request on the next agenda, for which staff will prepare a draft resolution and revision to the ACE charter.

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

PRESENTATIONS

Principal Kim Seidel - Introduction : Mayor Davis introduced Kim Seidel, the new principal of Greenbelt Elementary School. Principal Seidel thanked her and said she was very glad to be here and had received a very warm welcome from the Greenbelt community.

MML "If I Were Mayor" County Finalist : Mayor Davis announced that Asahia Hayes, currently a fifth grader at Springhill Lake Elementary School, was one of the District 9 (Prince George's County) finalists last spring in the Maryland Municipal League's "If I Were Mayor" contest. She said Springhill Lake Elementary has now had a total of two finalists and one winner in this

annual contest. The Mayor introduced Asahia's mother, Sharron Christmas, and her principal, Linda Sherwood. Asahia read her winning essay and was presented with a certificate and several gifts.

PETITIONS AND REQUESTS : Sylvia Lewis, 2-C Gardenway and president of the board of Greenbelt Homes, Inc. (GHI), announced that the Greener Greenbelt Charrette would be held from Friday to Sunday of the upcoming weekend at Greenbelt Elementary School. She encouraged everyone to come.

Chris Shuman, 1-E Gardenway, thanked the Community Development staff for its work in removing snipe signs on the roadways. Mayor Davis told him the City Solicitor was working on putting an ordinance together to help address the problem. Mr. Manzi added that the City would copy the state and county legislation with modifications. Mr. Shuman said that what would really work would be shutting down the phone numbers on the signs, but Mr. Manzi said that would have to be done at the state level.

Mr. Shuman also had two other requests. He said the underpass at the Center was in need of concrete work. He also asked if the National Park Service could be requested to place signs on the single-lane exit from the Baltimore-Washington Parkway to Southway to indicate that traffic heading south on Southway should keep left so that traffic heading north on Southway could attempt to pass on the right.

MINUTES OF COUNCIL MEETINGS

Executive Session of September 5, 2007 : Mr. Roberts moved that the minutes of the executive session of the City Council held Wednesday, September 5, 2007, be approved as presented. He further requested that the minutes of this meeting reflect that the Council met in executive session at 8:10 p.m. in the Municipal Building Library. Council held this closed meeting in accordance with Section 10-508 (a)(1) of the State Government Article of the *Annotated Code of Public General Laws of Maryland* to discuss personnel matters in the Police Department. Mr. Herling seconded the motion.

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

ADMINISTRATIVE REPORTS

Mr. McLaughlin announced that because all the materials were not available, the Community Build for the playground at South Ora Court would have to be rescheduled from the original October 8 date.

Mr. Herling commented on the value of the public forums that had been held on the issue of public safety in the Spellman Overpass area.

Ms. Mach said the application for Playful City status had been submitted.

Mayor Davis commented on the Trash Free Potomac Initiative meeting, the Green Ridge House annual picnic, the second Public Forum related to the Spellman Overpass, a Reel and Meal event at the New Deal Café, the retirement event of former New Carrollton Councilmember John Schaffer, and a COG Chesapeake Bay Policy Committee Meeting.

LEGISLATION

.An Ordinance to Amend Chapter 4, “Buildings and Building Regulations,” of the Greenbelt City Code in Order to Update Language to Be Consistent with Amendments to the International Code Council International Building Code, to Establish Requirements for the Use of Dumpsters and of Portable On-Demand Storage (PODS) Units, and to Reinstate the Requirement to Issue A Paper Inspection License

Mayor Davis read the agenda comments. Mr. Herling introduced the ordinance for second reading and moved its adoption. Mr. Putens seconded the motion.

Ms. Lewis asked if the City would place any time limit on the use of PODS and noted that GHI limits them to seven days, in part because they take away parking spaces. Mr. McLaughlin said the time allowed depended on the use, and Ms. Hruby added that to date the City had not really had any problems with them. Mayor Davis said that if the need arose, the regulations could always be revisited. Ms. Hruby said that would also be the case if Prince George’s County adopted new regulations.

ROLL CALL: Mr. Herling - yes

Ms. Mach - yes

Mr. Putens - yes

Mr. Roberts - yes

Mayor Davis - yes

The ordinance was declared adopted (Ordinance No. 1291, Book 12).

An Ordinance to Amend Chapter 11, “Motor Vehicles and Traffic,” Article III, “Stopping, Standing, and Parking,” of the Greenbelt City Code for the Purposes of Increasing Enforcement Regarding Out-of-State Registration; Clarifying Improper Storage of Vehicles that Are Inoperative, Unlicensed, Delinquent, or Not Displaying Proper Registration; and Establishing Additional Requirements for Vehicle Immobilization

Mayor Davis read the agenda comments. Mr. Putens introduced the ordinance for second reading and moved its adoption. Mr. Herling seconded the motion.

ROLL CALL: Mr. Herling - yes

Ms. Mach - yes

Mr. Putens - yes

Mr. Roberts - yes

Mayor Davis - yes

The ordinance was declared adopted (Ordinance No. 1292, Book 12).

A Resolution of the City of Greenbelt Adopted Pursuant to the Authority of Article XI-E of the Constitution of Maryland and Section 13 of Article 23A of the Annotated Code of Maryland, (1957 Edition as Amended), Title, "Corporation-Municipal," Subtitle "Home Rule" to Amend the Charter of the City of Greenbelt Found, in Whole or in Part, in the Compilation of Municipal Charters of Maryland (1983 Edition as Amended), as Prepared by the Department of Legislative Reference Pursuant to Chapter 77 of the Acts of the General Assembly of Maryland of 1983, by Amending Section 4, Titled "Creation; Qualifications; Compensation" to Provide That the Mayor Shall Receive a Salary of \$12,000 Per Annum and That the Other Members of the City Council Shall Each Receive a Salary of \$10,000 Per Annum (Charter Amendment Resolution No. 2007-3)

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

Bill Orleans asked if a comparative study had been done to determine what the salaries should be. He said when he asked this question previously, he was given a list of salaries of other jurisdictions but with no analysis. The Mayor responded that quite a few cities were in the process of changing their salaries, so that the lists would no longer be current. She said there was a wide range of difference in time put in among Councils, with some having many more meetings than others, and different responsibilities. Mr. Putens added that all forms of compensation would have to be considered to compare, as well: e.g., whether the elected officials have credit cards or expense accounts and what types of expenses are reimbursed. It was suggested that Mr. Orleans undertake the study if he wished to.

Mr. Roberts said he would vote against the motion to adopt. He said he thought whether to raise Council's salaries or not should be a ballot issue since, no matter what was said, it still felt too much as though the Council was giving itself a raise. Mr. Herling said he would vote in favor of the motion with a clear conscience, since Councilmembers' compensation had not been increased since 1989.

Mr. Putens added that until one is elected to Council, it is difficult to imagine how many things Councilmembers are asked to contribute to or participate in, with the result that a good deal of the compensation goes back into the community. Chris Shuman spoke again to say that he supported the salary increase for the City Council.

ROLL CALL: Mr. Herling - yes

Ms. Mach - yes

Mr. Putens - yes

Mr. Roberts - no

Mayor Davis - yes

The resolution was declared adopted (Resolution No. 1023, Book 8).

A Resolution to Negotiate the Purchase of Grass and Landscape Maintenance Services with the Brickman Group of Lanham, Maryland

Mayor Davis read the agenda comments. Mr. Putens introduced the resolution for first reading. The Mayor asked who was tending to the grass while the matter of this contract was being decided. Mr. McLaughlin said Brickman was doing the work on a job-by-job basis.

A Resolution to Negotiate the Purchase of General Contracting Services for Construction and Renovation Work at the Public Works Facility with Gardiner & Gardiner General Contractors, LLC, of Crofton, Maryland, in an Amount Not to Exceed \$4.2 Million

The Mayor read the agenda comments. Mr. Herling introduced the resolution for first reading. The Mayor said Council had addressed this matter at a work session and that all the major green elements were still in place in the plan. She added that this contract will also enable the City to build the restrooms at Buddy Attick Park. Mr. Roberts asked if the \$1 million in short-term financing that is part of the funding package would require a tax increase. Mr. McLaughlin said not now but that he would not rule out proposing that it be part of a bond issue with other projects several years from now.

GREENHILL/HILLSIDE ROADS OUTFALL STABILIZATION AND STREAM RESTORATION PROJECT – CONCEPTUAL PLANS :

Mayor Davis read the agenda comments. Terri Hruby, Assistant Director, Planning, gave a slide presentation on the project and plan. In answer to a question from Mayor Davis, she said she hoped they would have the necessary permits by late spring and begin to phase in the project by fall 2008. The Mayor pointed out that it would assist this effort if property owners would each take measures on their own property.

Mr. Roberts raised several concerns. In response to his first question about realigning the trail, Ms. Hruby clarified the location, saying it would not be near the bog area. Mr. Roberts was also concerned with eliminating trees if the grade to the stream were changed and suggested that raising the stream bed higher would be preferable. Ms. Hruby said she could have the designers address that question and have an answer later. She added, however, that part of the problem is the relationship of the stream bed to the flood plain. Mr. Roberts also questioned the assumption that the concrete swale was not contributing to erosion. He made a motion that the conceptual plans for the Greenhill/Hillside Roads outfall stabilization and stream restoration project be approved by Council. Mr. Putens seconded the motion, which carried 5-0.

PROPOSED CITY-WIDE ENCROACHMENT POLICY : Mayor Davis read the agenda comments and suggested adding windshield inspection as a method by which encroachment might be discovered. Mr. Putens reiterated the need to inform citizens and homeowner associations about the policy. Ms. Hruby said that would be done and that staff intended to send out the regulations on dumping on City property as well. Mr. Putens made a motion that the City Council approve the encroachment policy as presented with Mayor Davis's modification. Ms. Mach seconded the motion, which carried 5-0.

M-NCPPC SUBREGION I PRELIMINARY MASTER PLAN AND PROPOSED SECTIONAL MAP AMENDMENT :

Mayor Davis read the agenda comments and added that all the environmental issues previously identified should also be included in the letter. Mr. Roberts stressed the importance of disclosing the piecemealing of the ICC project by extending it to Kenilworth Avenue in a separate plan. In so doing, he said, the state will extend it to I-495, not end it at Route 1. Mayor Davis agreed and said it would have a major impact on BARC, even if the leadership of BARC cannot say so. Councilmembers asked to copy Prince George's County officials and Congressman Hoyer.

Mr. Roberts moved that the City Council forward to the Prince George's County Planning Board a letter that reiterates the City's opposition to the ICC and Kenilworth Avenue Extended and further suggests that the draft Subregion I Master Plan advocates transportation improvements that are in direct conflict with the position of the County Council. Ms. Mach seconded the motion, which carried 5-0.

DRAFT 2007 COMMUNITY QUESTIONNAIRE : The Mayor read the agenda comments and thanked Mr. Moran for managing to work with everyone's suggestions. Ms. Mach suggested deleting the third question under education, which asked whether developers should bear the cost of additional schools. She said the Advisory Committee on Education had supported the question, but it would not collect any meaningful information the City could do anything with. Mr. Moran said staff had the same concerns. Ms. Mach moved that the question be changed to a question on the adequacy of school transportation, and Mr. Putens seconded. Mr. Roberts said he did not support replacing the question if ACE wanted it to be included. After some further discussion, Mr. Putens called the question. The vote on his motion carried 4-1 (Roberts), as did the vote on Ms. Mach's motion.

Noting that her suggestion to send copies of videotapes of Council meetings to the public library for use by residents who are not cable subscribers had proved less useful than hoped because of the turnaround time on getting the tapes into the library, taped, and catalogued, Ms. Mach asked to add Council meeting videos at the library to #7 under public information. She also suggested adding "and why?" to the end of #4 under City services and taxes. Mr. Putens pointed out that the line in that section was misplaced and should precede the scale.

It was moved by Ms. Mach and seconded by Mr. Herling that the questionnaire be approved with the suggested changes. The motion carried 4-1 (Roberts).

MEETINGS : Council reviewed the schedule of upcoming meetings.

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 September 24, 2007, at 10:45 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 September 24, 2007. "

Judith F. Davis
Mayor