*City of Greenbelt, Maryland*

***GREENBELT CITYLINK***

 **REGULAR MEETING OF THE GREENBELT CITY COUNCIL held April 24, 2006.**

Mayor Davis called the meeting to order at 8:04 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 that everyone observe a moment of silence in honor of resident Ralph Barnes. 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
- Work Session, April 5, 2006
- Regular Meeting, April 10, 2006
Approved as presented.

COMMITTEE REPORTS

Advisory Planning Board, Report #06-03 (Detailed Site Plan, Fairfield Apartments): Council accepted the report and agreed to consider it later on the agenda with the item on this topic.

Advisory Planning Board, Report #06-04 (Detailed Site Plan, Pulte Townhomes/Condos): Council accepted the report and agreed to consider it later on the agenda with the item on this topic.

RESIGNATION FROM ADVISORY GROUP: Council accepted with regret the resignation of Tony Fleming from the Park & Recreation Advisory Board.

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

PRESENTATIONS

Donation to City – Greenbelt Garden Club: Lou Vázquez, co-chair of the Greenbelt Garden Club, attended the meeting to present a $500 gift check to the City. The contribution will support the extensive plantings undertaken at the newly refurbished underpass at Hillside and Crescent Roads in recognition of the City’s Earth Day and Arbor Day celebrations on Saturday, April 22.

Oath of Office – New Greenbelt Police Officer: Captain Thomas Kemp introduced Greenbelt’s newest police officer, Johnnie Guy, to the City Council. Mayor Davis administered the oath of office and welcomed Officer Guy to Greenbelt and to the police force.

Police Week and Peace Officers Memorial Day – Proclamation: Police Officers Memorial Day is May 15 every year, and this year’s National Police Week will be designated as May 15-21. Mayor Davis read a proclamation in honor of these events, which was accepted by Captain Kemp, MPO Mark Sagen, and Officer Guy on behalf of the Police Department. The Mayor asked them to extend Council’s appreciation to the rest of the department.

PUBLIC HEARING ON THE PROPOSED FY 2007 BUDGET: The Mayor read the agenda comments and recessed the regular meeting for the public hearing on the budget. There being no one present who wished to speak about the budget, the Mayor declared the hearing to be closed and reconvened the regular meeting.

PETITIONS AND REQUESTS: Bill Orleans, 2-A Eastway, asked Council to support him in requesting that Greenbriar be required to issue temporary parking permits when its Community Building is in use for a public event and the number of people needing to park will exceed the available space. He also wished to have his towing fines cancelled from an event last Friday night when he could not find a legal parking space. Mayor Davis told him that the City does not become involved with a private organization and its parking rules and regulations and that he needed to talk with Greenbriar and the towing company. She added that allowing non-residents to park in reserved parking places during events at Greenbriar would deprive residents of their ability to park when they returned home.

Mr. Putens said it would not be appropriate for the Council to get involved in a private matter. He said the City’s Public Safety Advisory Committee had reviewed issues involving inappropriate behavior by towing companies, an area in which the County Council has passed legislation and is establishing a task force. Mr. Herling added that it was simply a fact of life throughout Greenbelt that as the number of cars per residence increased, so had the need for parking permits in order that residents could park. Upon being asked, the City Solicitor agreed that there was no appropriate role for the City in the matter.

ADMINISTRATIVE REPORTS

The following items and events were mentioned:

Mr. McLaughlin: The spring conference of the state-level city managers’ association, attended by Mr. Moran and him last week; Electronics Recycling on April 29; Pet Expo on May 6, with a cost of $5 for rabies shots. Mr. Roberts asked if the large t.v. sets collected by the county are recycled. Mr. McLaughlin said he thought so but would check on it.

Ms. Mach: Asked that information about the Prince George’s Elected Municipal Women scholarship be placed on the City’s Web site; need for a response to the State Highway Administration saying the part-time crossing guard at Greenbelt Road and Frankfort Drive does not obviate the need for a traffic light; the City’s Easter Egg Hunt, Earth Day, and Arbor Day events; County Councilmember Doug Peters’ Town Hall meeting; her visit to the combined elementary and middle school facilities of the James Gholson Middle School and Cora Rice Elementary School, about which she distributed a written report.

Mr. Herling: Indication from Roosevelt Merchants’ meeting that while they would like to keep a postal facility, no one wants to do it.

Mayor Davis: Report from the Roosevelt Merchants meeting that delivery trucks are parking on Centerway and blocking traffic; question on whether Greenbriar contractor knows to cut median strip; a watershed clean-up; the Easter Egg Hunt; a FOGM lecture from the Art Deco Society of Washington; Golden Age Club’s 49th anniversary luncheon; Earth and Arbor Days; and the Public Works Open House.

LEGISLATION

An Ordinance to Amend Chapter 19, “Taxation,” of the Greenbelt City Code in Order to Revise Article III, “Admissions and Amusement Tax” for the Purpose of Permitting the Establishment of the Tax Rate by Ordinance or Resolution

Mayor Davis read the agenda comments. Mr. Roberts introduced the ordinance for second reading and moved its adoption. Mr. Putens seconded the motion. Mr. Herling stated that he was supporting this reduction in the interest of the broader development of Greenbelt West. Mayor Davis commented to Kap Kapastin, who was presenting Beltway Plaza, that she was pleased to see the advertising in the News Review for the Academy 8 Theatres.

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

The ordinance was declared adopted (Ordinance No. 1266, Book 12).

A Resolution to Establish Admissions and Amusement Tax Rates in the City of Greenbelt, Maryland, to Take Effect July 1, 2006

Mayor Davis read the agenda comments. Mr. Putens introduced the resolution 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 resolution was declared adopted (Resolution No. 1001, Book 8).

CAPITOL CADILLAC – OFF-SITE MITIGATION: Mayor Davis read the agenda comments. Celia Craze, Director, Planning and Community Development, stressed that this parcel is the last remaining one in the City that meets the criteria for mitigation within the City. She said the recommended use by Capitol Cadillac would not encumber any other use, nor would it affect the WSSC right-of-way. She said it would join together two currently wooded areas. In response to a question from Mr. Roberts, she said this use would not be incompatible with a decision to incorporate Parcel 15 into the Forest Preserve. Mr. Roberts said his recollection was that when the ordinance to include Parcel 15 was introduced, there had been some objection because Belle Point wanted a playground to be located in that area. Ms. Craze said that the mitigation area could not be cleared in the future. Mr. Putens said he thought both Charlestowne Village and Belle Point had interest in a community playground. Looking at the map, Ms. Craze said part of the area was at a fairly steep grade, and it might be possible to move the mitigation area farther down the slope and have enough space at the flatter, south end for a playground. Council thought that to be a good solution, if it proved feasible. Mr. Roberts then made a motion that the City Council approve the Tree Conservation Plan-II presented by Capitol Cadillac and encumber the 1.72-acres of Parcel 15 for off-site mitigation, conditional upon a revised plan that would accommodate moving the mitigation area north down the slope and keeping a suitable space for a playground at the Belle Point end. Mr. Putens seconded the motion, which passed 5-0.

ROUNDABOUT DESIGN: METRO ACCESS DRIVE AND CHERRYWOOD LANE – APPROVAL: The Mayor read the agenda comments. Ms. Craze briefly described the design for the roundabout and then turned the presentation over to Paul Dorr, Senior Design Manager for the Traffic Group. In response to a question from Mr. Roberts, Ms. Craze clarified that the developer’s commitment is conditional upon the first phase of Prince George’s County TIF funding, since if that funding is not forthcoming, Greenbelt Station does not have to go forward; if Greenbelt Station does not go forward, the developer has no obligation to provide the roundabout. Mr. Roberts said the City needs traffic control at that intersection regardless of Greenbelt Station. Ms. Craze concurred but said the developer’s responsibility for it is contingent on the moving forward of Greenbelt Station.

Mr. Herling asked about the safety of the pedestrian crosswalks. This topic generated considerable discussion. Mr. Dorr said they do intend to raise the crosswalks and texture them. Some Councilmembers thought a crosswalk should be added on Cherrywood on the north side of the roundabout because pedestrians walking south on the east side of Cherrywood would be much more likely to jaywalk than to continue to the south side of the circle to cross the street. Mr. Putens was also concerned about the speed of the traffic in the outer lanes going in and out of Metro Access Drive. Mr. Dorr said they would look at the idea of a north crosswalk but that the more crosswalks there were, the less safe they would be. With regard to the traffic speed, he strongly emphasized that the roundabout itself would be a traffic-calming device and would slow the traffic approaching it. Mr. Putens made a motion that Council approve the concept design for the Metro Access Drive roundabout, with the understanding that the concerns about pedestrian safety that had been expressed would be taken into account. Ms. Craze noted that the design would come back to Council for review when it was about 90% complete. Mr. Roberts said he would like to remove the condition about the county TIF funding. Mayor Davis said it was understood that this developer would not build the roundabout unless this group went forward with the project. Ms. Mach then seconded Mr. Putens’ motion, which carried 5-0.

GREENBELT STATION DEVELOPMENT AGREEMENT – APPROVAL OF CONTRIBUTION TIMING: Mayor Davis read the agenda comments. Ms. Craze briefly reviewed the document and made two corrections to it. She said the two conditions upon which many of the contributions would be triggered were the approval of a Detailed Site Plan (DSP) whose appeal deadline had passed and the developer’s securing of its public financing from the county. She said it was possible that this could all come to pass by the end of the calendar year.

In response to a question from Ms. Mach about item #27 on the development agreement, Ms. Craze said the funding for the Police Department could be applied either to the existing station or a new on-site facility. She said this in part would depend upon what eventually was planned for a City facility on the site.

Mayor Davis asked what would happen if the county TIF did not go through but the developer managed to cobble together the funding from other sources. Would the conditions of the agreement still apply? Ms. Craze said, yes, but the timing issues would have to be revisited. Mr. Roberts asked if that applied to the South Core, too. Norman Rivera, representing the developer, said yes, but that for them it is all one project, and everything would have to be re-examined if the conditions changed. Mr. Roberts then said he had heard the County Council typically did not do TIFs for residential projects. He asked why the county should make an exception for the South Core of Greenbelt Station. Mr. Rivera replied that although the county may have a preference not to adopt TIFs for residential projects, they have certainly done so in the past; more significantly, Greenbelt Station as a whole is considered mixed-use, not residential. Mr. Putens made a motion that Council approve the schedule for contribution timing as presented. Mr. Herling seconded the motion, which passed 4-1 (Roberts).

GREENBELT STATION – DETAILED SITE PLAN FOR PULTE TOWNHOUSES AND CONDOMINIUMS: The Mayor read the agenda comments. Ms. Craze reviewed the plan and staff’s concerns. She said the plan had continually been revised. Mr. Putens objected to the small (6’) decks on the alley side of the townhouses, saying they would be “decks overlooking nothing.” Mr. Herling expressed a concern that the long staircases to the front door would not be conducive to purchase by seniors. Ms. Mach said she did not object to the decks, which would be appealing to some groups of purchasers. Mr. Putens responded that he thought the decks would be used for storage rather than as decks.

Mayor Davis said there had previously been discussion of adopting a style of street sign that could be used throughout the City as a unifying element. She asked if staff could look at developing something for Greenbelt West that could eventually be extended Citywide.

After a number of queries were raised and answered, it was moved by Ms. Mach that the City Council approve the detailed site and landscape plans for Pulte Homes, as outlined in APB Report # 2006-04, with the further condition that Pulte will execute a covenant with the City no later than May 1, 2006, so that Council has adequate time to evaluate the covenants before the matter is heard by the County Planning Board. Mr. Putens seconded the motion, and Ms. Mach agreed to his request to add a condition that additional information be provided on the decks. The motion passed 4-1 (Roberts).

GREENBELT STATION – DETAILED SITE PLAN FOR FAIRFIELD APARTMENTS: The Mayor read the agenda comments and asked if grills or grilling areas would be available at the pool or common areas. Thomas Haller and Jay Johnson, representing Fairfield, said there would be grills. Concern was expressed regarding the appearance to be presented to North College Park of the garage structure on the backside of the building. Mr. Haller said they would design it not to be monolithic in its appearance. Mr. McLaughlin also clarified that the back of these apartments would be facing the industrial, not the residential area, of North College Park.

A number of questions were asked and answered. It was then moved by Mr. Herling and seconded by Mr. Putens that Council approve the Fairfield Detailed Site Plan subject to the following four conditions:

1. The Detailed Site Plan (DSP) “Notes” section shall be revised to address all requirements of a “Metro Planned Community” per Section 27-475.06.03(b)(1)(A)(i)-(iv).

2. DSP shall be revised to show an alternative method to screening both the adjacent industrial uses along the south side of the project area and the CSX/WMATA tracks along the west side of the project area. The revised screening plan shall be submitted to the City of Greenbelt for review and approval.

3. DSP shall be revised to show that “Typical Plaza Pedestrian Pavers” shall be made of concrete.

4. DSP shall be revised to show one sign no larger than 12’ in length and 6’ in height from finished grade. The revised DSP shall included all sign and lettering dimensions, color, materials, lighting and landscaping, etc.

The motion passed 4-1 (Roberts).

MEETINGS: Council reviewed the meeting schedule.

ADJOURNMENT: A motion to adjourn the meeting was made by Ms. Mach and seconded by Mr. Putens. The motion carried 5-0. The Mayor adjourned the regular meeting of April 24, 2006, at 12:35 a.m. on April 25, 2006.

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 April 24, 2006.@

Judith F. Davis
Mayor