*City of Greenbelt, Maryland*

***GREENBELT CITYLINK***

 **REGULAR MEETING OF THE GREENBELT CITY COUNCIL held November 13, 2006.**

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; John F. Shay, Jr., City Solicitor; David Moran, Assistant City Manager; and Kathleen Gallagher, City Clerk.

Mayor Davis asked that everyone observe a moment of silent meditation in honor of residents Robert Paul Sumpter and William H. Ball; and former resident Elaine Nussbaum. She then led the pledge of allegiance to the flag.

**CONSENT AGENDA :** Mayor Davis asked to remove the minutes of the October 23, 2006, regular meeting from the consent agenda. It was moved by Mr. Putens and seconded by Mr. Herling that the consent agenda be approved as amended. The motion passed 5-0.

Council thereby took the following actions:

**MINUTES OF COUNCIL MEETINGS**
- Work Session, November 1, 2006
Approved as presented.

**PARK & RECREATION ADVISORY BOARD, REPORT #06-07 (DOUBLE DUTCH FUNDING REQUEST) :** Council received this report and agreed to consider it on a future agenda.

**PARK & RECREATION ADVISORY BOARD, REPORT #06-08 (BIKE RACKS) :** Council accepted this report and agreed to hold it for discussion when a report from the Advisory Planning Board is received on this topic.

**RECYCLING & ENVIRONMENT ADVISORY COMMITTEE, REPORT #2006-1 (BOTTLE DEPOSIT BILL) :** Council accepted this report tonight and agreed to consider the topic as an item of City interest within its 2007 Legislative Program.

**AWARD OF PURCHASE – POLICE VEHICLES :** The FY 2007 budget includes $180,000 for the purchase of eight police vehicles. Council approved the purchase of the eight cars under State of Maryland contract #001B7900305 with Criswell Chevrolet of Gaithersburg, Maryland for a total cost of $141,828.

**DESIGNATION OF VOTING DELEGATE AND ALTERNATES FOR NLC CONGRESS OF CITIES :** Council designated Mayor Davis as the " voting delegate," Mr. Putens as the first alternate, and Mr. Herling as second alternate for the National League of Cities Congress of Cities business meeting.

**REAPPOINTMENT TO ADVISORY GROUP :** Council appointed George Branyan to a new three-year term on the Advisory Planning Board.

**RESIGNATIONS FROM ADVISORY GROUPS :** Council accepted with regret the resignations of the following: Michelle Burke-Storer (Public Safety Advisory Committee), Chalya Lar (Recycling & Environment Advisory Committee), Jim Drake (Advisory Planning Board), and Joe Griffith (Employee Relations 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.

**INTRODUCTION** : The Mayor welcomed County Councilmember-Elect Ingrid Turner, and Councilmembers congratulated her on her election.

PRESENTATIONS
Introduction of Green Ridge House Service Coordinator - Daryl Pennington : Christal Parker Batey, Community Resource Advocate, introduced Daryl Pennington, who joined the Greenbelt Assistance-in-Living Program as the new Service Coordinator for Green Ridge House on October 16.  Ms. Pennington said she was very pleased not only to have this position but also to have the opportunity to work in Greenbelt, where she has lived for ten years. The Mayor welcomed her on behalf of Council.

America Recycles Day – Proclamation and Recycle Right Awards : Mayor Davis read a proclamation declaring November 15 to be America Recycles Day in Greenbelt. Neal Barnett, chair of the Recycling & Environment Advisory Committee (REAC), committee members Mary Crellin and Mary Chapman, and Cindy Murray, Public Works staff liaison to REAC, received the proclamation. Mayor Davis also presented Mr. Barnett and Ms. Crellin, respectively, with their ten-year and five-year volunteer service pins, since they had been unable to attend the City Council’s advisory group appreciation dinner in October.

REAC and the Public Works Department also conducted their annual Recycle Right contest to recognize five households on the City’s recycling routes. The residential winners of the contest receive new recycling bins identifying them as contest winners, as well as a number of prizes awarded by the Metropolitan Washington Council of Governments (COG). The winners are the residents of the five following addresses. The Pearlmans and the Fominayas were present to receive their awards.

Tony and Kathy Fominaya: 28 Woodland Way Monday City Route
George Withers: 119 Rosewood Drive Tuesday City Route
Peter Curtis: 5 Pinecrest Court Wednesday City Route
Frank and Alice Pearlman: 12-M Plateau Place Thursday City Route
Beatrice McDay: 8215 Canning Terrace Monday Contractual Route

In addition to the residential awards, REAC presented a plaque to the Greenbelt Federal Credit Union for sponsoring two community Shred-It events this year. General Manager Cindy Comproni and Board Member Eugene Krebs were present to receive the award.

Mr. Herling had attended the award presentations from Citizens Concerned for a Cleaner County (CCCC) over the weekend and conveyed certificates to Mr. Barnett for the lake and stream clean-up activities sponsored by REAC and to Ms. Murray in recognition of the City’s electronics recycling program.

PETITIONS AND REQUESTS: Larry Yore, 8685 Greenbelt Road, appeared before Council. He read a written statement, indicating that he was speaking as a “concerned Christian” and on his own behalf as an individual. He objected to the lack of specific religious customs and traditions within the City’s month-long Festival of Lights. He said that although the Festival is described as providing an opportunity for people of all backgrounds, customs, and traditions to come together, he feels as though he is excluded because his religious customs are not represented. He asked if it was deliberate that specific religious customs had been excluded. He said if that was not the intention, he would like to include an announcement of a poster contest that he coordinates called “Keep Christ in Christmas.” He also asked that the contest rules be posted at the Youth Center and that space be provided at the Youth Center to display a selection of contest entries.

Mayor Davis said she would suggest that the Council refer his request to the City Solicitor, the Community Relations Advisory Board (CRAB),and the Greenbelt Interfaith Leadership Association (GILA) for review. She said that the Festival of Lights had been designed to be consciously inclusive by making everyone feel comfortable celebrating together. The Mayor added that since this review would take a while, it would probably be too late to address this year’s Festival of Lights. She said she thought that the Recreation Department could probably list the item in the Festival brochure since there apparently had been activities included that were held at the Community Church. Mr. Putens agreed with this approach and asked that Mr. Yore be notified of the scheduling of the CRAB meeting where it would be discussed so that he could be present if he wished. Mr. Herling added that the tricky aspect of the issue was that including specific religious customs can inadvertently serve to exclude those who do not share those customs.

Larry Hilliard, 42 Lakeside Drive, said he had met with Recreation Department staff today and had provided a two-sentence announcement for this poster contest.

Ms. Mach said she agreed with the approach being taken and said if there were any other groups with such contests or events, she would encourage them to ask to be included, too, if they could meet the deadline and if space allowed.

MINUTES OF COUNCIL MEETINGS : Mayor Davis asked to correct the minutes from the October 23, 2006, regular meeting to show that the motion on the dump truck for Public Works was to direct staff to seek new bids for both diesel and diesel/natural gas vehicles. It was moved by Mr. Putens and seconded by Mr. Herling that the corrected copy of the minutes provided by the City Clerk be approved. The motion carried 5-0.

Executive Session of October 2, 2006 : Mr. Roberts moved that the minutes of the executive session of the City Council held Monday, October 2, 2006, be approved as presented. He further requested that the minutes of this meeting reflect that the Council met in executive session at 8:05 p.m. in the City Council Room of the Municipal Building. Council held this closed meeting in accordance with Section 10-508 (a)(9) of the State Government Article of the Annotated Code of Public General Laws of Maryland to consider matters related to collective bargaining negotiations, in particular the draft Labor Code. Mr. Putens seconded the motion.

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

Executive Session of November 1, 2006 : Mr. Roberts moved that the minutes of the executive session of the City Council held Wednesday, November 1, 2006, be approved as presented. He further requested that the minutes of this meeting reflect that the Council met in executive session at 10:30 p.m. in the Multipurpose Room of the Community Center. Council held this closed meeting in accordance with Section 10-508 (a)(7) of the State Government Article of the Annotated Code of Public General Laws of Maryland to consult with counsel to obtain legal advise regarding the status of the lease of a tenant in the Community Center. Mr. Putens 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 a new Zipcar—a red Toyota Matrix—had been placed behind the Municipal Building. Zipcar decided that there was enough use of the vehicle located at Green Ridge House to justify a second car. Unlike the previous car kept at that location, this one will not be City-subsidized. Mr. McLaughlin also announced that Planning and Community Development staff had added flashing lights to some of the pedestrian crossing bollards.

Mr. Herling reported on the outcomes of the International Festival and the Utopia Film Festival.

Mr. Putens commented on the farewell event held for outgoing County Councilmember Douglas Peters and the Veterans Day commemoration and public safety officer awards dinner held by American Legion Post #136.

Ms. Mach also commented on the American Legion’s public safety officer awards dinner and the Utopia Film Festival.

Mayor Davis said she had served as a judge of costumes at the Halloween parade sponsored by the Recreation Department, and she thanked the Roosevelt Center merchants for their donations for the participants. She attended the Fire Department Open House, the American Legion public safety awards dinner, the first meeting held by Senator Pinsky of the seven municipalities in his district, the American Legion Veterans Day commemoration, the City animal facility’s adoption day, and a retirement event for Cpl. Robert Keller. She also congratulated the many people who came out to vote on November 7.

**LEGISLATION**

Resolution to Negotiate the Purchase of Citation Collection Services from Complus Data Innovations, Inc., of Tarrytown, NY

The Mayor read the agenda comments. Mr. Putens introduced the resolution for first reading.

SPRINGHILL LAKE – PRELIMINARY PLAN OF SUBDIVISION – PRESENTATION : Mayor Davis read the agenda comments and announced that School Board Member José Morales had told her that the outgoing board had taken no further action on the schools situation and continued to hold only the Greenbelt Middle School renovation project on its CIP list. She then recognized Celia Craze, Director, Planning and Community Development, who said Terry Hruby, Assistant Director, Planning, would present the details on the changes to the plan and the current conditions for support proposed by staff. She said Tarek Bolden, Community Planner, would then provide some background on the meaning of “Smart Growth” as context for the Greenbelt West development.

Using a slide presentation, Ms. Hruby started with a history of the proposed redevelopment at Springhill Lake and then described the highlights of the Preliminary Plan of Subdivision (PPS). She then went into greater detail in enumerating the public and private recreational facilities and the reduced number of environmental variation requests in the revised plan (from 22 requests impacting 4.99 acres to 17 requests impacting 3.34 acres). She also described the major components of the plan regarding public safety and school facilities. She described the major changes that had taken place in the list of conditions for funding, noting that these had been discussed with Council at a work session on November 1. Two changes in approach to the conditions included specific time limits for the funding of various commitments, and support for the eventual construction of 5,800 residential units conditioned upon the completion of certain tasks. The goal of the latter change is to allow for the redevelopment of the existing 2,889 units but no more than that until specified commitments are fulfilled.

Mr. Bolden then gave an overview of some of the principles of Smart Growth, as well as the physical design of Smart Growth projects. He noted the principles of walkable communities, access to mass transit, mixture of housing types and uses, compact development, and establishment of a “town center.” He said questions had been raised about the problems that might be associated with compact or dense development: e.g., traffic and parking problems and increased crime and environmental impacts. Regarding traffic, he said it has been found that residents of denser areas make fewer and shorter auto trips than suburban residents, and they walk and use public transportation more. He said higher density development was not associated with increased crime; rather, poverty, unemployment, and other socioeconomic factors were associated with crime. He said environmental impacts were also less with compact development. Mr. Bolden also presented data on the relative density of municipalities in the area.

Mr. Roberts said he disagreed with many of the assertions being made. He said he believed it to be apparent that people continued to move farther out to escape dense housing. Mr. Bolden said that was true but that fewer people moved out than would otherwise do so. Mr. Roberts said he also found it to be unlikely that increasing the density in Springhill Lake would decrease crime. Council continued to discuss Smart Growth for some time.

Joan Falcão, 114 Julian Court, asked if Smart Growth required schools to be walkable for students. Mayor Davis said it did.

Bob Fireovid, 114 Julian Court, asked where the first 2,899 units would be placed. He asked what the City would be left with in the event that the conditions were not met that would permit the construction of the new units. Patti Shwayder, Senior Vice President, AIMCO, said they had not addressed the phasing plan yet but would do so at the Detailed Site Plan (DSP) stage.

Mr. Putens said he would like to have a “worst case plan” for what would happen if the conditions were not met for the new construction. Ms. Shwayder responded that their only plan was the one being reviewed and that they fully intended to complete it by working with City staff to meet all the conditions.

Mr. Roberts questioned the wording of condition #25, which he said he thought would allow the school system to send students outside the development. The Mayor said she was willing to consider language that would make it clear that any schools had to be in the City, but she said limiting it to the Springhill Lake development was too restrictive. Ms. Mach said she thought this discussion was premature and would be better held when it had been determined what exactly the needs were. She said that was the reason the task force was being set up. The Mayor concurred and added that the City ultimately would have to approve the school plan anyway. Ms. Craze said staff would work further with AIMCO on clarifying this language.

Lowell Owens, 119 Northway, spoke on behalf of Citizens to Conserve and Restore Indian Creek (CCRIC) to encourage green building. Ms. Hruby said this had been discussed on a number of occasions with AIMCO and that there was a condition that they address it at the DSP level.

Bill Orleans, who indicated that he lived in Greenbelt, returned to the issue of what would be built first and said he did not think there should be any approval of the plan until that was known.

Mr. Putens said he wanted to stress that AIMCO could not be held responsible for solving the entire problem of the school facility needs for Greenbelt West. He said that was why the task force was needed.

Mr. Herling commended conditions #34 and 35 on transportation.

Mr. Roberts said the criteria were still not being met for three competition-sized ball fields and that without them the increased population of this area would stress other City facilities, in addition to not providing adequately for the Greenbelt West population. He said the City had agreed to an increase in density in exchange for open space for ball fields, but AIMCO was not meeting the commitment. Ms. Craze replied that the City Council had agreed in May to allow Parcel R to fulfill the condition for one of the fields. She said the conditions for the ball fields and for a 20,000 square-foot City recreation facility were performance conditions and were not expressed in terms of specified land-area or dollar value. Mr. Roberts said he had objected to Parcel R before and still did. He said a community that does not meet recreational needs and has no walkable schools does not meet any possible definition of Smart Growth. The Mayor replied that she thought the revisions to the plan continued to move in the right direction.

Mr. Herling raised again the question of whether locating the two fields in the southwest corner to make them accessible to Beltway Plaza and the South Core of Greenbelt Station was preferable to locating them more centrally in Springhill Lake.

Mr. Fireovid commended the staff and AIMCO on an improved plan but said he still had a number of concerns, including the extent to which the “for sale” units would be owner-occupied rather than rented by absentee landlords and, most importantly, the need for a central community school. He asked what guarantees the City had that various commitments would be kept. The Mayor replied that the City has no direct control over many of these things, since it lacks planning and zoning authority and since the County School Board will ultimately decide the location of the schools. She said the City is providing conditions that it intends to have attached to any County Planning Board approval. Ms. Craze added that the conditions are structured such that if they are not met, the new development will fall off the table.

2007 LEGISLATIVE PROGRAM : Mayor Davis read the agenda comments. She noted that much of the 2007 program was similar to that of 2006 and asked Mr. Moran to highlight what was new. He noted a bond bill to aid in the renovation of the theater building. It was pointed out that since electrical aggregation has been taken up as an initiative by the Maryland Municipal League this year, it could be removed from Greenbelt’s list for the time being. The Mayor suggested adding parenthetical mention on items picked up by other organizations that originated with Greenbelt. Mr. Putens moved Council approval of the program. Ms. Mach seconded the motion, which carried 5-0.

MEETINGS : Council reviewed the meeting schedule. It was agreed to add discussion of the energy performance project to the agenda of the November 15 executive session. It was agreed to schedule an executive session at 8 p.m. on Monday, November 20, with the organization that operates the adult day care center; the public work session scheduled for that night would then be held following the executive session.

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 November 13, 2006, at 11:10 p.m.

Respectfully submitted,
Kathleen Gallagher
City Clerk

"I hereby the 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 13, 2006.

Judith F. Davis
Mayor