

REGULAR MEETING OF THE GREENBELT CITY COUNCIL held Monday, February 8, 2016.

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

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

ALSO PRESENT were Michael McLaughlin, City Manager; David Moran, Assistant City Manager; John Shay, City Solicitor; and Cindy Murray, City Clerk.

Mayor Jordan asked for a moment of silence in memory of former residents Esther Yalowitz and Kathleen McKinney Pantano. Mr. Putens then led the pledge of allegiance to the flag.

APPROVAL OF CONSENT AGENDA: Mr. Putens moved that the consent agenda be approved. Ms. Pope seconded. The motion passed 7-0.

Council thereby took the following actions:

Minutes:

Work Session, December 2, 2015  
Work Session, December 16, 2015  
Regular Meeting, January 11, 2016  
Work Session, January 13, 2016  
Approved as presented.

Committee Reports: Council accepted the Community Relations Advisory Board, Report #2016-1 (Preservation & Maintenance of the Turner Family Cemetery) and will consider it on the agenda of a future meeting.

Park and Recreation Advisory Board, Report #2016-1 (Recognition Group Application): Council granted Recognition Group status to the Boys to Men Mentoring Network of Greater Washington.

Reappointment to Advisory Group: Council reappointed Kevin Hammett to a new term on the Community Relations Advisory Board.

Appointment to the Greenbelt Green Team: Council appointed Margaret Cahalan as a member of the Greenbelt Green Team.

APPROVAL OF AGENDA: It was moved by Ms. Pope and seconded by Mr. Putens that the agenda be approved. The motion passed 7-0.

PRESENTATIONS:

Anacostia Trails Heritage Area Update: Aaron Marcavitch, Executive Director of the Anacostia Trails Heritage Area (ATHA), provided an update on the organization. He said that ATHA's current area of focus is on bikes and trails and hopes to have 2017 designated as "Year of the Bike."

Mr. Marcavitch described the Heritage Center Project which will create ATHA’s permanent home in the new Pyramid Atlantic Art Center in Hyattsville and provide space to serve as a welcoming center for visitors. He spoke about the Heritage Center Fund which will support the design and implementation of exhibits and visitor amenities, and said ATHA was seeking a contribution from each of its member communities during the next fiscal year for the fund.

Council thanked Mr. Marcavitch for the update.

PETITIONS AND REQUESTS:

Bill Orleans, Greenbelt, inquired about past executive sessions of Council regarding annexation and acquisition of property. Mr. Shay stated that Council had held these meetings in accordance with State law.

Bill Norwood, 6-B Parkway, presented a petition requesting improved street lighting along Greenbelt Road. (Copy of petition attached to minutes) Mr. McLaughlin said he would forward the request to the State Highway Administration since Greenbelt Road is a state highway.

Ms. Mach read a petition from Elizabeth Barber, 16-Z-1 Ridge Road, requesting use of an abandoned newspaper box on Southway to place magazines for use by patrons at the bus stop. (Copy of petition attached to minutes) Council referred the petition to the Arts Advisory Board and Community Relations Advisory Board for review.

MINUTES OF COUNCIL MEETINGS:

Statement for the Record – Executive Session of February 3, 2016: Ms. Davis moved that in accordance with the General Provisions Article, Section 3-306(c)(2) of the *Annotated Code of Public General Laws of Maryland*, the minutes of tonight’s meeting reflect that Council met in executive session on Wednesday, February 3, 2016, at 7:05 p.m. in Room 201 of the Community Center. Council held this closed meeting in accordance with the General Provisions Article, §3-305(b)(4) of the *Annotated Code of Public General Laws of Maryland*, to consider a matter that concerns a proposal for a business to locate in the State.

Vote to close session:

	Yes	No	Abstain	Absent
Ms. Davis	X			
Mr. Herling	X			
Ms. Mach	X			
Ms. Pope	X			
Mr. Putens	X			
Mr. Roberts		X		
Mayor Jordan	X			

The following staff members were in attendance: Michael McLaughlin, City Manager, and Cindy Murray, City Clerk.

Other individuals in attendance: County Council Member Todd Turner; Garth Beall and Paul Summers, Renard Development; and David Iannucci, Prince George's County.

Council took no actions during this session.

Mr. Pope seconded.

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

#### ADMINISTRATIVE REPORTS:

Mr. McLaughlin announced that Wi-Fi access is now available in the Council Room. He also announced the following upcoming hearings: 1) WMATA public hearing on February 23 at 7:00 p.m. at the Greenbelt Marriott regarding the proposed changes to facilities at Greenbelt Metro Station as part of the proposed development project; and 2) County Executive Rushern Baker's public hearing/listening session on the budget tomorrow at 7:00 p.m. at Laurel High School.

Ms. Davis said several members of the Greenbelt East Advisory Coalition asked about getting pole identifiers for fire hydrants in their neighborhoods so the hydrants can be easily located in heavy snow. Mr. McLaughlin said staff would check on the availability of the pole identifiers. He noted that installation of the pole identifiers on private property would likely have to be done by the homeowner association.

Council congratulated Dr. Caitlin McGrath, Executive Director of Old Greenbelt Theatre, for being recognized as one of the Forty Under 40 honorees by the Prince George's County Social Innovation Fund.

COMMITTEE REPORTS: None

#### LEGISLATION:

Purchase of 10-A Crescent Road to Become Part of the Greenbelt Museum: Mayor Jordan read the agenda comments.

Mayor Jordan explained that Council authorized the acquisition of 10-A Crescent Road for Greenbelt Museum purposes at its last meeting and now needs to decide whether to use available City funds (cash) or to take a loan to pay for the acquisition.

Ms. Davis noted that if available funds are used for the acquisition, the funds would come from the surplus in the General Fund. She said if Council decides to go with a loan for the acquisition, these funds could also be used towards paying down the City's debt, paying-off or paying down the deficit in the 2001 Bond Fund, funding on-going capital projects, funding some unfunded capital projects or put towards an infrastructure reserve fund.

Ms. Pope said she supported using available funds for the acquisition and saving over \$41,000 in interest over the 10 year term of a loan. Mr. Roberts, Mr. Herling and Ms. Mach agreed. Ms. Davis said she would support the use of available funds for the acquisition but wanted to be sure the “infrastructure reserve fund” was established for the next budget cycle.

Mr. Putens indicated his support for use of a loan for the acquisition.

- A. An Ordinance of the Council of the City of Greenbelt, Maryland to Make a Supplemental Appropriation in the General Fund in the Amount of Two Hundred Thousand Dollars (\$200,000) for the Acquisition of Certain Real Property Known as 10-A Crescent Road, Greenbelt, Maryland  
- 1<sup>st</sup> Reading, Adoption

Ms. Mach introduced the ordinance for first reading.

PG/MC 111-2016: Mayor Jordan read the agenda comments.

Mr. Putens removed this item from the table. Ms. Davis seconded. The motion passed 7-0.

County Council Member Turner explained the reason for this legislation is in response to a recent court case, *Prince George’s County v. Zimmer Development Company* which found that the District Council only has appellate jurisdiction to review Planning Board decisions. This case greatly limits the 50 year old practice by the District Council of reviewing cases.

Council Member Turner said this bill would take the zoning powers of the Planning Board and Board of Appeals and vest them with the District Council. He advised that this is an effort to codify that the District Council has original jurisdiction over these matters, thus making the Planning Board subordinate to the District Council.

Celia Craze, Director of Planning and Community Development, explained that under current law, the Planning Board acts as the original review and the District Council as the appellate. She added that one of the intents to have an independent planning board is for it to serve as a nonpartisan body.

Ms. Davis moved that Council take no position on this bill but respectfully request that the City, along with other County municipalities, be included in any further discussion regarding the bill. Ms. Pope seconded.

The motion passed 7-0.

ALCOHOLIC BEVERAGE LICENSE APPLICATION – MISSION BBQ: Mayor Jordan read the agenda comments.

Doug Plain, Operating Partner for Mission BBQ Greenbelt, explained that Mission BBQ has submitted an application to the Board of License Commissioners to allow them to sell beer. He noted that beer is not one of Mission BBQ’s main focus of business and represents less than 1% of Mission BBQ total sales.

Ms. Davis moved that Council take no position on the application. Mr. Putens seconded. The motion

passed 7-0.

RED LIGHT CAMERA CONTRACT: Mayor Jordan read the agenda comments.

Captain Triesky explained the Police Department's partnership with Howard County on the red light camera program. She advised that after undertaking a Request for Proposal (RFP) process, Howard County recently awarded its red light camera contract to American Traffic Solutions. Captain Triesky said the costs of the program will increase slightly with the price per camera increasing 9% from \$2,250 to \$2,450 per month and the price for processing citations increasing 13% from \$9.75 to \$11.00 per approved citation. Howard County will also increase its charge for managing the program from \$850 to \$1,030 per month (21%). She noted these are the first program increases since 2008 and 2004, respectively.

Mr. Roberts noted his opposition to the increase in fees.

Ms. Davis moved that Council authorize the Mayor to sign the proposed agreement with American Traffic Solutions (ATS) and the Memorandum of Understanding with Howard County for the red light camera program. Mr. Putens seconded.

The motion passed 6-1. (Roberts)

CONDITIONAL APPROVAL OF PERMIT APPLICATIONS FOR GREENBELT LAKE FOREBAY DREDGING PROJECTS: Mayor Jordan read the agenda comments.

Terri Hruby, Assistant Director of Planning, explained that the project, which will be fully funded by the County's Stormwater fee, will assist the County in meeting its Environmental Protection Agency pollutant reduction goals while improving the overall water quality of Greenbelt Lake. She said the dredging of the forebays is an unfunded capital project, and has been identified by two City environmental consultants as needed to address the sediment loads within the forebays and to restore the functionality of the forebays.

Mr. Putens moved that Council: 1) approve conditional support for the submittal of the Maryland Department of Environment permit application and the sediment erosion control plans to the Soil Conservation District for the forebay dredging projects; and 2) refer the projects to the Greenbelt Advisory Committee on Environmental Sustainability and the Park and Recreation Advisory Board for review and request reports be submitted back to Council within 30 days. Ms. Pope seconded.

Mr. Roberts expressed concern that funding the project through the County Stormwater fee is not appropriate. He said the fees should be used for retrofitting projects and not dredging projects. Ms. Pope asked staff to determine how much the dredging project would cost if the City had to assume the entire cost.

Ms. Hruby noted that final plans for the project will be brought back to Council for approval.

The motion passed 7-0.

GREENBELT STATION SOUTH CORE – PHASE 3 DETAILED SITE PLAN: Mayor Jordan read the agenda comments.

Jessica Bellah, Community Planner, explained that the Maryland-National Capital Park and Planning Commission (M-NCPPC) has referred the Greenbelt Station South Core Phase Three (3) Detailed Site Plan (DSP) 13045 to the City for review and comment. This case is scheduled for review at the Planning Board level and a hearing date has been set for February 25, 2016. M-NCPPC has requested that the City provide their comments for inclusion in the case record. As outlined in the Development Agreement, the city is afforded approval authority of detailed site plans and the applicant is required to obtain the city's approval for DSP-13045.

Ms. Bellah advised that staff has reviewed the DSP, landscape plan and architectural plan proposed in Phase 3 and has recommended forty-five (45) conditions of approval. Norman Rivera and Justin Frye, Woodlawn Development Group (WDG), said WDG has agreed to incorporate thirty-five (35) of the staff recommended conditions prior to plan certification.

Celia Craze, Director of Planning & Community Development, Ms. Bellah, Norman Rivera, Justin Frye and Council reviewed each of the conditions of approval as indicated in Ms. Bellah's memorandums of February 4, 2016, and February 8, 2016.

Mr. Putens moved that Council approve removal of the pedestrian overpass from the plans in its entirety. Ms. Davis seconded. The motion passed 7-0.

Ms. Craze expressed concern that WDG had publicly stated that the cost for the construction of the WMATA trail would be offset by its costs for providing the shuttle. Although, this had been previously expressed by Woodlawn, Mr. Rivera and Mr. Frye said they were committed by the Development Agreement to funding the construction of the WMATA trail for the full amount.

After discussion, Council directed City staff to continue to work with WDG and seek resolution to the remaining unresolved conditions.

Ms. Davis moved that Council table this item to the next meeting. Mr. Herling seconded. The motion passed 7-0.

#### STATE LEGISLATION:

HB 435 – Electric Companies - Vegetation Management: Mayor Jordan read the agenda comments.

Ms. Davis moved that Council support HB 435. Ms. Mach seconded.

Mr. Roberts noted his concern that the bill states that if an agreement cannot be reached within one year after the electric company contacts the county or municipality, the electric company may perform the proposed work. After discussion, Ms. Davis amended her motion to include Council support of the bill with an amendment that "Section 7-213(e)(4)(III)" be removed. Ms. Mach accepted the amendment.

The motion passed 7-0.

SB 367 – Redeemable Container and Litter Reduction Program: Mayor Jordan read the agenda comments.

Ms. Mach moved that Council support SB 367. Mr. Herling seconded.

After discussion, Ms. Mach moved that the following amendments be included in Council's support: removal of time limit from Section 9-1737(D)(1); and 2) addition of "if a redemption center is placed in a municipality, then the municipality should receive the funds." Mr. Herling agreed to the amendments.

The motion passed 7-0.

PG 418 – County Prohibition on Disposable Bags: Mayor Jordan read the agenda comments.

Ms. Davis moved that Council support PG 418. Mr. Herling seconded. The motion passed 7-0.

PG/MC 109 – Extraordinary Development District: Mayor Jordan read the agenda comments.

Ms. Davis moved that Council support PG/MC 109 with an amendment that Section 12-210(a)(3)(III)(2) state "in consultation with district where the TIF agreement is located." Ms. Mach seconded.

The motion passed 6-1. (Roberts) Mr. Roberts said developers should pay for all site improvements.

COUNCIL REPORTS: Councilmembers commented on their attendance at the following events.

Metropolitan Washington Council of Governments (COG) Chesapeake Bay Policy Committee  
Legislative Conference Calls – Ms. Davis  
Art Critique Group's Reception for Artistry by 3 – Ms. Davis  
Maryland Local Leaders Legislative Briefing sponsored by Smart Growth America and 100 Friends  
of MD – Ms. Davis  
Maryland Municipal League (MML) Legislative Committee Meeting – Ms. Davis  
Maryland Mayors Association Luncheon – Mayor Jordan and Ms. Davis  
Electronics Recycling – Ms. Davis  
Artful Afternoon – Ms. Davis  
Girl Scout Troop 27 Citizenship Presentation – Mayor Jordan and Ms. Davis  
Friends of the New Deal Café Arts Opening Reception – Mayor Jordan and Ms. Davis  
Prince George's County Delegation Hearing on PG/MC 117 – Mayor Jordan and Ms. Davis  
Maryland Mayors Association Conference – Mayor Jordan

Mayor Jordan announced that many programs and events are scheduled this month in honor of Black History Month.

MEETINGS: Council reviewed the upcoming meeting schedule.

ADJOURNMENT: Ms. Mach moved to adjourn the meeting. Mr. Putens seconded. The motion passed 7-0.

Mayor Jordan adjourned the regular meeting of Monday, February 8, 2016, at 12:28 a.m.

Respectfully submitted,

Cindy Murray  
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 February 8, 2016."

Emmett V. Jordan  
Mayor