

REGULAR MEETING OF THE GREENBELT CITY COUNCIL held Monday, June 20, 2011.

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

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

ALSO PRESENT were Michael McLaughlin, City Manager; David E. Moran, Assistant City Manager; Robert Manzi, City Solicitor; and Cindy Murray, City Clerk.

Mayor Davis asked for a moment of silence in memory of Greenbelt resident Dorothy Pyles and former Greenbelt resident Robert Dredger Sr. She then led the pledge of allegiance to the flag.

CONSENT AGENDA: It was moved by Ms. Pope and seconded by Mr. Putens that the consent agenda be approved. The motion passed 6-0.

Council thereby took the following action:

COMMITTEE REPORTS:

Advisory Committee on Education, Report #2011-3 (Restructuring the ACE Science Club): Council accepted the report and will consider it on the agenda of a future meeting.

Community Relations Advisory Board, Report #2011-2 (Smoking in Roosevelt Center): Council accepted the report and will consider it on the agenda of a future meeting.

Forest Preserve Advisory Board, Report #2011-1 (Forest Preserve Signage): Council accepted the report and will consider it on the agenda of the July 11 meeting.

Forest Preserve Advisory Board, Report #2011-3 (Naming of Forest Preserve): Council accepted the report and will consider it on the agenda of the July 11 meeting.

Greenbelt Middle School Task Force, Report #2011-1 (Report to Council): Council accepted the report and will consider it on the agenda of a future meeting.

Greenbelt Middle School Task Force, Report #2011-2 (Request for Communication to the Superintendent of Prince George's County Public Schools): Council accepted the report and will consider it on the agenda later this meeting.

RECOVERY ACT: EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) FORMULA PROGRAM AWARD: Council approved use of the 2011 JAG grant award to purchase Panasonic Toughbook laptop computers.

RESIGNATIONS FROM ADVISORY GROUPS: Council accepted the resignation of Tim Overby from the Public Safety Advisory Group and removed Ava Williams as a member of the Youth Advisory Committee.

APPROVAL OF AGENDA: Mayor Davis asked to special order Items #19, “Greenbelt Middle School Task Force, Report #2011-2” and #20 “Request from Prince George’s Peace and Justice Coalition”, as Items #12 and 13. With this change, it was moved by Mr. Putens and seconded by Ms. Pope that the agenda be approved. The motion passed 7-0.

PRESENTATIONS:

Park and Recreation Month - Proclamation: Mayor Davis read a proclamation to recognize July as Park and Recreation Month, which was received by Julie McHale, Director of Recreation. Ms. McHale gave an overview of this year’s summer recreation camps and programs.

PETITIONS AND REQUESTS:

David Lange, Chair of Greenbelt Middle School Task Force (GMSTF), and members Barbara Simon and Bea Rodgers presented Council with a formal copy of the GMSTF report signed by all members. Mr. Lange thanked staff, especially Joe McNeal and Celeste May, for their help with preparation of the report. Council thanked the GMSTF for their work and said they looked forward to meeting with them at the work session on July 13 to discuss the report.

Doug Love, 3-D Plateau, representing the Prince George’s County Peace and Justice Coalition, provided an update on the success of peace month activities in Greenbelt.

Tony Langbein and David Abraham, members of Maryland United for Peace and Justice (MUPJ), explained that one of the main concerns of MUPJ is election campaign contributions by corporations, which they believe can determine elections and influence government. They said MUPJ is requesting Congress pass a Constitutional amendment that overturns the Supreme Court decision on the “Citizens United” case that would address this concern. Mr. Langbein asked Council to support their request.

MINUTES OF COUNCIL MEETINGS: None

ADMINISTRATIVE REPORTS: None

COUNCIL REPORTS:

Mr. Jordan commented on the Non-Profit Roundtable of Greater Washington meeting, the Building Successful Collaborations meeting with County Executive Baker, the Greenbelt Access Television Board meeting and the Council of Governments Region Forward meeting.

Mr. Putens and Ms. Pope noted their attendance at the National League of Cities Small Cities meeting.

Mr. Herling commented on the Arts Advisory Board meeting and the Transit Riders United of Greenbelt meeting.

Ms. Mach reported she had attended the Prince George’s Elected Municipal Womens meeting with Mayor Davis, the Maryland National Capital Park and Planning Commission Sector Plan workshop with Mr. Jordan, The PlanMaryland meeting at the University of Maryland with Mayor Davis and Mr. Jordan, the Franklin Park Farmers Market with Mayor Davis, and the Green Chapel dedication at Mowatt United Methodist Church with Mayor Davis and Mr. Jordan.

Mayor Davis commented on the following meetings and events: COG Board of Directors meeting, the COG National Capital Region Emergency Preparedness Council meeting, the COG Chesapeake Bay Policy Committee meeting, County Councilmember Turner's luncheon for senior citizens, the Blue Ribbon Commission on Transportation funding meeting, the installation of officers for Greenbelt American Legion Post #136, the Springhill Lake Elementary School awards presentation for "Most Improved Students", and the Greenbelt Elementary School 6th Grade celebration. She also noted her attendance at the Greenbelt Lions Club service award presentation to Hank Irving with Mr. Herling, and the farewell picnic for Edmonston Mayor Adam Ortiz with Ms. Mach. Mayor Davis mentioned she had reviewed scholarship applications received by Delegate Anne Healey.

COMMITTEE REPORTS: None

GREENBELT MIDDLE SCHOOL TASK FORCE, REPORT #2011-2 (REQUEST FOR COMMUNICATION TO THE SUPERINTENDENT OF PRINCE GEORGE'S COUNTY PUBLIC SCHOOLS)

Mayor Davis read the agenda comments. Ms. Mach moved that Council send a non-committal letter to Dr. Hite, Superintendent of Prince George's County Public Schools, expressing its interest in the future use of the Greenbelt Middle School. Mr. Putens seconded. The motion passed 7-0.

REQUEST FROM PRINCE GEORGE'S PEACE AND JUSTICE COALITION TO SUPPORT THE "FUND OUR COMMUNITIES – BRING THE WAR DOLLARS HOME" CAMPAIGN

Mayor Davis read the agenda comments. Mr. Herling moved that Council send a letter to supporting the "Fund our Communities – Bring the War Dollars Home" Campaign. Mr. Jordan seconded. The motion passed 7-0.

LEGISLATION:

An Ordinance to Amend Chapter 10 "Licenses, Permits and Miscellaneous Business Regulations" of the Greenbelt City Code to Add a New Article VI Entitled "Notice of Foreclosure on Residential Property" to Require Notice be Given to the City When an Order to Docket or a Complaint to Foreclose a Mortgage or Deed of Trust is Filed on a Residential Property as Defined, and to Provide a Penalty for the Failure to Comply

Mayor Davis read the agenda comments. Ms. Pope introduced the ordinance for second reading and moved that it be adopted. Mr. Putens seconded the motion.

There was discussion regarding enforcement for non-compliance with the new legislation. Mr. Manzi noted enforcement will be difficult, but said the City of College Park had found word spread very quickly within realty and mortgage companies working in the city after they enacted similar legislation.

Mr. Orleans asked and was provided answers to several questions regarding the ordinance.

ROLL CALL: Mr. Herling - yes
Mr. Jordan - yes

Ms. Mach	-	yes
Ms. Pope	-	yes
Mr. Putens	-	yes
Mr. Roberts	-	yes
Mayor Davis	-	yes

The ordinance was declared adopted (Ordinance No. 1309, Book 12).

An Ordinance to Authorize and Empower the City of Greenbelt, Maryland, From Time to Time, to Borrow Not More than Three Million Nine Hundred Fifty Thousand Dollars (\$3,950,000) for the Public Purpose of Refunding the Outstanding Principal Amount of the City's Public Improvement and Refunding Bonds of 2002 and to Effect Such Borrowing by the Issuance and Sale, upon Its Full Faith and Credit, of Its General Obligation Bonds in Like Par Amount Pursuant to the Authority of Section 24 of Article 31 of the Annotated Code of Maryland (2010 Replacement Volume) and Section 55 of the City Charter; Providing for the Appropriation and Disposal of the Proceeds of Sale of the Bonds; Providing for the Levy and Collection of Taxes Sufficient for the Prompt Payment of the Maturing Principal of and Interest on the Bonds; and Generally Relating to the Issuance, Sale and Payment of the Bonds

Mayor Davis read the agenda comments. Mr. Mach introduced the ordinance for second reading and moved that it be adopted. Mr. Herling seconded the motion.

Mr. Herling moved to table this agenda item while staff obtained Columbia Bank's proposal/term sheet that was inadvertently omitted from the agenda packet. The motion was seconded by Jordan. The motion was approved 7-0.

End-of-Year Budget Adjustments

A. An Ordinance to Make a Supplemental Appropriation in the General Fund for the Fiscal Year Ending June 30, 2011, in the Amount of Four Hundred Thousand Dollars (\$400,000) for Additional Expenditures Over the Appropriated Amount

Mayor Davis read the agenda comments. Mr. Putens introduced the ordinance for first reading and moved suspension of the rules in order to allow second reading and passage of the ordinance tonight. Ms. Pope seconded the motion.

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

Mr. Putens introduced the ordinance for second reading and moved that it be adopted. Ms. Pope seconded.

ROLL CALL: Mr. Herling	-	yes
Mr. Jordan	-	yes

Ms. Mach	-	yes
Ms. Pope	-	yes
Mr. Putens	-	yes
Mr. Roberts	-	yes
Mayor Davis	-	yes

The ordinance was declared adopted (Ordinance No. 1313, Book 12)

B. An Ordinance to Make a Supplemental Appropriation in the Replacement Fund for the Fiscal Year Ending June 30, 2011, in the Amount of Four Hundred Thousand Dollars (\$400,000) for Additional Replacement Fund Expenditures Over the Appropriated Amount

Mayor Davis read the agenda comments. Mr. Putens introduced the ordinance for first reading and moved suspension of the rules in order to allow second reading and passage of the ordinance tonight. Ms. Mach seconded the motion.

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

Mr. Putens introduced the ordinance for second reading and moved that it be adopted. Ms. Pope seconded the motion.

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

The ordinance was declared adopted (Ordinance No. 1314, Book 12)

C. An Ordinance to Make a Supplemental Appropriation in the Special Projects Fund for the Fiscal Year Ending June 30, 2011, in the Amount of Three Hundred Thousand Dollars (\$300,000) for Additional Expenditures Over the Appropriated Amount

Mayor Davis read the agenda comments. Mr. Putens introduced the ordinance for first reading and moved suspension of the rules in order to allow second reading and passage of the ordinance tonight. Ms. Mach seconded the motion.

ROLL CALL: Mr. Herling	-	yes
Mr. Jordan	-	yes
Ms. Mach	-	yes
Ms. Pope	-	yes

Mr. Putens - yes
Mr. Roberts - yes
Mayor Davis - yes

Mr. Putens introduced the ordinance for second reading and moved that it be adopted. Ms. Pope seconded the motion.

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

The ordinance was declared adopted (Ordinance No. 1315, Book 12)

Ms. Mach moved that Council remove Item 15 from the table. Mr. Putens seconded. The motion passed 7-0.

Mr. Putens asked several questions regarding “Other Conditions” requirement that stipulates that Columbia Bank must maintain the city’s primary accounts as a condition of the refinancing agreement. Brad Wood and Anita Martin, representatives of Columbia Bank, explained that Columbia Bank wants to be the repository for all the City as part of the agreement.

Mayor Davis, Mr. Putens, Ms. Mach, and Mr. Jordan questioned whether Columbia Bank would be willing to modify the “Other Conditions” clause, with some type of assurance/guarantee if any problems develop while maintaining the city’s primary accounts. Mr. Woods said he understood Council’s concerns, but emphasized that Greenbelt is a very high profile account with Columbia and will receive very good service.

Mr. Roberts also expressed concern regarding the requirement that City banking services must remain with Columbia as part of the agreement. However, he also stated the City should pay off the current debt and, therefore, he would be voting against the ordinance.

Mr. McLaughlin and Mr. Manzi noted that the ordinance allows for the process of refinancing the debt and, if approved, a second ordinance with the final details will be brought to Council at a future meeting. Mr. McLaughlin noted that staff would further review the proposal received from Columbia bank prior to the introduction of the second ordinance.

ROLL CALL: Mr. Herling - yes
Mr. Jordan - yes
Ms. Mach - yes
Ms. Pope - yes
Mr. Putens - yes
Mr. Roberts - no
Mayor Davis - yes

The ordinance was declared adopted (Ordinance No. 1312, Book 12).

A Resolution to Negotiate the Purchase of Facility Renovations at the Springhill Lake Recreation Center with Romero Construction Company of Rockville, Maryland at a Cost Not to Exceed Ninety Thousand Dollars (\$90,000)

Mayor Davis read the agenda comments. Mr. Jordan introduced the resolution for second reading and moved that it be adopted. Mr. Putens seconded the motion.

Ms. Mach questioned why parking lot and entry lighting were not included as part of the work. Mr. Moran noted the limited budget for the renovation work, and also explained that the project focused on things users of the facility will see the most. He added that if additional funds were received, through grants or savings opportunities, then consideration can be given to using these funds for lighting. Mr. Roberts requested that no presswood or particle board products be used for the renovation work. Mayor Davis requested all wood products used be certified as “green.”

Mr. Moran showed a video highlighting the areas at Springhill Lake Recreation Center that would be renovated as part of the project.

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

The resolution was declared adopted (Ordinance No. 1079, Book 8).

A Resolution to Repeal Resolution Number 1038 and Establish Fees and Penalties Related to the Administration and Enforcement of Chapter 4 “Buildings and Building Regulations” of the Greenbelt City Code

Mr. Putens introduced the ordinance for first reading and moved suspension of the rules in order to allow second reading and passage of the ordinance tonight. Mr. Herling seconded the motion.

Mr. Roberts stated he was opposed to an increase in the fees.

ROLL CALL:	Mr. Herling	-	yes
	Mr. Jordan	-	yes
	Ms. Mach	-	yes
	Ms. Pope	-	yes
	Mr. Putens	-	yes
	Mr. Roberts	-	no
	Mayor Davis	-	yes

Mr. Putens introduced the resolution for second reading and moved that it be adopted. Ms. Pope seconded the motion.

ROLL CALL: Mr. Herling - yes
Mr. Jordan - yes
Ms. Mach - yes
Ms. Pope - yes
Mr. Putens - yes
Mr. Roberts - no
Mayor Davis - yes

The resolution was declared adopted (Resolution No. 1080, Book 8).

A Resolution to Negotiate the Purchase of Braden Field Tennis Court Resurfacing Services from Tennis Courts, Inc. of Aylett, Virginia, at a Cost of \$117,868

Mayor Davis read the agenda comments. Mr. Herling introduced the resolution for first reading.

A Resolution to Repeal Resolution Number 1065 and Establish Service Charges for Garbage, Trash, and Recycling Collections in the City of Greenbelt, Maryland Effective July 1, 2011

Mayor Davis read the agenda comments. Ms. Mach introduced the resolution for first reading.

BOARD OF LICENSE COMMISSIONERS PROPOSED RULE AND REGULATION #75 – ENTERTAINMENT PERMIT

Mayor Davis read the agenda comments. She noted that the proposed rules and regulations for R.R. 75 do not require notification to municipal police departments if the establishment applying for the permit is located within a municipality.

Mr. Roberts said the City should oppose R.R. No. 75 entirely. Mr. McLaughlin noted that Council had already opposed this legislation but it had passed in the General Assembly. He noted that Council was now being asked to review the proposed rules for implementation within the County.

Council also discussed R.R. No. 76 regarding County rules and regulations for the delivery of alcoholic beverage off premises of licensed establishments.

Ms. Mach moved that Council send a letter noting its opposition of R.R. Nos. 75 and 76. She also moved that the letter state the rules and regulations for R.R. No. 75 must require notification to municipal police departments if the establishment applying for an Entertainment Permit is located within a municipality. The motion passed 7-0.

Mayor Davis requested Chief Craze or a member of the Police Command staff to be present at the Liquor Board hearing on June 28, 2011, and explain Council's opposition. Mr. Manzi commented that the City of Laurel is also opposing R.R. Nos. 75 and 76 and their Police Chief will be present at the hearing.

Mr. Putens and Ms. Pope expressed concern regarding the safety of the employees of Joe's Crab Shack who are required by the management to park on the upper deck of the parking garage to allow customers to use the parking spaces close to the establishment. Mr. Putens added that Joe's Crab Shack is open until 2 a.m. Mr. McLaughlin said he will notify the Police Department of this concern.

MARYLAND MUNICIPAL LEAGUE 2012 LEGISLATIVE ACTION REQUESTS

Mayor Davis read the agenda comments.

Council noted the Maryland Municipal League (MML) was again focusing on municipal funding issues, particularly the restoration of Highway User Revenues. After discussion, Council did not recommend any items to include on the legislative action request.

Ms. Mach suggested the City's legislative program be revised to request a change in policy regarding traffic noise barriers. She noted determination for placement should be based on the levels of noise.

GREENBELT VOLUNTEER FIRE DEPARTMENT & RESCUE SQUAD GENERATOR

Ms. Pope moved that Council authorize the City Manager to work with the County Fire Department to have an 80KW generator installed at the Greenbelt Firehouse with the City contributing \$14,700 towards the cost. Mr. Herling seconded. The motion passed 7-0.

Ms. Mach noted a need for a memorandum of understanding with the Greenbelt Firehouse regarding the City usage of the building for emergency situations.

REDISTRICTING – COUNTY COUNCIL AND CONGRESSIONAL DISTRICTS

Mr. Putens moved that Council send a formal letter to our State Delegation with copies to Congressman Hoyer and Governor O'Malley indicating the City's desire to remain in the 5th Congressional District. Mr. Herling seconded. The motion passed 7-0.

Mr. Putens moved that Council send a letter to the County Redistricting Commission requesting that district lines respect municipal boundaries, and that Greenbelt Park in its entirety be included within Greenbelt's district. Ms. Pope seconded. The motion passed 7-0.

OTHER REPORTS: Council provided information from the following meetings they had recently attended.

Mr. Roberts – Council of Governments (COG) Transportation Planning Board Meeting

Ms. Mach – National League of Cities Human Development Steering Committee Meeting

Mayor Davis – COG Board of Directors Meeting and Attorney General Gansler's Meeting with Mayors.

MEETINGS: Council reviewed the upcoming meeting schedule.

ADJOURNMENT: A motion to adjourn the regular meeting was made by Ms. Mach and seconded by Mr. Putens. The motion passed 7-0.

Mayor Davis adjourned the regular meeting of Monday, June 20, 2011, at 11:07 p.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 June 20, 2011."

Judith F. Davis
Mayor