

REGULAR MEETING OF THE GREENBELT CITY COUNCIL held Monday, October 10, 2011.

Mayor Davis called the meeting to order at 8:05 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; John Shay, City Solicitor; and Cindy Murray, City Clerk.

Mayor Davis asked for a moment of silence in memory of Greenbelt residents Stephen Opsasnick, Alfred Wildoner and Mathew Amberg, and former residents Helene Slaughter and Sidney Bronstein. She then led the pledge of allegiance to the flag.

CONSENT AGENDA: It was moved by Mr. Putens and seconded by Mr. Jordan that the consent agenda be approved. The motion passed 7-0.

Council thereby took the following actions:

PROPOSED ELIMINATION OF METROBUS R3 ROUTE: Council approved sending a letter to Washington Metropolitan Area Transit Authority (WMATA) noting the concerns raised by staff regarding the elimination of the Metrobus R3 route, particularly the loss of service between the Archives and Greenbelt Station and request that WMATA consider alternative proposals that will maintain transit service through this corridor.

CONGRESSIONAL REDISTRICTING: Council approved support of Governor O'Malley's proposal for redistricting for Congressional elections which will keep Greenbelt in Congressman Hoyer's district.

APPOINTMENTS TO ADVISORY GROUPS: Council appointed Matt Dirksen to the Greenbelt Advisory Committee on Environmental Sustainability and Jeff Lemieux to the Advisory Planning Board.

RESIGNATION FROM ADVISORY GROUP: Council accepted the resignation of Laurretta Baugh from the Advisory Committee on Education.

APPROVAL OF AGENDA: Ms. Mach moved that "Letter to Prince George's County Public Schools Superintendent Regarding Greenbelt Middle School" be added in special order on the agenda as Item #14. Mr. Jordan seconded. The motion passed 7-0.

With this change, it was moved by Mr. Putens and seconded by Ms. Pope that the agenda be approved.

PRESENTATIONS: None

PETITIONS AND REQUESTS:

Mr. Orleans, Greenbelt, reported on the proposed elimination of the R3 Metrobus Route. Mayor Davis said Council had addressed this issue on the consent agenda and would be sending a letter to WMATA indicating its concerns.

MINUTES OF COUNCIL MEETINGS: None

ADMINISTRATIVE REPORTS:

Mr. McLaughlin announced that FallFest would be held this Saturday at Schrom Hills Park. Ms. Murray gave an update on early voting dates and locations.

COUNCIL REPORTS:

Ms. Mach commented on the Artful Afternoon “Cry of the Mountain” program, the Walk to School Day which was also attended by Mayor Davis, and the Greenbelt Homes annual picnic which was attended by all of Council. She also mentioned she had participated in the Judicial Ride-Along Program which featured Maryland’s Problem-Solving Courts.

Mr. Jordan reported on the Washington Suburban Sanitary Commission tour of the pumping station at Greenbriar, which was also attended by Mr. Herling, Ms. Mach and Mayor Davis.

Mayor Davis commented on the Prince George’s County Beautification awards ceremony and the Town of University Park 75<sup>th</sup> Anniversary event.

COMMITTEE REPORTS: None

LEGISLATION:

A Resolution to Amend Resolution 1084, a Resolution to Purchase Certain Goods and Services from Various Vendors as Enumerated Herein When Total Fiscal Year Purchases from Each Vendor Exceed Ten Thousand Dollars

Mayor Davis read the agenda comments.

There was discussion regarding the use of temporary labor from M.L.F. Labor Finders to fill a vacant position on the Building Maintenance Crew as well as temporary labor to supplement the Refuse/Recycling crew due to an extended absence of personnel. Mr. McLaughlin reported that the City currently pays M.L.F. Labor Finders \$15.31 an hour per employee but the employee is only compensated \$8 an hour from M.L.F., which is below the City’s livable wage policy. Therefore, he advised staff would be moving forward with hiring part-time temporary non-classified employees in place of contracting with a temporary labor service. He added that expenditures to date to M.L.F. were approximately \$10,000.

Mr. Roberts moved that M.L.F. Labor Finders be removed from the resolution. Mr. Jordan seconded. Mr. Jordan then withdrew his second. The motion to remove M.L.F. Labor Finders from the resolution failed.

Ms. Mach moved the resolution be introduced for second reading and adoption. Mr. Putens seconded.

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. 1085, Book 12).

Mr. Putens moved the City discontinue the employment of temporary labor services from M.L.F. by November 15, 2011. Mr. Herling seconded. The motion passed 6-1. (Roberts)

A Resolution to Amend Resolution 1052 and to Provide for the Number of Judges and Clerks of Election, Their Rate of Compensation, and the Rate of Compensation to be Paid to the Chairperson and Members of the Board of Elections for the 2011 Regular Election

Mr. Jordan moved the resolution be introduced for second reading and adoption. 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 resolution was declared adopted (Resolution No. 1086, Book 12).

GREENBELT FARMER'S MARKET (GFM) – REQUEST FOR PERMISSION FOR WINE SALES:

Mayor Davis read the agenda comments.

Joseph Gareri, Vice President of Greenbelt Farmer's Market (GFM), explained that GFM was seeking Council's permission to allow Maryland wine vendors to offer wine tastings, but if that did not meet with the Council's approval they would like consideration of allowing wineries to sell unopened bottles of wine.

Mayor Davis said, if wine sales were approved, wine vendors must require identification from anyone purchasing bottles of wine to establish they meet the State age requirement for the purchase of alcohol.

Mr. Roberts said he would not support the wine tastings or the sale of wine on City property. He noted that allowing the wine tastings would be in violation of City Code Section 12-48 which prohibits the possession of any opened or partially consumed container of any alcoholic beverage in parks, playgrounds or public parking area. Mr. Roberts noted this had been included in the Code for a reason and should not be changed.

Mr. Putens moved Council approve the sale of unopened bottles of Maryland wines at GFM with the requirement that vendors must request identification from all purchasers of wine to establish they were of age. Mr. Jordan seconded.

Mr. Herling and Ms. Pope said they were not opposed to allowing wine tastings at the GFM and suggested a change to City Code Section 12-48 be considered in the future. After further discussion, it was recommended a public hearing on wine tastings would be an appropriate second step prior to Council taking any further action.

Mr. Putens called the question. Ms. Mach seconded. The motion passed 7-0.

The motion passed 6-1. (Roberts)

LETTER TO PRINCE GEORGE'S COUNTY PUBLIC SCHOOLS SUPERINTENDENT  
REGARDING GREENBELT MIDDLE SCHOOL

Ms. Mach reported that Council held a work session on October 3, 2011, regarding the future of Greenbelt Middle School (GMS) and representatives of Prince George's County Public Schools (PGCPS) announced at the meeting that PGCPS planned to retain GMS once the building was vacated. Ms. Mach said in light of this information, David Lange, Chair of the Greenbelt Middle School Task Force (GMSTF), has requested the City send a letter to Dr. Hite, PGCPS Superintendent, requesting clarification of future plans.

Mr. Lange presented a proposed draft letter to be sent to Dr. Hite. After discussion, Council recommended the following requests be included in the proposed letter: request that a wide range of services be offered at GMS to students and families in the area and request a schedule regarding the disposition of GMS. Council also recommended the following questions be included:

1. Is a long term lease available for part or all of the GMS Building to meet the City's needs?
2. Will the City be able to identify those portions of the old GMS building that it wishes to lease?
3. Would building portions not selected by the City or otherwise utilized by PGCPS be demolished or maintained by the PGCPS?
4. What monies are available and will be used for GMS renovations? If there is a shortfall in funding, what are the plans for completing renovation?
5. Would the City have first priority for selecting the building portions for its use to provide community services?

Carmen Jackson Brown, PGCPS, and Peggy Higgins, Prince George's County School Board, answered several questions presented by Council. They encouraged Council to send a letter to Dr. Hite for clarification to some of the issues at hand.

Ms. Mach moved the Council send a letter to Dr. Hite noting the requests and questions identified this evening. Mr. Herling seconded. The motion passed 7-0.

Ms. Higgins announced that PGCPS plans to consolidate bus lots within the County in the future, first to six lots and later to only three lots. She said the Greenbelt Bus Lot is not considered large enough in these future plans, as there was no space to expand the lot size.

Mayor Davis moved to special order "County Legislation – Fire Commission" as the next item of business. Mr. Jordan seconded. The motion passed 7-0.

## COUNTY LEGISLATION – FIRE COMMISSION

Mayor Davis read the agenda comments.

Kenneth Stair, President of the Greenbelt Volunteer Fire Department and Rescue Squad, requested Council oppose CB-45, an Executive Order reorganizing the Fire Commission, and CB-60, legislation that modifies the Fire Commission's membership and duties. He explained that the County's current Fire Commission is composed of nine members elected annually by the County's volunteer fire companies and is responsible for formulating the capital budget, capital improvement program and current expense budget for the volunteer fire companies and submits these to the County Executive. Mr. Stair advised that approval of CB-45 would replace the current commission structure with a nine member commission (three active volunteers, three active employees of the County Fire Department and three citizens with no ties to any Fire Department) appointed by the County Executive and confirmed by the County Council. He added that CB-45 does not require a public hearing and becomes law within 60 days unless the County Council votes to reject it.

Mr. Stair further advised that instead of formulating volunteer company budgets, CB-60 states the Fire Commission would provide guidance and advice to the Fire Chief. Additionally, the Fire Commission currently establishes and certifies minimum qualifications for volunteer firefighters and under CB-60, the County Fire Chief would have this authority.

Chuck Walker, Vice President of Prince George's County Volunteer Fire and Rescue Association, and Vince Harrison, Vice President of Prince George's County Fire Commission, and Mr. Stair all praised the current Fire Commission and expressed concern that the proposed new appointed commission would function solely as an advisory committee to the County Fire Chief and would not be in the best interest of local volunteer fire companies.

Mr. Roberts moved that Council send a letter of opposition to CB-45 and CB-60. Mr. Putens seconded. Mr. Putens also requested the letter state a discussion between the Fire Chief and volunteers regarding the proposed changes should have occurred prior to being presented to the County Council. The motion passed 7-0.

## DRAFT CONSOLIDATED TRANSPORTATION PROGRAM, FY 2012-2017

Mayor Davis read the agenda comments.

Mr. Putens moved that Council restate last year's positions on the issues in this year's letter to the Secretary of the Maryland Department of Transportation, specifically stating the City's objection to the InterCounty Connector, the widening and extension of MD 201 and the change to the proposed ICC bus service routes to not serve Greenbelt Metro Station; and stating the City's support for the Purple Line; the full interchange at Greenbelt Metro Station; US 1 Improvement project; funding for the County's local bus program, as well as municipal transit programs; increased funding for sound barriers and the dedication of additional funds towards improving transit in the region. Ms. Mach seconded.

Mayor Davis, Mr. Jordan and Ms. Mach commented that Montgomery County receives \$3 million versus Prince George's County receiving \$550,000 to support local bus service and requested the letter also state the City's concern regarding these funding discrepancies in the Draft Consolidated Transportation Plan. Ms. Mach also requested changes to the existing guidelines for sound barrier installation be included in the letter.

The motion passed 7-0.

#### 2011 COMMUNITY QUESTIONNAIRE

Mayor Davis read the agenda comments.

After discussion, Council recommended the following changes/additions to the questionnaire:

Under General Information #7 – Change question to “Rate your top 3 modes of transportation.”

Under Public Information #7 - Include Greenbelt Patch.

Under General Comments #3 – Add suggestions for new City services.

Under General Comments – Add question “What do you think should happen to Greenbelt Middle School?”

With these changes, Mr. Putens moved Council approve the 2011 Community Questionnaire. Ms. Pope seconded. The motion passed 7-0.

#### SNOW REMOVAL – SIDEWALK PRIORITY MAP

Mayor Davis read the agenda comments.

Mr. Herling moved that Council approve the Snow Removal – Sidewalk Priority Map as proposed by staff. Ms. Mach seconded.

Mr. Putens noted that Greenbelt Homes, Inc. staff had reviewed the map and agreed to their areas of responsibility but recommended other neighborhoods/homeowners associations (HOA's) also review the map prior to Council's approval. Mayor Davis said the proposed map should indicate that HOA's are responsible for the removal of snow on walkways adjacent to their properties.

Ms. Mach withdrew her second on the original motion. Mr. Herling withdrew his motion.

Ms. Mach moved that Council direct staff to send the proposed Snow Removal – Sidewalk Priority Map to HOA's detailing both the City and HOA's areas of responsibilities. She further moved that the HOA's be asked to respond back with comments by January 1, 2012. Mr. Putens seconded. The motion passed 7-0.

OTHER REPORTS: Councilmembers reported on the following meetings they had recently attended.

Ms. Mach – Council of Governments Metropolitan Washington Air Quality Committee meeting

Mr. Jordan – National League of Cities (NLC) Community and Economic Development Committee meeting

Mayor Davis – NLC Energy, Environment and Natural Resources Committee meeting

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, October 10, 2011, at 11:23 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 October 10, 2011."

Judith F. Davis  
Mayor