

REGULAR MEETING OF THE GREENBELT CITY COUNCIL held Monday, September 26, 2011.

Mayor Davis called the meeting to order at 8:00 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 former Greenbelt residents Donna Marie Pucel and Helen Shirley Geller. She then led the pledge of allegiance to the flag.

APPROVAL OF AGENDA: Mayor Davis requested "Proposed County Council Redistricting Plans" be added to the agenda. With this addition, Mr. Putens moved the agenda be approved. Mr. Jordan seconded. The motion passed 7-0.

PRESENTATIONS:

COOPERATIVE MONTH: Mayor Davis introduced representatives from the following cooperatives: Ed James, Greenbelt Homes Inc.; Kathleen Gallagher, Greenbelt News Review; Terry Rutledge, New Deal Café; and Tom Jones, Rapidan Camps. She also noted the other Greenbelt cooperatives, Greenbelt Nursery School, Greenbelt Federal Credit Union and Greenbelt Consumers Cooperative, who were unable to attend this evening.

Mayor Davis then read a proclamation declaring October as National Cooperative Month and provided each cooperative with a copy of the proclamation.

INTRODUCTION OF NEW STAFF: Celia Craze, Director of Planning and Community Development, introduced Jaime Fearer, the new Community Planner, and Keelah Allen-Smith, the new Community Development Inspector. Council welcomed both new employees.

PETITIONS AND REQUESTS: None

MINUTES OF COUNCIL MEETINGS:

Executive Session of August 29, 2011: Mr. Jordan moved that the minutes of the executive session of the City Council held Monday, August 29, 2011, be approved as presented. He further requested that the minutes of the meeting reflect that the Council met in executive session at 8:20 p.m. in the Council Room of the Municipal Building. Council held this closed meeting in accordance with Section 10-508 (a) (3) of the State Government Article of the Annotated Code of Public General Laws of Maryland to consider the acquisition of real property (Greenbelt Middle School) for a public purpose and matters directly related thereto. 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

ADMINISTRATIVE REPORTS:

Mr. McLaughlin reported on the International City Managers Association Conference he recently attended with Mr. Moran.

Mr. Jordan expressed concern about the appearance of the former variety store space at Roosevelt Center and requested Code Enforcement check on the situation. He also requested the Arts Advisory Board research and identify sites for public arts displays.

COUNCIL REPORTS:

Ms. Mach commented on her attendance at the National Public Lands Day event with Mr. Jordan and Mayor Davis, the 20th Anniversary of the Greenbelt Aquatic and Fitness Center with Mr. Herling and Mayor Davis and the Senior Citizens Open Forum with Mr. Jordan, Ms. Mach, Ms. Pope, Mr. Putens, Mr. Roberts and Mayor Davis.

Mr. Herling reported on the Prince George's Arts and Humanities Council meeting.

Mr. Putens commented on his attendance at the Green Ridge House picnic with Mr. Herling, Mr. Jordan, Mr. Roberts and Mayor Davis, and the Greenbelt East Advisory Coalition picnic with all of Council.

Mr. Jordan reported on the Council of Governments (COG) Transportation/Land-Use Connections Program's Regional Peer Exchange Network event. He also announced that he, Ms. Pope and Ms. Murray had recently graduated as fellows of the Academy for Excellence in Local Governance.

Mayor Davis commented on her attendance at the Greenbelt Sector Plan Community workshop, the Greenbelt Blues Festival with Mr. Jordan, the Greenbelt Baseball Awards ceremony with Ms. Mach, the National Public Lands Day event with Mr. Jordan and Ms. Mach, and the Greenspring Homeowners' Association Multicultural Event with Mr. Jordan and Mr. Herling, and the Public Safety Advisory Expo with Mr. Jordan, Mr. Herling, Mr. Putens and Ms. Pope.

COMMITTEE REPORTS: None

LEGISLATION:

An Ordinance to Repeal Article IV "Ethics" and Reenact Article IV "Public Ethics", of Chapter 2 "Administration" of the Greenbelt City Code

Mayor Davis read the agenda comments.

Mr. Manzi noted the reference sections in the following areas of the proposed document needed to be revised:

Section 2-111 Financial Disclosure – Elected Officials, Appointed Officials, and Employees:

(g)(5)(ii)(c) – change reference from Section 3(d) to Section 2-108(d)

Section 2-112 Financial Disclosure – Appointed Members of Boards and Commissions: (c) - change reference from Section 2-6(c) to Section 2-111(e)

Section 2-113 Lobbying: (a) change reference from Section 2-3(1) to Section 2-108(1)

Molly Lester, 6 Hillside Road, said she was disappointed that Council did not hold public hearings on the proposed changes to the ethics regulations to gather input from residents. She also commented that she felt the City regulations should be stricter than the minimum requirements of the State. Ms. Lester also questioned the process of Council appointing members to the City's Ethics Commission and suggested members be elected by the public.

Mr. Roberts said he agreed with Ms. Lester and that more time is needed for public comment. He added the ordinance should prohibit Council from accepting any gifts from lobbyists and not just require the reporting of the gifts.

Mayor Davis advised that Council held three public meetings regarding the proposed change: a worksession on August 3; the first reading at the regular meeting on October 10; and now the second reading on the ordinance at the meeting this evening. Mr. Manzi noted that the reporting requirements set forth in this ordinance are stronger than those of the State with sections on nepotism and abuse of power having been included.

Mr. Roberts moved that Council change Section 2-110 (f) regarding the solicitation and acceptance of gifts, to state that "No gifts are allowed to be given to elected officials from registered lobbyists." Mr. Herling seconded.

There was discussion regarding the value of attending the Maryland Municipal League and other functions where considerable information is obtained. Mr. Manzi noted a key requirement of the new ordinance requires the reporting of attendance at these functions, but does not prohibit the attendance. He added that the Ethics Ordinance should be considered a "living document" and, after thorough review by the new Ethics Commission, they may suggest changes to the ordinance.

Mr. Orleans, Greenbelt, suggested Council defer further action on this item.

Noting the need to have an upgraded ethics ordinance in place for approval by the State by October 1, 2011, Mr. Putens, Ms. Mach, Mr. Jordan suggested the ordinance as proposed be approved this evening. They also suggested that once an Ethics Commission is formed, they be asked to review the ordinance and, if necessary, propose any recommendations for change. Ms. Pope agreed.

Mr. Herling withdrew his second. The motion proposed by Mr. Roberts failed.

Mr. Putens introduced for ordinance for second reading and adoption with the three corrections to the code reference sections as identified by Mr. Manzi. Ms. Mach 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 ordinance was declared adopted (Ordinance No. 1318, Book 12).

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.

Ms. Mach introduced the resolution for first reading.

Regarding the addition of M.L.F. Labor Finders (MLF) on the negotiated purchase list, Mayor Davis asked if the City was having trouble hiring personnel or was experiencing vacancies. Mr. McLaughlin explained that the FY 2012 Budget included funding for the Public Works Department to use contractual temporary labor to fill a vacant position on the Building Maintenance Crew. He added that Public Works has also found it necessary to use contract labor to supplement the Refuse/Recycling crew due to an extended absence of personnel.

Mr. Roberts expressed concern about the use of contract labor. Ms. Mach questioned whether the contractual employees were compensated in accordance with the City livable wage policy. Mr. McLaughlin said the hourly rate paid to MLF met this requirement and he would check on the actual hourly rate paid by MLF to the contract employees.

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 introduced the resolution for first reading.

FEDERAL COURTHOUSE EXPANSION – ENVIRONMENTAL ASSESSMENT

Mayor Davis read the agenda comments.

Mr. Herling moved that Council submit a letter to GSA that takes no position on the Environmental Assessment for the expansion of the U.S. District Courthouse but offers comments on the following points:

- Wetlands and Floodplains
 - Although GSA would bridge over wetlands and the stream channel and would perform wetlands restoration post construction, the staff strongly advises against utilizing Staging Area 3 in order to avoid direct wetlands impact.
- Aesthetics and Visual Resources:
 - Staff would like to review the physical design and site plans once they are available and throughout the process.
- Traffic and Transportation
 - As planning progresses, staff requests that GSA consider the following:
 - Improving the current transit/bus stop infrastructure
 - Advertising transit connections to employees and visitors
 - Compensation plans for employees who use transit or carpool
 - Providing bike lockers and showers for bicycle commuters
 - Adding pedestrian infrastructure where gaps exist, including crosswalk

improvements across Cherrywood Road

- Additional Requests
 - Federal standards for stormwater management will be applied
 - Green construction options will be considered, as well as one-for-one restoration of the tree canopy both on- and off-site
 - GSA will attempt to locate another federal agency to utilize the office space vacated by employees of the U.S. Probation and U.S. Trustees when they are relocated into the new Courthouse offices.
 - GSA will consider use of Mack Cali open land for construction staging

Ms. Pope seconded. The motion passed 7-0.

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

Mr. Herling – Prince George’s Arts and Humanities Council meeting

Ms. Mach – National League of Cities Human Development Committee meeting

Mr. Jordan – Council of Governments (COG) Region Forward Coalition meeting

Mayor Davis – COG Board of Directors meeting

PROPOSED COUNTY COUNCIL REDISTRICTING PLANS: Council discussed two recently proposed alternative county redistricting plans that would place Greenbelt Station in the district with North College Park. Noting that Council had supported an earlier proposed plan that placed Greenbelt Station in District 3, Greenbelt, Ms. Mach moved that Council oppose the new proposed plans and request that the entire City, including Greenbelt Station, be included in the same district. Mr. Herling seconded. The motion passed 7-0.

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, September 26, 2011, at 11:35 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 September 26, 2011."

Judith F. Davis
Mayor