



REGULAR MEETING OF THE GREENBELT CITY COUNCIL held November 22, 2004.

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 David E. Moran, Assistant City Manager; Robert A. Manzi, City Solicitor; and Kathleen Gallagher, City Clerk.

Mayor Davis asked for a moment of silence in honor of resident James A. Hanna and former resident Betty Lilly Wertz Schroeder. The Mayor then led the pledge of allegiance to the flag.

CONSENT AGENDA: It was moved by Mr. Putens and seconded by Mr. Herling that the consent agenda be approved as presented. The motion passed 5-0.

Council thereby took the following actions:

MINUTES OF COUNCIL MEETINGS

- Work Session, October 13, 2004
- Regular Meeting, November 8, 2004
- Work Session, November 15, 2004
- Work Session, November 17, 2004

Approved as presented.

ADOPTION OF BOARD OF APPEALS RESOLUTION ON VARIANCE APPLICATION #04-002-V: Council adopted the Board of Appeals Resolution for Variance application 04-002-V.

EMPLOYEE SPECIAL HOLIDAY: Council granted a floating holiday to employees for use during the remainder of FY 2005.

RESIGNATION FROM ADVISORY GROUP: Council accepted with regret the resignation of Esther Herold from the Senior Citizens Advisory Committee.

REAPPOINTMENT TO ADVISORY GROUP: Council appointed Danita Elkerson-Haney to a new term on the Employee Relations Board.

APPROVAL OF AGENDA: Mr. Roberts requested that Appointment to Advisory Group be added to the agenda as item #19. It was moved by Mr. Herling and seconded by Mr. Putens that the agenda be approved with that addition. The motion carried 5-0.

PRESENTATIONS

ARecycle Right@ Awards: The Mayor read the agenda comments. Neal Barnett, chair, Recycling & Environment Advisory Committee (REAC), and City staff liaison Cindy Murray presented awards for the "Win with Your Bin" contest to Jerry Bonnell for himself and family members Letty, James and Chris Bonnell, 2 Lakeside Drive; and Alan Gerring, 7127 Mathew Street. The following winners were not able to attend the meeting: Wayne Strittmatter of 57-J Ridge Road, Ann Sacclaris of 7128 Ora Glen Court, and Steven and Theresa Henderson of 1-H Laurel Hill Road. Mr. Barnett announced there is a display on recycling at the Community Center done by Ms. Murray. Mayor Davis extended thanks to the members of REAC and the staff of Public Works.

PETITIONS AND REQUESTS: None.

MINUTES OF COUNCIL MEETINGS

Executive Session of October 27, 2004: Mr. Roberts moved that the minutes of the executive session of the City Council held Wednesday, October 27, 2004, be approved as presented. He further requested that the minutes of this meeting reflect that the Council met in executive session at 8:07 p.m. in the Library of the Municipal Building. 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 advice on a legal matter related to the litigation regarding Greenbelt Station. Mr. Herling seconded the motion.

ROLL CALL: Mr. Herling - yes

Ms. Mach - yes

Mr. Putens - yes

Mr. Roberts - yes

Mayor Davis - yes

ADMINISTRATIVE REPORTS

Mr. Moran announced that the road resurfacing and crosswalk improvements on Cherrywood Lane were complete, with some work remaining to be done on the bus stops. He also said the revised playground report would be mailed out to playground owners tomorrow.

Mr. Roberts reported on the Transportation Planning Board meeting at which comments were received on the Inter-County Connector (ICC). He said the vote was not quite as bad as it appeared, since the vote to remove the ICC from the plan until after the

environmental report was available was much closer than the vote on approving the plan. He said he thought it was significant that the state appears to have backed away from any claim that the ICC will reduce congestion, instead justifying the project on the basis of economic development.

Mayor Davis announced there would be several public hearings on the draft environmental impact study for the ICC. The one to be held in Prince George's County will be held January 4, 2005, at Eleanor Roosevelt High School from 5-11 p.m., with presentation beginning at 6 p.m. and a snow date of January 10.

Mr. Herling reported on taking a bus tour of the Gateway Arts District on the Route 1 Corridor with the Arts Alliance.

In response to a question from the Mayor regarding a November 16 Mayors Meeting in Laurel about controlling newspaper vending machines, Mr. Manzi said his plan is to have a meeting with the newspaper representatives at the staff level in January and then with elected officials in February, with the goal of having an agreement or legislation in March.

Mayor Davis said all Council had attended the Prince George's County Municipal Association's Legislative Dinner on November 18; Beltway Plaza's annual holiday parade and the kick-off for the toy drive were held on November 20; and she said she would be attending the County Executive's prayer breakfast later in the week.

COMMITTEE REPORTS: None.

LEGISLATION

An Ordinance to Amend Chapter 17, ASolid Waste,@ of the Greenbelt City Code for the Purpose of Revising Section 17-43, to Limit Bags for Yard Waste Pick-Up to Paper Bags, Effective March 1, 2005

Mayor Davis read the agenda comments. Mr. Roberts introduced the ordinance for first reading. A question was raised regarding the price at which the City would sell the required bags at the Municipal Building. Mr. Moran said staff would provide that information when the ordinance returned for second reading.

Mayor Davis then read the agenda comments for the following two resolutions of negotiated purchase for services to rehabilitate windows at the Community Center:

A Resolution to Negotiate the Purchase of Services for the Rehabilitation of Windows at the Community Center with MarChuk Construction of Vienna, Virginia, at a Cost Not to Exceed \$400,000

Mr. Putens introduced the resolution for first reading.

A Resolution to Negotiate the Purchase of Architectural Services Required for the Rehabilitation of Windows at the Community Center with Vitetta Group, Inc., of Philadelphia, Pennsylvania, at a Cost Not to Exceed \$46,00

Ms. Mach introduced the resolution for first reading.

TRANSFER OF ADULT DAY CARE LEASE: Mayor Davis read the agenda comments. Present were Lenore Paris and Sandra Durham of To God Be the Glory (TGBTG); LaWonne Booker, CEO of To God Be the Glory Financial Services; Peter Roberts, Executive Director of Baptist Senior Adult Ministries (BSAM); and Mary Cloutier, an administrator with BSAM. Peter Roberts explained that BSAM is being sold to a for-profit organization that would most likely close the adult day care centers. He said they believed the proposal from TGBTG to be the best route to maintaining the services currently being provided.

Mayor Davis told Ms. Paris, Ms. Durham, and Ms. Booker that the City has been satisfied with the existing services and was glad to hear they intend to keep things generally the same. Ms. Durham and Ms. Paris stressed that they want to become quite familiar with the program as it exists before determining what else the community might need. Ms. Booker agreed, noting that one addition they did plan to make was cosmetology services for the clients. Ms. Mach encouraged synergy between the Adult Day Care Center and the other programs in the Community Center, and Mr. Herling suggested working with GATE on taped interviews

Mr. Roberts made a motion that Council authorize the transfer of the Adult Care Center lease from Baptist Senior Adult Ministries to To God Be the Glory Adult Care, Inc., contingent upon the following conditions: receipt of a copy of a license to operate a medical adult day care center from the appropriate state Department of Health and Mental Hygiene offices; proof of liability insurance; and satisfactory evidence that the executive management team operating To God Be the Glory Adult Care, Inc., has experience in the adult care field. Mr. Putens seconded the motion, which passed 5-0.

2005 LEGISLATIVE PROGRAM: Mayor Davis read the agenda comments. Mr. Putens sought assurance that the items called "Other Issues" would remain on the list, since he wanted to be sure these things remained on the radar screen. Mr. Moran said they would.

Mr. Roberts said he was in agreement with everything except requesting reallocation of the state funds awarded to the Springhill Lake Recreation Center. He said he thought the City was at risk of losing this money and that work on the project should move ahead, given the City's longstanding commitment to this project. He said the City had recently told the state that the project was underway, and the property owner (AIMCO) had not yet advanced to any substantive public or City involvement in its planning process. Mr. Moran said it was on the list only for purposes of seeking advice from the City's state delegation regarding the advisability or feasibility of requesting reallocation; if the delegation were to advise against it, the City would not pursue it. He said the goal was to determine what options exist, since, although it is not definite, it seems to be increasingly unlikely that the City will need this money for Springhill Lake. Mr. Roberts said he would not under any circumstances favor giving up City land at Springhill Lake, even if AIMCO agrees to build a new center in another location. Ms. Mach said although it was true that the City had a longstanding commitment to the project, implementing it now would be premature, given the new developments with AIMCO. Mr. Putens agreed, adding that it would not be responsible to use the taxpayers' money to pay for a project that might be accomplished with private funds. Mayor Davis agreed, saying the City

was not reneging on its promise to expand the Springhill Lake Recreation Center, just reopening the question of the best way to achieve the goal. Ms. Mach suggested modifying the language to make it clear that the goal is to discuss it with the delegation in order to review all the options, rather than suggesting that the City had made up its mind to pursue that alternative.

It was then moved by Mr. Putens and seconded by Mr. Herling that the following priorities be taken forward for discussion with the delegation as the City's legislative program for 2005, together with other information items and background material:

Three joint state/county priorities: renovation of Greenbelt Middle School; opposition to the Inter-County Connector/support for the Bi-County Transitway; and opposition to additional beltway ramps at the Greenbelt Metro station.

Two state priorities: consideration of reallocation of the Springhill Lake Recreation Center grant (\$300,000 bond bill); and protection of municipal funding sources.

Two county priorities: a new Greenbelt fire station; and county funding for the City's School Resource Officer.

In response to a question from Mr. Herling, Mr. Moran clarified that the issues referenced for TheBus were the same ones that have been raised before regarding lack of publicity and the redundancy with Metro service. The motion passed 4-1 (Roberts).

APPOINTMENT TO ADVISORY GROUP: It was moved by Mr. Roberts and seconded by Mr. Putens that Dean Jones be appointed to the Recycling & Environment Advisory Committee. The motion passed 5-0.

MEETINGS: Council reviewed the schedule of upcoming meetings. An executive session to consult with the City Solicitor regarding the status of Greenbelt Station was scheduled for December 6. Prior to that discussion, Council will discuss filling a vacancy on the Forest Preserve Task Force.

ADJOURNMENT: A motion to adjourn was made by Ms. Mach and seconded by Mr. Herling. The motion carried 5-0. The Mayor adjourned the regular meeting of November 22, 2004, at 9:25 p.m.

Respectfully submitted,

Kathleen Gallagher

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 November 22, 2004.@"

Judith F. Davis

Mayor