



REGULAR MEETING OF THE GREENBELT CITY COUNCIL held September 13, 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 Michael P. McLaughlin, City Manager; John F. Shay, Jr., City Solicitor; David E. Moran, Assistant City Manager; and Kathleen Gallagher, City Clerk. At about 10 p.m., Robert A. Manzi, City Solicitor, arrived at the meeting, and Mr. Shay left.

Mayor Davis asked for a moment of silence in honor of residents Eli N. Crupain, Reginald Danahy, Fann Kash, Theresa Serene, former Greenbelt Mayor Richard R. Pilski, Sr., and former Greenbelt Councilmember Clifford Simonson; and former residents David Fisher, Iris Marie Fletcher, William C. Frankle, Edward C. Marr, Andrew H. Rimar, Joseph E. Starnes, and Bernice Frances Werner. The Mayor also asked to remember those who lost their lives or were injured on September 11, 2001, their families, and all those who served as first-responders on that day. The Mayor then led the pledge of allegiance to the flag.

CONSENT AGENDA: Mr. Putens moved that the consent agenda be approved as presented. Mr. Herling seconded the motion, which passed 5-0.

Council thereby took the following actions:

MINUTES OF COUNCIL MEETINGS

- Interviews, August 9, 2004
- Regular Meeting, August 9, 2004
- Work Session, August 11, 2004
- Interviews, August 16, 2004
- Work Session, August 16, 2004
- Work Session, August 18, 2004
- Work Session, August 25, 2004
- Interview, August 30, 2004

- Work Session, August 30, 2004

Approved as presented.

COMMITTEE REPORTS: Recycling & Environment Advisory Committee, 8/23/04
Communication (Yard Waste Collection): Council received this communication and will consider it when the ordinance on yard waste containers is introduced prior to next spring.

DESIGNATION OF NLC CONGRESS OF CITIES VOTING AND ALTERNATE DELEGATES:
Council agreed to designate Mayor Davis the Avoting delegate@ and Mr. Putens the Aalternate voting delegate@ to the 2004 Congress of Cities in Indianapolis.

APPOINTMENTS TO ADVISORY GROUPS: Council appointed Martha F. Galvin to the Recycling & Environment Advisory Committee, Thomas Baker to the Arts Advisory Board, and Steven Gilbert to the Board of Elections.

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

PRESENTATIONS:

Greenway Center Bus Stop Improvements: Having been unable to attend the opening ceremony for the enhanced bus stop and new bus shelter opposite Greenway Center on August 18, Charlie Watkins of the State Highway Administration (SHA) attended tonight's meeting. He said he appreciates the positive relationship he has with the City, as well as the City's interest and involvement. Mayor Davis said the new shelter was very successful, and she noted forthcoming joint projects such as a traffic light at Greenbelt and Lakecrest and a directional sign at the entrance to the City on Southway from the Baltimore-Washington Parkway. Mr. Putens expressed appreciation for the good working relationship the City has had with the SHA during Mr. Watkins' tenure, saying he has worked with the City to get things done. Mr. Herling also acknowledged the work of the prior City Council in bringing the bus stop project to completion.

Mosquito Control: At Council's request, Jeannine Dorothy of the Mosquito Control Section of the Maryland Department of Agriculture made a presentation on methods of mosquito control and on the characteristics of the Asian tiger mosquito. Regarding the control program itself, she said financial responsibilities vary from county to county; in Prince George's, the state pays half, and the other half is split between the county and other local governments. She said Greenbelt used to participate in the spraying program, which was stopped because of budget cuts but resumed this year. She said they now limit spraying to 10 p.m. to 3 a.m. in order to avoid people and pets. She said the spray has no residual and kills only mosquitoes that are flying. They will not spray if there is not active flying. In response to a query from Mr. Roberts, Ms. Dorothy said that the spray is the lowest possible level in terms of effect on mammals and birds but that it will kill other small insects. The larvicide, on the other hand, is specific to mosquito larvae.

In response to a question from Mr. Herling about current trends, Ms. Dorothy said about 50% of stormwater ponds breed mosquitoes, with dry ponds being worse than wet ones, since they alternate between wet and dry and do not support fish, which would eat the larvae. She also commented that today houses are being built in areas where they would not have been before, in what is basically swamp and marsh areas.

Ms. Dorothy said spraying is not very effective with Asian tiger mosquitoes, except perhaps with the oldest ones, which are more likely to carry West Nile virus. She said education is key, since they do not breed in areas where regular mosquitoes do but prefer containers or folds in materials. People must check sites weekly. Her office will train people to inspect premises for breeding areas: for example, code enforcement or public works personnel. In Bowie and other locations they have also trained volunteers successfully. She said they need a group of at least 8-10. They will also do inspections of groups of yards if they have someone to accompany them onto private property.

Council thanked Ms. Dorothy for coming.

End-of School-Year Report - School Resource Officers: MPOs Marty Parker and John Rogers, the City's School Resource Officers, gave a slide presentation on their 2003-2004 academic year report. MPO Rogers said the number of complaints handled at the high school was high this year because it was his first year and he was getting involved with all aspects of the campus. Conversely, MPO Parker said complaints were down at the middle school because the SRO program was well known and working well. It was noted that Greenbelt started the SRO program. There was discussion about the Walk-to-School program, which is active in Springhill Lake but not at Greenbelt Elementary. MPO Parker said he thought the main issue was concern about strangers. Mayor Davis and Ms. Mach described the Walking School Bus concept, where adults walk groups of children that "pick up" additional children along a set route and suggested that it might be a model for Center City. Mayor Davis said this idea is well established in other countries, such as China. Regarding a potential DWI pre-prom program, Ms. Mach mentioned that Nationwide Insurance does such a program.

PETITIONS AND REQUESTS: There were none

MINUTES OF COUNCIL MEETINGS:

Executive Session of July 21, 2004: Mr. Roberts moved that the minutes of the executive session of the City Council held Wednesday, July 21, 2004, be approved as presented. He further requested that the minutes of this meeting reflect that the Council met in executive session at 8:30 p.m. in the Senior Classroom of the Community Center. Council held this closed meeting in accordance with Sections 10-508 (a)(1) and (8) of the State Government Article of the Annotated Code of Public General Laws of Maryland to discuss two specific personnel matters and to consult with the City Solicitor on matters related to the City's pending appeals on Greenbelt Station. Mr. Putens seconded the motion.

ROLL CALL: Mr. Herling - yes

Ms. Mach - yes

Mr. Putens - yes

Mr. Roberts - yes

Mayor Davis - yes

ADMINISTRATIVE REPORTS

Mr. McLaughlin said he had provided some literature on the county's new Wide Area Rapid Network (WARN) program, which will permit governments to broadcast emergency information to citizens by telephone. He described information being distributed by the county health department on emergency preparedness, which is available in the City Manager's office. He said the second annual pooch plunge was "sold out" and a great success. He also said the Metropolitan Washington Council of Governments (COG) was soliciting registrations for its summit on gangs.

Mayor Davis said this year was the 50th Labor Day Festival, and she thanked the committee, especially its president and this year's Outstanding Citizen, Patti Brothers; Public Works; Recreation; Police; Animal Control; and everyone else who had contributed. She also said this year's Senior Citizens Advisory Committee Open Forum had been held on September 11. In recognition of September 11, 2001, the Greenbelt Interfaith Leadership Association (GILA) held an event called "Healing Hands Strengthen Community" in conjunction with Pleasant Touch and other therapeutic massage professionals.

LEGISLATION

An Ordinance to Amend Chapter 17, ASolid Waste,@ of the Greenbelt City Code for the Purpose of Revising Article III, "Municipal or Private Collection and Disposal Services"

Mayor Davis read the agenda comments. Ms. Mach introduced the ordinance for first reading. The Mayor asked how people would go about getting an exception from the requirement to move the trash container to a location visible from the street. Mr. McLaughlin said they could call his office or Public Works but that he anticipated a number of cases would be determined by staff follow-up to noncompliant situations. There was brief discussion of the decision to keep on the books the requirement for containers with the understanding that it would not be enforced unless there was cause.

BRIEFING ON ENERGY PERFORMANCE CONTRACTING: The Mayor read the agenda comments. Mr. Herling asked if there were other jurisdictions participating in this program and what their experience had been. Mr. Moran cited the University of Maryland-Baltimore County, the University of the District of Columbia, the City of Falls Church, and others. He said he would be speaking with some of them if the City went forward with the audit request but that he knew that the amount of savings varied widely. Mr. Putens commented that his agency had saved a great deal of money just on the automatic lighting. It was moved by Mr. Roberts and seconded by Mr. Putens that staff be directed to proceed with the detailed audit. The motion passed 5-0.

BRIEFING ON CHERRYWOOD LANE CROSSWALK IMPROVEMENT PLAN: Mayor Davis read the agenda comments. Celia Craze, Director, Planning and Community Development Department, introduced Ethan Bindernagle, a University of Maryland intern in the department, who presented the plan for the crosswalk adjacent to the Giant on Cherrywood Lane. There was discussion of illuminating the crosswalk. Mr. Putens cited an illuminated crosswalk near the Twinbrook Metro stop as being quite successful. Mr. Bindernagle said the cost would be about \$30,000, which is not in the budget. Nor will the crosswalk be raised. Mr. McLaughlin added that this work would be done in conjunction with the other work to be done on Cherrywood Lane and that if there is any money left over that could be used to enhance the crosswalk, that will happen. Council thanked Mr. Bindernagle for his presentation.

BRIEFING ON METROLAND LAWSUIT: Mayor Davis asked Mr. Manzi to provide a briefing on the court decision on the City's appeals of the approvals of the Metroland conceptual site plan and preliminary plat of subdivision. Mr. Manzi said he had to admit surprise that the Court of Special Appeals had found for the City, given that the City had been turned down at the prior levels. He said the decision turned on two things: the lack of provision for the Beltway interchange and the use of the word "shall" in the Metroland community ordinance. Since the court overturned the conceptual site plan, there was no need to address the preliminary plat of subdivision. Mr. Manzi said that although all three parties (Maryland-National Capital Park and Planning, Prince George's County, and the developer) have the right to appeal, he doubted an appeal would be heard even it is brought. He said clearly the planning and funding of the ramps would have to be much further along before this project could move forward. The court rejected the county's plan to implement only a portion of the plan. There was some discussion of whether the south core could be developed as a stand-alone project.

Mr. Manzi said this decision gives the City further opportunity to talk with the developer and to have an influence on how the plans are shaped, and it also gives the City more clout. He said that, in simplest terms, the developer is back to square-one. Mr. Manzi said he had been contacted by the attorney for the developer and had suggested that staff discussion be initiated. On behalf of Council, Mayor Davis thanked Mr. Manzi and Ms. Craze for the tremendous amount of time and work they, in particular, had put into this effort.

MEETINGS: Council reviewed the schedule of upcoming meetings. It was agreed to hold an executive session on Monday, October 4, to consult further with the City Solicitor regarding the Metroland lawsuit. It was also agreed not to meet on October 6 or October 20.

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 September 13, 2004, at 10:55 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 September 13, 2004.

Judith F. Davis
Mayor