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**REGULAR MEETING OF THE GREENBELT CITY COUNCIL held June 30, 2003.**

Mayor Davis called the meeting to order at 8:05 p.m.

ROLL CALL was answered by Councilmembers Edward V. J. Putens, Rodney M. Roberts, Alan Turnbull, Thomas X. White, and Mayor Judith F. Davis.

ALSO PRESENT were Michael P. McLaughlin, City Manager; Robert A. Manzi, City Solicitor; David E. Moran, Assistant to the City Manager; and Kathleen Gallagher, City Clerk.

Mayor Davis asked for a moment of silence in memory of resident Fred Theis; former residents Eric "Buddy" Moore and Elsie Doris Nickolson; and Carolyn Goff, former principal of Greenbelt Elementary School. She then led the pledge of allegiance to the flag.

CONSENT AGENDA: Mayor Davis asked to remove the minutes of the work session of June 18, 2003, from the consent agenda. Mr. Putens moved that the consent agenda be approved with that amendment. Mr. Turnbull seconded the motion, which passed 5-0.

Council thereby took the following actions:

**MINUTES**

Regular Meeting, June 9, 2003

Work Session, June 11, 2003

Interviews, June 16, 2003

Work Session, June 16, 2003

Approved as presented.

**COMMITTEE REPORTS**

Advisory Planning Board, Report #03-02 (Hilton Garden Inn, Golden Triangle): Council received this report and agreed to consider it on a future agenda.

Park & Recreation Advisory Board, Report #03-05 (Ball Court at Windsor Green Ball Fields): Council accepted this report and agreed to defer the evaluation until September.

Youth Advisory Committee, 6/24/03 Report (Youth Forum): Council accepted this report.

RESIGNATION FROM ADVISORY GROUP: Council agreed not to reappoint Carol Malveaux to the Park & Recreation Advisory Board.

REAPPOINTMENT TO ADVISORY GROUP: Council reappointed Kilolo Ajanaku (formerly called Brenda Walker) to the Youth Advisory Committee.

APPOINTMENTS TO ADVISORY GROUPS: Council appointed Barbara F. Foreman to the Public Safety Advisory Committee and Derrick K. Lee to the Park & Recreation Advisory Board.

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

## PRESENTATIONS

Office of the County Register of Wills: Lynn Loughlin Skerpon, Register of Wills for Prince George's County, gave a presentation on the services provided by her office to county residents. She explained that there is a Register of Wills for each county in Maryland and the City of Baltimore, all of whom are officials of the state, elected for four-year terms. She expressed her willingness to speak to community groups about the need for having a will and the services her office offers. Mr. White suggested that her office consider providing a link to the Census Bureau for genealogical information. He said he has used her office and complimented the work of her staff. Mayor Davis suggested the Golden Age Club might be interested in having her as a speaker and that the Community Resource Advocate might like to have her materials available. Ms. Skerpon said she would send some additional packets to the City.

American Legion Post #136 - Presentation of Check to the USO: On May 9, the City was a co-sponsor with American Legion Post #136 of a dance held at Blob's Park as a fundraising benefit for the USO. The event raised \$18,000. On behalf of the Post, Carl Dentinger expressed thanks to everyone who had supported the event, particularly recognizing the planning committee. He introduced those present, including Sam Hofberg, John Osterfield, Silke Pope, Councilmember Putens, and others, and they presented the check to John Hanson and Tracey Pratner of the USO. Mr. Hanson thanked the members of the Legion and Council and spoke briefly about the work of the USO, noting that only about 20% of its efforts are devoted to entertainment and that they provide many services, such as Internet access, to enable service members to keep in touch with their families and friends.

PETITIONS AND REQUESTS: Mayor Davis presented a letter she had received from Susan Downey of 6D Plateau Place, which was also signed by 12 others from her own and adjacent courts, requesting additional lighting in the areas of the parking lot and woods behind her house. Mr. McLaughlin took the petition for follow-up but commented that it was likely that the locations in question were the property of Greenbelt Homes, Inc., rather than the City.

MINUTES OF MEETINGS: Mayor Davis pointed out that the minutes from the June 18, 2003, work session had incorrectly been labeled as a budget work session. With that correction, Mr. White moved acceptance of this set of minutes. Mr. Turnbull seconded. The motion passed 4-0, with Mr. Putens absent.

#### ADMINISTRATIVE REPORTS

At Mr. McLaughlin's request, Hank Irving, Director, Recreation Department, briefed Council on the opening of the temporary skateboard park at the tennis courts on Lakecrest Drive earlier today. He said work was ongoing to have the permanent skateboard park open on Labor Day or immediately thereafter. Mayor Davis asked that Council receive a copy of the rules for the park.

Mr. Putens reported on his attendance at the Small Cities meeting of the National League of Cities last month.

Mayor Davis and Mr. McLaughlin talked about the many awards and recognitions received by the City at the Maryland Municipal League annual conference in Ocean City. The 2002 Pet Expo received the Award of Excellence; MPO Seung Lee received the Top Cop Award from the Police Division; Richard Castaldi received an Honorary Membership Award, one of only eight that have been awarded; Mayor Davis was reelected to the MML Board; and the City received a proclamation from Jack Johnson, who referred to Greenbelt as a "model city."

Mayor Davis also reported on attending the promotional ceremony at Springhill Lake Elementary School and attending a county "Livable Communities" meeting with City staff.

#### LEGISLATION

An Ordinance to Add a New Section 2-30 to the Greenbelt City Code Titled "Building Capital Reserve Fund" for the Purpose of Establishing a Fund to Account for Money Appropriated Annually for the Replacement of Major Building Systems in City Facilities

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

Mr. White said he supported the creation of this fund but was disappointed with the "woefully inadequate" appropriation proposed for it in fiscal year 2004. The Mayor said she would like to see a formula established to set aside a certain amount each year to this fund for reserves. Mr. McLaughlin agreed with this approach as a goal but forewarned that it might not be possible to establish it for the FY 2005 budget. Mr. Turnbull encouraged at least determining an approximation of the total costs so that Council would have "an order of magnitude" to work with next year. Mr. White concurred that it should be set up as some percentage of the total capital involved and that the \$50,000 proposed for FY 2004 was not enough.

ROLL CALL: Mr. Putens - yes

Mr. Roberts - yes

Mr. Turnbull - yes

Mr. White - yes

Mayor Davis - yes

The ordinance was declared adopted (Ordinance No. 1236, Book No. 11).

A Resolution to Repeal Resolution 949 and to Establish Admission Fees and Pass Rates for the Greenbelt Aquatic and Fitness Center, Effective September 1, 2003

The Mayor read the agenda comments. Mr. Turnbull introduced the resolution for second reading and moved its adoption. Mr. White seconded.

ROLL CALL: Mr. Putens - yes

Mr. Roberts - yes

Mr. Turnbull - yes

Mr. White - yes

Mayor Davis - yes

The resolution was declared adopted (Resolution No. 960, Book No. 8).

End-Of-Year Budget Adjustments: Mayor Davis read the agenda comments. Mr. White asked if Council had previously been apprised of the extra costs to the Unemployment Compensation Fund. Mr. McLaughlin replied the information had been conveyed only through the budget process and that it had been known in March. He said the City was still researching the reasons for this but that there appeared to be a more lenient interpretation of what was eligible for compensation, both for seasonal employees and for people who resigned from the City but subsequently lost a job with a new employer prior to becoming eligible to receive unemployment benefits through that employer.

An Ordinance to Make a Supplemental Appropriation in the Unemployment Compensation Fund for the Fiscal Year Ending June 30, 2003, in the Amount of Eight Thousand Dollars (\$8,000) for Additional Unemployment Compensation Payments Over the Appropriated Amount

Mr. Roberts introduced the following ordinance for first reading and moved that Council suspend its Standing Rules. Mr. Turnbull seconded the motion.

ROLL CALL: Mr. Putens - yes

Mr. Roberts - yes

Mr. Turnbull - yes

Mr. White - yes

Mayor Davis - yes

Mr. Roberts then introduced the ordinance for second reading and moved its adoption. Mr. Turnbull seconded.

ROLL CALL: Mr. Putens - yes  
Mr. Roberts - yes  
Mr. Turnbull - yes  
Mr. White - yes  
Mayor Davis - yes

The ordinance was declared adopted (Ordinance No. 1237, Book No. 11).

An Ordinance to Make a Supplemental Appropriation in the General Fund for the Fiscal Year Ending June 30, 2003, in the Amount of Six Hundred Fifty Thousand Dollars (\$650,000) for Additional Expenditures over the Appropriated Amount

Mr. Turnbull introduced the ordinance for first reading and moved suspension of Council's Standing Rules. Mr. Putens seconded the motion.

ROLL CALL: Mr. Putens - yes

Mr. Roberts - yes

Mr. Turnbull - yes

Mr. White - yes

Mayor Davis - yes

Mr. Turnbull then introduced the ordinance for second reading and moved its adoption. Mr. Putens seconded.

ROLL CALL: Mr. Putens - yes

Mr. Roberts - yes

Mr. Turnbull - yes

Mr. White - yes

Mayor Davis - yes

The ordinance was declared adopted (Ordinance No. 1238, Book No. 11).

An Ordinance to Amend Chapter 11 of the Greenbelt City Code, "Motor Vehicles And Traffic," in Order to Include Parking Prohibition of Vehicles Not Displaying Proper Registration Plates and Tabs

Mayor Davis read the agenda comments. It was clarified that this ordinance refers only to private property. Mr. Roberts said he thought we were already enforcing the provisions of this ordinance. Renée Landen, Community Development Inspector, explained that the City currently enforces valid registration only, not the proper display of tags and stickers. She added that these regulations are part of state law and that the

City would benefit from having a mechanism in place whereby it can enforce the state law. Mr. Putens introduced the ordinance for first reading.

An Ordinance to Amend Chapter 11 of the Greenbelt City Code, "Motor Vehicles And Traffic," in Order to Prohibit the Parking of Vehicles on City Streets, Alleys, Roadways, and Parking Lots for 30 Days or Longer

Mayor Davis read the agenda comments. She questioned the effectiveness of this type of parking regulation, noting that in Greenbriar, for example, people move their cars just far enough to be legal but that this does not address the problem of having the cars truly moved. Ms. Landen responded that at least this would separate the operative from the inoperative vehicles and facilitate the removal of some of the latter.

Mr. Putens questioned whether 30 days was "too generous"; he said he would prefer a much shorter time limit, such as 14 days, provided that exceptions for special cases could be made. Ms. Landen responded that she thought 14 days would be too short a time, since it is not at all uncommon for people to go on vacation for two weeks. Mr. Roberts said he thought that the 30-day limit was appropriate and remarked that he himself has been known to park a vehicle on the street for two weeks. Mr. White agreed that 30 days was suitable. Mayor Davis added that the ordinance could always be revised later if this time limit did not prove ideal. Mr. Putens said he was still not convinced and could not support the ordinance with a 30-day limit. Mr. McLaughlin commented that the reason staff had proposed 30 days was that in earlier discussions of this topic, Council and staff had both been concerned with catching too many "innocent" violators if the period were too short. Mr. Turnbull suggested shortening the 30-day period but extending the grace period between ticketing and towing, as a way of tightening up on the parking problem while allowing people more time to discover the notice of violation and resolve the problem before impoundment. Ms. Landen confirmed that the current notice was 48 hours on parking violations.

There was discussion of whether a revision of the time limit would require an introduction of a new ordinance. Mr. Manzi said his opinion was that Council was giving appropriate public notice now of the changes it might wish to make in the ordinance prior to adoption, so that either approximately a two-week or month's limit could be adopted with the second reading of the ordinance at the next regular meeting.

Mr. Turnbull said again that he thought the problem was not the 14 days versus 30 days but the warning given to the resident on how much time they had before the car would be towed. He said he would prefer to introduce an ordinance with a 21-day parking limit and a 7-day notice on parking. He so moved, and Mr. Putens seconded. After some discussion, Mr. Turnbull withdrew his motion, with concurrence from Mr. Putens, upon realizing the original ordinance had not yet been introduced for first reading. Mr. Roberts then proceeded to introduce the originally proposed ordinance for first reading. Mr. Manzi reiterated that Councilmembers could amend the ordinance on second reading for any of the various options proposed tonight.

An Ordinance to Amend Section 8-5, "Appointment of Judge of Election and Clerks," of Chapter 8 of the Greenbelt City Code, "Elections," in Order to Change the Deadline for Adoption of the Resolution Authorizing the Number of Judges and Election Clerks to Be Appointed

Mayor Davis read the agenda comments. Mr. White introduced the ordinance for first reading. Mayor Davis noted that the Board of Elections had discussed the sending of a sample ballot to voting households and asked that an estimated cost for doing so be brought back to Council.

#### An Ordinance to Amend the Capital Projects Budget for Fiscal Year 2004

Mayor Davis read the agenda comments. Mr. Putens introduced the ordinance for first reading. Council agreed a public hearing should be held at the next meeting prior to adoption of the ordinance.

#### A Resolution to Authorize the Negotiated Purchase of Certain Goods and Services from Various Vendors As Enumerated Herein When Total Fiscal Year Purchases from Each Vendor Exceed Ten Thousand Dollars (\$10,000)

Mayor Davis read the agenda comments. Mr. Turnbull introduced the ordinance for first reading.

**BRIEFING ON RESULTS OF NOVA CHIP STREET RESURFACING PROGRAM:** The Mayor read the agenda comments. A brief videotape was shown that had been made by Beverly Palau, Public Information and Communications Coordinator, to document the process of the Nova Chip resurfacing. Kenny Hall, Director, Public Works, said one of the advantages to the process is that traffic can run on the streets as soon as it is rolled, with the result that residents are inconvenienced only minimally. He said the City had used a smaller aggregate than what has typically been used (3" compared with the d-e"), which looks better, and the company will monitor the project. He said he is very pleased with the application, and it will now remain to see how well it holds up. Mr. Roberts asked if this application can be done more than once. Mr. Hall replied that the supplier has not done so before but is looking into the question. Mr. McLaughlin commented that next year the City will return to standard resurfacing with Hanover Parkway and Ivy Lane, which are higher-traffic roadways. The Mayor asked about the bad condition of the roads at bus stops on Hanover Parkway. Mr. Hall said he was thinking about whether concrete should be used at those pads but that he has not really explored it yet.

**CONTRACT FOR CNG REFUELING APPLIANCE:** Mayor Davis read the agenda comments. Mr. White said a citizen had asked whether there were liability issues attached to the fast-fill pump, since it might be used by non-City personnel. David Moran, Assistant to the City Manager, said that issue had not come up yet, particularly since the City already has a slow-fill pump. Mr. Roberts added that it should be safer than a gasoline pump because it is a sealed unit. Mr. Turnbull clarified that although only 12 vehicles could be filled per day, the time for each takes only a few minutes, so the out-of-service time for filling a vehicle will be about the same as with gasoline. Mr. Moran said he particularly wished to thank Senator Paul Pinsky, who persisted in this effort with the City, as well as Dale Baxter of the Maryland Energy Administration. He also thanked Mr. Hall and his staff, particularly Cindy Murray. It was also noted that NASA's interest in using the pump helped the City to justify expectations for its use to the state. Mr. Turnbull asked if the state's current budget crisis could adversely affect the purchase. Mr. Moran said it should not, since the contract was legally binding. It was moved by

Mr. Putens and seconded by Mr. Turnbull that Council authorize to City Manager to sign the contract documents. The motion passed 5-0.

**METROPOLITAN COUNCIL OF GOVERNMENTS (COG) PROPOSAL ON MUTUAL AID AGREEMENTS:** The Mayor read the agenda comments and referenced a June 30 memo from the City Manager that was provided to Council as an update on the review of the COG proposal by the Local Government Insurance Trust (LGIT). Mr. White asked how this would operate given that not all municipalities belong to COG. Mayor Davis said this proposal would benefit Greenbelt as a member of COG but that the Maryland Municipal League was interested in such an agreement that would cover all municipalities in Maryland. Mr. Manzi said that the purpose of the federal legislation being proposed was only to enable the District of Columbia and COG members in Virginia, since Maryland is already capable of participating in such an agreement. He added that the participating attorneys had not discussed the question of municipalities who were not members of COG. In response to a question from Mr. Roberts about liability, Mr. Manzi said it is understood that the liability resides with the local community receiving the aid, but the issue is liability limits. It was moved by Mr. Roberts and seconded by Mr. Putens that the City express support for this approach to addressing the need for a capacity to engage in regional mutual aid. The motion passed 5-0.

**PRINCE GEORGE'S COUNTY MUNICIPAL ASSOCIATION LEGISLATIVE ACTION REQUEST:** The Mayor read the agenda comments. Mayor Davis asked if there were any county items that should be suggested. Mr. Moran said the City has some county items on its list, but staff did not think they were appropriate for this forum. Mr. White asked if Greenbelt would coordinate with Bowie and College Park on whether to take the Planning and Zoning Phase II initiative to PGCMA. Mayor Davis said Mayors Brayman and Robinson had agreed. Mr. Moran said staff would check with College Park and Bowie once again before taking action. There was brief discussion of the need for other meetings to be scheduled on this topic. Mr. Putens made a motion that the City submit the Planning and Zoning Phase II initiative to PGCMA. Mr. Roberts seconded the motion, which passed 5-0.

**MEETINGS:** Council reviewed the schedule of meetings. It was agreed to hold July 21 open since College Park's Advisory Committee on Education was attempting to schedule a meeting with the new schools CEO for that night. The Mayor asked the City Manager to send a representative of the Police Department to State's Attorney Ivey's community meeting in Capital Heights on July 9. The Mayor said County Councilmember Dernoga had asked to meet with Council, and she asked Mr. Moran to look into what type of meeting would be appropriate. There was discussion of ascertaining County Councilmember Peters' view on including Mr. Dernoga in the City's legislative dinners. The Mayor said a Four Cities meeting on planning and zoning authority should be scheduled for July in response to a request from Berwyn Heights and New Carrollton. It was agreed to schedule that meeting for Tuesday, July 22; the meeting with the advisory group chairs could also be postponed from July 16, if that could be done quickly. Mayor Davis asked to add an executive session on land acquisition to the list of meetings for later scheduling. It was agreed to hold two executive sessions on personnel issues, one following the July 16 work session and one on July 23, with the work session on possible cemetery expansion to be rescheduled for August.



ADJOURNMENT: A motion to adjourn was made by Mr. Putens and seconded by Mr. White. The motion carried 5-0. The Mayor adjourned the regular meeting of June 30, 2003, at 10:10 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 June 30, 2003.@"

Judith F. Davis  
Mayor