



REGULAR MEETING OF THE GREENBELT CITY COUNCIL held June 9, 2003.

Mayor Davis called the meeting to order at 8:00 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. Mr. Putens left the meeting at about 8:05 p.m.

ALSO PRESENT were Michael P. McLaughlin, City Manager; Andrew W. Nussbaum, 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 residents Anna Citron and William W. Hand; and former residents Thelma Berner Newton (Pioneer) and Allen Carneal. She then led the pledge of allegiance to the flag.

CONSENT AGENDA: Mr. Putens moved that the consent agenda be approved as presented. Mr. Turnbull seconded the motion, which passed 4-0.

Council thereby took the following actions:

MINUTES

- Regular Meeting, May 27, 2003
- Work Session, June 2, 2003

Approved as presented.

COG REQUEST FOR LETTER OF OPPOSITION TO BILLS CHANGING THE SLOT AND PERIMETER RULE AT NATIONAL AIRPORT: Council authorized the sending of a letter in support of COG's position not to change the number of flights allowed into National Airport or the perimeter rule placed on flights in and out of National.

RESERVATION OF RIGHT TO APPEAL DECISIONS ON CONCEPTUAL SITE PLAN AND PRELIMINARY PLAN OF SUBDIVISION FOR GREENBELT STATION/METROPARK: Council authorized the City Solicitor to take action to reserve the City's right to appeal either or both of the two recent court decisions to the Court of Special Appeals.

APPROVAL OF AGENDA AND ADDITIONS: Mayor Davis said staff had requested to add as item #19 "Approval to Seek City NPDES Coverage under County Permit." It

was moved by Mr. Putens and seconded by Mr. Turnbull that the agenda be approved as presented with this amendment. The motion carried 5-0.

PRESENTATIONS

National Small Cities and Towns Day - Proclamation: Mayor Davis read a proclamation in recognition of June 20 as National Small Cities and Towns Day. Councilmember Putens, who is Greenbelt's delegate to the Small Cities Council of the National League of Cities, accepted the proclamation and will convey it to the group's meeting this month. Mr. Putens departed the meeting at this time.

PGCMA Scholarship Presentation: Council presented Amanda Wildoner, a City intern in public information and communications and a 2003 graduate of Eleanor Roosevelt High School, a scholarship on behalf of the Prince George's County Municipal Association.

PETITIONS AND REQUESTS: There were none.

MINUTES OF MEETINGS

Executive Session of May 27, 2003: Mr. Roberts moved that the minutes of the executive session of the City Council held Tuesday, May 27, 2003, be approved as presented. He further requested that the minutes of this meeting reflect that the Council met in executive session at 9:55 p.m. in the Library of the Municipal Building. Council held this closed meeting in accordance with Section 10-508 (a) and (7) of the State Government Article of the Annotated Code of Public General Laws of Maryland to consult with legal counsel on a legal matter related to Circuit Court decisions regarding Greenbelt Station. Mr. White seconded the motion.

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

ADMINISTRATIVE REPORTS

Mr. McLaughlin announced that Mr. Nussbaum was serving as City Solicitor tonight instead of Mr. Shay. He also distributed the brochure that had been prepared for the heritage tree tour, which was rained out but will be rescheduled as part of SchromFest in the fall. He congratulated the Advisory Committee on Trees and their staff liaison, Bill Phelan, for researching the trees and producing the brochure.

Mayor Davis said Mr. Putens, Mr. McLaughlin, and Kenny Hall, Director of Public Works, had toured the roof of Greenbelt Middle School. Mr. McLaughlin said the roof was to be

fixed by the end of the year but that the renovation project had once again been postponed, this time to FY 2006 or 2007.

Councilmembers Putens, Turnbull, and Roberts attended the ACE Reading Club Reception. Mr. Roberts said it grows larger and more successful every year. The Mayor thanked Reading Club Coordinator Liz Murray and the Advisory Committee on Education for their work on this project.

Mayor Davis said she and Mr. McLaughlin attended a training session on multiculturalism sponsored by Prince George's County for mayors and city administrators.

Mayor Davis presented Mr. McLaughlin with a certificate of appreciation from the Maryland Municipal League for his work on the 2003 Convention Planning Committee.

LEGISLATION

Adoption of the Budget: Mayor Davis read the agenda comments.

Council first reviewed the changes to **General Fund Revenues**. Mr. Roberts moved the following changes to the following accounts. Mr. Turnbull seconded. The motion passed 3-1 (White).

Revenue from Other Agencies:

Account #	Description	From	To	Change
441104	COPS Grant	\$0	\$25,000	\$25,000
442101	Reduce state aid for police protection	\$510,000	\$498,000	(\$12,000)
	Total Revenue from Other Agencies	\$830,800	\$843,800	\$13,000

Service Charges for Services:

Account #	Description	From	To	Change
452100	Increase fees at city facilities, parks, and events	\$12,000	\$19,000	\$7,000
454000	Increase resident gym rental fee at Community Center	\$219,900	\$220,900	\$1,000
	Total Service Charges for Services	\$1,810,800	\$1,818,800	\$8,000

Fines and Forfeitures:

Account #	Description	From	To	Change
460201	Red Light Camera fines	\$590,000	\$600,000	\$10,000

	Total Fines and Forfeitures	\$856,200	\$866,200	\$10,000
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Miscellaneous Revenue:

Account #	Description	From	To	Change
480400	Contributions and Donations - partnership with AIMCO	\$55,000	\$100,000	\$45,000
	Total Miscellaneous Revenue	\$158,000	\$203,000	\$45,000

		From	To	Change
	Total General Fund Revenue	\$17,813,700	\$17,889,700	\$76,000

Council then took up the changes to **General Fund Expenditures**.

Mr. Roberts moved the following change to **Administration**; Mr. Turnbull seconded. The motion passed 4-0.

Account #	Description	From	To	Change
120-01	Payroll adjustment			
Salaries		\$306,900	\$309,400	\$2,500
	Total Administration	\$478,800	\$481,300	\$2,500

Mayor Davis moved the following changes to **Police**; Mr. Turnbull seconded, noting that Council had agreed the contract for the partnership with AIMCO for the new officer should be reevaluated at the end of the three-year contract period in order to attempt to negotiate better terms for the City. Mr. McLaughlin also noted that the arrangement with AIMCO was also understood to be predicated upon the receipt of grant funding from the COPS program. In response to a query from Mr. White, Mr. McLaughlin provided further explanation of the anticipated breakdown for the funding of the salary line. The motion passed 3-1 (White).

Account #	Description	From	To	Change
310-03	Additional Officer-Partnership with AIMCO for Springhill Lake Apts.			
Salaries		\$2,894,900	\$2,928,900	\$34,000

310-27 Overtime	Additional Officer	\$365,000	\$370,000	\$5,000
310-28 Benefits	Additional Officer	\$1,646,000	\$1,664,000	\$18,000
310-33 Insurance	Additional Officer	\$358,600	\$359,600	\$1,000
310-45 Training	Additional Officer	\$49,800	\$50,800	\$1,000
310-48 Uniforms	Additional Officer	\$59,000	\$60,000	\$1,000
310-50 Motor Vehicle Maintenance	Additional Officer	\$187,600	\$191,600	\$4,000
310-52 Departmental Equipment	Additional Officer	\$73,000	\$75,000	\$2,000
310-76 Red Light Camera Cost	Red Light Camera	\$349,200	\$379,200	\$30,000
310-91 New Equip.	Additional Officer	\$175,000	\$184,000	\$9,000
	Total Police	\$7,009,000	\$7,114,000	\$105,000

Mr. Turnbull moved the proposed change to **Recreation Centers**; Mr. White seconded.

Account #	Description	From	To	Change
620-26 Center Assistants	Keeping facilities open holidays and restoring -hour daily at facilities till 10 p.m.	\$63,100	\$67,600	\$4,500
	Total Recreation Centers	\$355,400	\$359,900	\$4,500

There was discussion of when to bring up a change to account #650, since some Councilmembers wished to raise the issue of the early closing of the Greenbelt Aquatic and Fitness Center (GAFC). Mr. White made a motion to postpone consideration of changes to account #620-26 until after discussion had occurred of the hours for the GAFC. Mr. Roberts seconded the motion, which passed 4-0.

Mr. Turnbull moved the following change to retain existing hours at the GAFC next year. Mr. Roberts seconded. Mayor Davis said although this matter would affect only a small number of people, it was nevertheless very important to them. She expressed concern, however, about the potential impact of further cuts from the state. Mr. Roberts said he thought that if a four-cent tax increase was going to be imposed, the City should be able to keep the GAFC open till 10:30 p.m. Clement Lau, 6 Greentree Place, presented additional signatures to a petition he had submitted previously to maintain the current hours. The Mayor thanked Mr. Lau for his efforts on this matter. The motion passed 4-0.

Account #	Description	From	To	Change
650-26 Managers, Guards, Fitness Attendants	Restoring -hour daily at facilities until till 10:30 p.m.	\$161,500	\$165,500	\$4,000
	Total Aquatic and Fitness Center	\$820,000	\$824,000	\$4,000

Council then took the vote on the change for account #620-26, which also passed 4-0.

Mr. Turnbull moved the following changes to **Special Events**; Mr. White seconded. The motion passed 4-0.

Account #	Description	From	To	Change
690-68 Contributions	Voluntary Golden Age contribution reduction for FY 2004	\$5,100	\$0	(\$5,100)
690-68 Contributions	Voluntary Writers Group contribution reduction for FY 2004	\$200	\$0	(\$200)
690-68 Contributions	Contribution to New Deal Caf Arts for performance costs only	\$0	\$1,000	\$1,000
	Total Special Events	\$159,800	\$155,500	(\$4,300)

Mr. White moved the following change to **Greenbelt Connection**. Mr. Turnbull spoke against eliminating Sunday afternoon service in the absence of any other bus service at that time. Since there was no second, Mr. White withdrew the motion.

Account #	Description	From	To	Change
920-01	End Sunday hours at 1:30 p.m. instead of 4 p.m.	\$52,500	\$50,500	(\$2,000)
Salaries				
	Total Greenbelt Connection	\$78,500	\$76,500	(\$2,000)

Mayor Davis asked Mr. McLaughlin to review what fund changes would have to be made to the Non-Departmental Reserve Account. He said that coming into tonight's meeting, the figure had already been reduced from the \$58,500 presented in the proposed budget to \$26,300. It would now need to be reduced an additional \$8,500 (\$2,500 for Administration; \$2,000 for Greenbelt Connection; and \$4,000 for GAFC), resulting in the following change, which was moved by Mr. White and seconded by Mr. Roberts. Mayor Davis commented that she would vote for this change because it was the only alternative; however, given the uncertainties at the state level, she was very concerned about leaving such a small reserve. The motion passed 4-0.

Account #	Description	From	To	Change
990-72	Reduce reserve appropriation	\$58,500	\$17,800	(\$40,700)
Reserve Appropriation				
	Total Non-Departmental	\$459,500	\$418,800	(\$40,700)

Mr. Turnbull moved the following changes to **Fund Transfers**; Mr. Roberts seconded. Mr. White said he wanted to state his objections to the under-funding of these accounts. He said all these funds need to more accurately reflect "real world" situation and costs. Mayor Davis responded that she thought everyone on Council would agree these funds are under-funded but that this is not the time to increase taxes even more than is already planned. She said the kind of economic situation in which the City finds itself requires careful balancing of needs and resources, with the result that no one is likely to be completely happy with the resulting compromise. Mr. Turnbull said that, in general, he agreed with Mr. White's position, but he thought the City's fund balance was healthier now than it had been in recent years. Mr. White disagreed, saying the City needed to have the discipline to fund Capital

Projects, the Replacement Fund, and other funds at a responsible level. The motion passed 3-1 (White).

Account #	Description	From	To	Change
995	Operation transfer to Replacement Fund - vehicle for additional officer	\$1,419,200	\$1,424,200	\$5,000
	Total Fund Transfers	\$1,419,200	\$1,424,200	\$5,000

Mr. Turnbull moved the following change to **General Fund Expenditures**. Mr. Roberts seconded. The motion passed 3-1 (White).

		From	To	Change
	Total General Fund Expenditures	\$17,913,700	\$17,989,700	\$76,000

An Ordinance to Adopt the General Fund, Building Capital Reserve Fund, Cemetery Fund, Debt Service Fund, Replacement Fund, Special Projects Fund, Temporary Disability Reserve Fund, Unemployment Compensation Reserve Fund, Green Ridge House Fund, Capital Projects Fund, 2001 Bond Fund, and Community Development Block Grant Fund Budgets for the City of Greenbelt, Maryland, to Appropriate Funds and Establish Real Estate and Personal Property Tax Rates for the Fiscal Year 2004, Beginning July 1, 2003 and Including June 30, 2004

Mr. McLaughlin having read the changes to be required to the draft ordinance as a result of tonight's actions, Mr. Roberts introduced the amended ordinance for first reading and moved suspension of Council's Standing Rules in order to allow second reading and passage of the ordinance tonight. Mr. Turnbull seconded the motion.

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

Mr. Roberts introduced the ordinance for second reading and moved that it be adopted. Mr. Turnbull seconded the motion. Mayor Davis noted that the tax rates being set by the ordinance were 69.6 cents per hundred for real property and \$1.61 per hundred for commercial personal property. She said she thought that although it represented compromises, this was a good budget and maintained services and staff.

Mr. White responded that he thought it would have been responsible for Council to have considered an increase in the City Manager's proposed budget to reflect adequate contributions to the Replacement Fund and the new Building Maintenance Fund. He said this was the most disappointing budget that he had participated in and that the final budget work session on May 19 was not a good evening for the City. He said that particularly in the context of this budget, he could not understand why Council would add \$20,000 to support a red-light camera that is not serving the purpose for which it was intended. He noted that the adjustments made to the budget tonight totaled less than \$10,000 and would not have been necessary had

Council accepted the staff recommendation to eliminate the non-performing camera. He said that in addition to his concerns about inadequate funding of the Replacement and Building Maintenance funds, he believed there were departmental staffing recommendations that should have been funded in Planning and Community Development and Public Works. He said he would have preferred that the City Manager be more forceful in recommending taxes be raised enough to cover what needs to be funded. He concluded, "There are things we need to do that this budget doesn't do."

Mr. Roberts said he would rise to the challenge to defend the red-light camera one more time. He said he could not understand why, in a \$17 million budget, the City Manager would target \$20,000 for that camera when Council had refused to make that cut in the current year's budget. He said the fact that violations are low at that site indicates the camera is not non-performing but rather that it is doing its job and reducing violations. Mr. Turnbull agreed with Mr. Roberts, saying Council had repeatedly stated the program is not to be looked upon as a cash-cow and that as long as the overall program is not losing money, it is functioning acceptably. He said to single out the cameras that do not pay for themselves makes the statement that the City's goal for the program is to produce revenue. He said the City should have as many red light cameras as were feasible and that, as long as the program broke even, he would be happy if the City added more cameras that did not bring in as much as they cost to operate.

Mayor Davis thanked the City Manager, City Treasurer, and other staff for their work on the budget, as well as the citizens who came out to participate in the process.

ROLL CALL:

Mr. Roberts - yes
Mr. Turnbull - yes
Mr. White - no
Mayor Davie - yes

The ordinance was declared adopted (Ordinance No. 1235, Book 11.)

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

The Mayor read the agenda comments. Mr. Roberts introduced the ordinance for first reading and made a motion that Council suspend its Standing Rules in order to allow second reading and adoption tonight. Mr. Turnbull seconded the motion.

ROLL CALL:

Mr. Roberts - yes
Mr. Turnbull - yes
Mr. White - no
Mayor Davis - yes

In the absence of the necessary four votes, Mr. Roberts withdrew his motion to suspend the rules. He then introduced the ordinance for first reading again.

A Resolution to Authorize Deirdre Allen to Sign Checks, Vouchers, and Purchase Orders from June 23 to July 1, 2003

Mayor Davis read the agenda comments. Mr. White introduced the resolution for first reading and moved that Council suspend its Standing Rules to allow second reading and adoption tonight. Mr. Turnbull seconded the motion.

ROLL CALL:

Mr. Roberts - yes
Mr. Turnbull - yes
Mr. White - yes
Mayor Davis - yes

Mr. White introduced the resolution for second reading and moved that it be adoption. Mr. Turnbull seconded the motion.

ROLL CALL:

Mr. Roberts - yes
Mr. Turnbull - yes
Mr. White - yes
Mayor Davis - yes

The resolution was declared adopted (Resolution No. 959, Book 8).

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 first reading.

PROGRAM OPEN SPACE FY 2004 ANNUAL PLAN: Mayor Davis read the agenda comments. Terri Hruby, Community Planner, was present to answer questions. Mr. Roberts said every year the City compiles this list but does not pursue acquiring any of the properties. He said he was having a problem with the idea of continuing to approve it. Mayor Davis suggested that the best solution might be to hold a work session on the subject. Mr. Roberts said he knew there was interest in using POS money for purposes such as the Springhill Lake Recreation Center expansion but that he wanted it understood that his support for using the funds for recreational purposes was contingent upon serious efforts toward land acquisition. Mr. McLaughlin responded that Council could address the Springhill Lake Recreation Center issue at the upcoming Capital Projects work session but that, beyond that, he would request that an executive session, rather than a work session, be scheduled if Council wished to discuss land acquisition matters in detail.

Mayor Davis asked that the property inventory be updated. She asked about including the City's portion of Greenbelt Station on the list under Greenbelt West Parkland. Ms. Hruby said that since adjacent land could also be included, she would recommend including both the south and north cores. Mr. Roberts suggested including the parcel at the end of Mandan Road, if adjacent lands are to be included. Mr. White mentioned there had been a strip of land between the access road and the beltway that had belonged to the City, and he suggested that staff look into its status.

For the meeting when land is to be discussed, Mr. White asked if it would be possible to have a list of POS expenditures and other acquisitions for the last decade or two. He said he thought in balance the City's use of POS money had been largely for acquisition. Mayor Davis agreed, saying that had been Council's direction. Mr. Turnbull asked Ms. Hruby if it would also be possible to have good maps prepared for this meeting.

Mr. White moved that Council approve the FY 2004 Annual Program for Program Open Space and authorize its submission by staff to the Maryland-National Capital Park and Planning Commission for inclusion in the county's submission to the state. Included in the motion was direction to revise the program to include an additional project called Greenbelt West II Parkland Acquisition, to cover parcels surrounding the Greenbelt Metro Station site (north and south cores). A second revision would change the Greenbelt East II Parkland Acquisition maps to include the undeveloped parcel at the end of Mandan Road. Mr. Turnbull seconded the motion, which passed 4-0.

APPROVAL TO SEEK CITY NPDES COVERAGE UNDER COUNTY PERMIT: Ms. Hruby reviewed a memo from Celia Craze, Director, Planning and Community Development, recommending that instead of seeking its own individual permit under the National Pollutant Discharge Elimination System (NPDES), the City instead pursue the avenue of filing for coverage under Prince George's County's permit. Ms. Hruby said staff believed that was clearly the preferable choice and that it would save both staff time and other City resources. It was moved by Mr. Turnbull and seconded by Mr. Roberts that the staff recommendation be approved. The motion passed 4-0.

MEETINGS: Council reviewed the schedule of meetings and agreed to schedule work sessions on personnel matters following the work sessions of June 11 and June 18. Council also agreed not to schedule the night of Wednesday, July 2. Mayor Davis asked that GEAC and GHI be notified of the work session on the playgrounds report on July 9. Council also requested that an executive session on land acquisition be added to the list of work sessions to be scheduled.

ADJOURNMENT: A motion to adjourn was made by Mr. White and seconded by Mr. Turnbull. The motion carried 4-0. The Mayor adjourned the regular meeting of June 9, 2003, at 10:25 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 June 9, 2003.@

Judith F. Davis
Mayor