



REGULAR MEETING OF THE GREENBELT CITY COUNCIL held March 10, 2003.

Mayor Davis called the meeting to order at 8:03 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; John F. Shay, Jr., 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 Elizabeth E. Shugrue and former resident and Pioneer Eleanor Ritter. She then led the pledge of allegiance to the flag.

CONSENT AGENDA: Mayor Davis asked to remove from the consent agenda the minutes of the regular meeting of January 27, 2002. It was moved by Mr. Putens and seconded by Mr. Turnbull that the consent agenda as amended be approved. The motion passed 5-0.

Council thereby took the following actions:

MINUTES

- Interview, January 27, 2003
- Regular Meeting, February 10, 2003
- Work Session, February 12, 2003
- Work Session, February 19, 2003
- Regular Meeting, February 24, 2003
- Interview, March 3, 2003

Approved as presented.

APPOINTMENT TO ADVISORY GROUP: Council appointed Michelle L. Thomas to the Community Relations Advisory Board.

APPROVAL OF AGENDA: Mr. Putens moved approval of the agenda, with a second from Mr. Turnbull. The motion passed 5-0.

PRESENTATION - ACE Educator Awards Ceremony: Mayor Davis introduced Leta Mach, Chair of the Advisory Committee on Education (ACE). Ms. Mach noted that County Councilman Douglas Peters was present and that Senator Pinsky and Delegates Healey, Gaines, and Ross, who were unable to come because of the legislative session, had sent representatives. Pat Unger of the Democratic Central Committee appeared for Senator Pinsky, and Titus Hamlet, Delegate Ross's legislative aide, represented the delegates. Ms. Mach gave an overview of the programs supported by ACE and described the awards being presented to the ACE Educators. She also introduced ACE members Mary Alice Carroll, Eva Griffin, Jeff Morissette, and Kathy Lewis, and staff liaison Wendy Wexler. The 2003 award recipients were the following:

Greenbelt Elementary School Donna Sturgill, Test Coordinator/Math Specialist

Springhill Lake Elementary School Pat Piferski, Instructional Assistant, Special Education

Magnolia Elementary School Donna Martin, First Grade Teacher

St. Hugh=s School Jean Deverin, Kindergarten Teacher

Greenbelt Middle School Iesha Young, 7th Grade, Special Education Comprehensive Program

Eleanor Roosevelt High School Catherine Duff, Science Department Teacher Coordinator

PETITIONS AND REQUESTS

Cable Service Request: Sheldon Goldberg, 7848 Jacobs Drive, commented on the recent brochure sent out by Comcast publicizing upcoming changes. He criticized the elimination of the Baltimore broadcast stations, questioning their claims regarding the overlap of programming, as well as the continuing lack of selection, particularly Turner Classic Movies. Noting that others were concerned with the elimination of the Baltimore channels as well, Mr. McLaughlin said Comcast claims it is doing what customers want and encouraged Mr. Goldberg to complain directly to them.

New Deal Café Arts: Barbara Simon and Ray Stevens announced that New Deal Café Arts had achieved non-profit status. Ms. Simon said initially the Café itself had hoped to be a non-profit group, but their becoming a more full-service restaurant in Roosevelt Center had precluded that. Mr. Roberts asked if their fundraising was limited to arts programs. Ms. Simon said it was, but she pointed out that raising funds for such purposes as publicity for the arts programs, repairing the stage, and upgrading equipment would greatly benefit the Café overall. Mr. Stevens noted that since part of their stated mission extended to supporting Roosevelt Center, they would also be able to work together with other groups, such as the Friends of the Old Greenbelt Theatre, on larger, shared projects.

MINUTES OF COUNCIL MEETINGS:

Regular Meeting, January 27, 2003: Mayor Davis asked that it be clarified that the motion and modification to the motion on the item regarding the choice of a site for the Skateboard Park had been Mr. White's, not her own. With this change, the minutes were approved 5-0 on a motion by Mr. White, seconded by Mr. Putens.

Executive Session, February 10, 2003: Mr. Roberts moved that the minutes of the executive session of the City Council held Monday, February 10, 2003, be approved as presented. He further requested that the minutes of this meeting reflect that the City 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)(3) of the State Government Article of the Annotated Code of Public General Laws of Maryland to consider the acquisition of real property for a public purpose and matters related thereto. Mr. Turnbull seconded the motion.

ROLL CALL: Mr. Putens - yes

Mr. Roberts - yes

Mr. Turnbull - yes

Mr. White - yes

Mayor Davis - yes

ADMINISTRATIVE REPORTS

Mr. McLaughlin explained the background on an invitation to Council to an event at the White House Visitors Center marking the 15th Anniversary of the Potomac River Watershed Cleanup.

Mr. Putens said that in the Small Cities Committee meeting of the National League of Cities, considerable concern was expressed about the preparation of small cities in the event of war.

Mayor Davis reported on Council's Legislative Dinner in Annapolis and thanked Mr. Moran for his work in organizing it. She said there would be a vote on the Bi-County Committee tomorrow on a bill of great importance to Greenbelt that would expand the authority of cities in Prince George's County on planning and zoning issues. She said Delegate Ross, who is the only one of Greenbelt's delegates who is a City resident, continues to be opposed to this bill and may vote against it. She encouraged residents to call Delegate Ross and ask him to support the City's effort.

Mayor Davis also shared information from the National League of Cities meeting on budget issues and anticipated program cuts.

LEGISLATION

An Ordinance to Amend Chapter 11, "Motor Vehicles and Traffic," of the Greenbelt City Code for the Purpose of Codifying the Late Fee for Traffic Control Signal Monitoring System Citations

Mayor Davis read the agenda comments and said Cpl. Maria Parker was available to answer questions. Mr. White introduced the ordinance for second reading and adoption. Mr. Turnbull asked if the \$25 fee was a typical amount. Cpl. Parker responded that there was a wide range of amounts but that \$25 was the mode. Mr. Roberts seconded the motion.

ROLL CALL: Mr. Putens - yes

Mr. Roberts - yes

Mr. Turnbull - yes

Mr. White - yes

Mayor Davis - yes

The ordinance was declared adopted (Ordinance No. 1233, Book No. 11).

A Resolution to Negotiate the Purchase and Installation of NovaChip Asphalt Paving from the Gorman Group of Quakertown, Pennsylvania

Mayor Davis read the agenda comments. Mr. Putens introduced the resolution for second reading and adoption. Mr. White seconded the motion. Mr. Turnbull said he appreciated that the staff was looking into new materials and methods. He asked how the lifespan costs compared with other overlays. Kenny Hall, Director, Public Works, responded that the Novachip was expected to prolong the life 8-15 years, where a standard overlay could last anywhere from 15-30 years. Mr. Putens asked if Novachip had been used in this area. Mr. Hall said he had seen it in Alexandria and in Anne Arundel and Charles Counties and that it looked good to him.

ROLL CALL: Mr. Putens - yes

Mr. Roberts - yes

Mr. Turnbull - yes

Mr. White - yes

Mayor Davis - yes

The resolution was declared adopted (Resolution No. 956, Book No. 8).

CITY TREES AND VEGETATION POLICY: The Mayor read the agenda comments. Charles Jackman, co-chair of the Advisory Committee on Trees (ACT), was present, as was Bill Phelan, Assistant Director, Public Works, and staff liaison to ACT. Mayor Davis said it

had been she who asked that ACT review the Takoma Park policy. She asked Mr. Jackman if the committee thought any of it would be useful for Greenbelt. Mr. Jackman said it was all useful and that if one were starting from scratch with a new city, it might be a viable way to proceed; however, it was so complete and so detailed regarding enforcement that it would be a "nightmare" to implement in Greenbelt. He added that it surely would require increased staff as well. Mr. Phelan confirmed that Takoma Park was finding enforcement difficult, with citizens trying to evade the permit process and contesting the application of the law. He said Greenbelt had not had enough problems to justify instituting such a policy and that he thought it would be more effective simply to address the specific problems that arise. Mayor Davis asked Mr. Jackman to thank the committee for their review and advice on this topic.

PGCMA REQUEST FOR LETTER ON STATE BUDGET: Mayor Davis read the agenda comments. In response to the Mayor's request, Mr. Moran gave an update on the status of the FY 2004 state budget. Mayor Davis commented that both the proposed cuts and the uncertainty at the state level would make the City's upcoming budget process difficult, and she encouraged residents to communicate with their state legislators regarding the cuts.

In reviewing the draft letter, Mr. White requested, and other Councilmembers concurred, that the letter should be made much more specific to Greenbelt. With regard to the loss of highway user fees, for example, Mr. White suggested discussing this as effectively a breach of contract and an unfair passing down of a burden to a subdivision, describing exactly what the impact on the City's funding for roads would be. Council also directed that instead of referring euphemistically to increasing state revenues, the letter should state clearly, if need be, taxes should be raised. It was moved by Mr. White and seconded by Mr. Putens that Council approve the letter as amended and authorize the Mayor to sign it. The motion passed 5-0.

AWARD OF CONTRACT FOR CONCRETE WORK: The Mayor read the agenda comments. Mr. Putens made a motion that Council approve award of the contract for the described concrete work to NZI Construction of Beltsville under the terms and unit prices specified in County Contract No. 641-H(D). Mr. Roberts seconded the motion. In response to a query from Mr. Turnbull, Mr. Moran clarified that any traffic-calming work that could be done and that would involve concrete would be done under this contract. Mr. Putens asked if these prices could be extended to homeowners for sidewalks and driveway aprons as well. Mr. Hall said they could and that Public Works would be getting in touch with homeowners. He said two meetings have been scheduled for the benefit of Northway residents. There was also discussion of how well this company has worked with the City in the past and how this working relationship and NZI's proximity to Greenbelt have aided in keeping prices low and quality high. The motion passed 5-0.

PENDING STATE LEGISLATION – HB 142, HB 320/SB 205, SB 720

House Bill 142 - \$3 Fee on Rental Vehicles: The Mayor read the agenda comments. It was moved by Mr. Turnbull and seconded by Mr. Putens that Council support HB 142 and communicate that support to the City's state delegation, again noting the necessary exception for car-sharing. The motion passed 5-0.

House Bill 320/Senate Bill 205 – Homicide by Aggressive Driving: The Mayor read the agenda comments and asked that staff monitor this bill for next year, adding it to the list for possible inclusion on the City's 2005 legislative agenda. It was moved by Mr. Putens and seconded by Mr. Roberts that Council support HB 320/SB 205 and communicate that support to the City's state delegation. The motion passed 5-0.

Senate Bill 720 – Procurement – Alternative Fuel & Electric Hybrid Vehicles: The Mayor read the agenda comments. Mr. White thought Council should support the bill, since requiring government purchase of the vehicles would create a market for them that would solve the problems of cost and availability; he suggested that perhaps instead of a 50% mandate, the requirement might be phased in at 10% per year until it reached 50%. Mr. Roberts agreed that Council should support it and added that he did not find the 50% requirement unreasonable. It was moved by Mr. Turnbull and seconded by Mr. Roberts that Council support SB 720 and communicate that support to the City's state delegation. The motion passed 5-0.

MEETINGS: There was discussion of Council representation at various legislative hearings later in the week. Council reviewed the meeting schedule and budget work session schedule. It was agreed to continue the executive session on personnel matters on Monday, March 31, hold the first budget work session on April 2, and hold the Public Works budget work session on April 23.

ADJOURNMENT: A motion to adjourn was made by Mr. Turnbull and seconded by Mr. White. The motion carried 5-0. The Mayor adjourned the regular meeting of March 10, 2003, at 10:22 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 March 10, 2003.@

Judith F. Davis
Mayor