



REGULAR MEETING OF THE GREENBELT CITY COUNCIL held November 24, 2003.

Mayor Davis called the meeting to order at 8:03 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., and Robert A. Manzi, City Solicitors; 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 Mary Alice Carroll and former resident Arthur Stewart Barclay. She 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

- Work Session, September 10, 2003
- Regular Meeting, October 13, 2003
- Regular Meeting, October 27, 2003
- Work Session, November 10, 2003
- Charter Meeting, November 10, 2003

Approved as presented.

COMMITTEE REPORTS

Arts Advisory Board, Report #04-003 (Fine Arts Loan and Gift Policy). Council accepted this report.

EMPLOYEE SPECIAL HOLIDAY: Council approved Friday, December 26, 2003. as the special staff holiday for this year.

RESIGNATION FROM ADVISORY GROUP: Council accepted the resignation of Leta Mach from the Advisory Committee on Education.

REAPPOINTMENT TO ADVISORY GROUP: Council reappointed James Drake to a new term on the Advisory Planning Board.

APPROVAL OF AGENDA: Mayor Davis asked to add as item # 25 the fire at Greenbriar. It was moved by Mr. Herling and seconded by Mr. Putens that the agenda be approved with that amendment. The motion carried 5-0.

PRESENTATIONS

ARecycle Right@ Awards: The Mayor read the agenda comments. Neal Barnett, chair, Recycling & Environment Advisory Committee, committee member Brian Gibbons, and City staff liaison Cindy Murray assisted Council with the presentation of the awards for the "Win with Your Bin" contest to Charles Brown and Judy Wilson, 7B Hillside Road, and J. Anthony and Ruth Morris, 23E Ridge Road. Unable to attend the meeting were Marisa Young and Anna Graves, 7909 Brooks Place. Other winners who had not yet called the City were residents at 14X and 54L Ridge Road.

Traffic and Pedestrian Safety Presentation: Chief James Craze announced that for 2003, the City had once again received a first place award in the Maryland Chiefs Challenge. MPO Scott Kaiser made a presentation on the initiatives of the Police Department over the past year to improve traffic and pedestrian safety, including checking seatbelt and child safety-seat use, "stings" for pedestrian crosswalk enforcement, and participation in "Walk to School Day." Council thanked MPO Kaiser for his presentation, and the Mayor offered congratulations to Chief Craze on his appointment to the Executive Board of the International Association of Chiefs of Police.

SAVVY Award for Cable Program on ACE Reading Club: The Mayor announced that this year the City-County Communications and Marketing Association (3CMA) presented its SAVVY Award in the category of "Citizen Participation" to the ACE Reading Club program. Beverly Palau, Public Information and Communications Coordinator, and Eva Griffin, chair, Advisory Committee on Education, spoke briefly about the program.

Eleanor and Franklin Roosevelt Democratic Club: President-Elect Bill Hunt, 7 Olivewood Court, presented a \$150 check to the City for its Emergency Assistance Fund, an amount representing the club's "wish box" donations for this year.

PETITIONS AND REQUESTS

Gordon Pickering: Mr. Pickering asked for a support letter from Council for an application he is submitting for funding for the strobe light smoke detectors and their installation for deaf residents at Greenbriar. He stated that American Legion Post #136 and the Lions Club headquarters office in Chicago have each agreed to provide 50% of the cost. There was considerable discussion regarding whether this was the same configuration Greenbriar had previously proposed but Mr. Pickering had rejected or whether it was a configuration Greenbriar had previously said would not work. It was moved by Mr. Putens and seconded by Mr. Roberts that the City would send a support

letter, contingent upon determination by staff that the plan was acceptable to Greenbriar. Mr. McLaughlin said staff would review the proposal if that was Council's direction, but he expressed reluctance to have the City appear to be placed in an intermediary position between Greenbriar and Mr. Pickering, particularly given recent exchanges between their attorneys. Mr. Putens stressed the need for Mr. Pickering to work with the Greenbriar management on this, and Ms. Mach pointed out that it was almost surely the case that the potential funders would want to see a letter of support from Greenbriar before proceeding as well. Mr. McLaughlin then suggested that the City begin to develop a letter, simultaneously send the proposal to Greenbriar for review, and then proceed as appropriate. Council agreed to this modification to the motion and voted 5-0 in favor of it.

Mr. Pickering also distributed a petition regarding a Greenbriar resident survey on installation of a locked entry system with telephones. The Mayor told him this was only a survey, and no decision had been made that was subject to petition at this point. Mr. Putens suggested to Mr. Pickering that the appropriate course of action would be to send this petition to the Greenbriar management as a response to the survey.

Greenbelt Baseball: Greg Fisanich, 6E Plateau Place, Joseph Fulton, 55H Ridge Road, and others appeared to present a petition signed by a number of homeowners near McDonald field in support of Greenbelt Baseball's request for lights for the field in time for the spring season. Council directed that the petition and the question be referred to the Park & Recreation Advisory Board (PRAB) for review.

Crosswalk Striping: Keith Chernikoff, 210 Lastner Lane, expressed concern about the safety of two crosswalks on Lastner Lane and asked what the criteria for striping them are. Celia Craze, Director, Planning and Community Development, responded that, although there are no absolute criteria, evaluating all the crosswalks is a management objective for her department. Mr. Chernikoff specified the locations as being at the first stop sign at the base of Lastner Lane and at the second stop sign, approximately at 214 Lastner Lane.

ADMINISTRATIVE REPORTS

Mr. McLaughlin announced that the City's long-awaited trail maps, which show both pedestrian and bicycle trails, were now available. He reviewed changes to the trash and recycling schedules due to the Thanksgiving holidays. He also announced that the conclusion of the Charlestowne North issue was that this year's rent increase would be limited to no more than 10% for tenants who sign a lease, with a rise to market value if the apartment is vacated. The deadline for decisions is to be extended from December 1 to January 1. Mr. Putens asked that a call be placed to the owners to confirm the status of the promised actions.

Mayor Davis reported on a number of activities, including an October 29 meeting with visiting local government officials from China, the Bi-County Committee meeting on November 11, a hearing at the State Highway Administration on cuts to highway users' fees, the swearing-in ceremony for the student council at Magnolia Elementary School, and the County Executive's Prayer Breakfast on November 24.

LEGISLATION

An Ordinance to Amend Chapter 12, "Parks And Recreation," Article VIII, "Forest Preserve," for the Purpose of Designating a City-Owned Parcel as Forest Preserve Area (Boxwood Preserve)

The Mayor read the agenda comments and indicated that she would entertain a motion to defer this ordinance for the reasons given in the comments regarding lack of adequate public notice and citizen comment. Ms. Mach so moved, and Mr. Herling seconded the motion. Mr. Roberts said he would have liked to have had the opportunity to introduce the ordinance for second reading in order to give citizens the opportunity to speak about it. He said he has a fundamental disagreement with the approach being taken by most of Council on this matter. He said he believed all relevant land should be preserved under the ordinance with the burden of proof being on those who wished to make a case to remove it, whereas Council's approach so far had been the opposite—to hold the land out and assume it would not be preserved until all development possibilities are considered. Mayor Davis responded that part of the work of the task force was to be to make recommendations to Council on what land should be included; moreover, she said, the issue needs public review, and Council should be looking at the big picture as a whole rather than piecemeal.

Mr. Chernikoff commented that this topic had not yet been thoroughly vetted in Boxwood, and that, as he read the forest preserve ordinance, the burden for so much as putting up a bench was very high. He asked that it be referred to the civic association at the appropriate time. Ms. Mach and Mr. Herling both supported the request for additional citizen review. Brian Almquist, 112 Hedgewood Drive, said he was present to ask Council to pass the ordinance. He said it was unnecessary to do further study and that the City already has more than adequate ball fields and playgrounds. Susan Smithers, 10J Laurel Hill Road, supported Mr. Roberts and Mr. Almquist, saying that 800 acres of forest have already been whittled down to 200, and "we are past compromise."

When the vote was taken, the motion to defer the ordinance passed 4-1 (Roberts).

An Ordinance to Amend Chapter 12, "Parks and Recreation," Article VIII, "Forest Preserve," for the Purpose of Designating a City-Owned Parcel as Forest Preserve Area (Belle Point Preserve)

The Mayor read the agenda comments. It was moved by Mr. Herling and seconded by Mr. Putens that the ordinance be deferred for the reasons as discussed for the Boxwood ordinance. The motion passed 4-1 (Roberts).

A Resolution to Establish a Forest Preserve Task Force

Mayor Davis read the agenda comments. Mr. Putens introduced the resolution for second reading and adoption, with a second from Mr. Herling. Mr. Roberts said he had received a request from a citizen who believed that individuals not affiliated with advisory groups should be in the majority on the task force. He suggested implementing this by reducing the PRAB representation to one and increasing the unaffiliated positions to four. He offered this as an amendment. Mr. Putens asked Ms. Craze why there had originally been two seats for PRAB members. She said it was

because of PRAB's size and its essential role in reviewing and advising on matters of this nature. Mr. Putens seconded Mr. Roberts' motion.

Bill Phelan, 57P Ridge Road, asked why there was no representation on the task force from the Recycling & Environment Advisory Committee (REAC). Mayor Davis suggested amending the resolution to include nine members by adding REAC and the Youth Advisory Committee (YAC). As the seconder of the motion, Mr. Putens asked for that change to be incorporated. Mr. Roberts said he still wanted a majority of citizens. After pointing out that members of Council's advisory groups are citizens, Mayor Davis agreed to go with 11 members: five from specified advisory groups, six unaffiliated. Council voted 5-0 in favor of this change and agreed that, with tonight serving as the first reading of the revised resolution, it would return for second reading at the December meeting.

An Ordinance to Amend Chapter 13, "Personnel," of the Greenbelt City Code for the Purpose of Extending the Health Insurance Benefit to Domestic Partners and Eligible Dependents

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

A Resolution to Authorize the Negotiated Purchase of a Prefabricated Animal Control Facility Building

Mayor Davis read the agenda comments. Mr. Roberts asked if Council had approved the site yet or whether there had been notification to residents. Ms. Craze said there had been some discussion of site when Capital Projects were discussed and that notification to residents would occur after Council approved the structure. The Mayor encouraged early discussion with the residents of Boxwood. Ms. Craze said the expectation was that the building could be fit into this space without the removal of any vegetation. Mr. Putens asked if other sites had been considered. Ms. Craze mentioned a location behind Public Works and the Jaycees' Clubhouse. An advantage to the location at the Police Department is that it will allow for cooperation with the police on housing their canines, which will also save private kennel fees.

Ms. Mach introduced the resolution for first reading.

OFF-SITE MITIGATION AREA FOR HILTON GARDEN INN: The Mayor read the agenda comments. She noted that young people use part of the staff-recommended area as a playing field and asked Kristen Ward, Community Planner, if the mitigation could work around that. Ms. Ward said she had not been aware of this use but thought there would be alternatives for working around it. Having ascertained from Ms. Ward that the only intervention that would be allowed on the mitigation site was "routine maintenance," Mr. Roberts asked if this land should be considered as part of the forest preserve first. The Mayor pointed out that prior to the mitigation there is no forest there to preserve. With the condition that staff will bring this plan back for review once it is more specific, it was moved by Mr. Roberts and seconded by Mr. Herling that the applicants be directed to provide the approximately 1.4 acres of required mitigation within the City on parcel 57—off of Hanover Parkway between the Dog Park and the entrance to Hunting Ridge. The motion passed 5-0.

APPLICATION FOR TRANSFER OF LIQUOR LICENSE – T.G.I. FRIDAY’S: Mayor Davis read the agenda comments. Mr. Putens said he was concerned that this establishment had presented ongoing problems both for its neighbors and for City police. He moved that Council defer action on this item, with direction to the City Manager to tell the applicant to come to the December 15 regular meeting so that Council could pose some questions. Mr. Roberts seconded the motion, which passed 5-0.

AWARD OF BID – EQUIPMENT FOR PUBLIC WORKS’ VEHICLES: The Mayor read the agenda comments. It was moved by Mr. Putens and seconded by Ms. Mach that the bid be awarded to Moxley Truck Equipment of Street, Maryland, at a cost of \$24,121. The motion passed 5-0.

NEW CONTRACT WITH ZIPCAR: Mayor Davis read the agenda comments. In response to a question from the Mayor, Mr. McLaughlin said his evaluation was that combining the usage on the two City Zipcars benefited the City, since the Green Ridge House car is used so much more heavily than the Municipal Building car; however, in exchange for that, Zipcar will take a larger percentage of the fees. Mr. Herling moved Council authorization of the signing of the contract with Zipcar. Mr. Roberts seconded. The motion passed 5-0.

PROPOSED 2004 LEGISLATIVE PROGRAM: Mayor Davis read the agenda comments and suggested adding the funneling down of homeland security funding. She noted that the priorities given at the Prince George’s County Municipal Association dinner should also be included. Ms. Mach asked that the Bridge to Excellence (Thornton funding) be included, and Mr. Putens suggested adding speed cameras and employment benefits for relationships other than domestic partners. There was some discussion of which items should be placed under “Other Issues” and which under “Informational Items.”

Sheldon Goldberg, 7848 Jacobs Drive, asked to add “city aggregation of electric power.” The Mayor commented that Delegate Jim Hubbard intends to introduce a bill on this and suggested placing it under “Other Issues.” It was moved by Mr. Putens and seconded by Mr. Roberts that the legislative agenda be approved as amended. The motion passed 5-0.

APPOINTMENT OF COUNCILMEMBERS TO BOARDS AND COMMITTEES: It was moved by Mr. Putens and seconded by Ms. Mach that the following Council appointments be approved. The motion passed 5-0.

Advisory Planning Board - Mr. Putens

Arts Advisory Board - Mr. Roberts

Community Relations Advisory Board - Mr. Putens

Park & Recreation Advisory Board - Mr. Herling

Advisory Committee on Education - Ms. Mach

Public Safety Advisory Committee - Mr. Putens

Recycling & Environment Ad. Committee - Mr. Herling

Senior Citizens Advisory Committee - Ms. Mach

Youth Advisory Committee - Mr. Roberts

Friends of the Greenbelt Museum Board - Mayor Davis

Greenbelt Access Television Board - Mr. Herling

At its first meeting in January 2003, Council made the following appointments to the various COG boards and committees. Descriptive information on the boards and committees from that time is enclosed. These appointments are solicited by COG in January of each year:

Board of Directors - Mayor Davis

Alternate - Mr. Roberts

Human Services Policy Committee - Mr. Putens

Public Safety Policy Committee - Mr. Putens

Metropolitan Development Policy Committee - Mr. Herling

Alternate - Ms. Mach

Transportation Planning Board - Mr. Roberts

Metropolitan Washington Air Quality Comm. - Ms. Mach

Chesapeake Bay Policy Committee - Mayor Davis

Alternate - Ed Putens

FIRE AT GREENBRIAR: On behalf of Greenbriar, Mayor Davis extended thanks to everyone who had provided assistance during the fire at 7806 Hanover Parkway over the weekend, including City staff and fire-fighting personnel from both inside and outside Prince George's County. She provided information on the fund being established at the Greenbriar office for the victims of the fire. She also spoke about the great loss to the community created by the death of Mary Alice Carroll. Mr. Putens commented on the impressive performance of the fire departments, as well as that of Steve Bupp and the offices at Greenbriar. Ms. Mach added that it was expected that a memorial service would be held by Ms. Carroll's parents at a Greenbelt location later.

MEETINGS: Council reviewed the meeting schedule. The Mayor asked to add the Pepco work session to the list for later scheduling. There was discussion of combining several topics for purposes of expediting scheduling.

ADJOURNMENT: A motion to adjourn was made by Mr. Putens and seconded by Mr. Herling. The motion carried 5-0. The Mayor adjourned the regular meeting of November 24, 2003, at 11:25 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 24, 2003.

Judith F. Davis, Mayor