



REGULAR MEETING OF GREENBELT CITY COUNCIL held Monday, April 8, 2002.

Mayor Davis called the meeting to order at 8:02 p.m.

ROLL CALL was answered by Council members 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; David E. Moran, Assistant to the City Manager; John F. Shay, City Solicitor; and Kathleen Gallagher, City Clerk.

Mayor Davis asked for a moment silence in memory of resident Lorraine Doan and former resident Eunice Coxon. She then led the Pledge of Allegiance to the Flag.

CONSENT AGENDA: Mr. White asked that the work session minutes of February 27, 2002, be removed from the consent agenda. A motion to approve the amended consent agenda was made by Mr. Putens and seconded by Mr. White. The motion passed 5-0.

Council thereby took the following actions:

MINUTES

- Work Session, March 20, 2002
- Regular Meeting, March 25, 2002

Approved as presented.

COMMITTEE REPORTS

Advisory Committee on Education, Report #02-2002 (Renovation of Greenbelt Middle School): Council received the report and agreed to consider it on the agenda of the next meeting.

Advisory Committee on Education, Report #03-2002 (City Allocation of Funding for Schools): Council received the report and agreed to consider it as part of its budget deliberations.

Park & Recreation Advisory Board, Report #02-01 (FY03 Contribution Groups Budget Review): Council received this report and agreed to consider it at the budget work session for the Contribution Groups on May 6.

Arts Advisory Board, Report #02-003 (Contribution Groups Budget Review): Council received this report at tonight's meeting agreed to consider it at the budget work session for the Contribution Groups on May 6.

ACQUISITION OF REPLACEMENT POLICE VEHICLE: Council authorized the purchase of a police package vehicle under Maryland State Police bid #001IT812947 at a cost of \$20,382 from Norris Ford of Baltimore.

APPROVAL OF AGENDA: Mr. Putens moved approval of the agenda. Mr. Turnbull seconded the motion, which passed 5-0.

PRESENTATIONS

National Public Safety Telecommunications Week Proclamation: Mayor Davis read a proclamation declaring the week of April 14-April 20 to be National Public Safety Telecommunications Week in Greenbelt. The proclamation recognized the work of Greenbelt's Communications Specialists: Lucinda Keppel, Tammy Harris, William Stair, Patrick Ceresa, Camillo Mascio, and Jessica Houle. Ms. Keppel and Ms. Harris were in attendance to receive the proclamation.

Maryland Chiefs' Challenge Campaign Proclamation: Mayor Davis read a proclamation designating April and May as the months for the Maryland Chiefs' Challenge Campaign, which promotes compliance with safety belt and child safety seat laws. Greenbelt Chief James Craze, who is also vice president of the Maryland Chiefs of Police Association, accepted the proclamation. He first praised Ms. Keppel and Ms. Harris for their work above and beyond the norm during a time when staff shortages left them as the City's only dispatchers. He said Greenbelt hopes to win the Governor's Award for the Chiefs' Challenge for the third consecutive year. Mayor Davis clarified that the work of stopping and checking safety belt compliance is grant-funded and does not take away from the Police Department's usual work. Chief Craze added that citizens may also come in to have their child safety seats checked at the Police Department.

Arbor Day Proclamation: Mayor Davis read a proclamation declaring that Arbor Day will be celebrated on April 20 in Greenbelt this year and once again will held in conjunction with the City's Earth Day events. She asked the City Clerk to pass the proclamation along to the Advisory Committee on Trees.

PETITIONS AND REQUESTS: There were none.

MINUTES OF MEETINGS: For the minutes of the work session of February 27, 2002, Mr. White asked that Hopi Auerbach be identified in the list of those present as chair of the Audit Committee for Greenbelt Homes, Inc., and moved approval of the minutes so amended. Mr. Putens seconded. The motion passed 5-0.

ADMINISTRATIVE REPORTS

Mr. Moran reported that Delegate Mary Conroy has been released from the hospital.

Mr. McLaughlin gave an preview of the upcoming events of April 20, including Earth Day, Arbor Day, the Public Works Open House, and the Celebration of Spring. Earth Day this year will be focused on the project to improve the shoreline at Greenbelt Lake.

Mr. Turnbull commented on the state's intention to balance the budget, in part, by eliminating most funding for the heritage areas authority and reducing Open Space money. He suggested that the City either communicate with its delegates now or when they come for the legislative wrap-up. Mr. McLaughlin summarized the letters that had already been sent to the delegates, adding that apparently the budget impact on the Open Space program will not come into play until fiscal years 2003 and 2004. Mayor Davis asked that this topic be brought up at the wrap-up meeting.

Mayor Davis commented on a paper she distributed regarding the County Charter Review Commission Report; she said there will be public hearings on this subject and, if it moves forward, it will be on the ballot at the November election. She reported that Sally Chadwick, a Village Trustee from Greendale, Wisconsin, and her husband, Jay, had visited the City offices and left a number of gifts, including a copy of the book on Greendale. She described the Easter egg hunt at Greenbelt Lake, which was conducted by the Recreation Department, and thanked Dick and Claire Pilski for donating the Easter eggs. She attended a meeting of the Eleanor Roosevelt High School Academy Program's Business and Higher Education Executive Advisory Board. She also mentioned the Greenbelt Lake shoreline and Springhill Lake stream clean-up volunteer efforts and the Artful Afternoon activities of the prior weekend. She announced that the deadline is the end of April for applications from college and graduate students for PGCMA scholarships and said anyone interested could get in touch with the City Clerk to get an application form.

Regarding a data sheet on Eleanor Roosevelt High School that the Mayor had distributed, Mr. Putens noted the impressive increase in scholarship support at the school over the years.

LEGISLATION

An Ordinance to Authorize and Empower the City of Greenbelt, Maryland, from Time to Time, to Borrow Not More than Four Million Five Hundred Fifteen Thousand Dollars (\$4,515,000) for the Public Purpose of Refunding the Outstanding Principal Amount of the City's Public Improvement and Refunding Bonds of 1993 and to Effect Such Borrowing by the Issuance and Sale, upon Its Full Faith and Credit, of Its General Obligation Bonds in Like Par Amount Pursuant to the Authority of Section 24 of Article 31 of the Annotated Code of Maryland (1997 Replacement Volume) and Section 55 of the City Charter; Providing for the Appropriation and Disposal of the Proceeds of Sale of the Bonds; Providing for the Levy and Collection of Taxes Sufficient for the Prompt Payment of the Maturing Principal of and Interest on the Bonds; and Generally Relating to the Issuance, Sale and Payment of the Bonds

Mayor Davis read the agenda comments. Mr. White introduced the ordinance for first reading and moved that the standing rules be suspended. Mr. Turnbull seconded.

ROLL CALL Mr. Putens - yes

Mr. Roberts - yes

Mr. Turnbull - yes

Mr. White - yes

Mayor Davis - yes

Mr. White then introduced the ordinance for second reading and moved adoption. Mr. Turnbull seconded. Mr. White asked, regarding the overall bond package, what the impact of not receiving state support this year would be on the Springhill Lake Recreation Center project. Mr. McLaughlin said Council would need to discuss this and suggested doing so as part of the budget for Capital Projects. He asked if there were arbitrage issues, and Mr. McLaughlin said there were not, since the entire amount is under \$5 million.

ROLL CALL Mr. Putens - yes

Mr. Roberts - yes

Mr. Turnbull - yes

Mr. White - yes

Mayor Davis - yes

The ordinance was declared adopted (Ordinance No. 1211, Book 11).

An Ordinance to Amend Chapter 3, "Animals and Fowl," of the Greenbelt City Code for the Purpose of Revising Regulations Relating to the Administration and Enforcement of the Animal Control Program

Mayor Davis read the agenda comments. Mr. Turnbull introduced the ordinance for first reading and added that he had received very positive response from the community about Susie Hall, the animal enforcement officer.

Regarding reference to the keeping of exotic animals in paragraph 3-37 (5), Mayor Davis asked whether federal law also should be cited. Ms. Craze said she believed the state law followed the federal law and thus covered it, but she said staff would check further. Mayor Davis also asked whether any regulation would prohibit a person from keeping an animal solely for breeding purposes. Ms. Craze said there was not, assuming no violations of other parts of the ordinance. In response to Mayor Davis's comment that there are no breed-specific regulations, Ms. Craze said that, although the county has a law prohibiting pit bulls, in general, most jurisdictions are moving away from breed-specific law and attempting to deal the owners instead. Mayor Davis also asked about the regulation of at-large cats. Ms. Craze said the City would respond on a complaint basis.

Mr. White asked Ms. Craze to look into whether the City could enforce complaints regarding exotic or endangered animals under federal or state statutes.

Mr. Roberts asked if the City could license people who breed animals for profit. Ms. Craze said that although the City could do so, it does not now license businesses at all. She said staff would look into how the county monitors such businesses.

There was considerable discussion about the tethering of animals. Ms. Craze said that although she initially had thought the City should regulate tethering, she had been convinced by Ms. Hall that it is not the method of confinement as such that should be regulated but the other conditions. In other words, tethering itself may be done humanely or inhumanely, and what the City should be evaluating is whether the animal is safe and has adequate food, water, shelter, and other necessary care. She added that in cases where there is no fenced yard, tethering may be the only way the animal has any extended time outdoors. Mr. Roberts disagreed and said he thought tethering was categorically inappropriate and resulted in bad and vicious animals. He said animals could have adequate food, water, etc., and still be treated inhumanely by virtue of a lack of human or animal interaction if they were tethered for long periods. He said he would not support the ordinance without some limitation on tethering. Mayor Davis said she did not see any difference between tethering an animal inappropriately and confining the animal inappropriately in a kennel or dog run or crate. Ms. Craze said staff's opinion is that none of these methods of confinement is inherently inhumane, but any of them may be situationally inhumane. She said it is the situation that must be evaluated. Mr. Turnbull expressed support for that point of view. Ms. Craze said there is one section of the ordinance that is stated quite broadly with the idea of giving the City some leeway. She added that an additional problem with time limits is the constant monitoring that would be required. Mayor Davis asked Ms. Craze to do some additional review on whether there is a practical way to place limits on tethering or confinement methods.

Ms. Craze also provided an update on some of the activities of the animal control program. She said the van had been purchased and was being retrofitted in Aberdeen. She also distributed a flier on the upcoming Pet Expo on May 11.

SELECTION OF AUDIT SERVICES: The Mayor read the agenda comments. Council directed the City Manager to request a proposal from Reznick Fedder & Silverman to undertake the FY 2002 audit.

MEETINGS: Council reviewed the upcoming schedule of meetings. The beginning time for the budget work session for the Contribution Groups and the Four Cities meeting was changed to 7:30 p.m. It was suggested that Council may wish to schedule a work session with the Fire Department for May 29; an earlier meeting to include other jurisdictions was also discussed.

ADJOURNMENT: A motion to adjourn was made by Mr. Turnbull and seconded by Mr. White. The motion carried 5-0. Mayor Davis adjourned the regular meeting of April 8, 2002, at 9:20 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 April 8, 2002."

Judith F. Davis
Mayor