



REGULAR MEETING OF GREENBELT CITY COUNCIL held December 16, 2002.

Mayor Davis called the meeting to order at 8:00 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; Robert A. Manzi, City Solicitor; and Kathleen Gallagher, City Clerk.

Mayor Davis asked for a moment of silence in memory of resident Mary K. Baxter. She then led the Pledge of Allegiance to the flag.

CONSENT AGENDA: Mr. Turnbull requested that item #18 (Program Open Space–Letter of Support) be removed from the consent agenda. It was moved by Mr. White and seconded by Mr. Putens that the consent agenda be approved as amended. The motion passed 5-0.

Council thereby took the following actions:

MINUTES

- Work Session, November 6, 2002
- Work Session, November 20, 2002
- Regular Meeting, November 25, 2002

Approved as presented.

COMMITTEE REPORTS

Advisory Planning Board, Report #02-08 (Proposed Greenlands Ordinance): Council accepted this report and will consider it on a future agenda.

Advisory Planning Board, Report #02-09 (Cherrywood Lane Corridor Plan): Council accepted this report.

Youth Advisory Committee, Report #02-01 (Skateboard Park): Council received this report, which predated the December 11 public forum co-sponsored by the Park & Recreation Advisory Board and the Youth Advisory Committee, and agreed to take it into consideration with the item on this topic later on the agenda.

Park & Recreation Advisory Board and Youth Advisory Committee, Joint Report #02-06 (Skateboard Park): Council received this report and agreed to consider it with the item on this topic later on the agenda.

Recycling & Environment Advisory Committee, 11/12/02 Memo (Use of Recycled Paper and Holiday Card Collection): Council accepted this report, approved the proposal to expand the card recycling program, and referred to staff an investigation into increasing use of recycled paper by City offices.

Resignation from Advisory Group: Council accepted with regret the resignation of Kelby Brick from the Public Safety Advisory Committee.

APPROVAL OF AGENDA: Mr. Turnbull asked to add "Consideration of Victim Impact Statement" to the agenda as item #20. Mr. McLaughlin asked Council to remove item #14 (Commerce I - Request for Exception to Approved Sign Plan) from the agenda, to be rescheduled for the January 13, 2003, regular meeting. Mr. Putens moved approval of the agenda as amended. Mr. Turnbull seconded the motion, which passed 5-0.

PRESENTATIONS: There were none.

PETITIONS AND REQUESTS: Mayor Davis stated that a letter had been addressed to Council from Martha Gay, 6 Court Ridge, asking that the City withdraw its request to the National Park Service to take the Jaeger Tract by eminent domain. The Mayor asked if any member of Council wished to place this item on the agenda, but no one did.

MINUTES OF MEETINGS

Executive Session of November 25, 2002: Mr. Roberts moved that the minutes of the executive session of the City Council held Monday, November 25, 2002, be approved as presented. He further requested that the minutes of this meeting reflect that the Council met in executive session at 11:20 p.m. in the Library of the Municipal Building. Council held this closed meeting in accordance with Section 10-508 (a) (7) of the State Government Article of the Annotated Code of Public General Laws of Maryland to consult with counsel to obtain legal advice on a legal matter regarding the condemnation law suit for the property for the new postal facility. Mr. Putens seconded.

ROLL CALL Mr. Putens - yes

Mr. Roberts - yes

Mr. Turnbull - yes

Mr. White - yes

Mayor Davis - yes

Executive Session of December 9, 2002: Mr. Roberts moved that the minutes of the executive session of the City Council held Monday, December 9, 2002, be approved as presented. He further requested that the minutes of this meeting reflect that the

Council met in executive session at 7:37 p.m. in the Council Room of the Municipal Building. Council held this closed meeting in accordance with Sections 10-508 (a) (7) and (8) of the State Government Article of the Annotated Code of Public General Laws of Maryland to consult with counsel, staff and other individuals about pending or potential litigation regarding the property for the new postal facility. Mr. Turnbull seconded.

ROLL CALL Mr. Putens - yes

Mr. Roberts - yes

Mr. Turnbull - yes

Mr. White - yes

Mayor Davis - yes

ADMINISTRATIVE REPORTS

Mr. Manzi reported on the Planning Board meeting considering the Golden Triangle site plan. The City was successful in convincing the Planning Board that the amount of tree-save needed to be increased.

Mr. Roberts reported on the tree lighting for the Festival of Lights.

Mr. White, Mr. Putens, and Mayor Davis reported on various aspects of the National League of Cities conference in Salt Lake City.

Mayor Davis reported on a Purple Line meeting at M-NCPPC, the City's first legislative dinner with its new state and county representatives, and a tree-lighting in Greenbelt East.

LEGISLATION

A Resolution to Amend Resolution 953 to Purchase 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. White introduced the resolution for first reading.

Community Resource Advocate Position: Mayor Davis read the agenda comments. Mr. Moran brought Council up to date on the most recent developments, indicating that staff needed more time to evaluate the current situation with Collington. He said before proceeding he wished to confirm that Council had no objection in principle to the idea of contracting with an organization, and no specific objection to staff's continuing to talk with Collington. He also introduced Steve Chiaverini, outgoing Vice President for Management Services for Collington. Mr. Putens said he had concerns about contracting with an organization for this work, specifically because staff changes could result in a

lack of continuity in services and both residents and the City would have to start over with someone else. Mr. Turnbull agreed, saying it was with good reason that the position had been set up to be a City staffer who would report to the City Manager. Mr. White and Mayor Davis were both willing to consider a contract with an organization, provided there would be regular contact people. Mayor Davis said she found the idea of having access to a wider range of expertise and services quite appealing. Mr. Roberts said he thought it was important to re-advertise the position and continue to seek a qualified individual applicant at the same time that the Collington proposal was examined. He was concerned about losing time if the Collington application was not viable and the City had to start the search process over again later. Mr. Putens supported that suggestion, saying the City should continue to keep all types of options open. Mr. Roberts then moved, and Mr. Putens seconded, that Council approve continuing discussions with Collington, while re-advertising the position to attempt to expand the applicant pool. The motion passed 5-0. Leonie Penney, chair of the Friends of the Resource Advocate (FOR A), then spoke briefly to express the group's confidence in Mr. Moran's investigation of the situation. She added that FOR A had been very impressed with Collington's proposal, which would provide services beyond what they had hoped and would permit doing in one year what they had anticipated would take five to accomplish with one individual in the position. Council thanked her for her comments.

Public Works Facility Expansion – Final: Mayor Davis read the agenda comments and introduced Scott Grice, architect for the project, and Ken Hall, Director, Public Works. Mr. Grice demonstrated some of the materials to be used in the facility and discussed several elements of the bid. It was moved by Mr. Putens and seconded by Mr. Roberts that Council approve the plans as proposed, with the understanding that adjustments to the plan may be required once the bids are received and that the bids will come back to Council for decision. The motion passed 5-0.

Plan for Skateboard Park: The Mayor read the agenda comments and added that Council members had received a good deal of communication from residents on this subject. She said some people are opposed to building a skateboard park altogether; others are against sitting it at tennis courts #s 7 and 8. She said it was not proposed that those tennis courts be dropped from consideration at this time; rather, the staff would attempt to expand the pool of possible sites. Mr. White said he did not think Northway should be put back on the list, since he thinks accessibility should remain a basic criterion. Mr. Roberts agreed, adding that he was still interested in the area between the Community Center and the Youth Center, depending on what the appearance of the facility would be, including the height of the fencing. He said noise was a factor for a central facility, however, and asked if staff could pursue harder information on the level of noise that would be produced with different alternatives.

Mr. White raised the issue of fees, saying that staff in the past has said the administrative requirements for charging for admission to the tennis courts would be too high. He said changing technology might make this more feasible and said all admission fees should be reexamined if any substantial fee is to be required for this facility. Other members of Council agreed that the rationale for fees should be reexamined.

Mr. Turnbull was also supportive of a central location and mentioned looking at an area between the Aquatic & Fitness Center and the Youth Center that might bear further investigation.

Regarding petitions and other materials submitted by Ed Kapplinger, 107 Julian Court, Mr. Putens remarked that quite a few of the signatures were from 410 area codes. Mr. Kapplinger said he did not think the use at any given time included fewer residents than for team sports but added that it is the participation of nonresidents that allows the sport to be viable for residents. Mr. Putens said he did not think tennis tournaments needed to be a problem, since the skateboard park could be closed for specific periods of time. He said his concern was primarily with disturbance to adjacent residences.

Thelma Sweeney, 10E Plateau Place, a member of the Skateboard Coalition, said the Coalition wants the park to be accessible and that their interest in courts #s 7 and 8 had primarily been that the surfacing would permit more of the budgeted funds to be spent on equipment. She agreed with the Mayor that finding a site that would be "win-win" was what the Coalition wants too; however, she said there is unlikely to be any site that everyone would agree was perfect, and she asked the City not to tie the decision up in red tape.

REQUEST FOR VICTIM IMPACT STATEMENT: Mr. Turnbull made a motion that the City file a victim impact letter with the judge considering sentencing of the driver found guilty in the death Leonie Penney's son Walter. Mr. White seconded. The motion passed 5-0.

UPGRADE of City Telephone System: Mayor Davis read the agenda comments and confirmed with Stephen Robinson, Director of Information Technology, that the new system would not mean any difference in how phones were answered or how the public would interface with City offices. In response to a question from Mr. Putens, Mr. McLaughlin said it was anticipated that the City could pay for the new system out of the savings for the first three years. Council thanked Mr. Robinson for his work on this project. Mr. White moved that Council authorize staff to proceed with the proposed upgrade as described. Mr. Putens seconded. The motion passed 5-0.

Withdrawal of Condemnation Lawsuit: The Mayor read the agenda comments. It was moved by Mr. Roberts and seconded by Mr. Putens that Council confirm the decision to dismiss the condemnation lawsuit for the property at Hanover Parkway and Ora Glen Drive. Mr. Manzi said he had spoken with the other attorneys, and it is expected that there will be settlement on the postal facility property by the end of the year or early January at the latest. The motion passed 5-0. Sheldon Goldberg, 7848 Jacobs Drive, chair of the Greenbelt East Advisory Committee, thanked Council for its "stick-to-it-iveness" and ultimate success on this project.

PROGRAM OPEN SPACE (POS) – LETTER OF SUPPORT: Mr. Turnbull said the message the City should send is that the POS money should not be absorbed into the state's general fund, without getting into specifics of what POS projects should be funded or how to interpret a return to funding "the originally stated purpose" of the program. It was agreed there were useful points in the sample resolution that could be incorporated into a letter. It was moved by Mr. Turnbull and seconded by Mr. Roberts that Council authorize the sending of a letter from the City to the Partners for Open Space coalition,

in support of protecting and restoring Program Open Space funding. The motion passed 5-0.

MEETINGS: Council reviewed the meeting schedule and asked that the Council reception and Arts Advisory Board meeting of January 5 be added to the calendar. Mr. Roberts agreed to represent the City at a Bi-County Hearing on the planning and zoning issue tomorrow night, with Mr. Turnbull to serve as back-up. Mayor Davis asked that staff pursue the meeting with the County Executive for the week of January 6 if possible.

ADJOURNMENT: A motion to adjourn was made by Mr. White and seconded by Mr. Turnbull. The motion carried 5-0. The Mayor adjourned the regular meeting of December 16, 2002, at 10:35 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 December 16, 2002.@

Judith F. Davis
Mayor