



**REGULAR MEETING OF GREENBELT CITY COUNCIL held Monday, January 22, 2001.**

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Mayor Davis called the meeting to order at 8:06 p.m.

ROLL CALL was answered by Council members Edward V.J. Putens, Rodney M. Roberts, Alan Turnbull, Thomas X. White, and Judith F. Davis, Mayor.

ALSO PRESENT were Michael P. McLaughlin, City Manager; Robert Manzi, City Solicitor; and Kathleen Gallagher, City Clerk.

Mayor Davis observed a moment of silence for former resident and Greenbelt pioneer Herbert W. Cooper and for former residents Calvin L. Willoughby and Velma Chapman. She then led the Pledge of Allegiance to the Flag.

CONSENT AGENDA: Mr. Putens moved approval of the consent agenda. Mr. White seconded. The motion passed 5 to 0.

Council thereby took the following actions:

MINUTES

- Interview, January 8, 2001
- Regular Meeting, January 8, 2001
- Work Session, January 10, 2001

Approved as presented.

REAPPOINTMENTS TO ADVISORY GROUPS: Council approved the reappointment of the following individuals to the advisory groups on which they are currently serving and directed staff to send out the appropriate letters: Leta M. Mach, Advisory Committee on Education; Betty Timer, Senior Citizens Advisory Committee; Leah Warner, Senior Citizens Advisory Committee; and Lester Whitmer, Board of Appeals.

APPROVAL OF AGENDA AND ADDITIONS: Mr. Putens moved approval of the agenda. Mr. White seconded. The motion passed 5-0.

**PUBLIC HEARING ON YOUTH SAFETY AND A PROPOSED CURFEW LAW:** The Mayor read the agenda comments. Kelby Brick, vice-chair of the Public Safety Advisory Committee, introduced committee members Diane Ronchi, Beverly Lynch, Silke Pope, and Walter Moody, and police liaisons Lt. Thomas Kemp and Lt. Michael Craddock. After noting that Council and the committee have been talking about the curfew issue for a long time, Mr. Brick said Greenbelt is an "island" where the Prince George's County law is not enforceable and that the proposed law for the City would function primarily to make the county law enforceable. He said the committee's interest is in safety for the community's children. He said the purpose of the proposed law was not to have the police arrest minors but to approach them and send them home if they were not out for legitimate reasons, perhaps sending a letter to the parents to inform them of where the child had been and when.

Sheldon Goldberg, 7848 Jacobs Drive, said he had addressed the issue at the work session held in November and that his opinion against it had not changed. He said he finds the issues of protecting children and protecting property to be essentially "conflicted." He added that if there were to be a law, 10 p.m. is too early a limit on 16- and 17-year-olds. He suggested the time should be midnight across-the-board, with the age-limit lowered to 16.

Mr. Moody spoke about problems with the county law, saying he did not think it had been well thought out, with the result that it was not working well and disproportionately targeted minority youth. Nor had there been an effective education and public relations effort when it was instituted, with the result that young people, including his own son, who had never had any contact with the police and were not aware of the law, had been accosted by the police in a manner that was not constructive. He said he agreed that young children should not be out at night but that he doubted there was a problem in Greenbelt with young children.

Lt. Kemp said that from the point of view of the Police Department, there is no critical operational need for the law, but they believe it could be a positive tool to use when needed. He agreed with Mr. Moody's concern about the way in which officers would approach young people and said the Greenbelt police would approach them with the same respect and concern for their welfare that they employ now. In response to a query from Mr. Putens about whether there was variation in neighborhoods in terms of perceptions of whether there was a problem that needed addressing, he said that there are young people out throughout town but that Springhill Lake has the greatest concentration of problem activity. Mayor Davis said she thought there might be increasing problems in the Greenbriar area, but Lt. Kemp said there had not been an increase in actual crime.

Mr. White asked Lt. Kemp to describe what the police do now operationally and to evaluate whether they need action from Council in order to do more. Lt. Kemp gave an overview of a wide range of possible responses officers make to situations and said being able to enforce the curfew would give them a mechanism for record-keeping and following up with parents. In response to a further question from Mr. White, he said there was not an urgent need to do this.

Mr. White then asked Mr. Manzi if the police needed a new law to do this type of follow-up. Mr. Manzi said it could be handled by a policy in the Police Department. He added that no one's rights are violated in telling parents their children are out. In response to a query from Mr.

Putens, he said Greenbelt police cannot enforce the Prince George's law because they take no oath to enforce county law. He added that one reason for considering passing a law is that it forces a process of public discussion and airing of the issues that would not occur if the matter is approached in some other manner.

Referencing the Washington Post article in Council's packet that notes an apparently disproportionate citing of African-American youth under the Prince George's County law, Mr. Turnbull said he was concerned that the possible benefits did not justify the possible down sides, given that the weight of enforcement would almost inevitably fall in Springhill Lake. He asked if there is any indication that young people are coming to Greenbelt at night to avoid other jurisdictions' curfew laws, to which Lt. Kemp said no.

Mr. Roberts asked if the City had the personnel and resources to actively enforce a curfew law. Lt. Kemp said no--it would be a tool to use when necessary. Mr. Roberts responded that he was not in favor of enacting laws that would be selectively enforced, and other Council members expressed agreement.

Mr. Brick said that while the findings presented in the Post article are important, it should be kept in mind that the county police have problems in dealing with minority adults as well as youth, and that the City is fortunate that its police force does not have this problem. He agreed that up-front education is critical, however, regardless of whether there is a curfew law or a policy. He said he and the committee appreciated all the points of view that had been expressed and urged Council to bring the matter to closure soon, regardless of which way the decision goes.

Mayor Davis expressed Council's gratitude to the Public Safety Advisory Committee for its extensive research and analysis in presenting the proposed law. She emphasized that this was an effort that was needed to give Council the information it needed. Mr. Putens also stressed that with the committee's work as a foundation, it would be possible to raise the issue again if it appeared timely. Mayor Davis also thanked David Freivogel, who had written a letter to Council about the curfew law.

Mr. White said he assumed the matter would come to Council for action and closure and asked that at that time there be a review of the 20-point program that was initiated at the beginning of Greenbelt's effort in the area of community policing.

The Mayor then closed the Public Hearing.

PETITIONS AND REQUESTS: There were none.

#### ADMINISTRATIVE REPORTS

Mr. McLaughlin said staff is still working setting up the meeting with the Governor's office regarding Metroland.

Mr. White asked that the January 16 letter from the City Manager to the Washington Metropolitan Area Transit Authority be copied to the state delegation and to County

Councilmember Audrey Scott. He also suggested that Council meet with Michael Arrington, the new legislative representative for the Prince George's County Municipal Association. Upon discussion, it was decided this could be dealt with at the staff level.

Mayor Davis thanked the 23rd District Delegation for coming to the Open Door Meeting on Saturday morning. The meeting was well-attended. She said she would not be able to attend a February 5 meeting at Goddard from 6-8 p.m. regarding their master plan. Mr. White said he could attend.

Mayor Davis added that she had been approached by Richard Parry, representing a new group called the Coordinating Council for Community Organizations, asking that they be invited to attend any work sessions Council has with Goddard regarding the master plan. They represent communities from the eastern side of Goddard and are very opposed to the closing of Soil Conservation Road.

## LEGISLATION

A Resolution to Amend Resolution Number 916, to Authorize the Negotiated Purchase of Certain Goods and Services from Various Vendors as Enumerated Herein When Total Fiscal Year Purchases from Each Vendor Exceed Ten Thousand Dollars (\$10,000)

The Mayor read the agenda comments. The resolution adds the following vendors to the list of those authorized for negotiated purchase: Taylor Sports/Miracle Recreation, Gametime/West Recreation, and Recreation Creations/William H. Hope and Associates. Mr. Turnbull introduced this resolution for second reading and adoption. Mr. Putens seconded.

ROLL CALL: Mr. Putens - yes

Mr. Roberts - yes

Mr. Turnbull - yes

Mr. White - yes

Mayor Davis - yes

The Resolution was declared adopted. (Resolution No. 924, Book No. 8.)

A Resolution for Negotiated Purchase with Electronic Data Systems (EDS) Corporation of Columbia, Maryland; DJR, Inc., of Glenelg, Maryland; and Traffipax, Inc., of Columbia, Maryland, for the Design and Installation of Equipment and Operation of an Automated Red Light Camera Program

The Mayor read the agenda comments. Mr. Roberts moved that the resolution be introduced for first reading and that the standing rules be suspended. Mr. Putens seconded the motion.

ROLL CALL: Mr. Putens - yes

Mr. Roberts - yes

Mr. Turnbull - yes

Mr. White - yes

Mayor Davis - yes

Mr. Roberts moved the resolution be introduced for second reading and adoption. Mr. Putens seconded the motion.

There was brief discussion, initiated by Mr. Turnbull, regarding the terms of the contract, given that the City will not own the cameras. Council also stressed to Chief Craze that if there were an officer on the scene who could take action upon the running of a red light, that was preferable to the camera method, even though it would forfeit revenue.

ROLL CALL: Mr. Putens - yes

Mr. Roberts - yes

Mr. Turnbull - yes

Mr. White - yes

Mayor Davis - yes

The Resolution was declared adopted. (Resolution No. 925, Book No. 8.)

**BRADFORD PEAR TREES AT WOLFE RESIDENCE ON GREENWAY PLACE:** The Mayor read the agenda comments. James Donald Wolfe, 7 Greenway Place, spoke regarding his request to Council that the City remove three Bradford Pear trees in the City right-of-way in front of his house. He said they are over 20 years old and have dropped five major limbs. He is concerned about the safety of people and property and has talked with experts about the problems the trees create as they age, which he noted was also discussed by the City when it removed the trees in Roosevelt Center. He said he will provide replacement trees. Upon Council referral, the Advisory Committee on Trees (ACT) examined the Bradford Pears, found the trees to be healthy, and recommended that they be substantially pruned instead. Mr. Wolfe said the advice he had received was that the pruning and crown raising would help but not solve the problem. He later added that the tree roots were also raising the sidewalk.

Mr. Roberts asked Charles Jackman and Jennifer Sager of ACT if the committee had considered options. Mr. Jackman said they had not, once they had determined to their satisfaction that the trees were healthy and would not provide a significant risk if pruned. Ms. Sager subsequently explained that the committee believed their mission was to recommend options to preserve trees

in the City where that could be reasonably accomplished and the trees were not deemed hazardous.

Mayor Davis said the trees seemed to be too close together and asked about the possibility of removing one of them. Bill Phelan, Superintendent of Operations, Public Works, and staff liaison to ACT, said he thought removing one of the trees would likely increase the risk. He cited the City's success with bolting and bracing Bradford Pears elsewhere, and he thought this would work with Mr. Wolfe's trees. He also raised the broader issue with Council of what the policy should be on removing undesirable trees at the request of residents. He said he believed these requests should not come to Council one at a time.

Mr. Putens expressed some concerns about liability and about the difficulty of residents not feeling safe using their own property. Mayor Davis noted that while many residents go to extremes to keep trees, this owner felt threatened by the trees. Mr. Roberts suggested trying the pruning and re-evaluating the situation later in the context of a replacement plan.

After considerable discussion of the issues, Mr. White moved that Mr. Wolfe's request to remove the trees adjacent to 7 Greenway Place be granted and that staff and the Advisory Committee on Trees work with Mr. Wolfe to define the appropriate type and number of trees to be planted as a replacement. Mr. Putens seconded. The motion passed 3-2 (Roberts, Turnbull).

Council thanked the committee and staff for their work. Mayor Davis expressed regret that the result of the vote ran against the committee's recommendation on their first referral from Council since the establishment of the committee. She emphasized that they had done their job well and that their efforts were appreciated, but she explained that Council needed to take other types of factors into consideration as well.

**REPORT FROM THE GREENBELT NEW YEAR COMMITTEE:** Mayor Davis read the agenda comments. Joe McNeal, Community Center Supervisor, reported to Council on the success of the event and the passport program and thanked Patti Brothers, who was present, for her work. Council thanked Mr. McNeal and Ms. Brothers and expressed appreciation to the committee and all the volunteers.

**CHANGE IN ORDER OF AGENDA:** Mr. Putens moved, with Mr. Roberts seconding, that item 17 on the agenda be taken ahead of item 16. The motion passed unanimously.

**CONCEPT PLAN FOR SPRINGHILL LAKE RECREATION CENTER ADDITION:** The Mayor read the agenda comments. Joe McNeal, Community Center Supervisor and project manager, gave a brief overview of what would be included in the new space and responded to a number of questions from Council seeking clarifications on the plan.

Mr. Turnbull then asked about the improvements to the approach to the center from the nearby apartments that had been discussed at the work session with Springhill Lake management. Mr. McNeal said he was not aware of this but would look into it. Council members also questioned the need to raze the old club house, and Mr. McNeal and Mr. McLaughlin both explained why that facility was of limited use. Dan Purushe of Laurel Design Alliance further explained that the

structure is not in good condition and would have to be upgraded to code if it was incorporated into the new structure. The Mayor praised the foresight of planning space for computer use and asked that adequate bike racks be added to the plan.

Mr. Putens moved that Council approve the concept plan as presented and authorize the additional design work for the exterior finishes. Mr. White seconded the motion. There followed some discussion of programmatic activities and partnerships, and a question was also raised about funding for the project. Mr. McNeal said staff is looking into foundation funding. Mr. White enumerated the capital projects the City will be seeking funds for and suggested that Council discuss bringing them to the voters in a bond referendum.

When the vote was called, the motion passed 5-0.

**CONTRACT TO REVIEW THE CITY'S CLASSIFICATION AND COMPENSATION SYSTEM:** Mayor Davis read the agenda comments. In response to queries from Mr. Roberts and the Mayor, Mr. McLaughlin said that benefits and longevity would be looked at as part of the study and that Mr. Hendricks had said the list of comparison cities suggested by Council appeared appropriate.

Mr. Roberts moved that Council authorize the City Manager to contract with Hendricks & Associates in accord with its proposal of \$19,995 to conduct a study of the City's classification system, pay-scale, and benefits package. Mr. White seconded the motion, which passed 5-0.

**MEETINGS:** The Mayor reviewed the calendar presented in the agenda comments. Mayor Davis said she would be away for the work sessions of February 5 and 7. She suggested scheduling a stakeholder meeting with Beltway Plaza or Maryland Trade Center on February 28.

**ADJOURNMENT:** Mr. Putens moved the meeting be adjourned. Mr. White seconded the motion, which carried 5-0. Mayor Davis adjourned the regular meeting of January 22, 2001, at 12:05 a.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 January 22, 2001."

Judith F. Davis  
Mayor