



**REGULAR MEETING OF GREENBELT CITY COUNCIL held
Monday, December 18, 2000.**

Mayor Davis called the meeting to order at 8:05 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; David E. Moran, Assistant to the City Manager; and Kathleen Gallagher, City Clerk.

Mayor Davis observed a moment of silence for former residents Salvatore Gussio (pioneer) and Gilbert E. Wisner. She then led the Pledge of Allegiance to the Flag.

CONSENT AGENDA: Mr. Putens requested that item #24 (Appointment to Advisory Group) be removed from the consent agenda. Mr. Turnbull moved approval of the consent agenda, so amended. Mr. Putens seconded the motion, which passed 5 to 0.

Council thereby took the following actions:

MINUTES

- Regular Meeting, November 13, 2000
- Work Session, November 20, 2000
- Interview, November 27, 2000
- Regular Meeting, November 27, 2000
- Legislative Dinner, November 28, 2000
- Work Session, November 29, 2000
- Interview, December 11, 2000
- Work Session, December 11, 2000

Approved as presented.

COMMITTEE REPORTS

- Advisory Planning Board Report #00-02 (Detailed Site Plan - Marriott Residence Inn at Golden Triangle): Council received this report and agreed to consider it under the related item of business later on tonight's agenda.

- Advisory Planning Board Report #00-03 (Preliminary Plan of Subdivision, A.H. Smith Property, Greenbelt Metro Business Park): Council accepted this report and agreed to consider it on a future agenda.

FOLLOW-UP ON WORK SESSION WITH THE ASSISTED LIVING TASK FORCE: Council accepted this report as an interim response, while staff continues to follow up on the matters raised at the work session.

DRAFT LETTER OF RECOMMENDATION TO THE STATE HIGHWAY ADMINISTRATION ON THE PROPOSED NEIGHBORHOOD CONSERVATION PROJECT FOR GREENBELT ROAD: Council approved the draft letter for the Mayor's signature.

RESPONSE TO PETITION ON ELECTRICAL OUTAGES: Council agreed to add to the list of work sessions to be scheduled a meeting with Pepco and the Maryland Public Service Commission, with the original petitioners to be advised.

RESIGNATIONS FROM ADVISORY GROUPS: Council agreed to accept with regret the resignations of William Clarke from the Advisory Planning Board and Jerry Jenkins from the Park & Recreation Advisory Board and directed staff to prepare the appropriate letters of appreciation for the Mayor's signature.

APPROVAL OF AGENDA AND ADDITIONS: Mr. Putens moved that the agenda be approved. Mr. Turnbull seconded. The motion passed 5-0.

PRESENTATIONS: None.

PETITIONS AND REQUESTS: Sheldon Goldberg, 7848 Jacobs Drive, asked for action in tending to a manhole on Greenbelt Road, which is a particular problem in the current icy conditions. Mr. McLaughlin said he would report it to the State Highway Administration.

MINUTES OF MEETINGS

Executive Session, November 30, 2000

Mr. Roberts moved that the minutes of the Executive Meeting of the City Council held Thursday, November 30, 2000, be approved as presented.

He further requested that the minutes of this meeting reflect that the Council met in Executive Session at 8:03 p.m. in the Municipal Building Library and that Council held this closed meeting in accordance with Sections 10-508 (a) (3) and (7) 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 directly related thereto and to consult with counsel to obtain legal advice on a legal matter. Mr. Putens seconded the motion.

ROLL CALL: Mr. Putens - yes

Mr. Roberts - yes

Mr. Turnbull - yes

Mr. White - yes

Mayor Davis - yes

ADMINISTRATIVE REPORTS: Mayor Davis, Mr. White, and Mr. Putens attended the National League of Cities (NLC) conference in Boston earlier this month. Noting that he serves on the Advisory Council of the NLC, Mr. White reported on discussion of the group's 2000 topic, Investing in Communities, and on the framing of the 2001 topic, Building Quality Communities. He also commented on the burgeoning emphasis on e-government, as evidenced in the exhibits and displays. Mr. Putens serves on the Small Cities Steering Committee. During a segment of their meeting on public safety in small cities, he mentioned, with positive reception, the idea he has proposed in Greenbelt of hiring retired police officers for additional assistance. Noting strong Maryland participation in the conference, he said they once again succeeded in electing a Marylander (Glenn Steckman) to the board. Mayor Davis commented on two of the workshops she attended, one on America Downtown, the other on Citizen Participation in Planning for Smart Growth. The latter included information on a "citizen jury process" to involve citizens in planning, which she expects to bring to Council in more detail at a later time.

Mr. Putens reported briefly on the assignment he and the Mayor had accepted at the work session on news racks, to look into the "corrals" for papers. The vendor they recalled from previous NLC meetings was not there, but they brought back other related materials to pass on.

Mayor Davis reported on attending a banquet for the Middle States Association's visiting accreditation team for Eleanor Roosevelt High School and a banquet for the Greenbelt Boys and Girls Club's cheerleading and football teams, which was held at the U.S. Department of Agriculture's new building. She commented on the success of the City's Festival of Lights opening ceremonies. She also displayed the \$21,000 "check" that was presented to the Friends of the Greenbelt Museum at a recent Governor's office event in partial support of the position of full-time curator.

Celia Craze, Director of Planning and Community Development, introduced Gabrielle Benjamin, who has since September been working as an intern in the department on a work-study program through the University of Maryland at College Park. She is a Greenbelt resident and will work with the staff through next August. Council welcomed Ms. Benjamin and thanked her for work for the City.

LEGISLATION

A Resolution to Amend Resolution Number 854 to Establish a Public Safety Advisory Committee: The Mayor read the agenda comments. Mr. Putens introduced the resolution for second reading and adoption. Mr. Roberts seconded.

ROLL CALL: Mr. Putens - yes

Mr. Roberts - yes

Mt. Turnbull - yes

Mr. White - yes

Mayor Davis - yes

The resolution was declared adopted (Resolution No. 923, Book No. 8).

UPDATE ON NEW YEAR'S EVE 2001: Joe McNeal, Community Center Supervisor, updated Council on plans for this year's event, including fireworks at Braden Field and entertainment sites at the Youth Center, Arts Center, Community Center, and the Greenbelt Theatre. Mr. McNeal introduced several volunteers from the New Year's committee, who presented Council with the 2001 New Year t-shirt which, along with wristbands, will be for sale in the Community Center and at the event.

REORGANIZATION OF THE PUBLIC WORKS DEPARTMENT: The Mayor read the agenda comments. She, Mr. Roberts, and Mr. White asked various questions about how the restructuring would work and the source of the funding to support it. Mr. McLaughlin and Ken Hall, Director of Public Works, explained that the same number of full-time classified positions is involved in a different alignment. Mr. White objected to the timing of the presentation of this proposal. He said that if this were approved, it would be the third time that Council has made a "mid-course correction" involving positions and salaries while the compensation and benefits study is still pending. He also asked that the Recycling and Environment Advisory Committee review the changes that affect the recycling program.

In response to a question from Mr. Putens, there was further discussion of the specifics of the positions that would be affected in Public Works. Mr. Putens said he agreed with Mr. White that these recommendations went beyond what Council should consider prior to consideration of the more detailed findings of the compensation and benefit study. He added that if the Charter were to be revised as discussed at an earlier meeting, this type of change would be the City Manager's responsibility and would not have to come to Council. Mr. Roberts agreed this should not be on the table now. He said he is not convinced that the changes are needed and suggested that a work session on it might be needed. Mayor Davis also questioned the timing and asked if it could be held until budget time or at least until after Council reviews the compensation and benefit study. Mr. Turnbull said he thought the reorganization as presented had merit but that it should not be considered until after the discussion of the study; he agreed with Mr. Putens that Council should not have to approve this type of decision.

Mayor Davis suggested that there be no motion and that the reorganization be brought back by staff at budget time. It was agreed that no separate work session would be needed if it is coming back as part of the budget request.

Mayor Davis then noted the need for a work session on the possible amendment to the Charter. Mr. White said his going-in position is that he is not convinced there is a need to amend the Charter. He said he intends to be cautious about any change to Council's prerogative in this area, since matters of staffing are included as part of Council's responsibilities for budget and program delivery. It was agreed that this subject does need a work session.

DETAILED SITE PLAN - GOLDEN TRIANGLE, MARRIOTT RESIDENCE INN: Mayor Davis read the agenda comments. Jane Hockersmith of Greenhorne & O'Mara and a representative from Brentwood [Hotels](#), owner of the property, were in attendance. Council discussed several aspects of plan, addressing questions to Ms. Hruby and Ms. Hockersmith on such issues as the potential easement for an overpass at Kenilworth, the bio-retention area, parking, the maintenance of a green buffer along Kenilworth, and landscaping around signs.

Doug Love, 3-D Plateau Place, spoke of the difficulties of crossing Kenilworth by bicycle on the Greenbelt Road bridge and said an alternate route for pedestrians and bikes in this dangerous area would be most welcome.

Lowell Owens, 119 Northway, asked if there was any possibility of providing the mitigation for this project on the A.H. Smith property rather than, as proposed, in Montpelier. Mr. Manzi explained that this would require the owner's permission and participation. He further clarified that land to be mitigated could be publicly, rather than privately, owned.

Mr. White asked that staff, together with the Advisory Committee on Trees, attempt to identify any appropriate sites for mitigation in Greenbelt. Council expressed appreciation for the detail of the plan, as well as for the positive presence that Marriott has provided in the City.

Mr. White moved that Council approve the Detailed Site Plan (DSP-00044) for a Marriott Residence at Golden Triangle with the following conditions:

1. The applicant provides a revised sign detail for the proposed 8'-2 ¼" freestanding sign showing landscaping along the base of the sign for City review and approval. The landscaping should include plants/shrubs that are 2 feet in height so that the exposed area of the sign does not exceed six feet. Applicant further agrees that all signs must be submitted to the City for review and approval prior to installation.
2. A note be placed on the Detailed Site Plan showing approximate location for a future pedestrian/bicycle overpass at Kenilworth Avenue. The applicant agrees that the exact location of the easement will be negotiated with the City at the appropriate time.
3. A development-tracking chart be provided on the cover sheet with tabulations for the square footage (gross floor area) of all existing and proposed development.

Mr. Putens seconded the motion. The motion passed 5-0.

CHANGE IN ORDER OF AGENDA: Mr. Putens moved that Item #20 be taken up next on the agenda because of the number of people waiting for that discussion. Mr. Turnbull seconded, and the motion carried unanimously.

BOARD OF PUBLIC WORKS - APPROVAL OF LAND PURCHASE: Mayor Davis read the agenda comments.

Zelda Bell, 8515 60th Place in Berwyn Heights, representing Citizens for the Conservation and Restoration of Indian Creek (CCRIC), spoke about several problems CCRIC sees with the conditions of the agreement, including the fact that the mitigation pond, the stormwater pond, and the amphibian breeding ground are still at risk; it also appears that a road still runs through the property, which would affect the wetlands and other fragile areas. She asked if CCRIC could be involved in discussions with the state. Mayor Davis said the City would notify CCRIC if a work session is scheduled.

Mr. Roberts said he thought the time frame would make it impossible to have a work session with state representatives. He said he thought it was a bad agreement, with no commitment to the Greenbelt community from the state with regard to conservation. As framed, this would not be a purchase for conservation.

Mr. White said Council should convey to the Governor that there are major deficiencies with the agreement, the most important of which is the "take-back" provision, which places the preserved site in jeopardy of development.

Barry Schlesinger, 155 Westway, complimented the City and the Greenbelt News Review on moving so quickly to get the information out. He criticized the state, however, for its timing in announcing the decision just before the holidays, with action to be taken between Christmas and New Year's. This schedule, he said, would prohibit meaningful public discussion or response, and he said he thought the City should object to this.

Mr. Owens spoke again to suggest that Council once again recommend de-coupling the state purchase from the development, though he allowed that it appeared they were being yoked together deliberately.

Council agreed that the action to be taken should include both a letter and a request for a meeting. In further discussion of the conditions of the agreement, Mr. Manzi noted that the Board of Public Works has already voted on this agreement and is unlikely to reopen the question retroactively. He also noted that this item had been hand-carried and had not been on the Board's agenda. Council members nonetheless agreed that their comments should be on record and that the City should request a meeting regardless of whether the state defers action.

Considerable discussion took place about the tone the letter should take. Council members all found the agreement to be short-sighted and deficient, but while Mr. Roberts and Mr. White criticized the state's agreement and plan in strong terms, the Mayor and Mr. Putens preferred to

stress the positive aspects of the Governor's having acted on the matter at all. Mayor Davis also noted that the Governor had never promised to do more than he was doing here. Eventually, it was agreed that both approaches could be accommodated. The Mayor enumerated the points to be included in the letter: the City requests a deferral of the settlement date to provide for City and other public comment; the opportunity for comment was thwarted by the pre-holiday timing of the announcement; essential conservation issues are not adequately addressed by the agreement; and the state land purchase should be de-coupled from the development plan, with the land purchased by the state to be preserved permanently. It was further agreed that a meeting should be requested and that Council wanted this meeting regardless of whether the deferral was granted. Mr. Putens moved that Council approve the proposal for the letter and meeting as stated. Mr. White seconded. The motion passed 5-0. Mr. Manzi will draft the letter.

Mr. Turnbull subsequently asked that staff look into the time period available to the Washington Metropolitan Area Transit Authority for resolving these issues.

REPORT ON CAR SHARING: The Mayor read the agenda comments and thanked Terri Hruby for her work in preparing the report. The Mayor said she assumed that a work session would be held on this subject. Mr. White moved that staff be instructed to assess the interest at Green Ridge House in developing a car-sharing program and then work with the residents to plan the operation of such a program. Mr. Putens seconded the motion, with the addition of the eventual scheduling of a work session.

Mr. Turnbull agreed that a work session was needed. He said the onus for initiating a program should not be put on the Green Ridge House residents, however, nor should the program be limited to Green Ridge House. He said car-sharing was raised initially because of the shortage of parking in that entire part of town. He also said he thought the question of there being no extra charge for parking at Green Ridge House should be reopened.

Mr. Roberts said he believed implementation of a car-sharing program was "part of the deal" for the construction of additional parking spaces at Green Ridge House and that it had been intended as a pro-active way of managing potential future growth of need for parking. He said his vote for the additional parking spaces was contingent upon that.

Ms. Hruby interjected that one problem is that there are many possible variations on car-sharing programs and that many issues would need to be resolved regardless.

Discussion continued on whether this was intended to be an all-City program or a Green Ridge House program. The Mayor said she thought it was to be all-City. Mr. Roberts said he thought it had been tied quite specifically to Green Ridge House and the expansion of their parking lot. Mr. White agreed with Mr. Roberts. Mr. Putens said his recollection was that the original proposal was for Green Ridge House, but that Green Ridge House might serve as a pilot project for possible wider implementation. He said at the time Council did not have enough information about car-sharing programs to go further than to direct staff to see what might be feasible and cost-effective. Mayor Davis and Mr. Turnbull reiterated the need for a work session, and the Mayor emphasized that the work session on the broader issue of car-sharing was independent of the assessment of interest in such a program at Green Ridge House.

In response to a suggestion from the Mayor that there could be budgetary implications, Mr. Roberts said that, on the contrary, he thought a Green Ridge House program would be supported by Green Ridge House funds, just as the parking lot improvement had been. He said it is all part of the parking management plan for Green Ridge House.

Mr. Roberts proposed to amend Mr. White's motion to say Green Ridge House would be asked to help tailor a program to suit their needs and that a work session would be scheduled. Mr. White accepted the amendment. Mr. Turnbull said he would be happy to forego the work session if Council saw another way to deal with the matter. The Mayor again said that she saw the work session and the Green Ridge House assessment going on concurrently.

Mr. McLaughlin said he thought the best tactic would be for staff to sit down and talk with the key people at Green Ridge House to strategize how to approach the matter.

Mr. Putens withdrew his second from the motion, saying it was beginning to sound as though Council was dictating to the Green Ridge House residents, rather than soliciting their interest in such a program. Mr. Roberts then offered a second to the motion.

The Mayor said she was concerned with Mr. Putens' comment, and she asked if the motion on the table in fact would require that Green Ridge House residents must either participate in car-sharing or pay a parking fee. Mr. Turnbull said no, that was not the idea, but that he wanted to be sure that staff worked actively to sell the program at Green Ridge House and to make it attractive. Mr. Roberts also confirmed that it was his intention that any car-sharing program be voluntary.

Mayor Davis asked that staff provide Council a copy of the motion that authorized the expansion of the parking lot at Green Ridge House for purposes of clarifying what Council's intention was at the time.

When the vote was called, the motion passed 4-1 (Putens).

REPORT ON LAND CONSERVATION: Mayor Davis read the agenda comments. Mr. Turnbull thanked Mr. Roberts for making the link between the City's millennium activities and the preservation of the green belt. He said it doesn't make sense to discuss pursuit of a land trust if legal opinion holds that the City cannot do it legally.

Mr. Manzi said Council could pass resolutions to set aside property that another Council could eventually change if it wanted to in later years. But, in his opinion, a Council cannot do an easement to itself; it cannot, as a governmental body, arbitrarily limit its own use of the property. It cannot bind a future Council. A resolution carries the weight of law but can be changed if circumstances change.

Mr. Turnbull suggested that perhaps what is needed is to define these properties and have management plans for them, as the federal government does for its parks. This serves to slow down anyone who wants to make changes too fast.

Mr. Turnbull moved that Council approve the development of a resolution that would define, name, and state a vision for the properties in question and provide that a management planning process be developed for them. A Public Hearing would be held prior to acting on the resolution, and, pending the City Solicitor's research, a super-majority vote of Council would be required to amend this resolution. Mr. Putens seconded the motion.

Mr. Roberts said that what he would like to see is a City equivalent of a State Wildlands Program.

Mr. White asked to amend the motion on the table by qualifying that the land in question is "woodlands." Mr. Turnbull responded with a friendly refusal to the amendment. He said he intended the resolution to set up a system for all the public lands and define them. He added that Attick and Schrom are the only parks with management plans. Mr. White indicated he was willing to set aside any number of woodland acres but believed more definition was needed of any other land to be included. Mr. Putens said he agreed with Mr. White and seconded the amendment to the motion. Mr. Roberts said he agreed in principle with Mr. White but thought the original city gardens should be included. Mr. White said he thought Mr. Turnbull was bringing in extraneous matters that had not been contemplated in Mr. Robert's pursuit to preserve specific parcels of land. He said Council should limit itself here to a setting aside of the green belt and not complicate the issue. Mr. Turnbull said if concurrence could be achieved only on the woodlands, he would accept that, but that he believed the resolution would be stronger if it covered all city open space.

A vote was called on the amendment, which passed 4-1 (Turnbull).

The Mayor restated the original motion. Doug Love, 3-D Plateau Place, said that he would prefer action that would have teeth in it, and he feared there would be no teeth in a resolution. A vote was then taken on the original motion, which passed 5-0.

RESTROOMS AT BUDDY ATTICK PARK - BUILDING ELEVATIONS: The Mayor read the agenda comments. She said she preferred options #5 and #2. Ms. Craze said staff had very recently come across a synthetic product called Hardy Plank, which might be used in a design where the appearance of wood was wanted, but without wood's maintenance problems. She said she believed it came in forms suitable for both roofing and siding. Mr. White said he still liked option #1 because of the low-maintenance features. Mr. Turnbull said he preferred #5 given the options. He noted that, unlike a roof, no serious problem would be created by the higher maintenance requirements of wood as a component of siding for the building; it would simply have to be replaced more often to maintain its appearance. Mr. Putens and Mr. Roberts both preferred #5, with Mr. Roberts qualifying that the staff should investigate Hardy Plank.

Mr. Putens moved that Council approve design option #5, with the understanding that staff will further explore the possible use of the product called Hardy Plank and that Council will have the opportunity for further discussion of the roof. Mr. Roberts seconded. The motion passed 4-1 (White).

RESIDENTIAL FALSE ALARM REDUCTION PROGRAM: Mayor Davis read the agenda comments. Mr. Putens expressed support for the educational efforts intended by the program but said many of the homeowners' associations in Greenbelt East are against the establishment of fines for residential false alarms because there are so many possibilities of causes of false alarms over which the owner has no control. Ms. Craze responded that the City needs an enforcement tool to deal with alarms that are malfunctioning for some reason. She said the problem cases come from a very small number of addresses. Mayor Davis noted that the staff recommendation includes evaluation points at six and twelve months and said she thought Council should be able to tell from the data whether the program is working appropriately; if it is sweeping too widely, Council will have ample opportunity to make adjustments later.

Mr. White moved that Council approve the residential false alarm reduction program as proposed by staff and direct staff to prepare a six-month report and a one-year report for the purpose of evaluating the program. Mr. Turnbull seconded the motion, which passed 4-1 (Putens).

AGENDA FOR 4 CITIES MEETING: The Mayor read the agenda comments. Items suggested for the agenda in addition to possible focus on education concerns were the potential "friends" agreement for the Jaeger Tract, cooperation among the cities on the teleworking program, and the status of the State Highway Administration's Neighborhood Conservation Project for Greenbelt Road. Council asked that staff determine the other cities' inclinations regarding whether the meeting should be primarily devoted to discussion with county school board representatives or whether there should be a more varied agenda.

APPOINTMENTS TO ADVISORY GROUPS: Mr. Putens moved that Council appoint Roger Brown and Phyllis Budin to the Senior Citizens Advisory Committee and direct staff to prepare the appointment letters. Mr. Roberts seconded the motion, which passed 5-0.

MEETINGS:

Attendance at the Prince George's County Municipal Association Legislative Dinner was discussed. The Mayor read through the meeting schedule. Mr. McLaughlin explained that January 3rd would be held open for a possible work session, pending possible withdrawal of the Metroland plan. Work sessions on car-sharing, electrical outages will be added to the schedule. Mayor Davis suggested that the informational meeting with the National Park Trust on the Jaeger Tract be scheduled on the 17th. Mr. Moran said he was attempting to schedule the meeting between Mr. Donn and the Community Relations Advisory Board during January.

ADJOURNMENT: Mr. Putens moved that the meeting be adjourned. Mr. White seconded the motion, which carried 5-0. Mayor Davis adjourned the regular meeting of December 18, 2000, at 1:25 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 December 18, 2000."

Judith F. Davis
Mayor