



**REGULAR MEETING OF CITY COUNCIL HELD
MONDAY, APRIL 12, 1999**

Mayor Davis called the meeting to order at 8:05 p.m.

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

ALSO PRESENT were Michael P. McLaughlin, City Manager; Robert Manzi, City Solicitor; W. Bowman Ferguson, Management Analyst and David E. Moran, City Clerk.

Mayor Davis observed a moment of silence for Mary Jean McCarl Bonham, John R. Gorman, Edgar M. Weber, Edward Lee Moore and George D'Esposito. Then, she led the Pledge of Allegiance to the Flag.

CONSENT AGENDA: The minutes of 3/29 were removed. With that change, Mr. White moved approval of the consent agenda. Mr. Putens seconded. The motion passed 5 to 0.

COUNCIL THEREBY TOOK THE FOLLOWING ACTIONS:

MINUTES:

- Work Session, March 17, 1999
- Regular Meeting, March 22, 1999
- Work Session, March 29, 1999
- Legislative Dinner, March 31, 1999
- Work Session, April 1, 1999

Approved as presented.

COMMITTEE REPORTS:

CRAB REPORT: Council accepted this report and agreed to schedule a work session on this matter.

PRAB REPORT #99-1: Council accepted this report and agreed to consider it in conjunction with the budget process.

PLAYGROUND SAFETY REPORT - REFERRAL TO PRAB: Council referred this report to the Park & Recreation Advisory Board for their analysis and recommendation.

EASEMENT AGREEMENT FOR ROOSEVELT CENTER: Council approved the agreement and authorized the Mayor to sign it on behalf of the city.

APPROVAL OF MANAGEMENT AGREEMENT FOR GREEN RIDGE HOUSE: Council approved the agreement and authorized the City Manager to sign the appropriate contractual documents.

APPROVAL OF AUDIT PROPOSAL FOR FY 1999: Council approved the audit proposal and authorized the Mayor to sign the engagement letter.

APPOINTMENT TO ARTS ADVISORY BOARD: Council appointed Mr. Primack to the Arts Advisory Board for a three year term.

REAPPOINTMENTS TO CITY ADVISORY GROUPS: Council reappointed the following individuals for three year terms and directed staff to prepare reappointment letters.

Mary Alice Carroll Advisory Committee on Education
Judith Holland Arts Advisory Board
Lida Churchville Board of Elections
Booker Hughes Community Relations Advisory Board
Daniel Hamlin Community Relations Advisory Board
Robert Trumbule Community Relations Advisory Board
Leonie Penney Senior Citizens Advisory Committee
Hellen Geller Senior Citizens Advisory Committee
Cayty Schreiber Youth Advisory Committee
Melissa Cooper Youth Advisory Committee

The following individuals have indicated that they no longer wish to serve on a particular advisory group. Council accepted their decision and directed staff to prepare letters of appreciation for the Mayor's signature.

Eileen Peterson Arts Advisory Board
William C. Stratton Board of Appeals
Leonie Penney Recycling Advisory Committee
Booker Hughes Senior Citizens Advisory Committee
Marjorie Bergemann Senior Citizens Advisory Committee

APPROVAL OF AGENDA: Mr. Turnbull moved that the agenda be approved. Mr. White seconded. The motion passed unanimously.

PRESENTATIONS:

INTRODUCTION OF JAMES BURTON, AUDREY SCOTT'S NEW LEGISLATIVE AIDE: Prince George's County Councilwoman Audrey Scott introduced her new legislative aide, James Burton. Ms. Scott noted that her previous aide, Alison Miller, had gone to Africa. Mr. Burton provided some background and thanked Council for the opportunity.

Ms. Scott encouraged the City to oppose CB-2 regarding annexation. She noted that the Lakewood project was on schedule and Ms. Scott asked Council to advise her on particular groups that she could support with some budget funds.

ECONOMIC DEVELOPMENT PROMOTIONAL VIDEO: In a partnership with the City, the Prince George's County Economic Development Corporation produced and aired a number of 30 second videos promoting Prince George's County including one on Greenbelt. This video was shown.

PETITIONS AND REQUESTS:

REQUEST FROM DON COMIS AND FRED GASPER: Council accepted this request and added this matter to the April 26 agenda.

Sheldon Goldberg of 7848 Jacobs Drive, asked about the city's agreement with GHI to maintain playgrounds. Mr. McLaughlin responded that the City maintains the equipment in exchange for GHI maintenance of the playgrounds.

MINUTES

WORK SESSION, MARCH 10, 1999: Mayor Davis read the agenda comments.

Mr. Turnbull appreciated the suggestion that Council revisit the standard operating procedures for work sessions and hoped that Council might draw up some new procedures. He also suggested that minutes not state "the meeting was adjourned." Mr. Turnbull also raised questions about advertising and minutes and noted that even though these items might not be required by law since no actions were taken, the city should follow its standard practice.

Mr. Manzi responded that there was not that much case law regarding minutes. He noted that the city's current practices went way beyond the requirements of the law.

Mr. Roberts found Mr. Manzi's memo baffling. Mr. Roberts believed that Council had engaged in discussions after a meeting that were not appropriate. He believed Council needed to be careful about conversations that go on after a meeting.

Mayor Davis reported that she would use a new procedure for sharing information about meetings that occurred with other governmental entities and organizations.

Mr. Putens moved that the minutes of March 10, 1999 be approved. Mr. White seconded. The motion passed 5 to 0.

EXECUTIVE SESSION, MARCH 22, 1999: Mr. Roberts moved that the minutes of the Executive Meeting of the City Council held Monday, March 22, 1999 be approved as presented. He further requested that the minutes of this meeting reflect that the Council met in Executive Session at 7:10 p.m. in the Municipal Building Conference Room, and that 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 (1995 Replacement Volume) to consult with legal counsel to obtain legal advice. Mr. Turnbull seconded.

ROLL CALL:

Mr. Putens - yes
Mr. Roberts - yes
Mr. Turnbull - yes
Mr. White - yes
Mayor Davis - yes

PRESENTATION:

Emory Harman presented a check for \$148.75 for the City's emergency fund on behalf of the Friends of Parkside.

ADMINISTRATIVE REPORTS:

Bo Ferguson, Senior Management Analyst, reported on the upcoming Indiana Jones festival which begins on April 16. He noted that while this was the last city sponsored film festival, film festivals will continue to be sponsored by Friends of the Greenbelt Theater (FOGT) and Mr. Sanchez.

Mr. McLaughlin noted that Roosevelt Center was moving ahead. He reported that trees would be set late this week or early next week.

Mr. White reported on the Y2K town meeting. He stated the meeting was well attended and very informative. He noted that the presentations made at the meeting were interesting and thanked Mr. Ferguson for his excellent presentation and representation.

Mr. Turnbull reported that the Spring celebration at Springhill Lake went very well and was supported by Springhill Lake management. Mr. McLaughlin thanked Jeepers for their participation and also the Recreation Department for their efforts.

Mayor Davis stated that her mother was gravely ill. She indicated that she may have to leave town on short notice to be with her.

AN ORDINANCE TO AMEND CHAPTER 11, "MOTOR VEHICLES AND TRAFFIC", OF THE GREENBELT CITY CODE FOR THE PURPOSE OF ALLOWING THE CITY TO UPDATE AND REVISE CERTAIN PROVISIONS AND INCREASE CERTAIN FINES

Mayor Davis read the agenda comments. Mr. Putens introduced the above titled Ordinance for second reading and adoption. Mr. White seconded.

Mr. Roberts asked what was considered a large commercial vehicle. Ms. Craze responded that the code defined them as "over 1 ton."

ROLL CALL:

Mr. Putens - yes
Mr. Roberts - yes
Mr. Turnbull - yes
Mr. White - yes
Mayor Davis - yes

The Ordinance was declared passed. (Ordinance No. 1180. Book No. 11)

A RESOLUTION TO REPEAL RESOLUTION 741 AND ESTABLISH A NEW RECYCLING AND ENVIRONMENT ADVISORY COMMITTEE

Mayor Davis read the agenda comments. Mr. Putens introduced the above titled resolution for second reading and adoption. Mr. Turnbull seconded.

ROLL CALL:

Mr. Putens - yes
Mr. Roberts - yes
Mr. Turnbull - yes
Mr. White - yes
Mayor Davis - yes

The Resolution was declared passed. (Resolution No. 893. Book No. 7)

Mr. Barnett reported on the Earth Day celebration He summarized the activities that were going to take place. Mayor Davis thanked the Committee for all of their efforts.

BRIEFING ON WSSC 96" WATER MAIN SCHEDULE: Mayor Davis read the agenda comments.

Ms. Craze reported on WSSC's progress and her meeting with them. She stated that construction may be completed by July 4, but in the event it wasn't steps would be taken to secure the site. She noted that one of the reasons for the delay was that WSSC was relining additional pipe areas in response to Council's request.

Mr. White asked if Ms. Craze was comfortable with WSSC's sensitivity to the July 4 celebration. Ms. Craze responded that she was satisfied with their efforts.

Mr. Putens asked if the city was comfortable with WSSC's security provisions. Ms. Craze stated that the Council should communicate that security was required in exchange for the City allowing work to proceed.

Mayor Davis suggested that WSSC try to "dress up" the site for the celebration.

Mr. Putens moved that Council allow WSSC and its contractor to continue to work between June 1 and July 30, with the understanding that they will proceed expeditiously and will provide security on July 4. Mr. White seconded. The motion passed unanimously.

GREEN RIDGE HOUSE PARKING POLICY: Mayor Davis read the agenda comments.

Mr. Roberts asked about the car sharing program. He suggested that the policy reference that program. Mr. McLaughlin indicated that a car sharing program had not been included because it was still being developed by staff.

Mr. White stated that staff was directed to develop a car sharing program to be presented to Council within six months. Mr. Turnbull agreed that Council could not approve a program without seeing specifics. He stated that parking management should not have to wait for the car sharing program to be developed.

Mr. Roberts expressed discomfort with a policy that did not mention the car sharing program. Mayor Davis suggested that a separate memorandum could be sent to the residents notifying them that staff is working on a car sharing program.

Mr. Turnbull asked about the rationale for requiring residents to sign the policy. Mr. Ferguson responded that this was intended to ensure that current and prospective residents read and understand the policy.

Mr. White asked if the policy had been discussed with the residents. Mr. Ferguson responded that the policy had been presented at a resident's association meeting.

Mayor Davis suggested that 1(G) be changed to licensed "in the State of Maryland". She also suggested that under II (3) a resident should present a "Maryland" registration. Mr. White stated that 1(G) should not be changed since it was a general provision.

Mr. Turnbull moved that Council approve the draft Green Ridge House Parking Management Policy, with the addition by Mayor Davis and a separate memo on car sharing. Mr. White seconded. The motion passed 5 to 0.

COUNTY LEGISLATION CB-11 and CB-2: Mayor Davis read the agenda comments on this legislation.

CB-11 allows for demolition of abandoned buildings. Mr. White asked if this would apply within the city. Mr. Manzi responded that he believed the law would not apply unless the city adopted its own ordinance. Mayor Davis suggested that Planning and Community Development look at incorporating this into City Code.

Mr. Putens moved that Council support CB-11-1999. Mr. White seconded. The motion passed 5 to 0.

CB-2 added restrictions on municipal annexation. Mr. Roberts stated support for Mr. Maloney's effort and indicated he would not support a motion to oppose the bill.

Mr. White noted that under CB-2, a municipality may not place annexed land in a substantially different zoning category for 5 years. Mr. Roberts believed Mr. Maloney's intent was to keep Laurel from annexing land and then increasing the zoning.

Mr. Turnbull noted a conflict between the theoretical and the practical. He stated in theory the County should not micro-manage municipalities. Mr. Turnbull believed in the practical, this bill might be needed to deal with the way Laurel has developed.

Mr. White expressed mixed feelings and stated that from the home rule aspect, the bill was flawed. He noted that the County's record on zoning was not that good either.

Mr. Putens stated that since the bill was intended to apply to Laurel, it should mention Laurel in the bill text.

Mr. McLaughlin noted that the 5 year rule existed in current law. He stated that the bill defined substantially different, and the definition applied to increased density.

Mr. White moved that the City take no position on CB-2. Mr. Turnbull seconded. The motion passed 5 to 0.

MEMORIAL GARDENS: Mayor Davis read the agenda comments.

Mr. Roberts asked if GEAC's proposal was to memorialize specific individuals. Mr. Goldberg responded that the garden was designed to memorialize two specific individuals and that this was the whole point of the proposal.

Mr. Putens stressed the idea was a quiet, landscaped, memorial garden area with a plaque that would contain two names plus others in the future.

Mr. White stated that memorialization proposals were always divisive and the difficulty was with plans for individual memorialization. He agreed with the need for criteria and a neutral body to determine if an individual met the criteria. Mr. White believed Council needed to support or oppose the memorial concepts.

In response to a question from Mr. Roberts, Mr. Goldberg indicated that GEAC disagreed with the concept of anonymous memorials.

Mr. Ferguson stated that CRAB had wrestled with the issue of memorialization over several months and meetings. He recommended that Council adopt an overall plan before approving specific concepts.

Mr. Putens agreed that Council was struggling to do the "right" thing. He believed the GEAC proposal was an attempt to start something simple at Schrom Hills Park and hoped this proposal would be moved forward soon.

Mr. Turnbull believed that Council was making progress and stressed that it was important to deal with the foundation elements first.

Mayor Davis believed there could be more than one way of memorializing people. She asked about a garden in Stream Valley Park dedicated to the Madden family. Mr. McLaughlin believed there were adopt-a-trees at this location. She asked about the Al Herling bench. Mr. McLaughlin responded that the City did not commission the bench and was merely accepting it from the Arts Council.

Mr. Roberts moved that Council construct two memorial gardens, one at Schrom Hills Park and one at the Community Center, with the Schrom Hills Park memorial being referred to PRAB for input on location. Mr. Putens seconded.

Eileen Peterson stated that to define a person down to a specific memorial item is inappropriate. She suggested building a sculpture garden at the Community Center and taking the memorial aspect out of it.

Barbara Simon stated that the original concept was to place the Lenore Thomas sculpture in an outdoor garden setting. She noted that Ms. Thomas and her daughter had wanted the sculpture outdoors.

Mr. Goldberg believed naming parks, buildings and streets, and establishing a garden was two separate issues.

Mr. White suggested striking "memorial" from the Community Center garden. Mr. Roberts did not want to change his motion. Mr. White moved to amend the motion by striking "memorial" from the Community Center garden and simply making it a sculpture garden. Mr. Turnbull seconded the motion to amend.

Mr. Roberts agreed to accept Mr. White's amendment. Mr. White and Mr. Turnbull agreed to withdraw the motion to amend.

Mr. Turnbull requested that the motion be separated. Mayor Davis agreed to separate the motion

Mr. McLaughlin wanted it made clear that there was no names at the garden associated with this motion. Mayor Davis agreed that this was the case. Based on this, Mr. Turnbull withdrew his request for the motion to be separated.

The motion passed 5 to 0.

MEETINGS: Council moved the budget work session on May 13 to May 3 and changed the budget work session on May 3 to May 5. Council directed staff to schedule the standing rules

work session on 5/26 or 5/27, depending on the scheduling of the session on electric deregulation. Council scheduled a work session on memorialization for June 9.

ADJOURNMENT: Mr. Putens moved to adjourn the meeting. Mr. Turnbull seconded. The motion carried 5 to 0. Mayor Davis adjourned the regular meeting of April 12, 1999, at 11:22 p.m

Respectfully Submitted,
David E. Moran, CMC
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 12, 1999."

Judith F. Davis
Mayor