REGULAR MEETING OF THE GREENBELT CITY COUNCIL held Monday, August 10, 2015.

Mayor Jordan called the meeting to order at 8:00 p.m.

ROLL CALL was answered by Councilmembers Judith F. Davis, Konrad E. Herling, Leta M. Mach, Silke I. Pope, Edward V. J. Putens, Rodney M. Roberts and Mayor Emmett V. Jordan.

ALSO PRESENT were Michael McLaughlin, City Manager; David Moran, Assistant City Manager; Karen Ruff, Associate of the City Solicitor; and Cindy Murray, City Clerk.

Mayor Jordan asked for a moment of silence in memory of residents Barbara Jean Gremour, Ronnie Fendlay and Nettie Brockway and former Greenbelt City Police Officer Fred E. Murray Jr. Mr. Putens then led the pledge of allegiance to the flag.

APPROVAL OF CONSENT AGENDA: Ms. Davis requested that the minutes of the regular meeting of July 13, 2015, be removed from the consent agenda. With this change, it was moved by Ms. Mach and seconded by Mr. Herling that the consent agenda be approved. The motion passed 7-0.

Council thereby took the following actions:

Minutes:

Regular Meeting, June 22, 2015
Work Session, July 22, 2015
Interview, July 27, 2015
Work Session, July 27, 2015
Approved as Presented

Committee Reports

Advisory Committee on Trees, Report #2015-1 (Recommended Trees for Use under Power Lines): Council accepted this report and recommendations which were discussed at the Pepco work session on July 22, 2015, and shared with local homeowner associations. No further action is required.

Public Safety Advisory Committee, Report #2015-1 (Emergency Operations Plan Revision Recommendations): Council accepted this report and referred it to staff to update the Emergency Operations Plan in accord with the recommendations.

Youth Advisory Committee, Report #2015-1 (Voting Age): Council accepted this report and will consider it on the agenda of a future meeting.

Reappointment to Advisory Group: Council reappointed Jeffrey Keenan to a new term on the Park and Recreation Advisory Board.

APPROVAL OF AGENDA: It was moved by Ms. Pope and seconded by Mr. Putens that the agenda be approved. The motion passed 7-0.

DRAFT

PRESENTATIONS:

Proclamation – Social Security's 80th Anniversary: Mayor Jordan read a proclamation recognizing the 80th Anniversary of Social Security on August 14, 2015.

Greenbelt Legion Post 136 Baseball Team: Mayor Jordan recognized the Greenbelt American Legion Post 136 Baseball Team who recently won the National Amateur Baseball Federation (NABF) High School World Series in Knoxville, Tennessee. Team coaches Izzy Taylor and Mike Higginbotham introduced the following members of the team in attendance: Robert Napoli, Jarett Faunce, Kyriq Woods, Paul Brown-Taylor, Moises Aristy Jr. and Chris Jeletic. Council congratulated the coaches and members of the team.

PETITIONS AND REQUESTS: Bill Orleans, Greenbelt, asked and was provided answers to questions regarding executive sessions.

Willis Witter, 16 Empire Place, requested that the City publish on its website and other official forums, bids received by two firms AMT and ESA, in response to a Request for Proposals (RFP) to assess the health of the Forest Preserve. After discussion, Council stated that once the bids had been reviewed by the Forest Preserve Advisory Board and City staff, their recommendations would be sent to Council. Council would then schedule a public work session for discussion and the bids from AMT and ESA would be published prior to the work session. Council noted this was the normal process regarding an RFP issued by the City.

MINUTES OF COUNCIL MEETINGS:

Regular Meeting, July 13, 2015: Under Council Reports, Ms. Davis advised that she, along with Mayor Jordan, Mr. Putens, Ms. Mach, and Mr. Herling, had attended Delegate Alonzo Washington's "Color and Class" Discussion of Race, Politics and Society. With that change, Ms. Davis moved that the minutes be approved. Ms. Mach seconded. The motion passed 7-0.

Statement for the Record – Executive Session of July 15, 2015: Ms. Davis moved that in accordance with the General Provisions Article, Section 3-306(c)(2) of the *Annotated Code of Public General Laws of Maryland*, the minutes of tonight's meeting reflect that Council met in executive session on Wednesday, July 15, 2015, at 7:03 p.m. in Room 201 of the Greenbelt Community Center. Council held this closed meeting in accordance with the General Provisions Article, §3-305(b)(1) of the *Annotated Code of Public General Laws of Maryland,* to discuss a personnel matter.

Vote to close session:

	Yes	No	Abstain	Absent
Ms. Davis	X			
Mr. Herling	X			
Ms. Mach	X			
Ms. Pope	X			
Mr. Putens				X (arrived at 7:10 p.m.)
Mr. Roberts				X (arrived at 7:58 p.m.)

Mayor Jordan	X			

The following staff members were in attendance: Michael McLaughlin, City Manager; John Shay, City Solicitor; David Moran, Assistant City Manager; and James Craze, Police Chief.

Other individuals in attendance: None

Council took no actions during this session.

Mr. Pope seconded.

ROLL CALL: Ms. Davis - yes
Mr. Herling - yes
Ms. Mach - yes
Ms. Pope - yes
Mr. Putens - yes
Mr. Roberts - yes
Mayor Jordan - yes

Statement for the Record – Executive Session of August 3, 2015: Ms. Davis moved that in accordance with the General Provisions Article, Section 3-306(c)(2) of the *Annotated Code of Public General Laws of Maryland,* the minutes of tonight's meeting reflect that Council met in executive session on Monday, August 3, 2015, at 9:00 p.m. in the Library of the Municipal Building. Council held this closed meeting in accordance with the General Provisions Article, §3-305(b)(7) of the *Annotated Code of Public General Laws of Maryland,* to consult with legal counsel regarding an annexation issue.

Vote to close session:

	Yes	No	Abstain	Absent
Ms. Davis	X			
Mr. Herling	X			
Ms. Mach	X			
Ms. Pope	X			
Mr. Putens	X			
Mr. Roberts	X			
Mayor Jordan	X			

The following staff member was in attendance: Michael McLaughlin, City Manager; John Shay, City Solicitor; Karen Ruff, Associate of the City Solicitor; David Moran, Assistant City Manager; Celia Craze, Director of Planning and Community Development; and Jessica Bellah, Community Planner.

Other individuals in attendance: None

Council took no actions during this session.

DRAFT

Ms. Pope seconded.

ROLL CALL:	Ms. Davis	-	yes
	Mr. Herling	-	yes
	Ms. Mach	-	yes
	Ms. Pope	-	yes
	Mr. Putens	-	yes
	Mr. Roberts	-	yes
	Mayor Jordan	-	yes

ADMINISTRATIVE REPORTS: Ms. Davis reported that the City had been presented with a Banner City Award at the Maryland Municipal League Annual meeting. She also commended the Animal Control Program for its progress on the reduction of feral cat colonies and also its success in partnering with other organizations for the adoption of animals.

COMMITTEE REPORTS: None.

LEGISLATION:

A Resolution 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

Mayor Jordan read the agenda comments.

Ms. Pope introduced the resolution for second reading and adoption. Ms. Mach seconded.

ROLL CALL:	Ms. Davis	-	Yes
	Mr. Herling	-	Yes
	Ms. Mach	-	Yes
	Ms. Pope	-	Yes
	Mr. Putens	-	Yes
	Mr. Roberts	-	Yes
	Mayor Jordan	-	Yes

Mr. Orleans asked and was provided answers to several questions.

The resolution was declared adopted (Resolution No. 2032, Book 8).

A Resolution to Authorize the Purchase and Installation of a Thermoplastic Polyolefin Roofing System for the Replacement of the Flat Roof at the Greenbelt Aquatic and Fitness Center from A.K.J., Inc. at a Cost Not to Exceed $78,200

Mayor Jordan read the agenda comments.

DRAFT

Jim Sterling, Acting Director of Public Works, explained the Request for Proposals (RFP) process and the review of the six responses that were received. He said A.K.J., Inc. was the low bidder for the base bid as well as the alternative pricing for any needed replacement of the roof decking and drains.

Mayor Jordan asked at what point it would be known if roof decking and drains needed to replaced as part of the project. Mr. Sterling said that would be known when the existing roof is removed.

Mr. Roberts asked how the project is being funded. Mr. Sterling said through the use of Program Open Space (POS) funding. Mr. Roberts said he was opposed to the use of POS funds for this type of project.

Ms. Davis said that since the Greenbelt Aquatic and Fitness Center is a recreational amenity, this was a valuable use of POS funds. She said if POS funds were not used, it would create an extra tax burden on the residents. Mr. Roberts disagreed, stating that use of POS was not saving taxpayers any money because it is taxpayer money being used.

Ms. Pope asked if GAFC memberships will be extended for three (3) weeks to cover the period the pool is out of service. Mr. McLaughlin said yes.

Ms. Pope introduced the resolution for second reading and adoption. Mr. Putens seconded.

ROLL CALL:	Ms. Davis	-	Yes
	Mr. Herling	-	Yes
	Ms. Mach	-	Yes
	Ms. Pope	-	Yes
	Mr. Putens	-	Yes
	Mr. Roberts	-	No
	Mayor Jordan	-	Yes

The resolution was declared adopted (Resolution No. 2033, Book 8).

A Resolution to Authorize Deirdre Allen to Sign Checks, Vouchers and Purchase Orders from August 11 to August 14, 2015

Mayor Jordan read the agenda comments.

Ms. Mach introduced the resolution for first reading and moved suspension of the rules in order to allow second reading and passage of the ordinance tonight. Ms. Pope seconded the motion.

ROLL CALL:	Ms. Davis	-	yes
	Mr. Herling	-	yes
	Ms. Mach	-	yes
	Ms. Pope	-	yes
	Mr. Putens	-	yes
	Mr. Roberts	-	yes
	Mayor Jordan	-	yes

DRAFT

Ms. Mach introduced the resolution for second reading and moved that it be adopted. Ms. Pope seconded.

ROLL CALL:	Ms. Davis	-	yes
	Mr. Herling	-	yes
	Ms. Mach	-	yes
	Ms. Pope	-	yes
	Mr. Putens	-	yes
	Mr. Roberts	-	yes
	Mayor Jordan	-	yes

The resolution was declared adopted (Resolution No. 2034, Book 8).

Greenbelt Homes, Inc. – Right-of-Way Vacation: Mayor Jordan read the agenda comments.

Terri Hruby, Assistant Planning Director, explained that City staff has been working with Greenbelt Homes, Incorporated (GHI) staff on the vacations of certain portions of rights-of-way located at 7 court Research Road; 33 & 35 Courts Ridge Road and 9, 11 & 13 Courts Hillside Road to address yard and unit encroachment issues. She said the intent of the right-of-way vacations is to respect historic GHI yard lines as much as possible, while accommodating utility requirements and the City's desire to retain sufficient rights-of-way for public use.

After discussion, Ms. Pope moved that Council approve the stakeout plats showing the new proposed right-of-way lines, and direct to staff to work with GHI's consultant to complete the Rights-of-Way Vacation Petition Application package for distribution and final submittal to the Prince George's County Planning Board for approval. Ms. Mach seconded. The motion passed 7-0.

Belle Point Playground Path: Mayor Jordan read the agenda comments.

**Motion Tabled at Regular Meeting of July 13, 2015 - Ms. Davis moved that Council approve installation of a pervious path at the Belle Point playground at a cost of $10,000. Seconded by Mr. Herling.*

Ms. Davis moved to bring this item Back to the Table. Mr. Putens seconded. The motion passed 6-1. (Roberts)

Ms. Pope said she liked the idea of a pervious concrete path but wasn't sure it was the best type of surface for this particular area which is very wet. Mr. Sterling agreed that pervious concrete would normally be preferred but in this situation he would recommend a regular concrete pathway. He noted the need to be able to access the playground for maintenance. Mr. Sterling mentioned that the playground is located in a wooded area and requires use of equipment for cleaning.

Mr. Roberts said he was opposed to spending an additional $7,000 for the pervious concrete and said he supported the use of regular concrete for the pathway. Ms. Mach agreed, noting she didn't see the cost benefit for the use of pervious concrete in this location.

Mr. Putens asked about drainage of the water from the pathway area. Mr. Sterling said a permanent drain will be installed under the path.

DRAFT

The motion failed 1-6.

Mr. Putens moved that Council approve installation of a regular concrete path at the Belle Point Playground. Ms. Pope seconded. The motion passed 6-1. (Davis)

Ms. Davis said since Greenbelt claims to be a "green" community, she will always vote for pervious surface when there is a choice between pervious and concrete surface.

Request of Prince George's County Historical Society: Mayor Jordan read the agenda comments.

Ms. Mach moved that Council approve the request from The Prince George's County Historical Society to serve wine at its annual "Prince of a County" fundraising event to be held at the Greenbelt Theatre on Sunday, September 13. Mr. Putens seconded.

Mr. Roberts said he was opposed to approval of the request. He said the City should set an example and provide a facility where patrons can be away from alcohol. Ms. Mach said she did not think it was Council's purview to decide what outside organizations, such as the Historical Society, should or shouldn't do for their events.

Ms. Davis requested the Theatre Manager be reminded that patrons of the event cannot walk outside the theater with wine.

The motion passed 6-1. (Roberts)

Submission of FY 2017 Community Parks and Playground Grant Application: Mayor Jordan read the agenda comments.

Ms. Pope moved submission of the FY 2017 Community Parks and Playground (CPP) Grant application for the renovation of the Community Center playground. Mr. Putens seconded.

Ms. Pope and Mr. Putens suggested the new equipment be colorful. Mr. Moran said the current color scheme includes blues and tans but brighter colors can be considered.

Ms. Davis asked if some benches or tables can be placed under the large tree. Mr. Moran said this can be considered. He added that the playground had been relocated from under the tree because of health concerns the play equipment posed to the tree.

There was discussion about including additional shade structures in the playground to reduce the surface temperature of the poured in place (PIP) surfacing. Mr. Moran said this can be considered, but there would be additional costs.

Mr. Roberts said he did not support the use of PIP surface in this playground because of health concerns and damage it may cause to the large tree. He said the tree roots need to be out of the drip zone of the PIP surface or the runoff will severely damage the tree.

Mayor Jordan asked what would happen if the City only received partial funding from the grant application. Mr. Moran said it would depend on the amount of the funding received but some options would be to consider reducing the scope of the playground renovation or identifying a different source

DRAFT

to make up the funding difference. He added that the City had been successful in receiving total funding of CPP grant applications for the past six or seven years.

Mr. Putens suggested an engineered wood fiber (EWF) surface may be better for this playground. Mr. Moran explained that the existing playground has EWF surface. He said City staff and the Greenbelt Cooperative Nursery School staff have expressed concern about the maintenance problems with EWF surface in the playground, since the EWF constantly gets on the trike track.

Ms. Pope expressed her support for PIP surface. She said PIP provides the safest playground surface to minimize impacts of falls by children and also makes the playground more accessible for those with disabilities.

Ms. Mach said that the Park and Recreation Advisory Board had reviewed the playground surface issue and had recommended that a variety of different surface playgrounds be provided throughout the City. She said supported the use of PIP in this playground. Ms. Mach added that the Cooperative Nursery School, one of the main users of the playground, had expressed its support for the use of PIP surfacing. She suggested that perhaps shade structures could be considered.

Susan Stewart, 2-P Plateau Place, said she supported the playground renovation but was opposed to the PIP surface which she did not feel was safe (because of burns) for children.

Mr. Roberts asked if the type of playground surface could be separated from playground renovation grant application. Mr. Moran said no, explaining that a preliminary surfacing decision was necessary because the cost needed to be included in the grant application. Ms. Davis and Mr. Herling commented that this would not preclude the City from going with a different type surface prior to the renovation. Mr. Roberts said he was only opposed to the use of PIP for the playground surfacing but was not opposed to the grant application for the playground renovation,

The motion passed 6-1. (Roberts)

Letter to State Delegation – Pepco Tree Work: Mayor Jordan read the agenda comments.

Mayor Jordan explained that the City has advocated for more authority over Pepco's vegetation management in recent years as follows:

1) During the 2013 Session, the City opposed HB 587 (Del. Davis) which would prohibit a County or Municipality from interfering with a utility's vegetation management program. This bill passed unanimously in the House and 35-12 in the Senate, despite the City's objections.
2) In the 2015 Session, the City supported HB 376 (Del. Tarlau) which would have repealed the provisions adopted in 2013. Delegates Healey and Washington were co-sponsors. MML supported this bill. HB 376 received an unfavorable vote (21-0) in Committee.
3) Delegate Tarlau plans to introduce legislation in 2016 that would allow a municipality to adopt an ordinance or regulation, but require that the municipality meet with the utility to work out an agreement. If both parties fail to agree, then the PSC can determine the validity of the municipal ordinance/agreement. Staff is not optimistic that this bill will pass.

Ms. Davis suggested staff inquire from Delegates Healey and Washington why HB 376 received an unfavorable vote in Committee.

There was discussion regarding the harm Pepco's tree work/removal work is doing to communities, including loss of the tree canopy, and the need for HB 587 to be repealed.

Ms. Davis said that some homeowners feel intimidated by Pepco regarding tree work on their property. She also noted Pepco's lack of cooperation when requested to: 1) grind stumps of any trees removed on public property, and; 2) provide information on all tree removals planned (on public and private) property to the City.

After further discussion, Council requested communication (letter or emails) requesting HB 587 be repealed be sent to the State Delegation, Chairs of all Environmental Committees, the Cities of New Carrollton, College Park and Bowie; Town of Berwyn Heights; the Counties of Prince George's and Montgomery; and the Maryland Municipal League. Mayor Jordan urged Council members to personally contact the State Delegates and Senators.

Letter to County Executive Baker – School Resource Officer Funding: Mayor Jordan read the agenda comments.

Mr. Herling moved that Council send a letter to the Prince George's County Executive urging continuation of funding for the School Resource Officer Program in the County's FY 2016 budget. Ms. Mach seconded. The motion passed 7-0.

Inquiry to Prince George's County Board of Elections: Mayor Jordan read the agenda comments.

Ms. Davis moved that Council send a letter to the Prince George's County Board of Elections expressing concern about the lack of accuracy of the voter registration lists and requesting clarification on how the Board maintains the list according to State Law, specifically how names are purged and how often this occurs. Ms. Mach seconded. The motion passed 7-0.

COUNCIL REPORTS: Councilmembers commented on the successful National Night Out Events at Roosevelt Center, Greenbriar, Beltway Plaza/Franklin Park, Windsor Green, Hunting Ridge and Schom Hills Park. They noted their attendance at the following events.

Green Ridge House Ribbon Cutting Ceremony for new Raised Gardens – Mayor Jordan, Ms. Davis and Ms. Mach
State of Maryland Air Quality Control Council Meeting – Ms. Mach
Greenbelt Community Foundation Event – Mayor Jordan, Ms. Davis, Mr. Putens and Mr. Herling and Ms. Pope
Chesapeake Bay Policy Committee Conference Call – Ms. Davis
Greenbelt Bike Connection & Skateboard Demonstration – Mayor Jordan and Ms. Davis
National League of Cities Energy, Environment and Natural Resources Committee Conference Call – Ms. Davis
Friends of Greenbelt Museum Lecture – Ms. Davis
Metropolitan Washington Council of Governments (COG) Climate, Energy and Environment Policy Committee Meeting – Ms. Davis
Farm to Table Event sponsored by Greenbelt Farmers Market and the Friends of the New Deal Café – Ms. Davis and Mr. Putens
Chesapeake Education, Arts and Research Society (CHEARS) Volunteer Appreciation Event – Ms. Davis
Creative Kids Camp "Hidden Lands" Presentation – Ms. Davis

College Park Showcase on Development Opportunities – Mayor Jordan
Metropolitan Washington Council of Governments (COG) Board Retreat – Mayor Jordan
Prince George's County Municipal Association Retreat – Mayor Jordan

Ms. Davis reported that the National League of Cities Energy, Environment and Natural Resources (EENR) Subcommittee is reviewing the noise policy for NLC. She asked Mr. Moran to review the federal rules in place regarding 1) what type of helicopters are permitted to hover; and 2) how long they are allowed to hover.

Mr. Roberts provided an update on a property sale at 108 Greenhill Road.

MEETINGS: Council reviewed the upcoming meeting schedule.

ADJOURNMENT: Ms. Mach moved to adjourn the meeting. Mr. Putens seconded. The motion passed 7-0.

Mayor Jordan adjourned the regular meeting of Monday, August 10, 2015, at 10:56 p.m.

Respectfully submitted,

Cindy Murray
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 August 10, 2015."

Emmett V. Jordan
Mayor

DRAFT