REGULAR MEETING OF THE GREENBELT CITY COUNCIL held Monday, October 14, 2013.

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

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

ALSO PRESENT were Michael McLaughlin, City Manager; David Moran, Assistant City Manager; John Shay, City Solicitor; and Cindy Murray, City Clerk.

Mayor Davis asked for a moment of silence in memory of former residents Anthony (Tony) Iacone, Michael Reynolds and Flora Hawvermale. She then led the pledge of allegiance to the flag.

APPROVAL OF CONSENT AGENDA: Ms. Mach requested the minutes of the September 23, 2013, meeting be removed from the consent agenda. With this change, it was moved by Mr. Putens and seconded by Mr. Jordan that the consent agenda be approved. The motion passed 7-0.

Council thereby took the following actions:

MINUTES OF COUNCIL MEETINGS:

Work Session, September 16, 2013
Interview, September 30, 2013
Work Session, October 2, 2013
Interview, October 9, 2013

Approved as presented.

COMMITTEE REPORTS

Public Safety Advisory Committee, Report #2013-2 (Police Signage): Council accepted this report and will consider it on the agenda of a future meeting.

Advisory Planning Board, Report #2013-5 (Detailed Site Plan for Franklin Park at Greenbelt Station Sign Plan): Council accepted this report and will consider it on the agenda of a future meeting.

APPOINTMENT TO ADVISORY GROUP: Council appointed Honora Hammett to the Youth Advisory Committee.

DESIGNATION OF VOTING DELEGATE AND ALTERNATE FOR THE NATIONAL LEAGUE OF CITIES CONGRESS OF CITIES: Council designated Mayor Davis as the voting delegate, Mayor Pro Tem Jordan as the first alternate, and Mr. Putens as the second alternate, for the National League of Cities (NLC) 2013 Annual Business Meeting on November 16, 2013, and authorized the City Clerk to so notify the NLC.

REAPPOINTMENT TO ADVISORY GROUP: Council appointed Stanley Zirkin to a new term on the Public Safety Advisory Committee.

RESIGNATION FROM ADVISORY GROUP: Council accepted the resignation of Matt Berres from the Greenbelt Advisory Committee on Environmental Sustainability.

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

COOPERATIVE MONTH: Mayor Davis read a proclamation declaring October as National Cooperative Month. She recognized the following representatives of the City's cooperatives and provided each with a copy of the proclamation: Sylvia Lewis, Greenbelt Homes Inc.; Mary Lou Williamson, Greenbelt News Review; Terry Rutledge, New Deal Café; Lisa Myer, Greenbelt Nursery School; Kim Rush Lynch, Greenbelt Consumers Cooperative; Alan Duda, Rapidan Camps; and Eugene Krebs, Greenbelt Federal Credit Union. Several of the representatives provided information on cooperative month events their cooperatives have scheduled during October.

Nonprofit Week Proclamation: Mayor Davis read a proclamation to recognize October 8-12, 2012, as Nonprofit Awareness Week. She recognized Bea Rodgers, member of the Human Services Coalition of Prince George's County, and Lois Rosado and Marsha Voight, members of the Greenbelt Community Foundation, and provided each with a copy of the proclamation.

PETITIONS AND REQUESTS:

Bob Snyder, Chair of the Forest Preserve Advisory Board (FPAB), read a letter from the FPAB in response to the letter from the Greenbelt Community Gardens Club which was read at the work session on September 30, 2013. A copy of the letter is attached to these minutes.

Michael Hartman, 2-R Gardenway, requested that the Community Questionnaire be readable with an optical character reader through the City website so blind persons and persons with limited visual ability will be able to access the document and participate in the survey.

MINUTES:

Regular Meeting, September 23, 2013: Under Other Reports, Ms. Mach noted that Mr. Herling reported on a tour of Greenbelt Theater, not the Greenbelt Museum. Under Council Reports, Mayor Davis noted that Mr. Jordan had also attended the Greenspring Multicultural Picnic. With these changes, it was moved by Ms. Mach and seconded by Mr. Putens that the minutes be approved. The motion passed 7-0.

ADMINISTRATIVE REPORTS:

Mr. McLaughlin announced the FallFest event will be held on October 19, the Community Health Fair will be held on October 22, and Early Voting will begin on October 19. He also reported the Greenbelt Bulletin had been mailed out to all residents last week.

Mr. Jordan suggested a citizens group be formed to review the new City website. Mr. McLaughlin advised the new website is still being worked on and when complete, a briefing will be scheduled for Council. He suggested consideration of forming a citizens review group be discussed after the briefing.

COUNCIL REPORTS: Councilmembers commented on their attendance at the following events.

Council of Governments (COG) Economy Forward Workshop – Mr. Jordan and Ms. Mach
Maryland Municipal League (MML) Convention Planning Committee Meeting – Ms. Mach
COG Budget Meeting – Ms. Mach
Greenbelt Incubator Group Informational Movie Presentations on Worker Cooperatives and Childcare Cooperatives – Ms. Mach
Prince George's County Municipal Association Meeting – Mayor Davis, Mr. Jordan, Mr. Herling
Mount Rainier Program on Public Arts - Mr. Jordan
Senior Citizens Advisory Committee's Senior Forum – Mayor Davis, Mr. Herling, Mr. Jordan, Mr. Roberts, Ms. Pope and Mr. Putens
Senior Fashion Show/Active Aging Week Event – Mayor Davis
Greenbelt Homes Picnic - Mayor Davis, Mr. Jordan, Mr. Putens and Mr. Roberts
News Review Introduction of University of Maryland Interns – Mayor Davis, Mr. Jordan, Mr. Putens, Ms. Pope and Mr. Roberts
Buddy Attick Park Cleanup Event– Mayor Davis, Mr. Jordan, Mr. Herling, Mr. Putens, Ms. Pope and Mr. Roberts
Are You Ready Preparedness Event – Mayor Davis, Mr. Jordan, Mr. Herling and Ms. Mach
Annual City Advisory Group Appreciation Dinner – All members
MML Executive Committee Meeting – Mayor Davis
Artful Afternoon Program – Mayor Davis
Friends of the New Deal Café Studio Tour – Mayor Davis
Walk to School Event – Mayor Davis, Mr. Jordan and Ms. Mach
COG Board of Directors Meeting – Mayor Davis
Green Ridge House Picnic – Mayor Davis, Mr. Jordan, Mr. Roberts and Mr. Putens
OctoberFest for Seniors – Mayor Davis
Vegan Festival/Acorns A Go-Go – Mayor Davis, Mr. Jordan, Mr. Herling, Ms. Mach, Ms. Pope and Mr. Putens

Ms. Mach announced that she and Sylvia Lewis had been interviewed by Vernon Oaks, President of the National Association of Housing Cooperatives, on WOL-AM1450 radio regarding cooperatives.

COMMITTEE REPORTS: None

LEGISLATION

A Resolution to Repeal Resolution Number 1086 and to Provide for the Number of Judges and Clerks of Election, Their Rate of Compensation, and the Rate of Compensation to be Paid to the Chairperson and Members of the Board of Elections for the 2013 Regular Election

Mayor Davis read the agenda comments.

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

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

The resolution was declared adopted (Resolution No. 2005, Book 8).

A Resolution to Authorize the Negotiated Purchase of a Mobile Tag Reader with Installation From ELSAG North America in the Amount of $18,150

Mayor Davis read the agenda comments.

Ms. Pope introduced the resolution for first reading

GREENBRIAR PARK STREAM RESTORATION PLAN: Mayor Davis read the agenda comments.

Kevin Kelly, Environmental Systems Analysis (ESA), explained that the developer of the Jara property in Beltsville was required to provide off-site stream mitigation in the same watershed as the stream impacted on the Jara site and ESA had been hired by the developer as the environmental consultant for this mitigation. He said ESA was familiar with the City and had proposed the stream that runs through Greenbriar Park be used for this project. Mr. Kelly mentioned that Council had received a briefing from ESA on this proposal in June of 2011. Following the briefing, Mr. Kelly said ESA had worked with City staff to minimize tree impacts associated with the project and reviewed the concept plans with the Greenwood Village Homeowner Association and Greenbriar Phase II Board of Directors. He noted that both groups had indicated their support of the project.

Mr. Roberts commented on the total destruction of trees on the Jara site and expressed concern that the developer was not providing adequate stream restoration in the Anacostia Watershed compared to the loss of trees on the Jara site. Noting the aquatic life in the Greenbriar stream, Mr. Roberts asked if an amphibian survey will be done prior to work in the stream. Mr. Kelly said if requested by the City, ESA would provide a survey. Mr. Kelly noted that ESA was not involved in the Jara project and had only been hired by the developer to provide the stream restoration.

Ms. Mach and Mayor Davis said they had recently walked the stream area and noted the severe erosion. They expressed their support of the project.

Mr. Jordan asked how long the project would take to complete. Mr. Kelly estimated approximately two to three months. Mr. Jordan and Ms. Pope commented on the proximity to

Eleanor Roosevelt High School and asked if the project could be done during school recess in the summer. Mr. Kelly said the optimum time for the work would be in the summer and he would attempt to have work scheduled during that time. He added that once Council approves the project, ESA will begin working through the permitting process.

Mr. Jordan asked about maintenance and monitoring of the project when complete. Mr. Kelly said the project is designed to require very little maintenance and would be monitored for five years by ESA.

Mayor Davis asked if the City could request an extension of the monitoring by ESA beyond five years. Mr. Kelly said yes, that could be written into the document. Mayor Davis also expressed concern regarding the protection of amphibian life in the stream.

Mr. Roberts moved that Council refer the Greenbriar Park Stream Restoration plans to the Greenbelt Advisory Committee on Environmental Sustainability (Green ACES) prior to Council taking any action. Mr. Herling seconded.

Mr. Putens asked about the deadline for submission of the project. Ms. Hruby explained there was not a hard deadline but ESA is anxious to move forward given the time required for the permitting process.

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

Mayor Davis and Mr. Putens suggested the motion be amended to approve the plans contingent upon approval from Green ACES. Ms. Mach suggested the motion be amended to approve the plans pending a favorable report and resolution of any issues from Green ACES.

Mr. Roberts amended his original motion to "move that Council approve the Greenbriar Park Stream Restoration Plans as proposed by Environmental Systems Analysis pending a favorable report and resolution of any issues from Green ACES." Mr. Herling agreed to the amendment.

Mr. Jordan called the Question.

Mr. Orleans attempted to speak and Mayor Davis reminded him that the Mr. Jordan had called the Question. Mr. Orleans argued and urged for a Division of Council. Mr. Roberts moved for a Division of Council. No second was received.

The amended motion passed 6-1. (Roberts)

Ms. Mach asked about maintenance of the fixtures (frames only) still in place in the park area and whether they should be entirely removed. Mr. McLaughlin will check with the Recreation and Public Works Departments.

<u>2013 COMMUNITY QUESTIONNAIRE</u>: Mayor Davis read the agenda comments.

Council complimented staff for the new format of the community questionnaire. Mayor Davis,

Mr. Jordan, Ms. Mach and Ms. Pope provided staff with additions and wording revisions to the proposed questionnaire.

Mr. Putens expressed concern that the questionnaire had become too large in recent years and many residents opt not to complete it due to the size. Mr. Moran advised that 55 percent of voters in the 2011 election had completed the survey. Mayor Davis, Mr. Herling and Ms. Pope said the questionnaire provides an opportunity for residents to express their opinions. Mayor Davis added that anyone can fill out the survey even if they are not eligible to vote.

Mr. Herling moved that Council approve the proposed 2013 Community Survey as proposed by staff with the additions and revisions suggested by Council. Mr. Jordan seconded. The motion passed 7-0.

COMMUNITY DEVELOPMENT BLOCK GRANT PY40 APPLICATION: Mayor Davis read the agenda comments.

In response to a question from Mayor Davis, Mr. Moran explained that CDBG applications are submitted to the County Department of Housing and Community Development which reviews the applications and compiles a CDBG package to be approved by the County Executive and then the County Council. He noted the approval process for all applications is largely driven by the funding allocation from the federal government.

Mr. Herling moved that Council approved submission of the Prince George's County Community Development Block Grant (CDBG) Program Year 40 applications as proposed by staff and authorized the Mayor to execute any PY 40 CDBG Operating Agreements and all other necessary documents in order to accept and implement the grant award. Mr. Jordan seconded. The motion passed 7-0.

REVIEW OF COUNTY BILL 89-2012 AND APPLICABILITY TO GREENBELT: Mayor Davis read the agenda comments.

Mayor Davis asked if any municipalities in the County had enacted similar legislation. Mr. Shay advised that none of the municipalities his firm represents had done so. Mayor Davis asked staff to determine if any municipalities in the County were considering legislation.

Mr. Putens noted that Greenbelt homeowner associations in the City had requested the City adopt similar legislation to County Bill 89-2012 which would deny a license for a rental unit if the owner is delinquent in the homeowner association fees. There was discussion regarding the entire process of rentals. In response to a question from Ms. Pope, Mr. McLaughlin advised that Planning and Code Enforcement Inspectors check on complaints of illegal rentals.

Noting that homeowners can rent to family members without having to obtain a rental license, Mr. Roberts questioned what steps the City can take to determine if a rental property is actually being rented by a family member. Mr. Shay said he would check.

Mr. Jordan, Ms. Mach and Mr. Herling expressed concern regarding what the law considers a "family relationship." Noting that the definition of family relationships in different cultures may vary, Mr. Jordan suggested that the Community Relations Advisory Board be asked to review this issue and define family relationship.

Mr. McLaughlin suggested Council consider making a request to Counsel to determine whether there must be a family exemption to the law and if not, require all rental properties to have a license.

Mr. Herling asked if enacting this type of legislation would have impact on Planning and Community Development staff. Mayor Davis mentioned that additional personnel may be needed for enforcement.

Ms. Mach moved that Council refer County Bill 89-2012 to: 1) Counsel to determine if there has to be a family exemption to the law; 2) staff for review; 3) local homeowner associations for review; 4) Community Relations Advisory Board to determine definition of family; and after information is received, schedule a work session on matter. Mr. Putens seconded. The motion passed 7-0.

Referral to Arts Advisory Board – Use of Tree Trunk as Public Arts Project: Mayor Davis read the agenda comments.

Mayor Davis moved that Council refer Use of the Tree Trunk between the Community Center and the Aquatic and Fitness Center as a Public Arts Project to the Arts Advisory Board (AAB) and directed staff not to remove the tree trunk until a response to the referral is received and reviewed by Council. Ms. Pope seconded. The motion passed 7-0.

OTHER REPORTS: Councilmembers presented reports on the following meetings and conferences they recently attended.

Ms. Mach – Council of Governments (COG) Clean Air Partners Board Meeting
Metropolitan Washington Air Quality Committee Meeting
Mayor Davis – COG Board of Directors Meeting.

MEETINGS: Council reviewed the upcoming meeting schedule.

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

Mayor Davis adjourned the regular meeting of Monday, October 14, 2013, at 11:18 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 October 14, 2013."

Judith F. Davis
Mayor

DRAFT