



REGULAR MEETING OF THE GREENBELT CITY COUNCIL held December 13, 2004.

Mayor Davis called the meeting to order at 8:01 p.m.

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

ALSO PRESENT were Michael P. McLaughlin, City Manager; Andrew Nussbaum, City Solicitor; David E. Moran, Assistant City Manager; and Kathleen Gallagher, City Clerk.

Mayor Davis asked for a moment of silence in honor of residents Elijah Maurice Carter, Doreen M. McClendon, and Woodrow W. Wines, Sr. The Mayor then led the pledge of allegiance to the flag.

CONSENT AGENDA: Mr. Roberts asked to remove item #18, Appointment to Advisory Group, from the Consent Agenda. It was moved by Mr. Putens and seconded by Mr. Herling that the consent agenda be approved with that amendment. The motion passed 5-0.

Council thereby took the following actions:

MINUTES OF COUNCIL MEETINGS

- Interview, November 22, 2004
- Regular Meeting, November 22, 2004

Approved as presented.

COMMITTEE REPORTS - Senior Citizens Advisory Committee, Open Forum Report (2004): Council accepted this report and approved the committee's request to consult with other groups and City staff to look more thoroughly into the question of whether transportation needs are being adequately addressed.

MUNICIPAL AGENCIES MOU – INCLUSION OF LAUREL: Council authorized the Mayor and City Manager to sign the addendum to allow the City of Laurel to become part of the mutual aid agreement.

APPROVAL OF AGENDA: It was moved by Ms. Mach and seconded by Mr. Herling that the agenda be approved as presented. The motion carried 5-0.

PRESENTATIONS - Police Department – National Law Enforcement Challenge Award: The Mayor asked Chief Jim Craze to tell Council about the award. He said that in its first

year entering the National Law Enforcement Challenge, competing with 43 other agencies in the category of 51-100-officer departments, Greenbelt won the second place award in this nationwide program to increase seatbelt use and reduce child occupant fatalities and alcohol-related crashes. Mayor Davis also congratulated Chief Craze on his appointment to the International Association of Chiefs of Police Finance Review Committee, and she noted that he is also a past president of both the Police Chiefs Association of Prince George's County (2002) and the Maryland Chiefs of Police Association (2003).

PETITIONS AND REQUESTS: None.

MINUTES OF COUNCIL MEETINGS

Executive Session of December 6, 2004: Mr. Roberts moved that the minutes of the executive session of the City Council held Monday, December 6, 2004, be approved as presented. He further requested that the minutes of this meeting reflect that the Council met in executive session at 7:50 p.m. in the Library of the Municipal Building. Council held this closed meeting in accordance with Sections 10-508 (a) (1) and (7) of the State Government Article of the Annotated Code of Public General Laws of Maryland to discuss the appointment of individuals to an advisory task force and to consult with counsel to obtain legal advice on legal matters related to Greenbelt Station. Mr. Putens seconded the motion.

ROLL CALL: Mr. Herling - yes

Ms. Mach - yes

Mr. Putens - yes

Mr. Roberts - yes

Mayor Davis - yes

ADMINISTRATIVE REPORTS

Mr. McLaughlin announced that he and Joe McNeal, Assistant Director, Recreation, had met with County Councilmember Doug Peters and his aide, Ric Santos, to discuss the pending \$100,000 for the skateboard park, and they are optimistic that the matter can be resolved.

Mayor Davis and Councilmembers Putens, Mach, and Herling discussed the sessions they attended at the National League of Cities meeting in Indianapolis, as well as the materials and information they had brought to staff. Council also congratulated Mr. Putens on having been elected 1st Vice Chair of the Small Cities Council.

Mr. Roberts reported on a successful Festival of Lights opening ceremony, which had the largest and most diverse crowd he could remember having seen at this event.

Mayor Davis reported on attending the inauguration ceremony for the student council at Magnolia on November 23. She said that on December 6, she, Mr. Herling, and Ms. Mach also attended the annual Advisory Committee on Education Principals' Meeting, where the principals were complimentary of City services, especially the School Resource Officer program. She commented on the COG Annual Membership Meeting and Award Luncheon and the Windsor Green Open House, both held on December 8, and the December 12 Greenbelt East tree lighting, attended by all Council.

LEGISLATION

An Ordinance to Amend Chapter 17, ASolid Waste,@ of the Greenbelt City Code for the Purpose of Revising Section 17-43, to Limit Bags for Yard Waste Pick-Up to Paper Bags, Effective March 1, 2005

Mayor Davis read the agenda comments. Mr. Roberts introduced the ordinance for second reading and adoption. Mr. Putens seconded the motion.

ROLL CALL: Mr. Herling - yes

Ms. Mach - yes

Mr. Putens - yes

Mr. Roberts - yes

Mayor Davis - yes

The Ordinance was declared adopted. (Ordinance No. 1251, Book No. 12)

Mayor Davis then read the agenda comments for the following two resolutions of negotiated purchase for services to rehabilitate windows at the Community Center:

A Resolution to Negotiate the Purchase of Services for the Rehabilitation of Windows at the Community Center with MarChuk Construction of Vienna, Virginia, at a Cost Not to Exceed \$400,000

Mr. Putens introduced the resolution for second reading and adoption. Mr. Herling seconded the motion.

ROLL CALL: Mr. Herling - yes

Ms. Mach - yes

Mr. Putens - yes

Mr. Roberts - yes

Mayor Davis - yes

The Resolution was declared adopted. (Resolution No. 179, Book No. 8)

A Resolution to Negotiate the Purchase of Architectural Services Required for the Rehabilitation of Windows at the Community Center with Vitetta Group, Inc., of Philadelphia, Pennsylvania, at a Cost Not to Exceed \$46,000

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

ROLL CALL: Mr. Herling - yes

Ms. Mach - yes

Mr. Putens - yes

Mr. Roberts - yes

Mayor Davis - yes

The Resolution was declared adopted. (Resolution No. 180, Book No. 8)

PLAYGROUND AGREEMENT: Mayor Davis read the agenda comments. She asked about easement costs that Windsor Green had requested the City to pay for. Mr. Moran said that was not a problem. He also said he believed the agreement was still on target to be implemented within the next budget cycle since all the playground owners have already reviewed it.

Mr. Roberts said he had only one problem with the agreement, which was that although the City would be required to leave all equipment compliant if it terminated a contract, there was no similar requirement that equipment be compliant or meet some minimal standard at the time the City assumed responsibility for it. He asked Mr. Moran if everything coming in would be compliant with current standards. Mr. Moran said it would not. Mayor Davis said the City had already asked the playground owners to remove any equipment that was actually in the dangerous category and that the City would be free to replace anything else it wished. Mr. Moran said that was true, though it would probably be over a period of years, just as had been the case with the City's and GHI's playgrounds. Ms. Mach noted there was a provision in the agreement whereby the City would be reimbursed for the cost of equipment it upgraded if the owner decided to terminate the agreement. Mr. Roberts said neither of these points addressed his concern. He said understood that the City could upgrade it but that his point was that an unknown amount of noncompliant equipment would be coming in for the City to replace at an unknown cost. He asked Mr. Moran if there was an estimate on how much it would cost. Mr. Moran said there was not. Mr. Roberts said the deal was too open-ended, effectively a pig in a poke that could be costly to the taxpayers. He said "fair is fair" and that if the City were to assume responsibility for maintaining the equipment, it should meet some minimal standard coming in. Ms. Mach, Mr. Putens, and Mayor Davis disagreed, indicating they thought the agreement was fair as written.

Sheldon Goldberg, 7848 Jacobs Drive, representing both Windsor Green and the Greenbelt East Advisory Committee (GEAC), said the initial equity issue that caused the whole matter to be raised in the first place was that the City was undertaking the costs of replacing the GHI playgrounds. He said that having paid for that as taxpayers, Greenbelt East residents should not have to pay again up front to upgrade their own playgrounds before turning them over to the City. He said although none of the GEAC groups had taken formal votes yet, no one had any problems with the agreement. He said they considered it to be a fair deal. Mr. Roberts replied that he was not so sure the previous agreement had turned out to be such a good deal for the City, once equipment standards and costs increased. Mr. Putens said it had been a good deal for the City for many years and balanced out in the long run.

Julia Eichhorst, 3-P Research Road and president of the GHI Board, said they had not acted on it yet either but that they considered it to be fair, and she anticipated approval by the board. Sylvia Lewis, 2-C Gardenway and treasurer of the GHI Board, added that they would add the GHI contribution to the replacement fund so that it would always be budgeted.

Mayor Davis asked how a new development would buy in. Mr. Moran said there was nothing to prohibit other owners from joining later if Council wished. The Mayor also noted that there might be a need for additional Public Works staff. Mr. Moran agreed.

Mr. Roberts said he was still disturbed by the disparity between the conditions placed on the owners and the City. He said pointing toward the previous agreement was not enough to justify it since a new agreement should be better than the old agreement.

It was moved by Mr. Putens and seconded by Ms. Mach that the playground agreement be approved as presented. The motion passed 4-1 (Roberts).

POLICE DEPARTMENT ACCREDITATION PROCESS – UPDATE: Chief Craze described the progress made by the department so far in preparing to be reviewed for accreditation by the Commission on Accreditation for Law Enforcement Agencies (CALEA). The department is currently in the self-study phase. He said one important component that needs to be addressed is the development of a more detailed employee evaluation system. The department's accreditation coordinator, Sgt. Carl Schinner, identified a model in the system and evaluation form used by the Delaware State Police, which it is hoped can be adapted for all City staff. Mr. Putens said he thought the Delaware form provided an excellent tool, and he was glad the City would not have to reinvent the wheel in order to come up with something. Ms. Mach suggested adding Internet skills to the section dealing with communications when the form is adapted. In response to questions from the Mayor, Sgt. Schinner said it will be about two years before the site visit, and at this time only about 700 departments are currently accredited nationwide. He said the benefits to accreditation are that it often results in less litigation because a department is known to have clear policies and documentation systems, and this can produce up to a 20% reduction in liability insurance premiums. Chief Craze added that the accreditation also assures both the citizens and the department itself that it is doing high-quality work. Council thanked the Chief and Sgt. Schinner for the briefing.

INTER-COUNTY CONNECTOR (ICC) DRAFT ENVIRONMENTAL IMPACT STATEMENT: The Mayor read the agenda comments. She commented on the impossibility of adequate

review by groups or government jurisdictions of this document, given its length and the extremely compressed schedule for comment. She also noted that the press, including the Gazette, continues to repeat as a justification the misapprehension that the ICC will reduce traffic on the Capital Beltway. Mr. Roberts added that it was a mystery to him why people equate quality of life with a new highway. It was agreed that a general statement would be developed to present at the public hearing to be held the evening of January 4, 2005, at Eleanor Roosevelt High School.

APPOINTMENTS TO COG BOARDS AND POLICY COMMITTEES FOR 2005: Mayor Davis read the agenda comments. It was moved by Mr. Putens, seconded by Mr. Herling, and adopted unanimously that the City's appointments for 2005 would be as follows:

Board of Directors - Mayor Davis

Alternate - Mr. Roberts

Transportation Planning Board - Mr. Roberts

Alternate - Mr. Herling

Metropolitan Washington Air Quality Comm. - Ms. Mach

Metropolitan Development Policy Committee - Mr. Herling

Alternate - Ms. Mach

Human Services Policy Committee - Mr. Putens

Public Safety Policy Committee - Mr. Putens

Committee on Noise Abatement and Aviation at

National and Dulles Airports - Mr. Moran

Chesapeake Bay Policy Committee - Mayor Davis

Alternate - Mr. Putens

APPOINTMENTS TO ADVISORY GROUPS: Mr. Roberts made a motion that Council appoint Ruth Kastner to the Forest Preserve Task Force and Andria Jones to the Arts Advisory Board. Mr. Putens seconded the motion, which passed 5-0.

MEETINGS: Council reviewed the schedule of upcoming meetings and agreed not to schedule a work session for January 3.

ADJOURNMENT: A motion to adjourn was made by Ms. Mach and seconded by Mr. Herling. The motion carried 5-0. The Mayor adjourned the regular meeting of December 13, 2004, at 10:02 p.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 13, 2004.@"

Judith F. Davis

Mayor