



REGULAR MEETING OF THE GREENBELT CITY COUNCIL held October 25, 2004.

Mayor Davis called the meeting to order at 8:02 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; Robert A. Manzi, City Solicitor; and Kathleen Gallagher, City Clerk.

Mayor Davis asked for a moment of silence in honor of former residents Blas (Bob) Alfaro, Paul A. Evans, Sr., and Evelyn J. Weidaw. The Mayor then led the pledge of allegiance to the flag.

CONSENT AGENDA: Mr. Putens moved that the consent agenda be approved as presented. Mr. Herling seconded the motion, which passed 5-0.

Council thereby took the following actions:

MINUTES OF COUNCIL MEETINGS

- Regular Meeting, September 27, 2004
- Four Cities, October 7, 2004
- Regular Meeting, October 11, 2004

Approved as presented.

COMMITTEE REPORTS

Advisory Committee on Education, Report #05-2004 (GMS Renovation): Council accepted this report and agreed to consider it on the agenda of the next regular meeting.

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

PRESENTATION - Recognition of Philip Brandis – Community Mediation Board: The City Council recognized Philip Brandis, one of the founding members of the Greenbelt Community Mediation Board, who recently retired from the group. Mr. Brandis played an integral role in the board's development and formation and was instrumental in developing strategies to educate the public about the value of mediation and the availability of the program. Consuella Harris, Human Resource Officer and staff liaison

to the board, spoke to say what a valuable role Mr. Brandis had played and how much he would be missed. Council thanked him for his contributions, and Mr. Herling also commended his work with the Greenbelt Arts Center.

MINUTES OF COUNCIL MEETINGS: Mr. Roberts moved that the minutes of the executive session of the City Council held Monday, October 4, 2004, be approved as presented. He further requested that the minutes of this meeting reflect that the Council met in executive session at 8:10 p.m. in the Municipal Building. 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 to consult with legal counsel regarding the Metroland litigation. Ms. Mach seconded the motion.

ROLL CALL: Mr. Herling - yes

Ms. Mach - yes

Mr. Putens - yes

Mr. Roberts - yes

Mayor Davis - yes

ADMINISTRATIVE REPORTS

Mr. McLaughlin reported on attending the International City/County Management Association (ICMA) conference in San Diego last week.

Mr. Manzi reported briefly on the implications of the petitions for writ of certiorari filed with the Court of Appeals by both Park and Planning and the Metroland developers (but not Prince George's County) in response to the decision of the Court of Special Appeals in the City's favor on its appeals of the county's approvals of the Conceptual Site Plan and Preliminary Plat of Subdivision for Greenbelt Station. He said the Court of Appeals typically agrees to hear about one in ten cases, either because it thinks the Court of Special Appeals made an egregious error or because the case involved points not adequately covered in the law. He said the City's response must be filed by Friday.

Mr. McLaughlin said the state stepped in last week to advise that work should be stopped on the Smith site. He said although work did stop last week, reports today have indicated resumed activity.

Mr. Herling, Ms. Mach, and Mr. Putens commented on the Maryland Municipal League's (MML) fall legislative conference, which was also attended by Mayor Davis.

Mayor Davis thanked staff for putting together the Health and Wellness Fair. She attended a reception at Doctors Community Hospital on October 14 and an event on October 16 at the Patuxent Wildlife Center, which was celebrating anniversaries of several components of its facility. She also thanked the Recycling & Environment Advisory Committee, Public Works staff, and citizens who sponsored and participated in the Buddy Attick Park clean-up on October 23.

Mayor Davis also reported on her own MML attendance. She brought back application information for funding under the Maryland's Priority Places program, which she said she thought should be applicable to the Springhill Lake redevelopment and possibly Greenbelt Station. She also noted the League's three legislative priorities for this year: Electrical Aggregation – Municipal Government Authorization (sponsored by Greenbelt); Public Safety Communications - Connectivity and Interoperability; and Restoring Municipal Fiscal Resources.

PETITIONS AND REQUESTS: Because Gordon Pickering, 7931 Mandan Road, had arrived after the time for petitions and requests, Mayor Davis asked that Council permit Mr. Pickering to speak at this point on the agenda. A letter was distributed from Mr. Pickering to the manager at Greenbriar requesting documentation of the cost of the "fire safety interconnection and smoke detector installation" at 7606 Hanover Parkway, the Greenbriar structure requiring rebuilding subsequent to the November 2003 fire. Mr. Pickering said the fire safety work on this building was being handled appropriately. The Mayor said the enhanced system was required in that building since the work had to be done to current code specifications. She thanked Mr. Pickering for keeping Council informed.

LEGISLATION

A Resolution for Negotiated Purchase for the Design and Construction of the Greenbelt Skateboard Park by California Landscape and Design, Inc.

Mayor Davis read the agenda comments. Mr. Herling introduced the resolution for second reading and moved its 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. 977, Book 8.)

Resolution for Negotiated Purchase for Civil Design Services for the Greenbelt Skateboard Park by Bradley Site Design, Inc., of Greenbelt, Maryland

Mayor Davis read the agenda comments. Mr. Putens introduced the resolution for second reading and moved its 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. 978, Book 8.)

GREENBELT THEATRE – CONTRACT WITH ARCHITECT: Mayor Davis read the agenda comments. Kristen Ward, Community Planner, told Council an updated version of the draft contract had been distributed. She said the contract had received a preliminary review by Mr. Manzi and that if any problems were discovered upon final review, she would bring the contract back to Council.

Noting the \$500 charge for meeting with neighborhood groups, Mr. Putens asked whether any such meetings were anticipated. Ms. Ward said they were not. Mr. Herling asked about GATE's earlier request to be able to show videos from the projection booth. Mr. McLaughlin responded that this would not be an item for the architect. Ms. Ward agreed, saying it would not involve any changes to the structure. In fact, she said they had tried it from the floor, and both the picture and the sound were fine; she said it was just a matter of getting the right size projector for use from the booth. Mayor Davis commented that the goal was to have all the work completed by next fall. It was moved by Ms. Mach and seconded by Mr. Putens that Council approve the contract with GTM for \$79,700, exclusive of reimbursable expenses, contingent upon review by the City Solicitor. The motion passed 5-0.

LETTER TO TRANSPORTATION PLANNING BOARD – INTERCOUNTY CONNECTOR: Mayor Davis read the agenda comments. Mr. Roberts, Council's delegate on the Transportation Planning Board (TPB), attended the October 20 meeting at which about 20 speakers came to comment. He said most of them spoke in opposition to the Intercounty Connector (ICC) and to the timing of the deadline for public comment about adding it to the transportation plan. He said the release of the Draft Environmental Impact Statement (EIS) is expected to be even further delayed, until after the scheduled November 17 vote by the TPB. Ms. Mach said the topic is on the agenda of the October 27 meeting of the COG Air Quality Committee. Council agreed to two modifications of the letter. Mr. Putens then moved that Council approve the sending of the letter as amended to urge an extension of the deadline for comment on the inclusion of the ICC in the 2004 Financially Constrained Long-Range Transportation Plan (CLRP), as well as the deadline for the vote by the TPB, to allow for adequate time for review of the EIS after its release in late November. Mr. Roberts seconded the motion, which passed 5-0.

MEETINGS: Council reviewed the schedule of upcoming meetings. It was agreed not to schedule a work session on Wednesday, November 10, so that Councilmembers may attend County Councilmember Peters' Town Hall meeting if they wish. Mayor Davis noted that the wreath-laying ceremony at Roosevelt Center on Veterans Day is at 10 a.m.

ADJOURNMENT: A motion to adjourn was made by Ms. Mach and seconded by Mr. Putens. The motion carried 5-0. The Mayor adjourned the regular meeting of October 25, 2004, at 9 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 October 25, 2004.@"

Judith F. Davis
Mayor