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**REGULAR MEETING OF THE GREENBELT CITY COUNCIL held December 15, 2003.**

Mayor Davis called the meeting to order at 8:06 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 David E. Moran, Assistant to the City Manager and Acting City Clerk.

Mayor Davis asked for a moment of silence in memory of residents Nancy Bagster Collins and Dorothy McGee, and former City employee Dennis Dornekamp. She then led the pledge of allegiance to the flag.

CONSENT AGENDA: Mayor Davis requested that the minutes of October 20 and November 24 be removed from the consent agenda. With these changes, it was moved by Mr. Herling and seconded by Mr. Putens that the consent agenda be approved. The motion passed 5-0.

Council thereby took the following actions:

**MINUTES**

- Work Session, October 22, 2003
- Work Session, November 17, 2003
- Work Session, November 19, 2003
- Work Session, December 1, 2003
- Work Session, December 3, 2003

Approved as presented.

**COMMITTEE REPORTS**

Senior Citizens Advisory Committee, Open Forum Report: Council accepted this report and approved scheduling it for work session

Public Safety Advisory Committee Report #03-02 (Towing Company Regulation): Council accepted this report.

Attendance at Maryland Mayors Association Conference: Council authorized Mayor Davis to attend this Conference at an estimated cost of \$200.

RESIGNATION FROM ADVISORY GROUP: Council accepted Ms. Magness's resignation from the Advisory Committee on Education and directed staff to prepare a letter for the Mayor's signature.

APPROVAL OF AGENDA: Mr. Roberts requested that "Beltway Noise Barriers" be added to the agenda. With that change, it was moved by Mr. Roberts and seconded by Mr. Putens that the agenda be approved. The motion carried 5-0.

## PRESENTATIONS

Needs Assessment Final Report – Sukol Communications: Todd Sukol, President of Sukol Communications, provided a brief overview of the final report on the City's Assistance in Living Program Needs Assessment. It was noted that a work session with Sukol Communications has been scheduled for January 21 for an in-depth review.

Mr. Sukol reported that there had been five different survey instruments used. He indicated that the survey results revealed five main areas of concern: transportation, health care, home safety and maintenance, access to information and finance. He stated that these issues would be explored in depth at the work session.

Mayor Davis asked if there were any surprises. Mr. Sukol responded that one was the need for information, in many cases on programs that already existed at the City and elsewhere. Mr. Putens asked why this was. Mr. Sukol responded he wasn't sure. Mr. Herling asked if there was anything that distinguished Greenbelt from other projects he had worked on. Mr. Sukol responded that there was a sense of belonging to a community here in Greenbelt.

WSSC Customer Service Program: Wilbert Ridgley, Coordinator of the Intergovernmental Relations Office with the Washington Suburban Sanitary Commission (WSSC) gave a presentation to Council regarding their customer service program.

Mayor Davis referenced a recent incident where the water was discolored and noted it would have been good if the City had been notified in advance. She asked about WSSC's notification procedures. Mr. Ridgley that procedures should be in place for notification regarding scheduled work and indicated that in an emergency, WSSC would contact City staff and also ask customers people to look at WSSC's website.

Mr. Herling asked for examples of emergency situations. Mr. Ridgley responses that water main breaks and sewer back-ups were the two most common emergency situations.

Mr. Roberts asked about a recent water quality study indicated a high level of fecal coli form in the water, Mr. Ridgley responded that he would like his lab to assist with this. Mr. Roberts asked if privatization of WSSC was still being considered. Mr. Ridgley indicated this issue had gone away, noting there had been prominent failures of water service privatization elsewhere in the country.

Mr. Putens referenced a problem with asphalt failures around water service infrastructure and asked why. Mr. Ridgley responded that there were many different answers. He indicated he and other WSSC staff would be happy to meet with citizen groups to look at specific locations.

Ms. Mach asked about the pinhole leaks and asked about the chemical being added to the water. Mr. Ridgely responded that this additive (orthophosphate) helped line the pipe and prevent the pinhole leaks.

## PETITIONS AND REQUESTS

Request from Senior Citizens Advisory Committee (SCAC): Phylis Budin, 7804 Hanover Parkway and Chair of the SCAC, expressed appreciation for the help during the fire, and asked that the Greenway pedestrian signal get fixed. Ms. Budin relayed a request from SCAC that the Community Resource Advocate (CRA) position be made permanent. She indicated her belief that the CRA provided information that people needed. She stated that the number of people over 50 was growing.

Leonie Penney, Chair of the Friends of the Resource Advocate (FORA), noted that this was a goal of FORA to make the CRA position permanent. She stressed that everybody was anxious to solve this problem. Mayor Davis responded that speaking for herself, she believed the City was going to find a way to continue this program.

Gordon Pickering: Gordon Pickering, 7901 Mandan Road, began by referencing a letter about people who lost their homes in the fire. Mr. Pickering asked for support and comfort because there was not good fire safety. He asked for Council's support for better fire safety in the units.

Mayor Davis responded that when the building is rebuilt, it will have to meet all current fire safety codes.

Mr. Pickering indicated that he was concerned that he had volunteered to be a building representative on a committee, but that the condominium association had asked him to be removed. Mayor Davis stated that these issues were between Mr. Pickering, his condominium and his lawyers.

Mr. Pickering asked that the City support a bill being drafted by Delegate Ross. Mayor Davis responded that the City would evaluate the bill when they got a copy of it. Mayor Davis thanked Mr. Pickering for keeping the City informed about this matter.

Vladimer: Mr. Vladimer of 5919 Cherrywood Terrace, expressed concern about air quality in his apartment in Springhill Lake. He requested that the City support new regulations on air quality. Mr. McLaughlin responded that the City had responded to the apartment and issued a citation. He indicated that Ms. Craze and Planning and Community Development were working on the problem.

## MINUTES

Regular Meeting, November 24, 2003: Mayor Davis suggested a change to the minutes and Council agreed. With these changes, Mr. Putens moved approval and Ms. Mach seconded. The motion passed 5 to 0.

Work Session, October 20, 2003: Mayor Davis noted several areas where there were question marks instead of fractions and provided the necessary numbers. With these changes, Mr. Herling moved approval and Mr. Roberts seconded. The motion passed 5 to 0.

ADMINISTRATIVE REPORTS: Mr. McLaughlin reported that there had been two recent snow events and there were no problems.

Mayor Davis noted the City had received \$85,000 in livable communities grant. Mr. McLaughlin noted that the four areas including: code enforcement technology, playground improvements, CARES services for Springhill Lake and crosswalk improvements on Cherrywood Lane at the Giant.

Mayor Davis asked about a meeting that was held on Program Open Space. Mr. McLaughlin responded that staff had attended that meeting and would have something on Council's agenda in January.

Mr. Herling asked about the CARE program at Roosevelt Center. Mr. McLaughlin indicated that the County would provide economic development assistance to areas that had this designation. Mr. Herling asked about the CARES grant and how it would be used. Mr. McLaughlin responded that he envisioned delivering the CARES counseling program in a Springhill Lake location.

Mayor Davis reported that 4 Council Members had attended the National League of Cities Conference in Nashville. Mr. Putens stated it was a good conference and noted that Mayor Anthony Williams of Washington, DC, was now the second vice president. Ms. Mach indicated she was pleased to attend and had learned a lot. She reported on several sessions she attended including sessions on form of government, walking to improve health, diversity and affordable housing. Mr. Herling also reported on the sessions he had attended including affordable housing. He noted an overriding theme of the conference was the effects of Federal budget cuts on communities. Mayor Davis reported on several sessions including homeland security and inclusion.

Mayor Davis thanked the Recreation and Public Works Departments, as well as Greenbriar and their staff, for the various tree lighting and Festival of Lights activities that had occurred. She also thanked the Nursery school for making the ornaments for the City holiday tree.

## LEGISLATION

An Ordinance to Amend Chapter 13, "Personnel," of the Greenbelt City Code for the Purpose of Extending the Health Insurance Benefit to Domestic Partners and Eligible Dependents

Mayor Davis read the agenda comments. Mr. Herling introduced the ordinance for second reading and adoption. It was seconded by Mr. Putens. There was no discussion.

Roll Call: Mr. Herling - yes

Ms. Mach - yes

Mr. Putens - yes

Mr. Roberts - yes

Mayor Davis - yes

The ordinance was declared adopted. (Ordinance No. 1244, Book No. 12).

#### A Resolution to Establish a Forest Preserve Task Force

Mayor Davis read the agenda comments. Mr. Putens introduced the resolution for second reading and adoption. It was seconded by Mr. Roberts.

Mr. Roberts expressed concern about the second sentence in III f indicating that Council, not the task force, should approve the policy. Council agreed to add the word draft in front of policy.

Roll Call: Mr. Herling - yes

Ms. Mach - yes

Mr. Putens - yes

Mr. Roberts - yes

Mayor Davis - yes

The resolution was declared passed. (Resolution No. 967, Book No. 8).

Council set an application cut off of January 30 for applications advisory board and committee. They planned to conduct interviews and hoped to appoint the task force by the first meeting in March. Mr. McLaughlin suggested an entire evening for these interviews.

#### A Resolution to Authorize the Negotiated Purchase of a Prefabricated Animal Control Facility Building

Mayor Davis read the agenda comments. Ms. Mach introduced the resolution for second reading and adoption. It was seconded by Mr. Putens.

Mr. Herling asked if there was concern about the amount of space for the animals at the facility. Ms. Craze responded that there was more space than required by humane society guidelines. Mayor Davis provided some handouts from the NLC Conference to be shared with Animal Control.

Roll Call: Mr. Herling - yes

Ms. Mach - yes

Mr. Putens - yes

Mr. Roberts - yes

Mayor Davis - yes

The resolution was declared passed. (Resolution No. 968, Book No. 8).

APPLICATION FOR TRANSFER OF LIQUOR LICENSE – T.G.I. FRIDAY’S: Mayor Davis read the agenda comments.

Daniel Halpern, President of Atlanta Restaurant Partners, described his company. He expected that his company’s would be more involved in the community. He indicated nothing would change with the level of security at the restaurant.

Mr. Putens noted that Capitol Cadillac had concerns about trash in their parking lot and damage to the cars in their parking lot. Mr. Halpern responded that he would contact the Cadillac dealership regarding the matter.

Mr. Roberts expressed concern about alcohol related incidents at the restaurant. Lt. Kemp responded that there have been serious crimes at Friday’s. He stated that management has worked with the department and there has been a reduction in the number of incidents. He noted the number of off-duty officers had been increased at the restaurant. Lt. Kemp indicated there was a good relationship with the restaurant.

In response to a question from Mr. Putens regarding why there so many alcohol related problems, Mr. Halpern stated that perhaps restaurant staff needed to cut patrons off sooner. Mr. Halpern indicated he wanted to be at the restaurant on a regular basis.

Mr. Roberts asked how long the increased off-duty officers had been in place. Lt. Kemp responded that it had been there for about a year and a half. He described how the officers do their work in the restaurant.

Mr. Putens moved that the City take no position on the renewal of the Friday’s liquor license. Ms. Mach seconded. The motion passed 5 to 0.

CONTRIBUTION GROUP APPLICATION PROCESS: Mayor David read the agenda comments.

Mr. Herling asked about the 50% self-supporting requirement. Ms. DeWald responded that this was a goal and not a requirement. There was discussion about the 2/3 residential requirement. Mayor Davis noted exceptions had been made in the past.

Ms. Mach asked if there was concern about when a group's election might occur after the contribution form has been accepted. She also asked about how the City would advertise the availability of funds. Ms. DeWald suggested that the City might want to advertise in the Greenbelt News Review.

Mr. Putens moved that these forms be adopted for use beginning with the Fiscal Year 2005 budget cycle. Mr. Herling seconded. The motion carried 5 to 0.

**AWARD OF PURCHASE OF RED LIGHT CAMERA SERVICES AND MEMORANDUM OF UNDERSTANDING:** Mayor David read the agenda comments.

Mayor Davis asked if the City knew about these changes in advance. Chief Craze responded that we learned about this about two months ago. He indicated that the City was not involved in the procurement process/selection of the vendor.

Allen Shutt, Vice President of Trafficpax, indicated that his firm was still in business in the State. He stated that his company could provide better contract terms than those of LaserCraft. He estimated savings of \$60,000 for the City.

Mr. Putens asked about why they missed the deadline. Mr. Shutt responded that his predecessor had made the mistake.

Mayor Davis expressed concern about the last minute approach. Ms. Mach expressed concern about considering a proposal that was not in writing. Mr. Herling also expressed concern about the last minute nature.

Mr. McLaughlin noted that in preparing this agenda item, both he and the Chief were concerned about the cost. He stated that Howard County had gone through an RFP process. He indicated this issue could wait until the next regular meeting on January 12. He also expressed concern about that this arrangement proposed by Mr. Shutt and the support that may be required from City staff.

Mayor Davis expressed skepticism that Trafficpax could provide the same service. Mr. Putens echoed the Mayor's concerns and also expressed concern about program in general because it was not reducing red light violations.

Council agreed to consider this item on January 12 and allow Trafficpax to submit a proposal.

**AWARD OF PURCHASE – CNG TRUCKS:** Mayor Davis read the agenda comments. Mr. Roberts moved that Council award the purchase of a ½ ton pickup truck and a 1 ton cargo van to Hertrich Fleet Services of Milford, Delaware at a total cost of \$38,612. Mr. Putens seconded. The motion passed 5 to 0.

UPDATE ON CITY'S LAWSUIT ON CONCEPTUAL AND PRELIMINARY PLANS FOR GREENBELT STATION: Mayor Davis read the agenda comments. City Solicitor Manzi explained the briefs. He indicated that the crux of the issue was "Is the word "shall" mandatory." He also referenced the City's belief that a specific economic study was required and noted the environmental issues related to a tree conservation plan.

BELTWAY NOISE BARRIERS: Mr. Roberts asked that the City send follow-up letters reiterating the City's requests for noise barriers and also ask that letters be sent to the County as well. Mr. McLaughlin reported that he had received a call from the State regarding this issue and requested he be allowed to follow-up before sending a letter. Mr. Roberts asked that this item be placed on the next agenda.

MEETINGS: Council reviewed the meeting schedule.

ADJOURNMENT: A motion to adjourn was made by Mr. Putens and seconded by Ms. Mach. The motion carried 5-0. The Mayor adjourned the regular meeting of December 15, 2003, at 11:40 p.m.

Respectfully submitted,  
David E. Moran  
Acting 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 15, 2003.

Judith F. Davis  
Mayor