



REGULAR MEETING OF GREENBELT CITY COUNCIL held January 13, 2003.

Mayor Davis called the meeting to order at 8:02 p.m.

ROLL CALL was answered by Councilmembers Edward V. J. Putens, Rodney M. Roberts, Thomas X. White, and Mayor Judith F. Davis. Councilmember Alan Turnbull had indicated he would not be able to attend.

ALSO PRESENT were Michael P. McLaughlin, City Manager; David E. Moran, Assistant to the City Manager; John F. Shay, Jr., City Solicitor; and Kathleen Gallagher, City Clerk.

Mayor Davis asked for a moment of silence in memory of residents Julius E. Likowski, Pioneer June Rousseau, Helen Pettit Starnes, and Hilda Orleans Yontz; and former residents William H. Klein and Peter Bryan Hoffman. Mayor Davis asked that everyone also keep in mind Mayor Andy Hanko's recovery from heart surgery and the safety of former Mayor Brad Jewett, who has been called to active military duty.

CONSENT AGENDA: Mr. Roberts asked to remove item #19 (Reappointments to Advisory Groups) from the consent agenda, and Mr. White asked to remove the minutes from the regular meeting of December 16. It was then moved by Mr. Putens and seconded by Mr. Roberts that the consent agenda be approved as amended. The motion passed 4-0.

Council thereby took the following actions:

MINUTES

- Legislative Dinner, December 12, 2002
- Interviews for Advisory Groups, December 16, 2002
- Work Session, December 18, 2002

Approved as presented.

Resignations from Advisory Groups: Council accepted with regret the resignations of Darlene Squibb from the Recycling & Environment Advisory Committee and Jackie Shabe-Rochefort from the Senior Citizens Advisory Committee.

APPROVAL OF AGENDA: Mr. Roberts asked that "Appointments to Advisory Groups" be added to the agenda. Mr. Putens moved approval of the agenda as amended, with a second from Mr. White. The motion passed 4-0.

PRESENTATIONS: Mayor Davis introduced Greenbelt's former State Delegate Joan Pitkin and thanked her for the many bills she had introduced and the many meetings and events she had attended on behalf of Greenbelt. The Mayor also congratulated her on her new position representing Prince George's County in Annapolis. Councilmembers

Putens, Roberts, and White also thanked Ms. Pitkin for all she had done for the City and wished her well in her new position. Mayor Davis gave her the replica of the Community Center that was given to the other members of the City's former delegation at the reception on January 5, and she announced that a plaque in their honor was to be placed near the entrance to the Community Center. Ms. Pitkin thanked Council and said the activism and engagement of the former 23rd District had been a pleasure to work with.

PETITIONS AND REQUESTS

Resolution on Iraq Invasion: Bertram Donn, 19 Woodland Way, presented a draft resolution in opposition to the possible invasion of Iraq by the United States and requested that Council adopt it in order that Greenbelt could join with a number of other cities that have passed resolutions regarding the proposed action. In response to the Mayor's explanation that Council did not usually use resolutions for this type of purpose, Mr. Donn replied that a letter would suit the purpose just as well.

Mr. Roberts said he would prefer that Council ask Congressman Hoyer to call a town meeting to talk about this topic, in order that the whole community's views might be heard. Mayor Davis suggested going ahead with the letter, independent of efforts to hold a meeting. Mr. Putens expressed reservations about doing such a letter, explaining that while peace is everyone's goal, different members of the community are involved in the effort in different ways. The Mayor said she thought certain things could be agreed upon: for example, that there should be no U.S. invasion of Iraq without allowing adequate time for the inspectors to complete their work. She added that many of the concerns expressed in the draft resolution were broad and need not be interpreted as non-supportive of our armed forces.

Mr. Roberts said he would prefer to see a more open debate and suggested that the item return to the next meeting for discussion. Mayor Davis then proposed Council direction to the City Manager to bring a draft letter to the next regular meeting for discussion and to contact Congressman Hoyer's office to ask him to call a town meeting as soon as possible. It was agreed that the letter should proceed independent of the meeting. Mr. White said the letter should go further than saying the inspectors should complete their work before an invasion was undertaken, since Mr. Donn's resolution conveyed more broadly that war is not necessarily the only option in this situation, even if it is determined that Iraq is not in compliance. He said the letter should have as its main thrust that armed action should not be initiated unless all other options had been exhausted. Mayor Davis added that some of the material at the beginning and the end of the draft resolution could be used to address this. Mr. Roberts made a motion directing the City Manager to call Congressman Hoyer's office and request that the Congressman call a town meeting. Mr. Putens seconded. The motion passed 4-0.

Community Center Restrictions: Joel Rubinstein, 17E Parkway, stated his belief that in forbidding him to come to the Community Center, the City had effectively barred him from public property without due process. The Mayor said Council would accept his request for review of the matter as a petition and respond to him later.

MINUTES OF MEETINGS: Mr. White pointed out that for the regular meeting of December 16, 2003, the vote had not been recorded on the item on Program Open

Space. It was believed to have been unanimous, but the City Clerk will so verify. Mr. White made a motion, seconded by Mr. Putens that this set of minutes be approved as amended. The motion passed 4-0.

ADMINISTRATIVE REPORTS

Mr. Putens and Mr. Roberts commented on the excellent attendance at Greenbelt New Year.

Mayor Davis participated in a holiday event at Springhill Lake Elementary School. With Mr. McLaughlin and Mr. Moran, she attended a retirement event for Sandra Lange from the county's Department of Housing and Community Development. She also reported on attending at meeting of the Executive Business in Higher Education Advisory Board at Eleanor Roosevelt High School, at which, among other matters, Principal Conyers spoke about an anticipated decline in student enrollments next year, which may also mean a decrease in staff and academic programs.

LEGISLATION

A Resolution to Amend Resolution 953 to Purchase Certain Goods and Services from Various Vendors as Enumerated Herein When Total Fiscal Year Purchases from Each Vendor Exceed Ten Thousand Dollars (\$10,000).

The Mayor read the agenda comments. Mr. White introduced the resolution for second reading and adoption. Mr. Putens seconded

ROLL CALL : Mr. Putens - yes

Mr. Roberts - yes

Mr. White - yes

Mayor Davis - yes

The resolution was declared adopted (Resolution No. 955, Book 8).

Proposal to Modify Car-Sharing Program at Green Ridge House: Mayor Davis read the agenda comments. Regarding the problem of people reserving the car for excessive amounts of time relative to the time used, Mayor Davis asked if there had been consideration of instituting a charge only for time above a certain number of hours: e.g., a half day. Mr. McLaughlin said there had been, but doing so would require Zipcar to make software changes. Mr. Roberts said he would rather see the City "go the education route" rather than begin to charge Green Ridge House residents. Mr. McLaughlin asked if Council might find tolerable either a plan that would charge after four hours or one that would give everyone an amount of credit per month and charge them thereafter. Mr. White said the only significant problem appeared to be the cases where reservations were being made for multi-day periods. Mr. Putens said he would like to see more detailed information on use by Green Ridge House residents. Mr. White proposed, and Council agreed, to give direction to the City Manager to continue to talk

with Zipcar to develop appropriate disincentives to over-reserving the car, with a specific plan to be brought back to Council later for approval.

New Alcoholic Beverage License Application – Residence Inn by Marriott: The Mayor read the agenda comments. Evan Myers was present to represent the applicant. It was clarified that people who are not guests of the hotel may be served alcoholic beverages on the occasions when they are served to guests, but the availability of alcohol will not be advertised to the public. It was moved by Mr. Roberts and seconded by Mr. White that Council take no position on the Residence Inn by Marriott license application. The motion passed 4-0.

Commerce I – Request for Exception to Approved Sign Plan: Mayor Davis read the agenda comments. Terri Hruby, Community Planner, was present to answer questions, as was Sheldon Goldberg, representing the Advisory Planning Board (APB), and Peter Mitchell, owner of Commerce I, appearing on behalf of Corporate Express. The APB had recommended granting the exception, but staff recommended against doing so. Mr. Mitchell explained that that Corporate Express is a good tenant, with high-quality space, whom Commerce I would like to retain. The company has a corporate sign that is not subject to being changed. He also noted that there are a variety of signs already present at the adjacent Greenway Center. Council briefly discussed prior exceptions for corporate logos. In response to a question from the Mayor, Mr. Shay responded that there would be no issue of setting precedent, since Council has the authority to approve or deny exceptions on a case-by-case basis. It was moved by Mr. White and seconded by Mr. Putens that the exception be granted subject to the conditions provided by the Advisory Planning Board in their report. The motion passed 4-0.

Presentation on Financial Report: The Mayor read the agenda comments. Daniel Kenney was present to represent Reznick, Fedder and Silverman. He reviewed the audit and the transmittal letter. Mr. Putens complimented Mr. McLaughlin and Jeffrey Williams, City Treasurer, on their work. Mr. White questioned a comment from the auditor on the Special Projects Fund, and Mr. Williams responded that he was satisfied that the fund was established appropriately.

Appointments to COG Boards and Policy Committees for 2003: Mayor Davis read the agenda comments. Mr. McLaughlin announced that Mayor Davis had been named a vice-chair of the COG board, which would put her in line to be chair in two years. It was moved by Mr. Putens and seconded by Mr. White that appointments to COG boards and committees be as follows: COG Board of Directors—Mayor Davis with Mr. Roberts as alternate; Transportation Planning Board—Mr. Roberts; Metropolitan Washington Air Quality Committee—Mr. White; Metropolitan Development Policy Committee—Mr. White, with Mr. Turnbull as alternate; Human Services Policy Committee—Mr. Putens; Public Safety Policy Committee—Mr. Putens; and the Chesapeake Bay Policy Committee—Mayor Davis. The motion passed 4-0.

State Legislation: Mayor Davis read the agenda comments. Mr. Roberts moved support for PG 414-03 (Public School Facilities Surcharge Increase), and Mr. Putens seconded. The motion passed 4-0. Mr. Putens moved support for PG 414-03 (Sales Tax on Food and Beverages), and Mr. White seconded. Mr. Roberts said he was not in favor of placing an extra tax on commercial areas, which he thought brought in additional tax revenue in excess of the municipal services they used. Mr. Putens disagreed on the

latter point. Mayor Davis remarked that Ocean City already does this, and she said she believes Laurel's goal is to offset losses in county funding. She added that the cost is passed on to the user. Mr. Roberts asked who would designate the commercial entertainment zones to be subject to the tax: would this be a county or municipal decision? Mr. McLaughlin said that is a valid question, and it is not clear in the bill how that would work. Mr. Moran said the bill indicates the municipality would define it, subject to the approval of the county, but he agreed there were many unanswered questions. Mr. Roberts concluded that he could not support this bill without additional information. The vote on the motion was 3-1 (Roberts). The Mayor said she would also bring these bills to the attention of the Prince George's County Municipal Association.

Reappointments to Advisory Groups: Mr. Putens moved reappointment of the following individuals to the advisory committees on which they are serving, with a second from Mr. Roberts: Pearl Siegel and Phyllis Budin to the Senior Citizens Advisory Committee; and Neal Barnett and Joyce Griffin to the Recycling & Environment Advisory Committee. The motion passed 4-0.

APPOINTMENTS TO ADVISORY GROUPS: It was moved by Mr. Roberts and seconded by Mr. Putens that Council appoint Adrienne White to the Arts Advisory Board and Joy Pochatila to the Recycling & Environment Advisory Committee. The motion passed 4-0.

MEETINGS: Council discussed the scheduling of the mid-term legislative dinner in Annapolis. It was also decided to hold an executive session following the regular meeting of January 27 to review a recommendation from the Employee Relations Board. There was brief discussion of whether either the City Clerk, as liaison to the board, or the City Solicitor should attend that meeting. Mr. White said he thought Council should meet without anyone who participated in earlier phases of the review; moreover, Mr. Manzi represented the City Manager in the earlier review.

ADJOURNMENT: A motion to adjourn was made by Mr. White and seconded by Mr. Putens. The motion carried 4-0. The Mayor adjourned the regular meeting of January 13, 2003, at 10:00 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 January 13, 2003.@"

Judith F. Davis
Mayor