



---

**REGULAR MEETING OF THE GREENBELT CITY COUNCIL held January 27, 2003.**

Mayor Davis called the meeting to order at 8:00 p.m.

ROLL CALL was answered by Councilmembers Edward V. J. Putens, Rodney M. Roberts, Alan Turnbull, Thomas X. White, and Mayor Judith F. Davis.

ALSO PRESENT were Michael P. McLaughlin, City Manager; Robert A. Manzi, City Solicitor; David E. Moran, Assistant to the City Manager; and Kathleen Gallagher, City Clerk.

Mayor Davis asked for a moment of silence in memory of residents Dale L. Quarry and Bryn Schultz; and former residents Peggy McAndrew Jones and Eve Simonson. She then led the Pledge of Allegiance to the flag.

CONSENT AGENDA: Mr. White asked to remove item #23 (Appointments to Advisory Groups) from the consent agenda. It was then moved by Mr. Putens and seconded by Mr. Turnbull that the consent agenda be approved as amended. The motion passed 5-0.

Council thereby took the following actions:

**MINUTES**

- Interview, January 13, 2003
- Interview, January 22, 2003

Approved as presented.

**COMMITTEE REPORTS**

Arts Advisory Board, Report #03-003 (Contribution Groups Application): Council received this report and agreed to consider it with its attachments as part of the budget process.

Youth Advisory Committee, 1/15/03 Report (Proposed Greenlands Policy): Council received this report and agreed to consider it when this topic is discussed on a future agenda.

Strategy for MC/PG 108-03 (Planning Bill): Council endorsed the proposed strategy, approved the position paper, and asked to receive a copy electronically for their use when the document was approved by the other cities.

NLC Small Cities Council Steering Committee Summer Meeting: Council approved payment by the City of Councilmember Putens' expenses to participate in the summer

meeting of the National League of Cities' Small Cities Council Steering Committee, June 19-22, 2003.

Resignation from Advisory Group: Council accepted with regret the resignation of John Mealey from the Arts Advisory Board.

Reappointments to Advisory Groups: Council reappointed the following individuals to new terms: Pauline Grant, Arts Advisory Board; Janet Jacobs-Parker, Community Relations Advisory Board; and Amy Rutledge, Recycling & Environment Advisory Committee.

APPROVAL OF AGENDA: Mr. Putens moved approval of the agenda, with a second from Mr. Turnbull. The motion passed 5-0.

PRESENTATIONS: There were none.

#### PETITIONS AND REQUESTS:

Cable Competition: Sheldon Goldberg, 7848 Jacobs Drive, spoke on behalf of the Windsor Green Home Owners Association to ask that Council include the issue of cable competition in Prince George's County on the agenda of its upcoming stakeholder meeting with the County Executive Johnson. Mayor Davis asked Mr. McLaughlin to add it to the agenda.

USO Benefit: Carl Dentinger, chair of the USO Benefit Committee, introduced a number of his committee members and requested that the City serve as a co-sponsor with American Legion Post 136 of the second annual USO benefit event, to be held May 9 at Blob's Park in Jessup. Mayor Davis said this would be added to the agenda of the next meeting.

#### ADMINISTRATIVE REPORTS

Mayor Davis reported on John Norden's Eagle Scout ceremony, an Anacostia Trails Heritage Area board meeting, and a Maryland Municipal League board meeting.

Proposal to Contract with Collington Care Services: Mayor Davis read the agenda comments. David Moran informed Council that Gail Kohn, CEO of Collington, and Daryl Pennington were present, as well as Gretchen Overdurff and Julia Eichhorst, representing Greenbelt Homes, Inc., and several members of the Friends of the Resource Advocate (FORA).

Mr. Turnbull thanked Mr. Moran for his work on this matter. He said that although he had previously objected to contracting for these services rather than hiring a City staff person, he was beginning to come to terms with it. He said he thought the priority for the upcoming year should be on setting up a program rather than responding to phone calls or providing direct clinical services. He also objected to paying extra fees for support in grant proposal writing, since proposal writing should be fundamental at this point.

Mr. White commented that the Collington approach was innovative and that many resources would be brought to the City by this plan. Mr. Putens said he was still concerned about the duties of the part-time position versus the services that would be billed in addition. In response to his question about applications from individuals, Mr. Moran said the salary and the short-term commitment were both problems to hiring. Mr. Roberts shared some of Mr. Putens' concerns and asked if staff had estimated what the costs above the amount of the contract would be likely to be.

Ms. Kohn gave an overview of Collington and described the range of resources (e.g., the hotline) that would extend Ms. Pennington's reach in the position. At this point, Mr. White made a motion that Council approve contracting with Collington Care Services to coordinate the Assistance-in-Living Program and authorized the City Manager to finalize the agreement. Mr. Roberts seconded the motion. Leonie Penney, chair of FORA, after thanking Mr. Moran for his work in coordinating this process, assured Council that FORA too had raised many of the same questions Council was raising but was now convinced this was a good approach. She added that a high priority of FORA for the position for the upcoming year was progress on developing a program to lower the costs of at-home care. When the vote was taken, the motion passed 5-0.

Request from Bertram Donn re: Situation in Iraq: The Mayor read the agenda comments and asked Mr. McLaughlin to allow space in the final version of the letter for all members of Council to sign. Mr. White made a few editorial suggestions. Mr. Donn thanked Council and staff for their support and effort in preparing the draft letter. Doug Love, 3D Plateau Place, expressed appreciation to Council for writing the letter. Mr. Turnbull added thanks to the community for reminding Council to make efforts of this kind. Mr. White moved approval of the letter as amended. Mr. Turnbull seconded. The motion passed 5-0.

Site for Skateboard Park: The Mayor read the agenda comments. Joe McNeal, Assistant Director, Recreation Department, said staff had evaluated a dozen sites for the park and found there was no single perfect site that would require no compromise on anyone's part. Mr. White made a motion that Council authorize staff to focus on the site between the Youth Center and the Community Center, including holding discussions with the Greenbelt Nursery School about their objections to that site, and bring back a recommendation on the agenda of the February 10 regular meeting. Mr. Roberts seconded the motion.

Pamela O'Brien, 7017 Mathew Street, spoke on behalf of the Nursery School. She said this location was so near the Nursery School that the staff was concerned with safety issues, the proximity of language and behaviors of an older age group that would be an inappropriate model for younger children, the distraction that might affect students' education and academic well-being, and a possible impact on the school's accreditation. In response to a question from Mr. Roberts, she described their after-school enrichment programs that would overlap the 3-6 p.m. period when the park would be open on school days. She also described the use made of the existing green space. Mr. Roberts and Mr. White both asked that the Nursery School work with the City to find ways to make this site workable. Mr. White commented that the objection of the homeowners to the Braden tennis court site was different because of the impact on people in their homes; however, in this case, the discussion is about competing uses of recreational space. Mr. Putens asked if the problem was primarily how close the proposed site would

be to the school, and he asked staff to consider if there was a way to shift it farther away or realign it to have less impact.

Lusita Colby, 7101 Mathew Street, said she thought Council was not addressing the main point, which was the potential loss of accreditation and quality of the Nursery School. Mayor Davis asked that the Nursery School provide written documentation to Mr. McNeal that would give specifics about the safety and environmental criteria that are used in the accreditation process.

Noting that he has a child enrolled at the Nursery School now, Mr. Turnbull stated the following as some of his criteria for a site: no new impervious surfaces should be created; the park should enhance, not detract from, the environmental and aesthetic surroundings; and Council should not cannibalize one resource (e.g., the tennis courts) in order to create a new one. He suggested using the space to the rear of the Aquatic and Fitness Center and the Youth Center. Mr. McNeal said he did not think there was adequate space in the area of the rebound wall but that he would look at it again.

Mr. Roberts said he could support the rebound wall site, but Mr. White said he continued to object to it because it includes part of the structure of the original swimming pool. He said the primary factor for him was that the site be near the people who need to use it. He agreed with Mayor Davis that the specific accreditation criteria needed to be examined.

Muriel Balzer, 165 Research Road, president of the Greenbelt Tennis Association, asked that the City enforce existing regulations about skateboarding on the tennis courts, where some damage has been done: for example, to nets and screens. She said as a compromise the association had supported the temporary use of courts 7 and 8 because they were in bad repair already, but the skateboarders had continued to use the upper courts as well. Mayor Davis acknowledged that enforcement had been lax in the absence of being able to offer an alternative to the boarders, but she agreed that a line should be drawn.

Mr. Putens noted that in moving from one site to another, the City was effectively engaging in the serial antagonism of different groups of residents. He said everyone had to be willing to think creatively and compromise, and Council should not close the door on any alternatives.

Mr. White asked Mayor Davis if she thought he should add anything to his motion. She said she would like to see it expanded at least to include consideration of the rebound wall area. Mr. White said he had no objection to including that in the motion, though he still believed the rebound wall site had serious drawbacks, including its size, the fact that the wall was part of the original Greenbelt pool, and the access that area provides to the ball fields. It was clarified that the motion also included a looking at a possible reorientation of the Community Center/Youth Center site. These modifications being accepted, the amended motion passed 5-0.

Planning Board Decision on Golden Triangle Site Plan – Appeal: The Mayor read the agenda comments. Vernel Arrington, representing the developers, confirmed that they had neither filed an appeal nor made a decision not to do so. Mr. Roberts said he asked that this item be placed on the agenda because he thought it deserved further Council

discussion, regardless of whether an appeal was to be sought. He said the owners had not been willing to compromise, and he did not think any of the proposed mitigation would be adequate; moreover, the reason for having woodlands preservation standards is to protect a community, and in this instance, the developers are unwilling to cooperate with the standard's of the community. He moved that the City appeal the decision to the District Council and attempt to retain the maximum 1.4 acres of on-site preservation. Mr. Turnbull seconded the motion for purposes of discussion.

Mr. Manzi said that, although he understood how Mr. Roberts felt, the county law is not set up that way. He said the ordinance allows for off-site mitigation, and the county had overruled its own staff in accepting the City's argument that the level of parking should be brought in line with that of comparable development in Greenbelt. Mr. Roberts explained his reasons for believing that it would be worth pushing for the maximum protection that the law would allow.

Mayor Davis said she was glad to see that staff had at least been able to identify a large enough area within the City limits to use for the mitigation. She said she thought the City had "made a good fight," achieved part of what it wanted, and should now move on, especially given that the City has other issues to pursue with the Planning Board. Mr. White agreed, saying that if everything that had been done was within the bounds of the county ordinance, as both staff and the City Solicitor had indicated, then there was nothing to appeal. He added that he thought the City should "pick its shots" where there is more at stake and where the law is more clearly on the City's side. Mr. Putens also agreed, saying the City had won a partial victory, and appealing the decision might place that at risk. Mr. Roberts disagreed, saying he thought the City had little to lose in this case, and that "the little things add up to big things."

The Mayor asked Ms. Arrington to relay to her clients that pursuit of an appeal on their side might appear petty from the City's standpoint, as well as damaging their long-term relationship with the community.

Mr. White suggested a better use of the City's time and resources might be to seek a strengthening of the county woodland conservation ordinance to close some of the loopholes. Mayor Davis agreed and asked the City Manager to see that it was put on the agenda for a legislative dinner. Mr. Turnbull added that the design standards for parking lots also need improvement. Mr. Manzi said those were part of the county landscape manual, and he encouraged Council to pursue revision to both the manual and the ordinance. The motion to appeal the Planning Board decision failed to carry, with a vote of 1-4 (Davis, Putens, Turnbull, White).

Golden Triangle – Off-Site Mitigation Options: Mayor Davis read the agenda comments and asked Kristen Ward, Community Planner, to describe the reasons for the staff's choice of the recommended site in Springhill Lake. Ms. Ward said it was near a wetland and big enough that it could eventually grow to be a decent woodland area. Mr. McLaughlin said that the City had the right to choose the site but could not dictate what should be planted; nevertheless, he believed Golden Triangle would be receptive to suggestions from the City. Mr. White moved selection of site "G" (the area identified as the Springhill Lake Golf Course) for the mitigation site. Mr. Putens seconded. The motion passed 4-1 (Roberts).

Agreement to Operate Greenbelt Theatre: Mayor Davis read the agenda comments. Mr. McLaughlin thanked Paul Sánchez for his patience in working with the City. Mr. Roberts moved Council approve the operating agreement and authorize the City Manager to sign it. Mr. White seconded the motion, which passed 5-0.

Racial Profiling Record-Keeping System: Mayor Davis read the agenda comments. Chief James Craze gave an overview of how this issue evolved, indicating that as public awareness and opinion on racial profiling have increased, so has the need to collect and report data and to improve training for police officers. He introduced Cpl. Maria Parker, who gave a presentation. Mr. Turnbull questioned the reliability of some of the data, given the subjectivity of the reporting of some of the items. Council thanked Chief Craze and Cpl. Parker for the briefing.

INTRODUCTION OF RICHARD SANTOS: Mayor Davis introduced Greenbelt resident Richard Santos, former National Commander of the American Legion, who is serving as legislative aide for County Councilmember Douglas Peters.

Pending Federal and State Legislation: Mayor Davis read the agenda comments.

U.S. Senate Bill 6 – Comprehensive Homeland Security Act of 2003: Mayor Davis asked that staff modify its comments to be consistent with those recommended by the National League of Cities. Mr. White asked that the letter be copied to Governor Ehrlich in addition to the other recipients. It was moved by Mr. White and seconded by Mr. Turnbull that Council communicate support for Senate Bill 6 to the City's Congressional delegation. The motion passed 4-0, with one Councilmember absent.

Senate Bill 37 and House Bill 24 - Electric and Gas Aggregation by Counties and Municipalities: The Mayor read the agenda comments on both bills. It was moved by Mr. Putens and seconded by Mr. White that Council communicate support for SB 37 and HB 24 to the City's state delegation. The motion passed 5-0.

APPOINTMENTS TO ADVISORY GROUPS: The following appointments were moved by Mr. White, seconded by Mr. Putens, and passed 5-0: Sonja Nielsen to the Arts Advisory Board; Booker T. Hughes, transferred from the Community Relations Advisory Board to the Senior Citizens Advisory Committee; Scott Legendre to the Community Relations Advisory Board; Sherre Washington and James Thompson to the Public Safety Advisory Committee.

MEETINGS: Council reviewed the meeting schedule. It was agreed to meet with Springhill Lake Management on Monday, March 3. Mr. White asked that the discussion of expanding the cemetery be moved to the active list for scheduling.

ADJOURNMENT: A motion to adjourn was made by Mr. Turnbull and seconded by Mr. Putens. The motion carried 5-0. The Mayor declared the regular meeting of January 27, 2003, adjourned at 11:46 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 27, 2003.@"

Judith F. Davis  
Mayor