



REGULAR MEETING OF GREENBELT CITY COUNCIL held September 23, 2002.

Mayor Davis called the meeting to order at 8:06 p.m.

ROLL CALL was answered by Council members 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; David E. Moran, Assistant to the City Manager; Robert A. Manzi, City Solicitor; and Kathleen Gallagher, City Clerk.

Mayor Davis asked for a moment of silence in memory of former resident and Greenbelt Pioneer Harvey A. Ritter. She then led the Pledge of Allegiance to the flag.

CONSENT AGENDA: Mr. White asked that items #21 (Amendment to Anacostia Trails Heritage Area [ATHA] Management Plan to Establish Target Investment Zones [TIZs] Within ATHA) and #22 (Support for Request for TEA-21 Funding for ATHA Wayfinding Signs) be removed from the consent agenda. It was moved by Mr. Putens and seconded by Mr. White that the consent agenda be approved as amended. The motion passed 5-0.

Council thereby took the following actions:

MINUTES

- Interview for Advisory Group, September 9, 2002
- Regular Meeting, September 9, 2002

Approved as presented.

COMMITTEE REPORT: Advisory Planning Board Report #02-05 (Beltway Plaza Building Permit). Council received this report and will consider it on the agenda of the next meeting.

RESIGNATION FROM ADVISORY GROUP: Council accepted with regret the resignation of Arlene Shpiegelman from the Park & Recreation Advisory Board.

APPROVAL OF AGENDA: Mr. Putens asked to add to the agenda as item #24 "Appointment to Advisory Group." He then moved approval of the agenda as amended. Mr. Turnbull seconded the motion, which passed 5-0.

PRESENTATION: Eleanor Roosevelt Week Proclamation. Mayor Davis welcomed Principal Sylvester Conyers and faculty member Barbara Luther of the Character Education

Program at Eleanor Roosevelt High School. She announced that the high school has recently been named a 2002 National School of Character, one of only nine in the country, by the Character Education Partnership. She then read and presented a proclamation declaring the week of October 4-11 to be Eleanor Roosevelt Week in Greenbelt. Three students spoke briefly: Kendal Sparks on Eleanor Roosevelt's impact on the school community; Bernard Holloway on her role in Greenbelt and Prince George's County; and Ivan Air on her character. Council thanked the students for coming, and Ms. Luther and Mr. Conyers thanked the City for its support.

PUBLIC HEARING ON 2002 LOCAL LAW ENFORCEMENT BLOCK GRANT (LLEBG) FUNDS: Mayor Davis read the agenda comments and announced that the public hearing was open. Mr. White asked what last year's funds were used for and whether there were any restrictions on the use of the funds. Chief James Craze responded that they were allocated to in-car video cameras, a portable station to collect evidence and reconstruct crime scenes, and a portable radar trailer. Mr. McLaughlin said the restriction was that the funding could not replace budgeted funds. There being no other comments, Mayor Davis announced the public hearing was closed.

PETITIONS AND REQUESTS

Pink Ribbon Ride: Sylvia Lewis, 2C Gardenway, described the success of this event on Saturday, September 21, and said more than \$6,000 had been raised. She thanked the City for its support and presented a t-shirt to the City Manager. The Mayor thanked Ms. Lewis for undertaking the project. Mr. Turnbull commented that it was also successful in showcasing Greenbelt to many cyclists who had not previously seen the City and were pleasantly surprised.

Basketball Courts at Windsor Green: Rick Ransom, 8208 Mandan Court and a member of the Park & Recreation Advisory Board (PRAB), said he wished to comment on the request PRAB had reviewed at its meeting last week to remove the basketball hoops at the Windsor Green ballfield. He said he believed there were still steps that could be taken to try to solve the problems before taking such a radical step, including removing the shrubbery that blocks a clear view of the area from the street, posting a code of conduct, getting homeowners involved with overseeing activities there, and encouraging more frequent routine patrols by police cruisers. He noted that, although there are problems, the court is appreciated by many homeowners and is also used by a lunchtime group from Goddard Space Flight Center. Mr. Putens added that Mr. Ransom would attend upcoming meetings of the Greenbelt East Advisory Committee and the Windsor Green Homeowners Association to discuss the matter. A resident of Canning Terrace also spoke to say there was resident concern not only about noise and lights but also of evidence of drug use on the premises. Mr. Putens told Mr. Ransom that PRAB would submit a written report to the City Council, and the topic would subsequently be scheduled for a Council agenda.

ADMINISTRATIVE REPORTS

Mr. McLaughlin noted that the first Citywide Clean-Up Day had been successful on Saturday, September 21.

Mr. Moran reported on attending a meeting of the COG Committee on Noise Abatement and Aviation at National and Dulles Airports (CONANDA).

Mr. White said he stood in for the Mayor and Mayor Pro Tem upon the occasion of the return to the Greenbelt Armory of an Army National Guard Reserve Infantry Unit.

The Mayor thanked everyone, including the Police Department, Public Works, Fire Department, American Legion, and the clergy for their participation in the event marking the anniversary of September 11, 2001.

LEGISLATION

An Ordinance to Amend Chapter 4, Buildings and Building Regulations, of the Greenbelt City Code for the Purpose of Correcting Sec. 4-92, Penalties: Mayor Davis read the agenda comments. Mr. White introduced the ordinance for first reading and moved suspension of the rules. Mr. Turnbull seconded the motion.

ROLL CALL Mr. Putens - yes

Mr. Roberts - yes

Mr. Turnbull - yes

Mr. White - yes

Mayor Davis - yes

Mr. White introduced the ordinance for second reading and adoption. Mr. Turnbull seconded the motion.

ROLL CALL Mr. Putens - yes

Mr. Roberts - yes

Mr. Turnbull - yes

Mr. White - yes

Mayor Davis - yes

The ordinance was declared adopted (Ordinance No. 1232, Book 11).

BRIEFING - LAW ENFORCEMENT TECHNOLOGY PROGRAM, RIO SALADO COLLEGE: Mayor Davis read the agenda comments. Chief Craze introduced Donald Hopkins, Executive Director, Police and Corrections Training Commissions. Mr. Hopkins said that, in addition to the college's solid reputation for on-line education, the Police Training Commission was supportive of this program not only because Rio Salado College would accept a larger number of transfer credits toward an associate's degree but also because they would be comprehensive in offering the program to graduates of all the

Maryland police academies. Mr. White asked if there was money already budgeted to cover the costs. Mr. McLaughlin said the cost for the first year would be about \$6,000, which he thought might be squeezed out of savings but otherwise might come from the fund balance. He added that the costs after the first year would drop dramatically, with fewer officers to enroll. Mr. Putens moved Council endorsement of the Law Enforcement Technology Program at Rio Salado College to be accepted as post-entry training by the City. Mr. Roberts seconded the motion, which passed 5-0.

ARTS ADVISORY BOARD REPORT #03-001 (POET LAUREATE): The Mayor read the agenda comments. Mark Gitlis, chair, and Veta Hurst, secretary of the Arts Advisory Board, were in attendance. Mayor Davis thanked the board and the members of the Writers Group who participated in the discussion of this matter. Ms. Hurst said a primary factor in the board's recommendation was that they did not think that a community of this size could provide a high-quality pool of candidates on an ongoing basis. As a result, they thought it would be better to encourage and recognize the richness of the arts in Greenbelt in other ways. Mr. Gitlis added that the board also found telling the fact that there did not appear to be strong support for this idea among Greenbelt writers; the board thought it would be impossible to sustain such a program without enthusiastic involvement from the very people who would participate. Mr. Roberts said he thought the request had simply been to honor someone and that doing so would not necessarily mean maintaining a consistently high quality. Nicole DeWald, Arts Coordinator, commented that the opinion of the board and the writers who responded was that encouraging the literary arts in Greenbelt and encouraging poets was a desirable end but that they would like to do so without focusing on one person or on competitions to result in one award. She added that, in addition, they would prefer to build on some of the interests and projects that already have a kernel of support in the community, rather than trying to develop support for others. Council asked to be kept apprized of new programs that might develop.

ALLOCATION OF FUNDING FOR LOCAL LAW ENFORCEMENT BLOCK GRANT FUNDING: Mayor Davis read the agenda comments. Mr. Roberts said he would prefer not to use this funding to purchase a car but would rather put all the money into video cameras for police cars. Mr. Turnbull asked about the practice of using the fund balance for matching purposes. Mr. McLaughlin said the money had never been budgeted, in part because it was never certain the grants would be available. Mr. Roberts made a motion to use all the money for cameras, which Mr. Turnbull seconded.

Mr. McLaughlin said he would like to argue strongly for purchasing the vehicle, since the Police Department is stretched very thin in terms of both available vehicles and the rotation schedule. He said it is his opinion that a minimum of seven cars should be replaced every year, and only six were budgeted for this fiscal year. Mr. Roberts' motion was voted down 2-3 (Davis, Putens, White). Mr. Putens moved Council approval of 1) use of the LLEBG funds for the purchase of one vehicle and additional video cameras for the police cruisers, and 2) use of the fund balance to meet the matching requirement, with the understanding that these funds will be replaced in the future from funds forfeited to the City as a result of police actions. Mr. White seconded. The motion passed 3-2 (Roberts, Turnbull).

END-OF-YEAR SCHOOL RESOURCE OFFICERS' REPORT: Mayor Davis read the agenda comments. Cpl. David Buerger and MPO Marty Parker presented the 2001-2002 End-of-

School-Year Report, with Cpl. Buerger reporting on the high school and on the class he has begun to teach on criminal justice, and MPO Parker discussing the other schools and the situation at the Spellman overpass. Council thanked the officers for their work and the presentation.

U.S. POSTAL SERVICE, GREENBELT MAIN POST OFFICE ON ORA GLEN DRIVE- PRELIMINARY SITE PLAN: Mayor Davis read the agenda comments. Kristen Ward, Community Planner, pointed out the differences between this plan and the one reviewed by Council in 1998. She introduced Constantine Seremetis, representing the firm of Burt Hill Kosar Rittelmann Associates, the architects for the Postal Service.

Mr. Putens commented on the reduction of the buffer zone by 33 feet, which Mr. Seremetis said was necessary to give adequate room to increase the size of the bioretention area and maintain the tree area in the front. Mr. Seremetis said they were planning to increase the density of the trees in the buffer zone, which are both young and sparse. Mr. Putens stressed the need for the buffer on the Windsor Green side to be sufficiently evergreen to provide a continuous buffer in the winter. Mr. Seremetis noted that one of the conditions that had been agreed to was that they would submit a landscape plan to the City.

Mr. Roberts asked why Council was once again reviewing a site plan. With the stipulation that he could speak with authority only from the standpoint of the architecture, Mr. Seremetis said he thought there had been changes in environmental regulations two years ago for stormwater that had triggered revisions to the prior plan.

Noting that the point of departure between staff and the Postal Service was the requirement for planted median strips in the Ora Glenn Drive right-of-way, Mayor Davis asked what the problem was. Mr. Seremetis said this request had never been made before, and the cost had not been budgeted. In addition, they were concerned with possible interference with traffic flow, given the design constraints. Mayor Davis asked Mr. McLaughlin why staff was raising this now and had not previously. He said it was part of the interest the City now has in traffic-calming plans for Ora Glenn Road, as well as requesting developers to be responsible for their frontage on the right-of way; he said it had not been raised with the developer at the time of the conceptual site plan. Referring back to Mr. Roberts' question, he said that the plan had returned to the City because the project had languished at the Postal Service for a year; new personnel were involved; they have moved from a conceptual plan to a more detailed site plan, and some changes are needed; and the immediate time frame is being driven by the court date for the condemnation law suit. Mr. Roberts said that still did not explain why the City was being asked to give up rights it had negotiated previously. Mr. McLaughlin said he was not sure which rights the City had but that he would ask that it be kept in mind that this site plan did not operate in isolation but was part of broader City interests in the location.

Mayor Davis said she was not sure she remembered events exactly as Mr. Roberts did, and she asked Mr. Manzi to comment. Mr. Manzi reminded Council that the City's covenants had not yet been placed on the land records because the condemnation had not gone through and the Postal Service had not taken ownership; they are therefore unenforceable. He said he did not know for sure why the site plan had been filed at this time but that he would never have thought of the prior one as intended to be the last

word on the subject, since it was not detailed enough to submit to the planning board. He said he could understand Council=s frustration but that the City was dealing with a set of entirely new people now and that he could not recommend introducing entirely new items, like the medians, that would be deal-breakers.

Mr. White agreed that he had expected to see another version of the plan and that this one was more detailed. With regard to the landscaped medians, however, he said the City=s criteria had changed since 1998, just as the environmental law had, and that the City would require any developer to take care of the medians. Mr. Putens said his understanding was that the City was to have final approval, regardless of the covenants; he said medians had indeed been discussed previously, but the Postal Service did not want to install them because of the turning radius of the trucks. He agreed with Mr. White that this should not be a deal-breaker for the Postal Service and that the traffic situation on Ora Glen and Hanover had changed since the previous plan. Mr. Turnbull added that in 1998 Council had felt fairly confident that it knew what it was getting and that it would take time to study the changes, even though his initial impression was that some of them might be improvements: for example, the addition of the bike rack..

André Gingles of the firm O'Malley, Miles, Nylan & Gilmore, representing the current property owner, said the plan had come back to Council because it had to be submitted to the NCPPC; as part of that process it is also referred to the M-NCPPC for review and comment, and it was also sent back to Greenbelt for review and comment because changes had been made. He confirmed that the county=s rules had been changed on stormwater retention, effective January of this year, which necessitated changes to the plan. He said the Postal Service does not think it should be responsible for the medians because they would be an off-site improvement.

In response to a question from Mayor Davis, Mr. Manzi said the City does not have a commitment in writing from the Postal Service that the Roosevelt Center retail operation will be maintained. The Mayor said she did consider that item to be a deal-breaker. There was discussion of whether this was contained in the Memorandum of Understanding or in the covenants. Mr. Putens said he considered the medians to be a deal breaker for Greenbelt East.

Mr. Roberts explained that he was not totally wedded to the original site plan, but he wanted to be reassured that the City was not giving up any of the rights of approval it had negotiated previously. Mr. Manzi said if changes are required by the law of other jurisdictions, the City=s approval is not required. Mr. Gingles said they must take it to the NCPPC and are asking for the City=s comments for purposes of that review.

Mr. White then moved that Council approve the site plan contingent upon the 18 conditions included in the staff recommendation and submit the comments to the Prince George=s County Planning Board and the National Capital Planning Commission for inclusion in their reviews, as well as to the U.S. Postal Service. Mayor Davis asked that an additional requirement be added to submit a lighting plan to the City, to which Mr. White agreed. Mr. Putens seconded the motion. Mr. Roberts asked that the motion be amended to include a requirement to maintain the size of the originally required buffer on the Windsor Green side. He said there was still too much uncertainty about, for example, the size of the bioretention area to be sure that the depth of the buffer would

have to be sacrificed. Mr. Seremetis said he seriously doubted it would be possible to retain the full buffer and meet the requirements for the bioretention area. Mr. Gingles said he felt confident the Postal Service would do its best to maintain a maximum buffer and that they had solicited the City's review in good faith. Mr. Roberts restated his condition to say that the buffer should be retained in its original size unless the Postal Service can demonstrate that this would be impossible to implement. Mr. White and Mr. Putens both accepted this additional condition. Mr. Roberts and Mr. Putens had further indicated they thought the final condition be stated that final plans be submitted to the City for "approval not Areview.@ The motion as amended passed 5-0.

MDOT CONSOLIDATED TRANSPORTATION PROGRAM FYS 2003-2008: The Mayor read the agenda comments and asked to add two items to the list of comments: support for the Purple Line route inside the beltway and challenging the need for the MagLev train. It was moved by Mr. Roberts and seconded by Mr. White that Council include Mayor Davis's additions to the restatement to the Maryland Department of Transportation the positions taken by the City last year: objection to the widening and extension of Route 201; opposition to the full beltway interchange near the Metro station; and support for funding for the Neighborhood Conservation Project on Greenbelt Road. The motion passed 5-0.

EXXON STATION LANDSCAPING PLAN: The Mayor read the agenda comments. Kristen Ward, Community Planner, presented the landscaping plan and read a number of staff stipulations on the plan. While recognizing the staff's effort to suggest plantings that could be implemented in the fall to rectify this situation as quickly as possible, Council preferred to wait until spring to plant the ten willow oaks that, along with seven red maples, were part of the original plan. It was understood that the bushes and the City Bradford Pear could be planted in the fall as planned. Mr. Putens moved Council support for the amended landscaping plan. Mr. Turnbull seconded. The motion passed 5-0.

ADVISORY COMMITTEE ON EDUCATION (ACE) READING CLUB PROGRAM: The Mayor read the agenda comments and noted that the entire summer program had been lost because of the difficulties with the funding agency. Mr. Roberts moved that Council authorize staff to proceed with the ACE Reading Club Program at a cost of \$7,000 in City funds, with the understanding that staff will continue to seek the grant funding from the Governor's Office of Crime Control and Prevention. Mr. Turnbull seconded the motion, which passed 5-0. Mr. Putens asked that Council continue to be kept informed about this.

AMENDMENT TO ANACOSTIA TRAILS HERITAGE AREA (ATHA) MANAGEMENT PLAN TO ESTABLISH TARGET INVESTMENT ZONES (TIZS) WITHIN ATHA: Mayor Davis read the agenda comments. Mr. White questioned the legend for Greenbelt Station on the map, saying it would appear that Council had approved it. He moved that the designation be more general: e.g., Atransit-oriented metro development.@ Mr. Roberts seconded. Mayor Davis asked to add that the Community Center was still labeled AGreenbelt Center School.@ Mr. McLaughlin said he thought the designation referred to the name of the historic site, which was still the Center School, but it was agreed to raise the question. The motion passed 5-0.

SUPPORT FOR REQUEST FOR TEA-21 FUNDING FOR ATHA WAYFINDING SIGNS: Mr. White asked if it was certain that these signs would be a result of collaboration with the

City or whether there was risk that they would spring up without benefit of City approval. Mr. McLaughlin responded that City staff had been involved from the beginning and would continue to play a role. It was then moved by Mr. White and seconded by Mr. Putens that Council endorse the effort to obtain funds to implement the wayfinding signage plan and authorized the Mayor to sign the letter of support.

APPOINTMENT TO ADVISORY GROUP: Mr. Putens moved Council appoint Kathy Lewis to the Advisory Committee on Education. Mr. White seconded the motion, which passed 5-0.

MEETINGS: Council reviewed the meeting schedule. It was moved by Mr. White and seconded by Mr. Putens that the regular meeting in December be held on December 16 instead of December 9. The motion passed 4-0, with Mr. Roberts absent. Mr. White moved that the regular meetings in October of this year be held on the first and third Mondays (October 7 and 21) instead of the second and fourth Mondays. Mr. Putens seconded. The motion passed 5-0.

ADJOURNMENT: A motion to adjourn was made by Mr. Putens and seconded by Mr. White. The motion carried 5-0. Mayor Davis adjourned the regular meeting of September 23, 2002, at 12:28 a.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 September 23, 2002.@"

Judith F. Davis

Mayor