



REGULAR MEETING OF GREENBELT CITY COUNCIL held Monday, April 23, 2001.

Mayor Davis called the meeting to order at 8:04 p.m.

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

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 observed a moment of silence for Greenbelt resident Samuel Brown and former residents Billy Coleman and Thomas W. Hieber. She then led the Pledge of Allegiance to the Flag.

CONSENT AGENDA: A motion to approve the consent agenda was made by Mr. Putens and seconded by Mr. Turnbull. The motion passed 5-0.

Council thereby took the following actions:

MINUTES

- Work Session, April 5, 2001
- Interview, April 9, 2001
- Regular Meeting, April 9, 2001
- Interview, April 16, 2001
- Work Session, April 16, 2001
- Work Session, April 16, 2001

Approved as presented.

COMMITTEE REPORTS

- Advisory Planning Board - Report #01-01 (Trails Map). Council accepted this report and will consider it at a work session to be scheduled.
- Advisory Planning Board - Report #01-02 (Revisions to Site Plan - Lakes of Greenbelt Village). Council accepted this report and will consider it on the agenda of the next meeting.

- Advisory Planning Board - Communication, April 2001 (Jaeger Tract Subdivision). Council accepted this report and will consider it with item #15 later on tonight's agenda.

- Public Safety Advisory Committee - Communication, 4/13/01 (Funding for Skateboard Park): Council received this report and will consider it as part of the final budget work session.

PROPOSAL TO CONTROL ALGAE IN GREENBELT LAKE: Council authorized staff to install barley straw in Greenbelt and Greenbrook Lakes to see if it will work effectively as a means of controlling control algae growth.

APPROVAL OF LOAN REQUEST FROM LABOR DAY FESTIVAL COMMITTEE: Council authorized the City Manager and City Solicitor to work with the Labor Day Festival Committee to reach an agreement whereby the City can assist the event with up to \$12,000 in funding.

COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING - CR-11-2001: Council authorized the sending of the draft letter of support to the chairman of the County Council.

RESIGNATION FROM ADVISORY GROUP: Council accepted John Winfrey's resignation from the Advisory Planning Board.

APPOINTMENTS/REAPPOINTMENTS TO ADVISORY GROUPS: Council appointed Jacquelyn Carrington to the Community Relations Advisory Board and E. Scott Frison to the Advisory Planning Board. Council also appointed Paul Sabol and Arlene Shpiegelman to new three-year terms on the Park & Recreation Advisory Board.

LOCAL GOVERNMENT INSURANCE TRUST (LGIT) BOARD OF TRUSTEES BALLOT: Council authorized the City Clerk to return the ballot with an "agree" vote for the three recommended candidates.

APPROVAL OF AGENDA AND ADDITIONS: Mayor Davis requested that Redistricting Update be added to the agenda as item #24. Mr. Turnbull moved approval of the amended agenda. Mr. Putens seconded. The motion passed 5-0.

PRESENTATIONS

Chesapeake Bay Partner Community Designation - Silver Award: Mayor Davis read the agenda comments. She presented the Silver Award, which designates Greenbelt as a Chesapeake Bay Partner Community, to the City Manager and expressed thanks to the staff of the Department of Planning and Community Development for their work in preparing the proposal.

Bike-to-Work Day - Proclamation: Mayor Davis introduced Bill Clarke, Chairman of the Greenbelt Bicycle Coalition, who in turn introduced several members of the coalition. Mayor Davis read a proclamation declaring May 4 Bike-to-Work Day and presented the proclamation to the coalition. Mr. Clarke described the times and routes of the bike rides embarking from Roosevelt Center to Goddard, the Greenbelt Metro, and downtown on May 4. He also thanked Council for its strong support over the years. Mr. Turnbull thanked the coalition for its

contributions and said he hoped the new, shorter routes would be as successful in attracting riders as the downtown route has always been.

Police Telecommunications Week: April 8-14 was National Telecommunicators Week. Mayor Davis read a proclamation in tribute to the Communications Specialists of the City of Greenbelt Police Department. Lt. Tom Kemp, Communications Supervisor Lucinda J. Keppel, and Communications Specialist Tammy S. Harris, attended to receive the proclamation for the department.

It's Municipal Government Week - Proclamation: Mayor Davis presented Beverly Palau, Public Information and Communications Coordinator, with a proclamation declaring this week Municipal Government Week. Ms. Palau noted that City government had been particularly visible last weekend, with the various events of Earth Day, Arbor Day, and the Springhill Lake Spring Fest. She described some of the activities in which more than 600 students are participating during this seventh year of the program, leading up to the competition that will take place in the Community Center May 4.

2001 Legislative Committee Award: Mayor Davis presented a certificate to David Moran from the Maryland Municipal League in appreciation of his service on its 2001 Legislative Committee. She also thanked him on behalf of Council.

PETITIONS AND REQUESTS: There were none.

ADMINISTRATIVE REPORTS

Mr. McLaughlin called on Bill Phelan, Supervisor of Operations, Public Works, to report on the combined Earth/Arbor Day activities at Springhill Lake on April 21. Mr. Phelan credited intern Kristen Jalo with a record turnout of volunteers to help with the stream cleanup. Mr. McLaughlin then called on Mr. Manzi, who reported on the execution by the Peterson Companies of the Memorandum of Understanding regarding the property for the new postal facility. The Mayor can now execute it on behalf of the City. Mr. Manzi said this would start the clock on the process of the condemnation lawsuit.

Upon the Mayor's request, Mr. McLaughlin mentioned the City staff's participation in "Clean Your Files" week and the upcoming Electronics Recycling Day on April 28 at the Recycling Center. The Teen Job Fair will also be this Saturday and is co-sponsored with Beltway Plaza.

Mr. Putens noted that the Little League Parade was yesterday and that they are celebrating their 50th anniversary.

Mayor Davis reported on attending a District Heights 65th Anniversary event, the Recreation Department's Easter egg hunt at the Community Center, a 30th anniversary event at the William S. Schmidt Outdoor Education Center, sponsored by the Prince George's County schools. Along with Bryan Butler, David Moran, and Joe McNeal, she also attended the bill-signing for the \$300,000 in state funding for the expansion of the Recreation Department facility at Springhill

Lake. Mayor Davis also enumerated and thanked all the community groups and city departments who contributed to the Springhill Lake Earth Day activities.

LEGISLATION

A Resolution to Negotiate the Purchase of Ventilation Equipment for the Greenbelt Public Works Facility from Air Purification Systems of Baltimore, Maryland, in the Sum of \$31,261: The Mayor read the agenda comments. Mr. Roberts introduced the resolution for second reading and adoption. Mr. Turnbull seconded the motion. There was no further discussion.

ROLL CALL: Mr. Putens - yes

Mr. Roberts - yes

Mr. Turnbull - yes

Mr. White - yes

Mayor Davis - yes

POTENTIAL CHANGES AT ELEANOR ROOSEVELT HIGH SCHOOL (ACE REPORT #1-2001): The Mayor read the agenda comments. She stated that she had encountered the principal of the high school today and found that he was in agreement with the position being taken by the Advisory Committee on Education. She asked that any letter be copied to him. She added that now there are 40 floating teachers who do not even have classrooms. Mayor Davis, Mr. Putens, and Mr. White made several suggested modifications to the draft letter. Mr. Turnbull stated support for the letter and appreciation for ACE's vigilance. He then moved Council approval of the draft letter as amended. Mr. White seconded the motion. The motion passed 5-0.

PROPOSED PEACE AND NON-VIOLENCE ACTIVITIES (CRAB REPORT #2001-1): The Mayor read the agenda comments. She asked what the cost of the suggested brochure would be, and Mr. McLaughlin said from no cost to \$1,500, depending upon its format. Mr. White moved Council support for the proposed activities and for funding of \$4,000 to implement them. Mr. Putens seconded. Mayor Davis asked which staff members would be involved. Mr. McLaughlin said it would involve a number of staff, with the primary responsibility falling on Mr. Moran.

Bertram Dunn, 19 Woodland Way, said the report of the Community Relations Advisory Board (CRAB) and the staff recommendation are a good beginning but not entirely what he had proposed. He said his intent was for the City to develop a culture of non-violence that would be ongoing, not a month-long series of activities. He expressed his disappointment that he had not been asked to contribute to the report of the advisory board. He said the library is willing to participate in some cooperative programs that would be low-cost or free. He suggested the City seek outside funding for the cost of other programs. He suggested the City hire facilitators to provide after-school conflict resolution programs in all the schools, perhaps inter-linked with tutoring or academic skills programs. He suggested the faith congregations should also be involved. He thought this might be a pilot program for Prince George's County. Mr. White

responded that Council's specific referral to CRAB had been for programs attached to the Millennial year but that these could provide a foundation for continuing. Konrad Herling, 11-B Ridge Road and a CRAB member, said the recommended program will provide an opportunity for many groups to come together and expand and continue programs and that a number have already expressed interest. Kevin Hammett, 6-R Ridge Road, chair of CRAB, also confirmed that the board sees the program as a long-term one. He said the board had wished to get Council's approval of the concept and initial funding prior to forming more developed ideas. When the vote was called, the motion passed 5-0.

PROPOSAL TO SPRAY BT FOR CONTROL OF CANKERWORMS AND TENT

CATERPILLARS: The Mayor read the agenda comments. A motion to authorize the spraying of Bt to control a likely outbreak of cankerworms in certain neighborhoods was made by Mr. Putens and seconded by Mr. Turnbull. In response to a query from Mr. Roberts, Mr. Phelan said that all caterpillars of a particular group at the larval stage would be affected but not other types of insects. He added that Bt would not even kill all the caterpillars, merely reduce the population. The spraying would be done on City property, with 90% being street trees. In response to a further query from Mr. Roberts about what species of trees are involved, he said that red maples and red oaks, as well as lindens in Greenbelt East, were affected. Mr. Roberts asked if this proposal was driven by resident complaints or by staff. Mr. Phelan responded the proposal was not driven by complaints; in light of the survey that found high levels of infestation in certain areas, however, it is his advice that the City needs to act if it wants these street trees to survive. Mr. Turnbull asked if homeowner associations can do this on private property. Mr. Phelan said they could contract to have it done, although he would recommend evaluating the need in specific places first. The vote was called, the motion passed 4-1 (Roberts).

PRELIMINARY PLAN OF SUBDIVISION - JAEGER TRACT: The Mayor read the agenda comments. Celia Craze, Director, Planning and Community Development, mentioned to Council that representatives of Westchester Park were in attendance, as was Thomas A. Kieffer, representing the owner of the property. Ms. Craze described the preliminary plan and the comments of the Advisory Planning Board.

Ms. Craze said the City was also copied on a letter from the National Park Service to Elizabeth Hewlett, chair of the County Planning Board, that cites five concerns: an old sanitary sewer that crosses the property and needs to be upgraded; increase in storm flow from the site to National Park Service property; the holding of environmentally constrained areas in fee-simple lots rather than in common; the storm water pond on Parcel G; and the requests for variation.

The reason staff has recommended submitting the criticisms of the APB without opposing the plan is twofold. The City is already on record as wanting the Park Service property bought for the Park Service, so the City's agenda is known and longstanding. In addition, in the submission of specific criticisms, there is the suggestion that if these problems were resolved, the City's objections would be met.

In response to a question from Mayor Davis, Ms. Craze said 14 lots would remain if the requests for variation were turned down. Mayor Davis expressed concern about individual homeowners assuming responsibility for care of environmentally sensitive land.

Mr. White said he saw no need for Council to be tenuous in its position; he thought the City should identify the flaws in the plan and take a position against it. Mr. Putens agreed, saying Ms. Craze's critique argued for taking a stronger stand than the one being recommended by staff. He added that this preliminary plan sounds as though development is being forced upon land that should not be developed. Mr. Roberts also agreed, drawing a parallel to Parkside, where stormwater discharge did considerable damage to the Park Service's property. He said the plan looked worse than he had anticipated and that he was baffled that staff would recommend that Council take no position; at a minimum, Council should oppose the variations. Mr. Turnbull said he agreed. He thought the City could make it clear in its response that even if these specific objections were mitigated, the plan would still not meet our criteria. He thought the City should object to the farming out of the long-term stewardship of the environment to individual owners and their successors. He added that especially since the land is surrounded on three sides by federal land, it is not appropriate to consider variation. Mayor Davis said she also agreed that Council should oppose the plan. She further stated that the City should provide a presence at the hearing on May 26.

Mayor Davis asked Mr. Kieffer if he wished to speak on behalf of the owner, and he responded that he was at the meeting just to listen.

Robert Crecco, president of the Westchester Park Homeowners Association, said they support the ceding of the land to Greenbelt Park. He said he was surprised the City's Advisory Planning Board did not take a stronger stand on the requests for variation. If those are not granted, he believes the developer would have to re-evaluate the question of the profitability of a smaller development. He encouraged Council to take a strong stand. Ms. Craze clarified that the reason the APB had not taken a stronger stand was that it did not have a quorum.

Mr. White then moved that Council oppose the preliminary plan of subdivision based upon the reasons provided by the Advisory Planning Board in their report, with particularly strong objection to the requests for variation. There was discussion of whether Council's letter should stick with attacking the specifics of this preliminary plan or should state the City's broader concerns with development of the land and preferences for its use. Mr. Manzi advised limiting the attack to the preliminary plan itself, saying he agreed with staff that the reasoning could be discounted if the City's longstanding objection to developing the land were in the forefront.

After some clarification of the statement of Mr. White's motion, Mr. Roberts offered a second.

Sheldon Goldberg, 7848 Jacobs Drive and chair of the Advisory Planning Board, pointed out that taking responsibility for all these problems could put a severe financial drain on a homeowners association and that this solution to the stewardship issues might not be much improvement over fee simple. The motion passed 5-0.

GREENBELT METRO AREA - UPDATE

Status of Greenbelt Metro Area Sector Plan/SMA: The Mayor read the agenda comments. With regard to the letter to go to the County Council, she asked if the City could add to its comments that communities such as Columbia manage to flourish using signs of limited height. Mr.

Turnbull noted there is information on that subject that can be referenced on the Web site of the Conservation Fund. He asked for, and received, assurance that Councilwoman Scott did not attempt to notify the City of the intended amendments and asked that staff follow up with her explicitly about the procedures she followed on this. Mr. White noted that this subject had been discussed at a work session with Ms. Scott last year. He also commented on the irony that while public agencies are attempting to improve the appearance of Route 1, the County Council undermines those efforts. Mr. Putens suggested sending a separate cover letter to Ms. Scott with her copy of the letter to the County Council.

Mr. White moved approval by Council of the draft letter to County Council with one addition suggested by the Mayor. Mr. Turnbull seconded. Mr. Putens asked to add to Mr. White's motion the sending of a separate cover letter to Ms. Scott. Mr. White did not agree to the amendment. The original motion passed 5-0.

Mr. Putens then moved that a separate cover letter to Councilwoman Scott be sent indicating the City's dismay at the way the amendments were handled. Mr. Turnbull seconded the motion, which passed 5-0.

Status of Review of Metroland Proposal: The Mayor read the agenda comments. She noted Berwyn Heights was holding a meeting tonight or tomorrow with the developers. She asked Ms. Craze whether the City is working cooperatively with Berwyn Heights as it has been with College Park. Ms. Craze responded that Greenbelt does not fully understand Berwyn Heights' position but that staff will certainly share information with them as it has with College Park.

There was discussion of some confusion regarding the 70-day periods. Ms. Craze clarified that in part this is because there are two applications pending that are on separate 70-day clocks. The conceptual plan must be heard before the preliminary plan, but the developer submitted the preliminary plan first.

Mr. White suggested a revision to the end of the draft letter specifically asking the applicant to communicate a voluntary waiver to the Planning Board.

There was discussion of whether the proposed May 15 work session should include the developers or include only the presentation of findings by the City's own consultants. Mayor Davis asked Ms. Craze to invite them, though it was generally agreed that a presentation from the developers was not needed and would not provide new information.

Mr. Turnbull made a motion to authorize that the amended draft letter be sent on behalf of the City requesting the applicant to extend the 70-day deadline. Mr. Putens seconded. The motion passed 5-0.

Mr. McLaughlin commented on the nature of the cooperation between College Park and Greenbelt on the technical staff level on this matter. Mr. White said he thought there should be a Council to Council request to New Carrollton not to take a position. Upon further discussion, however, it was decided to raise the matter at the upcoming 4 Cities Meeting in New Carrollton.

MARYLAND HISTORICAL TRUST GRANT - RESTORATION OF MOTHER AND CHILD STATUE: The Mayor read the agenda comments. In follow-up to a question from Mr. Roberts regarding why the bas-reliefs need restoration, it was clarified that "conservation" was the more appropriate term for what was intended. It was moved by Mr. Turnbull and seconded by Mr. Putens that Council approve notification to the Trust that the City will not pursue the grant funding for the Mother and Child statue and authorization of the staff to begin work on a proposal to seek funding for the conservation of the bas-reliefs. The motion passed 5-0.

REDISTRICTING UPDATE: Mayor Davis said it had come to her attention that the councilmatic districts are of greater immediate concern than the legislative districts. She said she thought the City should take a firm stand that the City wishes to remain intact and keep all precincts within the same councilmatic district. She said there may be a movement that would split the City's precincts. Mr. McLaughlin asked if there were any other general principles that should be elucidated in a letter to the county task force. Council agreed that the integrity of the municipal boundaries was the essential issue and directed staff to pursue the letter.

MEETINGS: The Mayor reviewed the schedule of meetings.

ADJOURNMENT: A motion to adjourn was made by Mr. Putens and seconded by Mr. Turnbull. The motion carried 5-0. Mayor Davis adjourned the regular meeting of April 23, 2001, at 11:05 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 April 23, 2001."

Judith F. Davis

Mayor