



REGULAR MEETING OF GREENBELT CITY COUNCIL held Monday, May 14, 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 residents Tessa Osborne, Lynda Silverman, Marjorie Groht, and Israel Nathaniel Markfield (Greenbelt Pioneer) and for former residents Grace Falke Tugwell, Evelyn Green, and Jonnie Mae Walker (Greenbelt Pioneer). 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, March 28, 2001
- Work Session, April 11, 2001
- Work Session, April 18, 2001
- Work Session, April 25, 2001
- Interview, April 30, 2001
- Work Session, April 30, 2001
- Work Session, May 2, 2001

Approved as presented.

COMMITTEE REPORTS

- Park & Recreation Advisory Board - Report #01-2 (Contribution Groups Budget Review): Council accepted this report and will consider it during the budget review process.

- Park & Recreation Advisory Board - Report #01-3 (FY 2002 Astronomy Budget Review): Council accepted this report and agreed to consider it under item #12 on the agenda.

- Advisory Planning Board - Report #01-02, Revised (Revisions to Site and Landscape Plans, Greenbrook Manor - Lakes of Greenbelt Village): Council accepted the revised report and agreed to consider it under #13 on the agenda.

- Arts Advisory Board - Report #01-005 (FY02 Visual Arts Education Providers): Council received this report and agreed to consider it with item #14 on the agenda.

AMENDMENTS TO LGIT AGREEMENT: Council approved the amended LGIT agreement and authorized the City Manager to sign and convey it.

RESIGNATIONS FROM ADVISORY GROUPS: Council accepted with regret Clara Kuehn's resignation from the Advisory Planning Board and Joseph Otterman's resignation from the Advisory Committee on Education and directed staff to prepare the appropriate letters of appreciation.

APPOINTMENT TO ADVISORY GROUP: Council appointed Brenda R. Cooley to the Advisory Committee on Education.

APPROVAL OF AGENDA AND ADDITIONS: Mr. Putens indicated his intention to request that the minutes of the Executive Session of April 11, 2001, be delayed until a future agenda. Mayor Davis said she had also intended to make this request. Mr. Turnbull said he would like Council to remove item #14 (Recommendation RFP for Visual Arts Programming) from the agenda and schedule the matter for a work session because it needs more time. Rather than make audience members wait until it was reached on the agenda, he made a motion that it be removed now. There was no second. Mr. Putens then moved that item #14 be special ordered for consideration following item #10 (Administrative Reports). Mr. White seconded the motion, which passed 5-0. Approval of the amended agenda was moved by Mr. Putens and seconded by Mr. White. The motion passed 5-0.

PRESENTATIONS

ACE Student Awards: Mayor Davis introduced Leta Mach, Chair of the Advisory Committee on Education (ACE). Ms. Mach introduced the members of ACE in attendance (Jackie Magness and Liz Roslewicz) and then provided introductory remarks to ACE's 7th Annual Student Awards Program. State Senator Leo Green, Delegates Jim Hubbard and Joan Pitkin, and County Councilmember Audrey Scott joined Council in greeting the award recipients, who were presented by Ms. Mach. Each student received certificates from ACE, the County Council, and the State Senate, as well as a small gift. Scholarships were announced for the high school students.

Daniel Rehner and Phoenix Smith Greenbelt Elementary School

Gerardo Escobar and Urja Shah Springhill Lake Elementary School

Ricky Zein and Connie Lee Magnolia Elementary School

Gregory Bistany and Abigail Bates St. Hugh's School

Olafemi "Femi" Akinwande and Rosianna Sankar Greenbelt Middle School

Danny Fendlay and Folasayo Adunola Robert Goddard Middle School

Julius Austin and Terjani Shah Eleanor Roosevelt High School

Mayor Davis thanked the winners for their hard work and commitment. She also thanked Ms. Mach, who thanked the committee and Wendy Wexler, staff liaison.

Legislative Wrap-Up - 23rd District Delegation: Senator Green and Delegates Hubbard and Pitkin provided a summary of the 2001 General Assembly Session. The Mayor and Council members expressed their appreciation to the delegation for their work. In addition, the Mayor presented to Delegate Pitkin, on behalf of Council, a certificate expressing the City's appreciation for her support for funding for the Maryland Association of Youth Services Bureaus.

Police Memorial Day & Police Week - Proclamation: May 15 is Police Memorial Day, and May 13-19 is National Police Week. Mayor Davis read a proclamation in honor of these occasions, which was accepted by Lt. Tom Kemp on behalf of the Police Department. Lt. Kemp reported the City would be sending a color guard to participate in the May 15 ceremony in D.C.

Public Works Week - Proclamation: May 20-26 is Public Works Week. Mayor Davis read a proclamation to mark the occasion. Kenny Hall, Director of Public Works, received the proclamation on behalf of the department.

PUBLIC HEARING ON THE FY 2001 BUDGET: The Mayor read the agenda comments. Mr. Turnbull moved and Mr. White seconded that the regular meeting be recessed for the purpose of conducting a Public Hearing on the FY 2002 Proposed Budget. The motion passed 5-0. The following individuals addressed Council:

Marjorie Whitacre, president of the Dog Park Association, thanked Council for the work that has recently been done on the Dog Park and requested that the \$15,000 assigned to the park in the capital projects budget be carried over.

Sue Krofchik, 2-C Northway, asked for \$5,000 for provision of water at City garden plots. Mr. Roberts suggested that, since the Garden Club is a contribution group, this request should have come forward as a budget request. Ms. Krofchik said when she had asked club members about it, she had been told it had been turned down before, with a resulting loss of interest in applying.

Mr. Turnbull moved and Mr. White seconded that the regular meeting be reconvened. The motion passed 5-0. At this time the Mayor declared the public hearing to be over.

PETITIONS AND REQUESTS: Leonie Penney, 127 Northway, introduced Audrey Barnett, Helen Geller, and Jackie Shabe-Rochefort, who have researched "assistance in living" issues for the Senior Citizens Advisory Committee (SCAC) and the Assisted Living Task Force. She said they had come to say how delighted they are to have the City be on the verge of having a Community Resource Advocate. They also offered to assist and share their experience with the individual to be hired. Ms. Shabe-Rochefort said she thought SCAC should be more involved in the hiring process and that they should have a representative on the search committee. Mr. McLaughlin said that could be done. Sylvia Lewis, 2-C Gardenway and member of the Greenbelt Homes, Inc., board, said that although the tight deadline for the application to NORC had made it impossible to include anyone from the Assisted Living Task Force directly in the proposal preparation, the application would not have been possible without the foundation of the work of the task force.

Nick Neam, proprietor of N&S Towing, Inc., and a resident of Glenn Dale, also appeared before Council to request reinstatement of his towing service by the City. He said he had written letters to Council and staff about this complaint that had never been answered. Mayor Davis said staff would look into this and report back to Council and Mr. Neam.

MINUTES OF MEETING: Mr. Putens and Mayor Davis both asked that the minutes from the April 11, 2001, executive session be deferred to another agenda.

ADMINISTRATIVE REPORTS: Mr. McLaughlin reported on Magnolia's success in the "It's Municipal Government" competition. Mr. Manzi reported that the lawsuit for condemnation of the property for the new postal facility was filed last Thursday. Mr. McLaughlin reported on the Electronics Recycling day.

Mayor Davis asked Mr. Roberts to report on the County Planning Board's hearing on the preliminary plan of subdivision for the Jaeger Tract. She thanked Celia Craze, Director, Planning and Community Development, and Mr. Manzi for their participation. Mr. Roberts said he attempted to convey the content of the letter that was sent to the Board by Council. He said he felt as though they were very close to tying the vote 2-2 and that one issue may have been the significant misrepresentation of the extent of the wetland area to the rear of the property.

Mr. Turnbull asked Mr. Manzi what the next steps would be. Mr. Manzi replied that since this was a preliminary plan of subdivision, it could be appealed only through the circuit court. The next document is likely to be a site plan, though there is some question about whether a site plan will be necessary for this site. That notwithstanding, they will need to request a number of environmental permits, given the extent to which they will likely disturb wetland areas. Mr. Manzi agreed with Mr. Roberts that the board was very close to having a tie vote. Mr. White asked if there would be any value to going on record, as Mr. Roberts suggested, on the misrepresentation of the wetland area in their exhibit. Mr. Manzi said he thought there might be some value to following up in this way. Mr. Turnbull asked if Council would have another opportunity to raise the issue of the subdivision of the environmentally sensitive land. Mr. Manzi said Council would, if there is a required site plan. Mr. Roberts asked what the time frame was for the homeowners at Westchester Park to appeal, and Mr. Manzi said it was 30 days from the signing of the resolution of approval by the County Planning Board. Mr. Roberts and Mayor

Davis asked that Mr. Manzi copy Robert Crecco of Westchester Park, as well as Council, on any information that might be useful to them regarding appeal.

Mr. White reported that he and Mr. Putens attended the 90th birthday of Sally Carrano at Green Ridge House. He also asked for clarification on the appropriate use of a fenced-in volley ball field. Hank Irving, Director, Recreation, said appropriate uses did not include using it as a dog park, as has recently been the case. Council asked that staff attempt to address this problem.

Mayor Davis reported on attending a Multicultural Dinner at Greenbelt Elementary School, a meeting of the Fire Chief's Citizen Advisory Board meeting, the Teen Job Fair at Beltway Plaza, the People-to-People Delegation and student ambassadors who are going to Australia, the Greenspring Homeowners Association meeting, a reading presentation on Eleanor Roosevelt at St. Hugh's, and the pancake breakfast at Berwyn Heights Day.

RECOMMENDATION ON REQUEST FOR PROPOSALS FOR VISUAL ARTS

PROGRAMMING AT THE COMMUNITY CENTER: The Mayor read the agenda comments. She stated that Mr. Turnbull had earlier in the meeting asked that this item be taken off tonight's agenda and instead be scheduled for a work session. Mr. Turnbull said the time line for this Request for Proposals and the subsequent evaluation had been far too compressed. Mr. White agreed, saying the process had started too late. Dennis Jelalian, chair of the Arts Advisory Board, read a letter to Council expressing his concerns about the lack of opportunity for public input to the RFP process and his support for the application of the Greenbelt Association for the Visual Arts. Robert Schafer, vice-chair of the AAB, addressed Council to express his criticisms of the RFP process, particularly the fact that the AAB had not been invited to contribute to the development of the RFP itself, and what he viewed as the lack of expertise in the evaluation of the responses. Mayor Davis noted for the record that Mr. Jelalian and Mr. Schafer had expressed the opinion of the dissenting votes on the AAB but that the majority had supported the option identified in the staff report as "alternate scenario A." Seeking further clarification, Mr. Putens asked Mr. Jelalian if the statement he had read represented his own viewpoint or that of the AAB, and Mr. Jelalian said he had been speaking for himself.

Mr. Roberts moved that a work session be scheduled for consideration of this topic. Mr. Putens seconded the motion, which passed 5-0. Mr. Turnbull asked that for the sake of those in attendance the meeting be scheduled at this time. After discussion, it was decided to hold the Green Ridge House budget work session at 7:00 p.m. and the arts programming work session at 8:30 p.m. on Monday, May 21.

REQUEST OF ASTRONOMY CLUB FOR STATUS AS A RECOGNITION GROUP: The Mayor read the agenda comments. John Settle and Doug Love, board members of the Greenbelt Astronomy Club, were present to respond to questions. Mr. Putens commented that the contribution group guidelines specify a group should have at least two-thirds Greenbelt residents, but the application from the Astronomy Club demonstrated only slightly more than 50% residents. He said he questioned whether groups that do not have a substantial Greenbelt representation should receive City funding. Mr. Settle said the distinction between recognition and contribution groups was not clear to him, but the club will be raising the funding it needs from private sources. He further said it was the club's point of view that they were attempting to

give a gift to the City. Mr. Love added that this project started in Greenbelt and then grew larger. He noted there are three astronomy clubs in the D.C. area and that all three draw on a wide area. The Greenbelt club does not want to discourage participation from non-residents. Mayor Davis suggested children of members of residents might be given associate memberships that would not carry dues or voting privileges but which would increase resident figures. Mr. Love said he would suggest this idea to the board.

Mr. Turnbull moved Council approval of the application of the Astronomy Club to become a City recognition group. He said he thought there was a meaningful distinction between a recognition and a contribution group and that in this instance, since the club was bringing benefit to the City, Council should not be concerned with making an exception to the residency figures. Mr. White seconded. There was further discussion of the distinction between contribution and recognition groups, and it was concluded that staff needs to revise the guidelines and application materials to clarify this information. Questions from Mr. Roberts also elicited further information from Mr. Love and Mr. Settle regarding the educational programs and opportunities the club would provide to the citizens of Greenbelt. When the vote was called, the motion carried 5-0.

LAKES OF GREENBELT VILLAGE - REVISIONS TO SITE PLAN: Mayor Davis read the agenda comments. Ms. Craze introduced Michele LaRocca, with the Riverdale firm of Meyers, Rodbell, and Rosenbaum, which is representing the developer in the matter of the revised site plan. By way of update to the agenda comments, Ms. Craze said the outstanding owner complaints have been resolved. In response to a query from Mayor Davis, she also said that with the exception of item #7, which requires revision because the development has been turned over to the homeowners' association, the changes suggested in the staff memo dated May 9 are acceptable to the owner. Members of Council expressed their displeasure that the developer had continuously returned to Council with changes to the original site plan, with the result that, as Mr. Turnbull said, "the City has had to keep lowering the bar to get compliance." The major topic of discussion was the proposal to delete the freestanding garages with surface parking places. Ms. Craze said the location of the garages was never convenient and that it was for this reason that people tended to use them for storage rather than parking. She said that although she was initially opposed to this change in the plan, which was originally proposed in 1999, she was now convinced that parking was the greatest need and that the City should acquiesce to the residents' preference. The garages were originally intended to form a visual break between this complex and Hunting Ridge, and landscaping has been proposed to serve this purpose. Mr. Turnbull said he would prefer to wait to review these changes when the developer was also prepared to submit the final plans for #11 in the staff report.

Mr. White asked if there was a time factor on the proposal. Ms. Craze said she thought the developer would have to pave these parking spaces in order to open building #6. Ms. LaRocca said the plan was filed with Maryland-National Capital Park & Planning (MNCPP) and the 70-day clock is running. Ms. Craze suggested that rather than delay, it would make sense to require a condition that any money saved by the developer in deleting the garages be put back into the development. Mr. Manzi suggested language to the effect that any net savings to the developer as a result of the deletion of the garages and replacement by surface parking shall be used to provide additional landscaping and/or other amenities not already provided for in the developer's site plan. With this change, plus the modification suggested by Ms. LaRocca to #7, Mr. Putens

moved approval of the revised site plan with the conditions proposed in the staff memo. Mr. White seconded. Mr. Turnbull questioned whether these were too many changes to justify approval. Mr. Roberts said he did not think the plan should receive Council action until Council could see what the revised costs would be. Mr. Turnbull agreed with Mr. Roberts. When the vote was taken, the motion passed 3-2 (Roberts, Turnbull). Mayor Davis asked Ms. Craze to tell the homeowners' association their participation would be welcomed in the future.

Mr. Putens moved and Mr. Turnbull seconded the special ordering of item #17 to be considered at this time. The motion passed 5-0.

APPROVAL OF NORC CONTRACT: Mr. Roberts moved that Council accept the grant and authorize the City Manager to sign the agreement, approve the position description for the Community Resource Advocate, and authorize staff to fill the position of Community Resource Advocate on a provisional basis. Mr. Putens seconded the motion. The Mayor read the agenda comments. Julia Eichhorst, president of the board of Greenbelt Homes, Inc., asked that GHI staff be included on the search committee for the position. Mr. Moran said Gretchen Overdurff, General Manager of GHI had already been invited. Mr. White asked that the motion be amended to include the cooperation and participation of the GHI staff and the Senior Citizens Advisory Committee in the hiring process. The amendment was accepted, and the motion passed 5-0.

HENDRICKS & ASSOCIATES COMPENSATION STUDY - PLAN FOR REVIEW: Mayor Davis read the agenda comments. Mr. Roberts said he still objected to the fact that Mr. Hendricks had not provided benefit information in the comparison. Mr. McLaughlin said Mr. Hendricks does not have this information available in his data base and that it was in part because of the availability of his data that the price for the study had been quite reasonable. Council agreed this information could be updated by staff. Mr. Turnbull moved that Council receive the findings and recommendations of the Hendricks compensation study and schedule a work session to further consider the implementation of the study's recommendations. Mr. White seconded the motion, which passed 5-0.

CAREFIRST/CAPITALCARE - HEALTH INSURANCE CONTRACT: Mayor Davis read the agenda comments. It was moved by Mr. Putens and seconded by Mr. Turnbull that Council approve the contract with CareFirst/CapitalCare for health insurance, with the inclusion of partner coverage. The motion passed 5-0. Mr. Turnbull asked why the City was not providing the cost of the domestic partner coverage. Mr. McLaughlin replied that because the issue is controversial, it had been decided to take a moderate approach at this time by making the benefit available. Mr. Roberts asked what the likelihood was of an increase next year. Mr. McLaughlin said the City had not been able to get a two-year contract but that the price was low enough that even with increases we would still be ahead.

GOVERNOR'S TRANSIT INITIATIVE: Mayor Davis read the agenda comments. Mr. Putens moved and Mr. Turnbull seconded that Council authorize the Mayor to sign and send the letter to Governor Glendening suggesting Greenbelt be considered as a model pilot program for his transit initiative. Mr. Turnbull praised Mr. McLaughlin for the development of this idea but said he thought the letter could be stronger. He suggested working with the University of Maryland at College Park to develop a framework for evaluation of the project. Mayor Davis also suggested

including mention of the City's work in developing a car-sharing program. Mr. White suggested adding mention of the bike lanes, pedestrian walkways, and metro access. Mr. Putens mentioned the underpasses and the overpass. The motion passed 5-0.

MEETINGS: Mr. McLaughlin said Larry Liebesman has requested an Executive Session to review a settlement discussion that occurred today on the USDA lawsuit, and Council agreed to do so on May 23. The Mayor reviewed the schedule of meetings. She also asked Council members to submit their evaluations for the City Manager.

Mr. Putens raised the possibility of meeting with Public Works staff if that is requested. Mayor Davis noted that meeting separately with staff in all departments could become cumbersome and suggested that this be incorporated into the budget work sessions. She said the New Deal Café also be added to the meeting list.

It was moved by Mr. Putens and seconded by Mr. White that the second regular meeting in June be canceled because of a conflict with the Maryland Municipal League's annual meeting. The motion passed 5-0. Council agreed to defer any discussion of changing the date of the July regular meeting. Council also agreed to hold an Executive Session at 10 p.m. on May 30 and another at 7:30 p.m. on June 4 to consider the City Manager's evaluation. The special meeting on June 4 would be held at 8:30 p.m.

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 May 14, 2001, at 1:03 a.m. on May 15.

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 May 14, 2001."

Judith F. Davis

Mayor