



REGULAR MEETING OF GREENBELT CITY COUNCIL held Monday, September 24, 2001.

Mayor Davis called the meeting to order at 8:03 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 Jeffrey Williams, City Treasurer and Acting City Manager; Robert A. Manzi, City Solicitor; and Kathleen Gallagher, City Clerk.

Mayor Davis observed a moment of silence for resident Doris H. Jones and former resident and Pioneer William S. Shields, Jr., as well as for all the victims of the September 11 tragedies and their families.

Mayor Davis led the Pledge of Allegiance to the Flag. She then thanked the Police, Fire, and Public Works Departments for the service they had provided following September 11 and commended the local churches, the high school, and other groups who held vigils, and the citizens for their support and participation.

CONSENT AGENDA: Mr. White asked that item #29, the Election Questionnaire, be removed from the consent agenda. A motion to approve the amended consent agenda was made by Mr. White and seconded by Mr. Putens. The motion passed 5-0.

Council thereby took the following actions:

MINUTES

- Work Session, August 29, 2001
- Work Session, September 5, 2001
- Interview for Advisory Group, September 10, 2001
- Work Session, September 19, 2001

Approved as presented.

CDBG APPLICATION FOR PY 28: Council authorized the City Manager to apply for \$100,000 in CDBG funding for reconstruction of Ridge Road from Southway to Gardenway.

STATE OF MARYLAND - COMMUNITY PARKS AND PLAYGROUNDS GRANT PROGRAM: Council approved the application for this grant program.

PROPOSED VACATION OF A PORTION OF CHERRYWOOD LANE: Council approved a response once again to WMATA indicating that it will not consider vacating the right-of-way until it is clearer how the area will be developed.

ADVISORY GROUPS - RESIGNATIONS/APPOINTMENTS: Council agreed to accept with regret Beverly Lynch's resignation from the Public Safety Advisory Committee. Council approved the appointment of Mary Catherine Crawford to the Public Safety Advisory Committee and Marianne Olah to the Senior Citizens Advisory Committee.

APPROVAL OF AGENDA AND ADDITIONS: Mayor Davis asked to add to the agenda as #31 a referral to the Recycling & Environment Advisory Committee to consider sponsoring a Greenbelt Lake clean-up day. Mr. Putens moved approval of the revised agenda. Mr. White seconded the motion, which passed 5-0.

PUBLIC HEARING - CAPITAL PROJECTS BUDGET: Mayor Davis read the agenda comments and opened the floor to public comment on the Capital Projects budget. There was no comment from the public. Mr. White asked what the \$5,000 for the skateboard park included. He said he thought it included only study to determine feasibility. Mayor Davis said she thought it also included the possibility of portable equipment that could be used at temporary sites. Ms. Gallagher said she believed the latter to be the case. Mr. White asked that this be clarified. The Mayor then indicated that the public hearing was concluded.

PRESENTATIONS: There were none.

PETITIONS AND REQUESTS: There were none.

MINUTES OF COUNCIL MEETINGS

Executive Session, March 21, 2001: Mr. Roberts moved that the minutes of the executive session of the City Council held Wednesday, March 21, 2001, be approved as presented. He further requested that the minutes of this meeting reflect that the Council met in executive session at 8:03 p.m. in the Community Center, that the meeting was recessed at 11:05 p.m., and that Council held this closed meeting in accordance with Section 10-508 (a) (7) of the State Government Article of the Annotated Code of Public General Laws of Maryland to consult with counsel to obtain legal advice on legal matters involving the proposed Greenbelt Station. Mr. Putens seconded the motion.

ROLL CALL Mr. Putens - yes

Mr. Roberts - yes

Mr. Turnbull - yes

Mr. White - yes

Mayor Davis - yes

Executive Session, August 28, 2001: Mr. Roberts moved that the minutes of the executive session of the City Council held Tuesday, August 28, 2001, be approved as presented. He further requested that the minutes of this meeting reflect that the Council met in executive session at 8:35 p.m. in the Municipal Building and that Council held this closed meeting in accordance with Sections 10-508 (a)(3) and (7) of the State Government Article of the Annotated Code of Public General Laws of Maryland to discuss the acquisition of real property for a public use and to consult with counsel to obtain legal advice on legal matters involving the Greenbelt Theatre. Mr. White seconded.

ROLL CALL Mr. Putens - yes

Mr. Roberts - yes

Mr. Turnbull - yes

Mr. White - yes

Mayor Davis - yes

ADMINISTRATIVE REPORTS

Mayor Davis announced that Jeff Williams, City Treasurer, was also acting as City Manager in Mr. McLaughlin's absence at the ICMA conference.

Mr. Turnbull asked if City staff attended a public information meeting last week regarding the state's planning process on the mag-lev train. Celia Craze, Director, Department of Planning and Community Development, responded that staff is on a mailing list for information about this but has not been actively involved. Council asked that staff monitor the issue. Mr. Turnbull also asked that the stakeholder meeting with the Roosevelt Center merchants be scheduled soon given the petition presented at the last meeting.

Mayor Davis said all Council members had attended the Senior Citizens Advisory Committee Open Forum last weekend and that she was sure the committee would be looking forward to quick turnaround on their report when it was received. She also described a weekend event at Greenspring that she and Mr. White attended.

LEGISLATION

An Ordinance to Amend the Capital Projects Budget for Fiscal Year 2002: The Mayor read the agenda comments. Mr. Putens introduced the ordinance for second reading and adoption. Mr. White 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. 1204, Book 11).

An Ordinance to Authorize and Empower the City of Greenbelt, Maryland, from Time to Time, to Borrow Not More than Three Million Five Hundred Thousand Dollars (\$3,500,000) for the Public Purpose of Financing the Cost of Certain Municipal Facilities and Public Improvements as More Particularly Described Herein, and to Effect Such Borrowing by the Issuance and Sale, upon its Full Faith and Credit, of its General Obligation Bonds in like Par Amount Pursuant to the Authority of Sections 31 to 37, Inclusive of Article 23a of the Annotated Code of Maryland (1998 Replacement Volume, as Amended) and Section 55 of the City Charter; Providing for the Appropriation and Disposal of the Proceeds of Sale of the Bonds; Providing for the Levy and Collection of Taxes Sufficient for the Prompt Payment of the Maturing Principal of and Interest on the Bonds; and Generally Relating to the Issuance, Sale and Payment of the Bonds (Ordinance No. 1205): Mayor Davis read the agenda comments. Mr. White introduced the ordinance for second reading and adoption. Mr. Putens seconded the motion.

Frank Wright, the City's bond counsel, introduced himself and commented that the ordinance relates only to the borrowing of new money, since the City already has the authority to refund its existing debt. Mayor Davis asked what the impact of the recent changes in the financial market would be. Mr. Wright said he was not a financial advisor but that, in general, a decrease in the interest rate was favorable to the bond market.

Mr. Putens asked that the box announcing the new voting machine be highlighted.

Regarding the City Manager's memorandum on the effects of not issuing bonds, Mr. Roberts questioned the premise of the City Manager's memorandum that the major projects would not go forward without the bonds. He said that much of this work—for example, on the Public Works facility—had to be done in phases anyway and that other scenarios, including judicious use of reserve funds and short-term borrowing, were possible for completing this work. He said the approach to take could be decided by the voters. Mr. White said there was no question in his mind that the long-term financing approach was much to the benefit of the City for these kinds of capital projects. Mr. Roberts said he thought it would be to the long-term benefit of the City's financial situation to retire its debt and not have the interest payments. Mr. Turnbull thanked Mr. Roberts for pushing Council to examine its assumptions but said he agreed these projects would be needed before the City could afford to pay for them through current funds and short-term borrowing; moreover, he thought the present market provided an ideal opportunity to pursue

long-term funding. Mayor Davis also thanked Mr. Roberts for having requested the memo from the City Manager, saying she had found it helpful.

ROLL CALL Mr. Putens - yes

Mr. Roberts - yes

Mr. Turnbull - yes

Mr. White - yes

Mayor Davis - yes

A Resolution Providing for a Referendum to Be Held at a Regular Municipal Election on Tuesday, November 6, 2001, for the Purpose of Submitting to the Voters of the City of Greenbelt, Maryland, the Question of Approving the Issuance and Sale of General Obligation Bonds of the City in an Amount Not to Exceed Three Million Five Hundred Thousand Dollars (\$3,500,000) as Authorized by Ordinance Number 1205 of the City (Resolution No. 935): Mayor Davis read the agenda comments and asked Council's view on the alternative draft of the resolution that had been provided by staff. Mr. Turnbull said he preferred the statement of the referendum question in the alternative resolution but would like to make it even more specific in a couple of places to make it as clear as possible for the voters. Upon discussion, Council agreed to use the terms "expansion and renovation" for both the Public Works facility and the Springhill Lake Recreation Center. Council also agreed with Mr. Turnbull's suggestion to qualify the statement about the theater renovation with the phrase "in the event that it becomes publicly owned." They also agreed to specify that the improvements suggested in the third section were to be in Greenbelt East.

Mr. Wright stated that since the resolution follows from the ordinance, it would be necessary to modify the language in the ordinance as well. After some discussion, it was deemed preferable to modify the wording of the ordinance. It was moved by Mr. White and seconded by Mr. Turnbull that Council reconsider Ordinance No.1205. The motion carried 4-0, with Mr. Putens absent. Subsequent to Council's formulating the revision, Mr. White made a motion, which was seconded by Mr. Turnbull to introduce for first reading and suspension of the rules the amended Ordinance No. 1205.

ROLL CALL Mr. Putens - yes

Mr. Roberts - yes

Mr. Turnbull - yes

Mr. White - yes

Mayor Davis - yes

Mr. White then introduced Ordinance No. 1205 as amended for second reading and adoption. Mr. Turnbull seconded.

ROLL CALL Mr. Putens - yes

Mr. Roberts - yes

Mr. Turnbull - yes

Mr. White - yes

Mayor Davis - yes

The ordinance was declared adopted (Ordinance No. 1205, Book 11).

Mr. Turnbull introduced Resolution No. 935 (as titled above, and as authorized by amended Ordinance No. 1205) for first reading and suspension of the rules. Mr. Putens seconded.

ROLL CALL Mr. Putens - yes

Mr. Roberts - yes

Mr. Turnbull - yes

Mr. White - yes

Mayor Davis - yes

Mr. Turnbull introduced the resolution for second reading and adoption. Mr. Putens seconded.

ROLL CALL Mr. Putens - yes

Mr. Roberts - yes

Mr. Turnbull - yes

Mr. White - yes

Mayor Davis - yes

The resolution was declared adopted (Resolution No. 935, Book 8).

SPECIAL ORDERING OF AGENDA: Mayor Davis asked to consider agenda items #20 and #16 at this time because of people in attendance to speak to them. Mr. Turnbull so moved, Mr. Putens seconded, and the motion passed 5-0.

COMMUNITY PLEDGE - COMMUNITY RELATIONS ADVISORY BOARD: The Mayor read the agenda comments. Kevin Hammett, chair of the Community Relations Advisory Board, explained that the board's purpose was to update the pledge and make it current for community support during the observation of peace month in October. Mr. White moved Council approval of the revised pledge and of the board's request to promote it for signatures during the October peace month and to display it at City facilities in the future. Mr. Putens seconded the motion. Mr. White noted the activity was appropriate to the request of the National League of Cities (NLC) request for actions regarding racism, and the Mayor said she had asked the City Manager to send the brochure and calendar to the NLC. Other publicity activities were discussed. The motion passed 5-0.

LEGISLATION, contd.

A Resolution to Approve and Authorize the Submission of a Management Plan for the Certification of the Anacostia Trails Heritage Area: The Mayor read the agenda comments and noted that Bob McGrory, chair of the Anacostia Trails Heritage Area (ATHA) board and member of Council for the City of Bladensburg, was in attendance. Mr. McGrory spoke briefly on the work of the board. After some discussion, Mr. Putens introduced the resolution for second reading and adoption. Mr. White seconded the motion.

ROLL CALL Mr. Putens - yes

Mr. Roberts - yes

Mr. Turnbull - yes

Mr. White - yes

Mayor Davis - yes

The resolution was declared adopted (Resolution No. 937, Book 8).

A Resolution of the City of Greenbelt, Maryland, to Authorize the Designation of a Resident Agent for Service of Process: Mayor Davis read the agenda comments. Mr. Turnbull introduced the resolution for second reading and adoption. Mr. Putens seconded the motion.

ROLL CALL Mr. Putens - yes

Mr. Roberts - yes

Mr. Turnbull - yes

Mr. White - yes

Mayor Davis - yes

The resolution was declared adopted (Resolution #936, Book 8).

An Ordinance to Amend Chapter 13, "Personnel," of The Greenbelt City Code for the Purpose of Allowing the City to Update Certain Sections of the Code to Reflect the Adoption of a New Classification System and Pay Plan: The Mayor read the agenda comments. Mr. Turnbull introduced the ordinance for first reading. In response to questions from Mayor Davis, Mr. Williams clarified that with passage of the ordinance, employees' new rates of pay would be effective immediately, with retroactive pay following within one or two paychecks.

A Resolution to Authorize the Payment of a Training Bonus for Judges and Clerks Who Work at the 2001 Regular Election: Mayor Davis read the agenda comments. Mr. Roberts introduced the resolution for first reading. Everyone concurred with Mr. Turnbull's suggestion to refer to the payment as a "stipend" rather than a bonus.

A Resolution to Negotiate the Purchase of Street Reconstruction Work from NZI Construction of Beltsville, Maryland, in the Amount of \$125,422.50: Mayor Davis read the agenda comments. Mr. Putens introduced the resolution for first reading. Mr. Turnbull asked Celia Craze, Director, Planning and Community Development, if there would be opportunities for traffic-calming or pedestrian improvements within the scope of this work. She responded that Planning staff would work with Public Works staff in the field to evaluate these possibilities.

ASTRONOMY CLUB OBSERVATORY: Mayor Davis read the agenda comments. Ms. Craze clarified that with this agenda item, staff was primarily seeking Council's endorsement of the process being followed, since there are still many particulars to be resolved. With regard to the five points contained in the staff recommendation, Mr. White asked whether, once the design items are resolved, the plan would return to Council. Ms. Craze said the site plan would come back to Council for review.

Mr. White made a motion that Council authorize staff to proceed with the observatory project as follows, with the understanding that the site plan will come back to Council for review:

1. Proceed with design at the Northway fields site, as described.
2. City staff will handle design, permitting and construction. Staff costs will be considered the City's contribution to the project.
3. The Astronomy Club will reimburse the city up to \$15,000 for costs of design, permitting and construction.
4. Staff will develop a use agreement to be reviewed and approved by the City Council at a future date.
5. Staff will return this item to Council's agenda should either APB or PRAB identify concerns that cannot be addressed within the context of the approval requested of Council on this date.

Mr. Roberts seconded the motion, which passed 5-0. Mayor Davis clarified with Doug Love of the Astronomy Club that some of the repairs previously cited as being in immediate need of being done to the observatory structure had been accomplished.

SPECIAL ORDERING OF THE AGENDA: Mayor Davis asked that item #24 be taken up next, since representatives of Westchester Park were in attendance. Mr. White so moved, and Mr. Turnbull seconded. The motion passed unanimously.

JAEGER PROPERTY (3.74-ACRE PARCEL) - DETAILED SITE PLAN : Mayor Davis read the agenda comments. Ms. Craze described the proposed development and the recommendation that the plan be approved with conditions. She said the staff and Advisory Planning Board's only disagreement with the Westchester Park Civic Association involves the temporary construction road access requested to Kenilworth Avenue requested by the developer, which staff believes would be hazardous to drivers.

It was moved by Mr. White and seconded by Mr. Putens that Council approve the Detailed Site Plan with the following conditions:

1. There are no site amenities illustrated on the Detailed Site Plan. The city wishes to request amenities that incorporate/compliment those of the Westchester Park Development (e.g., benches, bike rack);
2. The Detailed Site Plan should be revised to clearly define what uses are proposed within the recreation area. All proposed uses should be compatible with the protection of woodlands as required by the Woodland Conservation Ordinance.
3. To address safety and environmental concerns, no temporary and/or permanent access should be allowed off Kenilworth Avenue (MD 201); and
4. The Detailed Site Plan should be revised to show any proposed signage.

In response to a request from the Mayor that picnic tables be added as a possible amenity under #2, Ms. Craze said that would be added but clarified that staff had not wished to be too specific in recommending site amenities because this is a small development. Mayor Davis also asked if lighting had been considered. Ms. Craze said this would primarily be of concern to neighboring residences. Mr. Putens asked if consideration had been made of incorporating these 36 new units into the existing Westchester Park homeowners' association rather than having a separate association. Robert Crecco, president of the Westchester Park Civic Association, responded that because of utility arrangements that would not be possible. He asked Council not to support the recommendation of staff and the APB that the developer's request for temporary road access to Kenilworth Avenue be denied. He said Westchester Park would prefer that the City remain silent on this matter and let the State Highway Administration make the decision without influence from the City. He said the Civic Association believed the issue would have greater impact on Westchester Park than on the City. Mayor Davis responded that it would also affect Greenbelt residents using the exit ramp to Greenbelt Road and that she thought that the combination of a bond to cover any damage to Westchester Park's roadway and a person to flag and control traffic

should help to mitigate the problems for the residents. When the vote was taken, the motion passed 5-0, with amendments to include picnic tables in the list of amenities under #2 and requests that lighting plans be reviewed and that the developer make provision for assisting traffic control in Westchester Park when construction vehicles were in transit.

GATEWAYS: Mayor Davis read the agenda comments. Ms. Craze offered a correction and said there are two primary signs, one for the historic area and one for Greenbelt East and West. She said at this time the priority locations for placement are Southway and Hanover Parkway just north of Good Luck Road. Sharon Bradley-Papp gave an overview of the designs. Mr. Roberts questioned the notion of having two primary signs, saying he thought the idea was to bring the City together by having the same signs throughout. He said he preferred the sign designated for the non-historic areas. After some discussion, there was general agreement with Mr. Roberts' viewpoint. Mr. Turnbull noted that the non-historic sign in fact was probably more evocative of the style of the original designers. Mayor Davis commented that the non-historic design was more compatible with the proposed pole sign. Council also agreed with Mr. Roberts' subsequent suggestion that the pole sign be squared off to match. Other specific concerns that were raised were the status of the map currently at the Southway entrance, a suggestion not to split the words "green" and "belt" over two lines, incorporating mention of the National Historic Landmark designation, and whether there is a way to standardize the church/civic-organization signs to be consistent with the clean, simple lines of the primary sign. Mr. Turnbull said he hoped staff would take a serious look at places to put signs outside the state right-of-way. He also suggested possible cooperation from the National Park Service on placing a monument on land it oversees at the Rt. 193 - Baltimore-Washington Parkway intersection.

GREENBROOK PATH EXTENSION: The Mayor read the agenda comments. Ms. Craze agreed with the Mayor's suggestion that the plan be referred to the Advisory Planning Board (APB) and the Park & Recreation Advisory Board (PRAB). Ms. Bradley-Papp described the plan for the bridge and for plantings to change pedestrian patterns. Mr. White moved Council endorsement of the proposed trail extension plans and direction to staff to refer these plans to the adjoining neighborhood homeowner associations, as well as the APB and PRAB. Mr. Turnbull seconded the motion, which passed 4-0, with Mr. Putens abstaining.

AWARD OF PURCHASE - REPLACEMENT VEHICLES, POLICE DEPARTMENT: The Mayor read the agenda comments. Mr. Roberts moved Council approve the purchase of seven police cars from the Anne Arundel County Bid 00-116 at a cost of \$147,387. Mr. White seconded the motion, which passed 5-0.

ELECTION QUESTIONNAIRE: Council received the draft of the election questionnaire and gave the following directions for its revision. The section called "Arts Programming" should be changed to "Arts Education Programming" to better reflect the programs for which evaluation is sought. A second question should be added on satisfaction with arts education programs. Under "Recycling," the first two questions should be omitted, as requested by the Recycling & Environment Advisory Committee, and a new question added to ask, "Do you know what items to recycle?" (yes/no/not sure). Under "General Comments": Questions on Internet access and knowledge of the City's Web site should be moved to a more appropriate location in General Information; "Public Works" should be eliminated in #3, allowing the deletion of #s 4 and 5; and

much more space should be left for the open-ended response. The "Community Development" and "Arts Education Programming" sections should be reversed so that Arts Education and Recreation are adjacent. Under "General Information": "Employment Status" should include an instruction to check multiple answers as appropriate; and "years in Greenbelt" should be corrected so that the categories do not overlap. The questionnaire will return at the next meeting for final review and action.

LAKE CLEAN-UP: The Mayor suggested that a referral be made to REAC to consider the advisability of their organizing a volunteer clean-up of the lake, thereby encouraging community involvement with the condition of the area. Mr. Turnbull suggested doing this after the leaves were down for greater visibility. It was thought that doing this on a semi-annual "seasonal" basis might become a regular event. Mayor Davis moved that this referral be made. Mr. Turnbull seconded the motion, which passed 5-0.

MEETINGS

With regard to the work session on Greenbelt Station strategy scheduled for next week, Mr. White questioned whether it should more appropriately be an executive session. Council agreed that both a public meeting and an executive session were needed and agreed to go into executive session following the work session on October 1.

ADJOURNMENT: A motion to adjourn was made by Mr. Turnbull and seconded by Mr. Putens. The motion carried 5-0. Mayor Davis adjourned the regular meeting of September 24, 2001, at 11:35 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 September 24, 2001."

Judith F. Davis

Mayor