



WORK SESSION of the Greenbelt City Council held Wednesday September 25, 2001, for the purpose of discussing the application of the New Deal Café for status as a City recognition group.

Mayor Davis started the meeting at 8:20 p.m. It was held in the Council Room of the Municipal Building.

PRESENT WERE: Council members Edward V.J. Putens, Rodney M. Roberts, Alan Turnbull, and Mayor Judith F. Davis.

STAFF PRESENT WERE: Jeffrey Williams, City Treasurer/Acting City Manager; Robert A. Manzi, City Solicitor; Joe McNeal, Community Center Supervisor; and Kathleen Gallagher, City Clerk.

ALSO PRESENT WERE: Terri Rutledge and Wendy Turnbull, New Deal Café; Robert Shafer, Arts Advisory Board; Sandy Smith, Greenbelt News Review.

Mr. Manzi addressed Council's concern regarding whether there was a conflict of interest situation in that most Council members are members of the Café. He said conflict of interest is defined in terms of financial benefit to oneself or family members and that he thought the matter could be handled by a letter stating that the individual waives all right to share in any profits or to take back the amount of the original contribution. He said he would look into the matter further and would draft such a letter for Council's use.

Mayor Davis stated that two different issues were on the table: the contributions group application and the Café's request to the City to forgive its debt for use of space and the kitchen in the Community Center. She added that both issues were complicated by the fact that the Café is not a non-profit group. Ms. Rutledge said they were still looking into that. Ms. Turnbull said she did not think it likely the Café could qualify for non-profit status. It was generally thought there might be more potential for a "friends" group to help with fund-raising, and there was subsequent discussion of what kind of role such a group could play for a business that does not have non-profit status.

Mr. Roberts said that although he was personally strongly supportive of the Café and had donated his services and would continue to do so, he believed it would be inappropriate for the City to provide financial support to one business in Roosevelt Center but not others, since by doing so the City would enable unfair competition.

Mayor Davis said she thought the City's support for the Old Greenbelt Theatre had been different, in that the City had helped by contribution to a specific event.

Mr. Putens suggested that it would be important to distinguish between the Café's role and its relationship to the City while located in the Community Center vis-à-vis the role and relationship now that it is located in Roosevelt Center. Observing that Mr. McNeal had once described the Café's role as contributing to the "fabric of the center" when it was located at the Community Center, he asked how Council could distinguish how that role may have changed.

In response to a question from the Mayor, Ms. Rutledge and Ms. Turnbull said the Café pays little to nothing for entertainment because performers appear for tips and the sale of CDs. There was discussion of benefit to the Café if the City could support specific performances or events. Ms. Rutledge also said their sound system is in bad shape and they have no money to replace it.

Ms. Turnbull asked if donating the use of the kitchen was possible. Mr. McNeal said there are four rooms in the Community center that are by policy rented to the public: the gym, dance studio, multipurpose room, and kitchen. The rate for the kitchen is \$20 per use, which averages about \$5 per hour. Mr. McNeal said he thought there was an equity issue in terms of use of the kitchen by other businesses and that it was important that the goal be for the Café to acquire the stove and dishwasher they need to function, rather than thinking of the Community Center's equipment as a solution to the problem. In response to a further query, he said the current debt is \$7800-\$7900 and will reach about \$8200 by the end of the calendar year.

Mayor Davis asked if making some small monthly payment on a reliable basis would be possible. Ms. Rutledge said she did not think they could pay more than \$10 per month. The Mayor said she was not asking for a commitment, just looking at options.

Mr. Turnbull noted that the Smart Codes regulations might make the process of using the restaurant's kitchen for food preparation while bringing the place up to code less intimidating than it would otherwise have been.

Since there seemed to be a lack of firm information regarding what exactly would need to be done to purchase equipment and meet the code requirements for fire safety, the Mayor suggested that Jim Sterling of Code Enforcement be asked to look at the premises and advise the Café regarding safety and code issues and what hurdles they might confront down the road. Mr. Roberts offered to assist with equipment installation where appropriate to help cut costs. Mr. Manzi also offered to find someone to provide advice or an evaluation on the issue of tax and non-profit status.

There was further discussion of there perhaps being greater possibility of the City's providing some support for performances and other arts events rather than direct support to the Café. Mr. Putens described an idea of bringing a farmer's market into the Center.

Council expressed its support for New Deal Café but emphasized that the City would have to explore options that would be both proper in terms of the Café's business status and fair to other businesses and organizations. It was agreed that the next step would likely be for Council to meet in Executive Session to receive further legal advice on the matter from the City Solicitor.

The meeting ended at 9:55 p.m.

Respectfully submitted,

Kathleen Gallagher

City Clerk