



**REGULAR MEETING OF CITY COUNCIL
HELD MONDAY, August 14, 2000**

Mayor Davis called the meeting to order at 8:03 p.m.

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

ALSO PRESENT were Michael P. McLaughlin, City Manager; David E. Moran, Assistant to the City Manager; and Kathleen Gallagher, City Clerk.

Mayor Davis observed a moment of silence for residents Myrna Burchick and Charles Nelson, for former resident Walter McBride, and for the longtime conductor of the Greenbelt Concert Band, John Del Homme. She then led the Pledge of Allegiance to the Flag.

CONSENT AGENDA: Mr. Turnbull requested that the minutes of the work session of July 5, 2000, be removed from the consent agenda. With that change, he moved approval of the consent agenda. Mr. White seconded. The motion passed 4 to 0.

Council thereby took the following actions:

MINUTES

- Work Session, July 6, 2000
- Regular Meeting, July 10, 2000
- Work Session, July 12, 2000
- Work Session, July 24, 2000
- Work Session, July 26, 2000
- Interviews, July 31, 2000
- Work Session, July 31, 2000
- Work Session, August 2, 2000

Approved as presented.

COMMITTEE REPORTS:

Council accepted the following committee reports and agreed to consider each of them on a future agenda:

Recycling and Environment Advisory Committee - Recommendation to Require Refuse Collection Service Subscription;

Community Relations Advisory Board Report #2000-1 - Bench Dedication Request; a copy of the report will be sent to Betty Petroff.

Community Relations Advisory Board Report #2000-2 - Memorialization of Individuals at Schrom Hills Memorial Garden; a copy of the report will be sent to the Greenbelt East Advisory Coalition;

Millennium Committee Task Force Report - Mayor Davis requested that a work session be scheduled with the Millennium Committee to discuss this report.

LETTER OF SUPPORT TO MARYLAND HISTORICAL TRUST - MUSEUM GRANT: Council approved the draft letter from Mayor Davis in support of the expanded curator position and authorized that it be sent.

AGREEMENT BETWEEN THE CITY AND GREENBELT ACCESS TELEVISION, INC. (GATE): Council approved the revised agreement with GATE and authorized the City Manager to sign the agreement on behalf of the City.

AWARD OF PURCHASE - 4 X 4 PICKUP TRUCK WITH REGULAR CAB: Council authorized purchase of the 4 x 4 pickup with regular cab from Criswell Chevrolet of Gaithersburg, MD, for \$23,375 for the truck, plus \$1,600 for a City radio and light system, totaling \$24,975.

AWARD OF PURCHASE - MISCELLANEOUS CONCRETE WORK: Council authorized the purchase of Fiscal Year 2001 miscellaneous sidewalk and curb replacement work from VMP, of Hyattsville, MD, under College Park's contract #CP-98-01.

APPROVAL OF AGENDA: Mr. Turnbull moved that the agenda be approved. Mr. White seconded. The motion passed 4-0.

PRESENTATIONS:

Briefing on Principal Selection Process for Eleanor Roosevelt High School: The Mayor read the agenda comments. Corporal David Buerger, one of the City's School Resource Officers, and Leta Mach, chair of the City's Advisory Committee on Education, appeared to brief Council on the selection of Mr. Sylvester Conyers as the new principal of Eleanor Roosevelt High School, pending approval by the Prince George's County Board of Education. Corporal Buerger and Ms. Mach were both on the community principal selection committee, and Corporal Buerger served as chair. Both were pleased with the selection process, as well as with the selection. Although there initially was concern on the part of the Parent-Teacher-Student Association (PTSA) that the process was vaguely laid out and would not be followed, in fact it was taken very seriously and worked well. The caliber of the candidates was also very high. Ms. Mach noted that the PTSA will be hosting a meeting with the principal Thursday, August 24, at the school from 7-9 p.m. Mr. White remarked that the City had been well-represented in the selection process. Other council members agreed and thanked Corporal Buerger and Ms. Mach for their service.

PUBLIC HEARING ON CAPITAL PROJECTS BUDGET: Mayor Davis read the agenda

comments and announced the opening of the public hearing. There being no questions or comments about the budget for the Capital Projects Fund, the Mayor declared the public hearing to have been completed.

PETITIONS AND REQUESTS: Adah Parker Strobell, 7005 Nightingale Terrace in Lanham, addressed Council on behalf of participants in classes for Arthritis Aquatics and Deep Water Arthritis Exercise at the Greenbelt Aquatic & Fitness Center (GAFC). Fourteen members of the two classes attended the meeting. A letter dated August 5, 2000, from Rhea and Leonard Cohen had previously been sent to Mayor Davis to convey a petition signed by 35 participants in the classes. The petitioners say that the temperature of 81-83E Fahrenheit, which has prevailed at the indoor pool of the Greenbelt Aquatic & Fitness Center this summer, is too cold to give them the health benefits that should result from this type of class. These classes are recommended to patients by physicians. Classes comprise about half Greenbelt residents. Although the written petition had recommended a minimum temperature of 85E, Ms. Strobell said the classes were aware that their interests are in competition with those of other users of the pool and suggested a compromise of 83E, which is where the GAFC tries to keep the temperature anyway. There is also the question of air temperature. According to Ms. Strobell, the National Arthritis Association's recommendation is that the air temperature be 5E higher than the water temperature. Council members clarified several questions about prevailing policies at the indoor pool. Mayor Davis said the petition would be referred to both staff and the Park and Recreation Advisory Board (PRAB) for response. Ms. Strobell asked to be notified of the PRAB meeting that would review the matter, and Mayor Davis said PRAB would let her know.

MINUTES OF MEETINGS:

Work Session, July 5, 2000: Mr. Turnbull moved, and Mr. White seconded, that a sentence be added to the section of the minutes regarding Greenbrook Estates to indicate that the \$10,000 in the Capital Projects budget was intended for the construction/repair of bridges and trails, not for purchase of an easement. The motion passed 5-0. Mr. Turnbull then moved, with Mr. Roberts seconding, that the amended minutes of the July 5, 2000, work session be accepted. The motion passed 5-0.

Executive Session Held over May 22, May 30, and May 31, 2000: Mr. Roberts moved that the minutes of the Executive Session of the City Council held over Monday, May 22; Tuesday, May 30; and Wednesday, May 31, 2000, be approved as presented. He further requested that the minutes of this meeting reflect that the Council met in Executive Session at 7:30 p.m. on May 22; at 7:30 p.m. on May 30; following the work session on May 30; and at 9:45 p.m. on May 31, 2000, in the Municipal Building Library and that Council held this closed meeting in accordance with Section 10-508 (a)(1) of the State Government Article of the Annotated Code of Public General Laws of Maryland to discuss a personnel matter. Mr. White seconded the motion.

ROLL CALL: Mr. Putens - yes

Mr. Roberts - yes

Mr. Turnbull - yes

Mr. White - yes
Mayor Davis - yes

Executive Session, June 5, 2000: Mr. Roberts moved that the minutes of the Executive Session of the City Council held Monday, June 5, 2000, be approved as presented. He further requested that the minutes of this meeting reflect that the Council met in Executive Session at 12:50 a.m. in the Municipal Building Library 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 legal counsel. Mr. Putens seconded the motion.

ROLL CALL: Mr. Putens - yes
Mr. Roberts - yes
Mr. Turnbull - yes
Mr. White - yes
Mayor Davis - yes

Executive Session, June 26, 2000: Mr. Roberts moved that the minutes of the Executive Session of the City Council held Monday, June 26, 2000, be approved as presented. He further requested that the minutes of this meeting reflect that the Council met in Executive Session at 10:15 p.m. in the Municipal Building Library 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 land acquisition and to consult with legal counsel. Mr. Turnbull seconded the motion.

ROLL CALL: Mr. Putens - yes
Mr. Roberts - yes
Mr. Turnbull - yes
Mr. White - yes
Mayor Davis - yes

Executive Session, July 10, 2000: Mr. Roberts moved that the minutes of the Executive Session of the City Council held Monday, July 10, 2000, be approved as presented. He further requested that the minutes of this meeting reflect that the Council met in Executive Session at 7:35 p.m. in the Municipal Building Library and that Council held this closed meeting in accordance with Section 10-508 (a)(8) of the State Government Article of the Annotated Code of Public General Laws of Maryland to consult with legal counsel about potential litigation. Mr. Putens seconded the motion.

ROLL CALL: Mr. Putens - yes
Mr. Roberts - yes
Mr. Turnbull - yes
Mr. White - yes
Mayor Davis - yes

Executive Session, July 12, 2000: Mr. Roberts moved that the minutes of the Executive Session of the City Council held Monday, July 12, 2000, be approved as presented. He further requested

that the minutes of this meeting reflect that the Council met in Executive Session at 7:40 p.m. in the Municipal Building Library 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 legal counsel. Mr. Putens seconded the motion.

ROLL CALL: Mr. Putens - yes

Mr. Roberts - yes

Mr. Turnbull - yes

Mr. White - yes

Mayor Davis - yes

ADMINISTRATIVE REPORTS:

Mr. McLaughlin explained that Mr. Manzi was not in attendance because of his father's illness.

Because he had received complaints from residents, Mr. Putens asked about the status of the entranceway to Greenway Center from Hanover Parkway. Celia Craze, Director, Planning and Community Development, responded that an agreement had been struck with Combined Properties, the owners of the shopping center, to maintain the roadway in exchange for the City's foregoing the existing fines for a number of municipal infractions. They have scheduled work to begin shortly. Mr. McLaughlin added that the City intends to coordinate needed sidewalk repair with the work on the roadway. In response to a query from Mr. Putens regarding the status of the City goals, the Mayor suggested that a work session to evaluate and update the goals be held prior to the budget process next year.

Mr. White reported that coming home on Metro tonight, he saw motorized dirt bikes on the mitigation site on the Smith property, probably having gained access from the Metro parking lot. The attendant to whom Mr. White reported the problem promised to report it to Metro security, but Council asked Mr. McLaughlin to give Metro a follow-up call to reinforce the message. Mr. White also praised the Police Department, Planning Department, and CARES for taking advantage of the program that enabled a number of youngsters from Springhill Lake to attend a Mystics game.

Mr. Turnbull commented on the positive ambiance of the Roosevelt Center as a venue for the concerts sponsored by the New Deal Café. He also said he had received queries from individuals who had heard the police bicycle patrol had been retooled but had not seen any bike officers; he asked to have an update on the progress of the program. Mayor Davis said she had received similar queries.

Mayor Davis reported on attending the retreat of the board of the Council of Governments (COG) last month; a notebook from the retreat that indicates upcoming COG issues is being circulated to the other members of Council. Participants in the summer video camp interviewed the Mayor earlier this month. She attended an event sponsored by the Greenspring Homeowners Association at Greenspring Park She accompanied the Assisted Living Task Force on a tour of the vacant Greenbelt Nursing Home, which still contains all its furnishings and equipment. She attended a celebration of Millennium Trails Day at Greenbelt Park. Superintendent John Hale of

the Park Service wants to come before Council to give a brief report on the Park, and the Mayor has given the City Clerk his phone number to make arrangements. Thursday of this week, the Mayor has been invited to attend a unity celebration breakfast and convocation at the new Flowers High School.

LEGISLATION:

An Ordinance to Amend the Capital Projects Budget for Fiscal Year 2001: The Mayor read the agenda comments. Mr. Putens introduced the above-titled ordinance for second reading and adoption. Mr. White seconded the motion. In response to Mayor Davis's request, Mr. McLaughlin gave a run-down of the changes that had been made to the Capital Projects budget following the work session.

Mr. Roberts said that he still could not support the \$20,000 for refinishing the floor of the apparatus room at the Fire Department. Mr. Turnbull said he shared Mr. Roberts' reservation about this item. He moved to amend the ordinance by striking the \$20,000 for the floor refinishing, and Mr. Roberts seconded. Mr. White said it was apparent to him upon visiting the Fire Department that this room was used for a variety of purposes that would be aided by the refinishing. Mr. Turnbull maintained that, even so, the treatment was very expensive. Mr. Roberts made the point that whatever the space is used for, its intended purpose is nonetheless for parking trucks; furthermore, unlike an outdoor parking area, this concrete is in an indoor, protected space. He was also concerned that there had been no competitive bid. Mr. McLaughlin said this was the sole vendor in the area, but both Mr. Roberts and Mr. Turnbull believed other products and treatments should have been investigated. Mayor Davis noted that if this treatment fulfilled its promise, it would be unnecessary to do any concrete work for 50-60 years. Mr. Turnbull's amendment was defeated 2-3 (Putens, White, Davis). A vote was then taken on the original ordinance:

ROLL CALL: Mr. Putens - yes

Mr. Roberts - no

Mr. Turnbull - yes

Mr. White - yes

Mayor Davis - yes

The Ordinance was declared adopted. (Ordinance No. 1194, Book No. 11.)

UPDATE ON PLANNING OF EXPANSION OF PUBLIC WORKS FACILITIES: Mr. Putens moved, with Mr. White seconding, that this agenda item be moved ahead of the remaining legislation. The motion passed 5-0. The Mayor read the agenda comments.

Scott Grice, Architect, and Bill Phelan, Acting Superintendent of Operations, Public Works, presented the report of a needs assessment and a conceptual plan for the redesign and expansion

of the Public Works facilities. There are numerous site restrictions that impact any design for this space, as well as problems with the existing structure, including a need for additional sprinkling and OSHA protection requirements, including exiting requirements. The new design has included input from staff and continues to integrate the facility and the park. Council thanked Mr. Grice for his presentation, accepted the briefing and agreed that the plans would most likely come back slated for a work session. The report was referred to the Park & Recreation Advisory Board, the Recycling and Environment Advisory Committee, and the Advisory Planning Board for their review and response.

AMENDMENTS TO CITY CODE ENFORCEMENT PROGRAM:

Ms. Craze made a brief presentation on the proposed amendments to the City Code enforcement program. She said there were three primary purposes to the changes: incorporating the International Code Council (ICC) maintenance code; adding enforcement provisions and increasing penalties for burglar alarm systems; and increasing fees and fines for licenses. Ms. Craze also gave an interim report on the noise ordinance. She said there had been a high level of compliance, as evidenced by the City's having to issue only four municipal infractions following 121 warning letters for first offenses. The first court dates are just now coming up, however, and a further report, probably with an amended ordinance, will come to Council early next year.

Mayor Davis asked if there were any questions on the following ordinances, noting that the amendment for Chapter 10 will include new regulations for licensing the companies that install burglar alarms in the City:

An Ordinance to Amend Chapter 4, "Buildings and Building Regulations," of the Greenbelt City Code for the Purpose of Revising Regulations Relating to the Administration of the Property Maintenance Program and in Order to Adopt the Latest Edition of the International Code Council (ICC) International Property Maintenance Code: Mr. Turnbull introduced this ordinance for first reading.

An Ordinance to Amend Chapter 10, "Licenses, Permits and Miscellaneous Business Regulations," of the Greenbelt City Code for the Purpose of Revising Requirements for the Installation, Operation and Permitting of Burglar and Hold-Up Alarm Systems and to Add Requirements for the Regulation and Licensing of Burglar Alarm Companies Transacting Business in the City: Mr. White introduced this ordinance for first reading.

An Ordinance to Amend Chapter 14, "Planning and Development," of the Greenbelt City Code by Updating Requirements of the Sediment and Erosion Control Program: Mr. Putens introduced this ordinance for first reading.

An Ordinance to Amend Chapter 18, "Streets and Sidewalks," of the Greenbelt City Code by Adding Requirements and Penalties Relating to the Mandatory Posting by a Permittee of Certain Bonds and Sureties to Guarantee Performance Under Construction Permits: Mr. Roberts introduced this ordinance for first reading.

A Resolution to Revise Fees for Non-Residential Occupancy Licenses Relating to the Property Maintenance and Code Enforcement Program of the City of Greenbelt, Maryland, as Described in Chapter 4 of the City Code: Mr. Putens introduced this resolution for first reading.

Mayor Davis then asked whether staff had ever looked into the City's doing its own daycare licensing. Ms. Craze said they had not but could do so if Council directed. The Mayor asked that staff look back at the work session at which this subject had been discussed, since she recalled that there was also another topic that she thought had required follow-up.

A RESOLUTION FOR NEGOTIATED PURCHASE WITH WILCOXON CONSTRUCTION OF ROCKVILLE, MARYLAND, TO RESURFACE THE INDOOR POOL: Mayor Davis read the agenda comments. Mr. Putens introduced the above-titled resolution for first reading and for suspension of the standing rules. Mr. White seconded.

ROLL CALL: Mr. Putens - yes

Mr. Roberts - yes

Mr. Turnbull - no

Mr. White - yes

Mayor Davis - yes

Mr. Putens moved to introduce the above-titled resolution for second reading and adoption. Mr. White seconded the motion. Mr. Turnbull expressed his concern with the timing of this resolution, requiring suspension of the standing rules, given that it must have been known it would be necessary to do this work at a specific time. Mr. McLaughlin explained that the timing of the work session on the Capital Projects Fund and its approval this evening meant that the project had not technically been approved earlier. There followed discussion of whether some mechanism would be possible in future years either to alert Council to these needs or to review and approve the Capital Projects budget earlier in the year.

ROLL CALL: Mr. Putens - yes

Mr. Roberts - yes

Mr. Turnbull - yes

Mr. White - yes

Mayor Davis - yes

The Resolution was declared adopted. (Resolution No. 917, Book No. 7.)

NEWSPAPER VENDING BOXES: The Mayor read the agenda comments. Council members expressed their ongoing dissatisfaction with the proliferation of boxes and deliberated the pros and cons of continuing discussion with the offenders versus taking action on an ordinance. Sheldon Goldberg, chair of the Greenbelt East Advisory Coalition (GEAC), said GEAC does not believe additional discussion will help and thinks Council should take a strong stand. Council asked that Mr. Manzi be consulted and that the ordinance that was introduced for first reading on this subject in 1995 be reviewed, with the goal of placing this ordinance or a revised ordinance on the agenda of the September 11 regular meeting.

NATIONAL LEAGUE OF CITIES (NLC) - REQUEST FOR AMENDMENTS TO THE NLC NATIONAL MUNICIPAL POLICY: The Mayor read the agenda comments. Although there were no suggestions for amendments to the policy for this year, Mr. White suggested that for next year it might be in order to examine their policy on pedestrian and bicycle access to see if, as he suspects, it lags behind developments in state and federal policy.

POSITION DESCRIPTION FOR MUSEUM CURATOR: The Mayor read the agenda comments. Mr. White pointed out that the emphasis placed on the Friends of the Greenbelt Museum (FOGM) in the first line of the position description gave the appearance that FOGM would be playing too major a role. Council agreed that while working with FOGM is an important component of the job, there should be no ambiguity about the fact that the curator position will answer only to the City Manager. Council asked the description be revised and come back to Council on the agenda for the September 11 regular meeting.

MEETINGS: Council reviewed the proposed meeting schedule. It was agreed that the first October meeting would be preferable to the first September meeting for purposes of welcoming the new principal of Eleanor Roosevelt High School.

ADJOURNMENT: Mr. Putens moved that the meeting be adjourned. Mr. Turnbull seconded the motion, which carried 5-0. Mayor Davis adjourned the regular meeting of August 14, 2000, at 11:13 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 August 14, 2000."

Judith F. Davis

Mayor