

GREENBELT CITY COUNCIL
Municipal Building
Regular Meeting
August 14, 2017 - 08:00 p.m.

I. ORGANIZATION

1. Call to Order
2. [Roll Call](#)
3. [Meditation and Pledge of Allegiance to the Flag](#)
4. [Consent Agenda ??? Approval of Staff Recommendations \(Items on the Consent Agenda \[marked by *\] will be approved as recommended by staff, subject to removal from the Consent Agenda by Council.\)](#)
5. [Approval of Agenda and Additions](#)

II. COMMUNICATIONS

6. [Presentations](#)
 - o. * Ceremonial Check to Council for the “Kids 2 Camp”
7. [Petitions and Requests \(Petitions received at the meeting will not be acted upon by the City Council at this meeting unless Council waives its Standing Rules.\)](#)
8. [Minutes of Council Meetings](#)

* Regular Meeting, May 22, 2017

[Regular Meeting, May 22, 2017](#)

* Work Session, July 05, 2017

[Work Session, July 05, 2017](#)

* Regular Meeting, July 10, 2017

[Regular Meeting, July 10, 2017](#)

Statement for the Record - Executive Session, July 12, 2017

The following motion is needed:

In accordance with the General Provisions Article, Section 3-306(c)(2) of the Annotated Code of Public General Laws of Maryland, I move that the minutes of tonight's meeting reflect that Council met in executive session on Wednesday, July 12, 2017, at

8:57 p.m. in Room 201 of the Community Center. Council held this closed meeting in accordance with the General Provisions Article, §3-305(b)(7) of the Annotated Code of Public General Laws of Maryland, to consult with counsel to obtain legal advice on a legal matter regarding Green Ridge House and pending Green Ridge House landlord/tenant cases.

Vote to close session:

	Yes	No	Abstain	Absent
Ms. Davis	X			
Mr. Herling	X			
Ms. Mach				X

Ms. Pope	X			
Mr. Putens	X			
Mr. Roberts	X			
Mayor Jordan	X			

The following staff members were in attendance: Nicole Ard, City Manager; David Moran, Assistant City Manager and Bob Manzi, City Solicitor.

Other individuals in attendance: None

Council took no actions during this session. (DEM)

[Statement for the Record - Executive Session of July 12, 2017](#)

Statement for the Record - Executive Session of August 9, 2017

The following motion is needed: In accordance with the General Provisions Article, Section 3-306(c)(2) of the Annotated Code of Public General Laws of Maryland, I move that the minutes of tonight's meeting reflect that Council met in executive session on Wednesday, August 9, 2017, at 8:01 p.m. in Room 201 of the Community Center. Council held this closed meeting in accordance with the General Provisions Article, §3-305(b)(1)(7)(8) and (9) of the Annotated Code of Public General Laws of Maryland, to consult with counsel to obtain legal advice on a legal matter regarding Green Ridge House, discuss a personnel matter, consult with staff and legal counsel about pending litigation and consider matters that relate to collective bargaining negotiations.

Vote to close session:

	Yes	No	Abstain	Absent
Ms. Davis	X			
Mr. Herling	X			
Ms. Mach	X			
Ms. Pope	X			
Mr. Putens	X			
Mr. Roberts	X			
Mayor Jordan				X

The following staff members were in attendance: Nicole Ard, City Manager; David Moran, Assistant City Manager Karen Ruff, City Solicitor; Tom Kemp Acting Police Chief; James Parker, Accreditation Manager; Mary Johnson, Human Resources Director; Liz Park, Director of CARES and Christal Batey, Community Resource Advocate. Other individuals in attendance: Steve Silvestri, Outside Legal Counsel and Matt Peter, Local Government Insurance Trust.

Council took no actions during this session. (DEM)

[Statement for the Record - Executive Session of August 9, 2017](#)

9. [Administrative Reports](#)

* 10. Committee Reports

- Public Safety Advisory Committee Report 2017-01 (Security Cameras)
- Greenbelt Arts Advisory Board Report 18-1 (Free Magazine Box Proposal)

Since this AAB report was prepared, Dr. Elizabeth Barber has partnered with the Friends of the Greenbelt Library to assist her with this project.

Since all of the City's criteria have been met, it is recommended that Council accept this report and allow Dr. Barber to proceed with her project.

[Public Safety Advisory Committee Report 2017-01 \(Security Cameras\)](#)

[Greenbelt Arts Advisory Board Report 18-1 \(Free Magazine Box Proposal\)](#).

III. LEGISLATION

11. [Discussion of Potential Voting Age Legislation or Referendum Question](#)

[Reference: Memorandum, David E. Moran, 5/31/17](#)

[City Charter Excerpts](#)

[CRAB Report #2017-1](#)

[ACE Report #2017-3](#)

[Minutes, Work Session, 11/2/16](#)

[2015 Election Questionnaire Results](#)

[YAC Survey Results](#)

[YAC Report #2015-1](#)

[At the Work Session on July 5, Council directed staff to prepare a Charter Amendment to allow 16 and 17 year olds to vote in City elections. Council also directed staff to prepare a Resolution to place a referendum question on this topic on the November 7, 2017 ballot.](#)

[The Youth Advisory Committee \(YAC\) recommended lowering the voting age for City Elections to 16 in July 2015 and conducted a survey of youth where 87% of respondents favored lowering the age.](#)

A question was included on the 2015 Community Questionnaire where 77% of respondents did not favor lowering the age. Council held a Work Session with YAC on November 2, 2016. Council also received reports from the Advisory Committee on Education and the Community Relations Advisory Board. A Public Hearing on this issue was held on May 22, 2017.

The Cities of Takoma Park, Hyattsville and Glenarden allow 16 and 17 year olds to vote in municipal elections. Takoma Park and Hyattsville require the Mayor and Council members to be at least 18 years old. Glenarden's requirement for Mayor and Council is at least 21 years of age.

The draft Charter Amendment (item 12a) would allow 16 and 17 year olds to vote in the November 7 Election. It also establishes a minimum age of 18 to run for City Council, and to serve on the Board of Elections and Employee Relations Board. If the Council chooses to pursue a Charter Amendment and wants to implement this change for the 2017 Election, it must be adopted at tonight's meeting in order to meet State requirements. Suspending Council's Standing Rules requires six votes.

If Council wishes to place a referendum question on November 7 ballot, this must be done by Resolution on or before October 2. The draft resolution (item 12b) proposes language for such a question. This Resolution could be introduced tonight or introduced at the next Regular Meeting on September 11. Council direction is sought. (DEM).

Memorandum, David E. Moran, 5-31-17

City Charter Excerpts

CRAB Report 2017-1

ACE Report 2017-3

Minutes, Work Session, 11-2-16

2015 Election Questionnaire Results

[YAC Survey Results](#)

[YAC Report 2015-1](#)

- 12a. A Resolution of the Council of City of Greenbelt Adopted Pursuant to the Authority of Article XI-E of the Constitution of Maryland and Title 4, Subtitle 3 of the Local Government Article of the Annotated Code of Maryland, to Amend the Charter of the City of Greenbelt Found, in Whole or in Part, in the Compilation of Municipal Charters of Maryland (1983 Edition as Amended), as Prepared by the Department of Legislative Services Pursuant to Chapter 77 of the Acts of the General Assembly of Maryland of 1983, by Amending Sections 12, 15, 16 and 20 to Change the Voting Age for City Elections to Those 16 Years Old and Older and to Clarify the Ages of Those Who Can Serve on the Employee Relations Board - 1st Reading, Suspension of the Rules - 2nd Reading, Adoption

[Charter Amendment Resolution](#)

- 12b. A Resolution of the Council of the City of Greenbelt, Maryland Providing for a Referendum to be Held at the Regular Municipal Election on Tuesday, November 7, 2017, for the Purpose of Submitting to the Voters of the City of Greenbelt, Maryland, the Question of Amending The City Charter to Lower the Voting Age to 16 Years of Age for City Elections - 1st Reading

[Resolution Referendum](#)

13. [A Resolution to Negotiate the Purchase and Installation of Replacement Boilers at the Aquatic & Fitness Center from Densel Company, Gaithersburg, MD, at cost of \\$217,000 - 1st Reading, Suspension of the Rules - 2nd Reading, Adoption](#)
[Reference: Resolution](#)
[Memorandum, Brian Kim, 8/8/2017](#)

Proposal Densel Company.

City staff has been working to replace two existing boilers make needed improvement to the existing boilers at the Greenbelt Aquatic and Fitness Center that are at the end of their useful life. The boilers are essential to the operation of the pool within the facility. The annual closing of the indoor pool is the ideal time for new boiler installation; not only for weather purposes but it further minimizes any additional construction disruptions and or closures to the facility. The engineering firm of Mendoza, Ribas, Farinas and Associates (MRFA) was hired to provide a new design to address the failing boilers and manage the RFP process.

MRFA completed the design documents and vetted several contractors that were technically qualified and had the ability to meet projected completion milestones. MRFA issued a Request for Proposals (RFP) on July 14, 2017 to the firms who were pre-qualified by MFRA. Four firms attended the mandatory RFP Meeting and two proposals were received. After reviewing the proposals, Densel Compnay provided the lowest best value proposal at a cost of \$217,420.00.

Staff is recommending that the City negotiate the purchase of Greenbelt Aquatic and Fitness Center Boiler Replacement Project with Densel Company at an estimated cost of \$217,420.00. Because the new boilers are energy efficient staff will be seeking a \$7,000 rebate from Washington Gas.

It is recommended this resolution be introduced, the rules suspended and the resolution adopted at tonight's meeting. (BK).

Resolution

Memorandum, Brian Kim, 8-8-2017

Proposal Densel Company.

IV. OTHER BUSINESS

14. Letter of Support for Community Investment Tax Credit for Greenbelt Museum

Reference: Draft Letter, Mayor Jordan, 8/14/17

Sample Resolution

Website Excerpt

The Friends of the Greenbelt Museum (FOGM) are applying for State of Maryland Community Investment Tax Credits through the Department of Housing & Community Development (DHCD). FOGM applied for this program last year, but was not successful. The application requires a “Resolution” from the local government supporting the application and project. Staff has confirmed that a letter of support is acceptable to DHCD.

Non-Profit organizations utilize these tax credits as incentives for a specific project and if approved, are awarded a specific amount of credits up to \$50,000. FOGM would use the credits towards renovations at 10-A Crescent Road for a Visitor and Education Center. Individuals or organizations contributing money, goods or real property worth \$500 or more are eligible to receive the State Income Tax credit.

Staff recommends that Council approve the attached letter indicating the City’s support for the FOGM Community Investment Tax Credit applications. (DEM)

Draft Letter, Mayor Jordan, 8-14-17

Sample Resolution

Website Excerpt

15. Update on Lake Park Dam Project and MDE Loan Opportunity.

Reference: Memorandum, David E. Moran, 7/20/17

The City of Greenbelt is required to make repairs to the Greenbelt Lake Dam per a consent order with MDE. The City is in the process of completing the first phase of this project which involved repairs to the lake drain. The remaining three phases of the project (blanket filter system, raise embankment and spillway repair) are estimated to cost \$1.4 million. The original 2010 cost estimate for these three phases was \$510,000.

In May, City staff met with MDE officials to request an extension,

discuss the project and seek financial assistance. MDE wants the City to keep making progress on this project and has encouraged the City to apply for a low interest loan (approximately 2.1%) through their Revolving Loan Program. This loan would require voter approval. Council discussed the dam repair project and this financing option at the Capital Projects Work Session on August 7. There was consensus to seek voter approval for this MDE loan and move forward with this project Council requested a public update on tonight's agenda. Jessica Bellah, Community Planner will provide a briefing on this project. (DEM).

Memorandum, David E. Moran, 7-20-17

16. Friends of the Greenbelt Theatre – Funding Request

Reference: Email, Caitlin McGrath, 7/21/17

The Greenbelt Theatre was constructed in 1937 as a single screen house. In that era, single screen houses were the norm. The theater closed in the mid-1980's, likely as a result of competition from multi-screen theaters. In 1992, the owner of the Roosevelt Center proposed placing a Dollar Store in the theater space. The City acted quickly to purchase the theater to ensure the space would not be changed to an alternate use.

Theater operations were revived in 1992 as a discount house with ticket prices of only one dollar. As the new owner of the theater, the City chose to lease the space to the new operator at no charge to ensure the success of the reopening. The theater operator (Greenbelt Theatre Corporation - GTC) gradually increased ticket prices to levels similar to other theater operations in the area.

In 2009, GTC approached the City for assistance to keep the theater open. The theater operator cited competition from multi-screen houses as the main factor in his ability to earn a profit. The City agreed to pay GTC an annual subsidy of \$50,000 in order to maintain theater operations in the Roosevelt Center. The City paid Greenbelt Theatre Corporation a subsidy of \$194,306 from July 2009 to April 2014. Further, GTC was allowed to rent the theater to church groups on Sunday mornings to supplement their income as well.

In addition to the annual subsidy and rental income, the City rebated

the admissions and amusement tax to GTC in the amount of \$47,768 for the four year period July 2007 to June 2011. Lastly, GTC approached the City to purchase their equipment at a cost of \$80,000. In all, the City paid GTC \$322,074 in the period leading up to the renovation.

In 2015, the Friends of the Greenbelt Theatre (FOGT) was awarded a three-year contract to manage theater operations. FOGT received subsidies of \$41,667 and \$25,000 in FY 2016 and FY 2017 respectively. Not long after the subsidy ended, FOGT approached the City for assistance regarding cash flow and their ability to pay employees. A \$10,000 grant was given in April 2017. The grant did not have the stop-gap affect intended as FOGT has approached the City for additional assistance.

FOGT has requested an annual subsidy of \$50,000. The FY 2018 Budget included \$30,000 for unanticipated expenses. If Council wishes to provide this subsidy in FY 2018, this funding source could come from economic development line items or the General Fund balance.

Council direction is sought. (JW).

Email, Caitlin McGrath, 7-21-17

17. Approval of Collective Bargaining Agreement

Reference: Collective Bargaining Agreement (Attached Separately).

Included in Council's packet is a proposed collective bargaining agreement (CBA) with Fraternal Order of Police Lodge No. 32 (FOP) to take effect July 1, 2017, for a period of three years. The agreement is the result of negotiations conducted over the last several months. It has been ratified by the FOP and is now being presented for Council approval.

Staff believes the agreement is fair and reasonable. If approved at tonight's meeting, the members of both bargaining teams will sign the agreement. (DEM).

18. Campaign Signs on Public Property

Reference: Memorandum, B. Anderson, 08/9/2017

In 1991, the City Council established nine sites on public property throughout the City where election signs could be placed. At that time, candidates entered into a voluntary agreement among themselves not to place campaign signs in residential yards. Council has voted to continue the program through all subsequent City Council elections. In 2005, at Council direction, the number of sites was expanded to 15. Because of the increased number of sites, the fee for participation was also raised to \$75 to help defray the costs of staff time and materials. Included in Council's packet is a memo from the City Clerk listing the sites proposed for 2017. Council direction is sought regarding continuing this program for the 2017 election.

Additionally, Woodlawn Development has agreed to the placement of City election signs in the median on Greenbelt Station Parkway approximately 100 feet onto its property from the bridge. The three poles would be stacked, approximately ten (10) feet apart in the median, since there is not enough room there for horizontal placement as with the other signs. It is anticipated the Campaign Signs on City Property program will be expanded to include the Greenbelt Station site in the 2017 election when streets and right-of-ways in Greenbelt Station are City property. (BA).

Memorandum, B. Anderson, 08-9-2017

19. Maryland Municipal League 2018 Legislative Requests

Reference: Email, Candace Donoho, 8/9/17

Email, Jim Peck, 7/27/17

Email, David E. Moran, 7/11/17

2018 MML Legislative Request Forms

At the Regular Meeting on July 10, Council approved the submission four Maryland Municipal League (MML) Legislative Requests for 2018. On July 27, City staff submitted the following four requests.

- Local authority over tree/vegetation management by utilities.
- Local approval authority over cell phone towers, including small cell towers and taxing.

ability.

- Prohibit housing discrimination based on source of income (section 8 vouchers, etc.)

- Prevent utilities from retroactively billing customers when mistakes are made.

On July 27, MML staff advised that Legislative Committee rules permit a municipality to submit up to three requests and has asked if the City would like to withdraw one of its requests. On August 8, MML staff identified another Legislative Committee rule indicating that a legislative request that has previously been considered and rejected twice within a four-year shall be excluded from Committee consideration.

Given this rule, the City is not able to submit “Local authority over tree/vegetation management by utilities MML”.

Council direction is sought. (DEM)

Email, Candace Donoho, 8-9-17

Email, Jim Peck, 7-27-17.

Email, David E. Moran, 7-11-17

2018 MML Legislative Request Forms

20. Community Center Playground Renovation - Use of Program Open Space Funds

Reference: Letter, Hilary Bell, 5/2/17

Proposed Layout

The FY 2018 Budget includes \$169,300 to renovate the Community Center Playground. Staff was seeking a \$127,000 grant through the Community Parks and Playground (CPP) program to fund 75% of this project. On May 2, 2017 the City learned our application has been denied for the second year in a row.

The City’s FY 2018 and FY 2017 application for the Community Center playground was not approved for funding by the State. Since the program began in 2002, these were the only times the City had ever been denied funding. DNR indicated in their denial letters that

there was an “overwhelming response” that “far exceeded available funding.” It should be noted there was \$5 million allocated statewide in FY 2016, but only \$2.5 million in FY 2017 and 2018. Staff is now recommending the City renovate the Community Center Playground using POS funding.

This renovation project is needed and staff does not believe the City’s chances of CPP approval are any better in FY 2019. The City can use Program Open Space funds to make up this shortfall. This project was included in the City’s Program Open Space Annual Program. Council direction is sought. (DEM)

Letter, Hilary Bell, 5-2-17.

Proposed Layout

21. FY 2019 Community Parks & Playground (CPP) Application

Reference: Proposed Site Layout & Cost Estimate

Equipment Descriptions

FY 2019 CPP Application

Applications for State of Maryland Community Parks & Playground (CPP) FY 2018 grants are due August 16, 2017. Staff is recommending that the City seek funding to renovate the 8 Court Southway playground. Included in Council’s packet is a proposed layout of the renovated playground and an updated cost estimate.

The renovated playground would serve ages 2-5. The proposed layout includes a combination piece, a swing with one tot and one belt seat, a mini-bike coil spring and a dragonfly. Bright colors will be chosen for the equipment.

The playground surface proposed is engineered wood fiber (EWF). Staff recommends EWF because this playground is very sunny. The total proposed cost from GameTime is \$51,602. This playground is covered by the City’s playground agreement so GHI will be required to pay 25% of the cost.

Staff recommends Council approve submission of the FY 2019 CPP Grant application as outlined above. If the application is approved, the City would likely receive notice in the summer of 2018 and construction would occur in the fall of 2018 or the spring of 2019.

David Moran, Assistant City Manager, is available to discuss this proposal. (DEM).

Proposed Site Layout and Cost Estimate

Equipment Descriptions

FY 2019 CPP Application

22. Council Activities

Council will report on activities and events recently attended. (If time allows.)

23. Council Reports

Council will report on meetings and conferences recently attended. (If time allows)

* 24. Approval of Letter - Adult Care Center

Reference: Draft Letter, Karen Ruff, 8/15/17

Approval of this item will indicate Council's authorization to send this letter. (DEM)

Draft Letter, Karen Ruff, 8-15-17

* 25. Approval of Contract ??? NZI Construction Corporation
(Breezewood Drive CDBG Project)

Contract

* 26. Renewal of MOU with University of Maryland for Shuttle Passes

Reference: MOU between Univ. of MD, DOTS and Greenbelt

Email, Joel Amilcar Solorza, 7/11/17

Since 2012, the University of Maryland Department of Transportation Services (DOTS) and the City has provided access to shuttle University of Maryland for City residents.

Residents and employees of Greenbelt who are in possession of a

prescribed identification card issued by Greenbelt will be allowed access to all publicly scheduled shuttle routes operated by DOTS, beginning August 28th, 2017 through August 27th, 2018.

For shuttle bus services, Greenbelt will agree to pay DOTS \$4,452, this fee allows transit access to residents of Greenbelt excluding up to 500 University of Maryland students residing in the Franklin Park apartment complex who already have bus access. The annual rate will cover up to 1,000 passes.

Approval of this item will indicate Council's authorization on this renewal. (BA)

[MOU between Univ. of MD, DOTS and Greenbelt](#)

[Email, Joel Amilcar Solorza, 7-11-17](#)

* 27. Reappointment to Advisory Group

Reference: Reappointment Survey

Anna D. Socrates has indicated her willingness to continue to serve on the Arts Advisory Board (AAB).

Approval of this item on the consent agenda will indicate Council's intent to appoint Ms. Socrates to a new term on AAB. (BA)

V. [MEETINGS](#)

[For the past few years, parking in the Municipal Building and Community Center parking lots has become increasingly difficult in the evening due to the arrival of the Labor Day carnival. In order to accommodate Council members, staff and meeting attendees, staff recommends the meeting scheduled for Wednesday, August 30 at 8 p.m., be held at the Springhill Lake Recreation Center. \(AMB\)](#)

<u>Interview for Advisory Board</u>	<u>Mon.</u>	<u>08/14</u> <u>7:45 pm</u>
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<u>Regular Meeting</u>	<u>Mon.</u>	<u>08/14</u> <u>8:00 pm</u>
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<u>No Meeting</u>	<u>Wed.</u>	<u>08/16</u>	-
<u>Work Session - Prince George's County Human Relations Commission</u>	<u>Mon.</u>	<u>08/21</u>	<u>8:00 pm</u>
<u>Work Session – Transit Meeting (CC)</u>	<u>Wed.</u>	<u>08/23</u>	<u>7:30 pm</u>
<u>Work Session – Doctors Community Hospital</u>	<u>Mon.</u>	<u>08/28</u>	<u>8:00 pm</u>
<u>Work Session – City Manager Update (CC)</u>	<u>Wed.</u>	<u>08/30</u>	<u>8:00 pm</u>
<u>No Meeting Holiday</u>	<u>Mon.</u>	<u>09/04</u>	-
<u>Work Session – TBD (CC)</u>	<u>Wed.</u>	<u>09/06</u>	<u>8:00 pm</u>
<u>Regular Meeting</u>	<u>Mon.</u>	<u>09/11</u>	<u>8:00 pm</u>
<u>Work Session – Prince George's County Memorial Library System (CC)</u>	<u>Wed.</u>	<u>09/13</u>	<u>8:00 pm</u>
<u>Work Session – WMATA Trail Extension</u>	<u>Mon.</u>	<u>09/18</u>	<u>8:00 pm</u>
<u>No Meeting</u>	<u>Wed.</u>	<u>09/20</u>	-
<u>Regular Meeting</u>	<u>Mon.</u>	<u>09/25</u>	<u>8:00 pm</u>

Work Session – TBD (CC)

Wed.

09/27

8:00 pm
