

REGULAR MEETING OF THE GREENBELT CITY COUNCIL held Monday, July 13, 2009.

Mayor Davis called the meeting to order at 8:06 p.m.

ROLL CALL was answered by Councilmembers Konrad E. Herling, Leta M. Mach, Edward V. J. Putens, Rodney M. Roberts and Mayor Judith F. Davis.

ALSO PRESENT were Michael McLaughlin, City Manager; David E. Moran, Assistant City Manager; Robert Manzi, City Solicitor; and Cindy Murray, City Clerk.

Mayor Davis asked for a moment of silence for Greenbelt resident Sarah (Sally) Crowe and former residents Dorothy M. Davis, Christel K. Converse and Torey John Ferguson. She then led the pledge of allegiance to the flag.

CONSENT AGENDA: It was moved by Mr. Putens and seconded by Mr. Herling that the consent agenda be approved. The motion passed 5-0.

Council thereby took the following actions:

MINUTES OF COUNCIL MEETINGS

Work Session, May 20, 2009
Work Session #1, June 3, 2009
Work Session #2, June 3, 2009
Regular Meeting, June 22, 2009
Work Session #1, June 24, 2009
Work Session #2, June 24, 2009
Approved as presented.

RESIGNATION FROM ADVISORY GROUP: Council accepted with regret the resignation of James Wilson from the Arts Advisory Board.

APPROVAL OF AGENDA: Mayor Davis requested "Staffing at Greenbelt Fire Station" be added to the agenda as Item #22. It was moved by Mr. Putens and seconded by Mr. Herling that the agenda be approved as amended. The motion passed 5-0.

PRESENTATIONS:

Recognition of Greenbelt Community Mediation Board: Dr. Liz Park presented awards of recognition to Greenbelt Community Mediation Board (CMB) members Lynn Tamantini, David Haberman and Joan Krob, for their ten years of service. She explained that a decision was recently made to reorganize how the City offers mediation service and the service is now provided under Greenbelt CARES. Under this system, the CMB was dissolved, and one community mediator, Lynn Tamantini, was maintained as a Volunteer Mediator for the City.

Council thanked all members of the CMB for their service to the City.

Governor's Citation for the City of Greenbelt's Get Active Greenbelt Physical Activity Excellence Award: Mayor Davis announced that the City had been awarded the Governor's

Citation for the City's Get Active Greenbelt Physical Activity Excellence Award. She said this high recognition honors individuals, organizations, agencies, schools, communities and businesses whose dedication, vision and service has helped increase physical activity among Maryland citizens. Mayor Davis presented the award to Julie McHale, Assistant Director of Programs for the Recreation Department.

Ms. McHale presented an overview of the City's Get Active program which focuses on improving health and wellness for residents of all ages, as well as employees of the City. She noted the efforts made to reach the high risk and low income residents through the Backpack to Health campaign.

Ms. McHale thanked the Mayor and Council, County Councilwomen Ingrid Turner, and City staff for their support of the program.

Introduction of New Springhill Lake Elementary School Principal: Mr. McLaughlin introduced Ms. Natasha Jenkins, the new principal for Springhill Lake Elementary School.

Ms. Jenkins thanked the staff and parents at Springhill Lake Elementary School for the support she has received from them. She explained her goals were to make education accessible to all students, regardless of social background, and to continue to improve education at the school. Ms. Jenkins said she looks forward to working with the Advisory Committee on Education.

Council congratulated Ms. Jenkins on her appointment and welcomed her to Greenbelt.

PETITIONS AND REQUESTS: None

ADMINISTRATIVE REPORTS

Mr. McLaughlin announced that the City had been named a 2009 Playful City by KaBOOM. He commented that this is the third consecutive year the City has received this recognition.

Mr. Herling commented on the Metropolitan Development Committee meeting of the Council of Governments.

Ms. Mach reported on the Greenbelt Community Foundation Grant Awards ceremony, which was also attended by Mayor Davis. She noted grants were awarded to Empirian Village Camp Fire USA program, the Utopia Film Festival and the Greenbelt Consumers Cooperative.

Mayor Davis commented on the 85th anniversary celebration of the Town of North Brentwood.

LEGISLATION: Mayor Davis read the agenda comments.

A Resolution to Repeal Resolution 1034 and to Establish Admission Fees and Pass Rates
for the Greenbelt Aquatic and Fitness Center, Effective September 8, 2009

Mayor Davis read the agenda comments. Mr. Putens introduced the resolution for second reading and moved that it be adopted. Mr. Herling seconded the motion.

ROLL CALL: Mr. Herling - yes

Ms. Mach - yes
Mr. Putens - yes
Mr. Roberts - yes
Mayor Davis - yes

The resolution was declared adopted (Resolution No. 1049, Book 8).

A Resolution to Authorize the Negotiated Purchase of Certain Goods and Services from Various Vendors as Enumerated Herein When Total Fiscal Year Purchases from Each Vendor Exceed Ten Thousand Dollars (\$10,000)

Mayor Davis read the agenda comments. Ms. Mach introduced the resolution for second reading and moved that it be adopted. Mr. Putens seconded the motion.

ROLL CALL: Mr. Herling - yes
Ms. Mach - yes
Mr. Putens - yes
Mr. Roberts - yes
Mayor Davis - yes

The resolution was declared adopted (Resolution No. 1050, Book 8).

A Resolution to Revise the Fees Relating to the Exercise of Powers of the District Council in Regard to Design Standards, Landscaping Requirements, Parking and Loading Standards, Sign Design Standards, and Variances for Lot Size, Setback, and Other Similar Requirements

Mayor Davis read the agenda comments. Mr. Herling introduced the resolution for second reading and moved that it be adopted. Mr. Putens seconded the motion.

ROLL CALL: Mr. Herling - yes
Ms. Mach - yes
Mr. Putens - yes
Mr. Roberts - yes
Mayor Davis - yes

The resolution was declared adopted (Resolution No. 1051, Book 8).

An Ordinance to Amend Chapter 10, “Licenses, Permits and Miscellaneous Business Regulations” of the Greenbelt City Code for the Purpose of Revising Alarm User Permit Fees

Mayor Davis read the agenda comments. Mr. Putens introduced the ordinance for first reading.

An Ordinance to Amend Article I “In General” of Chapter 8 “Elections” of the Greenbelt City Code, in Accordance with Charter Amendment No. 2009-1 Passed by the City Council on June 22, 2009, to Allow for Early Voting

Mayor Davis read the agenda comments. Ms. Mach introduced the ordinance for first reading.

An Ordinance to Amend Article II “Campaign Contributions and Expenditures” of Chapter 8
“Elections” of the Greenbelt City Code

Mayor Davis read the agenda comments. Mr. Herling introduced the ordinance for first reading.

After discussion, Council recommended Section 8-28, violations and penalties, be removed from the ordinance; Section 8-27, campaign account, be clarified to address reimbursement of candidates funds and expenses; and Section 8-22, deadline for filing report, be changed from 5 p.m. Monday due dates for campaign contribution and expenditures reports to due dates on the preceding Fridays at 12:00 p.m.

Mr. Roberts questioned whether the proposed changes were necessary since Council is no longer proposing to change the election year. He expressed concern that the changes would make it harder for candidates to run for Council. Mr. Putens said there was likely to be more outside influences on future Council elections, regardless of the election year. Mayor Davis said the purpose of the changes was to add transparency to the election.

Mr. McLaughlin noted the proposed changes to the ordinance were substantive and a new ordinance would be required. Due to the need for the ordinance to be adopted prior to the start of the candidate filing dates beginning August 17, staff will prepare a new ordinance for the next meeting for first reading, suspension of the rules, second reading and adoption.

A Resolution to Repeal Resolution Number 986 and to Provide for the Number of Judges and Clerks of Election, Their Rate of Compensation, and the Rate of Compensation to be Paid to
the Chairperson and Members of the Board of Elections for the 2009 Regular Election

Mayor Davis read the agenda comments. Mr. Herling introduced the resolution for first reading.

AWARD OF PURCHASE – WHITE COAT FOR INDOOR POOL: Mayor Davis read the agenda comments.

Mr. Herling moved that Council approve awarding the contract for the white coat project at the Greenbelt Aquatic and Fitness Center to Wilcoxon Construction Inc. at a cost of \$33,636. Ms. Mach seconded. The motion passed 4-1. (Roberts)

Mr. Putens said he was concerned the bid would be awarded to the high bidder, Wilcoxon Construction Inc. (WCI), because the other two bidders, Puritan Whitecoat Inc. and ATS Pool Renovation/Pearl Plastering had not provided references. He noted there would be considerable cost savings if one of the lower bids had been accepted.

Joe McNeal, Assistant Director of Recreation, explained that since Puritan Whitecoat Inc. and ATS Pool Renovation/Pearl Plastering had not provided the required references, staff had no way of assessing the quality of performance of previous contracts awarded to these companies or whether they had the ability, capacity and/or skill to provide the required work. He stated that staff had contacted the references provided by WCI and all were very satisfied and complimentary of the workmanship, professionalism and customer service provided by WCI. Mr. McNeal added that this is consistent with the City’s past experience with WCI.

Mr. Roberts asked if either Puritan Whitecoat Inc. or ATS Pool Renovation/Pearl Plastering had provided any good references. Mr. McNeal said no.

Mr. Putens expressed concern with the bid process for this job, noting there may be other good companies with the ability to do this project.

OPERATING AGREEMENT – GREENBELT THEATER: Mayor Davis read the agenda comments.

Mr. Roberts moved that Council approve the operating agreement with P & G Theaters for the operation of the Greenbelt Theater. Ms. Mach seconded. The motion passed 5-0.

Mayor Davis and Mr. Putens expressed concern that the agreement did not include a detailed audit of the theaters financial records. Mr. McLaughlin stated that the agreement did grant the City access to the operator's financial records on an on-going basis. He noted that the City has a five year history of the theaters operating expenses, along with the admissions and amusement tax information from the State Comptroller's Office, and would be able to identify any deviations in the theaters financial records. Mr. Putens said an audit or thorough review of all financial records should be included.

Ms. Mach said the agreement needed to require the theater operator to maintain the same level of work and effort to make the theater successful. Mr. McLaughlin said language can be added requiring the operator to continue to operate the theater in the same manner as it has been historically operated.

Mr. Roberts moved that Council approve the operating agreement with P & G Theaters for the operation of the Greenbelt Theater. Ms. Mach seconded. The motion passed 4-1. (Putens)

Mr. Orleans asked and was provided answers to several questions regarding renovations of the theater as well as the operating agreement.

MARYLAND MUNICIPAL LEAGUE CONFERENCE BRIEFING: Mayor Davis read the agenda comments.

Mayor Davis, Mr. Putens, Ms. Mach and Mr. Herling discussed the Maryland Municipal League conference, the many informative sessions they attended, and the keynote speaker, Bill Strickland. It was agreed the conference was very good.

STAFFING AT GREENBELT FIRE DEPARTMENT: Mayor Davis reported that Prince George's County had eliminated career firefighter staffing during daytime hours on certain days in local fire departments due to financial issues, forcing the fire departments to rely on volunteer staffing on these days. She said the Greenbelt Fire Department had already had one day where there was no daytime career staffing, a second day would occur tomorrow and a third day would occur in August.

Council noted the reduction in fire department career staffing was an agenda item for the upcoming Four Cities meeting on July 30th.

Mayor Davis moved that Council send a letter to Prince Georges County indicating their public safety concerns regarding this issue. Mr. Roberts seconded. The motion passed 5-0.

Ms. Mach noted that the chart provided by the County regarding the dates of reduction in staffing was difficult to understand. She requested the letter include a request for clarification regarding the dates when there would be no career staffing.

MEETINGS: Council reviewed the meeting schedule. It was suggested that staff work towards scheduling the meetings with the Beltsville Agricultural Research Center, Board of Elections, PEPCO, Green Ridge House Management and the Historic Middle School.

ADJOURNMENT: A motion to adjourn the regular meeting was made by Ms. Mach and seconded by Mr. Putens. The motion passed 5-0.

Mayor Davis adjourned the regular meeting of Monday, July 13, 2009, at 11:02 p.m.

Respectfully submitted,

Cindy Murray
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 July 13, 2009."

Judith F. Davis
Mayor