



REGULAR MEETING OF THE GREENBELT CITY COUNCIL held Tuesday, May 26, 2009.

Mayor Davis called the meeting to order at 8:02 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 in memory of residents Brodie Frederick III, Elaine Heffernan, Raymond Gibson and Mary Taylor; former residents Eileen Turner and Ray Smith; and Pauline Menes, former longtime member of the Maryland House of Delegates. She then led the pledge of allegiance to the flag.

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

Council thereby took the following actions:

MINUTES OF COUNCIL MEETINGS

Work Session, April 29, 2009
Work Session, May 4, 2009
Work Session, May 6, 2009
Work Session, May 7, 2009
Regular Meeting, May 11, 2009
Work Session, May 13, 2009
Approved as presented.

COMMITTEE REPORTS

Community Relations Advisory Board Report 2009-2 (Dr. Martin Luther King Jr. Event/Activity in Greenbelt): Council accepted this report and agreed to consider it on a future agenda.

GREEN ADVISORY COMMITTEE ON ENVIRONMENTAL SUSTAINABILITY REPORT #2009-03 (COMMITTEE NAME CHANGE): Council recommended a resolution reflecting the name change of the committee to the Greenbelt Advisory Committee on Environmental Sustainability be introduced at the June 8th meeting.

APPOINTMENTS TO ADVISORY GROUPS: Council appointed Megan Hughes to the Green Advisory Committee on Environmental Sustainability and Brenda Cooley to the Senior Citizens Advisory Committee.

RESIGNATION FROM ADVISORY GROUP: Council accepted with regret the resignation of Scott Legendre from the Community Relations Advisory Board.

APPROVAL OF AGENDA: It was moved by Mr. Putens and seconded by Mr. Herling that the agenda be approved as presented. The motion passed 5-0.

PRESENTATIONS:

Eleanor and Franklin Roosevelt Democratic Club: Karl Shipps, President of the Eleanor and Franklin Roosevelt Democratic Club, presented the City with a \$400 donation for the Greenbelt Emergency Fund and \$100 donation towards the Eleanor Roosevelt visit on June 7th. Council thanked Mr. Shipps for the donations.

Peace Month Proclamation: Mayor Davis read a proclamation to recognize June as Peace Month.

Bertram and Marj Donn received the proclamation on behalf of the Prince George's Peace and Justice Coalition. Mayor Davis said letters have been sent out to Greenbelt organizations urging support of Peace Month. Mr. Donn thanked the City for their efforts.

PUBLIC HEARINGS:

Public Hearing on the Proposed FY 2010 Budget: Mayor Davis read the agenda comments. She then announced the meeting was recessed for the public hearings.

Mr. Orleans asked and was provided answers on questions regarding use of the reserve fund and purchase of alternative fuel vehicles. He also said that he had recently done a personal inspection of the pedestrian crosswalk on Crescent at Northway and did not believe additional pedestrian safety measures were necessary at this location.

Mayor Davis reported that the Prince George's County Municipal Association recently approved an increase in the annual dues for members to \$3,160. She noted this was the first increase in dues in the past 16 years.

Ms. Kastner, 125 Hedgewood, proposed Council consider a small administrative satellite office for City services in the area of Empirian Village to assist residents in this area with problems they may be experiencing. Mayor Davis said the idea could be considered for the next fiscal year.

Ms. Lewis, 2-C Gardenway, thanked Council for including funding for curb and gutter on Westway.

There was no other public comment on the proposed budget.

Constant Yield Tax Rate: Mayor Davis announced that a notice had been published in accordance with State law. There was no testimony from the general public. Mayor Davis announced that the City's tax rate would be set on June 8, 2009.

PETITIONS AND REQUESTS: None

MINUTES OF COUNCIL MEETINGS:

Executive Session of May 19, 2008: Mr. Roberts moved that the minutes of the executive session of the City Council held Monday, May 19, 2008, be approved as presented. He further requested that the minutes of this meeting reflect that the Council met in executive session at 9:00 p.m., in the Library of the Municipal Building. Council held this closed meeting in accordance with Section 10-508 (a)(1)(i) of the State Government Article of the *Annotated Code of Public General Laws of Maryland* to discuss a performance evaluation. Mr. Putens seconded the motion.

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

Executive Session of May 28, 2008: Mr. Roberts moved that the minutes of the executive session of the City Council held Wednesday, May 28, 2008, be approved as presented. He further requested that the minutes of this meeting reflect that the Council met in executive session at 8:05 p.m. in the Library of the Municipal Building. Council held this closed meeting in accordance with Section 10-508 (a)(1)(i) of the State Government Article of the *Annotated Code of Public General Laws of Maryland* to discuss a performance evaluation. Mr. Mach seconded the motion.

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

Executive Session of May 12, 2009: Mr. Putens moved that the minutes of the executive session of the City Council held Tuesday, May 12, 2009, be approved as presented. He further requested that the minutes of this meeting reflect that the Council met in executive session at 7:34 p.m. in the Library of the Municipal Building. 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. Herling - yes
Ms. Mach - yes

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

ADMINISTRATIVE REPORTS

Mr. McLaughlin announced the Greenbelt Day Weekend events included a Community Playground Build on Ora Glen Drive, a Naturalization Ceremony, and the Artful Afternoon Activities featuring a performance by Suzan King as Eleanor Roosevelt.

Ms. Mach attended the Maryland Municipal League ceremony for the winners of the “If I Were Mayor” contest and the annual membership meeting of the Clean Air Partners.

Mr. Herling commented on the 4 Cities Meeting, and noted he was the chairperson of the 4-Cities task force to address the needs of the homeless.

Mayor Davis commented on the Friends of the Greenbelt Museum presentation of “The City” film, and the annual Memorial Day service. She thanked Greenbelt American Legion Post 136 for hosting the event, and Junior Girl Scout Troops 5004 and 1734 for their recent community service improvement project at the Veterans Memorial. Mayor Davis also provided an update on the recently approved speed camera legislation, noting there was a petition drive and the issue may be taken to referendum.

Voting Reform: Mayor Davis read the agenda comments. She said Council had carefully considered all the comments received from residents on the issue and thanked all the residents who participated in the public hearings and those who sent their comments directly to Council.

Increased Voter Outreach and Education:

Mr. Roberts said he supported increased voter outreach and education but felt that residents should be given more opportunity to have their views known on all the proposed changes to the voting system as non-binding ballot questions.

Mayor Davis, Mr. Putens, Ms. Mach and Mr. Herling spoke in support of increased outreach and education. Ms. Mach suggested the City participate in the citizenship program offered by the National League of Cities. Mr. Putens said efforts were needed to encourage non citizens to become part of the community.

Ms. Kastner, 125 Hedgewood Drive, said the City does an exemplary job with advertising elections and recommended the focus be on support for residents, not voter education. She mentioned again a small administrative satellite office in Empirian Village to assist residents in Greenbelt West. Ms. Kastner said residents may become more involved in the City if they were more aware of City services provided.

Mr. Ivy, 43 Lakeside Drive, said Greenbelt is an inclusive community that reaches out to all residents. He suggested a binding ballot question on all the proposed changes to the voting system.

Mr. Orleans said he supports increased outreach and education. He suggested Council consider allowing non- citizens to vote in local elections.

Mayor Davis moved that Council refer to staff, the Board of Elections, and the Community Relations Advisory Board suggestions for building on the efforts proposed. These efforts will include but will not be limited to: a new resident welcome package, increased publicity in local newspapers including non-English papers and homeowner/civic association newsletters, banners in all sections of town, more candidate forums, increasing group sponsored voter registration drives and additional notifications such as a brochure on voting sent to each household. Mr. Herling seconded. The motion passed 5-0.

Early Voting:

Mayor Davis, Mr. Putens, Ms. Mach and Mr. Herling said they support early voting and recommended the details be worked out by the Board of Elections. Mr. Herling suggested early voting be done in all three areas of the City.

Mr. Roberts said he will support early voting to make it easier for residents to vote but noted he would like to have more input from residents on the change. He also commented that early voting could hurt first time candidates, who would lose campaign time if residents chose to vote early.

Mr. Putens also recommended that the name “Absentee Voting” be changed to “Vote by Mail” to make it less confusing for voters.

Mr. Turnbull, 45-A Ridge Road, said he supports early voting. Regarding Mr. Roberts comments, he indicated early voting could both help and harm all first time candidates and incumbants. Mr. Turnbull also suggested the election could be entirely done through a mail in process.

Mr. Orleans said he supports early voting.

Mr. Putens moved that Council direct the City Manager and staff to prepare a charter amendment for early voting and an ordinance to change the name of “Absentee Voting” to Vote by Mail”. He also motioned to refer early voting to the Board of Elections to work out the details for the 2009 election. Mr. Herling seconded.

Mr. Roberts noted that he did not support changing the name of “Absentee Voting” to “Vote by Mail” but did support early voting. He stated that the current no-excuse absentee voting worked well and allowed all voters to vote as early as 20 days prior to the election, without having to provide a reason.

Ms. Mach moved for a division of the motion. Mr. Putens seconded.

The motion to direct the City Manager and staff to prepare a charter amendment for early voting by voting machines passed 5-0.

The motion to direct the City Manager and staff to prepare an ordinance to change the name of “Absentee Voting” to “Vote by Mail” passed 4-1. (Roberts)

Expanding the Size of Council from Five Members to Seven Members:

Mr. Roberts said he personally did not oppose expanding the size of Council but believes the voters should make the decision.

Mayor Davis, Mr. Putens, Ms. Mach and Mr. Herling said they support expanding the size of Council to provide an opportunity for new candidates. Ms. Mach commented that expanding the size of Council may increase the diversity of Council. Mayor Davis, Mr. Putens and Mr. Herling commented on the demands on all members of Council as representatives to advisory boards, neighboring communities, other government agencies as well as local and national organizations. They noted the need for additional members to share Council responsibilities. Mayor Davis also said that increasing the number of candidates would generate more interest by voters to become involved in the election process.

Ms. Lewis, 2-C Gardenway, said she supports an increase in the size of Council.

Mr. Sayles, 6108 Breezewood Drive, said he supports an increase in the size of Council and looked forward to being a candidate in the upcoming election.

Mr. Orleans said he is opposed to increasing the size of Council. He also asked Council to address the ideas of district voting and alternative voting methods.

Mayor Davis, Mr. Roberts, Mr. Putens, Ms. Mach and Mr. Herling said they support at-large voting where each member is accountable to all voters. They also commented that districts would divide the community.

Mayor Davis, Mr. Putens, Ms. Mach and Mr. Herling said they opposed alternative voting. They said that alternative voting was confusing for voters to understand and the goal of Council was to make it easier for voters to vote and increase voter turnout. They also commented that the candidates winning the popular vote may not be successful when alternative voting methods are used.

Mr. Roberts said choice voting may help achieve the goal of minority representation on Council but the voters should make the decision.

Ms. Donn, 19 Woodland Way, said she would only support increasing the size of Council if the new council members would represent districts.

Mr. Turnbull, 45-H Ridge, asked if Council had considered a hybrid type of voting system. Mayor Davis said the focus of Council was to increase voter turnout. Mr. Roberts commented that issues such as this demonstrate that further input from the community is needed before any decisions are made on the voting issues.

Mr. Herling moved that Council direct the City Manager and staff to prepare a charter amendment expanding the size of Council from five members to seven members. Ms. Mach seconded. The motion passed 4-1. (Roberts)

Changing the Date of the Election to be the Same as Federal and State Elections:

Mr. Roberts and Mr. Putens said they were strongly opposed to changing the election year. Mr. Roberts commented that if the election date were changed, it would be more difficult for new candidates to be successful. He also expressed concern that local issues would not get the attention needed and there could be outside influence on the local election.

Mr. Putens expressed concern with the City election being mixed with partisan elections, the increased cost to candidates and the possibility that some candidates may accept funding from outside sources. Mr. Putens noted that successful candidates in the 2009 election would not have an opportunity to learn the City processes before they have to campaign again in the 2010 election. He also stated he agreed with the *News Review* editorial on the issue.

Mayor Davis, Ms. Mach and Mr. Herling said they supported changing the date of the election as an action to increase voter turnout. They indicated their concerns regarding partisanship issues and the possibility of outside influence on the local elections and requested that the Board of Election be asked to review these concerns. Mr. Herling suggested voluntary candidate agreements regarding contributions and endorsements. Mayor Davis suggested strengthening the campaign finance requirements.

Sylvia Lewis, 2-C Gardenway, said she opposed changing the election year and requested Council delay this action until the other proposed changes to the voting system were in place. She further stated that she believes local issues will be overshadowed by federal and state issues if the date were changed. Ms. Lewis also questioned whether this action would actually increase turnout.

Ms. Lombardi, 37 Ridge Road, said she supported changing the election year.

Mr. Turnbull, 45-H Ridge Road, said he opposed changing the election year and noted this was a fundamental shift in the culture of Greenbelt government. He urged Council to move slowly and methodically before changing the election date to determine if the correct problem is being addressed.

Ms. Rosenthal, 2 Gardenway, asked about the procedure to bring a proposed charter change to referendum. Mr. Manzi explained the procedure.

Mr. Orleans said he opposed changing the election date. He commented that he was not concerned with outside influence on the election, but felt local issues would be lost.

David Lange, 12 Pinecrest Court, said he supported changing the election year. He further stated that residents should work towards increasing diversity on Council, instead of becoming involved in a petition drive to challenge this action.

Mr. Carruthers, 2-M Gardenway, said he opposed changing the election year.

Mr. Orleans questioned the need to have Council representation on various boards and committees, such as the Council of Governments, and suggested staff could be assigned to represent the City when necessary.

Mayor Davis said that even after the charter amendment process was started, members of Council would still be listening to public comment and there would be plenty of opportunity for dialogue.

Ms. Mach moved the Council direct the City Manager and staff to prepare a charter amendment changing the date of the election to be the same as federal and state elections beginning in 2010. Mr. Herling seconded. The motion passed 3-2. (Roberts, Putens)

Mr. McLaughlin addressed a request from Mr. Carruthers at the public hearing on April 29th for a report from the Board of Elections on the voting reform issues. He noted the Board had met in an executive session with Mr. Manzi on April 2, 2009 regarding the voting reform issues and that a report was not available.

Voting District Changes

Mayor Davis moved that Council direct the City Manager and staff to prepare an ordinance to reflect the division by Prince George's County in voting precinct 21-13 and the creation of a new voting Precinct 21-18. She further moved to refer the question of whether a separate voting place is necessary for the new precinct for the 2009 election to the Board of Elections. Ms. Mach seconded. The motion passed 4-0. (Mr. Putens was out of the room during the vote.)

Community Development Block Grant Recovery Program: Mayor Davis read the agenda comments.

Ms. Mach moved to approve the submission of three Community Development Block Grant Recovery Program (CDBG-R) applications: \$53,776 for street improvements on Springhill Lane and installation of bus shelters throughout Empirian Village; \$65,251 for new ultra high efficient rooftop HVAC units at the Springhill Lake Recreation Center; \$8,000 for establishment of a Strengthening Families program at Springhill Lake Elementary. Mr. Roberts seconded. The motion passed 5-0.

Mr. McLaughlin announced the County is recommending the new ultra high efficient rooftop HVAC units at the Springhill Lake Recreation Center be approved for CDBG-R funding.

MEETINGS: Council reviewed the meeting schedule. Mayor Davis requested the Purple Line alignment and routes be added to the June 3rd scheduled work session, the City Manager Quarterly update work session be scheduled for June 24th, and a work session on campaign financing with the Board of Elections be added to the ready to be scheduled list.

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

Mayor Davis adjourned the regular meeting of Monday, May 26, 2009, at 11:43 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 May 26, 2009."

Judith F. Davis
Mayor