

REGULAR MEETING OF THE GREENBELT CITY COUNCIL held Monday, February 26, 2018. Mayor Jordan called the meeting to order at 8:00 p.m.

ROLL CALL was answered by Councilmembers Colin A. Byrd, Judith F. Davis, Leta M. Mach, Silke I. Pope, Edward V. J. Putens, Rodney M. Roberts and Mayor Emmett V. Jordan.

ALSO PRESENT were Nicole Ard, City Manager; David E. Moran, Assistant City Manager; Jason DeLoach, City Solicitor; and Cindy Murray, Acting City Clerk.

Mayor Jordan asked for a moment of silence in memory of former Greenbelt resident Dorothy Gaffney and the victims of the Marjory Stoneman Douglas High School shooting in Parkland, Florida. Ms. Pope then led the pledge of allegiance to the flag.

CONSENT AGENDA: Ms. Davis requested the minutes from the Regular Meeting on February 12, 2018, be removed from the agenda. Mayor Jordan requested the minutes from the Work Session on February 5, 2018, be removed from the agenda. With these changes, it was moved by Mr. Putens and seconded by Ms. Pope that the consent agenda be approved. The motion passed 7-0.

Council thereby took the following actions:

Minutes of Council Meetings

Work Session, January 31, 2018

Work Session, February 7, 2018

Approved as presented.

Letter of Support – Capital Funding for Maryland Community Legacy and Neighborhood BusinessWorks Programs: Council approved sending a letter of support addressed to the two Capital Budget Chairs, Senator James DeGrange and Delegate Adrienne Jones, for the Fiscal Year 2019 funding for Maryland Department of Housing and Community Development's core neighborhood revitalization programs including Community Legacy, the Neighborhood BusinessWorks program and the Maryland Strategic Demolition Fund.

Resignation from Advisory Group: Council accepted the resignation of Elvina Tryer from the Greenbelt Advisory Committee on Environmental Sustainability.

Reappointments to Advisory Groups: Council reappointed Oliver Gaycken to a new term on the Arts Advisory Board and Susan Gregerson to a new term on the Forest Preserve Advisory Board.

APPROVAL OF AGENDA: Ms. Davis requested HB 1556, HB 1742 and HB 1604 be added to the agenda under State Legislation. With these additions, it was moved by Mr. Putens and seconded by Mr. Byrd that the agenda be approved. The motion passed 7-0.

PRESENTATIONS:

Oath of Office – New Greenbelt Police Officer: Acting Chief Tom Kemp introduced Colin Giardini, Greenbelt's newest police officer. Mayor Jordan administered the oath of

office to Mr. Giardini. Council welcomed Mr. Giardini to Greenbelt.

Government Finance Officers Association (GFOA) Distinguished Budget Presentation Award: Mayor Jordan announced that the City had received the GFOA Distinguished Budget Presentation Award for its Fiscal Year 2018 budget. Jeffrey Williams, City Treasurer, thanked Council for the award. He was accepting it on behalf of all the individuals involved in the budget process including David Moran, Anne Marie Belton, Beverly Palau, Department Heads and Finance staff.

PUBLIC HEARING:

Proposed Annexation Resolution: Mayor Jordan read the agenda comments. He then announced the meeting was recessed at 8:15 p.m. for the hearing.

Mr. Orleans, Greenbelt, expressed concern that this small portion, 0.131 acres more or less, of property had not been included in the original Greenbelt Station South Core annexation.

There was no other public comment.

The regular meeting reconvened at 8:17 p.m.

PETITIONS AND REQUESTS:

Jeff Harrison, 6835 Damsel Court, read a petition (attached to minutes) requesting Council support HB 1461, the Supporting All Families Everywhere (SAFE) Act, recently introduced in the Maryland House of Delegates.

Ms. Davis moved to add HB 1461 to the agenda this evening under State Legislation. Mr. Putens seconded.

Mayor Jordan and Ms. Pope said they would prefer to review the bill and discuss with legislators at the Legislative Dinner scheduled tomorrow.

Ms. Davis withdrew her motion. Mr. Putens agreed.

Ms. Mach requested the bill be included on the agenda of the March 12th regular meeting.

Mr. Orleans, Greenbelt, mentioned a recent eviction at Green Ridge House and asked if evictions are the decision of the contract management company for the facility or if the City has a policy regarding evictions at Green Ridge House. Mr. DeLoach said this is a litigation matter and should not be discussed in open session. Mr. Byrd said that while Council could not discuss the matter, public court documents could be requested.

MINUTES:

Statement for the Record - Closed Session of February 14, 2018: Ms. Davis moved that the minutes of tonight's meeting reflect that Council met in closed session on

Wednesday, February 14, 2018, at 8:11 p.m. in the Library of the Municipal Building. Council held this closed meeting in accordance with the General Provisions Article, §3-305(b)(1) of the Annotated Code of Public General Laws of Maryland, to discuss the annual performance evaluation of the City Manager.

Vote to close session:

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

There were no staff members or other individuals present.

Council took no actions during this session.

Ms. Pope seconded.

The motion passed 7-0.

Regular Meeting, February 12, 2018: Under Council Activities, Ms. Davis said that she and Mayor Jordan had also attended the 80th Anniversary Legacy Films at Greenbelt Theater. With this correction, she moved that the minutes be approved. Mr. Putens seconded. The motion passed 7-0.

Work Session, February 5, 2018: Regarding proposed increased parking fees at the Greenbelt Metro, Mayor Jordan said that Saturday parking (not Sunday as indicated in the draft minutes) would no longer be free. With this correction, he moved that the minutes be approved. Mr. Putens seconded. The motion passed 7-0.

ADMINISTRATIVE REPORTS:

Ms. Ard provided an update on the Urban Land Institute Technical Assistance Panel (ULI TAP) for Greenbelt Road. She advised that both Greenbelt and the City of College Park will contribute \$3,750 towards the program, Berwyn Heights \$1,500 and the owners of Beltway Plaza and Staples \$500 each.

Acting Chief Kemp and Acting Lieutenant Lee provided an update on a shots fired incident that occurred on Westway Road on February 14th. They noted that no one was injured and the shots were fired into the air. Acting Lieutenant Lee said the investigation revealed that this was an incident between students at Eleanor Roosevelt High School and DuVal High School and that Greenbelt detectives and school resource officers were working to identify the individuals

involved. Acting Chief Kemp emphasized the need for the public (students, parents, teachers, etc.) to all work together and exchange information with the police to enable the department to provide proactive instead of reactive responses to incidents.

LEGISLATION:

A Resolution Of The City Of Greenbelt, Maryland, To Amend Section 2 Of The Charter Of The City Of Greenbelt, For The Purpose Of Enlarging The Corporate Boundaries Of The City Of Greenbelt, Maryland Under The Provisions Of Article 23a, Section 19, Of The Annotated Code Of The State Of Maryland (1957 Edition And Amendments), Replaced By The Local Government Article Of The Annotated Code Of The State Of Maryland (2013 Edition And Amendments), By Annexing Thereto Certain Lands And Property Contiguous To And Adjoining The Existing Corporate Boundary Of The City Of Greenbelt, Prince George's County, Being The Lands Of The Greenbelt Station South Core Development, Owned By The Developer NVR Ms Cavalier Greenbelt Llc, Located Within Berwyn District 21, Prince George's County, Maryland, And Being Part Of The Land Conveyed By Alfred H. Smith To Alfred H. Smith And Harry R. Smith By Deed Dated June 10, 1987 As Recorded Among The Land Records Of Prince George's County, Maryland, In Liber 6694 Folio 858 And Containing 0.131 Acres More Or Less, As More Fully Described In The Metes And Bounds Description Prepared By W. Joseph Hines Of Dewberry Consultants Llc; Establishing Certain Terms, Conditions, And Circumstances Applicable To Such Land And The Owners Thereof; And All Matters Relating To The Annexation Of Such 0.131 Acres Of Land, More Or Less, Into The City Of Greenbelt

Mayor Jordan read the agenda comments.

Ms. Mach introduced the resolution for seconding reading and moved that it be adopted. Ms. Davis seconded

Michael German, NVR MS Cavalier Greenbelt LLC, thanked Council and staff for their efforts in correcting this minor error.

ROLL CALL: Mr. Byrd	-	yes
Ms. Davis	-	yes
Ms. Mach	-	yes
Ms. Pope	-	yes
Mr. Putens	-	yes
Mr. Roberts	-	yes
Mayor Jordan	-	yes

The resolution was declared adopted (Resolution No. 2058, Book 8).

A Resolution to Authorize the Negotiated Purchase of a Design/Build Grid-Tied Photovoltaic System at the Springhill Lake Recreation Center at a Cost of \$80,200

Jim Sterling, Director of Public Works, said that the City of Greenbelt began participating in the Maryland Smart Energy Communities (MSEC) program through

the Maryland Energy Administration (MEA) in 2012. As part of the MSEC program, the City agreed to work towards a goal of providing 20% of the city's electricity from renewable sources by 2022. He explained that in 2017, the Department of Public Works submitted a MSEC application to provide photovoltaic systems at two City facilities and received a grant award of \$58,500. Subsequently, MEA approved use of this grant to install a photovoltaic system at the Springhill Lake Recreation Center (SLRC).

Mr. Sterling said a Request for Proposals (RFP) was issued in November 2017 for the design/build of a photovoltaic system at the SLRC. Four responses were received to the RFP ranging from a low proposal price of \$80,220 to a high proposal of \$235,781. Mr. Sterling said, after review of the proposals and interviews with the contractor with the lowest proposal, staff is recommending the contract be awarded to SG, Inc.

Ms. Davis noted the additional money for the project will come out of the FY 2019 Capital Projects Fund.

Ms. Davis introduced the resolution for seconding reading and moved that it be adopted. Ms. Pope seconded

Steve Skolnik, Greenbelt Green Team and Solar Task Force, spoke in support of this resolution.

Bill Orleans, Greenbelt, asked and was provided answers to several questions.

ROLL CALL:	Mr. Byrd	-	yes
	Ms. Davis	-	yes
	Ms. Mach	-	yes
	Ms. Pope	-	yes
	Mr. Putens	-	yes
	Mr. Roberts	-	yes
	Mayor Jordan	-	yes

The resolution was declared adopted (Resolution No. 2059, Book 8).

ADVISORY COMMITTEE ON EDUCATION (ACE), REPORT #18-02 (ACE STUDENT AWARDS): Mayor Jordan read the agenda comments.

Melinda Brady, Chair of the Advisory Committee on Education (ACE), said ACE has reviewed the existing annual ACE Student Awards program in regards to the large audience size and seating challenges and submitted its report to Council. She said ACE discussed the following possible solutions to the problem of overcrowding:

1. Hold the awards at a Wednesday Council Worksession (at Community Center) so Council could be present but the venue would be larger and provide more seating. If possible, the session would begin at 7:00 p.m. to better accommodate families with small children.

2. Hold the awards at 7:00 p.m. immediately prior to a City Council meeting. This might limit the audience by reducing the number of non-award related attendees – and possibly move some of the furniture to provide for additional space for seating.
3. Continue to hold the awards during a regular Council meeting but move as many of the large tables out of the chamber to make additional seating space. This wouldn't solve the overcrowding but would reduce the number of people having to stand.
4. Limit the number of attendees per student to reduce the total number of observers.

She noted that ACE did not prefer option 4.

Ms. Pope asked if ACE had considered holding the awards at an off-site location such as the American Legion. Ms. Brady said ACE had discussed holding the awards at the Eleanor Roosevelt High School auditorium. She added that if Council prefers, ACE would look at other venues in the City.

Ms. Davis, Ms. Mach, Mr. Putens and Mayor Jordan indicated they preferred to hold the awards in the Council Room because of the sense of dignity and importance it adds to the event. They suggested moving the large furniture and chair cart from the room and starting the program at 7:00 p.m.

Mr. Putens said the American Legion could be considered. He said the location of the awards was an ACE decision and suggested ACE may want to experiment with different locations.

In response to a question from Mr. Byrd, Ms. Brady said the ACE student award presentation is scheduled for May. She said she would share this information with ACE at its meeting tomorrow. Ms. Brady said she liked the idea of starting the awards at 7:00 p.m. in the Council Room and moving the large furniture out of the room to provide more seating. She said ACE could pursue use of alternative venues for next year.

Mayor Jordan suggested ACE consider the Library for the awards.

Mr. Byrd mentioned one of the most formal venues in the City is Martins Crosswinds.

ELEANOR ROOSEVELT HIGH SCHOOL GRANTS: Mayor Jordan read the agenda comments.

Mr. Byrd moved that Council approve funding for the four grant proposals (Teacher Town Hall, Teacher Awards, Prom Promise and Grad Night) submitted from Eleanor Roosevelt High School (ERHS) for the Advisory Committee on Education (ACE) Grants for Educator Awards that were not recommended by ACE for funding. Mr. Putens seconded.

Ms. Mach said ACE works diligently in reviewing all the grant applications and goes through an extensive process to determine which applications should be funded. She noted that Council doesn't provide enough money to fund every application. Ms. Mach said ERHS has received the third highest grant funding throughout the years. She added that Council asks ACE to administer the ACE grants program and make recommendations to Council, and she does not think Council should be second guessing their recommendations.

Ms. Davis agreed and emphasized the limited funding available for the grant awards. She added that after ACE does all its work on the grant process, for Council to say they want to do something different is a slap in the committee's face.

Mayor Jordan said he does not support the motion. He said he is aware of the meticulous and thorough process ACE uses to evaluate the grants.

Mr. Byrd commented that Council has budgetary authority over ACE. He noted that he respects and trusts ACE and thanked them for their work. Mr. Byrd said he thinks ACE could have done more in the case of grant funding this year to ERHS. He stated that it was his right as a councilmember to question the disbursement of funds and Council should get beyond the action of rubber stamping ACE recommendations.

Mr. Putens said no boards or committees get rubber stamped. He added that this statement was disrespectful.

Ms. Mach called the question. Mr. Putens seconded.

Ms. Mach withdrew her motion. Mr. Putens seconded.

Jon Gardner, ACE member, described the ACE grants program and the detailed evaluation method used by ACE to review the grant applications and determine its funding recommendation.

Mr. Byrd said Council should spend \$2,000 for funding these grant requests. He expressed concern that the ACE recommendations are unanimously approved by Council. Mr. Byrd said ERHS was shortchanged with the grant awards this year.

Ms. Mach called the question. Mr. Putens seconded. The motion passed 5-2. (Byrd, Roberts)

The motion failed 1-6. (Davis, Jordan, Mach, Pope, Putens, Roberts)

REORDERING OF AGENDA: Ms. Davis moved to table Item #16 "Standing Rules for City Council" to the next meeting and to move to Item #21 "Policy on SRO Action During School Shootings and School Shooting Related Tips" to the next item on the agenda. Ms. Pope seconded.

The motion passed 7-0.

POLICY ON SRO ACTION DURING SCHOOL SHOOTINGS AND ON SCHOOL SHOOTING-RELATED TIPS: Mayor Jordan read the agenda comments.

Mr. Byrd mentioned the lessons learned in the recent school shooting in Parkland, Florida, and suggested the City have a School Resource Officer (SRO) policy during school shootings and a policy on how to deal with tips regarding school shootings.

Mr. Byrd moved that Council direct the City Manager, in collaborations with the Police Chief, to: 1) develop a written policy that any armed SRO would enter the school during school

shootings; and 2) outline the Department's responsibilities for handling tips regarding possible school shooting incidents. Mayor Jordan seconded.

Acting Chief Kemp thanked Mr. Byrd for bringing this matter up following the terrible event in Florida. He said this provides a good opportunity for citizens to hear all that our Police Department has done to prepare and train for such a situation. Acting Chief Kemp said the Police Department has a policy in place that can be publicly accessed through the City's website. He stressed that he has complete confidence that every Greenbelt Police Officer will respond to any active shooting incident in a proud, properly aggressive, and effective manner. He noted that Greenbelt Police Officers are fully equipped (thanks to Council) with active shooter body armor, which will stop rounds from an AR15.

Sgt. White explained the preparation exercises that have been done for many years to prepare for these situations including: training with Beltway Plaza, Federal Courthouse, U.S. Marshalls Office, Federal Prosecutors and Greenbelt Middle School; joint training exercises with Prince George's County Police at High Point High School and multiple agencies at the United States Department of Agriculture and old Laurel Mall; and training of City staff and local businesses as requested.

Ms. Pope mentioned the need to prepare all local schools to include training and education for all adults and possibly students. Sgt. White said training has been done for elementary schools but it is important that schools continue with repetitive training. Sgt. Lauer said the schools should contact the Police Department to schedule repetitive training. Acting Chief Kemp said Police Command staff has a meeting scheduled tomorrow with Principal McNeill at Eleanor Roosevelt High School.

In response to a question from Mayor Jordan, Acting Chief Kemp said training has been done at Turning Point Academy and Greenbelt Police have participated in events at Magnolia Elementary. Regarding Friends School, he said the primary jurisdiction would be the managing agency, but Greenbelt Police would certainly assist when needed. Mr. Putens said he is concerned about safety in all schools.

Acting Chief Kemp reviewed General Order 664 plus Emergency Operations Plans 038 and 049 which provide for the officer to have discretion in evaluating/analyzing the situation at hand. In response to a question from Mr. Byrd, Acting Chief Kemp further explained that the use of discretion by the officer would not prevent an officer from taking needed action given the circumstances at the time.

Ms. Ard reiterated the importance of training and preparing for active shooting situations. She commented that having a policy in place is good, but training and preparation is critical.

Ms. Davis mentioned some shootings happen in work settings. She said she is confident our Police Department is ready if needed and that Council does not need to direct them to do anything.

Mr. Roberts said the City has a professional staff that have proper procedures and policies in place. He said Council should focus on having gun laws changed by supporting legislation to ban

the sale of semi-automatic guns. Mr. Roberts said he knows the police officers will do their jobs properly.

After further discussion, Mayor Jordan suggested this matter be handled as a Council Action Request (CAR) for the City Manager and staff to review the policies in place and report back to Council.

In response to a question from Mr. Byrd, Acting Chief Kemp reviewed General Order 631 which specifically addresses how tips received by the Police Department are handled.

Mr. Byrd moved to amend his original motion to delete the portion “outlining the Department’s responsibilities for handling tips regarding possible school shooting incidents.” No second was received.

Regarding the original motion, Mr. Byrd said he thinks the policy can be tightened up and taking this action is better than not taking any action.

The initial motion failed 1-6. (Davis, Jordan, Mach, Pope, Putens, Roberts)

Mayor Jordan requested that matter be handled as a CAR.

PARTICIPATION IN 2018 CO-OP FESTIVAL:

Ms. Davis moved that Council approve funding the \$750.00 registration fee for the National Cooperative Business Associations Co-op Festival on the National Mall on October 6 and 7, 2018, and to partner with the Greenbelt Cooperative Alliance for this event. Mr. Putens seconded. The motion passed 7-0.

STATE LEGISLATION

SB 277/HB 372 – Maryland Metro Funding Act: Mayor Jordan read the agenda comments.

Ms. Davis moved Council support SB 277/ HB 372. Ms. Mach seconded.

The motion passed 7-0.

HB 538/SB 651 - Expanded Polystyrene Food Service Products – Prohibition: Mayor Jordan read the agenda comments.

Mr. Putens moved that Council support HB 538/SB 651. Ms. Mach seconded.

The motion passed 7-0.

HB 1209 – Silver Alert Program – Pedestrians and Case Status: Mayor Jordan read the agenda comments.

Ms. Mach moved that Council support HB 1209. Ms. Pope seconded.

The motion passed 7-0.

SB 1188/HB 1767 – Wireless Facilities – Permitting and Siting: Mayor Jordan read the agenda comments.

Ms. Davis moved that Council oppose SB 1188/HB 1767. Mr. Putens seconded.

The motion passed 7-0.

HB 1556 – Public-Private Partnerships – Public Notice of Solicitations and Approval of Agreements and HB 1742 – Railroad Companies – Magnetic Levitation (MAGLEV) Projects – County Approval

Ms. Davis said the Maryland Municipal League supports both of these bills with an amendment for HB 1742 to include municipalities.

Ms. Davis moved that Council support HB 1556 and HB 1742. Ms. Mach seconded.

Ms. Davis moved to amend Council support of HB 1742 to include municipalities. Ms. Mach seconded.

The motion passed 7-0.

HB 1604 – Business Regulation – Limited Residential Lodging

Ms. Davis moved that Council support HB 1604. Ms. Mach seconded.

The motion passed 5-2. (Byrd, Pope)

LETTER TO GOVERNOR HOGAN – OPPOSITION TO CONCEALED CARRY RECIPROCITY ACT: Mayor Jordan read the agenda comments.

Mr. Byrd moved that Council send a letter to Governor Hogan noting its opposition to the Concealed Carry Reciprocity Act.

Mr. Putens said he would like to discuss this with the state legislators at the legislative dinner scheduled for tomorrow.

Mr. Byrd noted this is federal legislation. He said the letter should be sent to Governor Hogan because of his party affiliation and his support by the National Rifle Association.

Ms. Mach said if Council writes a letter, then it should be sent to all federal representatives – not only Governor Hogan. Mr. Byrd agreed.

Mr. Roberts seconded.

Mr. Putens called the question. Ms. Mach seconded. The motion passed 7-0.

The original motion passed 5-2. (Putens, Pope)

LETTER TO MARYLAND’S U.S. SENATE DELEGATION REQUESTING SUPPORT FOR THE FIX NICS ACT: Mayor Jordan read the agenda comments.

Mr. Byrd moved that Council send a letter to Maryland’s U.S. Senate Delegation requesting support for the FIX NICs Act. Ms. Davis seconded.

Mr. Putens said he would like to review the details of the bill before making a decision to support.

The motion passed 4-3. (Putens, Pope, Roberts)

COUNCIL ACTIVITIES: Council noted their attendance at the following events.

Maryland Municipal League Legislative Committee Meetings – Mayor Jordan and Ms. Davis
Greenbelt Homes, Inc. Board Meeting – Ms. Davis
Metropolitan Washington Council of Governments (COG) Chesapeake Bay Policy
Committee Legislative Advocacy Conference Call – Ms. Davis
City Manager’s Meet and Greet at Schrom Hills Park – Mayor Jordan, Ms. Davis and Mr. Byrd
Cub Scout Pack 202 Blue and Gold Banquet – Mayor Jordan and Ms. Davis
Hearing for HB 807 (Highway User Revenue Funds) in Annapolis – Mayor Jordan, Ms. Davis and Mr. Byrd
Hearing for Maglev Bills – Mayor Jordan
Prince George’s County Public Schools Board Meeting – Mayor Jordan, Mr. Byrd and Ms. Pope
Chesapeake Education, Arts and Research Society (CHEARS) Event – Mayor Jordan and Mr. Putens
Black History Month Program at Beltway Plaza – Mayor Jordan and Mr. Byrd

COUNCIL REPORTS: None

MEETINGS: Council reviewed the meeting schedule.

ADJOURNMENT: Ms. Mach moved to adjourn the meeting. Mr. Putens seconded. The motion passed 7-0.

Mayor Jordan adjourned the regular meeting of Monday, February 26, 2018, at 11:47 p.m.

Respectfully submitted,

Cindy Murray

Acting 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 February 26, 2018.

Emmett V. Jordan
Mayor