

GREENBELT CITY COUNCIL
Municipal Building
Regular Meeting
February 22, 2016 - 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](#)

Malcolm Augustine, WMATA Board - Malcolm Augustine, the Prince George's County representative to the Washington Metropolitan Area Transit Authority (WMATA) Board of Directors, will be present to provide an update on WMATA. (CM)

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

- Interview, January 28, 2016
- Regular Meeting, January 28, 2016

[8-DRAFT Minutes 1-28-16](#)

- Regular Meeting, February 8, 2016

[8-DRAFT Minutes 2-8-16](#)

9. [Administrative Reports](#)

* 10. Committee Reports

Forest Preserve Advisory Board, Report #2016-1 (Trail Condition and Maintenance - North Preserve) - It is recommended that Council accept this report and consider it on the agenda of a future meeting. (CM)

[10-FPAB Report](#)

Advisory Planning Board, Report #2016-1 (Greenbelt Auto & Truck - Modification to Non-Conforming Use Certification) - It is recommended that Council accept this report and consider it later on this agenda as Item #17. (CM)

[17-APB Report](#)

III. LEGISLATION

11. [An Ordinance of the Council of the City of Greenbelt, Maryland to Make a Supplemental Appropriation in the General Fund in the Amount of Two Hundred Thousand Dollars \(\\$200,000\) for the Acquisition of Certain Real Property Known as 10-A Crescent Road,](#)

Greenbelt, Maryland - 2nd Reading, Adoption - Reference:
Ordinance - At its January 28, 2016 meeting, the City Council
authorized the acquisition of 10-A Crescent Road for Greenbelt
Museum purposes. The agreed to price of the acquisition is \$200,000
plus related costs. The City has available funds for the purchase in its
General Fund fund balance which exceeded \$4 million as of the end of
Fiscal Year 2015 (June 30, 2015). Ms. Mach introduced this ordinance
for first reading at the last meeting. It is recommended the ordinance
be introduced for second reading and moved for adoption tonight.
(MPM)

11-DRAFT Ordinance

IV. OTHER BUSINESS

12. ATHA Bike Infrastructure Memorandum of Understanding -
Reference:
Letter, A. Marcavitch, 02/11/2016
Bicycle Trails Group FAQ's
Bicycle MOU
In 2015, communities within the Anacostia Trails Heritage Area
(ATHA), in cooperation with ATHA Inc., hosted several regional bike
planning meetings. The meetings were designed to identify potential
bike connections between communities, share existing local and
County bike planning initiatives, and promote cooperation in bike
planning between communities. A Memorandum of Understanding
(MOU) to establish a working group and further guide discussions has
been proposed. The proposed MOU establishes an Inter-Municipal
Bikeways Working Group to advise municipalities and outlines the
overarching goals of this initiative. Staff has reviewed the MOU and
supporting materials and finds that these items are in-line with
previously established goals of the City to support and promote
bicycle and pedestrian path infrastructure. If a municipality agrees to
the MOU, it is hoped that an elected official will be designated as the
representative to the Working Group. Participation in the MOU is
voluntary and no binding commitments are required. Staff

recommends Council approve participation in the MOU as presented and appoint a Council representative to serve as member of the Working Group. (JB).

12-Letter, A. Marcavitch.pdf, 12-MOU.pdf, 12-Bicycle Trails Group FAQs

14. State/County Legislation - Reference:

Email, Lore Rosenthal, 2/16/16

CB-3

SB 323/HB 610

HB 211/SB 198

HB 1106/SB 921

HB 1287/SB 867

SB 607/HB 829

HB 436/SB 468

HB 524

SB 776/HB 1361

The Greenbelt Climate Action Network (GCAN) has requested favorable consideration of the first six bills. Fact sheets from the Sierra Club are included with these bills. Lore Rosenthal and other members of GCAN are expected at tonight's meeting.

CB 3 2016 – Prohibition on Hydraulic Fracturing

This bill would prohibit hydraulic fracturing in all residential, commercial and industrial zones in Prince George's County. The bill is sponsored by five County Council Members including Council Member Turner.

It is recommended Council support CB-3-2016.

SB 323/HB 610 – Greenhouse Gas Reduction Act - Reauthorization

This legislation builds on legislation adopted in 2009 and supported by the City to renew the goal of a 25% reduction in greenhouse gas emissions by 2020. It would establish a new goal of reducing these emissions by 40% by 2030. Senator Pinsky is the primary sponsor of SB 323 and this bill was adopted by the Senate. Delegates Gaines and Healey are co-sponsors of HB 610.

It is recommended Council support SB 323/HB 610.

HB 211/SB 198 – Pollinator Protection Act of 2016

This bill would prohibit the sale of seeds and plants that have been treated with Neonicotinoid pesticides without a specific warning label/sign. It would also limit the use and sale of these pesticides.

Delegate Healey is the primary sponsor of HB 211.

It is recommended that Council support HB 211/SB 198.

HB 1106/SB 921 – Clean Energy Jobs - Renewable Energy Portfolio Standard Revisions

This legislation increases the State's Renewable Energy Portfolio Standard (RPS). Maryland's RPS requires that renewable sources (solar, wind, etc.) generate specific percentages of electricity supply each year. It also requires that certain funds be used to help create clean energy jobs. Delegates Healey and Washington are co-sponsors of this legislation.

It is recommended that Council support HB 1106/SB 921.

HB 1287/SB 867 – Renewable Energy Portfolio Standard – Eligible Sources

This legislation removes certain renewable sources (trash incinerator, woody biomass incinerator, etc.) from meeting the Renewable Energy Portfolio Standard. Delegate Washington is a co-sponsor of this bill.

It is recommended Council support HB 1287/SB 867.

SB 607/HB 829 – Cattle, Swine & Poultry - Use of Antimicrobial Drugs

This bill would limit the routine use of antibiotic drugs for farm animals. Antibiotics could still be used to treat sick animals or stop an infectious outbreak. Senator Pinsky is the primary sponsor of SB 607. Council direction is sought.

HB 436/SB 468 – Speed Camera Repeal

This bill would repeal the speed camera program in Maryland. The MML Legislative Committee opposes this bill.

It is recommended Council oppose HB 436/SB 468.

HB 524 – Foreclosure – Responsible Party Registration

This legislation requires that when an action to foreclose is filed, a secured party must register certain information with the State's Foreclosed Property Registry including the name, phone number and address of the person responsible for maintenance of the property.

The MML Legislative Committee voted to support this bill.

It is recommended Council support HB 524.

SB 776/HB 1361 – Hotel Tax – Limited Residential Lodging
This bill would charge the hotel/motel tax to internet based lodging
entities like Airbnb. Delegate Washington is a co-sponsor of HB
1361. It is recommended Council support SB 776/HB 1361. (DEM)

14-Email, L. Rosenthal.pdf, 14-CB 3.pdf, 14-SB 323.pdf, 14-HB
211.pdf, 14-HB 1106.pdf, 14-HB 1287.pdf, 14-SB 607.pdf, 14-HB
436.pdf, 14-HB 524.pdf, 14-SB 776

13. Greenbelt Station South Core - Phase 3 Detailed Site Plan -
Reference:

Memorandum, J. Bellah, 02/16/2016

Background Materials from 02/08/2016 Packet The Maryland-
National Capital Park and Planning Commission (M-NCPPC) has
referred the Greenbelt Station South Core Phase Three (3) Detailed
Site Plan (DSP) 13045 to the City for review and comment. This case
will be reviewed at the Planning Board level and a hearing date has
been set for March 10, 2016. M-NCPPC has requested that the City
provide their comments for inclusion in the case record. As outlined in
the Development Agreement, the city is afforded approval authority of
detailed site plans and the applicant is required to obtain the city's
approval for DSP-13045. Phase 3 consists of 165 townhouse units to
be constructed west of Greenbelt Station Parkway. City staff has
reviewed the DSP, landscape plan, and architecture proposed in Phase
3. In two memos dated February 4, 2016, and February 8, 2016, staff
recommended approval of DSP-13045, Phase 3, Greenbelt Station
South Core, subject to forty-five (45) conditions. The applicant,
Woodlawn Development Group (WDG), has agreed to incorporate
thirty-five (35) of the staff recommended conditions prior to plan
certification. Council discussed this item at its last meeting and
directed City staff to continue to work with WDG and seek resolution
to the remaining unresolved conditions. Jessica Bellah, Community
Planner, will present staff's recommendation to Council and answer
questions on the Phase 3 plan. It is recommended DSP-13045 be
approved subject to conditions of approval detailed in staff's technical
report dated February 16, 2016. (JB)

13-Memorandum, J. Bellah

15. Council Reports

* 16. Renewal of County Liquor Licenses - Reference:

Notice, Board of License Commissioners (Liquor Board) - The City has received notification from the County Board of License Commissioners that all licenses within the City are up for renewal beginning this spring. The City has until March 1, 2016, to file a protest of any license renewal. The Police and Planning and Community Development Departments have reviewed the notification and report no issues or opposition regarding these renewals. Approval of this item on the consent agenda will indicate Council's intent to take no position on these renewals. (CM)

16-Notice

* 17. Advisory Planning Board, Report #2016-1 (Greenbelt Auto & Truck - Modification to Non-Conforming Use Certification) - Reference:

APB Report 2016-01

Applicant's Statement of Justification, 10/13/15

The City has received a referral from Maryland – National Capital Park and Planning Commission (M-NCPPC) for an application submitted by Greenbelt Auto & Truck to modify its non-conforming use certification. The Prince George's County Planning Board is scheduled to hear the application on March 10, 2016. Greenbelt Auto & Truck has had a storage shed on its property since at least the late 1990's. Last year, Mr. Aulisio, owner of Greenbelt Auto & Truck, began work to demolish the existing shed which was damaged during a storm and replace it with a larger 12'Lx20'Wx12' aluminum storage building on the same concrete slab. Mr. Aulisio was issued a "Stop Work" order from City inspection staff and was instructed to obtain the required County and City building permits. However, upon applying for a County building permit, Mr. Aulisio was informed he would need to apply for a modification to the non-conforming use certification that requires Prince George's County Planning Board approval. Staff is supportive of Mr. Aulisio's application and the Advisory Planning Board voted unanimously to support the application with the

condition that some landscaping be installed to the rear of the storage building. Staff has also discussed with the County reviewer that if the auto repair business ever ceases to operate, that the accessory storage building shall be required to be removed since its permitted installation, per the County Zoning Code, is strictly for the storage of auto parts. Staff recommends City Council support Greenbelt Auto & Truck's request to modify its non-conforming use certification to allow for the construction of a 12'Lx20'Wx12'H storage building on the subject premises with the condition that the Applicant agree to install landscaping along the rear of the proposed storage building and that the building is to be removed if the business ceases to operate. Approval of this item on the consent agenda will indicate Council's approval of the staff recommendation. (TH)

[17-APB Report.pdf, 17-Applicants Statement of Justification](#)

* 18. Reappointments to Advisory Group - Reference:

Reappointment Applications Donna Hoffmeister and Damien Ossi have indicated their willingness to continue to serve on the Forest Preserve Advisory Board (FPAB). Approval of this item on the consent agenda will indicate Council's intent to appoint Ms. Hoffmeister and Mr. Ossi to new terms on the FPAB. (CM)

V. [MEETINGS - Reference:](#)

[Chart, Stakeholder/Regular Meetings
Master Calendar](#)

[2016 Meeting Schedule: At the work session on February 17, Council reviewed its 2016 meeting schedule. The following changes to the 2016 meeting calendar were suggested:](#)

[Reschedule Monday, March 28th Regular Meeting to Tuesday, March 29th \(Easter Monday\).](#)

[Reschedule June 13th and June 27th Regular Meetings to June 6th and June 20th \(Budget Adoption Prior to June 10th and MML Conference June 26th – 29th\).](#)

[No work session on Monday, October 3rd \(Rosh Hashanah\) A motion is required to approve this schedule change.](#)

[Executive Session: An Executive Session has been requested by the City Manager to discuss matters related to Personnel \(Succession](#)

Planning) and a Proposal for a Business to Relocate to the State (TIF). It is recommended this meeting be scheduled for Wednesday, March 9, 2016, at 8:00 p.m. in Room 201 of the Community Center. To schedule the Executive Session the following motion is needed: I move that Council schedule an Executive Session on Wednesday, March 9, 2016, at 8:00 p.m. in Room 201 of the Community Center. Council will hold this closed meeting in accordance with the General Provisions Articles 3-305(b)(1) and 3-305(b)(4) of the *Annotated Code of the Public General Laws of Maryland* to consider a personnel matter and a matter that concerns a proposal for a business to locate in the State.

<u>Regular Meeting</u>	<u>Mon.</u>	<u>02/22</u>	<u>8:00 pm</u>
<u>Work Session – Beltsville Agricultural Research Center (CC)</u>	<u>Wed.</u>	<u>02/24</u>	<u>7:30 pm</u>
<u>Work Session – Review of Theater Operations</u>	<u>Wed.</u>	<u>02/24</u>	<u>9:00 pm</u>
<u>Four Cities Meeting (College Park)</u>	<u>Thurs.</u>	<u>02/25</u>	<u>7:30 pm</u>
<u>Work Session – Zoning Rewrite</u>	<u>Mon.</u>	<u>02/29</u>	<u>8:00 pm</u>
<u>Legislative Dinner (Annapolis)</u>	<u>Wed.</u>	<u>03/02</u>	<u>6:00 pm</u>
<u>Work Session – Greenbelt East Advisory Coalition (Hunting Ridge)</u>	<u>Thurs.</u>	<u>03/03</u>	<u>7:30 pm</u>
<u>Work Session – Advisory Group Chairs</u>	<u>Mon.</u>	<u>03/07</u>	<u>8:00 pm</u>
<u>Executive Session/Personnel & Proposal for a Business to Relocate (CC)</u>	<u>Wed.</u>	<u>03/09</u>	<u>8:00 pm</u>
<u>Regular Meeting</u>	<u>Mon.</u>	<u>03/14</u>	<u>8:00 pm</u>
<u>Work Session – Council Goals (CC)</u>	<u>Wed.</u>	<u>03/16</u>	<u>8:00 pm</u>

<u>Work Session – Gateway Signage and Attick Park Parking Lot</u>	<u>Mon.</u>	<u>03/21</u>	<u>8:00 pm</u>
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<u>Work Session – MOU with GATE (CC)</u>	<u>Wed.</u>	<u>03/23</u>	<u>8:00 pm</u>
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<u>Regular Meeting/Budget Presentation</u>	<u>Mon.</u>	<u>03/28</u>	<u>8:00 pm</u>
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<u>Budget Work Session – Overview, Revenues & General Government (CC)</u>	<u>Wed.</u>	<u>03/30</u>	<u>8:00 pm</u>
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