

REGULAR MEETING OF THE GREENBELT CITY COUNCIL held Monday, February 12, 2018.

Mayor Jordan called the meeting to order at 8:03 p.m.

ROLL CALL was answered by Councilmembers Colin A. Byrd, Judith F. Davis, Leta M. Mach, Silke I. Pope, Edward V. J. Putens and Mayor Emmett V. Jordan. Councilmember Rodney M. Roberts was detained at work and arrived at 8:28 p.m.

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

Mayor Jordan asked for a moment of silence in memory of Greenbelt resident Ruth Bond and former residents Carmen Joseph Davino, Sr., and Jesse Ezzell. Mr. Putens then led the pledge of allegiance to the flag.

CONSENT AGENDA: It was moved by Mr. Putens and seconded by Ms. Mach that the consent agenda be approved. The motion passed 6-0.

Council thereby took the following actions:

Minutes of Council Meetings

Interview, January 22, 2018

Regular Meeting, January 22, 2018

Work Session, January 24, 2018

Interview, January 29, 2018

Work Session, January 29, 2018

Approved as presented.

Committee Reports

Advisory Committee on Education (ACE), Report #18-02 (ACE Student Awards): Council accepted this report and will consider it on the next agenda.

Forest Preserve Advisory Board, Report #2018-01 (Legal Protections Against the Construction of the BWRR Superconducting Maglev within the Greenbelt Forest Preserve): Council accepted this report and will consider it later on the agenda.

Award of Purchase – Street and Concrete Work: Council approved award of the FY 2018 Street and Concrete Work contracts to NZI Construction Corporation of Beltsville, Maryland and VMP Construction Company of Lanham, Maryland at an estimated total cost of \$511,000.

Resignation from Advisory Group: Council accepted the resignation of Wallace Williams from the Employee Relations Board.

Reappointments to Advisory Groups: Council reappointed the following individuals to new terms on City Advisory Groups: Katherine McElhenny - Advisory Committee on

Education; Jane Young - Advisory Committee on Environmental Sustainability; and David West - Senior Citizens Advisory Committee.

APPROVAL OF AGENDA: It was moved by Mr. Putens and seconded by Ms. Davis that the agenda be approved. The motion passed 6-0.

PRESENTATIONS: None

PETITIONS AND REQUESTS:

Ms. Mach said the Greenbelt Cooperative Alliance met last week and discussed participating in the National Cooperative Business Associations Co-op Festival on the National Mall on October 6 and 7, 2018. She said the Greenbelt Cooperative Alliance has asked that the City, as a cooperative community, consider partnering with the Alliance for this event. She said the registration fee was \$750.00 and the Alliance would be willing to provide the staffing for the event. After discussion, Council requested this item be included as an agenda item for the next meeting.

MINUTES:

Statement for the Record - Closed Session of January 29, 2018: Ms. Davis moved that the minutes of tonight's meeting reflect that Council met in closed session on Monday, January 29, 2018, at 9:00 p.m. in the City Council Room 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 (arrived at 9:05 p.m.)
Mayor Jordan	X			

There were no staff members or other individuals present.

Council took no actions during this session.

Ms. Pope seconded.

ROLL CALL: Mr. Byrd - yes

Ms. Davis	-	yes
Ms. Mach	-	yes
Ms. Pope	-	yes
Mr. Putens	-	yes
Mr. Roberts	-	absent
Mayor Jordan	-	yes

Minutes – Closed Session of January 29, 2018: Ms. Davis moved that the minutes of the closed session of the City Council held Monday, January 29, 2018, at 9:00 p.m., in the Council Room of the Municipal Building be approved as presented. 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 a personnel matter (City Manager Evaluation).

Ms. Pope seconded.

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

ADMINISTRATIVE REPORTS:

Ms. Ard provided updates on the Petitions and Request Report. She announced that Meet and Greets to gather input on the Police Chief recruitment would be held at 5:00 p.m. on Thursday at Springhill Lake Recreation Center and at 10:00 a.m. on Saturday at Schrom Hills Park.

Mr. Byrd reported a potential safety issue with deteriorating and crumbling concrete from the Capital Beltway overpass on Greenbelt Road. Ms. Pope reported three to four potholes on the Edmonston Road ramp onto Kenilworth Avenue. Mr. Putens reported faded striping for the turn lanes from northbound Hanover Parkway onto westbound Greenbelt Road. Ms. Ard said staff will send a letter to the State Highway Administration. Ms. Mach requested a reminder about the need for a crosswalk on Southway by the Baltimore-Washington Parkway be included in the letter.

Mayor Jordan requested a work session be scheduled to discuss the proposed upgrades to the Council Room.

LEGISLATION:

A Resolution to Repeal and Reenact with Amendment Resolution Number 2045 to Adopt Standing Rules for the Council of the City of Greenbelt, Maryland

Mayor Jordan read the agenda comments.

Mayor Jordan noted he was not present at the last meeting when the resolution was introduced for first reading and expressed concern that some changes to standing rules that he brought up at the work session were not included in the proposed resolution. These changes include: 1) requiring a second by a councilmember when a councilmember requests to add an item to the agenda; 2) allowing petitioners five minutes to speak on matters; and 3) allowing the video recording to serve as the minutes for meetings.

Mayor Jordan moved to table the resolution. Ms. Pope seconded.

Ms. Davis said she had reviewed her work session notes and thinks all the changes that were unanimously agreed upon were covered in the proposed resolution. Mayor Jordan disagreed. Ms. Davis and Ms. Mach said they didn't agree with the need to get a second in order for a council member to add an item to the agenda. Ms. Pope said the resolution should be tabled until concerns were addressed.

Mr. Byrd stressed the need to get standing rules in place as soon as possible. He suggested voting on each of the changes recommended this evening and moving forward with the resolution.

Mr. Putens said councilmembers should be able to add items to an agenda. If any member doesn't agree with the item, they don't have to support taking action when it's discussed.

Mr. Roberts arrived at this time. (8:28 p.m.)

The motion passed 4-3. (Byrd, Davis, Mach)

It was requested staff research the City Charter regarding when a second is required and State Law regarding video recordings serving as meeting minutes.

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

Mayor Jordan read the agenda comments.

Ms. Davis introduced the resolution for first reading.

Jim Sterling, Director of Public Works, answered several questions.

Steve Skolnik, Chair of the Greenbelt Green Team, and John Lippert, Chair of the Greenbelt Advisory Committee on Environmental Sustainability, spoke in support of this project.

AWARD OF PURCHASE – STREET SWEEPER: Mayor Jordan read the agenda comments.

Jim Sterling, Director of Public Works, introduced Jason Martin, the City's new Environmental

Coordinator and staff liaison to the Forest Preserve Advisory Board.

Mr. Sterling explained that the FY 2018 Replacement Fund includes \$71,000 for the replacement of the Four Cities Street Sweeper. He said the Four Cities Coalition (Greenbelt, College Park, Berwyn Heights and New Carrollton) have agreed to continue participating in the sweeper program and are recommending a mechanical sweeper be purchased. Mr. Sterling advised that the Coalition agreed to amend the original street sweeper agreement and change the allocations of each municipality towards the purchase of the new sweeper. Instead of each municipality paying 25% of the original purchase, the purchase breakdown would be amended and be the same as the maintenance costs of the original agreement. College Park would pay 46%, Greenbelt 23%, New Carrollton 21% and Berwyn Heights 10% of the cost for a new mechanical sweeper.

Mr. Sterling said the Coalition has identified Master Purchase Order #10883A0117 from the City and County of Denver, Colorado, for the purchase of a Dulevo 6000 mechanical sweeper. He said the overall price quoted to the Coalition is \$252,290 which includes additional options and an extended warranty.

In response to a question from Ms. Davis, Mr. Sterling said Greenbelt would continue to provide the sweeper driver and maintain the new sweeper and would bill the other cities for their share of the cost.

Mr. Byrd moved that Council approve the purchase of a Dulevo 6000 mechanical sweeper per the City and County of Denver, Colorado's MPO #10883A0117 from Bortek Industries Inc., 4713 Old Gettysburg Road, Mechanicsburg, PA 17055, for \$252,290. Ms. Pope seconded.

Michael Hartman asked about the environmental impacts of the street sweeper. Mr. Sterling advised that the mechanical sweeper uses 60% less water, reduces fine dust reduction by 100% and has a lower noise decibel level than other sweepers.

The motion passed 7-0.

STATE LEGISLATION:

SB 732/HB 1453 – Renewable Energy and Job Development: Mayor Jordan read the agenda comments.

Lore Rosenthal and Michael Hartman, Greenbelt Climate Action Network (GCAN), spoke in support of SB 732/ HB 1453.

Ms. Davis moved that Council support SB 732/HB 1453. Mr. Putens seconded.

The motion passed 7-0.

HB 878 – Public Utilities – Renewable Energy (100% Clean Renewable Equity Energy Act): Mayor Jordan read the agenda comments.

Lore Rosenthal and Michael Hartman spoke in support of HB 878.

Mr. Byrd moved to support HB 878. Mr. Putens seconded.

The motion passed 7-0.

Ms. Rosenthal asked that a copy of the support letter be sent to Delegate Dereck Davis, Chair of House Economic Matters Committee.

HB 637/SB 1004 – Asset Transfer for Maglev – Municipal Agreements and HB 638/SB 1005 – Asset Transfer for Maglev – Hearing and Approval Requirements: Mayor Jordan read the agenda comments.

Ms. Davis moved that Council support HB 637/SB 1004 and HB 638/SB 1005. Ms. Mach seconded.

The motion passed 7-0.

PG 420 – Authority to Prohibit the Use of Disposable Bags: Mayor Jordan read the agenda comments.

Mr. Putens moved that Council support PG 420. Ms. Pope seconded.

The motion passed 7-0.

HB 78/SB 222 – Foreclosure Property Registry – Notice to Local Governments: Mayor Jordan read the agenda comments.

Mr. Putens moved that Council support HB 78/SB 222. Ms. Pope seconded.

The motion passed 7-0.

HB 206/SB 518 – Liquor Licenses for Movie Theaters: Mayor Jordan read the agenda comments.

Mr. Roberts moved that Council oppose HB 206/SB 518. Ms. Mach seconded.

The motion failed 3-4. (Byrd, Davis, Jordan, Pope)

Ms. Davis moved that Council take no position on HB 206/SB 518. Ms. Pope seconded.

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

HB 423 – Vegetation Management – Notice to Municipalities: Mayor Jordan read the agenda comments.

Ms. Davis moved that Council support HB 423 with the amendments recommended by the Maryland Municipal League Legislative Committee. Ms. Pope seconded.

The motion passed 7-0.

SB 158/HB 305 – Homestead Property Tax Credit – Eligibility Awareness: Mayor Jordan read the agenda comments.

Mr. Putens moved that Council support SB 158/HB 305. Ms. Mach seconded.

The motion passed 7-0.

SB 407/HB 535 – Transportation – Complete Streets Program: Mayor Jordan read the agenda comments.

Ms. Davis moved that Council support SB 407/HB 535. Ms. Mach seconded.

The motion passed 7-0.

HB 400 – Mosquito Control – Notification to Municipalities: Mayor Jordan read the agenda comments.

Ms. Pope moved that Council support HB 400. Mr. Putens seconded.

The motion passed 7-0.

Ms. Davis requested SB 277/HB 372 be included on the agenda of the next meeting. She said this bill relates to the Maryland Metro Dedicated fund account in the Transportation Trust Fund.

CHANGE OF RESIDENT AGENT (FROM MICHAEL MCLAUGHLIN TO NICOLE ARD): Mayor Jordan read the agenda comments.

Ms. Davis moved that Council approve changing the City's resident agent with the State of Maryland from Michael McLaughlin to Nicole Ard. Ms. Mach seconded.

The motion passed 7-0.

FOREST PRESERVE ADVISORY BOARD (FPAB), REPORT #2018-01 (LEGAL PROTECTIONS AGAINST THE CONSTRUCTION OF THE BWRR SUPERCONDUCTING MAGLEV WITHIN THE GREENBELT FOREST PRESERVE): Mayor Jordan read the agenda comments.

Mayor Jordan and Ms. Davis commented on the thoroughness of the report and how well it had been put together.

Ms. Mach moved that Council submit the Forest Preserve Advisory Board Report #2018-01 to the Baltimore Washington Rapid Rail (BWRR), Maryland Department of Transportation, and the Federal Railroad Administration as a follow-up to comments that Council has already submitted as part of the National Environmental Policy Act review process for the proposed

superconducting maglev (SCMaglev) routes J1 and J. Ms. Davis seconded.

Valerie Elliott, chair of the Forest Preserve Advisory Board, explained that several parcels that make up the North Woods Tract and Hamilton Woods Tract of the Forest Preserve are protected by laws, covenants, and easements at the municipal, county, state and federal levels, which limit or prohibit construction within the Forest Preserve. She said some of these protections also prohibit any construction outside of the Forest Preserve that would be close enough to impact the Forest Preserve's ecosystem or the public enjoyment of the Forest Preserve.

Ms. Elliott noted the impact of the proposed SCMaglev would devastate these areas of the forest preserve as well as surrounding neighborhoods. She noted the importance of making residents aware of the situation.

Jason Martin, staff liaison for the FPAB, commented that the wetland habitat in these areas of the Forest Preserve will be destroyed. Ms. Elliott said that area is one of oldest forested areas with 100 plus year old trees.

Mr. Roberts suggested the information also be sent to Japanese Prime Minister Abe.

Mr. Putens requested that the report be forwarded to the Greenbelt New Review. He also requested the City Solicitor review the report.

Ms. Mach said her motion did not include sending a letter to the Japanese Prime Minister.

The motion passed 7-0.

REQUEST TO RECLASSIFY GERIATRIC CASE MANAGER TO BILINGUAL COMMUNITY OUTREACH COORDINATOR: Mayor Jordan read the agenda comments.

Dr. Liz Park, Director of CARES, explained that the Greenbelt Assistance in Living (GAIL) program is requesting that a full time position of Bilingual Community Outreach Coordinator be established to oversee all the community wellness and support programs offered by the GAIL program. She said funding for this position would come from leaving the Geriatric Case Manager position unfilled for the time being. Dr. Park noted that this change will allow for a more efficient use of staff time as this person will centralize health and wellness services and the Case Manager will focus on direct client services.

Mr. Putens asked for Dr. Park to provide the job descriptions for both positions.

Mr. Roberts moved that Council support the request to reclassify the Geriatric Case Manager to the Bilingual Community Outreach Coordinator. Mr. Putens seconded.

The motion passed 7-0.

LETTER TO COUNTY COUNCIL MEMBER TODD TURNER REQUESTING FUNDING TO GREENBELT CONNECTION BUS: Mayor Jordan read the agenda comments.

Mr. Byrd moved that Council send a letter to County Council Member Todd Turner requesting funding for the Greenbelt Connection Bus.

In response to a question from Ms. Davis, Mr. Moran advised that this matter was on the legislative agenda when Council met with State Delegation and County Council Member Turner in December and will be included on the upcoming legislative agenda when Council meets with them again in a few weeks. He added that the City and Council have sent several letters in the past on the matter.

Mr. Sterling said every municipality in the County is facing the same challenge because none of the municipalities had received bus funding for six years. He explained that Greenbelt is in a very difficult situation since the bus that had been in operation caught fire and was no longer operable. Further, the insurance proceeds from the loss of the bus will go to the County. Mr. Sterling commented that he had been trying to get the matter resolved with the County for eight months.

Mr. Sterling said the City is fortunate that Berwyn Heights is allowing the City to utilize their bus, which is seldom used by their town. He noted the important service the bus provides to senior residents.

After discussion, Mr. Putens suggested sending a letter to County Executive Baker regarding funding for the Connection bus. Ms. Davis suggested County Council Member Turner be informed (perhaps by email) that funding for the bus will be on the agenda for the upcoming legislative dinner. Mr. Putens suggested the letter be copied to the City of College Park, Town of Berwyn Heights and other municipalities in the County that have a bus and are in the same situation.

Mr. Byrd expressed concern regarding sending a letter to County Executive Baker prior to the work session with him being confirmed. He added that it may be best to explain Greenbelt's unique situation with the bus no longer operable because of the fire, borrowing of the bus from Berwyn Heights, etc.

After further discussion, Ms. Davis moved that Council send a letter to County Executive Baker and County Council Chair Glaros requesting bus funding. Ms. Mach seconded.

Ms. Davis requested bus funding be included on the agenda of the work session with County Executive Baker.

On motion made by Mr. Byrd: The motion passed 5-2. (Jordan, Putens)

On motion made by Ms. Davis: The motion passed 7-0.

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

Metropolitan Washington Council of Governments (COG) Air Quality Committee and
Climate Energy and Environment Policy Committee at the Washington D.C. Auto Show
– Ms. Mach
80th Anniversary Legacy Films at Greenbelt Theater – Mayor Jordan, Ms. Davis and

Ms. Mach
COG Clean Air Partners Conference Calls – Ms. Mach
Citizens Against SCMaglev Rally in Annapolis – Mr. Byrd and Mr. Roberts
Central Maryland Transportation and Mobility Commission Meeting – Ms. Davis
Maryland Municipal League Legislative Committee Meeting – Ms. Davis
Maryland Mayors Association Winter Conference – Mayor Jordan and Ms. Davis
Transportation Committee Briefing in Annapolis – Mayor Jordan, Ms. Davis and Mr. Roberts
Greenbelt East Advisory Coalition Meeting – Mayor Jordan, Mr. Byrd, Ms. Davis, Ms. Pope and Mr. Putens
Chesapeake Bay Policy Committee Conference Calls (2) – Ms. Davis
Maryland Municipal League Legislative Committee Meeting – Mayor Jordan and Ms. Davis
Meeting with Greenbelt Homes, Inc. President Skolnik and Manager Ralph – Mayor Jordan and Ms. Davis
Maryland Black Mayors Association Meeting – Mayor Jordan

COUNCIL REPORTS: None

MEETINGS: Council reviewed the meeting schedule.

2018 Meeting Schedule: Ms. Davis moved that Council change its 2018 meeting schedule as follows: 1) no work session on Monday, April 2 (Easter Monday and Passover); reschedule June 11th and June 25th Regular Meetings to June 4th and June 18th (Budget Adoption Prior to June 10th and MML Conference June 10th – 13th); and 3) no work session on Wednesday, September 19th (Yom Kippur). Ms. Mach seconded.

The motion passed 7-0.

Executive Session: Ms. Davis moved that Council schedule an Executive Session on Wednesday, February 14, 2018, at 8:00 p.m. in the Library of the Municipal Building. Council will hold this closed meeting in accordance with the General Provisions Article 3-305(b)(1) of the *Annotated Code of the Public General Laws of Maryland* to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; any other personnel matter that affects one or more specific individuals - evaluation of the City Manager.

Ms. Mach seconded.

ROLL CALL: Mr. Byrd	-	yes
Ms. Davis	-	yes
Ms. Mach	-	yes
Ms. Pope	-	yes
Mr. Putens	-	no
Mr. Roberts	-	yes
Mayor Jordan	-	yes

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 12, 2018, at 10:40 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 12, 2018.

Emmett V. Jordan
Mayor