

GREENBELT CITY COUNCIL
Municipal Building
Regular Meeting
February 9, 2015 - 8:00 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

Prince George's County Council Member Todd Turner: Council Member Turner will be present to introduce himself to the Greenbelt community and provide a briefing on his upcoming District 4 Budget/Listening Sessions. (CM)

[Listening Session Flyer](#)

Prince George's County Council Member Todd Turner

Council Member Turner will be present to introduce himself to the Greenbelt community and provide a briefing on his upcoming District 4 Budget/Listening Sessions.(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](#)

* - Regular Meeting, January 12, 2015

[Minutes](#)

- Executive Session, January 14, 2015 - In order to approve these minutes, the following motion is needed: I move that the minutes of the executive session of the City Council held Wednesday, January 14, 2015, be approved as presented. Council held this closed meeting in accordance with the General Provisions Article, §3-305(b)(14) of the *Annotated Code of Public General Laws of Maryland*, to discuss the Award of Contract for Theater Operations. (CM)

In order to approve these minutes, the following motion is needed:

I move that the minutes of the executive session of the City Council held Wednesday, January 14, 2015, be approved as presented. Council held this closed meeting in accordance with the General Provisions Article, §3-305(b)(14) of the *Annotated Code of Public General Laws of Maryland*, to discuss the Award of Contract for Theater Operations. (CM)

* - Regular Meeting, January 26, 2015

[Minutes](#)

* - Work Session, January 28, 2015

9. [Administrative Reports](#)

* 10. Committee Reports

III. LEGISLATION

11. [An Ordinance to Amend Chapter 11 "Motor Vehicles and Traffic," Article II "Operation of Vehicles" and Article III "Stopping, Standing and Parking" of the Greenbelt City Code](#)
[1st Reading - Reference: Ordinance](#)
[Council directed staff to evaluate Chapter 11 of the City Code related to parking regulations, particularly as the regulations pertain to parking restrictions based on vehicle size, weight and class. Changes to the code are recommended to clarify these regulations. In addition, changes are recommended to increase fines, strengthen enforcement of unregistered, disabled, out-of-state and vehicles with multiple violations. There is also new language to regulate parking of commercial vehicles in residential zones and the operation of curbstoning \(vehicle sales from residential locations\). It is recommended that this legislation be introduced for first reading. \(CC\).](#)

Reference: Ordinance

Council directed staff to evaluate Chapter 11 of the City Code related to parking regulations, particularly as the regulations pertain to parking restrictions based on vehicle size, weight and class. Changes to the code are recommended to clarify these regulations.

In addition, changes are recommended to increase fines, strengthen enforcement of unregistered, disabled, out-of-state and vehicles with multiple violations. There is also new language to regulate parking of commercial vehicles in residential zones and the operation of curbstoning (vehicle sales from residential locations).

It is recommended that this legislation be introduced for first reading.
(CC)

Ordinance

IV. OTHER BUSINESS

12. Strathcona Apartments - Application for Issuance of a Certificate of Nonconforming Use -

Reference: Statement of Justification, C. Levin, 11/19/14

The City has received a referral from M-NCPPC for an application filed by Strathcona Apartments for the issuance of a Certificate of Nonconforming Use. Strathcona Apartments are the two buildings located on Crescent Road across from Centerway. These apartments consist of 42 units that have been in consistent use since the apartments were built in the late 1930's. Even though this property has been in consistent use, the property and apartment units are considered non-conforming because the zoning regulations in effect at the time the apartment buildings were constructed have changed. These changes render this property non-conforming. Strathcona Apartments recently came under new ownership and is being renamed Greenbelt Park Apartments. The Certificate of Nonconforming Use is required for the new owner to obtain a valid Use and Occupancy Permit. The new owner is not proposing any exterior changes to the buildings at this time, and has indicated that he will be updating the interiors of the units. Staff recommends that the City Council support Strathcona/Greenbelt Park Apartments application for Certificate of Nonconforming Use. It is expected that Larry Taub, Attorney representing the new owner, will be in attendance to answer questions. (TH).

-

The City has received a referral from M-NCPPC for an application filed by Strathcona Apartments for the issuance of a Certificate of Nonconforming Use. Strathcona Apartments are the two buildings located on Crescent Road across from Centerway. These apartments consist of 42 units that have been in consistent use since the apartments were built in the late 1930's.

Even though this property has been in consistent use, the property and apartment units are considered non-conforming because the zoning regulations in effect at the time the apartment buildings were constructed have changed. These changes render this property non-conforming.

Strathcona Apartments recently came under new ownership and is being renamed Greenbelt Park Apartments. The Certificate of Nonconforming Use is required for the new owner to obtain a valid Use and Occupancy Permit. The new owner is not proposing any exterior changes to the buildings at this time, and has indicated that he will be updating the interiors of the units.

Staff recommends that the City Council support Strathcona/Greenbelt Park Apartments application for Certificate of Nonconforming Use. It is expected that Larry Taub, Attorney representing the new owner, will be in attendance to answer questions. (TH)

Statement of Justification

13. Maryland Energy Administration Grant - Solar Parking Canopies -
Reference: MEA Notice of Grant Availability.
Email, S. Skolnik, 02/04/2015
Councilmember Herling requested that this item be added to tonight's
agenda. The City's Green Team has learned of a Maryland Energy
Administration (MEA) grant opportunity that would allow City
commercial property owners with large parking lots to install solar
canopy structures with electric vehicle charging stations at no cost to
the property owner. Green Team member Steve Skolnik believes the

grant will cover the cost of having a solar vendor install the canopies. The property owner would then purchase the electricity generated by these canopies from the solar vendor through a power purchase agreement at a rate lower than what they are currently paying for electricity. The owner benefits by having shaded parking, lower electricity costs and demonstrating their environmental commitment. Owners of large parking lots such as shopping malls, office parks and maybe hotels would likely qualify for this grant. Unfortunately, the deadline for this grant application is March 2, 2015 so time is of the essence. The Green Team would like the City to contact these property owners and “introduce” this grant opportunity to them. Mr. Skolnik suggests the Mayor or City Manager make phone calls to the owners. Members of the Green Team could then follow-up and assist them in completing the grant application, identifying potential solar vendors, etc. Council direction is sought. (DEM).

-

Councilmember Herling requested that this item be added to tonight's agenda. The City's Green Team has learned of a Maryland Energy Administration (MEA) grant opportunity that would allow City commercial property owners with large parking lots to install solar canopy structures with electric vehicle charging stations at no cost to the property owner.

Green Team member Steve Skolnik believes the grant will cover the cost of having a solar vendor install the canopies. The property owner would then purchase the electricity generated by these canopies from the solar vendor through a power purchase agreement at a rate lower than what they are currently paying for electricity. The owner benefits by having shaded parking, lower electricity costs and demonstrating their environmental commitment.

Owners of large parking lots such as shopping malls, office parks and maybe hotels would likely qualify for this grant. Unfortunately, the deadline for this grant application is March 2, 2015 so time is of the essence.

The Green Team would like the City to contact these property owners and "introduce" this grant opportunity to them. Mr. Skolnik suggests the Mayor or City Manager make phone calls to the owners. Members of the Green Team could then follow-up and assist them in completing the grant application, identifying potential solar vendors, etc.

Council direction is sought. (DEM)

[MEA Notice of Grant Availability](#)

[Email S. Skolnik](#)

14. [Release of Funds to Greenbelt Volunteer Fire Department and Rescue Squad - Reference: Letter, Chief Ray, 01/30/2015](#)

[Adopted 2015 Budget Page](#)

[110](#)

[The Greenbelt Volunteer Fire Department and Rescue Squad, Inc. \(GVFDRS\) has notified the City of its recent purchase of a 2014 Road Rescue ambulance. The GVFDRS has requested the City release \\$187,000 of the Apparatus Replacement Fund to be used towards the cost of the new ambulance. There is currently \\$363,773 available in the Fund. Chief Tom Ray will be present at the meeting. Council direction is sought. \(CM\).](#)

-

The Greenbelt Volunteer Fire Department and Rescue Squad, Inc. (GVFDRS) has notified the City of its recent purchase of a 2014 Road Rescue ambulance. The

GVFDRS has requested the City release \$187,000 of the Apparatus Replacement Fund to be used towards the cost of the new ambulance. There is currently \$363,773 available in the Fund. Chief Tom Ray will be present at the meeting.

Council direction is sought. (CM)

[Letter Chief Ray](#)

[Adopted 2015 Budget Page](#)

15. [Settlement Agreement - Comcast Acquisition of Time Warner Cable - Reference: Memorandum, B. Palau, 02/02/2015](#)

[Settlement Agreement](#)

[The City of Greenbelt, as a member of a County wide Franchise Negotiating Team which is working with Comcast on the Renewal of the Franchise Agreement, has agreed to consent to the acquisition of Time Warner Cable by Comcast Corporation. Comcast Corporation filed an FCC Form 394 requesting Greenbelt's consent to the acquisition, if consent is required, on April 10, 2014. \(Comcast Corporation does not agree that consent is required\). In order for the City to examine the materials filed with Form 394, and additional materials submitted by Comcast on the City's request, the usual 120 day deadline was extended to February 13, 2015. While concurrently negotiating the terms of the Renewal, it became evident that a final Franchise Agreement would not be reached by the deadline. The immediate focus of the negotiations was to come to an agreement in which the Negotiating Team could consent to the acquisition. Attached is the settlement agreement that came from those negotiations. As part of the Settlement Agreement, some of the non-compliance issues being negotiated with Comcast were addressed. Approval of the Settlement Agreement gives the City of Greenbelt resolution to some issues while it allows the city to continue negotiating with Comcast to address any other outstanding issue through the renewal negotiations. The agreement was not finalized until Thursday, January 29, 2015. No action by the City by the February 13, 2015 deadline is equivalent to consent to the](#)

acquisition. It is recommended that Council approve the settlement agreement in order to benefit from the immediate concessions by Comcast which are mentioned in the agreement. (BP).

-

The City of Greenbelt, as a member of a County wide Franchise Negotiating Team which is working with Comcast on the Renewal of the Franchise Agreement, has agreed to consent to the acquisition of Time Warner Cable by Comcast Corporation. Comcast Corporation filed an FCC Form 394 requesting Greenbelt's consent to the acquisition, if consent is required, on April 10, 2014. (Comcast Corporation does not agree that consent is required). In order for the City to examine the materials filed with Form 394, and additional materials submitted by Comcast on the City's request, the usual 120 day deadline was extended to February 13, 2015.

While concurrently negotiating the terms of the Renewal, it became evident that a final Franchise Agreement would not be reached by the deadline. The immediate focus of the negotiations was to come to an agreement in which the Negotiating Team could consent to the acquisition. Attached is the settlement agreement that came from those negotiations.

As part of the Settlement Agreement, some of the non-compliance issues being negotiated with Comcast were addressed. Approval of the Settlement Agreement gives the City of Greenbelt resolution to some issues while it allows the city to continue negotiating with Comcast to address any other outstanding issue through the renewal negotiations. The agreement was not finalized until Thursday, January 29, 2015. No action by the City by the February 13, 2015 deadline is equivalent to consent to the acquisition.

It is recommended that Council approve the settlement agreement in

order to benefit from the immediate concessions by Comcast which are mentioned in the agreement. (BP)

[Memorandum, B. Palau, 02/02/2015](#)

[Settlement Agreement](#)

16. [Council Reports](#)

* 17. 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, 2015, to file a protest of any license renewal. The Police and Planning and Community Development Departments have reviewed the list of licensees 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)

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, 2015, to file a protest of any license renewal.

The Police and Planning and Community Development Departments have reviewed the list of licensees 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)

[Notice, Board of License Commissioners \(Liquor Board\)](#)

* 18. Recognition Group Application - Greenbelt Lions Club -
Reference: PRAB Report #2014-4

At its January 12, 2015, meeting, Council accepted the Park & Recreation
Advisory

Board (PRAB) Report #2014-4. The report indicated that PRAB had
reviewed an application from the Greenbelt Lions Club for Recognition
Group status. PRAB unanimously recommended that Recognition Group
status be granted to the group. Approval of this item on the consent agenda
will indicate Council's approval of granting Recognition Group status to the
Greenbelt Lions Club. (CM)

At its January 12, 2015, meeting, Council accepted the Park & Recreation
Advisory

Board (PRAB) Report #2014-4. The report indicated that PRAB had
reviewed an application from the Greenbelt Lions Club for Recognition
Group status. PRAB unanimously recommended that Recognition Group
status be granted to the group.

Approval of this item on the consent agenda will indicate Council's
approval of granting Recognition Group status to the Greenbelt Lions
Club. (CM)

[PRAB Report](#)

* 19. Reappointments to Advisory Group - Reference:

Reappointment Surveys

The following individuals have indicated their willingness to continue to
serve on City Advisory Boards and Committees:

Oliver Gaycken Arts Advisory Board

Ed Hickey Senior Citizens Advisory Committee
Approval of this
item on the consent agenda will indicate Council's intent to appoint them to
new terms. (CM)

The following individuals have indicated their willingness to continue to
serve on City Advisory Boards and Committees:

Oliver Gaycken Arts Advisory Board
Ed Hickey Senior Citizens Advisory Committee

Approval of this item on the consent agenda will indicate Council's intent to appoint them to new terms. (CM)

* 20. Resignation from Advisory Group -
Reference: Email, C. Husker, 02/03/2015
Email, J. McHale, 12/11/2014

Christopher Husker has submitted his resignation from the Park and Recreation Advisory Board. Shane Wisdom has not been participating with the Arts Advisory Board for several months and attempts by staff to communicate with him have not been unsuccessful. Approval of this item on the consent agenda will indicate Council's intent to accept Mr. Husker's resignation with regret and to remove Mr. Wisdom as a member of the Arts Advisory Board. (CM)

Reference: Email, C. Husker, 02/03/2015
Email, J. McHale, 12/11/2014

Christopher Husker has submitted his resignation from the Park and Recreation Advisory Board. Shane Wisdom has not been participating with the Arts Advisory Board for several months and attempts by staff to communicate with him have not been unsuccessful.

Approval of this item on the consent agenda will indicate Council's intent to accept Mr. Husker's resignation with regret and to remove Mr. Wisdom as a member of the Arts Advisory Board. (CM)

V. MEETINGS

Reference: Chart, Stakeholder/Regular Meetings
Master Calendar

Executive Session(s): At the work session on February 4, Council expressed its desire to schedule an Executive Session on Wednesday, February 11, 2015, to discuss the contract for the

Greenbelt Theater Operations. The following motion is required to schedule the executive session: I move that Council schedule an Executive Session on Wednesday, February 11, 2015, at 8:00 p.m., in Room 201 of the Community Center. Council will hold this closed meeting in accordance with the General Provisions Article 3-305 (b) (14) of the Annotated Code of Public General Laws of Maryland to discuss the contract for the Greenbelt Theater Operations.

	<u>02/09</u>	
<u>Regular Meeting</u>	<u>Mon.</u>	<u>8:00 pm</u>

	<u>02/11</u>	
<u>Work Session – TBA (CC)</u>	<u>Wed.</u>	<u>8:00 pm</u>

	<u>02/16</u>	
<u>No Meeting – City Holiday (Presidents' Day)</u>	<u>Mon.</u>	<u>8:00 pm</u>

	<u>02/18</u>	
<u>Work Session – Briefing on Greenbelt Station (CC)</u> <u>(tentative)</u>	<u>Wed.</u>	<u>8:00 pm</u>

	<u>02/23</u>	
<u>Regular Meeting</u>	<u>Mon.</u>	<u>8:00 pm</u>

	<u>02/25</u>	
<u>Work Session – Briefing on Pedestrian/Bicycle Trail from</u> <u>Greenbelt Station/Update on South Core Apartments (CC)</u>	<u>Wed.</u>	<u>8:00 pm</u>

	<u>03/02</u>	
<u>Work Session – NASA/GSFC</u>	<u>Mon.</u>	<u>8:00 pm</u>

<u>No Meeting</u>	<u>Wed.</u>	<u>03/04</u>	<u>8:00 pm</u>
<u>Work Session – GEAC (Greenbriar Community Bldg.)</u>	<u>Thurs.</u>	<u>03/05</u>	<u>7:30 pm</u>
<u>Regular Meeting</u>	<u>Mon.</u>	<u>03/09</u>	<u>8:00 pm</u>
<u>Legislative Dinner – Annapolis</u>	<u>Wed.</u>	<u>03/11</u>	<u>6:00 pm</u>
<u>Work Session – University of Maryland (tentative)</u>	<u>Mon.</u>	<u>03/16</u>	<u>8:00 pm</u>
<u>Work Session – TBA (CC)</u>	<u>Wed.</u>	<u>03/18</u>	<u>8:00 pm</u>
<u>Regular Meeting</u>	<u>Mon.</u>	<u>03/23</u>	<u>8:00 pm</u>
<u>Work Session – TBA (CC)</u>	<u>Wed.</u>	<u>03/25</u>	<u>8:00 pm</u>
<u>Work Session – State's Attorney (tentative)</u>	<u>Mon.</u>	<u>03/30</u>	<u>8:00 pm</u>

Executive Session(s): At the work session on February 4, Council expressed its desire to schedule an Executive Session on Wednesday, February 11, 2015, to discuss the contract for the Greenbelt Theater Operations.

The following motion is required to schedule the executive session: I move that Council schedule an Executive Session on Wednesday, February 11, 2015, at 8:00 p.m., in Room 201 of the Community Center. Council will hold this closed meeting in accordance with the General Provisions Article 3-305 (b) (14) of the Annotated Code of Public General Laws of Maryland to discuss the contract for the Greenbelt Theater Operations.

Regular Meeting Mon. 02/09 8:00 pm

Work Session - TBA (CC) Wed. 02/11 8:00 pm

No Meeting - City Holiday (Presidents' Day) Mon. 02/16 8:00 pm

Work Session - Briefing on Greenbelt Station (CC) (tentative) Wed. 02/18 8:00 pm

Regular Meeting Mon. 02/23 8:00 pm

Work Session - Briefing on Pedestrian/Bicycle Trail from Greenbelt Station/Update on South Core Apartments (CC) Wed. 02/25 8:00 pm

Work Session - NASA/GSFC Mon. 03/02 8:00 pm

No Meeting Wed. 03/04 8:00 pm

Work Session - GEAC (Greenbriar Community Bldg.) Thurs. 03/05 7:30 pm

Regular Meeting Mon. 03/09 8:00 pm

Legislative Dinner - Annapolis Wed. 03/11 6:00 pm

Work Session - University of Maryland (tentative) Mon. 03/16 8:00 pm

Work Session - TBA (CC) Wed. 03/18 8:00 pm

Regular Meeting Mon. 03/23 8:00 pm

Work Session - TBA (CC) Wed. 03/25 8:00 pm

Work Session - State's Attorney (tentative) Mon. 03/30 8:00 pm

Ready to be scheduled:

WSSC (stakeholder)
Business Coffee
Rental Apartments (stakeholder)
Forest Preserve/Community Gardens
Comcast/Verizon
Hotels
Clergy
Gateway Signage Update
School Board Representative Grady
Youth Sports

For later scheduling:
Zoning Enforcement
Parkway Apartment Owners/GHI (parking)
Northway Fields Master Plan
City Manager Updates (Jan, Pre-budget; June, & Sept/Oct)
Cemetery Plans
Meeting with County on Transportation Plan
Information Technology Dept.
Roosevelt Center Owner