

GREENBELT CITY COUNCIL
Municipal Building
Regular Meeting
February 8, 2016 - 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

[Anacostia Trails Heritage Area - Aaron Marcavitch, Executive Director of the Anacostia Trails Heritage Area, will provide an update on the organization. Mr. Marcavitch will also discuss the Heritage Center Fund. \(CM\)](#)

[Item 6](#)

B. 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

* Work Session, December 2, 2015

8-DRAFT Minutes, 12-2-15

*Work Session, December 16, 2015

8-DRAFT Minutes, 12-16-15

* Regular Meeting, January 11, 2016

8-DRAFT Minutes, 1-11-16

*Work Session, January 13, 2016

8-DRAFT Minutes, 1-13-16

- Statement for the Record - Executive Session, February 3, 2016 - The following motion is needed: In accordance with the General Provisions Article, Section 3-306(c)(2) of the Annotated Code of Public General Laws of Maryland, I move that the minutes of tonight's meeting reflect that Council met in executive session on Wednesday, February 3, 2016, at 7:05 p.m. in Room 201 of the Community Center. Council held this closed meeting in accordance with the General Provisions Article, §3-305(b)(4) of the Annotated Code of Public General Laws of Maryland, to consider a matter that concerns a proposal for a business to locate in the State.

Vote to close session:

-	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
<u>Ms. Davis</u>	<u>X</u>	-	-	-
<u>Mr. Herling</u>	<u>X</u>	-	-	-
<u>Ms. Mach</u>	<u>X</u>	-	-	-
<u>Ms. Pope</u>	<u>X</u>	-	-	-
<u>Mr. Putens</u>	<u>X</u>	-	-	-
<u>Mr. Roberts</u>	-	<u>X</u>	-	-
<u>Mayor Jordan</u>	<u>X</u>	-	-	-

The following staff members were in attendance: Michael McLaughlin, City Manager, and Cindy Murray, City Clerk. Other individuals in attendance: County Council Member Todd Turner, Garth Beall and Paul Summers, Renard Development; and David Iannucci, Prince George's County. Council took no actions during this session. (CM)

8-Executive Session Statement

9. Administrative Reports

* 10. Committee Reports

Community Relations Advisory Board, Report #2016-1 (Preservation & Maintenance of the Turner Family Cemetery - Community Relations Advisory Board, Report #2016-1 (Preservation & Maintenance of the Turner Family Cemetery)): It is recommended that Council accept this report and consider it on the agenda of a future meeting.(CM)

10-CRAB Report

III. LEGISLATION

9. Administrative Reports

11. Purchase of Unit 10-A Crescent Road to Become Part of the Greenbelt Museum - Reference:
Memorandum, M. McLaughlin, 02/04/2016 - 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. Council now needs to decide whether to use available City funds or to take a loan to pay for the acquisition. Included in Council's packet is a memo detailing each approach as well as ordinances to authorize each approach – cash or loan. 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). The Greenbelt Federal Credit Union is willing to loan the City the necessary funds with an interest rate of 4.75% for up to 15 years. However, the City Charter limits City contracts to ten (10) years. A ten (10) year loan will cost approximately \$241,300 over the full term including a \$40,000 down payment. It is recommended Council introduce one of the following two ordinances

(A or B) based on the approach it supports. The ordinance can receive second reading and adoption at the February 22, 2016, Council meeting. Once authorized, it is anticipated settlement on the property can occur within a couple weeks. (MPM)

A. 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 - 1st Reading

B. An Ordinance of the Council of the City of Greenbelt, Maryland Pursuant to City Charter, Section 58A "Financing Acquisition of Historic District Property" Authorizing Indebtedness to be Incurred by the City for the Acquisition of Certain Real Property Known as 10-A Crescent Road, Greenbelt, Maryland, in an Amount not to Exceed Two Hundred Thousand Dollars (\$200,000), and Pledging the City's Full Faith and Credit to the Repayment of the Loan - 1st Reading

[11-Memorandum](#)

[11-Ordinance A](#)

[11-Ordinance B](#)

IV. OTHER BUSINESS

12. [PG/MC 111-2016 - Reference:](#)

[PG/MC 111-2016](#)

[Memorandum, T. Hruby, 01/02/2016 - This legislation is a response to a recent court case, *Prince George's County v. Zimmer Development Company* which found that the District Council only has appellate jurisdiction to review Planning Board decisions. This case greatly limits the long-standing practice by the District Council of reviewing](#)

cases. The bill would take the zoning powers of the Planning Board and Board of Appeals and vest them with the District Council. It is an effort to codify that the District Council has original jurisdiction over these matters, thus making the Planning Board subordinate to the District Council. At the City's Legislative Dinner on December 15, County Council Member Turner requested the City support this bill. Included in Council's packet is a memorandum detailing staff's concerns with PG/MC 111. This bill was on the agenda of the last meeting. Council tabled this agenda item due to concerns on how this bill will impact municipalities. Council Member Turner will be present at the meeting this evening to discuss this bill. Council tabled this item at the last meeting. Debate on this agenda item may be resumed by a majority vote of Council.

12-PG MC 111-2016

12-Memorandum, T. Hruby

13. Alcoholic Beverage License Application - Mission BBQ - Reference: Notice, Board of License Commissioners - The City has received notice of a new Class B(BDD), Beer, Wine and Liquor License for the use of Mission BBQ, 5506 Cherrywood Lane. The application is scheduled for the February 23, 2016, meeting of the Board of License Commissioners (Liquor Control Board). The City can support, oppose or take no position on this application. Doug Plain, the Operating Partner for Mission BBQ Greenbelt, will be present at tonight's meeting. Council direction is sought. (CM)

13 - Notice

14. Red Light Camera Contract - Reference: Letter, A. Youssi, 01/19/2016 Agreement - Memorandum of Understanding - Since the beginning of its red light camera program in 2002, the City has partnered with Howard County to operate it. Greenbelt is one of a number of municipalities which have partnered with Howard County. Under this

arrangement, Howard County manages the program and the City benefits from Howard County's expertise and volume purchasing. The partnership manages 71 cameras including 28 in Howard County, 18 in Charles County and 6 in Greenbelt. Howard County recently undertook a Request for Proposal (RFP) process to assess and select a program vendor. After a lengthy process, Howard County awarded its contract to American Traffic Solutions (ATS) of Mesa Arizona. ATS has been the vendor since 2010. The Police Department has been very satisfied with the partnership with Howard County and recommends the City remain in it. Included in Council's packet is a copy of the agreement between Howard County and ATS, a copy of the agreement between ATS and the City incorporating the Howard County agreement, and a memorandum of understanding (MOU) between Howard County and the City. As noted in the background materials, the costs of the program will increase slightly. The price per camera will increase 9% from \$2,250 to \$2,450 per month and the price for processing citations will increase 13% from \$9.75 to \$11.00 per approved citation. Howard County will also increase its charge for managing the program from \$850 to \$1,030 per month (21%). These are the first program increases since 2008 and 2004, respectively. The City Solicitor has reviewed the documents and found them to be satisfactory. Captain Marie Triesky will be present to answer questions. It is recommended the Council authorize the Mayor to sign the referenced agreement with ATS and the MOU with Howard County for the red light camera program. (MPM)

14-Letter, A. Youssi

14 - Agreement

14 MOU

15. Conditional Approval of Permit Applications for Greenbelt Lake Forebay Dredging Projects - Reference:
MDE Wetland Application - Sediment and Erosion Control Plans - On February 1, 2016, the City Council had a work session with consultants working on behalf of the County's Clean Water

Partnership Program to discuss a proposal for the County to dredge and maintain the two existing forebays at Greenbelt Lake. The project will be fully funded by the County's Stormwater fee. The project will assist the County in meetings its Environmental Protection Agency pollutant reduction goals while improving the overall water quality of Greenbelt Lake. The dredging of the forebays is an unfunded capital project, and has been identified by two City environmental consultants as needed to address the sediment loads within the forebays and to restore the functionality of the forebays. While the County's Clean Water Partnership consultant team recognizes that there is additional planning work that needs to be completed to address potential environmental and wildlife impacts, the team is requesting that the City Council give conditional approval for submittal of the Maryland Department of the Environment (MDE) Wetland permit application and sediment erosion control plans to the Soil Conservation District, both of which require a City signature. Allowing the permits and plans to be submitted to the regulatory agencies now will provide an opportunity for environmental and wildlife issues to be identified by the reviewing agencies. The dredging of the Greenbelt Lake forebays is needed and staff believes the opportunity being presented by the Clean Water Partnership Program represents a win-win for the City and the County. The City has an obligation to maintain the functionality of the forebays and there is significant cost associated with the dredging and long term maintenance of the forebays. This proposal will relieve the City's financial responsibility to dredge and maintain the forebays for at least the next 30 years. City staff recommends that City Council give conditional support for the submittal of the MDE permit application and the sediment erosion control plans to the Soil Conservation District for the forebay dredging projects. Staff further recommends City Council refer the projects to GreenACES and the Park and Recreation Advisory Board with a request to have Board reports within 30 days. (TH)

MDE Application

Sediment and Erosion Control Plans

16. Greenbelt Station South Core - Phase 3 Detailed Site Plan - Reference:
Memorandum, J. Bellah, 02/04/2016
Tyson Color Elevations
Clarendon Color Elevations
Hepburn Color Elevations
Strauss Color Elevations
Landscape Plan (LSLP-DSP13045) Pedestrian Overpass Concept Exhibit Addendum to Pedestrian Overpass Study - 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 February 25, 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 proposed townhouse units to be constructed within the Greenbelt Station South Core neighborhood, west of Greenbelt Station Parkway. Council has previously reviewed and discussed a previous version of DSP 13045 at their November 16, 2015, work session. At that meeting, staff briefed Council and recommended opposition to the proposed plan. The applicant withdrew their application and prepared an alternative concept plan which was reviewed by Council at their December 7, 2015, work session. Based on Council and staff comments, the applicant has resubmitted DSP 13045 based on the alternative concept plan. Staff has reviewed the DSP, landscape plan, and architectural plan proposed in Phase 3. Jessica Bellah, Community Planner, will present the plan, staff's technical report and staff's recommendation. It is recommended DSP 13045 be approved subject to conditions of approval detailed in staff's technical report. (JB).

16-Memorandum, J. Bellah

16-Tyson Color Elevations

[16-Clarendon Color Elevations](#)

[16-Hepburn Color Elevations](#)

[16-Strauss Color Elevations](#)

[16-Landscape Plan](#)

[16-Pedestrian Overpass Concept Exhibit](#)

[16-Addendum to Pedestrian Overpass Study](#)

17. State Legislation - Reference:

HB 435

SB 367

PG 418

PG/MC 109

HB 435 – Electric Companies - Vegetation Management

Delegate Tarlau's bill would amend current law that prevents counties and municipalities from adopting or enforcing laws or regulations that interfere with, or increase the cost of, compliance with State vegetation management standards. This law was passed in 2013 despite the City's opposition. This new language would allow local governments to adopt such laws and rules. If an electric company intends to perform work which would violate these rules, the local government and electric utility must work to reach an agreement. If an agreement cannot be reached within a year, the electric company may perform the work. Delegates Washington and Gaines are co-sponsors of HB 435. It is recommended Council support HB 435.

SB 367 – Redeemable Container and Litter Reduction Program

This legislation would establish a beverage container deposit program. Under this proposal there would be a 5 cent deposit on individual beverage cans and bottles. Redemption centers would be established where these containers could be returned in exchange for the deposit. A portion of any unredeemed deposits would be used for an environmental grant program. The City supported similar

legislation in 2013, 2014 and 2015. Senator Pinsky is a co-sponsor. It is recommended Council support SB 367.

PG 418 – County Prohibition on Disposable Bags

This enabling legislation would allow the County to prohibit the use of disposable plastic and paper bags. The proposed law would not apply to bags for certain uses (bulk items, flowers, newspapers, etc.). This local bill would only apply in Prince George's County. Chairman Walker sponsored this bill. It is recommended Council support PG 418-16.

PG/MC 109 – Extraordinary Development District This bill would authorize Prince George's County to create an Extraordinary Development District. This district must be designated by a County Resolution and comprise at least 50 acres on all or part of which a federal law enforcement agency will be located. This legislation would apply to the Greenbelt or Landover sites being considered for the FBI headquarters. In an Extraordinary Development District, M-NCPPC may enter into an agreement pledging that its property taxes levied on the tax increment in the District shall be paid into a special fund for the district. If this bill passes and the County and M-NCCPC agree, M-NCCPC taxes could be used as part of a TIF arrangement to finance needed improvements. Council direction is sought. (DEM)

[14-SB367](#)

[17-HB435](#)

[17-PG418](#)

[17-PG MC 109](#)

18. Council Reports

* 19. Park and Recreation Advisory Board, Report #2016-1 (Recognition Group Application) - At its last meeting, Council accepted Park and Recreation Advisory Board Report #2016-1 recommending approval of the Boys to Men Mentoring Network of Greater Washington's recognition

group application. Approval of this item on the consent agenda will indicate Council's intent to grant Recognition Group status to Boys to Men Mentoring Network of Greater Washington. (CM)

19-PRAB Report

* 20. Reappointment to Advisory Group - Reference:
Reappointment Application - Kevin Hammett has indicated his willingness to continue to serve on the Community Relations Advisory Board (CRAB). Approval of this item on the consent agenda will indicate Council's intent to appoint Mr. Hammett to a new term on CRAB. (CM)

* 21. Appointment to Greenbelt Green Team - Reference:
Application - Council accepted the resignation of Margaret Cahalan from the Greenbelt Advisory Committee on Environmental Sustainability (GreenACES) at its meeting on November 23, 2015. Ms. Cahalan had served on GreenACES for over 12 years. Ms. Cahalan has submitted an application to serve on the Greenbelt Green Team. Approval of this item on the consent agenda will indicate Council's intent to appoint Ms. Cahalan to the Green Team. (CM)

V. MEETINGS -

<u>Regular Meeting</u>	<u>Mon.</u>	<u>02/08</u>	<u>8:00 pm</u>
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<u>Work Session – City Manager Update (CC)</u>	<u>Wed.</u>	<u>02/10</u>	<u>8:00 pm</u>
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<u>City Holiday – President's Day</u>	<u>Mon.</u>	<u>02/15</u>	<u>8:00 pm</u>
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<u>Work Session – PGCPs CEO Dr. Maxwell and School Board</u>	<u>Wed.</u>	<u>02/17</u>	<u>8:00 pm</u>
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Member Grady (CC)

<u>PGCMA</u>	<u>Thurs.</u>	<u>02/18</u>	<u>6:00 pm</u>
<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 Theatre Operations (CC)</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 – TBD</u>	<u>Mon.</u>	<u>03/07</u>	<u>8:00 pm</u>
<u>Work Session – TBD (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 – TBD (CC)</u>	<u>Wed.</u>	<u>03/16</u>	<u>8:00 pm</u>
<u>Work Session – TBD</u>	<u>Mon.</u>	<u>03/21</u>	<u>8:00 pm</u>
<u>Work Session – TBD (CC)</u>	<u>Wed.</u>	<u>03/23</u>	<u>8:00 pm</u>
<u>Regular Meeting/Budget Presentation</u>	<u>Mon.</u>	<u>03/28</u>	<u>8:00 pm</u>
<u>Budget Work Session – TBD (CC)</u>	<u>Wed.</u>	<u>03/30</u>	<u>8:00 pm</u>