

REGULAR MEETING OF THE GREENBELT CITY COUNCIL held Monday, January 23, 2012

Mayor Davis called the meeting to order at 8:04 p.m.

ROLL CALL was answered by Councilmembers Konrad E. Herling, Emmett V. Jordan, Leta M. Mach, Edward V.J. Putens, Rodney M. Roberts and Mayor Judith F. Davis. Councilmember Silke I. Pope was attending to family matters.

ALSO PRESENT were Michael McLaughlin, City Manager; David E. Moran, Assistant City Manager; Robert Manzi, City Solicitor; and Cindy Murray, City Clerk.

Mayor Davis asked for a moment of silence in memory of Greenbelt residents Patricia Ann Davis and John Lucero, and former resident Beverly Kiddy. She then led the pledge of allegiance to the flag.

APPROVAL OF CONSENT AGENDA: Ms. Mach requested the minutes of the January 9, 2012, meeting be removed from the consent agenda. With this change, it was moved by Mr. Putens and seconded by Mr. Herling that the consent agenda be approved. The motion passed 6-0.

Council thereby took the following actions:

MINUTES OF COUNCIL MEETINGS

- Work Session, February 7, 2011
  - Work Session, June 13, 2011
  - Interview, January 9, 2012
- Approved as presented.

COMMITTEE REPORTS

Senior Citizens Advisory Committee (SCAC), Report #11-02 (Annual Open Forum):  
Council accepted the report and requested Staff to provide any needed responses to both SCAC and Council. No further action is required.

RECOGNITION GROUP APPLICATION – GREENSTEMS, INC.: Council approved recognition group status to Greenstems, Inc.

REAPPOINTMENT TO ADVISORY GROUP: Council reappointed Susan Gregersen to a new term on the Forest Preserve Advisory Board.

APPOINTMENT TO ADVISORY GROUP: Council appointed Aaron Marcavitch to the Greenbelt Advisory Committee on Environmental Sustainability.

APPROVAL OF AGENDA Mayor Davis requested “Letter to County Executive on Behalf of County Fire Departments” and “Federal Legislation SB 1994” be added to the agenda. Mr. Roberts requested “Request from Maryland United for Peace and Justice to Support their Request for a Constitutional Amendment to Overturn the Citizens United vs. the Federal Elections Commission U.S. Supreme Court Decision” that had been tabled at the July 11, 2011, meeting be returned/included on the agenda. Mayor Davis suggested this item be special ordered on the agenda

following Legislative Items. With these three additions and the special ordering, it was moved by Mr. Putens and seconded by Mr. Jordan that the agenda be approved. The motion passed 6-0.

### PRESENTATIONS

Electronic Agenda: Beverly Palau, the City's Public Information and Communications Coordinator, provided a presentation on a new process where the Council agenda, agenda comments, and backup documentation will be available for Council and the public on the City's website beginning with the Council meeting on February 13, 2012.

Council thanked Ms. Palau and staff for their efforts on this project.

### PETITIONS AND REQUESTS:

Jennifer Robinson, 1 Orange Court, presented a written request and signed petition to Council requesting Council's support of a letter from members of the Maryland General Assembly that expressed the State's disagreement with the Supreme Court's Citizens United vs. Federal Election Commission ruling.

Christopher Shuman, 1-E Gardenway, said he attended the Capital Projects work session last week and requested Council schedule a separate work session in the future on the Greenbelt Lake project to inform residents of the details of the project.

### MINUTES:

Regular Meeting January 9, 2012: Under Council Reports, Ms. Mach noted that all of Council did not attend the farewell event for Gretchen Overdurff. With this correction, she moved that the minutes be approved. Mr. Herling seconded. The motion failed.

Under Appointments of Councilmembers to the Metropolitan Washington Council of Governments (COG) Policy Boards and Committees, Mr. Jordan requested the first paragraph of page 6 be changed from "Mr. Roberts cited precedence was set" to "Mr. Roberts said his recollection was that precedence was set." After discussion, Ms. Mach moved that Council defer these minutes to the next meeting. Mr. Herling seconded. The motion passed 6-0.

ADMINISTRATIVE REPORTS: None

### COUNCIL REPORTS:

Mr. Jordan reported on his attendance at the Council of Governments (COG) Board of Directors meeting for Mayor Davis who was unable to attend. He also reported on the COG Transportation Planning Board meeting, the Maryland Municipal League (MML) Legislative committee meeting, the 22<sup>nd</sup> District Legislative Reception with Mr. Herling and Mayor Davis, and the Maryland National Capital Park and Planning Commission Sector Plan meeting with Mr. Herling and Mayor Davis. Mr. Jordan also commented on the Greenbelt American Legion Oratorical Competition where he, Mr. Herling and Mayor Davis served as judges.

Mr. Herling commented on the Greenbelt Arts Center Retreat and the Prince George's County Municipal Association (PGCMA) meeting, which was also attended by Mayor Davis, Ms. Mach and Mr. Jordan.

Ms. Mach noted her attendance at the MML Legislative Reception with Mayor Davis, Mr. Jordan, Mr. McLaughlin and Mr. Moran.

Mayor Davis commented on the PGCMA meeting for Mayors with volunteer fire associations, the Anacostia Trails Heritage Association Governing Board meeting and the COG Chesapeake Bay Policy committee meeting. She congratulated the Magnolia Elementary Robotics Group who won the Lego League area championships and will move on to the State Finals.

Mayor Davis also announced the following appointments to the National League of Cities steering committees: Mr. Jordan, Community and Economic Development; Mayor Davis, Energy, Environment and Natural Resources; Ms. Mach, Human Development; Mr. Putens and Ms. Pope, Public Safety and Crime Prevention; and Mr. Herling, Transportation Infrastructure and Services.

LEGISLATION:

A Resolution to Negotiate the Purchase of Leasing Police Vehicles from ACME Auto Leasing, LLC. of North Haven, Connecticut

Mayor Davis read the agenda comments. Mr. Mach introduced the resolution for second reading and moved that it be adopted. Mr. Putens seconded.

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

The resolution was declared adopted (Resolution No. 1087, Book 8).

Sgt. Hall, supervisor of the Metropolitan Area Drug Task Force, thanked Council and the Police Department for their support.

REQUEST FROM MARYLAND UNITED FOR PEACE AND JUSTICE TO SUPPORT THEIR REQUEST FOR A CONSTITUTIONAL AMENDMENT TO OVERTURN THE "CITIZENS UNITED" VS. THE FEDERAL ELECTIONS COMMISSION U.S. SUPREME COURT DECISION

Mark Hayes, Campaign Coordinator Democracy is for People, explained his organization was a public citizens advocacy group. He explained there had been a tremendous grass roots effort expressing support of a constitutional amendment approach to overturn this court decision. Mr. Hayes said he anticipated many resolutions and letters of support from state and local governments over the next few months.

Mr. Herling asked Mr. Hayes his opinion on the legislation as proposed by Senator Sanders. Mr. Hayes said he was only speaking in his role as a citizen but said he was supportive of Senator Sanders' legislation as well as the legislation proposed by Senator Udall and Representative Edwards.

After further discussion, Ms. Mach moved that Council send a letter supporting a constitutional amendment approach to the State Delegation, Senator Raskin, Speaker of the House and President of the Senate, General Assembly and Prince George's County Delegation, not specifying any specific legislation. Mr. Roberts seconded. The motion passed 6-0.

Council requested that federal legislation sponsored by Senator Sanders on this issue be included on the agenda of the next meeting.

Eugenia Kalnay, 56 Lakeside Drive, thanked Council for their support .

ADVISORY COMMITTEE ON EDUCATION, REPORT #12-1 (ACE GRANT PROPOSALS):

Mayor Davis read the agenda comments.

Jon Gardner, ACE Chair, said ACE had solicited grant proposals for up to \$500 each from the six ACE core schools: Greenbelt Elementary, Springhill Lake Elementary, Magnolia Elementary, Turning Point Academy, Greenbelt Middle School and Eleanor Roosevelt High School. He said that nineteen grant proposals had been received from four of the ACE core schools. After review of all the proposals, ACE was recommending sixteen grant proposals totaling \$7,190 be funded through the Grants to Educators program.

Ms. Mach moved that Council approve funding the sixteen proposals totaling \$7,190 as recommended by ACE. Mr. Herling seconded. The motion passed 6-0.

Mr. Putens and Mr. Jordan questioned whether there was a way to encourage more participation in this program from all the schools for the awards next year so there could be more equity in the distribution of the awards between the schools. Mr. Gardner commented on the steps ACE takes to encourage as many proposals as possible and noted that the number of requests received from each school changes every year.

STATE LEGISLATION: STREET LIGHTING – PURCHASE BY LOCAL GOVERNMENTS:

Mayor Davis read the agenda comments. Mr. Putens moved that Council support this legislation. Mr. Jordan seconded. The motion passed 6-0.

APPOINTMENT OF COUNCILMEMBERS TO METROPOLITAN WASHINGTON COUNCIL OF GOVERNMENTS (COG) POLICY BOARDS AND COMMITTEES:

Mayor Davis read the agenda comments. She then reviewed the COG committees assignments.

Noting both Mr. Roberts and Mr. Jordan's interest in serving as lead representatives to the TPB, Mayor Davis asked Mr. Jordan and Mr. Roberts if they would be willing to alternate as lead representatives to the TPB.

Mr. Roberts stated he wanted to maintain his position as lead representative for the TPB but would be willing to work with Mr. Jordan and alternate meeting attendance and committee responsibilities. He said he did not feel it was productive for two members to attend each meeting and there was not enough room at the dais.

Mr. Jordan said he would be willing to work with Mr. Roberts and alternate responsibilities on the TPB. He stressed his interest in serving on the committee and commented on his experience on the Advisory Planning Board and education on transportation issues. Mr. Jordan also said he did not support the assignment of representation on boards and committees based entirely on seniority.

Mayor Davis summarized the agreement that Mr. Roberts will continue to serve as the lead representative and Mr. Jordan will continue to serve as the alternate, and they would decide between themselves who will attend the meetings. She noted the importance of the TPB and felt this arrangement will be an asset to Council with both Mr. Roberts and Mr. Jordan participating on the board.

Mr. Roberts commented that Mr. Herling has indicated his desire to serve on the TPB for the past eight years. He said Mr. Herling should have the first choice to serve as the TPB representative when he decides to leave the committee. Mayor Davis said a member's interests, availability and ability to communicate information all need to be considered more than their seniority when making committee appointments.

Sylvia Lewis, 2-C Gardenway, said Council should consider the TPB representative's responsibility to keep other councilmembers and the public informed about the business of the committee. She said the ability to communicate this information should be one of the most important skills considered when assigning a representative. Ms. Lewis said she supported Mr. Jordan being assigned as the representative to the TPB.

Don Comis, 3-G Laurel Hill, said it was wrong to change the practice of assigning committee representation for one person.

David Abraham, 5995 Springhill Drive, said when seniority is allowed to creep into any organization, it is usually put there to avoid issues such as this.

Maryanne McAndrew Scott, 8150 Lakecrest Drive, said she always believed Greenbelt is a great city with a great Council, but was disappointed in the behavior in some members over this issue and felt there was a great deal of hostility directed towards Mr. Roberts. She also requested that the process of selecting a Mayor be reviewed.

Mr. Herling commented that he was very pleased both Mr. Roberts and Mr. Jordan had resolved this issue in the best interest of the Council and Community.

Bill Orleans, Greenbelt, said members who are unwilling to take a stand in opposition to committees' recommendations are not good representatives for the City. Mayor Davis commented that she, as well as other members of Council, do not always vote with the majority recommendations of their committees.

Susan Stern, 56-K Crescent, thanked all councilmembers for their service to the community.

Doug Love, 3-D Plateau Place, expressed his appreciation to both Mr. Roberts and Mr. Jordan for working together to resolve this issue.

Betsy Barbour, 16-Z-1 Ridge Road, expressed her support for both Mr. Roberts and Mr. Jordan but said Mr. Roberts should be allowed to keep his position on the TPB.

Mr. Putens moved the Council approve the following liaison assignments to the various policy boards and committees of the Metropolitan Washington Council of Governments (COG):

Board of Directors	- Mayor Davis
Alternate	- Mr. Jordan
Transportation Planning Board	- Mr. Roberts
Alternate	- Mr. Jordan
Metropolitan Washington Air Quality Comm.	- Ms. Mach
Alternate	- Mr. Herling
Region Forward Coalition	- Mr. Jordan
Alternate	- Mr. Herling
Human Services and Public Safety Policy	
Committee	- Mr. Putens
Alternate	- Ms. Pope
Climate, Energy and Environment Policy	
Committee	- Mr. Herling
Alternate	- Ms. Mach
Chesapeake Bay Policy Committee	- Mayor Davis
Alternate	- Mr. Putens

Mr. Herling seconded. The motion passed 6-0.

#### OTHER COUNCIL REPORTS:

Ms. Mach – COG Metropolitan Washington Air Quality Committee meeting

Mr. Roberts and Mr. Jordan – COG Transportation Planning Board meeting

Mayor Davis left the meeting at this point (10:50 p.m.) due to an emergency.

#### LETTER TO COUNTY EXECUTIVE ON BEHALF OF COUNTY FIRE DEPARTMENTS:

Since this agenda item had been added at the request of Mayor Davis, Council agreed to defer this item to the next meeting.

FEDERAL LEGISLATION SB 1994: Since this agenda item had been added at the request of Mayor Davis, Council agreed to defer this item to the next meeting.

MEETINGS: Council reviewed the upcoming meeting schedule.

ADJOURNMENT: Ms. Mach moved to adjourn the meeting. Mr. Putens seconded. The motion passed 5-0.

Mayor Pro Tem Jordan adjourned the regular meeting of Monday, January 23, 2012, at 10:56 p.m.

Respectfully submitted,

Cindy Murray  
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 January 23, 2012."

Emmett V. Jordan  
Mayor Pro Tem