Mayor Bill Gardiner called the meeting of the Council to order at 8:00 p.m. at the Municipal Building, 4310 Gallatin Street, Hyattsville, Maryland.

Present were Mayor Bill Gardiner, Council President Scott Wythe, and Council Members, Christopher Currie, Mary Elwood, Carlos Lizanne, Mark Matulef, Krista Atteberry, and Nicole Hinds. Council Vice President Paula Perry, and Council Members Ruth Ann Frazier, and Marc Tartaro were absent.

Also present were City Administrator Murphy, Chief of Police Holland, City Treasurer Oliphant, Supervisor of Code Enforcement Hampton, City Attorney Colaresi, and City Clerk Barber.

PRESENTATION:

Mr. Jay Endelman, 4001 Buchanan Street, from Guild Craft, LLC addressed the Mayor and Council regarding the preliminary Plan (4-05086 Ivan Tract). Mr. Jay Endelaman discussed the Ivan Tract proposal at length with the Mayor and Council. Mayor Gardiner advised that the City Council would need to provide comments for a letter of support prior to November 21, 2005.

Mr. Joe Green, with G.S. Proctor & Associates, Inc., a lobbyist firm, addressed the Mayor and Council with an overview of the company and what options he could provide to the City of Hyattsville. Mr. Green noted that he represents a number of firms and municipalities in Prince George’s County; in his overview he was able to provide examples of his work to the local municipalities in the area.

APPROVAL OF AGENDA:

Council President Wythe moved that the Mayor and Council approve the agenda as amended. The motion passed, unanimously.

PUBLIC COMMENT:

Mr. Nick Harris, 4100 Hamilton Street, addressed the Mayor and Council on the Legacy Trail Task Force Committee, and the issue of the sidewalks of the plan. Mr. Harris submitted a copy of the petition he would like all residents that will be affected by the Legacy Trails be able to comment on the issue.
Ms. Eunice Gray, 3821 Hamilton Street, addressed the Mayor and Council, on the dumpster enclosure at the Park Place Condominiums; she addressed her concerns with the current location of the dumpster enclosure and its impacts on the area residents.

Ms. Gloria Felix-Thompson, 5004 42nd Avenue, addressed the Mayor and Council, she noted some suggested changes to the rental licenses ordinance being proposed, she would like to see exemption for the elderly in the proposed ordinance.

Mr. David Marshall, 6000 Block of 37th Avenue, addressed the Mayor and Council, regarding the proposed rental license ordinance. Mr. Marshall addressed his concerns regarding the purchase of a Street Sweeper and how the program will work in the City.

STAFF REPORTS:

City Administrator Murphy addressed the Mayor and Council on current issues being addressed in the City, and for City Staff. Ms. Murphy thanked Community Development Manager Nicklasson for all the work she has done for the City of Hyattsville. Ms. Murphy responded to questions given by the Mayor and Council.

NEW BUSINESS:

Council President Wythe moved that the Mayor and Council confirm the following appointments to the Hyattsville Legacy Trails Task Force: Jonathan Barrett (Ward 1), Scott Wilson (Ward 3), Phil Hager (Ward 5), Sarah Bartel (Ward 1), Maria Casarella (Ward2), Gwyn Kesler (Ward 2), Terri Alvarez (Ward 1), Janet Pasiuk (Ward 1), Colleen Aistis (Ward 2), Chris Currie (Ward 5) (ex-officio, City Council Liaison). Council Member Currie amended the motion to have the Staff Liaison ex-officio be added as a member, which will be determined by the City Administrator. Council Member Currie at the request of a resident noted each ward for each of the committee members. The motion passed, unanimously.

Council Member Currie moved that the Mayor and Council adopt Hyattsville Resolution 2005-14, regarding the annexation of the commercial area facing East-West Highway as outlined in the resolution and show on the attached map to the resolution. The motion passed, unanimously.

Council Member Matulef moved that the Mayor and Council preserve Bonnie Brae at 5801 42nd Avenue (alternatively know as Madison Manor and the Zantzinger Mansion) and that it is a preservation priority for the City of Hyattsville; the City shall endorse the subdivision of the property into three single-family housing lots subject to the City’s execution of a letter of agreement for the preservation of Bonnie Brae. In the event no letter of agreement is executed, the City shall neither endorse nor oppose subdivision of the Bonnie Brae property with the following: (1) The Mayor and City Council affirm the Council’s actions on Bonnie Brae as adopted by Council on 10/18/04; (2) In the event the City, Owner (currently First Baptist Church of Hyattsville), and Prospective Purchaser/Developer (Guild Craft, Inc.; Jay Endelman, President) enters into a letter of agreement for the preservation
and adaptive reuse of Bonnie Brae, the City shall endorse subdivision of the property at 5801 42nd Avenue into three residential lots under the current zoning as proposed by the Prospective Purchase/Developer; (3) In the event the City, Owner, and Prospective Purchase/Developer do not enter into a letter of agreement (as described in item (2) above), the City shall neither endorse nor oppose the proposed subdivision; (4) The Mayor and Council direct the City staff to negotiate the terms and content of the letter of agreement and the City Attorney to review the letter for legal sufficiency. The letter shall include provisions concerning; (a) conservation easements or covenants; (b) visibility (sight line) of Bonnie Brae from 42nd Avenue even after construction on the subdivided lots; (c) compatibility of architectural styles and building materials of new construction on the subdivided lots with Bonnie Brae and nearby single-family homes; (d) a period of forbearance from construction activities to facilitate architectural, historical, or archeological examination of the unsubdivided or subdivided property; and (e) agreement to discuss future areas of cooperation for the preservation of Bonnie Brae. Council Member Currie amended the motion to modify item #4 to read as the following: (a) commitment to rehabilitate existing home on the site; (b) a commitment to use compatible architectural styles and building materials in new construction on the subdivided lots with Bonnie Brae and nearby single-family homes; (c) agreement to discuss future areas of cooperation for the preservation of Bonnie Brae. The amendment passed, unanimously. The Council then voted on the motion as amended. The motion as amended passed, unanimously.

Council Member Atteberry moved that the Mayor and Council introduce Hyattsville Ordinance 2005-09(first reading), an ordinance whereby the City Council updates and makes definition changes to Chapter 96 of the City Code, Licensing of Rental Units, to reflect that all rental housing are to be inspected whether or not it is owner occupied, to specify procedures for enforcement currently in keeping with enforcement practices, and to raise fines and penalties for violations of this Chapter and provide criminal penalties for willful and continuous violations. City Attorney Colaresi provided legal clarification to the motion and the proposed changes to Hyattsville Code Chapter 96 relating to rental housing issues. The Mayor and Council discussed the issue at length. Mayor Gardiner moved to table the motion, and to schedule a public meeting prior to the Council Meeting of November 21, 2005 to start at 7:00 p.m. to allow any interested party the opportunity to address the Mayor and Council on the proposed Hyattsville Ordinance 2005-09 Revision to City Code (Chapter 96, Licensing of Rental Units) and Hyattsville Ordinance 2005-10 Revision to City Code (Chapter 90, Peddling and Soliciting). The motion passed, unanimously.

Council President Wythe moved that the Mayor and Council approve the Memorandum of Understanding with the Town of Riverdale Park, pending review by and approval of the City Attorney, for the purpose of applying for a Livable Community Grant through Prince George’s County to purchase two (2) street sweepers to be used jointly by both municipalities, contingent upon receipt of funding. The motion passed, unanimously. Note for the Record: Council Member Matulef was not present for the vote.
Council President Wythe moved that the Mayor and Council adjourn the Special Council Meeting of November 14, 2005. The motion passed, unanimously.

The Special Council Meeting of November 14, 2005 ended at 10:01 p.m.

ATTEST:

________________________
Douglass A. Barber, City Clerk

_________________________
William F. Gardiner, Mayor