

COUNCIL MEETING OF THE CITY COUNCIL HYATTSVILLE, MARYLAND

July 19, 2010

Mayor Bill Gardiner called the meeting of the Council to order at 8:10 p.m. at the Municipal Building, 4310 Gallatin Street, Hyattsville, Maryland.

Present were Mayor Bill Gardiner, Council Vice President Bill Tierney, Council Members Ruth Ann Frazier, Paula Perry, Nicole Hinds, Douglas Dudrow, David Hiles, Matthew McKnight and Timothy Hunt. Council President Marc Tartaro and Council Member Carlos Lizanne were absent.

Also present were Assistant City Administrator Jones, Chief of Police Holland, Director of Public Works Ryan, City Attorney Colaresi, and City Clerk Barber.

Note for the Record: The Council heard a presentation by Sabra, Wang and Associates. The City contracted with Sabra, Wang and Associates to conduct a City-wide Traffic Study. Their final report was presented in two public meetings: July 12 and July 19. Their results will guide the City in making future decisions about managing and improving the transportation network including roadways, sidewalks, bicycle facilities, transit services and traffic control devices such as stop signs, traffic signals, signs, and traffic calming devices. The presentation started at 7:05 p.m. and ended at 8:09 p.m.

APPROVAL OF THE AGENDA:

Council Member Perry moved that the Mayor and Council approve the agenda of July 19, 2010, as amended. The Council requested Motion# 134-07-10 (Employee Incentive Program to use Low-Carbon Footprint Personal Transportation) be put on an agenda in September and re-ordered some of the items. The motion passed unanimously.

DEPARTMENT REPORTS:

Departmental Quarterly Report (April- June 2010) – Recreation and the Arts

Assistant City Administrator Jones provided an overview of events and upcoming activities being sponsored by the Recreation and the Arts Department. Mr. Jones closed his report by responding to questions of clarification posed by the Mayor and Council.

Departmental Quarterly Report (April – June 2010) – Police Department

Chief of Police Holland provided an in-depth report on crime statistics for the department with comparisons given from prior years. Chief Holland noted the current staffing levels of the department. Chief Holland provided an update on current projects and initiatives.

PUBLIC COMMENT:

Mr. Joseph L. Wright, with the State's Attorney's Office, addressed the Mayor and Council regarding the upcoming National Night Out event in Hyattsville and throughout the region. He thanked the community and the City for their efforts.

Ms. Nina S. Faye, a Ward 3 resident, addressed the Mayor and Council regarding receiving stickers on their trash totes. Ms. Faye asked a follow-up question regarding progress on the proposed Community Garden issue. Ms. Faye also advised that she had submitted a petition to the City Clerk regarding the proposed traffic study's recommendation.

Ms. Shani N. Warner, a Ward 2 resident, addressed the Mayor and Council on the status of the Community Garden proposal. She advised that the residents are very excited about the proposal and look forward to working with the City on the project.

Mr. David Marshall, a Ward 3 resident, addressed the Mayor and Council, regarding the proposed traffic study presented to the Council, he noted that the firm only mentioned one school (Hyattsville Elementary) and would like to see other schools in the City be included as they create formulas for the study.

CONSENT ITEMS:

Council Vice President Tierney moved that the Mayor and Council approve the following items as consent: (1) to authorize the City Administrator, upon legal review and approval by the City Attorney, to amend the City's employment application to comply with The Equal Employment Opportunity Commission's requirements for organizations with 100 or more employees (Motion# 135-07-10); (2) to authorize the City to purchase seven (7) tactical body armor vests from Lawmen Supply Company, Inc. at a cost of \$14,476.00 (Motion# 133-07-10). The motion passed unanimously.

ACTION ITEMS:

Council Member McKnight moved that the Mayor and Council shall submit individual semi-monthly reports summarizing all private meetings and communications with outside individuals and organizations and with City staff. Reports shall include a summary description of the communication, when the issue discussed may come before the City Council or involve unplanned staff or financial resources. Council Members shall make every reasonable effort to report pertinent communications prior to any council meeting where they will be discussed. Any non-routine meetings with staff should be included in the council member's reports. The semi-monthly reports will be included in the council packets and become part of the documents made available to the public. Public meetings,

such as committee meetings, are exempt from the policy, but not from public reporting requirements. Council liaisons should comply with the reporting mechanism approved in October 2008. Discussions of confidential matters shall be noted (without disclosing the confidential information). On the 1st and the 15th day of each month, the Mayor and each Council Member shall provide a report to the City Clerk and the City Administrator for the preceding two-week period. The City Clerk will immediately share any such reports with the Council. Reports are not required unless relevant communications as described above are held. If, upon completion and publication of a council meeting agenda, a Council Member notes an unexpected agenda item which warrants a revised semi-monthly report from that member, the individual may comply with the motion by emailing the City Clerk and copying the full City Council prior to the planned council meeting. The clerk shall include the item as part of the Council Member's next semi-monthly report as part of the public record. The Mayor and Council discussed the issue at length. City Attorney Colaresi addressed the Mayor and Council with his comments and concerns on the issue. Council Vice President Tierney moved to table the motion and send the item back to the motion makers for further revisions following the discussion at the Council Meeting. The motion to table passed with Council Member Dudrow voting against.

Council Vice President Tierney moved that the Mayor and Council authorize the establishment of a Fair Labor Standards Act (FLSA) non-exempt position of Human Resources Manager at the level of 1.0 Full-Time Equivalent, as approved in the Fiscal Year 2010-2011 Operating Budget, accept the Position Description, specify the classification for the position at Grade 116 and authorize the City Administrator to initiate a search to fill the new position (Motion# 136-07-10). The Mayor and Council discussed the issue at length. City Administrator Jones provided clarification to question given by the Mayor and Council on the motion. The motion passed with Council Member Perry voting against.

Council Member Hinds moved that the Mayor and Council, upon review and approval for legal sufficiency by the City Attorney, authorize the City Administrator to execute the Hyatt Park Use Agreement with M-NCPPC (Motion# 137-07-10). The Mayor and Council discussed the item. The motion passed unanimously.

Council Member McKnight moved that the Mayor and Council authorize the establishment of a Fair Labor Standards Act (FLSA) exempt position of Chief Information Officer in the Information Technology Office at the level of 1.0 Full-Time Equivalent, as approved in the Fiscal Year 2010-2011 Operating Budget, accept the Position Description for the Chief Information Officer position, specify that the classification for the position is at Grade 120, approve revisions to the current position description for the IT Manager and authorize the City Administrator to initiate a search to fill the new position (Motion# 129-07-10). Assistant City Administrator Jones and Chief of Police Holland responded to questions of clarification given by the Mayor and Council on the motion. The Mayor and Council discussed the issue at length. City Attorney provided comment on the issue. Council Vice President Tierney moved to table the motion until the August 2, 2010 Council Meeting. The motion to table passed unanimously.

Council Vice President Tierney moved that the Mayor and Council waive the formal bidding process and award a contract with Lawrence Auto Body, 4805 Lawrence Street,

Hyattsville, MD 20781, to repair damage to six Public Works vehicles damaged during ice and snow control for a cost of \$31,138.76 (Motion# 128-07-10). Director of Public Works Ryan addressed the Mayor and Council on the motion. The Mayor and Council discussed the issue at length. The motion passed with Council Member Frazier and Perry voting against.

DISCUSSION ITEM:

Real Estate Stimulus Grant

Assistant City Administrator Jones at Mayor Gardiner's request provided a brief update to the Council on the Real Estate Stimulus Grant program. The Mayor and Council discussed the program at length.

Review of Department Goals, Objectives, and Performance Measures

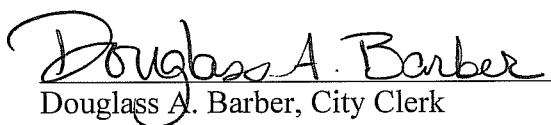
The Mayor and Council briefly discussed the proposed Department Goals, Objectives, and Performance Measures. Assistant City Administrator Jones noted that the staff would like feedback from the Council on the Department Goals, Objectives and Performance Measures being proposed. Mayor Gardiner noted that the item would be placed on the Council Meeting Agenda for August 2, 2010.

Council Member Perry moved that the Mayor and Council close the Council Meeting of July 19, 2010, to discuss personnel issues with the City Attorney and City Staff (Motion# 138-07-10). A roll call vote was taken on the motion. The motion passed unanimously.

Mayor Gardiner noted that Council would not be returning to open session.

The Mayor and Council went into a Closed Session at 9:37 p.m.

Respectfully submitted,


Douglass A. Barber, City Clerk