

COUNCIL MEETING OF THE CITY COUNCIL HYATTSVILLE, MARYLAND

November 29, 2010

Mayor Bill Gardiner called the meeting of the Council to order at 8:03 p.m. at the Municipal Building, 4310 Gallatin Street, Hyattsville, Maryland.

Present were Mayor Bill Gardiner, Council President Marc Tartaro (arrived at 8:22 p.m.), Council Vice President Bill Tierney, Council Members Ruth Ann Frazier, Paula Perry, Carlos Lizanne (arrived at 8:10 p.m.), Nicole Hinds (arrived at 8:12 p.m.) Douglas Dudrow, David Hiles (arrived at 8:15 p.m.), Matthew McKnight and Timothy Hunt.

Also present were Assistant City Administrator Jones, City Treasurer Stookey, Acting Code Enforcement Supervisor Giunta, Community Development Manager Chandler and City Clerk Barber.

APPROVAL OF THE AGENDA:

Council Member McKnight moved that the Mayor and Council approve the agenda of November 29, 2010, as presented. Council Member Perry requested motion 201-11-10 (Employee Incentive Program to use Low-Carbon Footprint Personal Transportation - Bicycle/Pedestrian and for Mass Transit) be moved to discussion. The motion to approve the agenda with changes passed unanimously.

PUBLIC COMMENT:

Ms. Nina Faye, a Ward 3 resident, representing the Code Enforcement Committee, stated that the committee recommends the support of the proposed Motion #200-11-10 (Request to Amend Gateway Arts District Table of Uses to Add Bed and Breakfast).

CONSENT ITEMS:

Council Vice President Tierney moved that the Mayor and Council approve the following items as consent (1) to adopt a proclamation proclaiming November 2010 to be Municipal Government Works Month (Motion# 214-11-10); (2) to authorize a donation in the amount of \$200.00 to the Annual Sonny Frazier Toy Drive (Motion# 213-11-10); (3) to authorize the City to purchase (4) four Panasonic Model CF31 Toughbook computers from Brekford Corp., using a State of Maryland contract at a total cost of \$17,896. The laptop computers will be installed in (4) new police vehicles being procured this fiscal year (Motion# 217-11-10); (4) to accept a Target grant in the amount of \$1,000 to be used for the acquisition of crime prevention materials and hereby authorize the appropriation and expenditure of the funds for this purpose, and further authorize City Staff to accept and administer the grant according to its terms in a timely manner (Motion# 216-11-10);

(5) to select and approve both Appalachian Energy Specialists and Premium Energy Solutions, LLC as Qualified General Contractor's to provide energy efficiency retrofit services for the Hyattsville Green Homes program and authorize the City Administrator to execute a contract for services with both firms, upon review and approval for legal sufficiency by the City Attorney (Motion# 208-11-10). The motion passed unanimously.

ACTION ITEMS:

Council Vice President Tierney moved that the Mayor and Council adopt Hyattsville Resolution 2010-09, a resolution establishing the Gateway Arts District Real Property Tax Credit, based on the incremental increase in real property value due to the construction and/or a renovation of real property dedicated for use by qualified artists or arts and entertainment use, with a declining rate of 100% in taxable year one, 80% in taxable year two, 60% in taxable year three, 40% in taxable year four and 20% in taxable year five. Properties which qualify for this tax credit must be located in an established Arts and Entertainment District and wholly or partially constructed or renovated commercial property to be capable for use by a qualifying residing artist or an arts and entertainment enterprise (Motion# 215-12-10). Community Development Manager Chandler provided background information on the proposed motion and resolution. The motion passed unanimously.

Council Member Hunt moved that the Council authorize the Mayor to send correspondence to the Prince George's County Council requesting the Gateway Arts District's Development District Standards within the City of Hyattsville be amended to include Bed and Breakfast establishments (Motion# 200-11-10). Council Member Hunt provided background information on this motion. Acting Supervisor Giunta gave clarification to council's questions regarding how Code Enforcement would treat B &B's. The Mayor and Council had an extensive discussion regarding the pro's and con's of B&B's in the City of Hyattsville. Acting Supervisor Giunta provided clarification to Council's questions. Council Member Perry requested holding public meetings for input on the impact of B&B's in their neighborhoods. Council President Tartaro called the question. The motion to call the question failed due to the lack of a second. Council Vice President Tierney motioned to table to a certain date. The Motion to table passed with Council Vice President Tierney, Council Members Frazier, Lizanne, Hinds, Hiles and McKnight voting for and Council President Tartaro, Council Members Perry, Dudrow and Hunt voting against. Additional discussions took place with the Council and City Attorney Colaresi.

Council Member McKnight moved that the Mayor and Council approve adding an Employee Incentive to use Low-Carbon Footprint Personal Transportation to travel to or from work to the Employee Skills Pay Program for employees who bike or walk to work a minimum of three (3) days a week or 12 days a month per quarter. Employees may receive \$20 per month based on quarterly participation or a not to exceed amount of \$240 per year, payable in arrears annually for participation in this program. The program provides for quarterly reports to the City to allow for participation during those times of the year when the weather is favorable to using alternative transportation options. For employees who utilize mass transit options (buses, Metro, Marc Train) the City will

provide up to \$60 per month or a not to exceed annual sum of \$720 requiring the employee to provide a signed monthly/quarterly document indicating dates and times they used these types of transportation for a minimum of (3) days per week or 12 days per month per quarter. The payments to employees will be payable annually in arrears, in July. The City may further consider other options to include the use of van or car pools or other group types of travel to and from work (Motion# 201-11-10). Council Member McKnight provided background on this motion. The Mayor and Council discussed motion's feasibility and how to include this incentive as part of the employee's compensation package. **Council Member McKnight moved to amend the motion to add at the end: This benefit will be provided for the period from 1-1-11 to 7-30-11 and will also be considered a part of the larger cafeteria benefit study previously authorized by Council.** The amendment passed with Council Member Perry voting against. The motion as amended passed with Council Member Perry voting against.

DISCUSSION ITEM:

City Council Discussion of Transportation Improvement and Recommendations from Sabra, Wang & Associates 2010 City of Hyattsville Transportation Study-

Discussion points for the Mayor and Council were the three categories of short-term recommendations that came out of the transportation study:

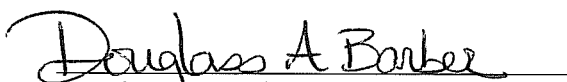
- 1) Inexpensive, short-term (0-3 years) improvements the City can implement
- 2) Inexpensive, short-term, improvements the City can request of the County or State
- 3) Complicated or Controversial recommendations requiring further public discussion and possible modification or abandonment.

The Mayor and Council discussed short term recommendations at length with clarifications and input from Assistant City Administrator Jones. There was a suggestion of involving the residents in the process of what can be done to control the traffic flow throughout the City. It was recommended that the solutions need to protect all the residents of the City.

Council President Tartaro moved to adjourn the Council Meeting of November 29, 2010. The motion passed unanimously.

The meeting ended at 9:59 p.m.

Respectfully submitted,


Douglass A. Barber, City Clerk

Pursuant to the requirement of Annotated Code of Maryland State Government Article Section 10-509(c) (2), this statement is included in these minutes:

A closed session of the Council of the City of Hyattsville was held at 7:23 p.m., Monday, November 15, 2010, in the City of Hyattsville Municipal Building, Third Floor Council Chambers.

Present were Mayor Bill Gardiner, Council Vice President Bill Tierney, Council Members Ruth Ann Frazier, Paula Perry, Carlos Lizanne (arrived at 7:09 p.m.), Douglas Dudrow, David Hiles (arrived during the closed session), Matthew McKnight and Timothy Hunt. Council President Marc Tartaro and Council Member Nicole Hinds were absent.

Also present were City Administrator Murphy, Assistant City Administrator Jones, Chief of Police Holland and City Attorney Colaresi

*On a motion made as follows by Council Vice President Tierney: **Council Vice President Tierney moved that the Mayor and Council close the Council Meeting of November 15, 2010, to discuss personnel, legal issues, and contracts with the City Attorney and Staff** (Motion# 210-11-10). A roll call vote was taken on the motion. The motion passed unanimously. *The authority under which the session was closed was Annotated Code of Maryland State Government Article Section 10-508(a)(1)(i) – The appointment, employment, assignment, promotion, discipline, demotion, compensation, remove, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction* The purpose of the meeting was to provide and discuss legal issues regarding the Police Department. The meeting ended at 8:36 p.m.*

Council Vice President Tierney moved that the Mayor and Council return to open session for the Council Meeting of November 15, 2010. The motion passed unanimously.

Note for the Record: The Mayor and Council returned to open session at 8:36 p.m.

Pursuant to the requirement of Annotated Code of Maryland State Government Article Section 10-509(c) (2), this statement is included in these minutes:

A closed session of the Council of the City of Hyattsville was held at 9:55 p.m., Monday, November 15, 2010, in the City of Hyattsville Municipal Building, Third Floor Council Chambers.

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

Also present were City Administrator Murphy, Assistant City Administrator Jones.

*On a motion made as follows by Council Vice President Tierney: **Council Vice President Tierney moved that the Mayor and Council close the Council Meeting of November 15, 2010, to discuss personnel, legal issues, and contracts with the City Attorney and Staff** (Motion# 211-11-10). A roll call vote was taken to close the meeting to return to closed session. The motion passed unanimously. Mayor Gardiner noted that the Council will not return to open session. *The authority under which the session was closed was Annotated Code of Maryland State Government Article Section 10-508(a)(1)(i) – The appointment, employment, assignment, promotion, discipline, demotion, compensation, remove, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction*. The purpose of the meeting was to discuss the recruitment of the City Administrator position. The meeting ended at 10:26 p.m.*