

SPECIAL COUNCIL MEETING OF THE CITY COUNCIL HYATTSVILLE, MARYLAND

February 23, 2009

Mayor Bill Gardiner called the meeting of the Council to order at 7:35 p.m. at the Municipal Building, 4310 Gallatin Street, Hyattsville, Maryland.

Present were Mayor Bill Gardiner, Council President Bill Tierney, Council Vice President Patterson, and Council Members Ruth Ann Frazier, Carlos Lizanne, Marc Tartaro (arrived at 8:20 p.m.), Mark Matulef, Krista Atteberry, Nicole Hinds (arrived at 7:45 p.m.), and Douglas Dudrow.

Also present were City Administrator Murphy, Police Chief Holland, Director of Recreation Mulkey, Code Enforcement Director Hampton, and City Clerk Barber.

Prior to the Special Council Meeting a Public Presentation was held. Mr. Ken Murray, President of TATC presented a preliminary report on their findings on the City's Management and Efficiency Study.

APPROVAL OF THE AGENDA:

Council Member Atteberry moved that the Mayor and Council approve the agenda of the Special Council Meeting of February 23, 2009, as presented. The motion passed, unanimously.

APPROVAL OF THE MINUTES:

Council President Tierney moved to approve the Special Council Meeting minutes of February 9, 2009 as corrected. The motion passed, unanimously.

PUBLIC COMMENT:

Mr. David Marshall, a Hyattsville resident of Ward 3, addressed the Mayor and Council regarding the TTDP where he noted his comments and concerns. He also discussed the annexation issue and advised that there be a willingness to annex into the City.

Mayor Gardiner and City Administrator Murphy introduced the new director of Recreation and the Arts, Mr. Anthony Mulkey.

ADMINISTRATION REPORTS:*FY09 Mid-Year Review—Code Enforcement*

Director of Code Enforcement Hampton addressed the Mayor and Council with a review of the department's FY09 Goals and Outputs mid-year review. Mr. Hampton highlighted the departments' accomplishments and the goal (Year 3 of the triennial walking tour inspection) that had been delayed due to staffing changes, but has now been completed. Mr. Hampton referenced the current status of the department's budget. Mr. Hampton addressed current processes and projects being completed and noted that licensing renewal notices will be sent out in March and the business program will take place by the end of August 2009. He also stated that the Walking Tour will be starting up again and the department will be starting with area one. He noted the area to be walked and the changes to the program. Director Hampton closed his report by responding to questions of clarification given by the Mayor and Council.

Discussion of FY09 Mid-Year Review—Police Department

Chief Holland reviewed the departments' FY09 mid-year Goals and Outputs. He noted the shift schedule change. He also gave a CALEA accreditation status update and stated that they are scheduled get approval at the CALEA conference in mid March. Chief Holland reviewed at length the current technology projects being addressed by the department. Chief Holland reviewed his overall budget and the over expenditures and noted that he doesn't foresee coming back to the Council for a supplemental appropriation in this Fiscal year. Chief Holland responded to questions of clarification given by the Mayor and Council regarding the departments FY09 Goals and Outputs.

CONSENT ITEMS:

Council President Tierney moved the following item as consent: (1) to authorize the City Administrator to take the following personnel actions: The Chief of Police resulting from completion of the first year of the employment contract with the City, and the completion of the annual employee evaluation process, will receive a bonus of \$1,000 and a 1% increase in salary, effective October 31, 2008; the contract will automatically renew through October 31, 2009; The City Clerk resulting from completion of the first year of the employment contract with the City, and the completion of the annual employee evaluation process, will receive a bonus of \$2,000 and 2.5% increase in salary, effective October 31, 2008; the contract will automatically renew through October 31, 2009 (note: the City Clerk was recognized by his peers and awarded the Maryland Municipal League City Clerk of the Year Award in 2008) (Motion # 49-02-09). The motion passed unanimously.

Action Items:

Council Vice President Patterson moved that the Council authorize the Mayor to send correspondence to M-NCPPC in support of the following proposed changes, as recommended by the Hyattsville Planning Committee, to the West Hyattsville Transit District Development Plan Table of Uses to include :

1. **Fast food restaurant I (*Within a wholly enclosed shopping mall, or department, variety, or drug store*)**
2. **Fast food restaurant VI (*Provided that the fast-food restaurant is part of an integrated shopping center, is not attached to a gas station, is limited to a maximum 2,000 square foot gross floor area, no more than 20 seats, and no drive-in or delivery service*)**
3. **Eating or drinking establishment with and without drive thru (existing)**
4. **Eating or drinking establishment, attached to or within a group of buildings**
5. **Office of a medical practitioner or medical clinic**
6. **Animal hospital, animal training, kennel**
7. **Blueprinting, Photostatting, or other photocopying establishment**
8. **Building supply store [if under 6,000 sq ft.]**
9. **Clothing, dry goods**
10. **Confectioner**
11. **Florist**
12. **Food or beverage goods preparation on the premises of a food and beverage store**
13. **Garden supplies store [if under 6,000 sq ft]**
14. **Sporting goods shop**
15. **Stationary or office supply store [if under 6,000 sq ft]**
16. **Video game or tape store**
17. **Private School**
18. **Amusement Center**

Correspondence will also include opposition to the following proposed additions:

1. **Fast Food VII (All others)**
2. **Pizza delivery service**
3. **Carpet or floor covering**
4. **Vehicle parts or tire store without installation facilities**
5. **Rental Center**

(Motion # 47-02-09). Community Development Manager Chandler provided clarification to the proposed motion. **Council President Tierney moved to amend the motion by striking the language stated in brackets regarding square footage listed under building supply, garden supply, and stationary office supply and adding the language to include vehicle parts and tire store without installation facilities.** The amendment failed with Council Member Matulef voting for. The Mayor and Council then returned to the motion as presented. The motion failed.

Council Member Tartaro moved that the Mayor and Council accept the proposal submitted by Brudis Associates Incorporated (BAI) for engineering services, plan sheets, design details, specifications and permitting for the Hamilton Street

Improvement project at a cost not to exceed \$52,337.00, and authorize the City Administrator to execute the proposal, upon the review for legal sufficiency by the City Attorney (Motion # 48-02-09). Community Development Manager Chandler provided clarification on information being presented for the project to the Mayor and Council. The Mayor and Council discussed the issue at length. **Council Member Tartaro moved to table Motion # 48-02-09 (Hamilton Street Improvement Engineer Design) until the next Council Meeting scheduled for March 3, 2009.** The motion to table passed, unanimously.

Council Member Frazier invited seniors of notice of the S.A.L.T upcoming meeting schedule for March 5, 2009 at the municipal building.

Council Vice President Patterson moved that the Mayor and Council close the Special Council Meeting of February 23, 2009, to discuss personnel matters involving the annual evaluations and contract terms for the Director of Public Works and the City Administrator (Motion# 41-02-09). A roll call vote was taken on the motion. Note for the Record: Council Member Tartaro was not present for the vote. The motion to close the meeting passed.

The Special Council Meeting of February 23, 2009 ended at 9:21 p.m.

Respectfully submitted,

Douglass A. Barber, City Clerk