

COUNCIL MEETING OF THE CITY COUNCIL HYATTSVILLE, MARYLAND

December 1, 2008

Mayor Bill Gardiner called the meeting of the Council to order at 8:04 p.m. at the Municipal Building, 4310 Gallatin Street, Hyattsville, Maryland.

Present were Mayor Bill Gardiner, Council President Bill Tierney, Council Vice President Anthony Patterson, and Council Members Ruth Ann Frazier, Paula Perry, Carlos Lizanne (arrived at 8:06 p.m.), Marc Tartaro (arrived at 8:23 p.m.), Mark Matulef (arrived at 8:06 p.m.), Krista Atteberry, Nicole Hinds, and Douglas Dudrow.

Also present were City Administrator Murphy, Assistant City Administrator Jones, Code Enforcement Director Hampton, Community Development Manager Chandler (arrived at 8:23 p.m.), City Attorney Colaresi (arrived at 8:44 p.m.), and City Clerk Barber.

PRESENTATION:

BB&T Presentation –Ms. Mary Burkholder, Development Advisor

City Administrator Murphy introduced Ms. Mary Burkholder, the development advisor hired by the City to provide the Mayor and Council with a risk-reward analysis for the proposed purchase of the BB&T Bank Building (3505 Hamilton Street). Ms. Burkholder addressed the Mayor and Council; she provided a brief overview of her past experiences and the project work she has done. The Mayor, Council, and City Staff followed along as Ms. Burkholder presented a thorough review of the project, discussed the City's current financial position and confirmed the accuracy of previous reports on the BB&T building. Ms. Burkholder's report provided detailed information about four municipal examples of purchasing and operating buildings and four very distinct scenarios for use of the building to encourage additional discussion of the City's options moving forward with the project. The Mayor and Council discussed the issue at length. Ms. Burkholder along with City Staff responded to questions of clarifications given by the Mayor and Council on the issue.

APPROVAL OF THE AGENDA:

Council Member Perry moved that the Mayor and Council approve the agenda as presented. The motion passed, unanimously.

APPROVAL OF THE MINUTES:

Council President Tierney moved that the Mayor and Council approve the Special Council Work Session of November 13, 2008, the Public Hearing of November 17, 2008 and the Council Meeting of November 17, 2008. The motion passed unanimously.

PUBLIC COMMENT:

Mr. David Marshall, a Hyattsville resident addressed the Mayor and Council. Mr. Marshall stated his comments and concerns with the City leaf collection policy and noted that his leaves had not been collected. City Administrator Murphy responded to Mr. Marshall's comments to help provide clarification on the issue.

Mr. Chris Brophy, a Hyattsville resident and owner of Rhode Island Reds, addressed the Mayor and Council; Mr. Brophy came before the Council with a request for a letter of support for his establishment to obtain a Class B beer and wine license. Mr. Brophy noted he wanted to be prepared as he states his case to the Prince George's County Board of Licensing Commissioners.

DEPARTMENT REPORTS:

City Administrator Murphy addressed the Mayor and Council she noted the requested information by the Mayor and Council regarding the financial status of the 4310 Gallatin Street Building, the information was provided with Ms. Murphy advising that a written report on the information will be presented to Council. Assistant City Administrator Jones provided an update and brief overview of the current status on the recruitment for the current positions that are open and currently being scheduled for interviews for the following positions: Cable Television Manager position and the Communications Manager position. Assistant City Administrator Jones advised that recruitments for Finance Director and the Director for the Recreation and the Arts department were on-going.

Director of Code Enforcement Hampton addressed the Mayor and Council with a brief status report on the department of Code Enforcement's FY09 Goals and Outputs. Director Hampton noted that tri-annual (walking tour) inspections had been completed prior to November 30, 2008 as previously advised.

CONSENT ITEM:

Council President Tierney moved that the Mayor and Council authorize the City Administrator, in consultation with the City Attorney and the Public Works Director, to enter into a Memorandum of Understanding (MOU) with the State Highway Administration (SHA) for the purpose of accepting state reimbursement funding earmarked for the construction of sidewalks in the 4700 to 5300 Blocks of 38th Ave (MD 208) in the amount of \$121,340.00 and to approve the expenditure of this amount to NZI Construction, Inc, the State Highway Administration Certified contractor, for the completion of the above referenced construction, or act in any manner related thereto. Additionally, the Mayor and Council authorizes the appropriation of the sum of \$121,340.00 as new revenue and matching expenditure for the 38th Avenue sidewalk project as a supplemental budget appropriation to the Department of Public Work's FY 09 budget (Motion # 213-12-08). The motion passed unanimously.

ACTION ITEMS:

Council Member Tartaro moved that the Council authorize the Mayor to send a letter in support of the Class B beer and wine license application for Rhode Island Reds, located at 4700 Rhode Island Avenue (Motion # 211-12-08). The Mayor and Council discussed the issue at length. **Council Member Matulef offered a substitute motion that would authorize the Mayor to send a letter to the Board of Licensing Commissioners (Liquor Control Board) in support of the Class B beer and wine license application for Rhode Island Reds, located at 4700 Rhode Island Avenue.** The substitute motion failed as it did not get seconded. The Mayor and Council then voted on the original motion as presented. The motion passed unanimously.

Council Vice President Patterson moved that the Council authorize the Mayor to communicate to M-NCPPC staff that the City poses no objection to the EYA requested minor revisions to the DSP for the East Village and West Village (Motion # 210-12-08). The motion passed unanimously.

Council Member Perry moved that the Mayor and Council authorize City Staff to enter into a Memorandum of Agreement (MOA) between the City of Hyattsville and the Town of North Brentwood for the purpose of providing Snow Removal/Deicing Operations during the winter season 2008-2009. The agreement has been reviewed by Counsel Colaresi for legal sufficiency and upon this legislative action will be signed by Mayor Gardiner (Motion # 212-12-08). City Administrator Murphy and City Attorney Colaresi provided clarification on proposed Memorandum of Agreement (MOA) and the issues presented by the Mayor and Council. The Mayor and Council discussed the issue at length. The motion passed with Council Member Frazier and Dudrow voting against and Council Member Lizanne abstaining.

DISCUSSION ITEM:*BB&T Discussion*

The Mayor and Council, along with City Staff briefly discussed the projections of expenses with City Administrator Murphy; she noted is working on the project and will be providing the information to Council for discussion at the Special Council Meeting of December 8, 2008.

Council Member Tartaro moved to adjourn the Council Meeting of December 1, 2008. The motion passed, unanimously.

The Council Meeting of December 1, 2008 ended at 10:56 p.m.

Respectfully submitted,

Douglass A. Barber, City Clerk