

## **COUNCIL MEETING OF THE CITY COUNCIL HYATTSVILLE, MARYLAND**

June 2, 2008

Mayor Bill Gardiner called the meeting of the Council to order at 7:07 p.m. at the Municipal Building, 4310 Gallatin Street, Hyattsville, Maryland.

Present were Mayor Bill Gardiner, Council President Krista Atteberry, Council Vice President Marc Tartaro (arrived at 7:12 p.m.), and Council Members Ruth Ann Frazier, Paula Perry, Carlos Lizanne (arrived at 7:23 p.m.), Mark Matulef, Nicole Hinds, Bill Tierney, and Anthony Patterson. Council Member Douglas Dudrow was absent.

Also present were City Administrator Murphy, Assistant City Administrator Jones, Chief of Police Holland, City Treasurer Oliphant, City Attorney Colaresi (arrived at 8:15 p.m.), and City Clerk Barber.

### **APPROVAL OF AGENDA:**

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

### **PUBLIC COMMENTS:**

Ms. Nina Faye, 4004 Queensbury Road, addressed the Mayor and Council and gave a brief summary of her comments and concerns with the FY09 Budget.

Mr. Robert Oliphant, City Treasurer, addressed the Mayor and Council, as an employee; he expressed concerns with the proposed salary survey before the Council for consideration. Mr. Oliphant expressed concerns and provided clarification on what the consultant was tasked to do for the study.

Mr. David Hiles, 4105 Gallatin Street, addressed the Mayor and Council; he stated his comments regarding the proposed real-estate purchase in the FY09 Budget. Mr. Hiles stated his support for the City and its fiscal responsibility in meeting the City needs.

Lt. Gary Blakes, Hyattsville Police Officer, addressed the Mayor and Council; regarding the promotional process, concerns with moving the items and not having them addressed by the Mayor and Council until later in the year; he requested that all six components for the salary survey be looked at immediately and not be delayed. Lt. Blakes closed with noting that the City of Hyattsville does not have salary comparability with other agencies.

Mr. Patrick O'Hagan, Sgt. Addressed the Mayor and Council; he spoke on behalf of the Hyattsville F.O.P. Lodge #119, as the president; he requested the pay study note Clear

Management's work on the study and noted his concerns with the promotional policy; he would like to see the Council address the issue prior to September.

Ms. Gloria Felix-Thompson, 5004 42<sup>nd</sup> Avenue, addressed the Mayor and Council; she reminded the Council of the Dogs for the Arts event scheduled for Saturday, June 7<sup>th</sup> at 9:00 a.m. at Magruder Park. Ms. Thomson provided comments on the Hyattsville tax taskforce work, as a member of the taskforce.

Mr. Tim Clarke, 6004 39<sup>th</sup> Place, addressed the Mayor and Council regarding the City of Hyattsville FY09 proposed tax rate; he stated his support in favor of maintaining the \$.63 tax rate.

Mr. Robert Howarth, 6103 42<sup>nd</sup> Place, addressed the Mayor and Council; he expressed his concerns with the FY09 Budget and disclosed he is the husband of Council President Atteberry, these are his words regarding the FY09 Budget. Mr. Howarth closed by stating he has no complaints with the taxes he pays for the services that he receives.

Mr. Scott R. Wilson, 6100 42<sup>nd</sup> Place, addressed the Mayor and Council; he expressed his comments and concerns with the FY09 Budget and would like to see the Council adopt a more frugal attitude.

Mr. David Marshall, 6000 Block of 37<sup>th</sup> Avenue, addressed the Mayor and Council; he commented on the FY09 Budget and the proposed FY09 tax rate. Mr. Marshall noted that he is not in favor of cuts to services to the resident and not in support of the allocation of \$45,000 to the Hyattsville Volunteer Fire Department.

Mr. Ben Lipovsky, 6200 Block of 42<sup>nd</sup> Avenue, addressed the Mayor and Council regarding the FY09 Budget and the proposed real-estate purchase in the budget.

Ms. Wendi M. Williams, 4301 Queensbury Road, addressed the Mayor and Council regarding the BB&T property and the support of the City purchasing the building. Ms. Williams additionally noted comments on the FY09 Budget and how she was completely satisfied with the City's budget process and the services she receives as a City resident.

#### **APPROVAL OF MINUTES:**

**Council President Atteberry moved that the Mayor and Council approve the Council Meeting Minutes of May 19, 2008, Special Council Work Session of May 21, 2008; Public Hearing of May 27, 2008 (FY09 Tax Rate) and Public Hearing of May 27, 2008 (FY09 Budget); and Special Council Meeting Minutes of May 27, 2008.** The motion passed, unanimously.

#### **ACTION ITEMS:**

**Council President Atteberry moved to remove Motion#82-05-08 from the table.** The motion passed with Council Members Frazier and Perry abstaining. **Council President**

**Atteberry moved, based upon the recommendations of the Hyattsville Tax Task Force, that the City implement by ordinance a local supplement to the State Homeowner's Property Tax Credit Program to provide tax relief with regard to City property taxes for low and fixed income homeowners who qualify for the State homeowner's property tax credit. The language for the ordinance shall be drafted by the City's counsel and will return to Council for further consideration and action. The local supplement shall be set at ten percent (10%) of the State homeowner's property tax credit amount. The city's program will mirror the state's homeowner's property tax credit program and the criteria for eligibility are: a household income of less than \$60,000 annually; assets of less than \$200,000, not including house value and qualified retirement accounts; and credit only towards assessed home values of \$300,000 or less. I further move that the Hyattsville Tax Task Force continue to meet and reconvene no later than September of 2008, and therefore not sunset in June, 2008, to examine any new relevant data or information available and to discuss and make future recommendations relative to the Tax Task Force Mission. The Council looks to the Task Force to offer further recommendations by April 30, 2009. The Council directs the city staff to undertake further outreach and communication efforts regarding the State Homeowner's Property Tax Credit program and the proposed city's match – these efforts will include but not be limited to: fliers (bilingual), notices in the Hyattsville Reporter and on Channel 71, and advertised and offered informational sessions and/or tax credit form assistance workshops (Motion#82-05-08). The Mayor and Council discussed the issue at length. Council Member Lizanne moved to amend the motion by changing the income cap from \$60,000 to \$80,000; to change the piggyback percent from 10% to 15%; and to change the assessed homes value for residents that qualifies from \$300,000 to \$350,000. The Mayor and Council discussed the amendment at length with City Administrator Murphy and City Treasurer Oliphant providing input for clarification on the issue. A roll vote was taken on the amendment. The amendment passed with Council President Atteberry, Council Vice President Tartaro, and Council Members Lizanne, Matulef, Hinds, Tierney, Patterson, and Mayor Gardiner voting for and Council Member Frazier and Patterson abstaining. The Mayor and Council then voted on Motion# 82-05-08 as amended. A roll call vote was taken on the motion as amended. The motion passed with Council President Atteberry, Council Vice President Tartaro, and Council Members Lizanne, Matulef, Hinds, Tierney, Patterson, and Mayor Gardiner voting for and Council Member Perry voting against and Council Member Frazier abstaining.**

**Council Vice President Tartaro moved that the Mayor and Council authorize staff to issue a Request for Proposals (RFP) to solicit and identify potential interest from community organizations, for-profit or not-for-profit organizations, schools, or related entities to lease space in 2009 at 3505 Hamilton Street. The RFP shall be approved by the City Attorney prior to issuance. (Motion# 84-05-08) The Mayor and Council discussed the issue at length. Mayor Gardiner noted that the City is currently under contract to allow the City to see if it wishes to continue with the process of purchasing of the BB&T Building. Mayor Gardiner noted that this motion is to do an RFP to see who would have any interests in the building. A roll call vote was taken on the motion. The motion passed with Council President Atteberry, Council Vice President Tartaro, and**

Council Members Lizanne, Hinds, Tierney, Patterson, and Mayor Gardiner voting for and Council Members Frazier, Perry, and Matulef voting against.

**Council Member Tierney moved that the Mayor and Council approve a four percent increase to the sworn pay table, a one percent increase to the civilian pay table, and a 3.44 percent COLA, as recommended in the 2008 salary study by Clear Management. These increases will be effective July 1, 2008. Furthermore, I move that the Council review the current promotion policy, the step increases, and the grade difference between sergeant and lieutenant and determine by September 30, 2008 whether or not to make any changes. If changes are adopted, the changes would be retro-active to January 1, 2008.** (Motion# 92-06-08) The Mayor and Council discussed the issue at length. City Administrator Murphy and City Treasurer Oliphant responded to questions of clarification given by the Mayor and Council. A roll call vote was taken on the motion. The motion passed unanimously.

Mayor Gardiner provided a brief overview of the proposed FY09 Budget and the process the City followed to get to this point. Mayor Gardiner also highlighted the new capital purchases, and staff changes along with providing clarification to changes with increases or decreases in certain area from the FY08 Budget to the FY09 Budget. **Council President Atteberry moved that the Mayor and Council adopt Hyattsville Ordinance 2008-06, an Ordinance to Adopt an Annual Budget for the Fiscal Year July 1, 2008 Thru June 30, 2009, for the General Purpose; to Fix the Tax Rate for the Fiscal Year Beginning July 1, 2008 and to Authorize Collection of Taxes Herein Levied, and Appropriating Funds for the Fiscal Year** (Second Reading)(Motion# 91-06-08). The Mayor and Council discussed the FY09 Budget at length. City Treasurer Oliphant responded to questions of clarifications on the FY09 Budget given by the Mayor and Council. **Council Member Tierney moved to amend the motion by moving the Mayor and City Council establish the position of Assistant City Treasurer to be effective January 2, 2009. The position to be a contract hire of the Mayor and City Council to assist in the planning, organization, coordination, direction and review/design of the City financial systems. The incumbent will assist the treasurer in his/her responsibilities for the accounting, controlling, audit, collection and disbursement of all funds of the City, budget development, risk management, reporting requirements and related work as required by the Mayor and Council, Treasurer, and or City Administrator. The Assistant Treasurer will work under the direction of the Treasurer and City Administrator. The position description is to be submitted to Council for approval by September 15, 2008 and advertisements to be released by September 30, 2008.** The Mayor and Council discussed the amendment at length. City Administrator expressed her concerns with the proposed amendment and noted other possible solutions the City could examine. City Treasurer Oliphant responded and expressed concerns on the amendment. **Council President Atteberry moved to amend the amendment that expressed the sense of Council that this agenda item form outlines a very clear and strong position of several members of this body in terms of a direction to go in but that other feedback needs to be absorbed and the staff needs to have time to get back to us with their recommendation on the feedback per this evening.** The Mayor and Council continued their discussion on the issue at length.

**Council Vice President Tartaro moved to table the budget amendments and the FY09 Budget discussion.** The motion passed, unanimously.

**Council Vice President Tartaro moved to reconvene the Council Meeting of June 2, 2008 at 7:00 p.m. on Tuesday, June 3, 2008 to adopt the FY09 Budget and FY09 Tax Rate.** The motion passed, unanimously.

**Council Member Perry moved to adjourn the Special Council Meeting of June 2, 2008.** The motion passed, unanimously.

The Council Meeting of June 2, 2008 ended at 10:40 p.m.

Respectfully submitted,

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Douglass A. Barber, City Clerk