

COUNCIL MEETING OF THE CITY COUNCIL HYATTSVILLE, MARYLAND

April 7, 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 Krista Atteberry, and Council Members Ruth Ann Frazier, Paula Perry, Carlos Lizanne, Mark Matulef, Nicole Hinds (arrived at 8:07 p.m.), Bill Tierney, and Anthony Patterson. Council Vice President Marc Tartaro, and Council Member Douglas Dudrow were absent.

Also present were City Administrator Murphy, Assistant City Administrator Jones, Director of Public Works Henry, City Treasurer Oliphant, Director of Code Enforcement Hampton, and City Clerk Barber.

Note for the Record: Mayor Gardiner requested a moment of silence for the two Hyattsville residents who had died after an incident outside a Hyattsville residence.

APPROVAL OF AGENDA:

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

APPROVAL OF MINUTES:

Council President Atteberry moved that the Mayor and Council approve the Council Meeting Minutes of March 17, 2008 and the Closed Session Summary of March 2008 as presented. The motion passed, unanimously.

PUBLIC COMMENT:

Ms. Nina S. Faye, 4004 Queensbury Road, addressed the Mayor and Council regarding the weed ordinance and stated her support for the passage of the ordinance.

Mr. David Marshall, 6000 Block of 37th Avenue, addressed the Mayor and Council on the pipe work being done by WSSC on Queens Chapel Road; he noted some safety concerns he has witnessed and felt should be addressed by the City.

Mayor Gardiner took a moment to respond to comments made during public comment regarding public safety for the City now and for the future.

DEPARTMENT REPORTS:

City Administrator Murphy reported to the Mayor and Council; first on the request to have weekly department reports submitted to the Mayor and Council; she noted that had been done starting with this meeting. Ms. Murphy reported on goals and outputs and provided an update on current projects she and Assistant City Administrator Jones were working on and the proposed completion dates. Ms. Murphy responded to questions of clarification asked by the Mayor and Council.

Director of Code Enforcement Hampton provided a brief overview to the Mayor and Council on where his department is currently with their Goals and Outputs for FY08. Mr. Hampton provided an update on the status of the Commercial Code Brochure and noted he is now working with an editor and a graphic arts designer to finalize the project.

Director of Public Works Henry reported to the Mayor and Council and summarized his written report to the Mayor and Council in their weekly packets; he highlighted the numerous projects he and his department are currently addressing such as recycling efforts for the City and its buildings, the proposed street sweeper schedule, and the current list of sidewalks through out the City. Mr. Henry responded to questions asked by the Mayor and Council on his report.

CONSENT ITEMS:

Council President Atteberry moved that the following item be moved as consent: (1) to schedule the following meetings, as they were included in the FY09 Budget Meeting Schedule: Monday, April 28, 2008 – Special Council Meeting: Administration, Finance, Legislative and Other budgets to be discussed; Wednesday, April 30, 2008 – Special Council Meeting: Police Department and Code Enforcement budgets to be discussed; Tuesday, May 27, 2008 – Special Council Meeting: Mayor and Council to set Real Property Tax Rate for FY09 (Motion#53-04-08); (2) to approve the appointment of Jim Chandler, Community Development Manager, as the City’s representative to the Anacostia Trails Heritage Area (ATHA)(Motion#54-04-08); and (3) to accept, appropriate and authorize the expenditure of \$30,000 awarded to the City by the Maryland State Highway Administration (SHA) Recreational Trails Grant Program in accordance with the terms of the attached MOU, subject to the review and approval of the Mayor and City Council (Motion#55-04-08). The motion passed, unanimously.

ACTION ITEMS:

I move that the Mayor and Council adopt Hyattsville Ordinance 2008-05, an ordinance whereby the City Council amends and clarifies the conditions constituting obnoxious growth of grass and weeds and provides consideration of factors that permit exceptions in certain circumstances for areas actively maintained for uses other than lawns. (Second Reading) (Motion# 52-04-08) The motion passed with Council Members Perry and Frazier voting against.

Council Member Patterson moved that the Mayor and City Council approve the Position Description for Volunteer Coordinator and the classification at Grade 109. (Motion# 57-04-08) The motion passed, unanimously.

DISCUSSION ITEM:

Motion#56-04-08 Reclassification of Community Development Coordinator Position

Council President Atteberry requested during the approval of the April 7, 2008 agenda to move Motion#56-04-08 (Reclassification of Community Development Coordinator Position) to the discussion agenda for additional Council discussion. Mayor Gardiner opened the discussion of Motion#56-04-08, and allowed City staff to respond to questions of clarification on the issue. The Mayor and Council discussed the issue at length and requested staff to provide additional information and to place the item on the next scheduled Council Meeting (April 14, 2008) for further discussion and action.

Motion#58-04-08 Revision of Chapter 90 of the Hyattsville City Code (Peddling and Soliciting)

The Mayor and Council discussed at length the proposed revisions to Hyattsville Code Chapter 90 (Peddling and Soliciting). Director of Code Enforcement Hampton provided clarification to the Mayor and Council on the proposed changes and also to what the current code, Chapter 90 states. The Mayor and Council requested that the revision be presented to the Hyattsville Code Enforcement Committee for their review and comment.

Motion#59-04-08 Code Enforcement Committee and Marketing Task Force Appointments

The Mayor and Council briefly discussed the proposed committee appointments. **Council Member Tierney moved that the Mayor and Council approve the Mayor's appointment of the following residents to the respective task force/committee. The appointments will be effective April 15, 2008 and will terminate January 31, 2010: Code Enforcement Committee: Elizabeth Payer (Ward 3); and Marketing Task Force (new appointments and re-appointments): Celia Brickerd, (Ward 2 re-appointment); Jessica Wilson, (Ward 3 new appointment); Chris McManes, (Ward 2 re-appointment); Alex Miller, (Ward 3 re-appointment); Aiyshen Padilla, (Ward 2 re-appointment); Pat Yinkey, (Ward 2 re-appointment); Miguel Corrigan, (Ward 1 re-appointment); Greg Tindale, (Ward 2 re-appointment); Sharon Edwards, (Ward 1 re-appointment); Rachel Magnuson, (Ward 2 re-appointment)**(Motion# 59-04-08). The motion passed, unanimously.

Motion# 60-04-08 Personnel Manual Update

Mayor Gardiner summarized the proposed motion prior to Council discussion. The Mayor and Council discussed the following proposed motion at length: I move that the Mayor and Council authorize the City Administrator to make the following change to the City's Personnel Manual:

1. Amend paragraph six (6) in Part (F) of Section VII – Compensation Practices that

establishes the level of the standard salary increase that employees will receive if they are promoted, from the current language which reads

“When an employee is promoted to another grade, the new appointment will be made at the comparable salary in the new grade rounded to the next step, but in no case less than 1.03 of current salary.”

to

“When employees are promoted from one grade/rank (old) to another grade/rank (new), they will be placed on the on the new grade/rank at the lowest step in that grade/rank that yields a salary increase of at least half of the simple grade to grade difference (as shown on the pay table) between their old and new grades/ranks”.

Retroactive to January 1, 2008.

If the Mayor and Council make changes to individual grades/ranks (i.e. increase separation between grades/ranks, etc.) before the start of fiscal year 2009, anyone placed on one of those grades since January 1, 2008, as the result of a promotion is subject to being moved to a step other than the one they were originally placed in after their promotion, in conformance with the promotional policy above, provided that there will be no decrease in their current salary.

The Mayor and Council requested the issue be addressed by the Hyattsville Personnel Committee. City Administrator Murphy and City Treasurer Oliphant provided additional clarification on the issue and responded to comments and questions asked by the Mayor and Council. **Council Member Tierney moved that the Mayor and Council request this issue be referred to the Hyattsville Personnel Committee for review and comment.** (Motion# 60-04-08) The motion passed, unanimously.

Mayor Gardiner closed the meeting by reviewing where the City is on the FY09 Budget process. Mayor Gardiner noted he will give a budget presentation at the Special Council Meeting of April 14, 2008.

Council Member Perry moved to adjourn the Council Meeting of April 7, 2008. The motion passed, unanimously.

The Council Meeting of April 7, 2008 ended at 9:52 p.m.

Respectfully submitted,

Douglass A. Barber, City Clerk