

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

January 14, 2008

Mayor Bill Gardiner called the meeting of the Council to order at 8:25 p.m. at the Municipal Building, 4310 Gallatin Street, Hyattsville, Maryland.

Present were Mayor Bill Gardiner, Council Vice President Marc Tartaro, and Council Members Ruth Ann Frazier, Carlos Lizanne, Mark Matulef, Nicole Hinds, Bill Tierney, Douglas Dudrow, and Anthony Patterson. Council President Krista Atteberry and Council Member Paula Perry were absent

Also present were City Administrator Murphy, Director of Public Works Henry, City Treasurer Oliphant, Community Development Manager Chandler (arrived at 8:50 p.m.), and Administrative Assistant Preston sat in for City Clerk Barber, who was unable to attend.

APPROVAL OF AGENDA:

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

APPROVAL OF MINUTES:

Council Vice President Tartaro moved that the Mayor and Council approve the Council Meeting Minutes of January 7, 2008, the Public Hearing Minutes of January 7, 2008, and the Closed Session Minutes of December 17, 2007. The motion passed, unanimously.

PUBLIC COMMENT:

Mr. David Hiles, 4105 Gallatin Street, addressed the Mayor and Council; he expressed his concerns regarding the condition and the policy for use of the fields at Magruder Park.

Ms. Nina Faye, 4004 Queensbury Road, addressed the Mayor and Council regarding the Tax Task Force and stated her concern of there not being enough representation for each ward.

Mr. Ben Lipovsky, 6213 42nd Avenue, addressed the Mayor and Council; he expressed his concerns with the Mayor and Council's decisions regarding the formation of the Tax Task Force.

DEPARTMENT REPORTS:

City Administrator Murphy addressed the Mayor and Council; she advised that the Three Brother's Restaurant is now open at the University Town Center. Ms. Murphy reported that the Pedestrian Bridge going over East West Highway has been steam cleaned and is now in better condition for pedestrian use. Ms. Murphy also reported on the damage that has occurred to the fields at Magruder Park and requested that if anyone has any information on who may be causing the damage they report it to the police department.

ACTION ITEMS:

Council Member Hinds moved that the Mayor and Council send a letter of support to the Prince George's County Board of Zoning Appeals for variance V-200-07, a request to validate existing conditions on a non-conforming lot in order to construct a one story addition. The motion passed, unanimously. (Motion #07-01-08)

Council Vice President Tartaro moved that the Mayor and City Council authorize the Mayor to provide a letter of support for the Prince George's Plaza Transit District Maryland-National Capitol Park and Planning Commission (M-NCPPC) application for the Metropolitan Washington Council of Governments Transportation/Land-use Connections Technical Assistance Program. The letter may also indicate support for a study that examines feasible public transit improvements along the Rt. 1 and Port Towns corridors. The Mayor and Council discussed the issue at length. The motion passed, unanimously. (Motion #05-01-08)

Council Member Patterson moved that the Mayor and Council re-appropriate the grant funds awarded and accepted in prior fiscal years, which were unexpended as of June 30, 2007 but still available for expenditure in FY08, as shown on the attached schedule, and authorize the expenditure of the funds in accordance with the terms of the grant awards. The motion passed, unanimously. (Motion #04-01-08)

Council Vice President Tartaro moved that the Mayor and Council 1) adopt Hyattsville Resolution 2008-02, supporting the preparation of a feasibility study for a new parking garage in the Gateway Arts and Entertainment District section of the City; 2) authorize the City Administrator to negotiate and enter into agreements, as may be required, with the State of Maryland, the County, the Hyattsville Community Development Corporation and/or other entities, for the joint preparation of a parking garage feasibility study for the Baltimore Avenue corridor area; and: 3) authorize the expenditure of the \$10,000 (from the Community Development budget line) to cover the City's share of the costs of the feasibility study; 4) to transfer the funds from the Capital Projects fund to the General Operating fund.

The total cost of the study is projected to be \$50,000, of which the State will pay \$25,000, the City will pay \$10,000 and the Hyattsville CDC will provide \$15,000 of in-kind services.

Note: The City Attorney has advised that this action is not a new appropriation of funds and requires only a majority vote of Council. The Mayor and Council discussed the issue at length. The motion passed, unanimously. (Motion #226-12-07)

Council Member Frazier moved that the Council authorize the merging of the Public Infrastructure Capital Improvement Program Tax Task Force and Real Property Tax Rate Task Force into a newly titled Tax Task Force. The mission of this group will be to: 1) examine the City's projected revenues and expenditures for the upcoming five years (FY09-FY13) and determine if some of the City's tax rates could be reduced; 2) focus on potential tax relief for residents, particularly those having fixed or limited incomes; 3) investigate ways to establish capital improvement programs for the City's commercial areas and other public facilities, including identification of new revenue sources to fund these programs.

The Task Force will consist of the Mayor, 2 Council Members, the City Administrator, the City Treasurer and 4-5 residents to be appointed by the Mayor and confirmed by the City Council. Once established the Tax Task Force will meet no less than monthly and is subject to the Open Meetings requirements and will solicit public comment during its meetings. The Task Force will prepare and present an interim and final report to the Mayor and City Council. The appointments to this combined task force shall be effective January 22, 2008, and shall terminate June 30, 2008. The following appointments are to be confirmed:

Steve Clements, Ward 2 (small business consultant, long-time resident)

Gloria Thompson, Ward 2 (long-time resident active in many community projects)

Mike Franklin, (business representative, previously appointed to the Tax Infrastructure Task Force)

Chris Currie, Ward 1 (previously appointed to the Tax Infrastructure Task Force)

Kelli Williams, Ward 3 (mortgage financial advisor for non-profit organization)

Council Members Ruth Ann Frazier and Krista Atteberry

The Mayor and Council discussed this issue at length. (Motion #08-01-08) **Council**

Member Frazier moved to table the vote until the Council Meeting of January 22, 2008. The motion passed with Council Vice President Tartaro, Council Members Frazier, Lizanne, Hinds, Tierney, Dudrow, and Patterson voting for and Council Member Matulef voting against.

Council Member Tierney moved that the Mayor and Council 1) authorize the creation of new, regular full-time Administrative Aide position to serve the Assistant City Administrator and City Clerk and 2) authorize the City Administrator to advertise and fill the new position. The motion passed, unanimously. (Motion #09-01-08)

DISCUSSION ITEM:

Mayor Gardiner briefly discussed the following items: traffic and parking, peddling and soliciting, tall grass and weeds, commercial vehicles, ethics, the retreat on January 19th, and council liaisons to committees. These future legislative items will be placed on upcoming Council Meeting Agendas for discussion and formal Council action. Mayor Gardiner also responded to questions of clarification from the Council regarding certain items listed.

Council Vice President Tartaro moved that the Mayor and Council close the meeting of January 14, 2008 to discuss a personnel matter and legal matters related to a possible contract. A roll call vote was taken on the motion. The motion passed, unanimously.

Note for the Record: Mayor Gardiner noted that Council would not be coming back into open session after the closed session.

The Council Meeting of January 14, 2008 ended at 9:45 p.m.

The Mayor and Council went into Closed Session at 9:53 p.m.

Respectfully submitted,

Douglass A. Barber, City Clerk