

COUNCIL MEETING OF THE CITY COUNCIL HYATTSVILLE, MARYLAND

January 7, 2008

Mayor Bill Gardiner called the meeting of the Council to order at 8:11 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, and Council Members Ruth Ann Frazier, Nicole Hinds, Bill Tierney, and Anthony Patterson. Council Members Paula Perry, Mark Matulef, Douglas Dudrow, and Carlos Lizanne were absent

Also present were City Administrator Murphy, Chief of Police Holland (arrived at 8:45 p.m.), Director of Public Works Henry, City Treasurer Oliphant (arrived at 8:28 p.m.), Director of Code Enforcement Hampton (arrived at 8:28 p.m.), and City Clerk Barber

PRESENTATION OF THE FLAGS – Hyattsville Boy Scout Troop # 224

PRESENTATION:

Hyattsville Light Up the Sky Winners 2007

The Hyattsville Light Up the Sky winners were presented with a plaque by Mayor Gardiner and Recreation and the Arts employee Cheryl Everhart. During the presentation the Mayor and Council were presented with a slideshow of the winning homes prepared by the Department of Recreation and the Arts. The following is a list of the Hyattsville Light Up the Sky Winners for 2007: Ward 1 (4111 Decatur Street) – First Place, (3908 Kennedy Street) – Second Place, (4518 Buchanan Street) – Third Place; Ward 2 (5615 35th Avenue) – First Place, (4113 Emerson Street) – Second Place, (3515 Longfellow Street) – Third Place, (4003 Madison Street) – Honorable Mention; Ward 3 (3324 Gumwood) – First Place, (3509 Nicholson Street) – Second Place, (6116 43rd Avenue) – Third Place, (3310 Rosemary Lane) – Honorable Mention; Ward 4 (5808 32nd Avenue) – First Place, (5805 32nd Avenue) – Second Place, (3303 Nicholson Street) – Third Place, (5813 32nd Avenue) – Honorable Mention; Ward 5 (5013 37th Avenue) – First Place, (5025 37th Avenue) – Second Place, (5025 37th Place) – Third Place, (5607 30th Avenue) – Honorable Mention . The 2007 Mayor's Choice Award was given to Hillary Morrison of 4009 Oglethorpe Street.

APPROVAL OF AGENDA:

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

PUBLIC COMMENT:

Mr. Patrick O'Hagan, F.O.P. President, addressed the Mayor and Council; he provided comments on the 457 Plan for the Police and noted that there was a grammatical error in the document and that it should state Robert J. King – Hyattsville Lodge #119 F.O.P. Incorporated.

Mr. Scott Wythe, 4019 Ingraham Street, stated his support for the motion#01-01-08 and motion#226-12-07 to help revitalize Route 1.

APPROVAL OF MINUTES:

Council President Atteberry moved that the Mayor and Council approve the Council Meeting Minutes of November 19, 2007, December 3, 2007, and December 17, 2007, Special Council Meeting Minutes of June 11, 2007, June 18, 2007, and December 10, 2007, Closed Session Minutes of November 19, 2007, December 3, 2007, and December 10, 2007. Not captured on the Council meeting summary, the Closed Session Minutes of June 11, 2007, June 18, 2007, July 16, 2007, September 10, 2007, September 13, 2007, October 1, 2007, October 15, 2007, October 29, 2007, November 5, 2007 and November 12, 2007. Council President Atteberry additionally noted that the Closed Session Meeting Minutes are confidential documents of the Mayor and Council. The motion passed, unanimously.

DEPARTMENT REPORTS:

City Administrator Murphy had no formal report for Council, as there were many items on the agenda; she noted that the newly planted Holiday tree had been damaged and is not sure if it will survive.

Director of Code Enforcement Hampton, reported to the Mayor and Council that the new Code Enforcement vehicle, a 2008 Honda Fit, was picked up on Friday and is very fuel efficient and has a lot of cargo room. It is expected to be in service in about a week. Mr. Hampton expressed a strong emphasis that residents who have received their first violation notice are eligible for extensions; repeat offenders may have different consideration.

Director of Public Works Henry reported to the Mayor and Council on the second Electronics Recycling event held on January 5, 2008 at the Department of Public Works Operation Yard. Director Henry reported that each and every resident have been given a toter, and that only those who did not take them do not have one. Director Henry also noted that there has been some confusion with City residents regarding the City Toters and the County Toter Recycling Program, he will be putting together a flyer to help educate the residents on the proper use of the toters and requested the help of the Mayor and Council with educating the residents of their wards. Director Henry reported that this is the last full week for leaf collection; his department will be cutting it off on the 15th of January. Director Henry responded to questions of clarification given by the Mayor and Council.

ACTION ITEMS:

Council Vice President Tartaro moved that the Mayor and Council authorize the Mayor to send a letter of support to the Board of License Commissioners (Liquor Control Board) for the Class B, BLX, Beer, Wine, and Liquor License for Busboys of Maryland, Inc. at 5315 Baltimore Avenue. The motion passed, unanimously.

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; 3) transfer \$10,000 of the \$140,000 appropriated in the Community Development Capital Equipment / Projects adopted FY08 budget to the General / Operating Community Development budget, and; 4) authorize the expenditure of the \$10,000 to cover the City's share of the costs of the feasibility study. 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. After the motion was read City Treasurer Oliphant advised the Mayor and Council that there was not a super majority present and they would not be able to take action on the item. Mayor Gardiner noted the issue will be placed on the agenda for Special Council Meeting of January 14, 2008.

Council President Atteberry moved that the Mayor and Council adopt the attached resolution (Hyattsville Resolution 2008-01) to establish a 457 Deferred Compensation Plan, known as the ICMA-Retirement Corporation (ICMA-RC) Blue Line 457 Deferred Compensation Plan, which is designed specifically for employees of the City's Police Department, and to approve the signing of the ICMA Retirement Corporation Blue Line 457 Deferred Compensation Plan and Trust (Exhibit A); Declaration of Trust of the Vantage Trust Company (Exhibit B); Administrative Services agreement with Local Lodge #119 (Exhibit C); and authorize the City Administrator to sign the Administrative Service Agreement and any other forms necessary to establish and continue in the Plan. The motion passed, unanimously.

DISCUSSION ITEM:*Goals and Outputs Document*

City Administrator Murphy at the request of Mayor Gardiner opened the discussion and provided an in-depth summary of the Goals and Outputs document that was provided to the Mayor and Council for their review prior to the Holiday's. City Administrator Murphy noted that she had provided to Council Members at the meeting a written response to comments received by Council Members on the Goals and Outputs document.

City Treasurer Oliphant provided feedback and clarification on the document and noted the resources that have been added since last time the Goals and Outputs document had been

presented to the Mayor and Council. The Mayor and Council discussed the issue at length. The Mayor and Council reviewed briefly the following departments: Police, Code Enforcement, and Department of Public Works. The Department Directors for those departments discussed and responded to questions of clarification asked by the Mayor and Council. Mayor Gardiner noted that more discussion time was needed and the items will be placed on a future Council Meeting Agenda.

Council Vice President Tartaro moved that the Mayor and Council close the meeting of January 7, 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 7, 2008 ended at 9:41 p.m.

The Mayor and Council went into Closed Session at 9:50 p.m.

Respectfully submitted,

Douglass A. Barber, City Clerk