

COUNCIL MEETING OF THE CITY COUNCIL HYATTSVILLE, MARYLAND

December 17, 2007

Mayor Bill Gardiner called the meeting of the Council to order at 8:03 p.m. at the Municipal Building, 4310 Gallatin Street, Hyattsville, Maryland.

Present were Mayor Bill Gardiner, Council Vice President Marc Tartaro (arrived at 8:24 p.m.), and Council Members Ruth Ann Frazier, Paula Perry, Mark Matulef, Nicole Hinds (arrived at 8:06 p.m.), Bill Tierney, Douglas Dudrow, and Anthony Patterson. Council President Krista Atteberry and Council Member Carlo Lizanne were absent

Also present were City Administrator Murphy, Chief of Police Holland, Director of Recreation and the Arts Mood, City Treasurer Oliphant, City Attorney Colaresi (arrived at 8:11 p.m.), and City Clerk Barber

APPROVAL OF AGENDA:

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

DEPARTMENT REPORTS:

City Administrator Murphy reported to the Mayor and Council the very successful Volunteer Reception held prior to the Council Meeting where Ms. Rose Byrne was recognized for her work for the City. Ms. Murphy publicly thanked Volunteer Coordinator Colleen Aistis and all those who worked with her to make the event a success. Ms. Murphy responded to questions of clarification given by the Mayor and Council.

Chief of Police Holland reported to the Mayor and Council a brief overview of the departments' statistics for November 2007 with comparison from 2006. Chief Holland advised that additional officers have been on Holiday Patrol with this being a very busy season for the officers. Chief Holland provided an update on current and future projects being addressed by the department. Chief Holland provided responses to questions given by the Mayor and Council.

Director of Recreation and the Arts Mood reported to the Mayor and Council on the Holiday Craft Workshop sponsored by the department and held at Friendship Arms Apartments on Wednesday, November 28. Director Mood provided a brief summary of the recently held Holiday events: the Holiday Tree Lighting at Magruder Park on Tuesday, December 4, Breakfast with Santa on Saturday, December 8, and the Sonny Frazier Toy Drive and noted that they were all very successful. She also reported that the final Holiday event, Light up the Sky, will be held on Thursday, December 20 and that pictures from it will be available on the website.

City Treasurer Oliphant reported to the Mayor and Council on issues being addressed by his department regarding the upcoming Bond Issuance, the Document Management Project with City Clerk Barber, and the Audit Report.

PUBLIC COMMENT:

Mr. David Levy, 4212 Jefferson Street, addressed the Mayor and Council in support of the proclamation for Ms. Linda Parker on her upcoming retirement from the US postal service after 23 years of service.

Mr. David Marshall, 6000 Block of 37th Avenue, addressed the Mayor and Council regarding the FleetPro Contract and the closing of the City Building on December 24. Mr. Marshall additionally stated his concerns with the City's leaf collection policy and the need to have the Leaf Collection Policy reviewed.

CONSENT ITEM:

Council Member Tierney moved that the following items be approved at consent: (1) to proclaim the City's congratulations to Dr. Daniel J. McMahon, Principal of DeMatha Catholic High School, for his selection by the Washington Post as the recipient of the 2007 Distinguished Educational Leadership Award for Private Schools. Furthermore, the Council requests that staff contact Dr. McMahon to arrange a time during a Council meeting that we may publicly present a City proclamation to him; (2) to declare December 24, 2007 a City Holiday; (3) to authorize the Mayor to sign on behalf of the City a proclamation of appreciation to Ms. Linda Parker on her upcoming retirement from the US postal service after 23 years of service. The motion passed, unanimously.

ACTION ITEMS:

Mayor Gardiner requested F.O.P. President Patrick O'Hagan to address them on the proposed establishment of a new 457 Deferred Compensation for all police department employees. The Mayor and Council discussed the issue at length. Mayor Gardiner noted that a resolution will come forward in early January regarding the proposed 457 Deferred Compensation once it has been reviewed by City Attorney Colaresi. **Council Vice President Tartaro moved that the Mayor and Council direct city staff to negotiate with the local FOP and ICMA-RC to establish a 457 Deferred Compensation Plan, known as the ICMA-Retirement Corporation (ICMA-RC) Blue Line 457 Deferred Compensation Plan. The establishment of the plan is subject to the City Attorney's review and approval of the Administrative Services Agreement (the "Agreement"), Trust Agreement, and the availability of the plan to all employees in the City's Police Department.** A roll call vote was taken on the motion. The motion passed, unanimously.

Mayor Gardiner requested F.O.P. Patrick O'Hagan to address them on bringing Collective Bargaining to Hyattsville, the issues, and how it affects the Hyattsville Police Department.

President O'Hagan requested the issue be brought forward early in 2008, and possibly have a Public Hearing on the issue. The Mayor and Council discussed the issue briefly.

Council Member Perry moved that the Mayor and Council authorize the City Administrator, in consultation with the Director of Public Works to approve the annual proposal for bulk solar road salt from Mid-Atlantic Salt, L.L.C., P.O. Box 353, Lyndora, PA 16045-0353 at the quoted state bid price of \$71.40 per ton. The motion passed, unanimously.

Council Member Patterson moved that the Mayor and City Council authorize the City Administrator, with the approval of the City Attorney, to renew the City's contract with FleetPro, Inc., 1540 Caton Center Drive, Baltimore, MD 21227, for the time period of 1/1/08 to 12/31/08 (12 months), for the purpose of continuing to provide vehicle maintenance services under the same service delivery and pricing terms described in the five (5) year contract awarded by the City of Bowie, MD to FleetPro, Inc. on July 5, 2005. The motion passed, unanimously

Council Member Perry moved that the Mayor and City Council approve Hyattsville Resolution 2007-13, a resolution declaring the willingness of the City of Hyattsville, MD to participate in the Pennsylvania Capital City (PACC) Automotive and Equipment Contract, administered by the City of Harrisburg, PA, for the purpose of purchasing a production year 2008 25 yard Trash Compactor Truck, as specified in the approved Fiscal Year 2008 Budget., and to direct the City Administrator, with the approval of the City Attorney, to notify the City of Harrisburg, PA, in writing, the results of a vote in the affirmative. The motion passed, unanimously.

Council Vice President Tartaro moved that the Mayor and Council adopt Hyattsville Resolution 2007-14, a resolution which authorizes the issuance and sale of a General Obligation Bond in the amount of five million, eight hundred & fifty two thousand dollars (\$5,852,000) per the terms negotiated with BB&T. The Mayor and Council discussed this issue at length with City Treasurer Oliphant responding to questions of clarification. The motion passed with Council Member Frazier and Council Member Perry voting against.

City Administrator Murphy advised that the Council should be looking at a revised version of the item that had been placed at each Council Members' seat. **Council Member Patterson moved that the Mayor and Council supplementally appropriate \$30,000 in revenues and expenditures (\$25,000 in capital outlay and \$5,000 in contracted services) for the acquisition and operation of parking meters for approximately 58 short-term, on-street parking spaces to be located in the University Town Center (UTC) development along with related meter collection equipment, and authorize City Administrator to acquire and to coordinate the installation of the new meters, on poles that are to be installed by the UTC developer but paid for by the City, pursuant to the terms of an agreement to be negotiated between the City and UTC. It is contemplated that the meters will operate as follows:**

24 hours per day, seven days a week everyday of the year
Minimum time – 4 minutes/Maximum time 40 minutes
Rate 4 minutes for a nickel or \$.75/hr

The Mayor and Council discussed the issue at length. City Administrator Murphy provided a brief summary of the issue being proposed and responded to questions of clarification given by the Mayor and Council. The motion passed, with Council Member Matulef and Council Member Hinds voting against.

DISCUSSION ITEM:

Parking Garage Feasibility Study

Council Vice President Tartaro read the following for discussion purposes only. I move that the Mayor and Council 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 that will allow for the joint funding of a parking garage feasibility study for the Baltimore Avenue area and to adopt Hyattsville Resolution 2007-___ (number to be determined), a resolution of the City of Hyattsville, Maryland in support of a feasibility study to evaluate the potential to locate, construct, and operate a parking garage in The Gateway Arts and Entertainment District of The City of Hyattsville. It is anticipated that the City's cash contribution for the project will be approximately \$10,000 (previously budgeted). The State contribution is anticipated to be \$25,000, and the CDC contribution is anticipated to be \$15,000 (in-kind services). Mr. Stuart Eisenberg, President of the Hyattsville CDC addressed the Mayor and Council on the issue and provided a brief summary on the CDC's involvement on the proposed project. The Mayor and Council discussed the issue at length. Mayor Gardiner noted the issue will come back to the Mayor and Council in the New Year for formal action.

Collective Bargaining

Mayor Gardiner briefly discussed the issue and noted comments provided earlier in the meeting from the F.O.P. President. Mayor Gardiner also expressed his desire to discuss a proposed plan of action on the issue of Collective Bargaining and make the item a priority early next year.

Council Vice President Tartaro moved that the Mayor and Council close the meeting of December 17, 2007 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 Mayor and Council went into Closed Session at 10:10 p.m.

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The Council Meeting of December 17, 2007 ended at 10:03 p.m.

Respectfully submitted,

Douglass A. Barber, City Clerk