

COUNCIL MEETING OF THE CITY COUNCIL HYATTSVILLE, MARYLAND

November 5, 2007

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, Council Vice President Marc Tartaro (arrived at 8:13 p.m.), and Council Members Ruth Ann Frazier, Carlos Lizanne, Mark Matulef, Nicole Hinds, Bill Tierney, Douglas Dudrow, and Anthony Patterson. Council Member Paula Perry was absent.

Also present were City Administrator Murphy, Chief of Police Holland, Director of Public Works Henry, City Treasurer Oliphant, City Attorney Colaresi (arrived at 9:05 p.m.) and City Clerk Barber.

PRESENTATIONS:

Proclamation of Appreciation presented to Lieutenant Steve Walker

Chief Holland and Mayor Gardiner presented a Proclamation of Appreciation to Lieutenant Steve Walker for his dedication and years of service to the City of Hyattsville. Chief Holland also presented Lieutenant Walker his retirement badge from the City of Hyattsville.

Unisys Presentation – Mr. Norman Currie

The Unisys team presented to the Mayor and Council their assessment and roadmap presentation on the City of Hyattsville's Safe City Initiative – Video Surveillance Assessment. Mr. Norman Currie, the team lead on the project introduced his team to the Mayor and Council. Mr. Currie provided an overview of Unisys and brief overview of other projects. Mr. Currie then provided a more in depth overview of how the City would benefit from the project, and noted possible placement sites for the surveillance equipment. Mr. Currie and the team responded to questions of clarification given by the Mayor and Council.

APPROVAL OF AGENDA:

Council President Atteberry moved that the Mayor and Council approve the agenda. The motion passed, unanimously.

APPROVAL OF MINUTES:

Council President Atteberry moved that the Mayor and Council approve the Special Council Meeting Minutes of October 29, 2007. The motion passed, unanimously.

DEPARTMENT REPORTS:

City Administrator Murphy reported to the Mayor and Council that the City planned to use the Safe Cities initiative to help revitalize the City of Hyattsville's Business Association, and are planning to have a presentation to our Business Association in the near future. Ms. Murphy noted that her office continues to work on getting the Assistant City Administrator position filled, and additional interviews have been scheduled for this week. Ms. Murphy closed with noting that she and the department directors continue to work on the goals and outputs adopted by Council.

Director of Public Works Henry reported to the Mayor and Council on the Mary Prangley Clean-Up Day event held on Saturday, November 3, 2007 and provided figures and gave a suggestion to only hold the event once a year instead of twice a year. Mr. Henry advised the Mayor and Council that the 2007 Leaf Collection program has started. Mr. Henry provided a brief update on the paving project and the Toter program.

Mayor Gardiner noted that Director of Code Enforcement Hampton was out sick and his report will be given at a later Council Meeting.

PUBLIC COMMENT:

Mr. David Marshall, 6000 Block of 37th Avenue, addressed the Mayor and Council; he asked questions regarding the Unisys Presentation relating to the cost and capabilities of the cameras. He stated his and his families' opposition to the project. Mr. Marshall stated his comments and concerns with the paving and milling project in the City.

Discussion Item of Motion #197-11-07

Mr. Larry Taub, attorney representing EYA development, addressed the Mayor and Council on Motion#197-11-07, a motion on vacating the right-of-ways through EYA development. Mr. Taub provided an overview of the issue. The specifics have been provided to the Mayor and Council by City staff. Mr. Larry Taub responded to questions of clarification given by the Mayor and Council.

Mr. Edward Lavalley, a representative from (Sudsville Laundry) JHQ Properties, addressed the Mayor and Council and he stated their opposition on this issue.

Council Member Matulef moved that the Mayor and Council consent to vacating the Rights Of Way as described on the Plat of Computation attached hereto, as to those portions of Longfellow Street; part of Kennedy Street; an alley south of and connected to that portion of Longfellow Street to be vacated; and part of an alley south of Kennedy Street and north of Hamilton Street, east of lot 11 and part of lot 9,

and west of lot 12 and part of lot 10; all in the subdivision know as J.A. Register's Addition to Hyattsville, recorded in Plat Book A, Plat 34, all among the Land Records of Prince George's County Maryland. The Mayor and Council discussed the issue at length. The motion passed with Council Member Frazier voting against.

CONSENT ITEMS:

Council President Atteberry moved that the following items be approved at consent: (1) to sign on behalf of the City a proclamation of appreciation to Lieutenant Steve Walker for his many dedicated years of services to the City of Hyattsville; (2) to sign on behalf of the City a proclamation of appreciation in observance of Veterans Day (Sunday, November 11, 2007); (3) to accept, appropriate and authorize the expenditure of \$4,771.48 in funding, being offered to the City by the U.S. Secret Service (USSS) Regional Fraud Task Force, for the acquisition of digital cameras and GPS units; (4) to accept, appropriate and authorize the expenditure of a \$100.00 donation from Wal-Mart, which is to be used to subsidize the costs of the City's Arts and Craft programs for its senior and disabled residents; (5) to send correspondence to Preservation Maryland in support of the nomination of EYA's adaptive reuse of the Lustine Showroom for the 2007 Historical Preservation Award. The award would recognize EYA's responsiveness to community interests, led by the Hyattsville Preservation Association, in retaining this unique showroom; (6) to authorize the City Administrator to execute the negotiated employment contracts for the City Clerk, Chief of Police, Director of Recreation and the Arts, and the Director of Code Enforcement effective October 1, 2007 and to make any other compensation adjustments that have been negotiated. The motion passed, unanimously.

ACTION ITEMS:

City Treasurer Oliphant provided a brief overview of Motion#158-09-07 prior to it being presented to the Mayor and Council. **Council President Atteberry moved that the Mayor and Council authorize the City Treasurer to prepare and post the budget journal entries provided from the City Treasurer, that was attached to the agenda item form (spreadsheet) which move existing appropriations to the correct accounts so that they will match expenditures and so the year-end budget will reflect all the funding that was available during FY07. The motion passed, unanimously.**

Council President Atteberry moved that the Mayor and Council introduce and adopt, as emergency legislation, Hyattsville Ordinance 2007-13, an Ordinance of the Mayor and City Council of the City of Hyattsville, Maryland, authorizing and empowering City of Hyattsville to issue and sell, upon its full faith and credit, General Obligation Bonds in one or more series from time to time in an aggregate principal amount not to exceed five hundred twenty-five thousand dollars (\$525,000), the proceeds of the sale thereof to be used and applied for the public purposes of financing (including by reimbursing prior expenditures) or refinancing all or a portion of the costs relating to any one or more of the following public purpose activities: (I) acquiring and installing parking meters, including replacing existing meters, and related activities, (II)

repaving, repairing, renovating and rehabilitating City-owned parking lots and related activities, including (without limitation) grading, drainage, walkway, curb and gutter work, and (III) renovating, repairing, improving and equipping parks, playgrounds and/or other public land and any related structures and facilities, in each such case together with the acquisition of necessary property rights and equipment, related site and utility improvements, related architectural, financial, legal, planning, design, engineering, acquisition, construction, improvement, installation and equipping expenses, costs of issuance and capitalized interest; determining that each series of the bonds be sold by private (negotiated) sale without solicitation of competitive bids, unless a subsequent resolution of the City Council provides for the sale of any series of bonds by the solicitation of competitive bids at public sale after publication of the notice of sale; authorizing the adoption of a resolution or resolutions of the City Council to determine and provide for various matters relating to the authorization, sale, security, issuance, delivery, payment and redemption of and for each series of the bonds; authorizing the City to issue and sell its general obligation bond anticipation notes in one or more series from time to time in an aggregate principal amount not to exceed five hundred twenty-five thousand dollars (\$525,000) in order to finance project costs on an interim basis, costs of issuance and capitalized interest; authorizing the City to issue and sell its general obligation bonds in one or more series from time to time in order to refund any of the bonds issued pursuant to the authority of this Ordinance (including paying related costs of issuance and interest on such refunding bonds), provided that the aggregate principal amount of any such issue of refunding bonds does not exceed one hundred thirty percent (130%) of the aggregate principal amount of bonds refunded thereby; authorizing the adoption of a resolution or resolutions of the City Council to determine and provide for various matters relating to the authorization, sale, security, issuance, delivery, payment and redemption of and for any such bond anticipation notes or refunding bonds; providing for the levy of ad valorem taxes upon all real and personal property within the City's corporate limits subject to assessment for unlimited municipal taxation to pay the principal of and interest on the bonds, bond anticipation notes or refunding bonds, as applicable, in each fiscal year; pledging the City's full faith and credit and unlimited TAXING power to the prompt payment of the principal of and interest on the bonds, bond anticipation notes or refunding bonds; providing that the principal of and interest on the bonds, bond anticipation notes or refunding bonds also may be paid from any other sources of revenue lawfully available to the City for that purpose; authorizing and directing officials and employees of the City to take any and all action necessary to complete and close the sale, issuance and delivery of the bonds, notes or refunding bonds authorized hereby; providing that this title be deemed a fair summary of this Ordinance for all purposes; and otherwise generally relating to the sale, issuance, delivery and payment of and for the bonds, notes and refunding bonds authorized hereby. The Mayor and Council discussed the issue at length. City Treasurer Oliphant responded to questions of clarification given by the Mayor and Council. The motion passed, with Council Member Tierney voting against.

DISCUSSION ITEM:*UTC Parking Meters*

City Administrator Murphy provided a brief overview of the request received from UTC regarding the need for short-term metered parking in areas near restaurants. The Mayor and Council discussed the parking meter issue in the UTC development project and noted that the parking meter issue will come back to Council at a later date once more information is obtained and reviewed by City Staff.

Council Vice President Tartaro moved to close the Council Meeting of November 5, 2007 to discuss a personnel matter and the terms of employment and compensation of individual City employees considering an employment contract and other legal matters related to tax collection. A roll call vote was taken on the motion. The motion passed, unanimously.

Note for the Record:

Mayor Gardiner noted the Mayor and Council would not be returning to an open session. The Mayor and Council went into a Closed Session at 10:13 p.m.

The Special Council Meeting of October 29, 2007 ended at 10:10 p.m.

Respectfully submitted,

Douglass A. Barber, City Clerk