

COUNCIL MEETING OF THE CITY COUNCIL HYATTSVILLE, MARYLAND

July 16, 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 President Krista Atteberry, and Council Vice President Marc Tartaro, Council Members Ruth Ann Frazier, Carlos Lizanne (arrived at 8:16 p.m.), Mark Matulef (arrived at 8:05 p.m.), Nicole Hinds, Bill Tierney, Douglas Dudrow, and Anthony Patterson. Council Member Paula Perry was absent.

Also present were Police Chief Holland, City Treasurer Oliphant, Director of Code Enforcement Hampton, Community Development Manager Chandler and City Clerk Barber.

APPROVAL OF AGENDA:

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

DEPARTMENT REPORTS:

Chief Holland started his report to the Mayor and Council with an update on the City's current Crime Statistics for 2007. Chief Holland noted that this is not an apple-to-apple comparison and did not include the University Hills Area. Chief Holland reported that last week there were 3 additional Police Officers recruited and that two of the three officers are certified. Chief Holland reported that a tentative date of August 7th at 10:30 a.m. for the Safe Cites announcement with the location to be determined. Chief Holland reported that the 2 segways ordered by City had arrived and they are in the process of training officers to use the segways. In closing Chief Holland reminded everyone that Tuesday, August 7th is National Night Out and advised that everyone come out to support the event.

City Treasurer Oliphant provided a brief report to the Mayor and Council with regard to closing the books for the end of the fiscal year and the work being done by his office to prepare for the annual audit.

PUBLIC COMMENT:

Mr. David Marshall, 6000 Block of 37th Avenue, addressed the Mayor and Council regarding debris in roadways through out the City. Mr. Marshall additionally addressed his comments and concerns on numerous items dealing with the Department of Public Works and the Police Department.

Community Development Manager Chandler introduced himself to the Mayor and Council and the listening audience as the new City of Hyattsville Community Development Manger. At the Mayor's request Mr. Chandler provided a brief overview of Motion#137-07-07 regarding the Graffiti Removal Program.

CONSENT ITEMS:

Council President Atteberry moved that the Mayor and Council approve the following item as consent: (1) a proclamation proclaiming Tuesday, August 7, 2007 as "National Night Out" in the City of Hyattsville; (2) to accept, appropriate and authorize the expenditure of the \$1,000 grant awarded to the City by County Councilmember Campos' office in support of the City's Graffiti Removal program. The motion passed, unanimously.

ACTION ITEMS:

Council Vice President Tartaro moved that the Mayor and Council adopt HYATTSVILLE ORDINANCE 2007-10, 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 Thousand Dollars (\$500,000), 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 certain capital improvements and equipment at the existing municipal building, including (without limitation) HVAC equipment, and (ii) making capital repairs and improvements at other city facilities, including (without limitation) roof replacements, 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, functionally related renovation or rehabilitation activities necessary at the facilities at which such undertakings occur, 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 Thousand Dollars (\$500,000) 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 (Second Reading). The motion passed, unanimously.

Council Member Frazier moved that the Mayor and Council introduce Hyattsville Ordinance 2007-09 amending Chapter 96 mandating that a rental license for a particular rental housing unit be revoked upon findings that the rental housing unit is having a negative impact on neighboring properties by reason of being a public nuisance with unchecked criminal activity or public disturbances and providing for notice and an appeal procedure for rental licensees, and clarifying the authority of the City to set reasonable conditions on any revocation or renewal of license (First Reading). Council President Atteberry moved to amend the motion by noting that the entire page #2 has been substituted with a new version. The Mayor and Council discussed the issue at length. The amendment passed, unanimously. The Mayor and Council then voted on the motion as amended. The motion as amended passed, unanimously.

DISCUSSION ITEMS:

Council Vice President Tartaro moved that the Council authorize the Mayor to send correspondence to M-NCPPC supporting the DSP plan for a single-family detached home at 4507 Emerson Street, with recommendations that the lower level include a brick façade on all sides; half the front upper level have a brick façade; the porch be extended the width of the front and the gable be supported by brick columns. Note: the property owner has agreed to these changes, which are indicated on the revised elevations. Council Vice President Tartaro proposed the following amendment to the motion: (1) delete "s" of column, and add the following bases to a height of approximately 3"-6" AFF of porch to top; (2) revise the front elevation such that the porch level is (a) level with interior floor level, (b) the porch level is no higher than 3",

6" above finish grade at the front elevation; and (c) enlarge the column (on top of the masonry column base) with to a minimum of 6"x 6" or 8" to 12" diameter; (3) provided revised elevation for all four sides of the house indicating actual dimensioned finish grades and floor levels. The Mayor and Council discussed the amendment at length. The amendment passed unanimously. Note for the Record Council Member Tierney was not present for the vote. The Mayor and Council then voted on the motion as amended. The motion as amended passed, unanimously.

Council Member Hinds moved that the Mayor and City Council accept, appropriate and authorize the expenditure of the \$12,583 grant that the City has been awarded by the Maryland Department of the Environment under the Statewide Computer Recycling Pilot Program.. Community Development Manager Chandler provided a brief overview of the item. The Mayor and Council discussed the issue at length. The motion passed, unanimously

Council President Atteberry moved that the Mayor and Council close the meeting to discuss a personnel matter and the terms of employment and compensation of individual City employees considering an employment contract. A roll call vote was taken on the motion. The motion passed, unanimously.

Note: The Mayor and Council went into closed session at 9:54 p.m.

The Special Council Meeting of July 16, 2007 ended at 9:54 p.m.

ATTEST:

Douglass A. Barber, City Clerk

William F. Gardiner, Mayor