

SPECIAL COUNCIL MEETING OF THE CITY COUNCIL HYATTSVILLE, MARYLAND

June 18, 2007

Mayor Bill Gardiner called the meeting of the Council to order at 7:34 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 7:40 p.m.), Council Members Ruth Ann Frazier, Paula Perry, Carlos Lizanne (arrived at 7:40 p.m.), Mark Matulef (arrived at 7:40p.m.), Nicole Hinds (arrived at 7:40p.m.), Bill Tierney, Douglas Dudrow, and Anthony Patterson.

Also present were City Administrator Murphy, Police Chief Holland, Director of Public Works Henry, City Treasurer Oliphant, Director of Code Enforcement Hampton, and City Attorney Colaresi.

APPROVAL OF AGENDA:

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

PUBLIC COMMENTS:

Suzanne Paul, 3319 Stanford St addressed the Mayor and Council with comments and concerns on the Landy Property and annexation. Ms. Paul gave concerns about the Clay property being traded by Mr. Bloomberg for property he will be building. Ms. Paul also expressed concerns on the quality of education that High School students would receive as a result of the Landy development.

Barbara Tyler, 4923 42nd Place addressed the Mayor and Council with comments and concerns on motion#116-06-7 Revision to City Code 96-5; Public Nuisance. Ms. Tyler gave concerns about exploits of renters at 4209 Farragut Street with drug use and loud noise. Ms. Tyler stated enacting this legislation would be a big step in getting their street back.

Maria Hernandez, 2010 Sheridan Street, addressed the Mayor and Council with comments and concerns on work hours and work locations. Ms. Hernandez commented on not receiving notices of the work hours and work locations.

Mr. Marshall, 6000 37th Avenue, addressed the Mayor and Council with comments and concerns on the Landy Property and its development with the Planning Committee. Mr. Marshall gave his comments on the \$140 Grant for surveillance cameras and its uses.

CONSENT ITEMS:

Council President Atteberry moved that the Mayor and Council pose “No objection” to variance V-193-05, a request by Todd LaRock to validate the existing conditions on the premises known as Part of Lots 42-22, Block B, Hyattsville Subdivision, being 6016 39th Avenue, Hyattsville, Prince George’s County, Maryland. The motion passed, unanimously.

ACTION ITEMS:

Council Member Tartaro moved that the Mayor and Council authorize the City Administrator to sign a contractual agreement with the Unisys Corporation and appropriate \$139, 700 to fund the development of a video surveillance strategy and master plan in support of the City’s Safe City Program. At a high level, the assessment will investigate and determine the following:

- **Describe camera locations, network connectivity, operations and simplicity of function in a configuration appropriate for the City.**
- **Describe the video management and storage of the proposed Unisys video surveillance solution.**
- **Explore the most cost effective means of providing high-speed network connections to the cameras, including the feasibility of utilizing wireless RF systems.**
- **Investigate the feasibility of integration of an emergency callbox kiosk into the Unisys video surveillance solution.**

Additionally, Unisys will develop a camera system and video management design, the supporting network architecture, and recommend specific hardware and software products for the completion of the Safe City Video Surveillance Project that are tailored to the need of the City. Unisys will also perform high level consulting services that help define the success criteria for the Safe City Video Surveillance Project with the City. The Mayor and Council discussed at length. The motion passed with Council Member Perry abstaining.

Council President Atteberry moved that the Mayor and Council reappoint Richard Colaresi as City Attorney at an hourly rate of \$135.00 per hour. The motion passed, unanimously.

Council Member Tierney moved that the Mayor and Council approve the provision, at no cost to the resident, of one (1) ninety-six (96) gallon Toter Mobile Cart to each private residence from which the Department of Public Works collects household trash, with the understanding that any additional Toter Mobile Carts, up to a maximum of two (2)(including the first Toter), or replacement Toter Mobile Carts, regardless of the reason, will be provided at the resident’s expense at the City’s cost, including freight. The Mayor and Council discussed at length. The motion passed, unanimously.

DISCUSSION ITEMS:*Motion#116-06-07 Revision to City Code 96-5; Public Nuisance*

Council Member Tartaro read motion# 116-06-07 for discussion purposes only as the following: 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). City Administrator Murphy and City Attorney Colaresi at Mayor Gardiner's request provided a brief overview of the proposed ordinance. The Mayor and Council discussed at length. Mayor Gardiner noted the item will come at the next Council Meeting for additional discussion and formal action.

Motion#117-06-07 DSP 99048/01 Landy Property

Council Member Tartaro read motion# 117-06-07 for discussion purposes only as the following: The Council authorize the Mayor to send correspondence to M-NCPPC conveying the community and City's serious concerns and incorporating the Planning Committee's recommendations below in response to the currently proposed Landy project related to the massing and height of the buildings; quality of materials; traffic impact and management; streetscape improvements; landscaping and woodland buffers; storm water management; public amenities; and ownership of units.

The City requests:

1. Reducing the massing and height of the buildings through other methods of parking the site
 - a. to that of the initial (original) project which had underground parking instead of the current proposal which incorporates an above ground parking structure which adds to the massing of the project
 - b. or alternatively reduce the massing of the overall project by reducing the number of units by 25% of the current proposed design.
2. Maintaining the size of the required woodland buffers
3. Maintaining the existing mature trees (that are healthy) while meeting the full extent of the streetscape requirements in a creative manner
4. The use of other high quality finishes instead of EIFS
5. Insuring that each building (i.e. phase) be designed and built as a complete building without temporary panel enclosing parts of the façade

The City Council also directs the Mayor and City Administrator to pursue implementing the items identified in the Recommendation above and in the Background that are either beyond M-NCPPC purview such as annexation or any items that M-NCPPC chooses not to act on.

Mayor Gardiner and Council Vice President Tartaro provided a brief overview of the issue to the Council. The Mayor and Council discussed the issue at length. Mayor Gardiner requested a straw vote on the issue to see where Council currently stands on the issue.

Motion#120-06-07 City of Hyattsville Personnel Manual Changes: Section I, C – General Provisions

Mayor Gardiner provided a brief summary and noted a minor modification to the motion that was presented on the Agenda. The Mayor and Council discussed the issue briefly with City Attorney Colaresi providing clarification on the issue prior to the Council taking action. **Council President Atteberry moved that the Mayor and Council approve the following change to the City of Hyattsville Personnel Manual, adopted June 12, 2006: Section I, C, General Provision add to number (8) following set forth in this manual. The City Administrator shall provide copies of all such additional administrative procedures to all department heads and employees, as well as the Mayor and City Council prior to the effective date.** The motion passed, unanimously.

Council Member Patterson moved that the Mayor and Council authorize the City Administrator to negotiate and execute a contract, subject to the review and approval of the contract, by the City Attorney, for the twice weekly collection and removal of household and bulk trash from residences in the recently annexed University Hills section of the City, through the utilization of the present Prince George's County contract or the contract of a neighboring municipality, if it would be more favorable and cost effective than the County contract. City Administrator Murphy provided a brief summary of the issue.

Council Member Perry 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, to consider the acquisition of real property for a public purpose, and to consult with counsel to obtain legal advice. A roll call vote was taken on the motion. The motion passed, unanimously.

The Special Council Meeting of June 18, 2007 ended 10:05 p.m.

The Mayor and Council went into Closed Session at 10:15 p.m.

ATTEST:

Douglass A. Barber, City Clerk

William F. Gardiner, Mayor