

COUNCIL MEETING OF THE CITY COUNCIL HYATTSVILLE, MARYLAND

April 16, 2007

Mayor Bill Gardiner called the meeting of the Council to order at 7:31 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, Christopher Currie (arrived at 7:47 p.m.), Paula Perry (arrived at 7:33 p.m.), Carlos Lizanne (arrived at 8:17 p.m.), Mark Matulef, Nicole Hinds, and Bill Tierney. Council Member Mary Elwood was absent.

Also present were City Administrator Murphy (arrived at 7:43 p.m.), Chief of Police Holland, Director of Public Works Henry, Director of Recreation and the Arts Mood, City Treasurer Oliphant (arrived at 8:01 p.m.), and City Clerk Barber.

PRESENTATIONS:

Hyattsville Bicycle/Pedestrian Safety Committee

Mr. Nathaniel Kelso and Ms. Cynthia Way, with the Hyattsville Bike & Pedestrian Safety Committee provided a brief presentation and overview to the Mayor and Council on the work of the Hyattsville Bike and Pedestrian Safety Committee to date. Ms. Way provided an overview of how the committee came together, after being established by the City Council. Ms. Way noted what projects the committee is currently working on, and some of the projects it is looking to create. Mr. Kelso and Ms. Way responded to questions of clarifications given by the Mayor and Council on the work of the committee. Mayor Gardiner requested that the presentation be posted to the City's website and noted the Public Forum on April 26, 2007 from 7:00 p.m. to 9:00 p.m. by the Bicycle/Pedestrian Safety Committee.

Hyattsville Department of Public Works FY08 Budget

Director of Department of Public Works Henry addressed the Mayor and Council with the Department's proposed FY08 Budget. Mr. Henry provided a brief overview of the Department of Public Works expenditures for the proposed FY08 budget. Mr. Henry briefly summarized the services the Department of Public Works provides to the residents of the City of Hyattsville. Mr. Henry responded to questions of clarification given by the Mayor and Council on the proposed FY08 Budget for the Department of Public Works. Mr. Henry addressed the issue of the Memorandum of Understanding (MOU) with Prince George's County in regards to the University Hills area trash collection and white goods pick-up.

APPROVAL OF AGENDA:

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

PUBLIC COMMENTS:

Ms. Gloria Felix-Thompson, 5004 42nd Avenue, addressed the Mayor and Council she congratulated Dr. Luty on his proclamation of congratulations honors, for being a great friend and neighbor. Ms. Thompson reminded the Mayor and Council to get ready for the Dogs for the Arts in June.

Mr. David Marshall, 6000 Block of 37th Avenue, addressed the Mayor and Council on the Bike/Pedestrian Committees presentation; he stated it was very well done. Mr. Marshall has many questions and concerns on current issues in regards to parking, personnel, and development construction in the City.

Mr. Kent York, 4228 Oglethorpe, addressed the Mayor and Council; he noted he is a candidate for Ward 3 in the upcoming City Election. Mr. York stated that he would like to see sensitivity training for all City Employees. Mr. York closed by commenting on how well the Bike/Pedestrian Safety Committees presentation was presented.

Mr. Edgar Diaz and Mr. Ceasar Ramariz of 5604 30th avenue, addressed the Mayor and Council regarding their variance (V-26-07) and noted their problems with the two sheds and the concrete pad on their property.

APPROVAL OF MINUTES

Council President Atteberry moved that the Mayor and Council approve the minutes of the Special Council Meeting of December 11, 2006. The motion passed, unanimously.

DEPARTMENT REPORTS:

Chief of Police Holland reported to the Mayor and Council, highlighting the crime report for the month of March 2007 he gave a summary of comparisons for March 2007 to March 2006. Chief of Police Holland addressed the current staffing levels of the Police Department. Chief of Police Holland responded to questions of clarification given by the Mayor and Council.

Director of Recreation and the Arts Mood reported to the Mayor and Council on recent projects and upcoming activities and events being sponsored or co-sponsored by the department. Ms. Mood responded to questions of clarifications on upcoming events in the department given by the Mayor and Council.

City Administrator Murphy reported to the Mayor and Council on the recent Community Yard Sale event. Mayor Gardiner noted that the Community Yard Sale had some very positive feedback and should become an annual event for the City.

City Treasurer Oliphant reported to the Mayor and Council that he continues to focus his time working on the proposed FY08 Budget.

CONSENT ITEMS:

Council President Atteberry moved that the Mayor and Council approve the following items as consent: (1) Proclamation for National Clerks Week (April 29-May 5, 2007) to declare April 29, 2007 through May 5, 2007 as Municipal Clerks Week in the City of Hyattsville and to pass a proclamation in support of this national recognition; (2) Proclamation for National Police Week (May 13-May 19, 2007) to declare May 13 through 19, 2007 as Police Week and May 15, 2007 as Peace Officers' Memorial Day in the City of Hyattsville and to pass a proclamation in support of this national recognition; (3) Proclamations for National Public Works Week (May 20-May 26, 2007) to declare May 20 through 26, 2007 as Public Works Week in the City of Hyattsville and to pass a proclamation in support of this national recognition; (4) Proclamation of Congratulations for Dr. Gerald A. Luty, Ph.D. to authorize the Mayor to sign a proclamation of congratulations and appreciation for Dr. Gerald A. Luty, Ph.D, upon his installation as the Inaugural G. Edward and G. Britton Durell Professor of Ophthalmology. The motion passed, unanimously.

ACTION ITEMS:

Council Vice President Tartaro moved that the Mayor and Council schedule a Closed Session for Monday, April 30, 2007 at 7:00 p.m. prior the Budget Work Session to discuss personnel issues. The motion passed, unanimously.

Council Member Perry moved that the Mayor and Council declare the equipment listed below as surplus to the needs of the Department of Public Works and that they be disposed of by auction for sale, used in trade or scrapped, as provided for in the City Code and Charter. List of Surplus Items:

One (1) 1979 GMC Sierra 7000 Water Tanker Truck VIN T17DB9V556214	City Designation ST52
One (1) 1983 International Model 1954 Dump Truck VIN 2HTAA19E2DCA17151	City Designation ST35
One (1) 1984 International Model 1954 Dump Truck VIN 1HTLDTVRXEHA45455	City Designation ST31
One (1) 1970 Rex Pavement Roller Model REXROL-6 SN HG566	City Designation ST45
One (1) 1975 Stow Mortar Mixer Model CM6 SN 7814261	No City Designation
One (1) 1993 Olathe Tub Grinder Model 837TG SN 837116HDT	City Designation ST44
One (1) 1988 GMC Brigadier Compactor Truck VIN 1GDT8C4Y7JV602935	City Designation SW68
One (1) 1993 Chevrolet Caprice Coupe VIN 1G1B153F8PW155321	City Designation BM75

The motion passed, unanimously.

Council Member Perry moved that the Mayor and Council adopt Hyattsville Ordinance 2007-05, an Ordinance whereby the City Council requires that existing large refuse containers for commercial and industrial use be enclosed, gated and not

located within fifty feet (50') of any residential building, and new refuse containers not be located within fifty feet (50') of any residential property line, and as setting forth an appeal process regarding the location and enclosure of large refuse containers (Second Reading). The Mayor and Council discussed at length. A roll call vote was taken on the motion. The motion passed with Council Members Matulef and Tierney voting against.

Council Member Currie moved that the Mayor and Council adopt Hyattsville Ordinance 2007-06, an Ordinance whereby the City Council specifies the enclosure requirements for large refuse containers on multi-family properties and requires that existing special refuse enclosures not be located with fifty feet (50') of any residential building, and new special refuse enclosures not be located with fifty feet (50') of any neighboring residential property line, and setting forth an appeal process regarding the location and enclosure of large refuse containers and raising the fine for violation of the enclosure provision to two hundred fifty dollars (\$250) (Second Reading). A roll call vote was taken on the motion. The motion passed with Council Members Matulef and Tierney voting against.

Council Member Hinds moved that the Mayor and Council schedule a Public Hearing for Monday, May 14, 2007 at 7:00 p.m. to discuss and establish the real property tax rate for FY08. The motion passed, unanimously.

Council Member Lizanne moved that the Mayor and Council schedule a Public Hearing for Monday, May 14, 2007 at 7:30 p.m. to discuss the proposed Capital and Operating Budget for FY08. The motion passed, unanimously.

DISCUSSION ITEMS:

Police and Civilian Bonuses for Performance/Skills

The Mayor and Council briefly discussed the issue of the Police and Civilian Bonuses for Performance/Skills. Mayor Gardiner noted the items will placed on the next Council Meeting Agenda for further discussion.

Landy Property

The Mayor and Council briefly discussed the DSP for the Landy Property. Mayor Gardiner noted that the item would be placed on the next Council Meeting Agenda.

Council Member Perry moved to adjourn the Council Meeting of April 16, 2007. The motion passed, unanimously.

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The Council Meeting of April 16, 2007 ended at 10:32 p.m.

ATTEST:

Douglass A. Barber, City Clerk

William F. Gardiner, Mayor