

COUNCIL MEETING OF THE CITY COUNCIL HYATTSVILLE, MARYLAND

February 20, 2007

Mayor Bill Gardiner called the meeting of the Council to order at 8:07 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 8:36 p.m.) and Council Members, Carlos Lizanne, Mark Matulef, Nicole Hinds, (arrived at 8:12 p.m.) and Bill Tierney. Council Members Ruth Ann Frazier, Christopher Currie, Paula Perry, and Mary Elwood were absent.

Also present were City Administrator Murphy, Chief of Police Holland, Director of Public Works Henry, Director of Recreation and the Arts Mood, City Treasurer Oliphant, and City Clerk Barber.

PRESENTATION:

Chief Holland presented to the Mayor and Council the City of Hyattsville's Police Department's Annual Report for 2006. Chief Holland responded to questions of clarification on his presented report.

APPROVAL OF AGENDA:

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

DEPARTMENT REPORTS:

City Administrator Murphy reported to the Mayor and Council on issues being addressed by the City with residents in regards to the removal of snow/ice from the recent snow storm that have created very dangerous conditions on the City roadways and walkways. Ms. Murphy responded to questions of clarifications on current city issues given by the Mayor and Council.

Chief Holland reported the Mayor and Council on current police staffing issues being addressed in the department. Chief Holland reminded the Mayor and Council of the upcoming Crime Watch Meeting to be held on March 8, 2007, at the City Municipal Building.

Director of Recreation and the Arts Mood, addressed the Mayor and Council and provided an update on upcoming events and events being planned/sponsored by the Recreation and the Arts Department.

City Treasurer Oliphant addressed the Mayor and Council; he provided a brief overview of the City's current financial information being prepared for the upcoming FY08 Budget.

PUBLIC COMMENT:

Ms. Linn Taylor, 5709 39th Avenue, addressed the Mayor and Council; regarding the FY08 Budget process, and stated her comments and concerns on the issue. Ms. Taylor commented on the ability to hear the Council Members speaking during the meeting.

Ms. Marsha Mazz, 4016 Jefferson Street, addressed the Mayor and Council regarding the Americans with Disabilities Act, and being able to get read the information from the City's website.

Mr. Stuart Eisenberg, 4904 40th Avenue, addressed the Mayor and Council; he thanked the Department of Public Works and Hyattsville Police Department for their quick response during recent snowstorm and for the quick removal of snow from City streets. Mr. Eisenberg stated his support of Motion #32-02-07, Motion #33-02-07, and Motion#37-02-07.

Mr. Hugh Turley, 4211 Queensbury Road, addressed the Mayor and Council with comments and concerns with the recent citation given to Sacred Heart for non-removal of snow from the City right-of-way. Mr. Turley requested that City snowplows place the snow in the public right-of-way (center isle) and not on the sidewalks.

ACTION ITEMS:

Council President Atteberry moved that the Mayor and Council authorize the City Administrator, in consultation with the City Attorney, to enter into a contract with Toter Corporation, 841 Meacham road, Statesville, NC 28677-2983 for the procurement of Toter Brand, automated trash collection carts under the terms, conditions and pricing enumerated in the Fairfax County, Virginia, contract #rQ07-876397-41a, which covers the period from November 1, 2006 through August 31, 2011, and to authorize the City to expend the \$75,000 budgeted in the FY07 budget to make an initial purchase of containers. The Mayor and Council discussed at length. The motion passed, unanimously.

Council President Atteberry moved that the Mayor and Council discuss and adopt guidelines and a budget schedule for the FY08 budget. Mayor Gardiner and City Treasurer Oliphant provided a brief overview to the Mayor and Council on the proposed guidelines and proposed budget schedule. The Mayor and Council discussed the issue at length. The motion passed with Council Member Matulef voting against.

Council President Atteberry moved that the Mayor and Council adopt Hyattsville Ordinance 2007-03, an Ordinance whereby the City Council makes absentee ballots available for all eligible voters upon a statement that they will be absent or unable to vote on election day, specifies the time for emergency application for absentee ballots

and require all campaign materials distributed by candidates to have an authority line and sets the penalty for violation as a misdemeanor. Council President Atteberry noted to the Mayor and Council a few minor technical changes that have been made to Hyattsville Ordinance 2007-03. The motion passed, unanimously.

Council Member Tierney moved that the Mayor and Council adopt Hyattsville Charter Amendment Resolution 2007-03, A resolution of the Mayor and City Council of the City of Hyattsville, Maryland, adopted pursuant to the authority of Article XI-E of the Constitution of Maryland and Section 13 of Article 23A of the Annotated Code of Maryland (1957 Edition, as amended), to amend the Charter of the said City, said Charter being a part of the public local laws of Maryland (1963 Edition, as amended), which Article contains in whole or in part the Charter of the City of Hyattsville, Maryland, whereby the Mayor and City Council include among the duties of the Board of Supervisors of Elections to make reasonable accommodations for voters with disability. The motion passed, unanimously.

Council Vice President Tartaro moved that the Mayor and Council authorize City staff to prepare and submit the documents necessary for the Safe Cities project, Street Light Improvement project; and the Hamilton Street Artway project to be considered for County Community Development Block Grant (CDBG) Project Year 33 (PY33) funding. The motion passed, unanimously.

Council Vice President Tartaro moved that the Mayor and Council update and resubmit for the 2007 Md. Transportation Enhancement Program (TEP) its previous TEP grant application for the Melrose Access Trail. Staff is authorized to utilize volunteers from the Bicycle and Pedestrian Safety Committee, as needed, to complete the application in time for submission by the March 1, 2007, deadline. Council Vice President Tartaro provided a brief history of the project. The Mayor and Council discussed at length. The motion passed, unanimously.

Council President Atteberry moved that the Mayor and Council approve the Mayor sending correspondence supporting proposed legislation, which has been identified by Maryland Municipal League as legislative priorities for 2007. These bills include: HB 676 (&SB34) – Authorizes opt-out municipal electrical aggregation HB 611 (&SB 130) – Provides a higher level of funding from the State Aid for Police Protection from the state to municipalities HB 875 (&SB 423) – Allows local governments to purchase their streetlights from utility companies. The motion passed unanimously.

DISCUSSION ITEM:

Mayor Gardiner noted that Motion#35-02-07 (Approval of IT Strategic Plan and Creation of Advisory Committee) would be discussed at the next Council Meeting.

Council President Atteberry moved to adjourn the Council Meeting of February 20, 2007. The motion passed, unanimously.

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The Council Meeting of February 20, 2007 ended at 10:40 p.m.

ATTEST:

Douglass A. Barber, City Clerk

William F. Gardiner, Mayor