

## **SPECIAL COUNCIL MEETING OF THE CITY COUNCIL HYATTSVILLE, MARYLAND**

May 31, 2005

Mayor Bill Gardiner called the meeting of the Council to order at 7:53 p.m. at the Municipal Building, 4310 Gallatin Street, Hyattsville, Maryland.

Present were Mayor Bill Gardiner, Council President Scott Wythe, Council Vice President Paula Perry, and Council Members, Ruth Ann Frazier, Christopher Currie, Jon Lewis (8:02 p.m.), Mary Elwood, Carlos Lizanne, Marc Tartaro, Mark Matulef, and Krista Atteberry.

Also present were City Administrator Murphy, Chief of Police Holland, Director of Public Works Henry, Acting Director of Recreation Castle, City Treasurer Oliphant, Supervisor of Code Enforcement Hampton, and City Clerk Barber.

Mayor Gardiner requested that the Council and audience remain standing. Mayor Gardiner asked for a moment of silence to honor former City employee Hal Summers who recently passed away and for all the men and women serving in the armed services.

### **PUBLIC COMMENT:**

Mr. Marshall, 6000 Block of 37<sup>th</sup> Avenue, addressed the Mayor and Council on the current agenda, and specifically the Northwestern High School request for funds for their Art Expo agenda item. Mr. Marshall would like to see the Mayor and Council support the school's request.

### **PRESENTATIONS:**

Ms. Anne Baum, 4228 Oglethorpe Street, from the Hyattsville Marketing Task Force, addressed the Mayor and Council on an item on the current agenda regarding the Marketing Web Site and the Branding RFP's. Ms. Baum discussed the need for an additional website that would provide different information than the current City website. The Mayor and Council had many questions that were fielded by Ms. Baum.

Maureen Foster, 5706 40<sup>th</sup> Avenue, acting chair of the Hyattsville Planning Committee, noted the information previously given to the Mayor and Council regarding the Castle Armory. The Planning Committee recommended the Castle property be made a priority. The Mayor and Council asked questions regarding the report; Council Member Matulef noted that the entire Planning Committee not just the Castle sub-committee approved the report. Ms. Foster gave a brief overview of the castle report process. Ms. Murphy addressed the Mayor and Council on the City's input on the report and that City staff

needs to review report and they should go through liaisons of the Council. Ms. Foster reported to the Mayor and Council the Hyattsville Planning Comments on the detailed site plan for the Chittlin's Market (5711 Ager Road). The Hyattsville Planning Committee held a special meeting on May 24, 2005 to discuss the site plan. The Planning Committee raised a number of concerns regarding parking, noise, rodent control, and other issues.

Ms. Shawna Anderson, 5711 Ager Road, owner of the Chittlin Market addressed the Mayor and Council on issues raised by the Hyattsville Planning Committee. Ms. Anderson noted that they have been working with health department and is doing what needs to be done to meet all the health department regulations. The Mayor and Council discussed the issue at length. Ms. Anderson responded to questions given by the Mayor and Council on the issue.

Mrs. Katherine Giancoli, 5709 Ager Road addressed the Mayor and Council regarding her letter sent to the Mayor and Council on the issue. Mrs. Giancoli noted that there is no parking at this location and has noticed rats on the property. Mrs. Giancoli believes this project is valuable asset to Hyattsville, but not in a residential area.

Mr. David Marshall 5700 Block of 37<sup>th</sup> Avenue addressed the Mayor and Council, briefly advised the Mayor and Council all decisions are made by the Hyattsville Planning Committee are based on facts alone, and the committee get their directions from the Mayor and Council.

**Council President Wythe moved that the Mayor and Council recognize Hyattsville resident Jennifer Mendenhall by endorsing a proclamation of appreciation.** The motion passed, unanimously.

Mayor Gardiner presented the proclamation of appreciation to Ms. Jennifer Mendenhall.

#### **APPROVAL OF AGENDA:**

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

#### **NEW BUSINESS:**

**Council President Wythe moved that the Mayor and Council approve the consent agenda that includes: (1) to direct the staff to review and refine the proposed guidelines for the determination and disposal of surplus City property. The guidelines for use and/or disposition of City property should conform to long-term City interests and needs, as expressed in part by the Community Legacy Plan, the Gateway Arts and Entertainment Sector Map Amendment, the Strategic Parks Plan, and similar plans.** The motion passed, unanimously.

**Council President Wythe moved that the Mayor and Council approve the donation of \$250.00 to the Jim Henson School of the Arts, Media and Communication at Northwestern High School for their Art Expo held in the Prangley Room.** The Mayor and Council discussed the issue at length. The motion passed with Council Vice President Perry and Council Member Frazier voting against.

**Council Vice President Perry moved that the Mayor and Council authorize City Staff to implement the initial phases of the parking meter plan and to complete the following: (1) update the phased plan to reflect phase 1 as including parking along both sides of Ager Road between Hamilton Street and Nicholson Street (or parts thereof) and both sides of Hamilton Street between Ager Road and 35<sup>th</sup> Avenue (or parts thereof); (2) determine feasibility of providing 30 minutes of free parking and \$.50 per hour charges on Hamilton Street (Ager Road fees comparable to WMATA fees); (3) schedule a Public Hearing (date to be determined) for residents and businesses to discuss this proposal, and notify via flyer the businesses and residents impacted (initial phases only); (4) present recommendation and/or changes to Council by September 30, 2005 following input from the businesses and residents.** The Mayor and Council discussed the issue at length. **Council Member Lizanne amended the motion to change item # 2 from 30 minutes of free parking to 1 hour of free parking. Council President Wythe move to have item # 2 read as the following: determine the appropriate amount of free parking and subsequent charge per hour on Hamilton Street (Ager Road fees comparable to WMATA fees).** A roll call vote was taken on the amendment. The amendment passed with Council Member Lewis voting against. The motion as amended passed with Council Member Lewis and Council Member Matulef voting against.

**Council Member Frazier moved that the Mayor and Council approve Hyattsville Resolution 2005-11, a resolution condemning politics of personal destruction and character assassination.** The Mayor and Council discussed the issue at length. **Council Member Lewis moved to table the motion.** The motion to table failed with Council Vice President Perry, Council Member Lewis, and Matulef voting for and Council President Wythe, Council Member Frazier, Currie, Elwood, Lizanne, Tartaro, and Atteberry voting against. The Mayor and Council then voted on the motion. The motion passed, unanimously.

**Council Member Currie moved that the Mayor and Council couple any real-estate tax increases in FY06 with the following measures to ensure fiscal accountability to the taxpayers of the City of Hyattsville: (1) each City department shall prepare a report indicating which of its functions might be candidates for outsourcing to the County, outsourcing/in sourcing from the County, privatizing, and/or consolidating with nearby municipalities, along with a preliminary cost/benefit analysis for each; (2) the City shall endeavor to convene a working group of representative of regional municipalities for the purposes of exploring consolidation of services in ways that might produce cost savings and/or improvements or expansions of service; (3) the City Treasurer shall produce a report indicating areas in which the City is not being reimbursed via the tax differential from the County for services it provides, with a view to increasing the tax differential and/or outsourcing services to the County that are currently double-billed to residents; (4) the City shall develop and issue an RFP for consultant services in FY06 that would evaluate City operations for ways to**

**providing services more efficiently or at reduced cost. Such measures should be implemented by January 1, 2006, and any savings by them in FY06 shall be applied to the City's general fund balance with a view to eliminating the annual deficit and providing the basis for future tax relief.** The Mayor and Council discussed the issue at length. **Council Member Matulef move that the Mayor and Council table the motion.** The motion to table passed with Council President Wythe, Council Vice President Perry, and Council Member Frazier, Elwood, Lizanne, Matulef, and Atteberry voting for and Council Member Currie, Lewis, and Tartaro voting against.

**Council Member Tartaro moved that the Mayor and Council set the City of Hyattsville's Real Property Tax Rate for FY06 at \$.63 per 100 of assessment. Council Vice President Perry moved to amend the motion to se the City of Hyattsville Real Property Tax Rate for FY06 at \$.60 per 100 of assessment.** The Mayor and Council discussed the issue at length. A roll call vote was taken on the amendment. The amendment failed with Council Vice President Perry, Council Members Frazier, and Currie voting for and Council President Wythe, Council Members Lewis, Elwood, Lizanne, Tartaro, Matulef, and Atteberry voting against. A roll call vote was taken on the original motion. The motion passed with Council President Wythe, Council Members Elwood, Lizanne, Tartaro, Atteberry, and Mayor Gardiner voting for and Council Vice President Perry, Council Members Frazier, Currie, Lewis, and Matulef voting against.

**Council President Wythe moved that the Mayor and Council introduce Hyattsville Ordinance 2005-07, an ordinance adopting an annual budget for the fiscal year July 1, 2005 through June 30, 2006, for the general purpose; fixing the tax rates for the fiscal year beginning July 1, 2005; authorizing collections of taxes herein levied, and appropriating funds for the fiscal year (First Reading). Council Member Matulef amended the motion to include raising the line item for funding level to the Hyattsville Volunteer Fire Department from \$15,000 to \$20,000.** The amendment passed. A roll call vote was taken the motion as amended. The motion passed with Council President Wythe, Council Member Frazier, Lewis, Elwood, Lizanne, Tartaro, Matulef, and Atteberry voting for and Council Vice President Perry and Council Member Currie voting against.

**Council Vice President Perry moved that the Mayor and Council adjourn the Special Council Meeting of May 31, 2005.** The motion passed, unanimously.

The Special Council Meeting of May 31, 2005 ended at 10:41 p.m.

**ATTEST:**

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Douglass A. Barber, City Clerk

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William F. Gardiner, Mayor