

COUNCIL MEETING OF THE CITY COUNCIL HYATTSVILLE, MARYLAND

June 6, 2005

Mayor Bill Gardiner called the meeting of the Council to order at 8:04 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 (8:05 p.m.), Jon Lewis (8:05 p.m.), Marc Tartaro, Mark Matulef, and Krista Atteberry. Council Member Mary Elwood and Council Member Carlos Lizanne were absent.

Also present were Captain Johnston, Director of Public Works Henry, City Treasurer Oliphant, Supervisor of Code Enforcement Hampton, and City Clerk Barber.

PRESENTATION:

Senator Paul G. Pinsky, District 22 gave a legislative briefing to the Mayor and Council on the recent legislative session. He reviewed the topics discussed during the session, and the particular issues that will affect municipalities. Senator Pinsky provided the Mayor and Council with a legislative accomplishment list from the legislative session of 2005. Senator Pinsky discussed the upcoming economic development coming into Hyattsville in the near future. The economic development on Route 1 between Mount Rainier and College Park are all inter-related but not going to happen evenly and not all at once. State Issues were addressed at the legislative session and were briefly summarized by Senator Pinsky. Senator Pinsky responded to questions given by the Mayor and Council.

PUBLIC COMMENT:

Mr. David Marshall of the 6000 Block of 37th Avenue addressed the Mayor and Council; he thanked Senator Pinsky for his attendance at the meeting, and thanked the senator for his support. Mr. Marshall addressed the Chitlin Market agenda item, he thinks it a good idea just in a wrong location, and stated his concerns on the issue. He addressed the Mayor and Council on the FY06 Budget.

Mayor Gardiner read note sent by Mr. and Mrs. Heidenberg in response to the City's recognition made on behalf of retiring Council Member Dudrow for the contribution to John Heidenberg's Children's Funds.

STAFF REPORTS:

Supervisor of Code Enforcement Hampton noted the upcoming Code Enforcement Advisory Committee meeting scheduled for Tuesday, June 7, 2005 at 7:00 p.m. to the Mayor and Council. Supervisor of Code Enforcement Hampton responded to questions to given by the Mayor and Council.

Director of Public Works Henry reported to the Mayor and Council and briefed them on the several vacant positions that are open in the department. The department is currently interviewing for the positions. Mr. Henry addressed the Paving Management Plan (copies were provided to the Mayor and Council via e-mail and he noted hard copies are available). Mr. Henry talked about the pavement plan and what is on the list to be paved in FY06. Mr. Henry also updated the Mayor and Council on WSSC's plan and what phase they are working on.

APPROVAL OF AGENDA:

Council President Wythe moved that the Mayor and Council approve the agenda. The motion passed with Council Member Matulef voting against.

APPROVAL OF MINUTES:

Council President Wythe moved that the Mayor and Council approve the Council Work Session minutes of April 25, 2005, Council Meeting minutes of May 3, 2005, and Public Hearing of May 9, 2005. The motion passed, unanimously.

NEW BUSINESS:

Council Vice President Perry moved that the Mayor and Council accept a grant award for financial assistance by the State of Maryland Vehicle Theft Prevention Council under grant #VTPC 2005-18 and appropriate an additional \$ 47,000 into the FY06 Budget. The motion passed, unanimously.

Council President Wythe moved that the Mayor and Council authorize the Mayor to, based upon consultations with and recommendation of the City's Bond Counsel, the City Treasurer, City Administrator, and City Attorney, negotiate and set the final terms of the \$1.6 million General Obligation Bond issuance. The Mayor and Council discussed the issue at length on the FY05 Bond Issuance. City Treasurer Oliphant and Director of Public Works Henry addressed questions posed by the Mayor and Council to provide clarification on the FY05 Bond Issuance. The motion passed, unanimously.

Council Member Tartaro moved that the Mayor and Council adopt 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 (Second Reading). The Mayor and Council discussed the FY06 Budget at length. City Treasurer Oliphant provided clarification to the FY06 recent changes. Mayor Gardiner summarized the FY06 Budget process. A roll call vote was taken on the motion. The motion failed with Council President Wythe, Council Members Tartaro, and Atteberry voting for and Council Vice President Perry, Council Members Frazier, Currie, Lewis, and Matulef voting against.

Council Vice President Perry moved that the Mayor and Council submit to M-NCPPC correspondence indicating that, based on the information provided by the applicant, the TDOZ regulations, and the M-NCPPC staff report, the Council has serious concerns with the lack of adequate parking for a restaurant at this location (Chitlin Market Restaurant, 5711 Ager Road), and the potential impact on traffic and neighborhood. Therefore, the Council urges M-NCPPC to delay approval of the plan and work with the applicant to resolve these issues or identify a more suitable location for this restaurant. A roll call vote was taken on the motion. The motion passed with Council President Wythe, Council Vice President Perry, Council Member Frazier, Currie, Tartaro, Matulef, and Atteberry voting for and Council Member Lewis abstaining.

Council Member Matulef moved that the Mayor and Council adjourn the Council Meeting of June 6, 2005. A roll call vote was taken on the motion. The motion to adjourn failed with Council President Wythe, and Council Member, Frazier, Currie, Lewis, Tartaro, and Atteberry voting against and Council Member Matulef voting for and Council Vice President Perry abstaining.

Council Member Currie moved that the Mayor and Council implement the following measures to ensure fiscal accountability to the taxpayers of the City of Hyattsville: (1) the City Administrator in consultation with Department Directors, shall prepare a report outlining prospective future cost savings, including alternative service delivery options such as outsourcing, privatization, collaborations, consolidations, and paradigm shifts, and ways to eliminate the cost of services that are duplicative of County services but are not counted in the tax differential equation. This report shall be presented by the September 14, 2005, Council Meeting, and contain a preliminary cost/benefit analysis for each option, including specific cost savings and potential additional costs that may be incurred for improvements in service delivery. An updated/final report shall be issued by the November 14, 2005, Council Meeting; (2) City staff shall initiate discussions with statewide and regional entities, including neighboring municipalities, seeking input and interest from staff and governing bodies in cost-saving practices and partnerships. Periodic reports of progress on this project shall be made to Council, including request for supportive Council actions if required, and a comprehensive report presented by November 14, 2005; (3) the City Administrator, in consultation with the City Treasurer and other Department Directors, shall provide the Council with an analysis of the additional revenues and/or cost savings that are estimated to be necessary for full funding of City services, including increases in staff salaries and benefits costs, and anticipated capital improvements, including the Pavement

Management Plan, for the next five fiscal years; (4) staff shall undertake the above actions in regular consultation with the Mayor and/or his designee(s); (5) if the staff report fails to identify savings sufficient, in the judgment of the Mayor and Council, to sustainably fund City services and capital expenditures at the current tax level, it is the intention of the Council to issue an RFP for consultant services in the FY06 that would evaluate City operations for additional ways of providing services more efficiently or at a reduced cost. Furthermore, any saving realized by these measures in the FY06 shall be applied to payment of consulting fees related to this motion, if any, and then to the City's General Fund balance with a view to eliminating the annual deficit and providing the basis for future tax relief. The Council prioritized any recommendations that become motions to the Council and that when they come forward with from this action and that they be prioritized on Council agenda's. The Mayor and Council discussed the issue at length. Council Member Matulef offered a substitute motion. Council Member Matulef moved that the Mayor and Council recommend Council consider an alternative motion that directs the City Administrator to provide a report to Council by a date certain that reflects the cost saving efforts completed by City staff and departments, seeks alternative service delivery options, outsourcing, collaborations, consolidations, and paradigm shifts. I further recommend that City stall shall be directed to initiate discussions with statewide and regional organizations seeking input and interest in cost saving practices. The City responds to the County's request for information to determine the tax differential rate. The rate is determined by the County and is a decision based on services the City provides. The City is currently receiving the maximum differential for the variety and scope of services the City provides. The County does not provide a tax differential for a good number of services the City provided, however the City's population receives a broad variety of special services because the City opts to supply those services and resources. It is likely the reports and information we have proposed will identify potential cost savings for the City and therefore I recommend approval of the items defined in these comments. At the conclusion of the issuance of the staff reports, it would be a Council option to determine if it wishes to obtain consultant services to further explore cost saving options. While cost savings are the objective of this review, it also is possible that recognition of staffing shortages or other expenses or cost related to service delivery will be identified, potentially increasing overall City expenditures. The substitute motion failed due to a lack of a second on the motion. The Mayor and Council then voted on the original motion. A roll call vote was taken. The motion passed with Council President Wythe, Council Vice President Perry, Council Member Frazier, Currie, Lewis, Tartaro, and Atteberry voting yes and Council Member Matulef voting against.

Mayor Gardiner called a Special Council Meeting for Tuesday, June 7, 2005 at 8:00 p.m. to discuss the FY06 Budget and all the discussion items that have not yet been addressed.

Mayor Gardiner moved that the Council adjourn the Council Meeting of June 6, 2005. The motion passed, unanimously.

The Council Meeting of June 6, 2005 ended at 10:28 p.m.

ATTEST:

Douglass A. Barber, City Clerk

William F. Gardiner, Mayor