

## **COUNCIL WORK SESSION OF THE CITY COUNCIL HYATTSVILLE, MARYLAND**

July 25, 2005

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 Scott Wythe, Council Vice President Paula Perry, and Council Members, Ruth Ann Frazier, Christopher Currie (7:45 p.m.), Jon Lewis (8:01 p.m.), Mary Elwood (7:37 p.m.), Marc Tartaro, Mark Matulef, and Krista Atteberry. Council Member Carlos Lizanne was absent.

Also present were Chief of Police Holland, Director of Public Works Henry, City Treasurer Oliphant, Supervisor of Code Enforcement Hampton, City Attorney Colaresi (7:44 p.m.), and City Clerk Barber.

### **CITY STAFF REPORTS:**

Supervisor of Code Enforcement Hampton had no formal report; he noted he would present a formal report at the Council Meeting of August 1, 2005.

Director of Public Works Henry reported to current issues being addressed by the Department of Public Works. The department has received the MOU's from the M-NCPPC on the City's parks. The department has been working on trimming low limbs hanging down in the alley ways prior to the proposed pavement of the alleys. Mr. Henry responded to questions given by the Mayor and Council.

### **APPROVAL OF AGENDA:**

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

### **REGULAR AGENDA:**

*Approval of Proclamation for National Night Out*

**Council Vice President Perry moved that the Mayor and Council approve a proclamation proclaiming Tuesday, August 2, 2005 as "National Night Out" in the City of Hyattsville.** The motion passed, unanimously.

*Approval of Proclamation of Appreciation for David Braxton*

**Council Member Atteberry moved that the Mayor and Council approve a proclamation of appreciation for Mr. David Braxton.** The motion passed, unanimously. Council Member Atteberry read the proclamation and Mayor Gardiner presented the proclamation to Mr. Braxton.

*FY06 Vehicle Purchases*

**Council President Wythe moved that the Mayor and Council authorize the Chief of Police and Director of Public Works to respectively purchase a 2005 Chevrolet Impala from Criswell Chevrolet and a 2005 Ford F-350 4x4 pick-up truck from Academy Ford, both of which are being purchased off of State bid contracts, and to pay for the acquisitions with lease/purchase financing obtained through Ford Motor Credit. The cost of the vehicles will be \$52,680 (\$18,755 for the Impala and \$33,925 for the F-350). The amount financed will be \$53,030, which include a one-time documentation fee of \$350s, and the financing will be over a term of three (3) years, at an APR of 5%, with payments due quarterly.** The motion passed, unanimously.

*4507 Emerson Street Variance*

Mr. Gilbert H. Schultz, President of G and S Builder, L.L.C addressed the Mayor and Council on behalf of the owner of the property (Jose and Vidalina Caceres) on the proposed building of a new home at 4507 Emerson Street (vacant lot). Mr. Schultz discussed at length with the Mayor and Council about a potential variance request that has yet to go forward to the County Council. The County advised Mr. Schultz to submit proposed/potential plans to build a home on the 4507 Emerson Street property to the City of Hyattsville. The Mayor and Council discussed the request at length, mainly on the points of the requested lot coverage of the new home and the effects to the neighboring homes.

Ms. Constance Gasch, 4739 Baltimore Avenue, owner of Gasch's Funeral Home, addressed the Mayor and Council and was in favor of the new home being built on the proposed site (4507 Emerson Street). Ms. Gasch noted that the Gasch family owns the surrounding property and posed no objection to the propose building. Supervisor of Code Enforcement Hampton interjected in the discussion and provided a brief review of the variance process with the Mayor and Council.

Note for the Record: No action was taken on the 4507 Emerson Street issue at the meeting

*Hamilton Street Project*

**Council President Wythe moved that the Mayor and Council (1) authorize the expenditure of an additional \$27,000 on the Hamilton Street project to cover the full cost of construction, including the light poles and related electrical work, bringing**

**the total project budget to \$312,000; (2) authorize the City Administrator or her designee, with the City Attorney's approval, to amend the contract with NZI Construction to include the installation of the electrical conduit and street lights and increase the contract amount by \$99,167.50 from \$116,626 to \$215,793.50 to cover the projected cost of this additional work, and; (3) authorize the transfer of \$27,000 of funds appropriated for street maintenance out of this line item and into the project account to cover the increased project costs.** The Mayor and Council discussed the issue at length. Mr. Henry and Mr. Oliphant responded to questions given by the Mayor and Council. The motion passed with Council Member Atteberry abstaining.

*Authorization to select Human Resources Consultant*

**Council President Wythe moved that the Mayor and Council authorize the City Administrator, after consultation with the executive committee and pending the approval of the City Attorney, to negotiate and execute a contract with a human resource/compensation consultant for the provision of the services specified in the Compensation Study Request for Proposal that was issued on July 20, 2005.** The Mayor and Council discussed the issue at length. The motion passed, unanimously.

*V-116-05 (3529 Madison Place)*

**Council Vice President Perry moved that the Mayor and Council authorize staff to draft a letter to the Prince George's County, Board of Zoning Appeals, stating that the City of Hyattsville "Poses No Objection" to variance request V-116-05. A request for a 7.4% departure from the strict application of the zoning ordinance that prohibits more than 35% of the net lot coverage of an area be covered by building.** The motion passed, unanimously.

*Castle/Armory Report and Recommendations*

**Council Member Matulef moved that the Mayor and Council (City of Hyattsville) should make preservation of the Castle/Armory a high priority. The City shall work to ensure the successive uses of the Castle/Armory are public in nature and consistent with the property's existing preservation easement. Therefore, the Council adopts the Castle/Armory Report of the Hyattsville Planning Committee.** Council President Wythe moved to amend the motion by striking the last sentence of the motion and action item #2 and # 4. The Mayor and Council discussed the issue at length. Council Member Currie amended the motion to have the last sentence of the motion read: **Therefore, the Council adopts the following recommendation from the Castle/Armory Report of the Hyattsville Planning Committee and to remove removing action item #2 and keep action item #4.** A roll call vote was taken on the amendment. The amendment passed with Council President Wythe, and Council Members Wythe, Currie, Lewis, Tartaro, Matulef, and Mayor Gardiner voting for and Council Vice President Perry, and Council Members Frazier, Elwood, and Atteberry voting against. The Mayor and Council then voted on the motion as amended. The motion as amended failed with Council President Wythe, and Council Members Currie,

and Matulef voting for and Council Vice President Perry, and Council Members Frazier, Elwood, Tartaro, and Atteberry voting against. Council Member Lewis abstained.

**Council Member Tartaro moved that the Mayor and Council approve sending a letter of support to the Prince's George's County Board of Licensing Commissioners for Franklin's Restaurant (5123 Baltimore Avenue) to upgrade their current Alcoholic/Beverage License to include the onsite sale of hard liquor.** The motion passed, unanimously.

**Council Member Tartaro moved that the Mayor and Council establish a Parks Committee. The Committee will: (1) have a general mission statement, approved by the Council, that outlines the committee's purpose; (2) have a specified minimum and maximum number of members, each appointed by the City Council for terms of a specific duration; (3) receive direction from City Council concerning specific actions the Council desires of the committee; (4) record, maintain, and make available to the City Council and the public the committee's deliberations, in accordance with the Open Meeting Act; (5) meet at least quarterly at regularly scheduled times, or on a more frequent basis as requested by Council; (6) have one or more appointed City Council Liaison who will be expected to attend all committee meetings. Council Member Lewis amended the motion to change the name of the committee to the Official Parks and Open Green Spaces Committee.** The amendment was accepted. **Council Member Currie amended the motion to have the Council provide the mission statement for the committee.** The amendment was accepted. A roll call vote was taken on the motion. The motion passed with Council Member Matulef abstaining.

**Council Vice President Perry moved to adjourn the meeting.** The motion passed, unanimously.

The Council Work Session of July 25, 2005 ended at 10:12 p.m.

**ATTEST:**

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Douglass A. Barber, City Clerk

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William F. Gardiner, Mayor