

COUNCIL MEETING OF THE CITY COUNCIL HYATTSVILLE, MARYLAND

April 6, 2009

Mayor Bill Gardiner called the meeting of the Council to order at 8:01 p.m. at the Municipal Building, 4310 Gallatin Street, Hyattsville, Maryland.

Present were Mayor Bill Gardiner, Council President Bill Tierney, Council Vice President Anthony Patterson and Council Members Ruth Ann Frazier, Paula Perry, Carlos Lizanne, Marc Tartaro, Mark Matulef, Krista Atteberry and Douglas Dudrow. Council Member Nicole Hinds was absent.

Also present were City Administrator Murphy, Assistant City Administrator Jones, Director of Public Works Henry, Director of Code Enforcement Hampton, and City Clerk Barber.

APPROVAL OF THE AGENDA:

Council Member Perry moved that the Mayor and Council approve the agenda as amended, as the Mayor removed Motion # 69-04-09 from the consent agenda and onto the action agenda and added a Closed Session to the end of the meeting to discuss a personnel matter. The motion passed, unanimously.

APPROVAL OF THE MINUTES:

Council President Tierney moved that the Mayor and Council approve the Council Meeting Minutes of March 16, 2009. The motion passed, unanimously.

PRESENTATIONS:

Mayor Gardiner brought forward Ms. Lynn Brantley, President and CEO of the Capital Area Food Bank, Mr. Richard Boales, Vice President representing Equity Residential Properties owners of Mosaic at Metro, Ms. Catherine Timko, Principal, the Riddle Company, and Colleen Aistis, Volunteer Services Coordinator for the City of Hyattsville for their work on an initiative that started with response to the call for service by President Obama, Mosaic at Metro Apartments in Hyattsville along with affiliates – The City of Hyattsville Office of Volunteer Services, Hyattsville CDC, Towers at UTC, Hyattsville Business & Professional Association and Bally's Fitness responded with "Feeding the Spirit of Community" by coordinating a month long community-wide food drive to support the Capital Area Food Bank of Washington, DC. The results of this effort filled a two bedroom apartment at Mosaic at Metro with non-perishable foods, which will feed a lot of families. The drop off for collection site was at the Mosaic at Metro leasing office, located at 2970 Belcrest Road. The Equity Residential Foundation also donated a check for \$1,000 to the Capital Area Food Bank and each of the designated food banks in markets throughout the nation.

Mr. Shawn Donnelly, from Target Corporation addressed the Mayor and Council on the Safe Cities initiative and the value it brings to the City of Hyattsville. Mr. Donnelly provided an in-depth overview of the project and responded to questions posed given by the Mayor and Council.

PUBLIC COMMENT:

No one wished to address the Mayor and Council.

ADMINISTRATION REPORTS:

Administration-

City Administrator Murphy advised the Mayor and Council on the current work being conducted on the preliminary budget reports from each department. She noted that they have been working with the Management and Efficiency Study consultants and advised that Assistant City Administrator Jones will elaborate on the website redesign project. Assistant City Administrator Jones discussed the Traffic Study project. He advised that the Mayor and Council that the City's new website will go live on Friday, April 10, 2009, and thanked the IT Committee for all their work on the project.

Code Enforcement-

Director of Code Enforcement Hampton reported to the Mayor and Council from his director's report which has been provided to them in their weekly Council Packet. Director Hampton highlighted a long-time commercial property at located at 4717 Braxton Place has been placed in good standing with the City.

Public Works-

Director of Public Works Henry reported that his director's report was sent to the Mayor and Council electronically. Director Henry addressed Council Member Matulef's comment regarding the City's tree planting schedule. Mr. Henry noted the complaints from residents on the residential parking program; Mr. Henry responded that the signs that have been posted incorrectly and the department has addressed the problem and are in the process of fixing the incorrect parking signs through out the City.

CONSENT ITEMS:

Council President Tierney moved the following items are consent: (1) to declare April 19, 2009, through April 25, 2009, as National Volunteer Week in the City of Hyattsville. I further move that the Mayor and Council pass a proclamation in support of this national recognition (Motion # 67-04-09); (2) to declare April 24, 2009, as National Arbor Day in the City of Hyattsville. I further move that the Mayor and Council pass a proclamation in support of this national recognition (Motion # 68-04-09). The motion passed unanimously.

Council Vice President Patterson addressed the Mayor and Council and advised that he would be stepping down from his City Council Ward 3 seat. Council Vice President Patterson thanked the residents of Ward 3 and the City staff for his opportunity to serve on Council for the City of Hyattsville.

ACTION ITEMS:

Council Member Perry moved that the Mayor and Council add to the Council Meeting Agenda of April 6, 2009, Motion# 73-04-09 (Ward 3 Council Seat – Vacated) be added to the action agenda. Council Member Matulef moved to amend the motion by having Motion# 73-04-09 placed on the discussion agenda. Mayor Gardiner requested a roll call vote on the amendment. A roll call vote was taken on the amendment. The amendment failed with Council Member Matulef, Atteberry, and Dudrow voting for and Council President Tierney, Council Vice President Patterson, Frazier, Perry, Lizanne, and Tartaro voting against. The Mayor and Council then voted on the motion to be included on the action agenda. A roll call vote was taken. The motion passed with Council President Tierney, Council Vice President Patterson, Frazier, Perry, Lizanne, Tartaro, Dudrow, and Mayor Gardiner voting for and Council Member Matulef and Atteberry voting against.

Mayor Gardiner read into the record the proposed Motion# 73-04-09 for discussion purposes. I move that the City Council declare a vacancy in the 3rd Ward City Council seat currently held by Anthony Patterson pursuant to his resignation effective May 1, 2009. The next regular City Election is to be held on Monday, May 4, 2009, and since there are already four candidates for the 3rd Ward Council seat, I further move that, at this next regular election, the voters of Ward 3 be allowed to cast two votes so that two council seats can be filled at this election, with the highest vote-getter in the Ward 3 contest filling the four-year term of the seat currently held by Council Member Krista Atteberry and the second highest vote-getter filling the remaining two-year term of the seat to be vacated by Council Member Patterson. The City staff and the Board of Supervisors of Elections are hereby directed to perform all election duties to effectuate this Motion. The Mayor and Council discussed the proposed motion at length with comments and concerns on the proposed motion.

Mayor Gardiner allowed public comment on the proposed motion # 73-04-09.

Candidate Tim Hunt for the upcoming Biennial Election addressed the Mayor and Council on the proposed Motion #73-04-09 about his concerns regarding the vacated seat by Council Vice President Patterson.

Mr. Stuart Eisenberg, a resident of Hyattsville addressed the Mayor and Council and stated his concerns with proposed Motion# 73-04-09 related to the vacated Council seat in Ward 3.

Mayor Gardiner noted from the lengthy discussion the sense of the Council would be for the City to hold a Special Election for the vacated Council Seat for Ward 3. **Council Member Perry moved that the Mayor and Council hold a Special Election to fill the vacancy of**

the Ward 3 Council seat resulting from the resignation of Council Vice President Patterson (Motion# 73-04-09). The motion passed unanimously.

Council President Tierney moved that the Mayor and Council accept the list of candidates certified by the Board of Supervisors of Elections for the upcoming Biennial City Election to be held on Monday, May 4, 2009 (Motion # 69-04-09). Council President Tierney read into the record the official list of candidates certified by the Board of Supervisor of Elections. The motion passed unanimously.

Council Member Perry moved that the Council approve the Mayor's re-appointments of the following committee members to the Hyattsville Shade Tree Board: Mr. Stuart Eisenberg (4904 40th Place, Hyattsville, Maryland 20781) – Ward 2; Mr. Ray Weil (3816 Nicholson Street, Hyattsville, Maryland 20782) – Ward 3; Ms. Gloria Felix-Thompson (5004 42nd Avenue, Hyattsville, Maryland 20781) – Ward 2. The term limit for these appointments is from January 1, 2009, and will expire on January 1, 2012. The term limits for the Shade Tree Board are outlined in Chapter 112-3 of the Hyattsville Charter and Code (Motion # 70-04-09). The motion passed unanimously.

Council Member Tartaro moved that the Mayor and Council authorize the City Administrator to issue an RFP for the purpose of obtaining architectural and engineering services to provide as-built drawings of the City's Municipal Building, 4310 Gallatin Street, Hyattsville, Maryland (Motion # 64-03-09). The motion passed with Council Member Matulef voting against.

Council President Tierney moved that the Mayor and Council adopt the budget development calendar for Fiscal Year 2010 (Motion # 66-03-09). City Administrator Murphy noted that following the calendar will be difficult as in this year's budget cycle we are using many outside consultants working with the City on this year's budget process. The motion passed unanimously.

DISCUSSION ITEMS:

Motion # 71-04-09 (Graffiti Removal Equipment Purchase)

The Mayor and Council discussed at length Motion# 71-04-09 (Graffiti Removal Equipment Purchase). City Administrator Murphy noted that additional information requested has not been obtained, and should be prior to Council action. The Mayor and Council stated their support for the purchase of the much need equipment. Mayor Gardiner noted the motion will come back to the Council for further discussion and possible action at the next Council Meeting.

Motion# 72-04-09 City Council Computer and Electronic Document Access

Council President Tierney read the motion for discussion purposes as follows: I move that the Mayor and Council direct the City Administrator to take the following actions: (1) procure for use in Council Chambers and meetings within the City building 12 laptop

computers conforming to specifications of either the Dell Latitude "productivity package" or D630, with 14.1 screen, 2 gig of Ram minimum, 100 gig hard drive minimum, wireless on motherboard, DVD+/- RW drive, usb mouse, and normal City PC platform configuration of software and licenses; (2) provide a secure site for Council Members to access Council Packet materials, budget documents, Consultant documents, and for web connectivity to the City's web page for access to the City Code, Charter, and other legal documents; (3) contract for sufficient electrical outlets in the Council chamber to accommodate laptop use; (4) provide a policy and procedures for loan and return of City equipment (CPU with required software and licenses, monitor, printer, cables) to City Council Members upon certification that the equipment will be used solely for official business; (5) provide a policy and procedures for City Council Members to purchase computer equipment through the City (similar to the employee purchase program); (6) provide a policy and procedures for City Council Members to requisition or, if not a standard supply for the City, submit for reimbursement for printer paper and printer ink cartridges upon certification that the supplies were for official use; (7) notify and include the opportunity for Council Members to participate in available staff training on general purpose software, network and e-mail training, and annual computer security training. The Mayor and Council discussed the issue at length.


Maryland Municipal League Conference (June 2009)

Mayor Gardiner discussed the upcoming Maryland Municipal League Conference. He advised of the registration fee and the discussion to allow the Council Members to give comments in regards to the City alternating the schedule for the Council Members and City staff being allowed to attend the MML Conference. The Mayor and Council discussed the issue at length to see if the Council wished to change the current attendance policy.

Council President Tierney moved that the Mayor and Council close the Council Meeting of April 6, 2009, to go into Closed Session to discuss a personnel matter (Motion # 74-04-09). A roll call motion was taken. The motion passed, unanimously.

The Council Meeting of April 6, 2009, ended at 10:15 p.m.

Respectfully submitted,


Douglas A. Barber, City Clerk