

COUNCIL MEETING OF THE CITY COUNCIL HYATTSVILLE, MARYLAND

July 20, 2009

Mayor Bill Gardiner called the meeting of the Council to order at 8:03 p.m. at the Municipal Building, 4310 Gallatin Street, Hyattsville, Maryland.

Present were Mayor Bill Gardiner, Council President Marc Tartaro (arrived at 8:24 p.m.), Council Vice President Bill Tierney, Council Members Ruth Ann Frazier, Carlos Lizanne (arrived at 8:14 p.m.), Nicole Hinds Mofor (arrived at 10:15 p.m.), Douglas Dudrow, Anthony Patterson, David Hiles (arrived at 8:12 p.m.) and Matthew McKnight. Council Member Paula Perry was absent.

Also present were Assistant City Administrator Jones, Police Chief Holland, Community Development Manager Chandler, City Attorney Colaresi and City Clerk Barber.

Mayor Gardiner requested a Moment of Silence for long time residents Ms. Lois Graves and Mr. John Dee on their recent passing.

APPROVAL OF THE AGENDA:

Council Member Patterson moved to approve the agenda of July 20, 2009, as presented. The motion passed unanimously.

PUBLIC COMMENT:

No one wished to address the Council.

CONSENT ITEM:

Council Vice President Tierney moved that the Mayor and Council accept, appropriate and authorize the expenditure of \$18,900 in grant funds awarded by the Maryland Department of the Environment (MDE) under the Statewide Computer Recycling Program Program. The funds will be used to administer and promote free electronics recycling events for residents of the City of Hyattsville (Motion# 133-07-09). Community Development Manager Chandler provided a brief update on the City's plans for the usage of the grant funds. The motion passed unanimously.

ACTION ITEMS:

Council Member McKnight moved that the Mayor and Council support and adopt Hyattsville Resolution 2009-04 for the application and receipt of Community Legacy funds through the State of Maryland Department of Housing and Community

Development for the purpose of improving streetscapes, sidewalks and other public way infrastructure in the vicinity of the proposed east side retail development of EYA along US Route One: along the 5200 – 5700 blocks of Baltimore Avenue and adjoining areas, as per the requirements of the Community Legacy program, and obtaining the necessary supporting coordination activity. The application for funding will be a cooperative application with the Hyattsville Community Development Corporation (CDC) under a governance agreement with the City of Hyattsville. I further move to authorize the City Administrator to execute the agreement, upon the review for legal sufficiency by the City Attorney. (Motion# 134-07-09). Community Development Manager Chandler provided a brief overview of the issue. The motion passed unanimously.

Council Vice President Tierney moved that the Mayor and Council approve, appropriate and authorize expenditure of \$70,836 from a FY09 Recovery Act Edward Byrne Memorial Justice Assistance Grant (JAG). The funding will be used to procure eight 700 MHz mobile and seven 700 MHz portable radios and associated hardware (Motion# 132-07-09). Chief of Police Holland addressed the Mayor and Council and provided an overview and cost breakdown on the item. Chief Holland closed by stating that the Hyattsville Police Department works diligently to seek and acquire outside funding. The motion passed unanimously.

Council Vice President Tierney moved that the Mayor and Council approve a contractual Agreement with Motorola and authorize an expenditure of \$324,872 for the installation and configuration of 700 MHz radio dispatch consoles and related equipment at the City of Hyattsville Police Department and Prince George's Hospital Microwave/Trunking Site (Motion# 136-07-09). The motion passed unanimously.

Council Member Patterson moved that the Mayor and Council upon review and approval for legal sufficiency by the City Attorney, authorize the City Administrator to execute a contract with Slavin Management Consultants, for executive recruitment services to fill the position of Public Works Director in an amount not-to-exceed \$19,000.00 (Motion# 137-07-09). Assistant City Administrator Jones provided a brief summary of the issue at Mayor Gardiner's request. Assistant City Administrator Jones responded to questions of clarification given by the Mayor and Council. The motion passed unanimously.

DISCUSSION ITEMS:

Alley Easement at Madison Manor

Mr. Jay Endelman presented his concept and background on the project at the Madison Manor project to the Mayor and Council. Mr. Endelman advised that the alley easement will eliminate off street parking in the front yards. Mr. Endelman responded to questions of clarification given by the Mayor and Council on the project. The Mayor and Council discussed the issue at length. City Attorney Colaresi provided legal guidance and noted that the area should be defined and the perimeters must be determined before the City could consider the contract. City Attorney Colaresi also advised that a letter should be sent to M-NCPPC informing them of the City's interest in the property.

Council President Tartaro moved that the City Council authorize the City Administrator to negotiate and sign an agreement with the owner of the three parcels commonly known as Madison Manor subject to the approval of the City Attorney. The agreement would create a public easement over an alley (or a public alley) approximately 100 feet in length from 42nd Avenue opposite Madison Street to the eastern limit of the front two parcels. The owner of the parcels would be required to construct the alley at his expense to the City's standards and specifications. The City would accept future maintenance and repair of the alley (138-07-09). The motion passed unanimously.

Prince George's County Enterprise Zone

Mayor Gardiner provided a summary of the Prince George's County Enterprise Zone program and the areas in the City of Hyattsville that are included in the current designation. The County's current's designation sunsets in December 2009 and if the City wishes to continue in the Enterprise Zone, a resolution must be passed to that affect. Mayor Gardiner provided the benefits of being a part of the Prince George's County Enterprise Zone. Mayor Gardiner noted that the item will be placed on the Council's agenda for August 3, 2009, for additional discussion and adoption.

Council President Tartaro moved that the Mayor and Council close the Council Meeting of July 20, 2009 to discuss personnel issues (Motion# 135-07-09). A roll call vote was taken on the motion. The motion passed unanimously.

Note for the Record: The Council went into Closed Session at 9: 23 p.m.

Note for the Record: Council Member Hinds Mofor arrived at 10:15 p.m.

Council President Tartaro moved that the Mayor and Council return to open session. The motion passed unanimously.

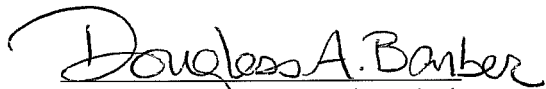
Note for the Record: The Mayor and Council returned to open session at 10:28 p.m.

Council President Tartaro moved to end the Code Enforcement Head's contract as of October 1, 2009 so that after October 1, 2009, the department head shall be an "at will" employee of the City in his current position (Motion# 139-07-09). A roll call vote was taken on the motion. The motion passed with Mayor Gardiner, Council President Tartaro, Council Vice President Bill Tierney, Council Members Lizanne, Dudrow, Patterson, Hiles and McKnight voting for and Council Members Hinds Mofor and Frazier voting against.

Council Member Hinds Mofor moved that the Mayor and Council adjourn the Council Meeting of July 20, 2009. The motion passed unanimously.

The Council Meeting of July 20, 2009, ended at 10:32 p.m.

Respectfully submitted,


Douglass A. Barber, City Clerk

Pursuant to the requirement of Annotated Code of Maryland State Government Article Section 10-509(c)(2), this statement is included in these minutes:

A closed session of the Council of the City of Hyattsville was held at 10:15 p.m., Monday, July 13, 2009, in the City of Hyattsville Municipal Building, Third Floor Council Chambers.

Present were Mayor Bill Gardiner, Council President Marc Tartaro, Council Vice President Bill Tierney, Council Members Ruth Ann Frazier, Paula Perry, Carlos Lizanne, Nicole Hinds Mofor, Douglas Dudrow, Anthony Patterson, David Hiles, Matthew McKnight, City Administrator Murphy and Assistant City Administrator Jones .

*On a motion made as follows by Council Member Perry: **Council Member Perry moved that the Mayor and Council close the Special Council Meeting of July 13, 2009 to discuss personnel issues** (Motion# 131-07-09). A roll call vote was taken and by unanimous consent of the members present, the session was closed. The authority under which the session was closed was Annotated Code of Maryland State Government Article Section 10-508(a)(1)(i) – The appointment, employment, assignment, promotion, discipline, demotion, compensation, remove, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction. The purpose of the meeting was to discuss the resignation of Department of Public Works Director, review the employee contract terms for Code Enforcement Director, Chief of Police and City Clerk. The Mayor and Council discussed all of the issues. The meeting adjourned at 11:05 p.m.*