

COUNCIL MEETING OF THE CITY COUNCIL HYATTSVILLE, MARYLAND

October 19, 2009

Mayor Bill Gardiner called the meeting of the Council to order at 7:33 p.m. at the Municipal Building, 4310 Gallatin Street, Hyattsville, Maryland.

Present were Mayor Bill Gardiner, Council President Marc Tartaro (arrived at 7:35 p.m.), Vice President Bill Tierney, Council Members Ruth Ann Frazier, Paula Perry (arrived at 7:36 p.m.), Nicole Hinds, Douglas Dudrow, Carlos Lizanne (arrived at 7:36 p.m.), Matthew McKnight and David Hiles.

Also present were City Administrator Murphy, Assistant City Administrator Jones, Police Chief Holland (arrived at 8:34 p.m.), City Treasurer Rainey, City Attorney Colaresi, Communications Manager Sandel (arrived at 8:34 p.m.) and City Clerk Barber.

APPROVAL OF THE AGENDA:

Council President Tartaro moved to approve the agenda of October 19, 2009 as amended. Council President Tartaro request Motion# 181-10-09(Police Closed Circuit T.V. Camera Policies and Procedures) be moved to the consent agenda. The motion passed unanimously.

APPROVAL OF THE MINUTES:

Council President Tartaro moved to approve the Council Meeting Minutes of September 21, 2009. The motion passed unanimously.

Council President Tartaro moved to close the Council Meeting of October 19, 2009 to discuss personnel and legal issues. A roll call vote was taken on the motion. Council President Tartaro, Vice President Tierney, Council Members Lizanne, Hinds, McKnight and Hiles voted for and Council Members Frazier, Perry and Dudrow voted against (Motion# 178-10-09). Council Member Frazier, Perry, and Dudrow stated their reasons for voting against going into a closed session. The motion to close the meeting passed.

Council Vice President Tierney moved that the Mayor and Council return to open session of the Council Meeting of October 19, 2009. The motion passed unanimously.

City Attorney Colaresi requested the Mayor and Council amend the motion to go into closed session. **Council President Tartaro moved that the Mayor and Council close the Council Meeting of October 19, 2009 to discuss personnel issues regarding recent resignations and two department head contracts and legal issues regarding contracts**

with third parties as amended. A roll call vote was taken on the motion to amend the motion to close the meeting. The motion passed unanimously.

Note for the Record: The Council returned to open session at 8:34 p.m.

PUBLIC COMMENT:

No one wished to address the Council.

CONSENT ITEMS:

Council Member Tartaro moved the following items as consent: (1) to adopt the circulated 2010 City Council Meeting schedule (subject to revision and change) (Motion# 183-10-09); (2) to declare November 2009, as Municipal Government Works Month in the City of Hyattsville. I further move that the Mayor and Council pass a proclamation in support of this recognition (Motion# 179-10-09); (3) to authorize the Mayor to sign on behalf of the City a proclamation of Appreciation in observance of Veterans Day (Wednesday, November 11, 2009) (Motion# 180-10-09); (4) to publicly support the Police Department's policies and procedures on the use of closed circuit T.V. cameras and monitors to deter crime and assist with investigations. The system will be used only in public spaces for which individuals do not have an expectation of privacy and within the constitutional protections established by the First and Fourth Amendments of the Constitution of the United States (Motion# 181-10-09). The motion passed unanimously.

ACTION ITEMS:

Council President Tartaro moved that the City Council direct the City Administrator and the Director of the Department of Public Works to implement a pilot Once-a-Week Trash Collection program for the City of Hyattsville for the period of January 4, 2010 to December 31, 2010. Additionally:

- **Staff is authorized to begin community education on the new program to be widely disseminated well in advance of the start of the new schedule and distributed through multiple methods (such as newspaper, direct mailing, City web postings, notices delivered on trash collection day, Hyattsville Community TV, etc.);**
- **To address the issue of households that regularly generate a volume of garbage exceeding the capacity of the 96 gallon Toter (based on the City's determination), the City will provide an additional Toter for free;**
- **To address the issue of households that want additional capacity for the amount of trash they generate, the City will allow residents to purchase additional Toters until December 1, 2009 and then after January 4, 2010. The costs are as follows: 96 gal. - \$51.00, 64 gal. - \$45.00 and 48 gal. - \$43.00; Note: Residents may switch to a smaller cart at no additional charge.**
- **The Department of Public Works is authorized to order an additional load of refuse**

carts in an amount not-to-exceed \$15,000.00, ‘piggybacking’ on the previously utilized Fairfax County, Virginia contract;

- **At the mid-point of the Pilot Program three public meetings will be scheduled (times and locations to be determined) over one month to discuss the progress of the pilot once-a-week trash collection program; the feedback received will allow staff to make adjustments, if necessary;**
- **At the conclusion of the pilot program three public meetings will be scheduled over a one month period (times and locations to be determined) citywide to discuss the results of the pilot program. Comments from the three public meetings will be considered and incorporated into the final plan as appropriate and the Council shall vote on whether to implement the plan permanently (using existing trucks and toters, and not side-arm vehicles or a pay-as-you-throw system), modify the program to a hybrid (to be determined) or discontinue the pilot program and revert back to twice-a-week trash collection. *Note: These meetings will need to be held in the period between the staff recommendation and before Council takes action on the consideration of a permanent program, if that is the staff recommendation.**
- **On or before October 11, 2010, staff will provide a recommendation to Council regarding trash collection. The recommendation will include the following metrics and other measures that will aid in decision-making:**
 - **cost of labor for trash pickup per route**
 - **cost of labor for hauling from City to dump and back**
 - **dump fees and tonnage**
 - **fuel fees and gallons of fuel**
 - **“Floating” staff hours reallocated to cover vacation and illness time of other employees**
 - **“Floating” staff hours reallocated to Streets Maintenance or re-assigned to other tasks**
 - **vehicle mileage for routes separate from vehicle mileage to the dump and back**
 - **maintenance costs on trucks**
 - **Temporary labor charges**
 - **anticipated staffing requirements if fully implemented after pilot program**
 - **anticipated costs of fully-implemented program compared to twice-a-week collection at current labor, fuel, etc. rates (Motion# 177-10-09).**

Assistant City Administrator Jones provided a brief overview of the City’s process followed in creating the proposed program. Mr. Jones discussed the time and money invested as previously requested by Council. The Mayor and Council discussed the issue at length. Assistant City Administrator Jones responded to questions of clarification given by the Mayor and Council on the issue. Communications Manager Sandel responded to questions of clarification regarding the pilot program and the City’s plans on how they intend to publicized and promote the program. **Council Member Hiles moved that the Mayor and Council make the following amendments the motion by:**
Strike second bullet and replace with:

Before the pilot begins, city staff will provide an additional Toter to households that (in the City's determination) regularly generate more garbage than can be held by the 96 gallon Toter.

Strike the third bullet and replace with:

After the pilot has begun, the city will consider changes to Toter allotments upon request. Such changes may include exchanging a large Toter for two medium Toters or providing an additional 96 gallon Toter. Residents will not be charged for such changes.

Change \$15,000 to \$ 30,000 in the fourth bullet and in the "current year budget impact" section. (Note: Avoid having to come back midyear if we have to purchase more Toters.)

Add the following to the end of the seventh bullet:

- Cost of communications activity associated with the pilot program**
- Cost of managers' time spent on pilot program issues and reports**

In addition to the above mentioned summary report due October 11, 2010, staff will also deliver quarterly pilot program reports. The first quarterly report will be due in April and will cover the above mentioned metrics and other measures for the months of January through March. The second quarterly report will be due in July and cover April through June. The last quarterly report will be due in October, will cover July-September, and will be delivered with summary report on October 11, 2010. Council Member Hiles provided clarification to his proposed amendments. The Mayor and Council discussed the amendment at length. A roll call vote was taken on the amendments. The amendment passed with Council President Tartaro, Council Members Dudrow, Hinds, Lizanne, Frazier and Hiles voting for and Council Vice President Tierney, Council Members Perry and McKnight voting against. The Mayor and Council then voted on the motion as amended. A roll call vote was taken on the motion as amended. The motion as amended passed with Mayor Gardiner, Council President Tartaro, Council Vice President Tierney, Council Members Lizanne, Hinds, Dudrow, Hiles and McKnight voted for and Council Members Frazier and Perry voted against.

Council Member McKnight moved that the Mayor and City Council, upon review and approval for legal sufficiency by the City Attorney, authorize the City Administrator, to execute a contract with Management Partners Incorporated, in an amount not-to-exceed \$40,000.00 to conduct an Operations Efficiency and Effectiveness Study for the Hyattsville Police Department (Motion# 173-10-09). The Mayor and Council discussed the motion at length. At Mayor Gardiner's request City Administrator Murphy reviewed the scope of service of the contract. Council Member Frazier moved to table Motion# 173-10-09 (Police Operations Efficiency and Effectiveness Study). A roll call vote was taken. The motion passed with Council Member Dudrow voting against.

Note for the Record: Council Member Perry left the meeting at 10:32 p.m.
Note for the Record: Council Member Hinds left the meeting at 10:39 p.m.

DISCUSSION ITEMS:

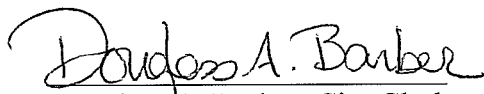
Motion# 182-10-09 Hyattsville Resolution 2009-07 Debt Policy

City Treasurer Rainey provided an in-depth overview of the proposed Hyattsville Debt Policy for the City of Hyattsville. The Mayor and Council discussed the proposed Hyattsville Resolution 2009-07 regarding Hyattsville's Debt Policy at length. **Council Member Frazier moved that the Mayor and Council adopt Hyattsville Resolution 2009-07, a resolution to adopt the Debt Management Policy for the City of Hyattsville, Maryland** (Motion# 182-10-09). The motion passed unanimously.

Council President Tartaro moved to adjourn the Council Meeting of October 19, 2009. The motion passed unanimously.

The Council Meeting of October 19, 2009 ended at 10:46 p.m.

Respectfully submitted,


Douglass A. Barber, City Clerk