

City of Hyattsville Special Council Meeting
Tuesday, January 19, 2010
7:00 p.m.

Please Note: The Special Council Meeting scheduled for Tuesday, January 19, 2010, will be starting an hour earlier than previously scheduled in lieu of a Council Work Session.

AGENDA

1. Pledge of Allegiance to the Flag

2. Call to Order and Council Roll Call

3. Approval of the Agenda

4. Approval of Minutes

Council Meeting of December 7, 2009

Special Council Meetings of December 14, 2009

Public Hearing of December 14, 2009

5. Presentation

FY08 Audit Report – Ms. Diane Mock /Tony Rainey (30 minutes)

EYA East Village Presentation (20 minutes)

Update Once-A-Week Trash Collection Pilot Program – Ryan/Jones (10 minutes)

6. Public Comment

7. Consent Items

Motion# 05-01-10 Chief of Police Employment Contract

I move that the City Administrator, based upon Chief Holland's annual evaluation and achieving an overall evaluation rating of effective or higher; initiate a 3% annual salary increase, effective October 1, 2009, and extend his current employment contract with the City so that it expires on September 30, 2012. And further requests the City Administrator to work with legal counsel to address language changes to Sections 4, B and 6, C of the basic employment contract, which will be brought back to Council within 60 days for discussion and consideration.

-Gardiner at the Request of the City Administrator

Motion# 06-01-10 Magruder Wood Park – Lease Extension Agreement

I move the Mayor and City Council authorize the City Administrator to execute a 10-year lease extension agreement between the City of Hyattsville and the Maryland-National Capital Park and Planning Commission (M-NCPPC) for maintenance and operation of Magruder Woods Park. The agreement shall be consistent with the terms of the original lease agreement executed on January 16, 1990 including an annual lease rate of \$1.00. Approval of the lease agreement is contingent upon legal review and approval by the City Attorney. –

Gardiner at the Request of the City Administrator

8. Action Items

Motion# 11-01-10 Hyattsville Ordinance 2010__ (BB&T Building Bond)

I move the Mayor and City Council introduce Hyattsville Ordinance 2010-0, (First Reading). AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF HYATTSVILLE, MARYLAND, AUTHORIZING AND EMPOWERING CITY OF HYATTSVILLE (THE "CITY") TO ISSUE AND SELL, UPON ITS FULL FAITH AND CREDIT, GENERAL OBLIGATION BONDS IN ONE OR MORE SERIES FROM TIME TO TIME IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED SIX HUNDRED FIFTY THOUSAND DOLLARS (\$650,000), THE PROCEEDS OF THE SALE THEREOF TO BE USED AND APPLIED FOR THE PUBLIC PURPOSE OF FINANCING, REIMBURSING OR REFINANCING COSTS RELATING TO THE ACQUISITION OF CERTAIN PROPERTY LOCATED IN THE CITY AT 3505 HAMILTON STREET (AND THE FACILITIES AND SITE IMPROVEMENTS THEREON), AND THE RENOVATION AND IMPROVEMENT THEREOF FOR USE BY APPROPRIATE TENANTS AND OTHER USERS, INCLUDING, POSSIBLY, PUBLIC MEETING SPACE AND CITY SERVICES, TOGETHER WITH RELATED COSTS, COSTS OF ISSUANCE AND, IF THE CITY COUNCIL SO DETERMINES IN A SUBSEQUENT RESOLUTION, CAPITALIZED INTEREST; DETERMINING THAT EACH SERIES OF THE BONDS BE SOLD BY PRIVATE (NEGOTIATED) SALE WITHOUT ADVERTISEMENT OR SOLICITATION OF COMPETITIVE BIDS, UNLESS A SUBSEQUENT RESOLUTION OF THE CITY COUNCIL PROVIDES FOR THE SALE OF ANY SERIES OF BONDS BY THE SOLICITATION OF COMPETITIVE BIDS AT PUBLIC SALE AFTER PUBLICATION OF THE NOTICE OF SALE; AUTHORIZING THE ADOPTION OF A RESOLUTION OR RESOLUTIONS OF THE CITY COUNCIL TO DETERMINE AND PROVIDE FOR VARIOUS MATTERS RELATING TO THE AUTHORIZATION, SALE, SECURITY, ISSUANCE, DELIVERY, PAYMENT, PREPAYMENT AND REDEMPTION OF AND FOR EACH SERIES OF THE BONDS; AUTHORIZING THE CITY TO ISSUE AND SELL ITS GENERAL OBLIGATION BOND ANTICIPATION NOTES IN ONE OR MORE SERIES FROM TIME TO TIME IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED SIX HUNDRED FIFTY THOUSAND DOLLARS (\$650,000) IN ORDER TO FINANCE PROJECT COSTS ON AN INTERIM BASIS, COSTS OF ISSUANCE AND CAPITALIZED INTEREST; AUTHORIZING THE CITY TO ISSUE AND SELL ITS GENERAL OBLIGATION BONDS IN ONE OR MORE SERIES FROM TIME TO TIME IN ORDER TO REFUND OR ADVANCE REFUND ANY OF THE BONDS ISSUED PURSUANT TO THE AUTHORITY OF THIS ORDINANCE (INCLUDING PAYING RELATED COSTS OF ISSUANCE AND INTEREST ON SUCH REFUNDING BONDS), PROVIDED THAT THE AGGREGATE PRINCIPAL AMOUNT OF ANY SUCH ISSUE OF REFUNDING BONDS DOES NOT EXCEED ONE HUNDRED THIRTY PERCENT (130%) OF THE AGGREGATE PRINCIPAL AMOUNT OF BONDS REFUNDED THEREFROM; AUTHORIZING THE ADOPTION OF A RESOLUTION OR RESOLUTIONS OF THE CITY COUNCIL TO DETERMINE AND PROVIDE FOR VARIOUS MATTERS RELATING TO THE AUTHORIZATION, SALE, SECURITY, ISSUANCE, DELIVERY, PAYMENT, PREPAYMENT AND REDEMPTION OF AND FOR ANY SUCH BOND ANTICIPATION NOTES OR REFUNDING BONDS; PROVIDING FOR THE LEVY OF AD VALOREM TAXES UPON ALL REAL AND PERSONAL PROPERTY WITHIN THE CITY'S CORPORATE LIMITS SUBJECT TO ASSESSMENT FOR UNLIMITED MUNICIPAL TAXATION TO PAY THE PRINCIPAL OF AND INTEREST ON THE BONDS, BOND ANTICIPATION NOTES OR REFUNDING BONDS, AS APPLICABLE, IN EACH FISCAL YEAR; PLEDGING THE CITY'S

FULL FAITH AND CREDIT AND UNLIMITED TAXING POWER TO THE PROMPT PAYMENT OF THE PRINCIPAL OF AND INTEREST ON THE BONDS, BOND ANTICIPATION NOTES OR REFUNDING BONDS; PROVIDING THAT THE PRINCIPAL OF AND INTEREST ON THE BONDS, BOND ANTICIPATION NOTES OR REFUNDING BONDS ALSO MAY BE PAID FROM ANY OTHER SOURCES OF REVENUE LAWFULLY AVAILABLE TO THE CITY FOR THAT PURPOSE; PROVIDING THAT ANY OF THE BONDS, BOND ANTICIPATION NOTES OR REFUNDING BONDS AUTHORIZED HEREBY MAY BE CONSOLIDATED WITH ANY BONDS, BOND ANTICIPATION NOTES AND/OR REFUNDING BONDS AUTHORIZED BY ONE OR MORE OTHER ORDINANCES OF THE CITY COUNCIL AND ISSUED AS A SINGLE SERIES OF BONDS, BOND ANTICIPATION NOTES AND/OR REFUNDING BONDS; AUTHORIZING AND DIRECTING OFFICIALS AND EMPLOYEES OF THE CITY TO TAKE ANY AND ALL ACTION NECESSARY TO COMPLETE AND CLOSE THE SALE, ISSUANCE AND DELIVERY OF THE BONDS, BOND ANTICIPATION NOTES OR REFUNDING BONDS AUTHORIZED HEREBY; PROVIDING THAT THIS TITLE BE DEEMED A FAIR SUMMARY OF THIS ORDINANCE FOR ALL PURPOSES; AND OTHERWISE GENERALLY RELATING TO THE SALE, ISSUANCE, DELIVERY AND PAYMENT OF AND FOR THE BONDS, BOND ANTICIPATION NOTES AND REFUNDING BONDS AUTHORIZED HEREBY.

– Gardiner at the Request of the City Administrator

Motion#12-01-10 Fiscal Year (FY 2009/2010 Budget Adjustments due to State Funding Reductions

(I move the Mayor and City Council amend the Fiscal Year 2010 Budget by the following actions: **I. Revenues:** **A.** Housing Initiative Partners (HIP) – per contract – one time payment for parking fees in the amount of \$200,000 restricted fund; **B.** Post Park – onetime payment for Public Safety Surcharge in the amount of \$198,000 (resulting in a combined revenue increase of \$398,000); **C.** Reductions to revenues for Highway User Revenue <\$429,457>; and **D.** Maryland State Police for Police Protection Funds <\$1,004>. Overall these result in an overall revenue reduction of <\$430,561> for FY 2009/2010. **II. Expenditures:** To include recommendations provided by City staff and previously discussed by Council, in the amount of <\$105,000> from the following department budgets: **A.** Administration – for benefits study from \$70,000 to \$60,000 - net impact of <\$10,000>; **B.** Contractual Services – from \$65,000 to \$55,000 - net impact of <\$10,000>; **C.** Code Enforcement – Forced Clean-ups from \$29,000 to \$24,000 - net impact of <\$5,000>; **D.** Recreation and the Arts, contractual services for Landscape Maintenance – from \$180,000 to \$130,000 - net impact of <\$50,000>; **E.** Department of Public Works for Building contracted Services from \$50,000 to \$25,000 - net impact of <\$25,000>; and **F.** Recycling from \$21,000 to \$16,000 - net impact of <\$5,000>. The above results in <\$105,000> over-all reductions to the FY 2009/2010 General Fund expenditures. – **Gardiner at the Request of the City Administrator**

Motion# 10-01-10 Authorization for Execution of Agreement with the Hyattsville CDC for Professional Services Related to the Update of Community Legacy Revitalization Plan

I move the Mayor and Council authorize the City Administrator to execute a contract with the Hyattsville Community Development Corporation (CDC) for professional services related to the 2010 Community Legacy Revitalization Plan for a fee not to exceed \$30,000. Professional services to be provided will include, but are not limited to conducting a Strengths, Weaknesses, Opportunities and Threats (SWOT) Analysis, Community Outreach and of coordination RFP solicitation and review. Approval of the contract is contingent upon the legal review and approval of the City Attorney.

– Gardiner at the Request of the City Administrator

Motion# 07-01-10 Letter of Support for Hyattsville CDC PY 36 CDBG Application

I move Council authorize the Mayor to send a letter of support to the Prince George's County Department of Housing and Community Development on behalf of the Hyattsville Community Development Corporation's submission for PY 36 Community Development Block Grant Funds to build and extend its organizational capacity to implement economic and community development programming in the Hyattsville area with the goal of developing self-sustaining service and programming capacity.

-Gardiner at the Request of the City Administrator

Motion# 08-01-10 Regarding Jack and Jill Property

I move that the Mayor and City Council authorize City correspondence to M-NCPPC stating that the City does not intend to pursue renovation and use of the Jack and Jill house.

- Gardiner at the Request of the City Administrator

Motion# 09-01-10 Request for State Grant for BB&T Building Renovations

I move that the Mayor and Council support the following request of our State elected officials:

The City Council requests the re-allocation of unspent Maryland State Bond funds designated in 2006 to the YMCA for a project in the City of Hyattsville. Due to current economic conditions and internal funding limitations, the YMCA is unlikely to construct a full-service YMCA in the foreseeable future, and is unlikely to utilize all of the remaining funds (\$300,000) allocated in a 2006 bond bill.

Therefore, the City of Hyattsville requests that these funds be re-allocated for use in the BB&T Building, located at 3505 Hamilton Street. The City has discussed leasing the BB&T building to non-profit organizations that provide services to the community, and maintaining public space for community meetings and events. Funding from the State would be utilized to make renovations that would facilitate the use by non-profits and the community, such as improving the accessibility of the building and upgrading one of the Heating, Ventilation and Air Conditioning (HVAC) systems.

If the State administrative process requires a new bond bill, the Council requests our State representatives introduce a new bond bill (in the amount of the un-allocated funds from the 2006 bond bill) for the purpose of renovations to the BB&T building to facilitate its use by the City and non-profit organizations. If these funds are not re-allocated, it is likely the funds would be rescinded from the YMCA project and not utilized in our community.

- Gardiner

9. Community Notices and Meetings

January Calendar

Jan 18	Holiday - Martin Luther King Jr. Day No Yard Waste, White Goods or Tire Collection
Jan 19	Special City Council Meeting (7:00p.m.) <i>Note early start time</i> City Municipal Building, Third Floor Council Chambers
Jan 20	Planning Committee Meeting (7:30 p.m.)
Jan 22	Leaf Vacuuming program concludes
Jan 22	Children's Bingo (7:00 p.m.) Magruder Park Recreation Center
Jan 28	Marketing Task Force Meeting (7:30 p.m.)

February Calendar

Feb 1 City Council Meeting (8:00 p.m.)
Feb 2 Planning Committee Meeting (7:30 p.m.)
Feb 3 Local Complete Count Committee Meeting (7:00 p.m.)
Feb 6 Parent & Child Alice in Wonderland Tea Party (5:00 to 7:00 p.m.)
Feb 8 Council Work Session (7:00 p.m.)
Feb 8 Special City Council Meeting (8:00 p.m.)
Feb 15 Holiday – Presidents Day
No Yard Waste, White Goods or Tire Collection

10. Motion to Adjourn

Items to be discussed at a Future Council Meeting:

Presentations:

None scheduled

Charter Amendments:

- Non U.S. Citizens Voting Rights – Lizanne
- Referendum to Reduce Wards
- Procurement Policy Change

Proposed Ordinance Changes:

- City Code Chapter 68 (Code Chapter 68-7 Article II Fences and Walls) – February 2010
- Chapter 80 Public Nuisances
- Chapter 99 Revisions – Temporary Sales
- Chapter 84 – Parks and Recreation Facilities (changes to fees)
- Proposed Ordinance Changes: City Code Chapter 114: Traffic and Parking
- Chapter 114: Commercial Thru-truck Restrictions

Projects:

- Tree Management Plan – Chandler
- Parking Meters– Jones (February 2010)
- Park Standards - Mulkey
- Administrative Policy Manual (February 2010)
- Sister-City Project with Suchitto, El Salvador
- PEPCO Lights Status – DPW
- Purchase new HVAC System for Hyattsville Municipal Building/Arcade Building (4310 Gallatin Street) and (4318 Gallatin Street)– Jones (DPW)
- Speed Camera Legislation (February 2010) – Chief Holland
- Hyattsville Legacy Walking Tour – Murphy/Chandler
- Tax Credit Program Revision – Murphy (February 2010)
- BB&T Task Force Appointments and Directives
- TATC Final Report Review, Approval, and Implementation
- FY11 Budget Process and Timeline (January 2010)
- EYA East Revisions (February 2010)
- E-Mail Policy – Murphy/Colaresi (February 2010)
- Social Media Policy – Sandel (February 2010) (date?)
- BB& T Building Financing – Murphy
- BB&T Management and Maintenance Contract
- Street Light Inventory Report – Chandler (February 2010)
- 4318 Gallatin Street Façade Reconstruction (March 2010)
- Melrose Access Trail Construction – Chandler (March 2010)
- Community Legacy – Chandler (February 2010)
- Report to Council on the Repavement Program (February 2010)
- Pilot Program Interim Report – Sandel
- I- Net Discussion (February 2010)
- Record Drawings (As-Builts) for 4310 Gallatin Street-Jones
- Request for Fence Exception (4647 Baltimore Avenue)-Giunta

RFPs

- Audit RFP (deadline July 2010)
- Tree Maintenance RFP (deadline April 2010)

Policies:

- City Building – Internet Access Policy – Jones/IT Committee