

**COUNCIL MEETING OF THE CITY COUNCIL  
HYATTSVILLE, MARYLAND**

July 28, 2008

Mayor Bill Gardiner called the meeting of the Council to order at 7:37 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, Carlos Lizanne (arrived at 7:39 p.m.), Marc Tartaro (arrived at 8:00 p.m.), Mark Matulef, and Krista Atteberry. Council Members Paula Perry, Nicole Hinds and Douglas Dudrow were absent.

Also present were City Administrator Murphy, Assistant City Administrator Jones, and City Clerk Barber.

**APPROVAL OF AGENDA:**

**Council Vice President Patterson moved that the Mayor and Council approve the agenda as amended, as Mayor Gardiner requested that addition items be placed on the agenda for Council's consideration.** The motion passed, unanimously.

**PUBLIC COMMENT:**

No one wished to address the Council.

**CONSENT ITEM:**

**Council President Tierney moved that the Council authorize the Mayor to send correspondence to M-NCPPC in support of Rose and Randy Fletcher's grant application to the Historic Property Grant Program in order to partially fund necessary restoration to Hitching Post Hill.** (Motion# 126-07-08) The motion passed, unanimously.

**ACTION ITEMS:**

**Council Member Atteberry moved that the Mayor and Council authorize the Mayor to send correspondence to M-NCPPC conveying the City's support for proposed revisions to the DeMatha Catholic High School DSP-97030/02. The City supports the following proposed revisions: (1) The number of handicapped parking spaces is proposed to be reduced by one (1) space to a new total of five (5) spaces, however the revision requests the handicapped parking be relocated from Parking Lot B to the north end turnaround parking area, making it significantly closer to classrooms; and (2) A new lower-level building entrance located on the East and West sides of the Monastery Building, creating increased access.** (Motion# 106-07-08) The motion passed, unanimously.

**Council Member Atteberry moved that the Mayor and Council authorize the Mayor to send correspondence to M-NCPPC conveying the City's opposition to certain proposed revisions to the DeMatha Catholic High School DSP-97030/02. The City of Hyattsville is in opposition to the revisions which would include: (1) replacement with plantings of the previously approved brick walls along Madison Street and along 44th Avenue; (2) use of scored concrete at all crosswalks, except at the intersection of Madison Street and Route 1, in lieu of brick pavers; (3) reduction of lighting fixtures in the parking lot to two fixtures, if such a change reduces the quality of lighting below M-NCPPC standards.** (Motion# 128-07-08) The Mayor and Council discussed the issue at length.

Mr. Dan McMahan, Principal of DeMatha Catholic High School, addressed the Mayor and Council regarding the proposed changes to the DSP-97030/02. Mr. McMahan worked to give an overview of the project and was there to get a clearer understanding on the City's position on the issue on the proposed changes to the DSP-97030/02. Mr. McMahan noted the work that has been completed on the project and the improvement that project has made to Hyattsville and the Route 1 corridor.

Mr. Michael G. Mulhern, Project Manager for Construction of the project, addressed the Mayor and Council regarding the proposed revision of the DSP-97030/02. Mr. Mulhern provided a brief overview of the construction plan and the reasoning behind the proposed changes to the DSP.

Mayor Gardiner allowed Council to ask questions of clarification to Mr. McMahan and Mr. Mulhern on the DSP-97030/02 (DeMatha Catholic High School).

After a lengthy discussion on the issue the Mayor and Council then returned to Motion#128-07-08 the motion was summarized by Council Member Atteberry. A roll call vote was taken on the motion. The motion failed with Council President Tierney, Council Vice President Patterson, and Council Members Frazier, Lizanne, and Matulef voting against and Council Members Tartaro and Atteberry voting for.

**Council Vice President Patterson moved that the Council authorize the Mayor to execute the Certification of Cooperation Agreement with Prince George's County for FY09. The purpose of the agreement is to allow the County to include the City's population for determining the County's allocation of Community Development Block Grant funds from the federal Department of Housing and Urban Development (HUD). Furthermore, the Mayor is to inform the County and HUD, per the agreement, that the City's participation in the program for FY10 and FY11 will be dependent upon further discussions with the County.** (Motion# 127-07-08) City Administrator Murphy addressed the Mayor and Council on the issue to provide additional clarification on information obtained earlier in the day. The Mayor and Council discussed the issue at length. After the discussion Council President Tierney offered a substitute motion. **Council President Tierney moved that the Mayor and Council authorized the Mayor and City Administrator to negotiate the authorization for City participation in**

**the County's CDBG Program.** (Motion#127-07-08 – Substitute) The motion passed with Council Member Matulef abstaining.

**Council President Tierney moved that the Mayor and Council close the Council Meeting of July 28, 2008, to discuss a personnel matter.** (Motion# 125-07-08) **A roll call vote was taken on the motion.** The motion passed, unanimously.

Note for the Record: The Mayor and Council went into the Closed Session at 8:39 p.m.

**Council President Tierney moved that the Mayor and Council return to open session of the Special Council Meeting of July 28, 2008.** The motion passed, unanimously.

Note for the Record: The Mayor and Council returned to open session of the Special Council Meeting of July 28, 2008, at 10:20 p.m.

**Council President Tierney moved that the Mayor and Council authorize the City Administrator to provide notice to the Director of Recreation and the Arts that the City will not renew the contract that is scheduled to terminate on October 31, 2008.** (Motion# 129-07-08) The motion passed with Council Member Matulef voting against.

**Council President Tierney moved that the Mayor and Council authorize the City Administrator to hire Department of Public Works Laborer II at Step 8 per agreement and temporarily a Laborer I at Step 10 per agreement due to the re-organization of the Department of Public Works Parks Maintenance Division.** (Motion# 130-07-08) The motion passed, unanimously.

**Council Member Tartaro moved that the Mayor and Council re-schedule the Public Hearing on the absenteeism of Council Member Douglas Dudrow (Ward 1) from August 4, 2008, at 7:30 p.m. to Monday, September 8, 2008 at 7:30 p.m. prior to the Special Council Meeting of September 8, 2008.** (Motion# 131-07-08) The motion passed, unanimously.

**Council Member Matulef moved to adjourn the Special Council Meeting of July 28, 2008.** The motion passed, unanimously.

The Special Council Meeting of July 28, 2008 ended at 10:35 p.m.

Respectfully submitted,

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Douglass A. Barber, City Clerk