

City of Hyattsville

*Hyattsville Municipal Building
4310 Gallatin Street, 3rd Floor
Hyattsville, MD 20781
(301) 985-5000
www.hyattsville.org*



Meeting Minutes

Monday, April 4, 2022

7:00 PM

Register in advance for this webinar:

https://us06web.zoom.us/webinar/register/WN_B_KnWSrQRX2N8YaeJpONag

Virtual

City Council

Robert S. Croslin, Interim Mayor
Danny Schaible, Council Vice President, Ward 2
Sam Denes, Ward 1
Joanne Waszczak, Ward 1
Ben Simasek, Ward 3
Jimmy McClellan, Ward 3
Daniel Peabody, Ward 4
Edouard Haba, Ward 4
Joseph Solomon, Ward 5
Rommel Sandino, Ward 5

ADMINISTRATION

Tracey E. Douglas, City Administrator
Laura Reams, City Clerk, 301-985-5009, cityclerk@hyattsville.org

WELCOME TO THE CITY OF HYATTSVILLE CITY COUNCIL MEETING!
Your participation at this public meeting is valued and appreciated.

AGENDA/PACKET: The Agenda/Packet is available for review at the Hyattsville Municipal Building and online at www.hyattsville.org prior to the scheduled meeting (generally available no later than the Friday prior to the scheduled Monday meeting). Please note, times given for agenda items are estimates only. Matters other than those indicated on the agenda may also be considered at Council discretion.

AMERICANS WITH DISABILITY ACT: In compliance with the ADA, if you need special assistance to participate in this meeting or other services in conjunction with this meeting, please contact the City Clerk's Office at (301) 985-5009. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

AUDIBLE DEVICES: Please ensure all audible devices are turned off or otherwise not audible when the City Council is in session. Thank you.

PUBLIC INPUT: If you wish to address the Council during the Public Comment period, please use the "Raise Hand" feature in the virtual meeting interface. Participants may also submit statements electronically using the eComment feature at www.hyattsville.org/meetings or via email to cityclerk@hyattsville.org no later than two (2) hours prior to the start of the meeting. All participants shall remain respectful in their contributions and associated functions of the virtual meeting interface are not intended for public dialogue or discussion.

WAYS TO WATCH THE MEETING LIVE: City Council meetings are broadcast live on cable television channel 71 (Comcast) and channel 12 (Verizon). You may also view meetings live online at hyattsville-md.granicus.com/MediaPlayer.php?camera_id=2

REPLAY SCHEDULE: The meetings will be re-broadcast on cable television, channel 71 (Comcast) and channel 12 (Verizon) daily at 7:00 a.m., 1 p.m., and 8 p.m. Meetings are also able for replay online at www.hyattsville.org/meetings.

CITY INFORMATION: Sign up to receive text and email notifications about Hyattsville events, government, police and programs at www.hyattsville.org/list.aspx

INCLEMENT WEATHER: In the event of inclement weather, please call 301-985-5000 to confirm the status of the Council meeting.

Meeting Notice:

As we continue to take precautions due to the COVID-19 (Coronavirus) pandemic, the Hyattsville City Council will hold its meeting on Monday, April 4, 2022 remotely via video conference. The Council meeting will be conducted entirely remotely; there will be no in-person meeting attendance.

The meeting will be broadcast live on cable television channel 71 (Comcast), channel 12 (Verizon), and available via live stream at www.hyattsville.org/meetings.

PUBLIC PARTICIPATION:

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Members of the public who wish to comment during the virtual Council meeting must register in advance using the link below.

https://us06web.zoom.us/webinar/register/WN_B_KnWSrQRX2N8YaeJpONag

1. Call to Order and Council Roll Call

The meeting was called to order at 7:04 p.m.

Also present:

City Administrator-Tracey Douglas
Assistant City Administrator-Jim Chandler
City Treasurer-Ron Brooks
Chief of Police-Jarod Towers
Director of Public Works-Lesley Riddle
Director of Community Services-Sandra Shephard
Director of Human Resources-Vivian Snellman
City Clerk-Laura Reams
Deputy Director of Public Works-Hal Metzler
City Planner-Taylor Robey
Deputy City Administrator-Suzanne Ludlow

Present:	Interim Mayor Robert Croslin
	Councilmember Joseph Solomon
	Council Vice-President Danny Schaible
	Councilmember Joanne Waszczak
	Councilmember Ben Simasek
	Councilmember Daniel Peabody
	Councilmember Jimmy McClellan
	Councilmember Edouard Haba
	Councilmember Rommel Sandino
Absent:	Councilmember Sam Denes

2. Pledge of Allegiance to the Flag**3. Approval of Agenda**

A motion was made by Council Vice-President Schaible, seconded by Councilmember Peabody, that the Agenda be Approved. The motion carried by the following vote:

Aye: Croslin, Solomon, Schaible, Waszczak, Simasek, Peabody, McClellan, Haba, and Sandino

Absent: Denes

4. Public Comment (7:10 p.m. – 7:20 p.m.) Complete Speaker Card, Limit 2 minutes per speaker

Claire Panak asked that Hyattsville committees promptly approve their minutes so that minutes are available in a timely manner.

Cliff Mayo requested that tax rates not be increased, and supported the Council correspondence to the County opposing the allowance of a drive-thru at a business.

Mr. Marshall requested the tax rate be lowered.

5. Community Notices and Meetings**5.a. Main City Calendar: April 5 - 18, 2022**[HCC-314-FY22](#)

N/A

Sponsors: City Administrator

Attachments: [City Calendar Apr 5- 18 2022](#)

6. City Administrator Update (7:20 p.m. - 7:35 p.m.)

City Administrator Tracey Douglas provided updates on City related news and events.

7. Presentations (7:35 p.m. - 7:50 p.m.)

7.a. Cool Green Bus Shelters[HCC-295-FY22](#)

Presentation Only

Sponsors: City Administrator

Attachments: [Council presentation -Concepts for Cool Green Shelter for Bus Stops Hyattsville Town Council Apr4.2022](#)

Director of Public Works Lesley Riddle introduced Dr. Dave Tilley who presented information about the Cool Green Bus Shelters.

Councilmember Simasek asked about upkeep and maintenance. Dr. Tilley responded that Living Canopies, the company, would maintain the shelters for 3 years by using sensors and internet technology. Living Canopies may then continue maintenance or it may be turned over to the City.

Councilmember Simasek asked if 5G towers might be suitable on these shelters. Dr. Tilley said that may be possible.

Councilmember Waszczak inquired whether others in the region are using these shelters. Dr. Tilley said that Hyattsville is an early adopter as a demonstration of the technology.

Councilmember Waszczak asked about a "Next Bus" screen for bus riders. Dr. Tilley said those would take more power than what the shelters have, but it is a possibility.

Councilmember Solomon wants to make sure that the aesthetic elements fit the communities.

Councilmember Solomon asked about the ownership of the bus stops. Dr. Tilley said WMATA and Prince George's County do not provide them; Hyattsville may either purchase or lease these pilot shelters.

Director Riddle added that community input would be sought regarding design and placement.

8. Proclamations (7:50 p.m. - 7:55 p.m.)

All Proclamations were approved by a single vote.

A motion was made by Council Vice-President Schaible, seconded by Councilmember Peabody, that the Proclamations be Adopted. The motion carried by the following vote:

Aye: Croslin, Solomon, Schaible, Waszczak, Simasek, Peabody, McClellan, Haba, and Sandino

Absent: Denes

8.a. Proclamation in Honor of National Volunteer Week[HCC-307-FY22](#)

I move that the Mayor and Council proclaim April 17 - 23, 2022 as National Volunteer Week in the City of Hyattsville.

Sponsors: City Administrator

Attachments: [CM 0404 National Volunteer Week 2022](#)

8.b. Proclamation Celebrating April 2022 as Autism Acceptance Month[HCC-308-FY22](#)

I move that the Mayor and Council adopt a proclamation recognizing April 2022 as Autism Acceptance Month in the City of Hyattsville.

Sponsors: City Administrator

Attachments: [CM 0404 Autism Acceptance Month April 2022](#)

8.c. Proclamation in Honor of National Public Health Week[HCC-309-FY22](#)

I move that the Mayor and Council proclaim April 4 - 10, 2022 as National Public Health Week in the City of Hyattsville.

Sponsors: Croslin

Attachments: [CM 0404 Public Health Week 2022](#)

9. Appointments (7:50 p.m. - 7:55 p.m.)

All appointments were approved by a single vote.

A motion was made by Council Vice-President Schaible, seconded by Councilmember Peabody, that these Appointments be Approved. The motion carried by the following vote:

Aye: Croslin, Solomon, Schaible, Waszczak, Simasek, Peabody, McClellan, Haba, and Sandino

Absent: Denes

9.a. Appointments to the Health, Wellness, and Recreation Advisory Committee[HCC-310-FY22](#)

I move that the Mayor and Council approve the appointment of Peter Stockus (Ward 4) and the reappointment of Patrice Woods (Ward 3) to the Health, Wellness, and Recreation Advisory Committee for terms of two (2) years to expire on April 30, 2024.

Sponsors: Denes

Attachments: [HWRAC Patrice Woods redac](#)
[HWRAC Peter Stockus redac](#)

9.b. Reappointment to the Education Advisory Committee[HCC-311-FY22](#)

I move that the Mayor and Council reappoint Michelle Thornton (Ward 1) to the Education Advisory Committee for a term of 2 years to expire on April 30, 2024.

Sponsors: McClellan and Peabody

Attachments: [EAC Michelle Thorton Apr 2022 redac](#)

9.c. Reappointment to the Hyattsville Environment Committee[HCC-312-FY22](#)

I move that the Mayor and Council approve the reappointment of Jared Messinger (Ward 1) to the Hyattsville Environment Committee for a term of two (2) years to expire on April 30, 2024.

Sponsors: Haba and Simasek

Attachments: [HEC Jared Messinger redac](#)

10. Consent Items (7:55 p.m. - 8:00 p.m.)

Items listed on the Consent Agenda are considered routine in nature, and are approved in one motion. There will be no separate discussion of these items unless the Mayor/Council request specific items be removed from the Consent agenda for separate action.

A motion was made by Council Vice-President Schaible, seconded by Councilmember Sandino, to approve the Consent Agenda. The motion carried by the following vote:

Aye: Croslin, Solomon, Schaible, Waszczak, Simasek, Peabody, McClellan, Haba, and Sandino

Absent: Denes

10.a. Trolley Trail EYA Section Lighting[HCC-298-FY22](#)

I move that the Mayor and City Council authorize the City Administrator to accept the proposal from PEPCO for the installation of lights on existing poles along the existing portion of the Trolley Trail in the City, and authorize an expenditure not to exceed \$25,000 for the installation.

Sponsors: City Administrator

Attachments: [Revised Cost Letter WO17967618 Trolly Trail EYA Section](#)

10.b. Change order to the Pennoni On-Call Transportation Design and Engineering Contract [HCC-301-FY22](#)

I move that the Mayor and Council authorize the City Administrator to execute a change order to the Pennoni On-Call Transportation Design and Engineering contract to increase the contract value not to exceed \$750,000 and to add 2 additional option years. In addition an expenditure is authorized not to exceed \$100,000 to provide services to include contract Traffic Management, Emerson St Retaining Wall engineering, and Lancer Drive Safety and Traffic Calming study.

Sponsors: City Administrator

Attachments: [Cover Task 17 Emerson St Field Investigation](#)
[Pennoni -Hyattsville Emerson St Retaining Wall Field Investigations \(002\)](#)
[Copy of Traffic-fee](#)
[Task 19-Cover](#)
[Pennoni -Lancer Drive Study](#)
[Copy of MD 500 and Lancer Drive-fee](#)
[Traffic Support-Cover](#)
[Pennoni -Traffic Support](#)

10.c. Distribution Agreement with Capital Area Food Bank [HCC-302-FY22](#)

I move that the Mayor and Council authorize the City Administrator to enter into an agreement with the Capital Area Food Bank for weekly receipt and distribution of non-perishable food boxes through June 30, 2022, in support of the City's efforts to provide food to families in need during COVID-19.

Sponsors: City Administrator

Attachments: [Distribution Agreement COVID-19 April - June2022](#)

10.d. FY22 Capital Expenditure: Purchase of Six (6) Vehicles for the Police Department [HCC-305-FY22](#)

I move that the Mayor and Council authorize the Police Department to purchase six (6) vehicles from Apple Ford Lincoln and upfitting equipment from Front Line together in the amount not to exceed \$361,444.00.

Sponsors: City Administrator

Attachments: [Ford and Upfitting Quotes](#)

11. Action Items (8:00 p.m. - 9:00 p.m.)

11.a. Zoning Variance Request V-133-21 - 3107 Lancer Place, Hyattsville[HCC-304-FY22](#)

I move the City Council authorize the Mayor to send correspondence to the Prince George's County Board of Zoning Appeals (BZA) requesting the denial of a variance request for the subject property at 3107 Lancer Place, Hyattsville. The correspondence shall cite the applicant's request to significantly exceed 25% of the impervious surface for the front yard area and recommendation for the applicant (1) withdraw the variance request, (2) resubmit for a request to validate the existing impervious surface driveway for the purposes of 'in-kind' replacement and (3) any additional hardscape within the front yard be limited to pervious materials.

Sponsors: City Administrator

Attachments: [Memo - V-133-21](#)
[City of Hyattsville Zoning Variance Policy Statement and Variance Process 10 3 11](#)
[V-133-21 Binder](#)

City Planner Taylor Robey presented the details of the variance request.

Councilmember Solomon asked what materials the applicant had proposed using. Ms. Robey replied that the applicant told her the replacement driveway and additional sidewalk would be made using impervious material.

A motion was made by Council Vice-President Schaible, seconded by Councilmember Haba, that this agenda item be Approved. The motion carried by the following vote:

Aye: Croslin, Solomon, Schaible, Waszczak, Simasek, Peabody, McClellan, Haba, and Sandino

Absent: Denes

11.b. Queens Chapel Town Center - Amendment to Conditions of Approval for CSP-10002 and DSP-10011 - Notice of Appeal[HCC-303-FY22](#)

I move the City Council authorize the Mayor to file a written appeal with the Prince George's County District Council regarding the decision of the Zoning Hearing Examiner for CSP-10002 and DSP-10011, a decision to amend the Conditions of Approval for CSP-10002 and DSP-10011.

Sponsors: City Administrator

Attachments: [CSP 10002-C-DSP-10011-C- Decision](#)
[CSP-10002-C-DSP-10011-QCTC Notice of Decision](#)
[ZHE Correspondence - QCTC FINAL \(1\)](#)

Interim Mayor Croslin commented that County Council decision does not seem consistent with past decisions.

Councilmember Solomon asked that there be clarification between vacant and abandoned, and grandfathered. Director Chandler said this is the applicant requesting an amendment, rather than something that could be grandfathered. Director Chandler stated that he is scheduled to meet with the City Attorney to formulate and put forward the appeal.

Councilmember Haba advocated for keeping the language in the letter specific to this site.

A motion was made by Council Vice-President Schaible, seconded by Councilmember Peabody, that this agenda item be Approved. The motion carried by the following vote:

Aye: Croslin, Solomon, Schaible, Waszczak, Simasek, Peabody, McClellan, Haba, and Sandino

Absent: Denes

11.c. Suffrage Point Preliminary Plan of Subdivision 4-21052[HCC-306-FY22](#)

I move the City Council authorize the Mayor to provide correspondence the Maryland-National Capital Park & Planning Commission regarding Preliminary Plan of Subdivision 4-21052. The correspondence shall express the City's opposition to the applicant's Preliminary Plan of Subdivision and requests for the Planning Board to deny the application.

Additionally, the applicant has waived the 60-day mandatory review period. The City of Hyattsville therefore requests that the applicant and Planning Board consent to a postponement of the Preliminary Plan of Subdivision hearing for the subject case and reschedule the hearing for a minimum of 30-calendar days after the adoption of the District Council's revised resolution of the Conceptual Site Plan (CSP) 18002.

Should the not consent to a delay in the hearing and should the Planning Board move to approve the subject Preliminary Plan of Subdivision, the City requests that the Planning Board incorporate the following as conditions for approval:

1. The PPS application be revised, or resolution be conditioned as Urban Street Design Standard Alley, STD 100.31. The internal alleyway shall be designed and constructed to a public standard and dedicated to the City as a public right-of-way. The site plans and any future dedication of plat shall incorporate language stating that the alleyway shall be publicly dedicated to the City of Hyattsville;
2. Per Urban Street Standards, turning radius from any roadway connecting to City roadway shall have a Minimum Turning Radius of 15';
3. The internal alleyway shall include an adequate turnaround space for emergency vehicles. This can be achieved through the elimination of lots 23 & 24;
4. Overhead lighting shall be designed and constructed to Pepco standards for acceptance into the public utility system. The lighting shall be placed at the entrance/exit of the site at Gallatin Street, entrance/exit of the site on Alley 3, and at the terminus of the alley;
5. The applicant shall dedicate Parcel B2 for a Public Use Easement (PUE) in which the applicant shall maintain ownership of Parcel B2, but access of the parcel shall be granted to the general public. Parcel B2 shall primarily serve to provide compensatory storage for the subject parcel, but shall be used by the public, and permitted at the City's discretion, under a separate Memorandum of Understanding.

Sponsors: City Administrator

Attachments: [Memo - PPS 4-19053 - Suffrage Point - 3.31.2022 Final](#)
[Council Materials_Suffrage PPS](#)

There was no discussion on this item.

A motion was made by Council Vice-President Schaible, seconded by Councilmember Simasek, that this agenda item be Approved. The motion carried by the following vote:

Aye: Croslin, Solomon, Schaible, Waszczak, Simasek, Peabody, McClellan, Haba, and Sandino

Absent: Denes

12. Discussion Items (9:00 p.m. - 9:50 p.m.)

12.a. 3505 Hamilton Street Construction Administration, Construction Management, Third Party Inspection, and Commissioning [HCC-300-FY22](#)

FOR DISCUSSION:

I move that the Mayor and Council authorize the City Administrator to execute a change order to the Johnson, Mirmiran, & Thompson (JMT) contract to increase the not to exceed value to \$4,750,000 and to extend the expiration date of the Contract to February 4, 2024. In addition, an expenditure is authorized not to exceed \$1,200,000 to provide Construction Administration, Construction Management, Third Party Inspections, and Commissioning for the 3505 Hamilton St Public Safety Building Adaptive Reuse Project under their existing contract and change orders.

Sponsors: City Administrator

Attachments: [TO 01F - CA Services](#)
[TO 01H Third Party Inspectors](#)
[TO 01E CM Services](#)
[TO 01G Commissioning Services \(1\)](#)

Councilmember Haba noted that the costs have increased substantially. Director Riddle and Deputy Director Hal Metzler responded that the price is relatively stable. City Treasurer Ron Brooks gave a background on the financial history of 3505 Hamilton project. Director Riddle added that she does not anticipate costs of materials going down.

12.b. Awarding of the Contract for the 3505 Hamilton Street Public Safety Building Adaptive Reuse Project[HCC-299-FY22](#)

FOR DISCUSSION:

I move that the Mayor and Council authorize the City Administrator to enter into a contract with The Whiting-Turner Contracting Company for the 3505 Hamilton Street Public Safety Building Adaptive Reuse Project, for an authorized expenditure not to exceed \$18.7 million, pending legal review.

Sponsors: City Administrator

Attachments: [220329 - memo - 3505 contractor selection](#)
[Whiting-Turner Submission City of Hyattsville March 11, 2022](#)
[220131 - RFP - DPW21-005 - Public Safety Building Adaptive Reuse](#)

Deputy Director Metzler said that costs for materials have increased and timeline for delivery of those materials has been substantially extended due to the pandemic.

Director Riddle asked Treasurer Ron Brooks for his input. Treasurer Brooks said that a resolution addressing the financing gap would be brought to Council soon.

Councilmember Haba asked if the additional costs are related to inflation. Director Riddle said that some costs may be inflation-related but the world markets continue to dictate costs. Deputy Director Metzler cautioned that delaying to potentially reduce costs would not be wise.

Treasurer Brooks contributed that bond proceeds need to be expended in a timely manner so the City is not penalized by the federal government.

City Administrator Douglas said that all responses to the RFP were high due to high material costs, supply chain issues and labor costs.

Council Vice President Schaible asked whether the additional costs would be another bond. Treasurer Brooks said that he and City Administrator Douglas have been in discussions and short term borrowing may be the best method.

Councilmember Schaible asked for an estimate of the current sunk cost for the project. Deputy Director Metzler said \$2.5-\$3 million.

12.c. Open FY23 Budget Discussion - Real Property Tax Rate[HCC-313-FY22](#)

Open discussion time for follow up items pertaining to the FY23 Budget. This discussion will be focused on the Real Property Tax Rate but Councilmembers may raise general questions on the budget during this time as well.

Attached is a slide detailing the proposed FY23 Real Property Tax Rate.

Sponsors: City Administrator

Attachments: [FY23 Real Property Tax Rate Slide](#)

Councilmember Peabody commented that ARPA funding and increases in income would support a reduction in the tax rate. Councilmember Peabody requested that any relief should be deep and targeted.

Councilmember Haba noted that the tax rate is the same as it was in 2013. He supports lowering the tax rate for FY 2023.

Councilmember Simasek supported Councilmember Peabody's request. He noted that commercial and rental properties pay the same rate as owner-occupied properties.

Councilmember Waszczak would like prices of homes and rents in the City to be tracked. She asked for more information about the actions the state and county are taking for residents.

City Administrator Douglas agreed that differing tax rates dependent on ownership makes sense. She will have her deputy draft a memo to Council explaining how the city of Takoma Park implemented structured tax rates that recognized commercial/rental properties and owner-occupied properties.

City Administrator Douglas said that in the draft budget, a consultant would be hired to work with Treasurer Brooks to collect data. She added that another position would be funded for someone to provide direct assistance to residents.

Treasurer Brooks suggested marketing current relief programs on the City's website.

Council Vice President Schaible expressed his support regarding targeted tax relief.

Councilmember Simasek suggested that adjustments based on annual mean income or other tiered methods may be helpful.

Councilmember Sandino asked Treasurer Brooks about the impact of constant yield rate impact on City functions. Treasurer Brooks responded that the City would work within their budget. ARPA funds have no impact on tax rates.

Councilmember Solomon commented that the targeted approach has been discussed for years. He suggested that a reduced tax rate may grow the general fund.

Councilmember Solomon proposed that \$.01 of the rate be dedicated to developing an affordable housing fund in the City.

Councilmember Haba said that many people don't know about the Homestead Tax Credit or how to apply for it.

Councilmember Waszczak asked about the calendar related to the budget. City Administrator Douglas recommended the budget be on discussion at the next Council meeting. There is a Public Hearing May 2. On May 2, the tax rate will be voted on by Council. The Council will have the FY23 budget introduction and first reading on May 16 and will be voted on for final adoption on June 6, 2022.

13. Council Dialogue (9:50 p.m. - 10:00 p.m.)

14. Motion to Adjourn

The meeting adjourned at 9:52 p.m.