



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD MONDAY, JULY 19, 2021 6:00 PM

Kevin Ward, W1, Mayor
Sam Denes, W1
Robert Croslin, W2
Danny Schaible, W2
Ben Simasek, W3
Jimmy McClellan, W3
Edouard Haba, W4
Daniel Peabody, W4
Joseph A. Solomon, W5
Rommel Sandino, W5

Absent: None

Also present were the following City staff members:

Tracey Douglas, City Administrator
Jim Chandler, Assistant City Administrator
Ron Brooks, City Treasurer
Scott Dunklee, Acting Chief Hyattsville City Police Department
Lesley Riddle, Director of the Department of Public Works
Cheri Everhart, Acting Community Services Director
Hal Metzler, Deputy Director of the Department of Public Works
Vivian Snellman, Director of Human Resources
Laura Reams, City Clerk
Adrienne Augustus, Media Relations and Mental Health Programs Manager

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, July 19, 2021 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:

Public comment may be made using the e-comment feature at www.hyattsville.org/meetings or by emailing cityclerk@hyattsville.org. All electronic comments must be submitted by 4 PM on July 19, 2021. Comments received will be read by City staff during the public comment portion of the meeting.

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

https://us06web.zoom.us/webinar/register/WN_e216G051SiykrMWneBBIAg

1. Call to Order and Council Roll Call

Mayor Kevin Ward called the meeting to order at 6:01 p.m.



**REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD
MONDAY, JULY 19, 2021 6:00 PM**

2. Pledge of Allegiance to the Flag

3. Approval of Agenda

AMENDMENTS

1. REMOVE Item 9.a): HCC-17-FY22 Queens Chapel Town Center – Detailed Site Plan (DSP 10011-02)

MOVE Item 11.o): HCC-28-FY22 Authorization of Agreement with Hyattsville CDC for Community Outreach from CONSENT to ACTION

RESULT:	APPROVED, AS AMENDED [UNANIMOUS]
MOVER:	Ward
SECONDER:	Schaible
AYES:	Ward, Denes, Croslin, Schaible, Simasek, McClellan, Haba, Peabody, Solomon, Sandino
ABSENT:	None

4. Motion to Close (6:10 p.m. - 7:10 p.m.)

4.a) Motion to Close

Sponsors: At the Request of the City Administrator

Co-Sponsor(s): N/A

I move the Mayor and Council close the Council Meeting of July 19, 2021 to consult with the City Attorney and staff about litigation. The reasons for closing the meeting under these exceptions are to maintain legally required confidentiality regarding ongoing and pending litigation.

This session will be closed under the authority of the Annotated Code of Maryland State Government General Provisions Article Section 3-305 (b)(8) consult with staff, consultants, or other individuals about pending or potential litigation.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Ward
SECONDER:	Schaible
AYES:	Ward, Denes, Croslin, Schaible, Simasek, McClellan, Haba, Peabody, Solomon, Sandino
ABSENT:	None

Council entered into closed session at 6:10 p.m. The Council returned to open session on a motion made by **Ward 2 Councilmember Robert Croslin**, seconded by **Ward 4 Councilmember Daniel Peabody** and approved unanimously by the body at 7:34 p.m.



**REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD
MONDAY, JULY 19, 2021 6:00 PM**

5. Approval of the Minutes

5.a) Approval of the Minutes

HCC-24-FY22

Sponsors: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Minutes Apr 19 2021 PH FINAL](#)

[Minutes May 17 2021 PH FINAL](#)

[Minutes Apr 19 2021 CM FINAL](#)

[Minutes May 3 2021 CM FINAL](#)

I move that the Mayor and Council approve the minutes of the Public Hearings of April 19, 2021, and May 17, 2021, and the Council meetings of April 19, 2021, and May 3, 2021.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Ward
SECONDER:	Haba
AYES:	Ward, Denes, Croslin, Schaible, Simasek, McClellan, Haba, Peabody, Solomon, Sandino
ABSENT:	None

6. Public Comment (7:15 p.m. – 7:25 p.m.) Complete Speaker Card, Limit 2 minutes per speaker

City Clerk Laura Reams read the public comments submitted electronically.

Ward 4 resident Zach Payne addressed the Mayor and Council in support of virtual access to court proceedings stating that it was beneficial to the community and encouraged elected officials to take a position of support on behalf of the City’s residents.

Ward 1 resident Anne-Claire Frank-Seisay addressed the Mayor and Council in support of virtual access to court proceedings stating that it had been proven during the pandemic that virtual court sessions allowed family members to support an individual while in court as well as substantially increasing convenience and limiting failures to appear.

Ward 3 resident Chuck Perry addressed the Mayor and Council in opposition to the appointment of the City attorney stating that the City attorney did not reside in the City of Hyattsville and that City funds should not support the employment.

Ward 3 resident Chuck Perry addressed the Mayor and Council expressing disagreement with the Hyattsville Community Development Corporation taking up outreach and stated that such a project should be carried out by a more ethnically diverse organization and questioned funding and statistical support for motion 11.o.

Ward 1 resident John Spillane addressed the Mayor and Council in support of continued virtual access to courts expressing the importance of legal transparency for community residents.



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD MONDAY, JULY 19, 2021 6:00 PM

Ward 1 resident Sarah K. Harper addressed the Mayor and Council in support of continued virtual court access explaining that it allows advocacy groups such as Court Watch PG to keep a record in real time of court proceedings and monitor legal actions to determine whether proper due process and impartial justice were being carried out.

Greg Smith addressed the Mayor and Council informing that he and a group of other environmental advocates were challenging the legality of the actions of and recent Conceptual Site Plan (CSP) from Werrlein Properties alleging that the firm was operating without proper permitting. He stated that he had raised several concerns in the past and that the development company flagrantly dismisses environmental protocol resulting in stormwater runoff and negative environmental impacts.

Ward 5 resident Ellen Royse addressed the Mayor and Council in support of continued virtual access to courts stating that it was a right of the people to be able to observe public officials in their official capacity and it would allow viewers to gauge whether any of the determinations being made were driven politically.

Ward 4 resident Caitlin Fitzpatrick addressed the Mayor and Council in support of virtual court access stating that citing an instance in which a judge held an individual in jail because he could not afford a \$50 fee noting that similar situations could be addressed as a result of continuing public access and viewing. She stated that the legal system had an obligation for transparency and to be subject to accountability.

Ward 2 resident David Marshall addressed the Mayor and Council seeking clarification as to the specific amount requested for a cleaning contract of the City Municipal Building and the process with which Councilmembers' names are submitted and selected for authoritative positions.

Member of Court Watch PG Edwin Whitehead addressed the Mayor and Council expressing support for virtual access to court hearings stating that public access compels effectiveness and efficiency from local leaders and officials and can allow for viewers to identify racial trends.

7. City Administrator Update (7:25 p.m. - 7:35 p.m.)

City Administrator Tracey Douglas addressed the Mayor and Council with an update of City events, programming, and operations. Ms. Douglas began her presentation citing the \$1.9T American Rescue Plan Act (ARPA) funding that would be distributed throughout the country to aid jurisdictions at every level in recovering from the negative impacts suffered from the COVID-19 global pandemic. She explained that specific amounts would be earmarked for state, county, and municipal governments and that the City of Hyattsville was expected to receive a total of approximately \$17.9M via two (2) installments relaying some of the applicable expenses.

Administrator Douglas described that the ARPA funds would be used to invest in areas disproportionately impacted by the pandemic and could help fund services for community violence intervention, homeless prevention, affordable housing, and educational programming for youth residents. She continued that the federal grant could also assist in replacing lost revenue, avoid cuts in governmental services and repair and upgrade cybersecurity,



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD MONDAY, JULY 19, 2021 6:00 PM

environmental remediation, and public safety services as well as improvements to general infrastructure.

Ms. Douglas expressed that the funding was a great opportunity for the City in its recovery and progression but cautioned that the allocations must be well thought out, thoroughly researched, and meticulously recorded and reviewed for long lasting impacts. She reported that a Grants Manager would be employed to manage the funding and ensure compliance with regulations, as well as an Economic Development Program Manager, and a consultant to support policy guidance, auditing, and a spending plan. Administrator Douglas explained that the State and County would also receive appropriations and the City would work to ensure that ARPA funds dedicated to helping City residents were not already available from the other two (2) entities.

Administrator Douglas provided detail regarding the reopening of the City Municipal building stated that staff expected to have the building open to the public by the 1st of September. The building would receive upgrades including a new reception area at the first-floor entrance, touchless restrooms, and renovation of meeting rooms. She relayed that visitors would be required to sign in to the building, wear masks, and keep six (6) feet of social distance and that committees and staff would continue telework and virtual meetings, however Council would resume in-person meetings in the beginning of September. Ms. Douglas added that network servers and technology would be explored to provide for hybrid meetings.

Ms. Douglas addressed the potential implementation of 5G cell towers throughout the City and described some of the advantages, challenges, and differences from 4G. She explained that more cell towers were needed in the area to prevent coverage gaps and that there was ongoing research and discussions to determine the placement and ordinance compliance. She noted that several applicants would be consulted before moving forward with any projects and only after an adequate understanding of the City's needs was realized.

Ms. Douglas reported that communications regarding the implementation were ongoing and all requests were required to be reviewed by the County Tower Committee. She stated that City staff were reviewing ordinances and outreach, and would soon revise the current associated ordinance, begin the community notification and Council approval process, and that a presentation was scheduled for August 2.

The City Administrator reported on the Ward 1 Special Election to be held over the following weeks with Election Day scheduled for September 14. Ms. Douglas explained that the Special Election would be held to fill the final two (2) years of the four (4) year term formerly being served by Kevin Ward who had been elected Mayor in the May Citywide Election. She relayed that candidate registration was set to close on July 23, candidates would be certified at the Council meeting of August 2, and provided details about informational resources and methods with which residents could submit their ballots. City Clerk Laura Reams supplemented that ballots would be mailed out in early August and provided information regarding the ways in which you could check the status of a ballot or register to vote.



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD MONDAY, JULY 19, 2021 6:00 PM

Ms. Douglas highlighted the work of the Community Services team stating that the summer camp, teen staycation, and tutoring were underway and had been successful and cited the senior transportation services that were operational three (3) days a week for events, errands, and vaccination appointments.

Administrator Douglas showcased pictures of the new Department of Public Works (DPW) facility and relayed details of the move into the new headquarters which was followed by a report on the recent workings of Police and Public Safety programming noting events such as Coffee with a Cop and Minority Mental Health Month which would feature a live Instagram event with Hyattsville City Police Department (HCPD) Media Relations Coordinator Adrienne Augustus. Ms. Douglas reported that an investigation into a shooting in the Arts District was underway and a missing child was recently found and returned to his home.

City Administrator Douglas communicated that the deed for the newly named Driskell Park had been received and planning for a dedication ceremony and signage would begin that month. She noted that the budget guide was available, an ad-hoc committee on resident involvement was being developed, further hiring of the Clean and Safe Team had commenced, conversations regarding a mural in Centennial Park had begun, and the mandatory diversity training for staff was scheduled to begin in the following weeks.

Ms. Douglas relayed information regarding the Back to School-a-Thon event that was scheduled for September 2 in which the City would celebrate the return to in-person learning for the 2021-2022 school year. The event was to be held at the new Teen and Multigenerational Center and would offer free school supplies, information about youth and teen programming and explore the new concept plans for the facility.

Ward 2 Councilmember Danny Schaible inquired as to the details regarding communications and recommendations for the ARPA funding to which City Administrator Tracey Douglas responded that the Council would be an integral part in determining projects and initiatives that could be supported by the federal funding noting that the spending plan would be a slow, careful process, and all ideas would need to be assessed and prioritized.

Councilmember Schaible acknowledged the opportunity to institute participatory budgeting in association with the incoming funds and asked about a timeline in which a pertinent committee would be established and would be able to develop recommendations. City Clerk Laura Reams replied that internal discussions had taken place and that members of the standing committees would be chosen to form the committee that would address participatory budgeting stating that there was an existing placeholder at a future meeting to appoint members, but the process was still in early stages.

8. **City Treasurer Update (7:35 p.m. - 7:45 p.m.)**

City Treasurer Ron Brooks addressed the Mayor and Council with an update regarding the City's financial position reporting that the Fiscal Year 2019 (FY19) audit had been filed amid governmental telework due to the COVID-19 health crisis and resulted in a \$1.7M increase in the unassigned fund balance. Mr. Brooks stated that the FY20 audit was ongoing and he expected its



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD MONDAY, JULY 19, 2021 6:00 PM

completion by the following December and recalled that the City received an AA2 rating from Moody's over the past year that would require the audit or a gap budgetary audit to maintain.

Mr. Brooks displayed an illustrative document reflective of FY21 year end revenues and expenditures and described the year's results in regarding to major revenues such as property taxes, income taxes, and amusement taxes noting the fluctuation of each when compared to the previous fiscal year. Mr. Brooks stated that the major revenue sources increased 7% while other revenue sources saw a decrease of approximately \$700K. He provided detail and justifications for the varying of specific revenues and referenced that almost all amusement tax revenue was at a standstill due to the closing of the local movie theater.

Mr. Brooks opined that the City navigated the economic challenges of the pandemic well and still remained in a comfortable financial position and that much of the revenue lost would be regained over time as operations restarted and as grants and outside funding were received. He confirmed that \$8.9M had been received from ARPA and a budget amendment would be on the next agenda to appropriate the funds with designated line items. Mr. Brooks communicated that the Department of the Treasury was likely to soon announce funding for lost revenue in which the City could receive approximately \$736K to be spent on a much broader and less stringent set of regulations.

9. Presentations (7:45 p.m. - 8:05 p.m.)

~~9.a) Queens Chapel Town Center – Detailed Site Plan (DSP 10011-02) Presentation HCC-17-FY22~~

~~Sponsors: At the Request of the City Administrator~~

~~Co-Sponsor(s): N/A~~

~~Memo – DSP 10011-02 – QC Town Center (1) QCTC Presentation~~

~~[DSP-10011-02-QC Town Center](#)~~

~~Presentation Only~~

9.b) 6400 American Boulevard - Detailed Site Plan (DSP-21006) Presentation

[HCC-19-FY22](#)

Sponsors: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Presentation Memo - Parcel N - DSP 21006](#) [Parcel N - DSP 21006 - 07.19.21 Materials](#)

[HCC-19-FY22 Attachment Parcel N- City of Hyattsville 21-0719](#)

Presentation Only

City Planner Kate Powers addressed the Mayor and Council on the agenda item stating that a presentation had been prepared regarding a proposed multi-family building at the entrance of University Town Center and introduced the attorney for the applicant, Chris Hatcher.



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD MONDAY, JULY 19, 2021 6:00 PM

Mr. Hatcher thanked the Body and introduced colleagues who were prepared to answer specific questions about the property and how the project would affect environmental concerns and outstanding questions from City staff and residents stating that they would be reviewing a preliminary plan of subdivision to include traffic, bicycle, and pedestrian pathways and traffic.

Vice President of Development Nihar Shah addressed the Mayor and Council with details regarding the key areas of the project. Mr. Shah displayed the location of parcel N stating that his firm had partnered with BCT design group and CBG builders to complete the project and described that the project consisted of a 310K square foot building, eight (8) floors, 316 units, 2,052 square feet of retail space, and 272 parking spaces in a precast garage. Mr. Shah continued that the project would include a lobby and coworking area, an interior courtyard, pool terrace and elevated amenity space, a bike room, fitness area, and pet spa.

Mr. Shah described that the building would house 69 584 square foot Junior 1 units, 182 739 square foot one (1)-bedroom units, and 65 1,073 square foot two (2)-bedroom units and described the layout of the housing units in conjunction with the common areas and retail space. While displaying the floor plans, Mr. Shah explained that there would be two (2) trash rooms to limit waste and decrease proximity for tenants, a loading dock area on Liberty Lane, and noted that the exterior would contain a mural providing details about the overall aesthetic.

Mr. Shah elaborated on the amenities relaying that some balconies over the street were removed and balconies over quitter, green areas were created, the property would include urban, brick and mortar portions with adjacent gardens, outdoor social space, and areas that would support exercise programming such as yoga. He noted that artistry would play a big part in the design of the interior of the building, cited a rooftop deck, and assessed that the submission of a Detailed Site Plan (DSP) was planned to be submitted in late July with permitting beginning the following January. He stated that construction would take approximately two (2) years with completion into 2025.

Ward 4 Councilmember Edouard Haba inquired as to how many retail spaces or vendors would be entertained to which Mr. Shah responded that the retail space was limited to 2K square feet referencing the abundance of nearby retail space stating that there was no real need for a great deal of retail space at the project site.

Councilmember Schaible sought clarity regarding parking and the justification for the amount of space designated for parking to which Mr. Shah replied by describing the parking layout and stating that there was no interest in taking parking away from residents. He continued that guest and visitor parking on the first floor, but considering the proximity to commerce and transportation, residents would likely possess no more than one (1) car per home.

Ward 1 Councilmember Sam Denes raised questions regarding the availability of electric car charging stations and expressed concerns regarding the need to haul groceries while riding a bicycle and the area with which a resident could walk a pet explaining that he would like to see that sort of green area extended.



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD
MONDAY, JULY 19, 2021 6:00 PM

Ward 3 Councilmember Jimmy McClellan echoed the sentiments of his colleague encouraging the developer to extend green space for pets or a dog park and decreasing the paved surface and parking areas. He stated that there would be a few hundred pets living within a small footprint.

Ward 5 Councilmember Rommel Sandino inquired as to whether any of the units on the site would be designated for affordable housing and supplemented his query by requesting details about the potential for traffic mitigation as the development would likely increase the immediate population. Attorney for the applicant Chris Hatcher responded that they would be submitting a traffic impact analysis to the County noting that the specifications were currently well under capacity. He continued that a biking and pedestrian analysis was performed that compelled the developer to augment sidewalks and pathways given the speculated increase in the number of residents.

10. Proclamations (8:05 p.m. - 8:10 p.m.)

10.a) Proclamation Honoring the 80th Anniversary of Queens Chapel Barber

[HCC-27-FY22](#)

Sponsors: At the Request of the City Administrator

Co-Sponsor(s): N/A

[CM 0719 Honoring Queens Chapel Barber 80th Anniversary](#)

I move that the Mayor and Council adopt a proclamation in honor of Queens Chapel Barber and their 80 years of business serving the residents of the City of Hyattsville.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Ward
SECONDER:	Simasek
AYES:	Ward, Denes, Croslin, Schaible, Simasek, McClellan, Haba, Peabody, Solomon, Sandino
ABSENT:	None

11. Consent Items (8:10 p.m. - 8:15 p.m.)

11.a) Green Alley Design

[HCC-1-FY22](#)

Sponsors: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Oliver Alley Proposal letter LIDC 051221](#)

I move that the Mayor and Council authorize the City Administrator to accept the proposal from the Low Impact Design Center for the design of the Green Alley renovation of public alleys 26A and 26B, and expend an amount not to exceed \$51,702.00 under their existing contract.



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD
MONDAY, JULY 19, 2021 6:00 PM

11.b) Heurich Park Community Garden Use Agreement

[HCC-11-FY22](#)

Sponsors: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Heurich Park-Hyattsville community garden agreement \(1\)](#)

I move the Mayor and Council authorize the City Administrator to negotiate a Use Agreement between the City and the Maryland National Capital Parks and Planning Commission (MNCPPC) to promote and install an accessible community garden at Heurich Park, upon the review and approval of the City Attorney for legal sufficiency.

11.c) Special Use Agreement - Hyattsville Elementary School PTA Zombie Run

[HCC-2-FY22](#)

Sponsors: At the Request of the City Administrator

Co-Sponsor(s): N/A

[2021 Zombie Run Use Agreement](#)

[H Z 5K Course Map](#)

I move the City Council authorize the City Administrator to execute a Special Use Agreement with Hyattsville Elementary School Parent Teacher Association (PTA) for the use of David C. Driskell Community Park and select City streets for its Annual Zombie Run, scheduled for Saturday, October 16, 2021 subject to review for legal sufficiency by the City Attorney.

11.d) FY22 - Landscaping Contract Expenditure

[HCC-3-FY22](#)

Sponsors: At the Request of the City Administrator

Co-Sponsor(s): N/A

[210315 - HCC-253-FY21 - landscape maintenance](#)

I move that the Mayor and Council authorize an expenditure not to exceed \$75,000 to Professional Lawn Maintenance Services (PLMS) for the FY22 portion of the existing landscaping contract.

11.e) Special Use Agreement - Route 1 Velo Cyclocross

[HCC-4-FY22](#)

Sponsors: At the Request of the City Administrator

Co-Sponsor(s): N/A

[2021 Cyclocross Special Use Agreement](#)

I move the City Council authorize the City Administrator to execute a Special Use Agreement with Route 1 Velo for the use of David C. Driskell Community Park for its Annual Cyclocross bicycle race, scheduled for Sunday, October 10, to include set-up in the afternoon of Saturday, October 9, 2021 subject to review for legal sufficiency by the City Attorney.



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD MONDAY, JULY 19, 2021 6:00 PM

11.f) Purchase of Administration Vehicle

[HCC-5-FY22](#)

Sponsors: At the Request of the City Administrator

Co-Sponsor(s): N/A

[HYATTSVILLE PUBLIC WORKS XPR2500 MOBILE JUNE 21 2021 \(1\)](#)

[Hyattsville PubWorks 2021 K8A Hybrid 6 2021 \(002\) \(1\) MD 2021 Police BPO \(1\) 6-15-2021 unsigned \(1\)](#)

I move that the Mayor and Council authorize an expenditure not to exceed \$50,000.00 to Hertrich Fleet Services for the purchase of a hybrid Ford Explorer for Department of Public Works Administration Services.

11.g) Hyattsville Ordinance 2021-04: Amending the City Code for the naming of David C. Driskell Community Park (ADOPTION)

[HCC-6-FY22](#)

Sponsor: Ward

Co-Sponsor(s): Spell Wolf, Simasek, Schaible, Solomon, Croslin, Peabody, Suiter

[HO 2021-04 David C. Driskell Community Park](#)

I move the Mayor and Council introduce Hyattsville Ordinance 2021-04, an Ordinance whereby the City Council amends the City of Hyattsville Code to strike any reference to "Magruder Park" and replace it with "David C. Driskell Community Park." (SECOND READING & ADOPTION).

11.h) Appointment of the City Attorney

[HCC-8-FY22](#)

Sponsors: At the Request of the City Administrator

Co-Sponsor(s): N/A

I move that the Mayor, with Council approval, appoint E.I. Cornbrooks IV, Esquire of the firm of Karpinski, Cornbrooks, and Karp, P.A. as the Attorney for the City.

11.i) FY22 - Alley Maintenance Contract Expenditure

[HCC-12-FY22](#)

Sponsors: At the Request of the City Administrator

Co-Sponsor(s): N/A

[210315 - HCC-254-FY21 - alley maintenance](#)

I move that the Mayor and Council authorize an expenditure to Professional Lawn Maintenance Services (PLMS) for an amount not to exceed \$35,000 for the FY22 portion of the contract.

11.j) FY22 Building Cleaning Contract Expenditure

[HCC-13-FY22](#)

Sponsors: At the Request of the City Administrator

Co-Sponsor(s): N/A

[210315 - HCC-252-FY21 - building cleaning contract](#)



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD MONDAY, JULY 19, 2021 6:00 PM

I move that the Mayor and Council authorize an expenditure to Sentral Services for an amount not to exceed \$100,000 for the FY22 portion of the Building Cleaning Contract.

11.k) Board of Zoning Appeals Variance (V-46-21): 5723 39th Avenue, Hyattsville

[HCC-14-FY22](#)

Sponsors: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Memo - V-46-21](#)

[V-46-21 Binder](#)

[V-46-21 Virtual Hearing Notice \(1\)](#)

[City of Hyattsville Zoning Variance Policy Statement & VarianceProcess_ENGLISH](#)

I move the City Council authorize the Mayor to provide correspondence to the Prince George's County Board of Zoning Appeals in support of zoning variance application V-46-21, a variance request of 1.45 feet side yard width and 6.5% net lot coverage are for the subject property at 5723 39th Avenue, Hyattsville.

11.l) Adirondack Tree Experts Contract - Option Year 3

[HCC-15-FY22](#)

Sponsors: At the Request of the City Administrator

Co-Sponsor(s): N/A

[200921 - HCC-79-FY21 - adirondack yr 2](#)

I move that the Mayor and Council authorize the City Administrator to execute option year two (2) of the Urban Tree Care contract with Adirondack Tree Experts and authorize an expenditure not to exceed \$185,000 for continued services.

11.m) FY22 Grant Acceptance: Chesapeake Bay Trust Green Streets, Green Jobs, Green Cities

[HCC-16-FY22](#)

Sponsors: At the Request of the City Administrator

Co-Sponsor(s): N/A

[19550](#)

I move that the Mayor and Council authorize the City Administrator to accept the Chesapeake Bay Trust Green Streets, Green Jobs, Green Cities Grant, in an amount of \$15,000 for the design of a "green alley" project for the renovation of alleys 26A and 26B. In addition, the Treasurer is authorized to appropriate the funds accordingly to meet the requirements of the grant.

11.n) FY22 Budget Amendment: Special Revenues Budget and Appropriation of Unencumbered FY21 COVID-19 Funds

[HCC-25-FY22](#)

Sponsors: At the Request of the City Administrator

Co-Sponsor(s): N/A

I move that the Mayor and Council amend the FY22 Special Revenues Fund Budget and appropriate \$33,450 of remaining COVID-19 funds.



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD
MONDAY, JULY 19, 2021 6:00 PM

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Ward
SECONDER:	Haba
AYES:	Ward, Denes, Croslin, Schaible, Simasek, McClellan, Haba, Peabody, Solomon, Sandino
ABSENT:	None

12. Action Items (8:15 p.m. - 9:00 p.m.)

11.o) Authorization of Agreement with Hyattsville CDC for Community Outreach

HCC-28-FY22

Sponsors: At the Request of the City Administrator

Co-Sponsor(s): N/A

HCC-28-FY22 Attachment VACCINATION OUTREACH Proposal Draft 2021

I move that the Mayor and Council authorize the City Administrator to enter into an agreement with the Hyattsville Community Development Corporation (CDC) to partner in conducting outreach to residents in the community who have not yet received the COVID-19 vaccination, subject to review for legal sufficiency by the City Attorney.

Councilmember Haba stated that he made the motion to amend the agenda to move item 11.o to Action or Discussion because it was the first time the Body had seen the submission and believed that the initiative should be discussed further before being passed.

City Administrator Tracey Douglas relayed that Emergency Services Coordinator Reggie Bagley had been working closely with the Federal Emergency Management Agency (FEMA) and the Maryland Emergency Management Agency (MEMA) to acquire resources so that assistance could be provided to hard-to-reach populations of the City and that funding was provided for outreach. Ms. Douglas stated that Mr. Bagley reached out to Casa de Maryland who responded that they did not have the personnel to support COVID-19 vaccination outreach but then was approached by the Hyattsville CDC who ensured that they had plenty of staff available to perform several outreach methods. She supplemented that the outreach was not at the cost of City taxpayers.

Ward 3 Councilmember Ben Simasek expressed support for the motion mentioning that he noticed that one of the complexes that would be involved in the process was outside of the incorporated City limits and questioned whether there was a set boundary or limit for this particular outreach. Ms. Douglas responded that there was no set boundary and that the grant statement cited the surrounding community and the immediate surrounding community so they could extend the outreach as staff deemed fit.

Councilmember Haba inquired as to the rationale behind the selection of properties that would be included to which representative of Hyattsville CDC Stuart Eisenberg replied that the process began by attempting to connect with residents of the larger buildings and those who would seemingly have the most difficulty getting access to or information about the availability of the COVID-19 vaccine, but the ultimate intention was to reach every building and speak with all residents. Mr. Eisenberg continued that new methods of outreach and new partnerships were



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD MONDAY, JULY 19, 2021 6:00 PM

being explored, including both English and Spanish platforms, and that efforts would be made through commercial areas such as grocery stores and laundry mats to provide information to as many people as possible.

Councilmember Sandino requested detail regarding the number of staff that would be involved and the use of any other languages aside from English and Spanish would be incorporated to which Mr. Eisenberg replied that English and Spanish would be the primary communication languages but volunteers for several other languages could be procured as the need became evident.

Councilmember Sandino inquired as to the potential of bringing clinical materials to the recipients' homes to administer vaccines to which Mr. Eisenberg stated that staff were, in fact, looking into those possibilities and that they were discovering unknown clinics throughout the area and learning more about different schedules and organizations.

Ward 5 Councilmember Joseph Solomon inquired as to the timeline regarding the outreach effort to which Mr. Eisenberg replied that outreach was being performed each Saturday but was subject to augmentation as needed. He stated that the duration of weekly outreach was to the discretion of the City and as a result of their assessment of response.

Councilmember Solomon sought clarity regarding how effectiveness would be gauged to which Mr. Eisenberg responded that it would be based upon the vaccination appointments made and then kept and added that the opportunity for patients to go elsewhere existed but contrasted the idea with the notion that the effort being provided would be far more beneficial in lowering infection rates than inaction.

Councilmember Solomon requested further data and tangible results and stated that the subject opportunity was one that could have been made available to minority and female owned organizations to which Mr. Eisenberg reiterated that the Hyattsville CDC was a non-profit consisting of two-thirds (2/3) minority individuals and no presentation was provided that evening due to prioritization and time constraints but implored that the organization was anxious to work and collaborate with City officials and staff.

Emergency Services Coordinator Reggie Bagley commented that the City was working closely with Luminus Health to acquire any helpful information regarding vaccination recipients to aid in providing the vaccination to a larger population noting the need to keep a balance with protecting the personal information of individuals. Mr. Bagley commented that staff reached out to Hyattsville CDC because of their proven track record and the fact that they had assisted during the 2020 Census and already possessed the framework for such a project.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Ward
SECONDER:	Haba
AYES:	Ward, Denes, Croslin, Schaible, Simasek, McClellan, Haba, Peabody, Solomon, Sandino
ABSENT:	None



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD
MONDAY, JULY 19, 2021 6:00 PM

12.a) Election of Council Officers

[HCC-7-FY22](#)

Sponsors: Ward

Co-Sponsor(s): N/A

I move the Mayor and Council elect Councilmember Robert Croslin as Council President and Councilmember Danny Schaible as Council Vice President for a term of two (2) years to end in July 2023.

Councilmember Peabody expressed support for the motion and asked about the role the that the Executive Committee (XCOMM) would play in the redistricting of municipal boundaries to which City Clerk Laura Reams responded that the Council, as a Body, would appoint members of a redistricting committee but that XCOMM played no authoritative role in the process whatsoever. Ms. Douglas added that if the XCOMM were to have any authority in the redistricting process, it would first have to be approved by Council.

Councilmember Haba expressed support for the motion and the granting of the responsibility to his colleagues but advised that, in the future, the Council should consider the geographic diversification of the Executive Committee.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Ward
SECONDER:	Haba
AYES:	Ward, Denes, Croslin, Schaible, Simasek, McClellan, Haba, Peabody, Solomon, Sandino
ABSENT:	None

12.b) Assignment of Committee Liaisons

[HCC-9-FY22](#)

Sponsors: At the Request of the City Administrator

Co-Sponsor(s): N/A

I move the Mayor and Council appoint the following Councilmembers as Council liaisons to City committees:

Code Compliance Advisory Committee: McClellan, Sandino

Education Advisory Committee: McClellan, Peabody

Educational Facilities Task Force: Denes, Peabody

Health, Wellness, and Recreation Advisory Committee: Denes, Croslin

Hyattsville Environment Committee: Simasek, Haba

Planning Committee: Simasek, Denes, Haba

Police and Public Safety Citizen's Advisory Committee: Schaible, Sandino, Croslin

Race and Equity Task Force: Sandino, Croslin

Shade Tree Board: Schaible, Simasek



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD
MONDAY, JULY 19, 2021 6:00 PM

Councilmember Peabody made a motion to add his name as a Council liaison to the Education Advisory Committee (EAC) and the Educational Facilities Task Force (EFTF). **Councilmember Haba** requested a motion that he be added as a Council Liaison to the Hyattsville Environment Committee (HEC). **Council President Robert Croslin** added language to the collective motion to be removed as a Council liaison for the Health, Wellness, and Recreation Advisory Committee (HWRAC).

RESULT:	APPROVED, AS AMENDED [UNANIMOUS]
MOVER:	Ward
SECONDER:	Croslin
AYES:	Ward, Denes, Croslin, Schaible, Simasek, McClellan, Haba, Peabody, Solomon, Sandino
ABSENT:	None

12.c) Teen & Multi-Generational Center - Acceptance of Design Proposal
[HCC-18-FY22](#)

Sponsors: At the Request of the City Administrator

Co-Sponsor(s): N/A

[HYATSVLLE - Youth Center - Design - WorkOrderPackage](#)

I move that the Mayor and Council authorize the City Administrator to accept the design proposal from The Matthews Group for an expenditure not to exceed \$60,000 for the design of the Teen Center.

Director of the Department of Public Works (DPW) Lesley Riddle stated that a concept plan had been developed for the facility to continue progress for what she relayed was an extremely beneficial project.

Councilmember Simasek inquired as to a timeline with which the interior design of the facility would begin to which Director Riddle responded that with the exterior design established, the designers had a base from which to work and she was confident that interior design and implementation could begin as well.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Ward
SECONDER:	Croslin
AYES:	Ward, Croslin, Schaible, Denes, Simasek, McClellan, Haba, Peabody, Solomon, Sandino
ABSENT:	None



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD
MONDAY, JULY 19, 2021 6:00 PM

13. Discussion Items (9:00 p.m. - 9:20 p.m.)

13.a) Send Letter to Prince George's County Judges in Support of Continued Virtual Access to Prince George's County Courtrooms

[HCC-10-FY22](#)

Sponsors: Schaible

Co-Sponsor(s): Simasek, Solomon, Haba, McClellan

[Letter to Administrative Judge Sheila Tillerson](#)

I move that the Mayor and Council prepare letters to be sent to Prince George's County Administrative Judges Sheila Tillerson Adams and Lisa Hall Johnson in support of continued virtual public access to Prince George's County courtroom proceedings, for observers.

Council President Croslin expressed opposition to the motion sharing personal experiences in which being observed by a growing audience in a judicial setting garnered discomfort. He acknowledged the supportive statements during public comment and relayed that he had discussed the matter with several lawyers who agreed with his opinion and noted that the initiative could cause reluctance for potential witnesses to come forward and participate in trials.

Councilmember Haba expressed support for the motion referencing his profession associated with the court system and reported that there were many who were pleased with the measure and felt that it had great benefit. He endorsed its convenience and commented that there was added accountability with virtual access to court proceedings that would aid in keeping an honest and just system.

Council Vice President Danny Schaible expressed support for the motion recalling conversations with constituents who also supported the measure and cited the continuing issues regarding racial equity, incarceration rates, unjust holdings predicated by arbitrary bail costs, and reliance on public transit.

Councilmember Peabody relayed that research conducted by Court Watch was shared with the Body and he believed virtual access to court proceedings was beneficial but was curious to hear other dissenting views and perspectives so that he could assess both sides of the argument. He explained that if the Council was to take a position on the measure it should be well informed.

Councilmember Haba spoke about the need for safety amid the global pandemic and endorsed the safety provided by virtual access as well as the omittance of an ill person to be required to attend a hearing so they may not spread any virus or illness. He stated that there were instances such as domestic violence in which there were exceptions to complete public transparency and opined that it was important to have the ability to differentiate the protocol given certain types of subject matter.

Councilmember Solomon expressed support for the motion noting that the measure had been successful over the previous year and it was not the obligation of his colleague to identify ways in which it had been negatively received due to a lack of supporting data. He reiterated that public access to a court proceeding in no way negated a judges ability to make sound judgement and



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD MONDAY, JULY 19, 2021 6:00 PM

stated that there was no harm in adding language that considers and sympathizes with the preference of a victim or supports anonymity for certain individuals involved in a case.

Council President Croslin stated that there could be potential issues with privacy outside of the known observers where a feed could be hacked and distributed as well as fraudulent testimony or participation due to a lack of in-person monitoring and expressed further concern about malicious interference from outside entities. He offered that he would be in support of any group conducting the process of petition to the courts to allow for public viewing or audio.

Council Vice President Schaible cited a petition outside of the City of Hyattsville that had received over 10K signatures in support of a similar measure but noted that there was tremendous room for improvement of the process in general. He continued that if there were privacy concerns a judge can order various levels of access for the hearing of a case and restrict access to their discretion and allowance of virtual access would open up multiple opportunities and relieve a number of burdens on those who are required to attend court.

Councilmember Denes expressed uncertainty about his position on the item and thanked the Body for a thorough discussion stating that the letter, if agreed upon, should include specific detail about exactly which types of access were supported by the City.

Mayor Ward noted that the item would return for Council consideration at the Council meeting of August 2, 2021.

13.b) Temporary Outdoor Seating Emergency Ordinance

[HCC-22-FY22](#)

Sponsors: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Memo - Temporary Outdoor Seating Ordinance Discussion Item](#)

[Ordinance 2020-04 SIGNED](#)

[CR-69-2021](#)

[Maryland-2021-SB205-Chaptered](#)

[SB 205 Fiscal and Policy Note](#)

Discussion Only.

Assistant City Administrator Jim Chandler addressed the Mayor and Council with a brief background and summary of the item stating that the motion was adopted the previous year with a coinciding ordinance approved by Council and that recent state and county legislation had enabled temporary outdoor seating in limited use be extended through December 31, 2022. Mr. Chandler described that the City attorney's office had several discussions and determined that the City would have the ability to extend outdoor seating as well. He stated that it was decided that it was in the best interest of all parties to hold a discussion with Council about whether the ordinance should be extended and concur with an extension through June 30, 2022.



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD MONDAY, JULY 19, 2021 6:00 PM

Mr. Chandler stated that further extension could be considered after the initial extension and should the Body not accept the proposal for extension the authority of the ordinance would cease on September 30, 2021.

Council President Croslin expressed support for passing the item that evening.

Councilmember Haba asked if the measure could be passed on a permanent basis to which Assistant City Administrator Chandler responded that there was not due to a variety of regulations including applicable liquor license laws. He continued that outdoor seating is not allowed by right but there may be a legislative process that could advocate for longer extensions. Mr. Chandler stated that there was still editing and updating that needed to be applied to the ordinance, but none of those efforts had commenced because staff wanted to gauge the opinion of the Council before moving forward.

Councilmember McClellan asked whether it would behoove the Body to approve the extension through the end of 2022 in line with the intentions of the county to which Mr. Chandler responded that the notion had been considered by staff in conference with the City attorney and that there wasn't any harm in extending the ordinance through the end of December and placing safeguards in place should something need retraction.

14. **Council Dialogue (9:20 p.m. - 9:30 p.m.)**

Councilmember Solomon reported that there would be a series of Ward 5 check-ins with community clean-up events and detailed their frequency.

Councilmember Simasek thanked the Police Department for their work in addressing a shooting in the City and similar personal experience in which he lost a mentor to gun violence.

Councilmember Denes echoed the comments of his colleague and expressed appreciation for the work and assistance of the community. He referenced the nearing Ward 1 Special election and encouraged all to participate.

Councilmember Peabody welcomed the new members of the Council, sent his best to those involved in the recent shooting, and acknowledged the feeling of community appreciating that residents come together to help one another when faced with challenging times.

Councilmember Solomon provided condolences regarding the recent shooting and thanked staff highlighting Acting Chief of Police Scott Dunklee for his continued efforts supporting and protecting the City.

Councilmember Sandino shared condolences for those involved in the shooting incident and expressed support for securing accountability in the justice system.

Councilmember McClellan echoed the sentiments of his colleagues and provided tentative details regarding a Ward 3 event.



**REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD
MONDAY, JULY 19, 2021 6:00 PM**

Council Vice President Schaible echoed the sentiments of his colleagues and commended the retrieval of a missing resident of the City.

Councilmember Haba wished residents well and encouraged diligence regarding safety during the health crisis.

Mayor Ward commended the work of those who aided in the return of the missing resident to their home, sent condolences to those involved in the local shooting incident, and stated he was proud of what the community had accomplished.

15. Community Notices and Meetings

15.a) Main City Calendar: July 20 - August 2, 2021

[HCC-23-FY22](#)

Sponsors: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Main City Calendar July 20 - August 2, 2021 FINAL](#)

16. Motion to Adjourn

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Croslin
SECONDER:	Haba
AYES:	Ward, Croslin, Schaible, Denes, Simasek, McClellan, Haba, Peabody, Solomon, Sandino
ABSENT:	None

The meeting adjourned at 10:56 p.m.

ATTEST:

October 4, 2021

Laura Reams, City Clerk

Sean Corcoran, Deputy City Clerk