



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD MAY 4, 2020

Candace Hollingsworth, Mayor
Kevin Ward, W1 (Council President)
Carrianna Suiter, W3 (Council Vice President)
Bart Lawrence, W1
Robert Croslin, W2
Danny Schaible, W2
Ben Simasek, W3
Edouard Haba, W4
Daniel Peabody, W4
Joseph A. Solomon, W5
Erica Spell Wolf, W5

Absent: None

Also present were the following City staff members:

Tracey E. Douglas, City Administrator
Jim Chandler, Assistant City Administrator
Ron Brooks, City Treasurer
Chief Amal Awad, City of Hyattsville Police Department
Lesley Riddle, Director of Public Works
Vivian Snellman, Director of Human Resources
Laura Reams, City Clerk
Sean Corcoran, Deputy City Clerk
Cheri Everhart, Recreation, Programs, and Events Manager
Hal Metzler, Project Manager, Department of Public Works

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, May 4, 2020 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 hyattsville.org/meetings.

PUBLIC PARTICIPATION:

Public Comment may be made using the e-comment feature at hyattsville.org/meetings or emailing cityclerk@hyattsville.org. All electronic comments must be submitted by 5 PM on May 4, 2020. Comments received will be read by City staff during the public comment portion of the meeting.

1. Call to Order and Council Roll Call

Mayor Candace Hollingsworth called the meeting to order at 8:10 p.m.



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2. Pledge of Allegiance to the Flag

3. Approval of Agenda

AMENDMENTS

1) ADD HCC-349-FY20 to Consent:

I move that the Mayor and Council authorize the City Administrator to negotiate a Memorandum of Understanding between the City and Hyattsville Aging in Place (HAP) to support and promote HAP's grant partnership with Greater Washington Community Foundation to provide emergency support to older adults and persons with disabilities during the COVID-19 pandemic

2) MOVE HCC-344-FY20 to the first Action item.

RESULT:	APPROVED, AS AMENDED [UNANIMOUS]
MOVER:	Ward
SECONDER:	Croslin
AYES:	Hollingsworth, Ward, Suiter, Lawrence, Croslin, Schaible, Simasek, Haba, Peabody, Solomon, Spell Wolf
ABSENT:	None

4. Approval of the Minutes

4.a) Approval of the Minutes

HCC-339-FY20

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

Cover Page: [Approval of the Minutes
Minutes June 3 2019 FINAL.docx](#)

I move that the Mayor and Council approve the minutes of the City Council Meeting of June 3, 2019.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Ward
SECONDER:	Croslin
AYES:	Hollingsworth, Ward, Suiter, Lawrence, Croslin, Schaible, Simasek, Haba, Peabody, Solomon, Spell Wolf
ABSENT:	None

5. Public Comment (8:10 p.m. – 8:20 p.m.) Limit 2 minutes per speaker

City Clerk Laura Reams read the public comments into the record.



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Amity Pope addressed the Mayor and Council with comments regarding the shooting incident of September 2019. She stated that she opposed the method in which the Hyattsville Police Department responded to the emergency and felt that the result was unjust. Ms. Pope expressed her opposition to the reinstatement of the officers who responded to the call.

Kurt Brintzenhofe addressed the Mayor and Council in support of changing the name of Magruder Park, but expressed that the park's function as a public recreation park and playground should remain unchanged.

Rodney Green addressed the Mayor and Council in opposition of the reinstatement of the police officers who responded to the shooting incident of September 2019. Mr. Green stated that the investigation was still ongoing and requested their return to administrative leave.

Chuck Perry addressed the Mayor and Council stating that he had several questions regarding the aid package to residents and how the Community and Economic Development Committee would be held accountable for their decisions.

Taylor Hawkins addressed the Mayor and Council recalling that a protest was evident at the City Municipal Building that morning and sought clarity regarding the purpose for the protest and the intended response of City officials.

Linda Green addressed the Mayor and Council noting the protest at the City Municipal Building that morning expressing her opposition for the reinstatement of the officers involved in the shooting incident of September 2019. Ms. Green stated that returning the officers under the cover of COVID-19 was not in the best interest of the public safety of residents.

Phillip Moss addressed the Mayor and Council stating his involvement in the protest at the City Municipal Building that morning and expressing his opposition to the reinstatement of the officers involved in the shooting incident of September 2019. Mr. Moss stated that a full investigation should be completed with an assessment of the mental health of the officers and that their reinstatement does not provide safety to the community.

Tamara McKinney addressed the Mayor and Council in opposition to the reinstatement of the officers involved in the shooting incident of September 2019 stating that a full investigation should be conducted. Ms. McKinney added that the officers should have mental health assessments and the investigation should address the potential abuse of power.

Beverly John addressed the Mayor and Council expressing concern about the reinstatement of the officers involved in the shooting incident of September 2019 stating that a full investigation should be completed and that no detail, up to that point, regarding the investigation had been made public. Ms. John expressed the importance of providing the details to the family of the victim on the incident, the mental health assessment of the officers involved, and indicated that the reinstatement was compelled by the COVID-19 pandemic was not justified.

Ward 1 resident Sarah Harper addressed the Mayor and Council indicating her participation in the protest at the City Municipal Building that morning and expressed her opposition to the



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reinstatement of the officers involved in the shooting incident of September 2019. She expressed her disagreement with the method in which the officers responded and requested that they return to administrative leave until the completion of the investigation.

The Community Justice Coalition addressed the Mayor and Council inquiring as to whether Chief Amal Awad had reinstated six (6) officers or three (3) and, should the answer be three (3), why only that many officers had been reinstated as opposed to all.

Seanniece Bamiro addressed the Mayor and Council in opposition to the reinstatement of the officers involved in the shooting incident of September 2019 and provided the preferred methods and best practices when dealing with a situation involving police and individuals in poor mental health.

Paul and Tracy Shand addressed the Mayor and Council expressing their concern regarding the reinstatement of the officers involved in the shooting incident of September 2019 that resulted in the death of their family member, Leonard Shand. They stated that the officers should not be reinstated until a full investigation had been completed and that they did not feel the action would improve the safety of the City. They asked that information be provided from the Chief of Police to provide justify the need for the reinstatement of the officers.

Captiol Heights resident Charles Smith addressed the Mayor and Council in opposition of the reinstatement of the officers involved in the shooting incident of September 2019 stating that reinstatement before the completion of two (2) ongoing investigations is irresponsible and a detriment to the safety of the community. Mr. Smith stated that there was an obligation for due process and that the officers should not be reinstated until the officers had been cleared of all wrongdoing.

Kima Hutchinson-Harris addressed the Mayor and Council inquiring as to the justification of the reinstatement of the officers involved in the shooting incident of September 2019 prior to an investigation and verdict.

Graciela Aponte Diaz addressed the Mayor and Council expressed her concern for the wellbeing of the vulnerable population of Hyattsville during the COVID-19 crisis. She requested relief be provided especially for undocumented residents who are not eligible for Federal or State funding and suggested collaboration with Casa de Maryland to address deficiencies endured by those residents by providing food and other assistance.

Ward 2 resident David Marshall addressed the Mayor and Council in support of changing the name of Magruder Park and in opposition of the COVID-19 Pandemic Fund stating that providing funding to be distributed by non-City entities without determined criteria was fiscally irresponsible. Mr. Marshall expressed disappointment that Hyattsville police officers were not afforded any benefit of doubt but relied upon by residents in times of need.



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6. City Administrator Update (8:20 p.m. - 8:30 p.m.)

City Administrator Tracey Douglas addressed the Mayor and Council with an update regarding events and actions taking place in the City of Hyattsville noting that the budget was being adjusted in preparation for projected decreases in revenue due to the COVID-19 pandemic and staff had assessed areas of the budget that could be minimized or removed to limit costs to the City.

Ms. Douglas reported that the Complete Count Committee had recorded improvement in the participation of the 2020 Census citing an increase to over 50% participation among City residents. She stated that food distribution to residents in need was being conducted and that several donations were being received from outside the community and staff awaited funding from the County that would further help determine the method in which relief could be provided.

City Administrator Douglas reported on the return of police officers involved in the shooting incident of September 2019 to active duty relaying that the decision had been made after extensive consideration and was due to a severe staffing deficiency within the department that was resulting in increased work hours, mental and emotional strain, and an inability to effectively respond to calls for assistance during emergencies. Ms. Douglas reported that the investigation was still ongoing and that a report would be released to the public as soon as it had been completed.

She recognized the proclamations that would be read into the record of the meeting and briefly commented on the importance of each.

Ms. Douglas deferred to City Clerk Laura Reams who gave a presentation on new software that would be implemented to increase the efficiency and capabilities regarding administrative and legislative processes and recording. Ms. Reams provided a background and summary of past processes and how the new software would improve agenda management and increased transparency.

Ward 5 Councilmember Joseph Solomon requested an update as to the Council's position regarding the lessons learned from the shooting incident of September 2019 to which City Administrator Tracey Douglas responded that City staff were taking steps to improve preparatory measures and efficiency including additional training and updated technology and reiterated that a report would be made publicly available upon completion of the investigation.

City of Hyattsville Chief of Police Amal Awad echoed the comments of Ms. Douglas and explained that they were still awaiting further details that could aid in providing insight as to future actions and best practices, an assessment of current equipment and improved equipment to potentially be used going forward, and noted collaboration with the Sante group and Dr. Marshall from the University of Maryland to provide additional training and crisis intervention training.

Mayor Hollingsworth expressed the need for organizational education and accountability education recalling that she requested a conversation take place between the Police and Public Safety Committee (PPSC) and the Race and Equity Task Force (RETF) to gauge different perspectives, however the PPSC was not comfortable discussing a case that was still under



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investigation. She stated that the conversations still needed to take place but it was necessary for multiple parties to be present for a reciprocal dialogue.

Councilmember Solomon stated that the public was instructed to trust the process, however, the process was not carried out and suggested providing some sort of communication to residents that included a status update and the position of City officials to reassure the community that they could still trust the process. City Administrator Douglas replied that internal discussion would take place to determine what staff could do to provide and update to the public.

Ward 4 Councilmember Edouard Haba expressed that he shared the concerns of residents regarding the return of officers to duty and stated that the decision was not made by the Council, but rather was decided by personnel based on established policies.

7. Presentations (8:30 p.m. - 8:35 p.m.)

7.a) Treasurer's Update (5 minutes)

HCC-334-FY20

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

Cover Page: [Treasurer's Update \(5 minutes\)](#)

City Treasurer Ron Brooks provided the Mayor and Council with an update regarding the City's financial position recollecting that a commitment was made to the City and to the Moody's rating agency to complete two (2) audits during the calendar year stating that the Fiscal Year 2019 (FY19) audit completion would be extended to July 2020, but that the commitment would still be fulfilled. He continued that given the challenges of COVID-19, Moody's had reached out to every municipality to discuss projected revenues and positions to establish new ratings and that a meeting with the City of Hyattsville was scheduled in the coming days in which he would discuss the finances of Hyattsville and return with a report to the City Administrator which would then be relayed to the Council .

8. Proclamations

8.a) Proclamation in Honor of Municipal Clerks Week

HCC-327-FY20

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

Cover Page: [Proclamation in Honor of Municipal Clerks Week
Municipal Clerks Week 2020.docx](#)

I move that the Mayor and Council proclaim the week of May 4 through May 10, 2020, to be Municipal Clerks Week in the City of Hyattsville.



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8.b) Proclamation in Honor of Citizenship Celebration Day

HCC-328-FY20

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

Cover Page: [Proclamation in Honor of Citizenship Celebration Day
Citizenship Celebration Day 2020.docx](#)

I move that the Mayor and Council proclaim May 2, 2020, to be Citizenship Celebration Day in the City of Hyattsville.

8.c) Proclamation of Children's Mental Health Awareness Day

HCC-329-FY20

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

Cover Page: [Proclamation of Children's Mental Health Awareness Day
Children's Mental Health Awareness Day 2020.docx](#)

I move that the Mayor and Council proclaim May 10, 2020, to be Children's Mental Health Awareness Day in the City of Hyattsville.

8.d) Proclamation in Honor of Peace Officers Memorial Day and National Police Week

HCC-330-FY20

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

Cover Page: [Proclamation in Honor of Peace Officers Memorial Day and National
Police Week
National Police Week and Peace Officers' Memorial Day 2020.docx](#)

I move that the Mayor and Council recognize the week of May 10 through May 16, 2020 as National Police Week and May 15, 2020 as Peace Officers Memorial Day in the City of Hyattsville.

8.e) Proclamation in Honor of National Public Works Week

HCC-331-FY20

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

Cover Page: [Proclamation in Honor of National Public Works Week
National Public Works Week 2020.docx](#)

I move that the Mayor and Council proclaim the week of May 17 through May 23, 2020, to be Public Works Week in the City of Hyattsville.

8.f) Proclamation in Honor of Asian Pacific American Heritage Month

HCC-326-FY20

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A



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Cover Page: [Proclamation in Honor of Asian Pacific American Heritage Month
Asian Pacific Heritage Month May 2020.docx](#)

I move that the Mayor and Council proclaim May 2020 as Asian Pacific American Heritage Month in the City of Hyattsville.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Ward
SECONDER:	Haba
AYES:	Hollingsworth, Ward, Suiter, Lawrence, Croslin, Schaible, Simasek, Haba, Peabody, Solomon, Spell Wolf
ABSENT:	None

9. Appointments

9.a) Appointment to the Health, Wellness, and Recreation Advisory Committee

HCC-335-FY20

Lead Sponsor: Suiter

Co-Sponsor(s): Schaible

Cover Page: [Appointment to the Health, Wellness, and Recreation Advisory
Committee
HWRAC Hara.pdf](#)

I move that the Mayor and Council reappoint Willene Hare (Ward 3) to the Health, Wellness, and Recreation Advisory Committee for a term of 2 years to expire on May 4, 2022.

9.b) Appointments to the Education Advisory Committee

HCC-336-FY20

Lead Sponsor: Suiter

Co-Sponsor(s): N/A

Cover Page: [Appointments to the Education Advisory Committee
EAC Application Baldwin.pdf](#)

I move that the Mayor and Council appoint Melinda Baldwin (Ward 2) to the Education Advisory Committee for a term of 2 years to expire on May 4, 2022.

9.c) Appointment to Code Compliance Advisory Committee

HCC-337-FY20

Lead Sponsor: Suiter

Co-Sponsor(s): N/A

Cover Page: [Appointment to Code Compliance Advisory Committee
Code Application Mcclellan.pdf](#)

I move that the Mayor and Council appoint Jimmy Mcclellan (Ward 3) to the Code Compliance Advisory Committee for a term of 2 years to expire on May 4, 2022.



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9.d) Appointment to the Shade Tree Board

HCC-338-FY20

Lead Sponsor: Hollingsworth

Co-Sponsor(s): N/A

Cover Page: [Appointment to the Shade Tree Board
Shade Tree Application Freemyn.pdf](#)

I move that the Mayor, with Council approval appoint Keondra Bills Freemyn (Ward 3) to the Shade Tree Board for a term of 3 years to expire on May 4, 2023.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Ward
SECONDER:	Haba
AYES:	Hollingsworth, Ward, Suiter, Lawrence, Croslin, Schaible, Simasek, Haba, Peabody, Solomon, Spell Wolf
ABSENT:	None

10. Consent Items (8:35 p.m. - 8:40 p.m.)

10.a) FY20 Budget Amendment: Acceptance of Cell Phone and Tablet Donation

HCC-346-FY20

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

Cover Page: [FY20 Budget Amendment: Acceptance of Cell Phone and Tablet Donation](#)

I move that the Mayor & Council accept the donation of 24 used cell phones and 2 tablets from Branden Hall. These devices have an aggregate value of \$500 and will be immediately gifted out for use specifically by the City's senior population.

10.b) Memorandum of Understanding with Hyattsville Aging in Place

HCC-349-FY20

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

I move that the Mayor and Council authorize the City Administrator to negotiate a Memorandum of Understanding between the City and Hyattsville Aging in Place (HAP) to support and promote HAP's grant partnership with Greater Washington Community Foundation to provide emergency support to older adults and persons with disabilities during the COVID-19 pandemic.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Ward
SECONDER:	Croslin
AYES:	Hollingsworth, Ward, Suiter, Lawrence, Croslin, Schaible, Simasek, Haba, Peabody, Solomon, Spell Wolf
ABSENT:	None



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11. Action Items (8:40 p.m. – 9:55 p.m.)

11.d) Hyattsville COVID-19 Pandemic Fund (Criteria) (45 minutes)

HCC-344-FY20

Lead Sponsor: Hollingsworth

Co-Sponsor(s): Ward, Suiter, Schaible

Cover Page: [Hyattsville COVID-19 Pandemic Fund \(Criteria\) \(45 minutes\)](#)

[Emergency Ordinance Covid Fund 3.23.20.pdf](#)

[HyCDC Community Action Fund Memo.pdf](#)

I move that the Mayor and Council authorize the City Administrator to execute such agreements and transfers necessary to provide for the following uses of funds appropriated for the Hyattsville COVID-19 Relief Fund-

Provide a restricted donation of \$300,000 to Hyattsville Community Development Corporation to support its Community Action Fund. Funds provided shall be used to provide cash assistance to (or on behalf of) individuals residing in the incorporated City of Hyattsville for rent/mortgage relief, utilities, and other demonstrable, emergent expenses. To the extent that Hyattsville Community Development Corporation can support a donor-directed fund, any donations made in support of residents in the City of Hyattsville shall increase the amount available to Hyattsville residents via the Community Action Fund for this purpose. The fund shall provide for an administrative fee of 2% to Hyattsville Community Development Corporation.

Provide a restricted donation of \$100,000.00 to Employ Prince George's to support its Hourly Worker Relief Fund. Funds provided shall be used to provide cash assistance to individuals residing in the incorporated City of Hyattsville. Recipients may reapply monthly if funds are available. To the extent that Employ Prince George's can support a donor-directed fund, any donations made in support of residents in the City of Hyattsville shall increase the amount available to Hyattsville residents via the Hourly Worker Relief Fund for this purpose. The City of Hyattsville's donation shall provide for an administrative fee of 2% to Employ Prince George's.

Provide a restricted donation of \$100,000.00 to CASA de Maryland (dba CASA) to support its Solidarity Fund. Funds provided shall be used to provide cash assistance to individuals residing in the incorporated City of Hyattsville. Recipients may reapply monthly if funds are available.

Recipients of restricted donations may be required to report on expenditures on a schedule to be determined by the City Administrator (or her designee).

I further move that the Mayor and Council authorize the City Administrator (or her designee) to develop an application and ancillary communications materials to support the administration of a grant program for businesses impacted by the COVID-19 pandemic. The programs must begin accepting applications no later than June 1, 2020.

Eligible entities must have a current and valid permit in the City of Hyattsville or have filings (prior to March 13, 2020) indicating a location in the incorporated City of Hyattsville as the principal place of business. The program shall provide grants of up to \$2,500 (\$1,000 for artist grants) for



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working capital to support payroll expenses, rent, mortgage payments, utility expenses, or other similar expenses that occur in the ordinary course of operations. Applicants may apply once per quarter and receive up to \$10,000 in total funding, based on funding availability. Businesses may apply to multiple programs but may only receive support from one program per cycle.

Funds shall be specifically designated to support businesses as follows-

\$175,000 for businesses with fewer than 100 employees at a single (Hyattsville) location;
\$175,000 for minority-, women-, veteran-owned, and single-employee businesses;
\$100,000 allocated for childcare centers (including family childcare centers); and
\$50,000 allocated for working artists. A working artist is one who receives more than 50% of their income from their artistic enterprise. This includes, but is not limited to, film and theater professionals whose work supports production, independent artists for hire, curators whose practice is contractual and not supported by a full-time employment affiliation, and artists-in-residence working on freelance/contractual basis.

Ward 4 Councilmember Daniel Peabody expressed his support for the motion stating that he was pleased that the City was making an effort to help residents in need due to the pandemic and inquired as to what precautions were being established to ensure accountability regarding the receipt and use of funds distributed. He stated that he would like to require reporting monthly to learn how the funds were being used and have the capability to view who was being approved or denied and for what reason. **Councilmember Peabody** suggested offering an appeal process for those denied and expressed interest in reviewing the memorandums of understanding (MOU) with partners designated to distribute the funds and discuss the vetting process with the City Administrator and City attorney.

Mayor Hollingsworth responded that language existed that required an accessible agreement with all partners and that the entities with which the City has partnered will provide detailed reports that show how the money was distributed and used.

Councilmember Peabody stated that the Hyattsville Community Development Corporation (CDC) was the group that caused him the most concern regarding details about which individuals would be reviewing applications and how they would track accountability.

Mayor Hollingsworth responded that a representative for the corporation was present and available to field some of the questions and that some grants would be administered by the City and that staff could have a substantial part in shaping and developing the ways in which the funds would be distributed and tracked. She stated that some were restricted donations that had requirements for the recipient and ensured that it would be closely monitored.

Executive Director of the Hyattsville Community Development Corporation Stuart Eisenberg addressed the Mayor and Council stating that they had provided a proposal which, by no means, was unamendable and simply a starting point by which they could receive comments and suggestions and encouraged all to provide feedback on their submission. Mr. Eisenberg noted that the Corporation would work with established entities proven to be reliable and expressed the intention to move forward quickly as to not be bogged down by procedure and red tape.



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Ward 3 Councilmember Ben Simasek concurred with the comments of **Councilmember Peabody** raising questions regarding the criteria that would be requested in the application such as the extent of need and demographic classifications to provide transparency about the equity of distribution to which **Mayor Hollingsworth** reiterated the Council's ability to shape and structure the requirements and processes to best serve residents while providing transparency and accountability.

Mr. Eisenberg responded that it was the corporation's practice to collect data on their recipients and those with which they work stating that it was a very legitimate concern.

Councilmember Simasek commented that he wanted to ensure that any demographic information would not be available to anyone involved in the application approval process, but that it should be made available for reporting purposes after the distribution of funds. He expressed support for the integration of an appeals process and a criterion that gauged need to be included in any reporting.

Councilmember Simasek noted that the Hyattsville CDC and Casa de Maryland required a 2% processing fee and asked if any of the other partners had any similar requirements to which **Mayor Hollingsworth** responded that Hyattsville CDC and Employ Prince George's had a much larger administrative fee percentage but were willing to significantly decrease the fee to help ensure that most of the funding would be provided to the residents in need.

Councilmember Solomon interjected that he had spoken with the director of Casa de Maryland that day and reported that they would be able to provide a donor directed fund to residents to which **Mayor Hollingsworth** stated that she did not have that statement in writing and would have to rely on the written proposal that she received. She stated that a conversation with the City Administrator should take place to determine any changes from the written proposal.

Councilmember Simasek asked if Employ Prince George's was able to support a donor directed fund to which **Mayor Hollingsworth** answered in the affirmative adding that private parties would also be allowed to contribute to the fund for Hyattsville residents.

Councilmember Simasek sought to verify that staff had the capacity to support the allocation of \$500K and whether the program would include franchises and businesses located at the Mall at Prince George's to which **Mayor Hollingsworth** replied that the concern regarding the size of a business receiving the grants was valid and a modification of the regulations was proposed to lessen the threshold of employees to focus on smaller businesses with a more immediate need.

Councilmember Simasek expressed the importance of also taking into account the incorporation of the business and national presence and multiple branches to which **Mayor Hollingsworth** cited a recommendation from Assistant City Administrator Jim Chandler to use language from the Small Business Administration (SBA) to state "privately owned and operated" to prevent the inclusion of franchises.



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Councilmember Simasek suggested including categorization within the grant application to determine whether a business was physically interactive as opposed to online based and whether it would be used for payroll support and other aspects that would allow employees to maintain employment.

Councilmember Haba stated that he was hopeful that the Body could provide a program to residents that would be helpful and successful noting that he held some of the same concerns of his colleagues and asked how the partners for this grant program were selected to which **Mayor Hollingsworth** explained that there were several entities that were doing good work and producing results and that Employ Prince George's was an organization that had all of the preferred capabilities including a proven infrastructure and distribution model. She stated that Casa de Maryland was similar in that they were constantly working to reach out to the underserved and had plenty of experience and a structure in place to provide assistance to those who would not qualify for Federal funding. She continued that Hyattsville CDC had been instrumental in providing relief to a family within the community who had lost their home due to a fire and had provided funding by way of donations from residents that allowed the family to maintain their livelihood and eventually rebuild and have since developed a reputation for having the ability and inclination to help those in need.

Councilmember Haba thanked the Mayor for her explanation and stated that he had been researching other entities that could be included in the relief efforts and identified the Greater Washington Community Foundation (GWCF) as an organization into which he would like to look further.

Mayor Hollingsworth responded that the GCWF was exercising the same approach as the City in that they were providing funds to partnered distributors and provided some details as to their functional process stating that conversations with GCWF may be worth having in the following months.

Councilmember Haba reiterated his interest in collaborating with the GCWF and inquired about safeguards to prevent individuals or groups abusing the programs and receiving more funding from multiple sources in excess of what their qualification allows. He sought clarity regarding how communication would take place between program officials and residents, a residency requirement that would assess the duration of one's residency, income levels, undocumented residents and those who rely on a 1099 tax form, how the administrative fees would be implemented, and what the process would be should some funds go unspent.

Ward 5 Councilmember Erica Spell Wolf expressed concern about the difficulty of distribution and coordination given the capacity of staff and sought clarity regarding the method in which the business grants would be allocated to which **Mayor Hollingsworth** replied that the funds were intended to be disbursed by the City as this process was not unfamiliar and stated a potential partnering with a financial institution but stated that no agreement had yet been entertained.

Councilmember Spell Wolf inquired further about the distribution of grants for businesses and suggested forming an advisory Committee, perhaps from already established City Committees, to help develop criteria and guidelines for the distribution of funds



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Councilmember Simasek agreed with the comments and suggestions of his colleagues and asked that if the motion was passed as written that evening, would the ability still exist to transfer funding from one purpose to another or reallocate the funds and inquired as to the process therein. **Mayor Hollingsworth** stated that she did not oppose the reallocation of funds, but deferred to the City Treasurer regarding the requirements and processes to which would have to be adhered. City Treasurer Ron Brooks recommended that the motion return to Council for a vote to specify and record the changes being made to the original Memoranda of Uses (MOU).

Council Vice President Carrianna Suiter suggested including language in the MOUs that would return any unused funds back to the general fund to prevent having to process extra tasks going forward to which City Treasurer Brooks expressed his support and endorsed the practice of establishing the language in the preliminary stages of the process.

Councilmember Peabody inquired as to the timeline associated with the MOUs and who would be included in the discussion and development of the standards and criteria to which City Administrator Douglas responded that she, the City Treasurer, and the Assistant City Administrator would confer with the businesses to ensure sound financial oversight. Ms. Douglas explained that a timeline had not yet been established but applications would be accessible by June 1, 2020 and that would compel some urgency. **Mayor Hollingsworth** noted her preference to have MOUs prepared by June 1, 2020 to provide a strong foundation from which the implementation could originate.

Councilmember Peabody asked whether Council would have the opportunity to review the MOUs before they are signed and finalized to which City Administrator Douglas replied that it was not regular practice to include Council on the review but given the amounts of money in question she stated that a report would be provided and that Council would be given the opportunity to provide feedback.

Councilmember Peabody revisited an earlier question and requested further information regarding the City staff's capacity to distribute half of the total amount of relief funds to which Ms. Douglas responded that she would be overseeing the process and deferred to Assistant City Administrator Jim Chandler who recalled a meeting that had taken place earlier in the day in which City officials had a collective confidence that staff would be able to carry out the responsibility citing the process as one in which many challenges and obstacles had been omitted when compared to others that required financial disclosures and outside approvals. He stated that the application mechanism in place was straight forward and simple and that much of the preliminary work had been completed and, therefore, the distribution could be thoroughly monitored best practices could be instituted.

Councilmember Peabody cited business improvement grants and the suggestion to solicit an equitable representation of the City's business community asking if there was a process in place to reach all pertinent parties and who would be responsible for communicating the availability to outside businesses to which **Mayor Hollingsworth** answered that the onus would lie on both the distributing organization and City staff. She stated that language pertaining to outward communication was very explicit because it was an important part of the process to ensure that the correct communication was being directed to the correct entities and to residents that would



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otherwise be uninformed of the funds to ensure the details were made in a way that nothing was left to question.

Councilmember Peabody suggested that the distributing entities be aware of the importance of reaching the entire Hyattsville incorporated community and all residents equally.

Councilmember Solomon inquired as to how the allocation percentages had been determined to which **Mayor Hollingsworth** replied that it was reflective of the feedback they had received. **Councilmember Solomon** expressed support for a gradual and phased approach describing that that the first phase would focus on stabilization and anticipation of impact and that providing residents with the ability to procure food should be a priority. He added that safety precautions should be taken into account including sanitation stations and recommended conducting a study to determine what efforts would be most beneficial citing the possibility of tax incentives, a decrease in the tax rate, and direct payments on mortgages. **Councilmember Solomon** placed emphasis on vetting residents to gauge outstanding debts and questioned how the current economic climate would affect tenant evictions as well as stressing the need to provide assistance to residents testing positive for COVID-19.

Mayor Hollingsworth noted the many suggestions made by the Body and reviewed items that could be acted on immediately including a reporting structure to the City to account for how the funds were being spent, a process for applications that secures equity and is demographic-blind but also provides demographic information to City officials after applications have been approved, having a clear description of required documentation for an applicant, developing language that coincides with SBA guidelines to ensure that local businesses, as opposed to large and franchise businesses, receive assistance, taking into consideration costs for adaptation to business needs amid the pandemic, having a community oversight program, establishing residency criteria for qualification, and the prevention of funds in excess of the allowed amounts being distributed to any individual.

Councilmember Simasek reiterated the need for a transparent appeals process that justifies a denial and what would be required to provide to the applicant in the case of a denial.

RESULT:	APPROVED [9 – 2]
MOVER:	Ward
SECONDER:	Croslin
AYES:	Hollingsworth, Ward, Suiter, Lawrence, Croslin, Schaible, Simasek, Peabody, Spell Wolf
NAYS:	Haba, Solomon

11.c) Medical Office Building Architecture - Detailed Site Plan (DSP-20004) (10 minutes)

HCC-286-FY20

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A



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Cover Page: [Medical Office Building Architecture - Detailed Site Plan \(DSP-20004\) \(10 minutes\)](#)

[DSP-20004 Med Bldg - Action Memo.pdf](#)

[DSP-20004 Requested Modifications and Comments.docx](#)

[Kaiser DSP Presentation Apr 6 2020 CM.pptx](#)

[KPPGMOB Night Render 04162020.pdf](#)

[Riverfront Medical Office Architecture DSP FINAL 3.16.20.docx](#)

[Planning Committee Draft Minutes - April 21, 2020 \(1\).pdf](#)

I move the City Council authorize the Mayor to provide correspondence to the Maryland-National Capital Park & Planning Commission in support of Detailed Site Plan 20004, subject to the following conditions: (1) The first-floor surface view into the building shall meet the required 20 feet for the frontage along Ager Road. (2) The "Welcome" sign along Ager Road shall be illuminated externally, as stated in the standards. (3) A public art element, such as a sculpture, mural, or functional art piece, in addition to the LED panel element, shall be integrated into the design project. ~~This element shall be included on the exterior of the building~~ in a highly visible area viewable from the public realm. (4) The City Council supports the applicant's amendments to be approved by the District Council, specifically the inclusion of medical laboratory and cafe to the permitted Table of Uses and the applicant's requested amendment to the maximum parking ratio.

Assistant City Administrator Jim Chandler addressed the Mayor and Council with a brief background and summary of the development project stating that City Planner Kate Powers would be explaining the recommendations for the plan and cited suggested language regarding item three (3) that would require the inclusion of a publicly visible art aspect on the exterior of the property. Mr. Chandler reported that the applicant was reluctant to appease the request.

City Planner Kate Powers addressed the Mayor and Council reporting that the development was for a Kaiser Permanente building on Ager Road north of the entrance to the Prince George's Plaza metro. Ms. Powers stated that staff was in support of amendments requested by the applicant for a medical laboratory and a café in the building as well as an increased parking ratio contingent on a surface view of 20' on Ager Road, an external illuminated sign, and the integration of an art aspect into the project. She stated that any discussion during the Council meeting would be conveyed to the Prince George's County Planning Board (PGCPB) on May 21, 2020.

Councilmember Solomon requested a reading of the recommended amendment to which Mr. Chandler retorted that the language would read "a public art element in addition to the LED element shall be integrated into the project in a highly visible area viewable from the public realm".

Councilmember Solomon sought clarity regarding the definition of public art as defined by staff to which Mr. Chandler elaborated that the applicant is generally given flexibility in choosing an art element that would fit or accentuate the project and are provided lax guidelines recommending a sculpture, mural, or other pieces that would be feasible to the design. **Councilmember Solomon** inquired as to whether the language should include further specificity regarding the type of art.



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Attorney for the applicant, Thomas Haller, interjected that discussions had taken place that day with City staff and it had been determined that the art element would be a sculpture, mural, or some sort of functional art piece. Mr. Haller added that they had some concern that they would be limited in the type of art that would be acceptable but were welcoming of the assigned parameters.

Councilmember Peabody stated that he was unclear on what an exact definition of art would be and expressed his support for keeping the original amendment language as to not narrow the possibilities of the kinds of art that could be implemented into the project.

Ward 2 Councilmember Robert Croslin recalled that previously when art elements were being included in a development, the City would use local artists, approved by staff and officials, and that the art itself should really have no boundary.

Councilmember Peabody sought clarity regarding the term “functional art” and reiterated his preference to keep the motion language general as not to limit potential selections.

Councilmember Solomon moved to amend the language to specify a public art element as a sculpture, mural, or functional art piece. The motion was seconded by **Councilmember Croslin** and approved unanimously.

RESULT:	APPROVED, AS AMENDED [UNANIMOUS]
MOVER:	Ward
SECONDER:	Croslin
AYES:	Hollingsworth, Ward, Suiter, Lawrence, Croslin, Schaible, Simasek, Haba, Peabody, Solomon, Spell Wolf
ABSENT:	None

**11.a) Completion of the University Hills Wells Blvd Green Street Project (10 minutes)
HCC-324-FY20**

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

Cover Page: [Completion of the University Hills Wells Blvd Green Street Project \(10 minutes\)](#)

[Proposal Wells Blvd Green Streets Improvements.pdf](#)

I move that the Mayor and Council authorize an expenditure not to exceed \$425,000.00 to NZI Construction for the installation of the Wells Blvd Green Street and completion of the University Hills Reconstruction project under their current contract.

Director of Public Works Lesley Riddle addressed the Mayor and Council stating that the item was the final phase of the University Hills Project; Wells Boulevard, and included construction and stormwater mitigation. Director Riddle added that a grant of \$100K was received from Chesapeake Bay Trust and that the requested funds would allow for the completion of the project.

Councilmember Haba inquired as to the timeline for the completion of the work to which Project Manager Hal Metzler responded that staff were currently in the process of receiving permits from



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the Prince George’s County Department of Permitting, Inspections, and Enforcement (DPIE) and expected to start the project in June or July with a completion date of three (3) to four (4) months thereafter.

Councilmember Simasek expressed his support for the construction suggesting a community meeting be held for informational purposes and to allow for resident comments and questions. He referenced orange caution cones and directional materials and expressed support for their inclusion stating that they had been helpful in the past for communication of new traffic patterns for drivers to which Director Riddle and Mr. Metzler confirmed that they would be present on the project site in question.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Ward
SECONDER:	Haba
AYES:	Hollingsworth, Ward, Suiter, Lawrence, Croslin, Schaible, Simasek, Haba, Peabody, Solomon, Spell Wolf
ABSENT:	None

**11.b) Magruder Park - Authorization to File a Quit Claim Deed (10 minutes)
HCC-332-FY20**

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

Cover Page: [Magruder Park - Authorization to File a Quit Claim Deed \(10 minutes\)](#)
[Magruder Park Renaming March 2019 motion.pdf](#)
[Magruder Park Renaming Minutes.pdf](#)

I move that the Mayor and Council authorize the City staff and City attorney to work with outside counsel to prepare and record in the land records a deed and/or any other required documentation that does not contain the discriminatory language that is in the existing Magruder Park conveyance.

City Administrator Tracey Douglas addressed the Mayor and Council with a background of the measure and reported that the City attorney was prepared to take action to remove discriminatory language from the property deed. Ms. Douglas explained that the motion would authorize the removal of language but that a discussion about changing the name of the park would take place at a later date.

Councilmember Solomon recalled that the public comment from a resident was focused on ensuring that the park remain an open space accessible by the public and community residents to which City Administrator Douglas confirmed that there would be no change in the use of the park.

Councilmember Solomon expressed his support for the changing of the deed and requested a status update to the progress with of a name change to the park would be made to which Ms. Douglas responded that staff had not made a determination regarding the request and that it was an ongoing discussion among Council. **Mayor Hollingsworth** added that the original motion



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allowed for the removal of the discriminatory covenant of the deed and that a name change would only be deliberated after. She then read the motion as it was written.

City Administrator Douglas stated that there was research performed to assess the process for changing the name of Magruder Park, but that no recommendation was made by City staff or officials. She reiterated that the name change would only be entertained after the discriminatory language was removed from the deed and there had been consultation with the City attorney.

Councilmember Solomon stated that Council had received advisement from the City attorney to which Ms. Douglas explained that information had been received from the City attorney regarding the name change and some of the challenges that would be presented, but stated that no recommendation had been made and no decision had been confirmed that would instruct actions moving forward. She stated that the issue could be presented again, discussed, and brought before Council should that be their decision.

Councilmember Croslin recalled a conversation with Stuart Eisenberg regarding the issue and stated the Mr. Eisenberg was conducting research to determine if it related to a City mandate and cautioned that extensive research should first be conducted to ensure that all perspectives are taken into consideration and that all processes are followed.

Mayor Hollingsworth reread the motion offered that evening and repeated that the motion was separate than that of a name change to the park to which **Councilmember Croslin** concurred that changing the name of Magruder park was separate and should be an intricate, well-thought out process to ensure that the Body had a full understanding of what they set out to accomplish.

Councilmember Solomon expressed his contentment with the comments of his colleagues and stated that he wanted to be clear on what had transpired and what the next steps would be to which **Mayor Hollingsworth** responded that the intention of the motion was to first conduct two (2) fact finding steps and providing the findings to residents in order to receive feedback before taking any action in renaming Magruder Park.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Ward
SECONDER:	Haba
AYES:	Hollingsworth, Ward, Suiter, Lawrence, Croslin, Schaible, Simasek, Haba, Peabody, Solomon, Spell Wolf
ABSENT:	None

12. Discussion Items (9:55 p.m. – 10:20 p.m.)

12.a) Magruder Pointe Development – Detailed Site Plan Discussion and Action (20 minutes)

HCC-343-FY20

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A



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Cover Page: [Magruder Pointe Development - Detailed Site Plan Discussion and Action \(20 minutes\)](#)

[Memo - DSP 18005 - Magruder Pointe - Discussion Final .pdf](#)

[Magruder Pointe Presentation 2 4.17.20-pages-1-6.pdf](#)

[Magruder Pointe Presentation 2 4.17.20-pages-7-12.pdf](#)

[ARCP-DSP-18005-Updated-pages-1-3.pdf](#)

[ARCP-DSP-18005-Updated-pages-4-6.pdf](#)

[ARCP-DSP-18005-Updated-pages-7-9.pdf](#)

[A-SOJ-DSP-18005.pdf](#)

[Driveway Details for Hyattsville.pdf](#)

[Planning Committee Draft Minutes - April 21, 2020.pdf](#)

Assistant City Administrator Jim Chandler addressed the Mayor and Council with background and summary of the Magruder Pointe Development stating that the applicant was requesting 12 modifications to development standards and that comments and discussion from the Council meeting would be collected to create a motion to return to the Body in the following two (2) weeks.

City Planner Kate Powers presented the Mayor and Council with illustrative documents of the Magruder Pointe project upper parcel site reporting that the applicant intended to construct 15 single-family attached townhouses and 16 single family detached houses and referenced their locations among the site.

Ms. Powers stated that the architecture for the homes in the development were inspired by architecture in the nearby neighborhoods and described the materials that would be used with each model. She continued that staff supported the incorporation of a pitched roof on the attached homes to maintain consistency with the other homes on the site.

City Planner Powers explained some of the intricacies regarding the layout of the development, specifically with lots 1, 20, 21, and 22. Ms. Powers explained that all of the homes included rear loading driveways with the exceptions of lot 1 which had a parking pad and lot 21 that possessed the only front loading driveway. She stated that lots 20 and 22 shared a rear loading driveway that segmented off to each home and cautioned that some challenges may be presented as this was an area that was not private property and, therefore, maintenance and services may result as the responsibility of the Department of Public Works. Ms. Powers described options including extending the alleyway to allow for each property to have a separate driveway apron, or maintain the alleyway as is and entrusting the homeowner association with the upkeep and responsibilities for the segment of land

Ms. Powers explained that the applicant was requesting 12 modifications and cited a request for reduced lot sized for lots 23 and 29 to which planning staff was not in agreement as they did not see a justification for the request. She stated that the applicant requested a side yard width minimum of three (3) feet for single family detached homes as opposed to the established standard of eight (8) feet to which City staff was mostly amenable as long as two (2) reduced side yard did not abut resulting in the homes being only six (6) feet apart and requiring that open space be left for homes without wrap around porches to allow for a side porch addition option.



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She reported that staff were supportive of a variance request regarding roof pitches and styles that were inconsistent throughout the development because it would allow for homes to include roof decks above garages, but expected the consistency requirement to be invoked for homes without roof decks. Ms. Powers relayed that the applicant was requesting that there not be a requirement for sidewalks to be implemented on both sides of a street where it was not deemed feasible. She explained that staff were supportive of the request as it referred to the alleyway that would be used predominantly for service and not pedestrian egress but wanted to ensure there was an accessible pathway for pedestrians on the west side of the parcel.

Councilmember Ben Simasek expressed his favor for the architecture and sought clarity regarding lot sizes to which City Planner Powers replied that the minimum side yard square footage requirement only pertained to single detached homes, the site plan would have to be redrawn to reflect the changes in lot sizes, and recalled the front areas of the townhomes to be 18', but would confirm and report back to the Councilmember.

Ward 2 Councilmember Danny Schaible recalled earlier discussions regarding the plans for Magruder Pointe that he described as difficult to fully assess due to the ongoing litigation regarding the project in the circuit court and the associated appeal by the City and asked how the process was expected to continue to which Assistant City Administrator Jim Chandler responded that staff had discussed the matter with the City attorney and speculated that the courts would not be taking any action before the next Planning Board hearing and they were compelled to take action under that assumption. He stated that the next steps would be the application for and issuance of grading and vertical construction permits.

Councilmember Schaible noted the duplicative processes in which the City was appealing the project at the conceptual site plan (CSP) step, but the project had progressed multiple steps past that and the detailed site plan (DSP) had been developed with construction scheduled in the near future. He suggested that language be included in correspondence that reiterated the City's position on the project and reasoning behind indulging continuance.

Councilmember Peabody stated that lot sizes were not discussed by the Planning Committee and inquired as to the differences in lot sizes among the homes and the applicant's intentions therein to which Mr. Chandler answered that discussions regarding the alley had not taken place but it was recognized at an earlier stage that the development could benefit from less homes in which case it would avoid unfavorable lot sizes and shapes and other incurred challenges. Mr. Chandler reported that the plan was approved in lieu of the staff's disapproval.

Mayor Hollingsworth requested that Assistant City Administrator Chandler reiterate the next steps to which Mr. Chandler responded that the item would return to Council at the following meeting and would continue to confer with the applicant regarding requests for amendments and variances.

Attorney for the applicant Andre Gingles addressed the Mayor and Council stating that the distance would be 33' from the side porch of a home to the adjacent home and cited commentary in the justification report that stated reasons for opining that the decrease in lot sizes was not detrimental and was acceptable for the overall aesthetic theme of the development. Mr. Gingles



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recognized that the implementation of a driveway on one lot did take away from the overall area but was a small concern given the benefit of omitting curb cuts to each lot.

13. Council Dialogue (10:20 p.m. – 10:30 p.m.)

Councilmember Haba clarified his reasoning for voting against the COVID-19 relief fund stating that he understood the need, but cautioned against moving too quickly and requested more outreach and feedback from stakeholders and residents. He expressed his best wishes to the community and provided information for residents in need due to the pandemic.

Councilmember Spell Wolf thanked all the participants of the town hall meeting and provided information for residents in need due to the pandemic.

Council President Kevin Ward advised the community to stay safe and wear masks when in public and asked that anyone in need reach out to City Council for any assistance.

Council Vice President Suiter thanked participants of the Ward 3 check-in and stated that she had been reaching out to those in need including hourly workers and highlighted the need for licensed childcare providers.

Councilmember Simasek thanked **Council Vice President Suiter** and all of the people working through the unprecedented times to provide relief and assistance to their neighbors. He congratulated the Complete Count Committee on their efforts in the 2020 Census.

Councilmember Croslin thanked the staff for continuing services each day amid the crisis and expressed his appreciation for their efforts.

Ward 1 Councilmember Bart Lawrence conveyed best wishes to colleagues and residents.

Councilmember Peabody echoed the comments of **Councilmember Croslin** and expressed his gratitude for City staff who continued to work and provide for the City during the global pandemic, specifically the Hyattsville Police Department and the Department of Public Works. He also relayed his appreciation for the Code Compliance team and all of the contributors to the Ward 4 check-in and community meeting.

Mayor Hollingsworth expressed her gratitude to colleagues who have provided help and reached out to those in need in a variety of ways and have volunteered to provide assistance wherever it was needed.

14. Community Notices and Meetings

14.a) Main City Calendar: May 5 - May 18, 2020

HCC-348-FY20

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A



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Cover Page: [Main City Calendar: May 5 - May 18, 2020](#)
[Main City Calendar May 5-May 18 050120.docx](#)

15. Motion to Adjourn

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Croslin
SECONDER:	Spell Wolf
AYES:	Hollingsworth, Ward, Suiter, Lawrence, Croslin, Schaible, Simasek, Haba, Peabody, Solomon, Spell Wolf
ABSENT:	None

The meeting adjourned at 11:43 p.m.

ATTEST:
July 10, 2020

Laura Reams, City Clerk

Sean Corcoran, Deputy City Clerk