

City Council of Hyattsville, Maryland

SUMMARY OF COUNCIL ACTIONS

City Council Regular Meeting
Monday, October 4, 2021, at 7:00 PM

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, October 4, 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 5 PM on October 21, 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_oRGemPlfTbylm6CPlt7SOw

1. **Call to Order and Council Roll Call – *The meeting was called to order at 7:07 p.m. Ward 4 Councilmember Daniel Peabody was absent.***
2. **Pledge of Allegiance to the Flag**
3. **Approval of Agenda – *APPROVED, AS AMENDED, UNANIMOUS***

AMENDMENT

MOVE Item 10.a) Mental Wellness Check-in Initiative (HCC-88-FY22) to Action

4. **Approval of the Minutes**

4.a) Approval of the Minutes – *APPROVED, UNANIMOUS*

[HCC-103-FY22](#)

Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Minutes July 19 2021 CM FINAL](#)

I move that the Mayor and Council approve the minutes of the Council meeting of July 19, 2021.

5. **Public Comment (7:10 p.m. – 7:20 p.m.) Complete Speaker Card, Limit 2 minutes per speaker**
6. **City Administrator Update (7:20 p.m. - 7:30 p.m.)**

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7. Presentations (7:30 p.m. - 7:45 p.m.)

7.a) Suffrage Pointe Development - Preliminary Plan of Subdivision 4-19053 [HCC-104-FY22](#)

Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Attachment Memo - PPS 4-19053 - Suffrage V3](#)

Presentation only.

8. Proclamations (7:45 p.m. - 7:50 p.m.)

8.a) Proclamation Celebrating October 2021 as National Disability Employment Awareness Month – **APPROVED, UNANIMOUS**

[HCC-81-FY22](#)

Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[CM 1004 National Disability Employment Awareness Month 2021](#)

I move that the Mayor and Council adopt a proclamation recognizing October 2021 as National Disability Employment Awareness Month in the City of Hyattsville.

8.b) Proclamation Recognizing Domestic Violence Awareness Month – **APPROVED, UNANIMOUS**

[HCC-82-FY22](#)

Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[CM 1004 Domestic Violence Awareness Month 2021](#)

I move that the Mayor and Council adopt a proclamation recognizing October 2021 as Domestic Violence Awareness Month in the City of Hyattsville.

8.c) Proclamation Recognizing Economic Development Week in the City of Hyattsville – **APPROVED, UNANIMOUS**

[HCC-83-FY22](#)

Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[CM 1004 Economic Development Week 2021](#)

I move that the Mayor and Council adopt a proclamation recognizing the week of October 25 - 29, 2021, as Economic Development Week in the City of Hyattsville.

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8.d) Proclamation Honoring DeMatha High School's 75th Anniversary – APPROVED, UNANIMOUS

[HCC-85-FY22](#)

Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[CM 1004 75th Anniversary of Dematha High School](#)

I move that the Mayor and Council adopt a proclamation honoring DeMatha High School for 75 years of excellence in higher education.

8.e) Proclamation Recognizing Breast Cancer Awareness Month – APPROVED, UNANIMOUS

[HCC-111-FY22](#)

Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[CM1004 Breast Cancer Awareness Month 2021](#)

I move that the Mayor and Council adopt a proclamation recognizing October 2021 as Breast Cancer Awareness Month in the City of Hyattsville.

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

9.a) Appointments to the Code Compliance Advisory Committee – APPROVED, UNANIMOUS

[HCC-89-FY22](#)

Sponsor: McClellan

Co-Sponsor: Sandino

[Bohls, Edward redacted](#)

[Bean, Jamie redacted](#)

[Haw, Mike redacted](#)

[Eddings, Cordell redacted](#)

I move that the Mayor and Council approve the appointments of Edward Bohls, Jamie Bean, Mike Haw, and Cordell Eddings to the Code Compliance Advisory Committee for a term of two (2) years to expire on October 31, 2023.

9.b) Appointments to the Education Advisory Committee – APPROVED, UNANIMOUS

[HCC-90-FY22](#)

Sponsor: Peabody

Co-Sponsor: McClellan

[Delao, Maira redacted](#)

[Misukanis, Nicholas redacted](#)

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I move that the Mayor and Council approve the appointments of Maira Delao and Nicholas Misukanis to the Education Advisory Committee for a term of two (2) years to expire on October 31, 2023.

9.c) Appointment to the Health, Wellness, and Recreation Advisory Committee – APPROVED, UNANIMOUS

[HCC-91-FY22](#)

Sponsor: Denes

Co-Sponsor: N/A

[Scheller, Alissa redacted](#)

I move that the Mayor and Council approve the appointment of Alissa Scheller to the Health, Wellness, and Recreation Advisory Committee for a term of two (2) years to expire on October 31, 2023.

9.d) Appointments to the Hyattsville Environment Committee – APPROVED, UNANIMOUS

[HCC-92-FY22](#)

Sponsor: Simasek

Co-Sponsor: Haba

[Ball, James redacted](#)

[Waterman, Thaddeus redacted](#)

I move that the Mayor and Council approve the appointments of James Ball and Thaddeus Waterman to the Hyattsville Environment Committee for a term of two (2) years to expire on October 31, 2023.

9.e) Appointments to the Race and Equity Task Force – APPROVED, UNANIMOUS

[HCC-94-FY22](#)

Sponsor: Croslin

Co-Sponsor: Sandino

[Gafford, Jennifer redacted](#)

[Vallejos-Avila, Daniel redacted](#)

[Swift, Allison redacted](#)

I move that the Mayor and Council approve the appointment of Jennifer Gafford, Daniel Vallejos-Avila, and Allison Swift to the Race and Equity Task Force for a term of two (2) years to expire on October 31, 2023.

9.f) Appointment to the Shade Tree Board – APPROVED, UNANIMOUS

[HCC-95-FY22](#)

Sponsor: Schaible

Co-Sponsor: Simasek

[Dorner, Zachary redacted](#)

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I move that the Mayor and Council approve the appointment of Zachary Dorner to the Shade Tree Board for a term of three (3) years to expire on October 31, 2024.

9.g) Appointments to the Planning Committee – APPROVED, UNANIMOUS **HCC-96-FY22**

Sponsor: Simasek

Co-Sponsor: Haba, Denes

[Marshall, David redacted](#)

[Dengel, Todd redacted](#)

[Foster, Maureen redacted](#)

I move that the Mayor and Council approve the appointments of David Marshall, Todd Dengel, and Maureen Foster to the Planning Committee for a term of two (2) years to end on October 31, 2023.

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

10.b) Acceptance of the PEPCO Sustainable Communities Grant – APPROVED, UNANIMOUS **HCC-93-FY22**

Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[210906 - grant - pepco sustainable communities award](#)

I move that the Mayor and Council accept the PEPCO Sustainable Communities Grant awarded by the Rock Creek Conservancy in an amount of \$9,975 for the City-wide Tree Planting Project. The City Treasurer is authorized to make the necessary adjustments to the budget required to accept and expend the proceeds of this grant.

10.c) Installation of Security Gate Controls at the Public Works Facility – APPROVED, UNANIMOUS **HCC-97-FY22**

Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[SkylinesPublicSectorProposal \(2\)](#)

I move that the Mayor and Council authorize an expenditure not to exceed \$20,000 to Skyline Technology Solutions for the installation of security gate access controls at the Public Works facility under their existing contract.

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10.d) IT Infrastructure - 4310 Gallatin Street Cabling, WiFi and IT Infrastructure – APPROVED, UNANIMOUS

[HCC-102-FY22](#)

Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Memo - IT - 4310 Gallatin Recabling](#)

I move the City Council authorize the City Administrator to execute a work order with Dataprise Inc. to re-cable the existing City Administration Building and increase the WiFi connectivity within the facility at a cost not to exceed \$150,000.

10.e) Assignment of Council Liaison to Committees – APPROVED, UNANIMOUS

[HCC-106-FY22](#)

Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

I move that the Mayor and Council appoint Ward 1 Councilmember Joanne Waszczak to serve as the Council liaison to the Health, Wellness, and Recreation Advisory Committee and the Educational Facilities Task Force.

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

10.a) Mental Wellness Check-in Initiative – APPROVED, UNANIMOUS

[HCC-88-FY22](#)

Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[HCPD Mental Wellness Check-In Program - Original proposal](#)

[Councilman Peabody PP Presentation-MW Check-in Proposal](#)

[HCPD RFP- Mental Wellness Check-in Program](#)

I move that the Mayor and Council authorize the City Administrator to execute a contract for services with Interdynamics, Inc. located in Prince George's County, Maryland to conduct quarterly Mental Wellness Check-ins for all City of Hyattsville Police Department dispatchers and sworn officers for no more than \$45,900.00.

11.a) Suffrage Pointe Development - Preliminary Plan of Subdivision 4-19053 – APPROVED, AS AMENDED, UNANIMOUS

[HCC-100-FY22](#)

Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Memo - PPS 4-19053 - Suffrage - Staff Memo Council Materials 10.04.21 Suffrage PPS](#)

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I move the City Council authorize the Mayor to provide correspondence to the Maryland-National Capital Park and Planning Commission regarding Preliminary Plan of Subdivision 4-19053.

The correspondence shall express that if the Planning Board chooses to proceed with consideration of this subdivision application, the City **opposes the Preliminary Plan of Subdivision and** requests the Planning Board consider the following revisions to the application as conditions for approval:

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

11.b) Board of Zoning Appeals: V-85-21 - 4910 41st Place, Hyattsville – APPROVED, AS AMENDED, UNANIMOUS
[HCC-109-FY22](#)

Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Memo - V-85-21](#)

[V-85-21 Binder](#)

[City of Hyattsville Zoning Variance Policy Statement and Variance Process 10 3 11](#)

[FDezelski 20200602 0005.pdf](#)

[Land Plot Drawing](#)

[City of Hyattsville Zoning Variance Policy Statement and Variance Process 10 3 11](#)

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I move the City Council authorize the Mayor to send correspondence to the Prince George's County Board of Zoning appeals, upon receipt of an updated survey, regarding V-85-21, the subject property located at 4910 41st Place Hyattsville. The correspondence to the BZA shall state:

- The City supports the applicant's variance request of 7 feet front building line width as this is an existing condition that cannot feasibly be altered;
- The City ~~requests denial of~~ supports the applicant's variance provided that it is of 4.4 5.1 feet side yard width. ~~The building overhang is not an existing condition, but rather new construction. The applicant can reasonably alter their design to increase the side yard width. The City recommends the applicant construct a second-story addition flush to the existing garage, 5.1' from the property line.~~

11.c) Board of Zoning Appeals: V-26-21 - 4016 Hamilton Street, Hyattsville – APPROVED, UNANIMOUS
[HCC-110-FY22](#)

Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Memo - V-26-21](#)

[V-26-21 Application](#)

[City of Hyattsville Zoning Variance Policy Statement and Variance Process 10 3 11](#)

I move the City Council authorize the Mayor to send correspondence to the Prince George's County Board of License Commissioners regarding V-26-21 for the subject property at 4016 Hamilton Street, Hyattsville. The correspondence shall communicate to the BZA:

- The City supports the applicant's 15 square feet front building line width, 5.3 feet front yard depth, 4 feet left side yard width as these are existing conditions that cannot feasibly be altered.
- The City requests the Board's denial the applicant's variance requests of 2 feet side lot line setback and 1.7 feet rear lot line setback in this circumstance. The City will support of validating the existing one-story shed, however, the rebuild will include extensive reworking of the existing structure. The applicant can reasonably alter their design to meet the required setback standards. The City recommends the applicant construct the two-story shed with setbacks of 2 feet from any side or rear lot line, or keep the existing shed as-is and seek validation of existing conditions.

11.d) Correspondence to Prince George's County Board of License Commissioners: Hyattsville Fine Wine & Spirits – APPROVED, UNANIMOUS
[HCC-108-FY22](#)

Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Attachment 5350 Queens Chapel Rd](#)

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I move the City Council to authorize the Mayor to send correspondence to the Prince George's County Board of License Commissioners (BLC) regarding violations of the license held by Hyattsville Fine Wine & Spirits, Hyattsville

The correspondence shall state that the City requests the Board suspend the liquor license of Hyattsville Fine Wine & Spirits, as the Board has determined that the license holder was knowingly operating outside of the restrictions of its license which requires the establishment to operate as a restaurant with food service.

The City's requests that the applicant's license be suspended, until such time that the applicant has (1) been permitted and has constructed a commercial kitchen (2) the commercial kitchen is inspected and approved by Prince George's County for legal operation and (3) the applicant shall demonstrate to the Board that the commercial kitchen is operating and serving food to the general public.

11.e) Animal Welfare and Community Safety Act – *APPROVED, 7 – 2*

[HCC-99-FY22](#)

Sponsor: Schaible

Co-Sponsor(s): N/A

[Attachment FINAL Animal Welfare and Community Safety Act, FINAL](#)

[Attachment FINAL Animal Welfare and Community Safety Act, Supplemental Information](#)

I move that the Mayor and Council direct the City Attorney to draft an ordinance amending Chapter 52 of the Hyattsville Charter and Code to include the following items:

- 1) Update animal welfare provisions to include prohibitions on long-term tethering and exposure to severe weather.
- 2) Categorize animal control violations as a Public Nuisance violation (less severe) or a Public Threat violation (more severe).
- 3) Clarify enforcement procedures by:
 - a) Requiring the City to designate persons responsible for implementing Chapter 52 municipal infractions.
 - b) Specifying when municipal infractions require a citation and/or coordination with the Prince George's County Animal Services Division.
 - c) Requiring the City to review and adapt Police General Orders to the requirements of Chapter 52.
 - d) Requiring the City to develop a Standardized Response Protocol for violations.
- 4) Enhance public awareness and preparedness on animal control issues by:
 - a) Providing educational outreach and promoting community awareness of incidents that may present a threat to public safety.
 - b) Requiring the City to collect and maintain data on animal control complaints and on actions taken in response to complaints and violations.

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c) Requiring the City to prepare an annual report on Chapter 52 complaints and actions taken.

These amendments are further outlined in the attached “Animal Welfare and Community Safety Act Supplemental Information.

12. Discussion Items (9:15 p.m. - 9:40 p.m.)

12.a) Letter to Prince George’s County Executive and County Council Regarding Stormwater Management – APPROVED, UNANIMOUS
[HCC-84-FY22](#)

Sponsor: Simasek

Co-Sponsor(s): Schaible, McClellan

[Construction Stormwater Mngmt Memo FINAL Master](#)

I move the Council authorize the Mayor to send a letter to the Prince George’s County Executive and County Council regarding stormwater management. The letter should request the eight (8) points detailed in the summary background of this motion.

12.b) Transitioning Ownership of a Segment of MD 208

[HCC-107-FY22](#)

Sponsor: Solomon

Co-Sponsor(s): Sandino, Haba

[Attachment Memo - Hamilton Street Ownership 38th Avenue to Queensbury Road](#)

I move that the Mayor and Council authorize the City Administrator to begin negotiations with the Maryland State Highway Administration for the purpose of transitioning ownership of the segment of MD 208 (Hamilton Street) within the corporate limits of the City of Hyattsville (from 38th Avenue to Queens Chapel) to the City of Hyattsville. Any such negotiations are non-binding, subject to the review and approval of the City Attorney for legal sufficiency and shall require final approval from the Hyattsville City Council.

13. Council Dialogue (9:40 p.m. - 9:50 p.m.)

14. Community Notices and Meetings

14.a) Main City Calendar October 5 - October 18, 2021

[HCC-98-FY22](#)

Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Main City Calendar October 5 October 18, 2021 FINAL](#)

15. Motion to Adjourn – *The meeting adjourned at 11:18 p.m.*