

City of Hyattsville

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



Meeting Minutes

Monday, December 19, 2022

7:00 PM

Register in advance for this webinar:

https://us06web.zoom.us/webinar/register/WN_A87v0PWjR1iAtGRvJrYcyg

Virtual

City Council

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

ADMINISTRATION

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

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

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

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

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

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

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

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

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

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

Meeting Notice:

The Hyattsville City Council will hold its meeting on Monday, December 19, 2022 remotely via video conference. The Council meeting will be conducted entirely remotely; there will be no in-person meeting attendance.

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

PUBLIC PARTICIPATION:

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

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

https://us06web.zoom.us/webinar/register/WN_A87v0PWjR1iAtGRvJrYcyg

7:0271. Call to Order and Council Roll Call

Also Present:

City Administrator-Tracey Douglas
Deputy City Administrator-Consuela Barbour
Chief of Police-Jarod Towers
Director of Public Works-Lesley Riddle
Director of Community Services-Sandra Shepherd
City Clerk-Laura Reams
Deputy Director of Public Works-Hal Metzler

Present:

Mayor Robert Croslin
Council President Joseph Solomon
Council Vice-President Danny Schaible
Councilmember Emily Strab
Councilmember Sam Denes
Councilmember Joanne Waszczak
Councilmember Ben Simasek
Councilmember Jimmy McClellan (joined the meeting at 7:33 p.m.)
Councilmember Edouard Haba
Councilmember Daniel Peabody
Councilmember Rommel Sandino

2. Pledge of Allegiance to the Flag

3. Approval of Agenda

A motion was made by Council President Solomon, seconded by Councilmember Simasek, that the Agenda be Approved. The motion carried by the following vote:

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

Absent: McClellan

4. Approval of the Minutes**4.a. Approval of the Minutes**[HCC-176-FY23](#)

I move that the Mayor and Council approve the Council Meeting Minutes of November 7, 2022, November 21, 2022, and December 5, 2022.

Sponsors: City Administrator

Attachments: [MeetingMinutes November 07 2022](#)
[MeetingMinutes November 21 2022](#)
[MeetingMinutes December 05 2022](#)

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

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

Absent: McClellan

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

Laura Toraldo, on behalf of MD5G Partnership, noted the importance of 5G to the community and urged the Council to reconsider the proposed legislation, advocating for the process utilized by Prince George's County.

Carly Didden, who oversees state and local government affairs for Crown Castle, spoke in opposition to the 5G ordinance as written and stated concerns that the legislation would prevent the deployment of small cells in the city.

Melissa Schweisguth submitted a written comment in support of the Bring Your Own Bags ordinance and offered suggestions to refine the ordinance.

Chuck Perry submitted written comments in opposition to the Council Chambers renovation plan, in opposition to the license agreement with St. Jeromes, in opposition to funding the Hyattsville Police Department's agreement with Lexipol, in opposition to the Hyattsville Police Department receiving the donation of a scent evidence vacuum, and questioning how much money the City and vendors get to manage ARPA funds.

David Marshall submitted a written comment in opposition to the ward boundary change and in opposition to the Bring Your Own Bags ordinance.

6. Community Notices and Meetings**6.a. Main City Calendar: December 20, 2022 - January 3, 2023**[HCC-174-FY23](#)

N/A

Sponsors: City AdministratorAttachments: [City Calendar December 20, 2022 - January 3, 2023](#)**7. City Administrator Update (7:20 p.m - 7:45 p.m.)**

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

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

8.a. American Rescue Plan 2022 Year-End Update[HCC-185-FY23](#)

Presentation Only

Sponsors: City Administrator

Attachments: [ARPA Expense Plans v12.13.2022](#)
[Additional ARPA Summaries 12.13.2022](#)
[HVL - ARPA 2022 Update Presentation 12.13.2022 v2](#)

American Rescue Plan Program Manager Patrick Paschall presented an update for the City's ARPA programs, summarizing the funding objectives, planned expenses to date, remaining funds available for expenditure and timeline for allocation.

Council President Solomon noted his appreciation for the presentation and asked to discuss the vision for a comprehensive plan prior to June 30, 2023. He said he would like to see participatory budgeting as a part of the plan and asked for specifics on how the plan would be developed.

Mr. Paschall noted that the Hello Hyattsville Platform had been purchased for community engagement, and it was intended to use the tool for engaging the community on the spending plan. He said staff was open to feedback on how to use the participatory budgeting tools which exist in the platform. He indicated the timeline for public feedback was intended to be done in the first three months of 2023.

Council President Solomon said the reliance on Hello Hyattsville (or other online tools) may be prohibitive for some areas of the City, stating that his residents preferred in person meetings. He also asked for a clear delineation between the general budgeting priorities and the ARPA requests, noting that they are falling on a similar timeline. He asked if there was a separate calendar for ARPA meetings.

Mr. Paschall said they were parallel processes stating that the budget was an annual occurrence while ARPA was a one time expenditure. City Treasurer Ron Brooks added that he hoped the Council could focus on their budget priorities. City Administrator Douglas cited the City's Action Ready Plans as a starting place for staff evaluation for budget and ARPA expenditures.

Councilmember Waszczak agreed with Council President Solomon that there is a need to have a comprehensive plan developed however, she said that it was great that the City has addressed emergency needs of the community first. She also requested a council work session in early 2023. She asked for information on how many payments have been sent out by the City and for clarification as to why ARPA allows expenditures such as replacement of police vehicles and trash trucks.

Mr. Paschall reported that the City has received 354 applications for the household emergency relief program, and the average award amount is \$4350.97. He also stated that \$340K has been awarded to date, and the remaining applications are currently in the three stage review process. He provided details on the overall expenditures and proposed additions and the eligibility evaluation process for expenditures.

Councilmember Simasek stated his agreement for a Council work session. He thinks Hello Hyattsville is a good tool but has heard concerns about individuals being required to register an account and not able to comment anonymously. He expressed his desire to see expenditures for police and DPW capital expenditures to be reflected in a transparent way to the public.

Council Vice-President Schaible also agreed with scheduling a Council work session to discuss priorities for unallocated funds. He asked for clarification of a retention bonus for the police department stating his earlier understanding that the City Administrator had approved increased salaries and not a bonus.

City Administrator Douglas replied that the city had done both, and the increases were in response to the compensation study and the bonuses were done in response to police officers leaving or threatening to leave and the expense to hire new officers. A one time bonus of \$7K was given to those officers who would sign a two year commitment letter to the City.

Council Vice-President Schaible clarified that the bonus amount was shown in the slide and asked if the future amount was included in the presentation to support the increased salaries. Treasurer Brooks responded that the item would come forward to the Council in early January.

Council Vice-President Schaible said he was surprised to not see the salary allocation included in future expenses, he reiterated his request to hear more information regarding the compensation study. Ms. Douglas said that the compensation item would come forward for ARPA reimbursement shortly.

Council Vice-President Schaible asked if the compensation study was finalized. Ms. Douglas replied the study was still in draft and staff was providing feedback to the consultant.

Council Vice-President Schaible stated that he had submitted budget requests for the future year which included expenses which are ARPA eligible but did not see them included in the planning. Mr. Paschall responded that he has received the Council requests and Ms. Douglas added that the requests will be addressed as part of the upcoming work session with Council.

Council Vice-President Schaible expressed his support for the 14 requested police vehicles to be electric. Treasurer Brooks said staff would provide an update on the availability and process for purchasing vehicles. Ms. Douglas noted that electric vehicles were difficult to find for police operations, and the issues around the capacity of electric vehicles to carry the required equipment for police.

8.b. Council Chambers Renovation Concept[HCC-164-FY23](#)

Presentation only.

Sponsors: City Administrator

Attachments: [TO 68 Proposal Design Phase signed 11.23.22](#)
[221205 - council chambers renovation](#)

Deputy Director of Public Works Hal Metzler presented the renovation concept for Council Chambers including an overview of the existing conditions, concept parameters, and next steps. He reviewed the plan showing the creation of a flexible meeting space with improved audio and video, ADA accessibility, and added storage. He noted that there will be separate costs for audio and visual upgrades as well as the furnishings.

Councilmember Waszczak asked about the multi-functional space. City Clerk Laura Reams provided details on the various uses of the room. Councilmember Waszczak suggested that there could be space for media use. Ms. Reams and Mr. Metzler provided additional information regarding the proposed studio space.

Councilmember McClellan offered suggestions for how the room could be configured with a different style dais to make it a more inviting environment and improve accessibility. He added his preference to make sure that the City thinks about the symbols and imagery which paint the picture of what Hyattsville is. Specifically something that shows this is "the people's space". He noted the upcoming rebranding for the City, and cautioned against spending a significant amount of money on design elements that may change soon as a result of that process. Deputy Director Metzler noted the elevated seating was easier for the audience to see and for the cameras, and he listed some of the challenges and space limitations with moving the dais.

Council President Solomon recalled feedback from Council that there was concern regarding the space between the councilmembers, and that he didn't see an improvement in the presented design. Deputy Director Metzler said the dais would remain in the same configuration with a slight elongation and lower profile furniture. Council President Solomon requested more space on the sides for Council. Mr. Metzler said it was not yet determined how wide the dais would be. Council President Solomon reiterated his request for a wider dais.

Council President Solomon added that he supports the multifunction of the space but not at the expense of comfort and security. He cited security concerns and advocated for furniture and elements of the design to help protect councilmembers and City staff. He recommended that staff look at the example in Laurel citing a bulletproof dais and providing an exit point for Council. He suggested that the doorway to the Mayor's Office could be a walkway. Mr. Metzler said staff will take the feedback and the safety concerns into consideration for the final design. Council President Solomon also recommended having space for childcare in the Council Chambers.

Council Vice-President Schaible said he hoped the costs of the project could be lessened while still meeting the needs of the City. He didn't see the need for configurable furniture and suggested there were other areas for meeting space in the City particularly with the police relocating out of the building.

Councilmember Sandino expressed his preference for the screens to be large enough to see content from the back of the room for the visually impaired. He asked if the City is considering an electronic sign up for public comment. City Clerk Laura Reams replied in the negative citing a lack of use for the online request to speak option that is currently available.

9. Proclamations

9.a. Proclamation Recognizing December 21, 2022 as National Homeless Persons' Memorial Day

[HCC-177-FY23](#)

I move that the Mayor and Council adopt a proclamation recognizing December 21, 2022, as National Homeless Persons' Memorial Day in the City of Hyattsville.

Sponsors: City Administrator

Attachments: [CM 1219 National Homeless Persons Memorial Day 2022](#)

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

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

10. Appointments

10.a. Council of Governments Policy Committee Appointments

[HCC-181-FY23](#)

I move that the Mayor and Council make the following appointments to the Council of Governments (COG) Policy Committees for a term of one (1) year, beginning on January 1, 2023:

- Region Forward Coalition: Mayor Robert Croslin, with staff alternate Jim Chandler
- Human Services and Public Safety Policy Committee: Mayor Robert Croslin, with staff alternate Police Chief Jarod Towers and Sandra Shephard
- Climate Energy and Environment Policy Committee: Mayor Robert Croslin, with staff alternate Lesley Riddle
- Chesapeake Bay and Water Resources Policy Committee: Mayor Robert Croslin, with staff alternate Lesley Riddle

Sponsors: City Administrator

Attachments: [MWCOG Policy Committees](#)

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

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

11. Consent Items (8:45 p.m. - 8:50 p.m.)

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

A motion was made by Council President Solomon, seconded by Councilmember Sandino, to approve the Consent Agenda. The motion carried unanimously.

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

11.a. License Agreement w/St. Jerome Academy [HCC-167-FY23](#)

I move that the Mayor and Council authorize the City Administrator to enter into a license agreement between the City of Hyattsville and St. Jerome Academy to allow the Hyattsville Police Department access to St. Jerome Academy's remote camera system.

Sponsors: City Administrator

Attachments: [St. Jerome Academy- License agreement](#)

11.b. Agreement with Lexipol/PoliceOne Academy [HCC-168-FY23](#)

Sponsors: City Administrator

Attachments: [PoliceOne Agmt](#)

11.c. Purchase of Memory and Storage Installation - Dataprise [HCC-170-FY23](#)

I move that Mayor and Council authorize the purchase of memory and storage installation for the Police Department's new body worn and in-camera video system with Dataprise, not to exceed \$25,000.

Sponsors: City Administrator

Attachments: [2022-CQK-P42 - Memory and Storage Installation](#)

11.d. Acceptance of Donation of a Scent Evidence Vacuum from the Chesapeake K9 Foundation [HCC-172-FY23](#)

I move that Mayor and Council accept the donation of a Scent Evidence Vacuum from the Chesapeake K9 Foundation for our Bloodhound Program.

Sponsors: City Administrator

11.e. Trip Hazard Mitigation[HCC-173-FY23](#)

I move that the Mayor and Council authorize the City Administrator to enter into an agreement with Precision Concrete Cutting for the evaluation and removal of trip hazards along various sidewalk throughout the City. An expenditure not to exceed \$35,000 is authorized.

Sponsors: City Administrator

Attachments: [BID #3378-Rhode Island Baltimore Avenue-City of Hyattsville](#)
[Revised #3381-Adelphi Road BID #3318-City of Hyattsville](#)
[Revised BID #3379-E West Highway City of Hyattsville](#)
[BID #3380-Hamilton Street-City of Hyattsville](#)

11.f. 4310 Gallatin Street Access Control System[HCC-175-FY23](#)

I move that the Mayor and Council authorize an expenditure not to exceed \$100,000 to Skyline Technology Solutions for the design and installation of a digital access control system at the City Administration Building under their existing contract with the City.

Sponsors: City Administrator

Attachments: [Updated Quote QUO-02017-V5M2R1 City Hall City of Hyattsville](#)

11.g. Auditing Services[HCC-184-FY23](#)

I move the Mayor and Council authorize the City Administrator to execute a contract for professional auditing services with Lindsey & Associates LLC, Certified Public Accountants located at 110 West Road, Suite 220, Towson, MD to review and complete the analysis of the City's FY21, FY22 and FY23 financial statements and provide the Independent Auditor's Report on the City's financial statements for all governmental activities for each major fund at the end of each fiscal and to complete the City's Single Audit as required by the Department of Treasury for federal funds reimbursed from the Cares Act in FY21 and the American Rescue Plan Act Funds expensed in FY22 and FY23. The contract cost for these auditing services will not exceed \$29,180 for FY21, \$29,940 for FY22 and \$30,420 for FY23, upon legal review and approval of the City Attorney.

Sponsors: City Administrator

12. Action Items (8:50 p.m. - 9:40 p.m.)

12.a. Hyattsville Ordinance 2022-08: Updates to Ethics Code[HCC-163-FY23](#)

I move the Mayor and Council introduce Hyattsville Ordinance 2022-08, an Ordinance whereby the City of Hyattsville amends its ethics provisions to conform to recent updates to State law as to financial reporting and conflicts of interest (INTRODUCTION & FIRST READING).

Sponsors: City Administrator

Attachments: [8.26.22 Letter Regarding Changes to Ethics Law](#)
[Amended Ethics Code - City of Hyattsville](#)

City Clerk Laura Reams presented the changes in the Ethic's Code and its effect on the City's review process.

Councilmember Waszczak asked for clarity around the changes specific to MML (Maryland Municipal League). Ms. Reams provided the details specific to the MML language in the ordinance.

Councilmember Waszczak asked if widely attended events hosted by MML are subject to the new code. City Administrator Douglas clarified that an open event would not be subject to the new code, but being gifted a ticket to a private event would be.

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

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

12.b. Charter Amendment Resolution 2022-02: Adjusting the City's Five Ward Boundaries[HCC-178-FY23](#)

I move the Mayor and Council introduce and adopt Hyattsville Charter Amendment Resolution 2022-02, a resolution amending the Charter to adjust the City's five ward boundaries based on the most recent census data and the relevant legal requirements (INTRODUCTION & ADOPTION).

Sponsors: City Administrator

Attachments: [Resolution - Charter Amendment 2022-02 Redistricting FINAL 121322](#)
[Council Requests Map \(Option B\)](#)
[hyattsville_redistricting_public_hearing_2022_12_19](#)

Council President Solomon thanked the commission and the Council for the work done to select the map.

Councilmember Waszczak expressed her preference for an after action review that could be referenced by the next commission tasked with redistricting.

City Clerk Reams commended the commission on the job they have done documenting their work with multiple written reports that will be archived by the City for reference. She added that she welcomes any additional comments from the Council to be included in the City's file in reference to this process.

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

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

Nay: Denes

12.c. Hyattsville Ordinance 2022-06: 5G Permits

[HCC-135-FY23](#)

I move the Mayor and Council introduce Hyattsville Ordinance 2022-06, an ordinance whereby the City Council amends Chapter 105, Articles VII and VIII of the Hyattsville Code (INTRODUCTION & FIRST READING).

Sponsors: City Administrator

Attachments: [Hyattsville Ordinance 2022-06 amending Chapter 105 - small cell - Final Memo - 5G Draft Ordinance](#)

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

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

13. Discussion Items (9:40 p.m. - 10:20 p.m.)

13.a. Authorization for Temporary Use Lease Agreement

[HCC-180-FY23](#)

For discussion.

Sponsors: City Administrator

Attachments: [Memo - Temporary Use Lease Agreement](#)

City Administrator Tracey Douglas provided an overview of the temporary use lease agreement for the staging of construction equipment at 4508 Hamilton St.

Councilmember Waszczak raised her concern about the storage and transportation of materials to the area. She inquired about the hours of use and the anticipated impact to users of the trail.

Director of Public Works Lesley Riddle responded that the City had not progressed to that level of detail of negotiations, and that safety regulations would be included as the process moves forward. Deputy Director Hal Metzler clarified that the area would not be used for building materials but for pre-fabricated units. He also provided information about the probable time restrictions for moving materials as required by the State Highway Administration.

Councilmember Denes expressed his preference to see the leasee support SOHY and community events. He also wants to ensure that the existing trees are protected.

Ms. Riddle responded that protection of the area, including the trees, is a priority for the City.

13.b. Bring Your Own Bags[HCC-179-FY23](#)

I move that the Mayor and Council authorize the City Attorney to draft an ordinance regulating carryout bags from retail and food service establishments in the City of Hyattsville. The ordinance shall prohibit the provision of plastic bags at the point of sale for customers. Businesses shall be required to charge customers a minimum 10 cent fee for paper or other reusable carryout bags in order to incentivize customers to bring their own bags.

Sponsors: Simasek, Schaible and Haba

Attachments: [Bring Your Own Bag Ordinance - Draft](#)

Councilmember Simasek introduce the proposal for "Bring Your Own Bags" legislation. He highlighted the environmental impact of plastic bag use and reviewed the three approaches to reducing plastic bag use. He provided a brief overview of plastic bag laws in Maryland.

Councilmember Denes expressed his support for the proposal. He also noted that while plastic bags are not recyclable through the County, several grocery stores do collect clean plastic bags which are recyclable. He added that the participation and recovery rate is very low for grocery store plastic bag recycling.

Councilmember Peabody asked about the ban impact on businesses and users. He asked if there was a difference between restaurant delivery and grocery pick up. He also asked if the business community has been engaged in conversation on the legislation and if so, what has the input been. He also asked if the ban in other communities has impacted consumer prices.

Councilmember Simasek said he did not have data on the effect on prices. He cited the Washington DC ban and the associated flat five cent fee. Regarding business community input, he has spoken with a few small business owners and one of the big takeaways is that the City needs a formal mechanism to provide information to the community and businesses as well as a clear communications strategy. He said that additional engagement with the business community was needed.

Councilmember Peabody asked for clarification on the Point of Sale definition as it relates to different services like delivery. Councilmember Simasek suggested that the Point of Sale would have to be defined by the business location.

Councilmember Strab asked about the revenue stream from the bag fee. Councilmember Simasek clarified that the businesses would keep the revenue and it would not go to the City or County. Councilmember Strab expressed her support for engaging the business community and cited the potential financial impact on small businesses and the consumers who may be impacted by higher costs.

Council Vice-President Schaible thanked Councilmember Simasek for the proposal and said he was in support. He went on to cite the environmental damage caused by plastic bags. He finished by proposing a grace period for a business that have been issued a warning prior to receiving a citation.

Councilmember Haba stated his support for the proposal, and said he believed it would eventually be standard practice. He proposed a Citywide distribution of reusable bags to residents.

Councilmember Waszczak cited the law recently passed by the County for disposable food serviceware, requiring customers to ask for utensils. She suggested the City align their ordinance with the County's start date of June 30, 2023. She agreed with Councilmember Haba's suggestion to provide reusable bags and brand them for the different shopping zones.

Council President Solomon said he was interested in the City Attorney's opinion regarding fees and believes the City should explore the possibility of collecting some or part of the bag fees. He asked about the order of passed legislation in Montgomery County and Takoma Park regarding plastic bags.

Councilmember Simasek replied that Montgomery County acted prior to Takoma Park. He added that the City Attorney has not yet provided input.

14. Council Dialogue (10:20 p.m. - 10:30 p.m.)

15. Motion to Adjourn

The meeting was adjourned at 10:22 p.m.

A motion was made by Council President Solomon, seconded by Councilmember Sandino, that the meeting be adjourned. The motion carried by the following vote:

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