



## REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD SEPTEMBER 16, 2019 – 7:30 PM

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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 (*arrived at 7:40 p.m.*)  
Daniel Peabody, W4  
Joseph A. Solomon, W5 (*arrived at 7:59 p.m.*)  
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  
Jake Rollow, Director of Community Services  
Laura Reams, City Clerk  
Lillie Littleford, Assistant City Clerk  
E.I. Cornbrooks, IV, City Attorney  
Hal Metzler, Department of Public Works Project Manager  
Cpt. Scott Dunklee, City of Hyattsville Police Department  
Lt. Frank DonBullion, Police Administrative Services Commander  
Colleen Aistis, Community Services Manager  
Jonathan Alexander, Cable and Communications Supervisor  
Cheri Everhart, Recreation, Programs, and Events Manager  
Saarah Abdul-Rauf, Youth and Recreation Programs Supervisor  
Brayan Perez, Community and Outreach Coordinator

### 1. Call to Order and Council Roll Call

**Mayor Candace Hollingsworth** called the meeting to order at 7:31 p.m.

### 2. Pledge of Allegiance to the Flag

### 3. Approval of Agenda

#### AMENDMENTS

1) **ADD** Motion HCC-86-FY20 – Disbursement of Ward 4 Discretionary Funds to consent.



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**7.q) Disbursement of Ward 4 Discretionary Funds**

**HCC-86-FY20**

**Sponsor:** Haba

**Co-Sponsor(s):** Peabody

I move that the Mayor and Council approve the disbursement of \$207.41 from Ward 4’s FY20 Council Discretionary Funds to reimburse Mr. Edouard Haba for expenses sustained in connection with Ward 4’s 2019 block party.

<b>RESULT:</b>	<b>APPROVED, AS AMENDED [UNANIMOUS]</b>
<b>MOVER:</b>	Ward
<b>SECONDER:</b>	Spell Wolf
<b>AYES:</b>	Hollingsworth, Ward, Suiter, Lawrence, Croslin, Schaible, Simasek, Peabody, Spell Wolf
<b>ABSENT:</b>	Haba, Solomon

**4. Motion to Close (7:40 p.m. – 8:30 p.m.)**

**4.a) Motion to Close (50 minutes)**

**HCC-70-FY20**

**Lead Sponsor:** At the Request of the City Administrator

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

I move that the Mayor and Council close the Council Meeting of September 16, 2019 to consult with the City Attorney and staff to receive legal advice and discuss pending litigation. The reason for closing the meeting under these exceptions is to protect attorney/client privilege and discuss confidential information pertaining to litigation.

This session will be closed under the authority of the Annotated Code of Maryland State Government General Provisions Article Section 3-305(b)(7) consult with counsel to obtain legal advice, and 3-305(b)(8) consult with staff, consultants, or other individuals about pending litigation.

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

Pursuant to the requirement of the Annotated Code of Maryland State Government Article 3-306(C)(2); this statement is included in these minutes:

A closed session of the Council of the City of Hyattsville was held at 7:38 p.m. on Monday, September 16, 2019.



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In addition to the City Council, with the exception of **Ward 5 Councilmember Joseph Solomon**, the following staff members were present: **City Administrator Tracey E. Douglas, Assistant City Administrator Jim Chandler, City Treasurer Ron Brooks, City Clerk Laura Reams, and City Attorney E.I. Cornbrooks, IV.**

The authority under which the session was closed was the Annotated Code of Maryland State Government General Provisions Article Section 3-305(b) (7) consult with counsel to obtain legal advice, and 3-305(b)(8) consult with staff, consultants, or other individuals about pending litigation.

Topics Discussed: The Council discussed the status of litigation between the City and Werrlein Properties.

Action Taken: None taken.

**Ward 2 Councilmember Robert Croslin** made a motion to adjourn the closed session at 8:39 p.m. which was seconded by **Ward 1 Councilmember Bart Lawrence** and approved unanimously by the Council.

Council returned to open session at 8:49 p.m.

### 5. **Public Comment (8:30 p.m. – 8:40 p.m.) Limit 2 minutes per speaker**

Ward 1 resident, Kaitlin Timmerman, addressed the Mayor and Council in opposition of rebuilding Hyattsville Middle School at Magruder Park stating that the construction would impoverish family life in Hyattsville and take away green space for a diverse cross-section of the City and several animals. She expressed the need to communicate with officials to ensure the new middle school be built on the same site in which it existed while still offering Magruder Park as open space for residents.

### 6. **Presentations (8:40 p.m. – 9:25 p.m.)**

#### **6.a) City Administrator Update (5 minutes)**

**HCC-69-FY20**

**Lead Sponsor:** At the Request of the City Administrator

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

City Administrator Tracey Douglas provided the Mayor and Council with updates regarding current events within the City. Ms. Douglas stated that Hyattsville had received an AA2 bond rating from Moody's which would allow for funding to support a new Department of Public Works (DPW) building and a new headquarters for the Police Department. She further detailed that Moody's was traditionally conservative but highlighted the City's strong financial position, growing tax base, proximity to major metropolitan areas, low debt threshold, and strong budgeting and oversight and expressed her appreciation for City Treasurer Ron Brooks who was integral in the procurement of the rating and the financial stability of the City.



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Ms. Douglas reported on the tutoring and mentoring campaign launched by the Department of Community Services (DCS) citing that they had received 21 new applicants seeking to offer tutoring services that would serve more students and lessen the number of students on the waiting list.

She announced the completion of the fitness court at 38<sup>th</sup> avenue and a soft opening that would occur the following Saturday and that it was in coordination with a health initiative to encourage health, wellness, and recreation.

The City Administrator reported on the implementation of Code Red, an emergency notification system that residents could use through several communications mediums and provided direction on how residents could acquire and use the system.

Ms. Douglas stated that the Residential Parking Zone (RPZ) program was a success as well as the Pay-by-Plate program. She added that Parking Day was nearing, and it was an opportunity to decorate parking spaces and promote unity in the City.

She then introduced a video promoting the 2020 Census and provided a summary and detail of the process and results of participation stressing its importance for the improvement of the living quality for City residents. She referenced the Complete Count Committee and encouraged residents to apply to be members.

City Administrator Douglas closed her comments by recognizing Jake Rollow, Director of Community Services, who addressed the Body with an announcement. Mr. Rollow announced that he and his family would be moving to Michigan and that he had accepted a job as the Communications Director for the Michigan Secretary of State. Ms. Douglas praised Mr. Rollow's contributions over the previous five (5) years and thanked he and his staff for a job well done.

### **6.b) City Treasurer Update (5 minutes)**

**HCC-83-FY20**

**Lead Sponsor:** At the Request of the City Administrator

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

City Treasurer Ron Brooks addressed the Mayor and Council with updates regarding the City's financial status stating the Fiscal Year 2018 (FY18) audits were continuing with completion expected by the end of October. Mr. Brooks continued that the FY19 audits would begin in mid-October with completion expected at the end of January or beginning of February.

**Mayor Hollingsworth** stated that the City was in a completely different place financially five (5) years ago and expressed her appreciation for the efforts of Treasurer Brooks in helping the City's financial position, credit reputation, and financial transparency.

### **6.c) DSP – 19020: Landy Project Architectural Site Plan (15 minutes)**

**HCC-80-FY20**

**Lead Sponsor:** At the Request of the City Administrator

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



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[Landy Discussion Memo.docx](#)

[A-SOJ-DSP19020.pdf](#)

[Landy Property Architecture DSP - HyattsvillePresentation-091719.pptx](#)

[LSLP-DSP19020.pdf](#)

Assistant City Administrator Jim Chandler addressed the Mayor and Council with a summary of the project and introduced Chris Hatcher, attorney for the applicant, noting that he would be making the presentation. Mr. Chandler reported that Mr. Hatcher would be presenting to the Planning Committee the following evening and the item would return before the Body on October 7<sup>th</sup> on the action agenda.

Mr. Hatcher provided a series of illustrative documents that showcased the project plans from previous presentations over several years and explained their details and the applicant's intentions for each parcel featured.

Stanley Martin Homes representative Brandon Gerney addressed the Mayor and Council and provided a brief history of the firm and detailed some of the other projects they had developed in the area. He described an illustrative document siting the development's entrance and plans for an art element and welcome signage. Mr. Gerney showcased the different models of townhomes in the development, the layout of those houses throughout the development Mr. Hatcher provided a narrative to coincide with drawings of the intended layout of the development parcels.

**Ward 3 Councilmember Ben Simasek** asked what the various price points of the homes in the project would be to which Mr. Gerney responded that it was difficult to speculate as the homes would not be for sale for about a year, but stated that the difference between the simplest model would be approximately \$100K when compared to the top-tier model.

**Councilmember Simasek** questioned whether the entrance road from Belcrest would be dedicated to the City to which Mr. Hatcher replied that all the roadways in the development would be public and that all of its residents would receive all of the services offered by Hyattsville.

**Councilmember Simasek** sought clarity regarding the connectivity and pedestrian access throughout the community to which Mr. Hatcher explained that there would be a road from the entrance that continued through the entirety of the development and added that each road had sidewalks that would provide an abundance of accessibility.

**Ward 2 Councilmember Danny Schaible** referenced the illustrative documents of the Detailed Site Plan (DSP) and noted that there were street trees throughout the plan absent Belcrest Road to which Mark Ferguson rose to address the Councilman stating that Belcrest Road was initially redeveloped with the nearby Metro station and designed to have especially wide walkways that didn't allow room for trees.

**Councilmember Schaible** asked about a median just outside the entrance to the development and the potential for trees to which Mr. Ferguson explained that the current median had a concrete curb with a mixture of hard covering and vegetative covering. He stated that he did not



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know if the median would be wide enough to support trees and that Belcrest Road was County dedicated.

### **6.d) President's Task Force on 21<sup>st</sup> Century Policing (20 minutes)**

**HCC-77-FY20**

**Lead Sponsor:** At the Request of the City Administrator

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

[21st Century Policing Report Action Item Progress 2019 \(2\).docx](#)

[21st Century Policing Presentation 2019 \(2\).pptx](#)

City of Hyattsville Police Chief Amal Awad addressed the Mayor and Council with a presentation of the 21<sup>st</sup> Century Policing update stating that in 2014 President Obama signed an executive order instructing community members and leaders, government officials, members of academia, and public safety officials to develop a Task Force to examine officer involved shootings specifically among unarmed African Americans and make recommendations to mend the relationship between citizens and law enforcement.

Chief Awad described an implementation structure that was based upon six (6) pillars and 69 action items in total under the six (6) pillars. Regarding building trust and legitimacy, she cited business and school safety check-ins, the Police Ride-Along Program, active youth and teen outreach, senior services engagement, the Community Chaplains Program, and community engagement.

Chief Awad highlighted the need to update protocols and policies as well as increasing and enhancing oversight by exercising a partnership and receiving certification from the Commission on Accreditation of Law Enforcement Agencies (CALEA), implementing Guardian Tracking System software, revising the General Order manual, omitting the enforcement of civil immigration law, involving the Hyattsville Police and Public Safety Advisory Committee, and the review of critical incidents and motor vehicle accidents.

She expressed the importance of technology and social media and reported the integration of video, controlled and alarmed access points, custom labeling, body-worn camera technology, in-car cameras in all police cruisers, active social media and internet presence, and Code Red alerts.

She stated that community policing and crime reduction would come from work with stakeholders to identify and resolve issues, further crime analysis and mapping, participation in the Maryland Criminal Intelligence Network (MCIN), training for officers in the D.A.R.E. and G.R.E.A.T. programs, a partnership with Ring video doorbells, and the Firearms Buy-Back program.

Chief Awad addressed training and education citing the need for crisis intervention and mental health awareness and response, cultural competency, fair and impartial policing, implicit bias, gang identification training with an emphasis on extortion and human trafficking, and de-escalation tactics such as Integrating Communications, Assessment, and Tactics (ICAT).

She expressed her belief that a healthy officer ensures healthy service and efforts would be made to focus on healthy work/life balance, develop a fitness incentive program, an officer of the month



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program, an annual awards banquet, the Arrive Alive Driver Safety Campaign, new in-service training to mitigate stress for law enforcement, a peer support program, and officer chaplain and counseling support.

Chief Awad described some of the ways in which the Hyattsville Police Department initiated community engagement and outreach citing the National Night Out Against Crime in Heurich Park, Coffee with a Cop, the Police Department Open House, Citywide Halloween Safety Patrol, the Heroes Bowl, and the National Prescription Drug Take-Back partnership with the United States Drug Enforcement Agency (DEA). She further mentioned partnerships and programs with the Special Olympics of Maryland, other holiday programs, and outreach and engagement focused on child and teen residents. She reported that of the 69 recommendations made in the initiative, the Hyattsville Police Department had completed 57, partially completed seven (7), and five (5) that were pending.

City Administrator Tracey Douglas took the opportunity to express her appreciation for Chief Awad and the Hyattsville Police Department stating that many other items could have been included in the presentation and stressed the importance of community policing and developing a positive relationship between residents and officers.

**Councilmember Croslin** thanked the Chief for her continued efforts and hard work.

**Councilmember Lawrence** thanked Chief Awad for her presentation and stated that support and resources for the mental health and wellbeing of the officers was a vital aspect of the initiative. He suggested that a presentation be given to show where the Police Department started with these recommendations and the progress made over the previous two (2) years and cited specific action items within the report that were deemed complete while those actions' subsequent sub-actions were incomplete. Chief Awad responded that some items were still pending review by the City Attorney, some were in process, and some did not align with certain City regulations and code requirements.

**Councilmember Lawrence** reiterated his empathy for the wellbeing of the officers and asked that the Chief pass along his ongoing concern for their safety and his appreciation for all that they do.

Chief Awad stated that she would be remiss if she did not express her appreciation to **Mayor Hollingsworth** and former Hyattsville Chief of Police Doug Holland for the adoption of the program.

**Councilmember Solomon** expressed his appreciation for the presentation and inquired about the omission of details regarding body worn cameras such as whether the Department was able to meet the technical requirements and a report on any malfunction or lack of video footage. Chief Awad requested that **Councilmember Solomon** provide her with the portion of the report in which he felt more information was needed and explained that there have been times that a body worn camera has malfunctioned and they have replaced it. She stated that the cameras could also become dislodged while in pursuit of a suspect or lost by officers and they have made attempts to resolve those issues with more reliable affixing materials such as heavy magnets.





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City Administrator Tracey Douglas added that Chief Awad had implemented a very aggressive review process in which several videos from body worn cameras were reviewed and used as a training tool to assess the behavior of officers and determine protocol regarding multiple scenarios.

**Mayor Hollingsworth** expressed her appreciation for the presentation and noted her agreement with the comments of **Councilmember Lawrence** requesting a two-year progress report. She stated that regarding items that were pending or partially completed she would like the focus to be on items that are able to be completed under the authority of the City as opposed to those that require action from outside entities. The Mayor also requested that completed items be recorded and marked for further review as needed to which Chief Awad responded the report would be a living document that would be used for reference and guidance for the foreseeable future.

### **6.e) Prince George's County Bus Stop Improvement Program (10 minutes)**

**HCC-76-FY20**

**Lead Sponsor:** At the Request of the City Administrator

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

[BSIP, 35-Semi, Total Hyattsville Sites, 2018.pdf](#)

[190911 - memo - Bus Stop Improvements.pdf](#)

Department of Public Works (DPW) Project Manager Hal Metzler addressed the Mayor and Council stating that he was also speaking on behalf of the Prince George's County Department of Public works which contacted Hyattsville to inform staff of the intention of upgrading bus stops along County bus routes. Mr. Metzler continued that 16 bus stops within the City of Hyattsville would receive upgrades due to a grant awarded to the County from the State to adhere to American Disability Act (ADA) requirements.

**Councilmember Lawrence** inquired as to whether residents, including those whose property would be directly affected, would be informed of the upgrades to which Project Manager Metzler replied that Hyattsville DPW would conduct outreach to residents as information was provided by the county and added that the County DPW would also be performing its own outreach.

**Councilmember Lawrence** sought clarity regarding the extent of effect on residents' property to which Mr. Metzler responded that it would be under the City's right of way and that any effect would be minimal. Councilmember Lawrence reiterated the importance of informing residents about the planned construction and the legality of the County to carry it out to which City Administrator Douglas stated that staff had been in discussions with the project director and would continue coordination with the County to ensure that residents are informed of any action through each step of the project.

**Ward 4 Councilmember Edouard Haba** asked whether any of the upgrades included shelter to which Mr. Metzler stated that they would not and that first phase of the project would address simple bus stops and would only augment the landscape bringing the foundation of the stop to the edge of the street. **Councilmember Haba** expressed that he would like to explore those





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options to which Mr. Metzler replied that it was something about which they could have discussions with County officials.

**Councilmember Lawrence** expressed his support for the construction as he stated it was needed throughout the City to which Mr. Metzler agreed and stated that these were projects that were to be addressed by the City eventually and having the added help from the County was a benefit.

**Councilmember Solomon** expressed his support for the project and asked whether Ager Road was included in the plan to which Mr. Metzler stated that Ager Road was a part of a completely different project funded by a different entity but would include shelters and added amenities.

**Councilmember Solomon** cited Hamilton Street stating that it was an area of much construction that had been reporting random power outages and asked if any projects were causing the outages or stress for residents to which City Administrator Douglas responded that she did not believe that the project in question would cause random outages but ensured that it was a concern to which they would pay very close attention.

**7. Consent Items (9:25 p.m. – 9:35 p.m.)**

**7.a) FY20 Budget Amendment: Special Revenues Police Department's Speed Camera Enforcement Fund**

**HCC-58-FY20**

**Lead Sponsor:** At the Request of the City Administrator

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

I move that the Mayor and Council amend the FY20 Special Revenues Fund and the Speed Camera Enforcement Fund and authorize the transfer of \$15,000 from various speed camera accounts to the overtime line to cover overtime expenses of operating and administering the City's speed camera program for the remainder of this fiscal year.

**7.b) Memorandums of Understanding: Northwestern High School and After School Activities**

**HCC-62-FY20**

**Lead Sponsor:** At the Request of the City Administrator

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

I move that the Mayor and Council approve the 2019 Memorandums of Understanding between the Board of Education of Prince George's County and the City of Hyattsville Police Department to have Police presence during night school and during sporting event and extracurricular activities.

[HCPD MOU Night School 2019 1 002 .docx](#)

[HCPD MOU Extracurricular Events 1 2019.docx](#)

**7.c) Contract for Cellular Phone Services with Verizon Wireless**

**HCC-63-FY20**

**Lead Sponsor:** At the Request of the City Administrator

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

[BPO and Amendment No 9 signed executed thru 12 02 2023.pdf](#)



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I move the City Council authorize the City Administrator to enter into a contract for services with Cellco Partnership (dba Verizon Wireless) to provide the wireless cellphone services to ride through existing GSA Federal Supply Service Information Technology, Schedule No. GS-35F-0119P and Prince George's County Blanket Purchase Agreement Amendment No. 9 for a term not to exceed December 2, 2023.

**7.d) Appointment to the Hyattsville Environment Committee**

**HCC-66-FY20**

**Lead Sponsor:** Lawrence

**Co-Sponsor(s):** Simasek

[HEC Application Fisher W1 redacted.pdf](#)

I move that the Mayor and Council reappoint John Fisher (Ward 1) to the Hyattsville Environment Committee for a term of 2 years to expire on September 16, 2021.

**7.e) Appointments to Race and Equity Task Force**

**HCC-67-FY20**

**Lead Sponsor:** Lawrence

**Co-Sponsor(s):** Simasek, Schaible

[RETF Application Dargin redacted.pdf](#)

[RETF Application Blanco W4 redacted.pdf](#)

I move that the Mayor and Council appoint Rodrigo Blanco (Ward 4) and Andrea Dargin (Non-resident) to the Race and Equity Task Force for a term of two years to expire on September 16, 2021.

**7.f) Pedestrian and Stormwater Improvements: Nicholson Street and Maryhurst Drive**

**HCC-71-FY20**

**Lead Sponsor:** At the Request of the City Administrator

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

[Nicholson St at Maryhurst ADA Improvements \(1\).pdf](#)

I move that the Mayor and Council authorize the expenditure of \$110,000 with NZI Construction under their existing contract, for roadway, sidewalk, and stormwater mitigation improvements at the intersection of Nicholson Street and Maryhurst Drive.

**7.g) Replacement of Building Maintenance Vehicle BGV0701**

**HCC-72-FY20**

**Lead Sponsor:** At the Request of the City Administrator

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

[Ford 2019 Transit.pdf](#)

[Montgomery County RiderSKM\\_C36819071609471.pdf](#)



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I move that the Mayor and Council authorize the expenditure of FY20 Capital Improvement Funds in an amount not to exceed \$35,000 for the purpose of purchasing a 2020 Ford Transit 250 Van from Apple Ford, utilizing the Montgomery County Contract Rider, Amendment #3 to Contract 1065349.

### **7.h) Purchase of Administration Vehicle**

**HCC-73-FY20**

**Lead Sponsor:** At the Request of the City Administrator

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

[Hyattsville Bolt Premeir sales proposal - 2019-07-18T184232.102.pdf](#)

[Chevy Renewal Exp 6-2-2020 \(1\).pdf](#)

I move that the Mayor and Council authorize the expenditure of FY20 Capital Improvement Funds in an amount not to exceed \$42,000 for the purpose of purchasing a 2020 Chevrolet Bolt from Criswell Auto, utilizing the Montgomery County Contract Rider, Amendment #3 Contract Number 1065341.

### **7.i) Hispanic Heritage Month 2019 Proclamation**

**HCC-74-FY20**

**Lead Sponsor:** At the Request of the City Administrator

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

[Hispanic Heritage Month 2019.docx](#)

I move that the Mayor and Council adopt a proclamation in support of Hispanic Heritage Month.

### **7.j) McClanahan Park Renovation**

**HCC-75-FY20**

**Lead Sponsor:** At the Request of the City Administrator

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

[McClanahan Park Proposal\\_20310B seating-trellis.pdf](#)

[McClanahan Food Forest 12-6-2018 2.pdf](#)

[Copy of McClanahan Plant List 1-15-2019.xlsx](#)

I move that the Mayor and Council authorize the City Administrator to enter into a contract with Playground Specialists, utilizing the HGAC purchasing cooperative, for the purpose of renovating McClanahan Park, in an amount not to exceed \$30,000, upon the review and approval by the City Attorney for legal sufficiency.

### **7.k) Letter of Support to the Prince George's County Board of of License Commissioners: Sangfroid Distilling**

**HCC-78-FY20.**

**Lead Sponsor:** Ward

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

[Sang•froid didtilling Letter.pdf](#)



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I move the City Council authorize the Mayor to provide a letter of support to the Prince George's County Board of License Commissioners in support of Sangfroid Distilling's application to permit the preparation of mixed drinks during tours and tastings

### **7.l) Appointments to the Complete Count Committee HCC-68-FY20**

**Lead Sponsor:** Suiter

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

[CCC Application Linn redacted.pdf](#)

[CCC Application Fraterman redacted.pdf](#)

[CCC Application Denker redacted.pdf](#)

[CCC Application Paschall redacted.pdf](#)

I move that the Mayor and Council appoint Jennifer Linn (Ward 2), Matthew Fraterman (Ward 3), Patrick Paschall (Ward 3), and Samuel Denker (Non-resident) to the Hyattsville Complete Count Committee for a term of one year to expire on September 16, 2020.

### **7.m) Rhode Island Trolley Trail - Design, Construction and Maintenance Agreement MOU HCC-64-FY20**

**Lead Sponsor:** At the Request of the City Administrator

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

I move the City Council authorize the City Administrator to execute a joint Memorandum of Understanding with Maryland Department of Transportation - State Highway Administration and Maryland-National Capital Park & Planning Commission for the design, construction and maintenance of the Rhode Island Avenue Trolley Trail from Charles Armentrout Drive to Farragut Street, Hyattsville.

### **7.n) Zoning Variance Request V-85-19 – 4906 42nd Place, Hyattsville HCC-79-FY20**

**Lead Sponsor:** At the Request of the City Administrator

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

[Memo - V-85-19 FINAL.docx](#)

[Application - V-85-19.pdf](#)

I move the City Council authorize the Mayor to send a letter to the Prince George's County Board of Zoning Appeals in support of V-85-19, a request variance of 7 feet front yard depth, 10.2% net lot coverage, 3 feet side yard width, and 2 feet rear lot line setback for an accessory building are being requested for the subject property at 4906 42nd Place, Hyattsville.

### **7.o) FY20 Budget Amendment: Special Revenues Fund Budget and Appropriation of FY19 Unencumbered Account Balances HCC-81-FY20**

**Lead Sponsor:** At the Request of the City Administrator

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



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I move that the Mayor and Council amend the FY20 Special Revenues Fund Budget and appropriate \$250,000 of FY19 unencumbered National Capital Strategic Economic Development Funds (NCSEDF) awarded to the City of Hyattsville by the Maryland Department of Housing & Community Development for the purpose of supporting demolition and site development activities for the Hyattsville Armory Apartments project.

**7.p) FY20 Budget Amendment: Amend Community Services Capital Budget  
HCC-82-FY20**

**Lead Sponsor:** At the Request of the City Administrator  
**Co-Sponsor(s):** N/A

I move that the Mayor and Council amend the FY20 Community Services Capital Budget to include and authorize the expenditure of funds in an amount not to exceed \$500,000 for the purpose of purchasing property at 5812 40th Avenue for the Teen Center Project.

**7.q) Disbursement of Ward 4 Discretionary Funds  
HCC-86-FY20**

**Lead Sponsor:** Haba  
**Co-Sponsor(s):** Peabody

I move that the Mayor and Council approve the disbursement of \$207.41 from Ward 4's FY20 Council Discretionary Funds to reimburse Mr. Edouard Haba for expenses sustained in connection with Ward 4's 2019 block party.

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

**8. Action Items (9:35 p.m. – 10:00 p.m.)**

**8.a) DSP-19039 - NSR Property, 3599 East-West Highway (25 minutes)  
HCC-65-FY20**

**Lead Sponsor:** At the Request of the City Administrator  
**Co-Sponsor(s):** N/A

- [DSP-19039 - 3599 East West Hwy - City Council Memo - FINAL.docx](#)
- [Statement of Justification for NSR 9.11.2019.pdf](#)
- [Detailed Site Plan DSP-19039.pdf](#)
- [Site Comparison - Proposed Layout vs. Recommended Layout.pdf](#)
- [Relevant TDDP Pages - NSR Properties.pdf](#)
- [Planning Committee Minutes 07.16.19 DRAFT.pdf](#)
- [Planning Committee Minutes 04.17.2018.pdf](#)



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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 19039, subject to the following conditions:

1. The layout of the site shall be reconfigured where the convenience store building resides along the north end of the site, adjacent to East-West Highway and Belcrest Road, and the proposed canopy and gas pumps reside along the south side of the site. To improve pedestrian safety and egress, the canopy above the gas pumps shall be extended to the convenience store. In addition, the south side of the site shall be dedicated green space.
2. The proposed stand-alone ATM shall be removed. Any proposed ATM shall either be affixed to the building exterior or reside within the building interior. The space shall be redesigned as a pedestrian plaza.
3. A mural or other equivalent artistic element shall be integrated into the proposed convenience store building. In addition to a mural element, the applicant shall incorporate into the site design a commissioned sculptural element to be located adjacent to the building in the area that was proposed for the stand-alone ATM.
4. All pedestrian and service entrances shall have overhead awnings.
5. The second story and subsequent office space shall be eliminated from the site plan. The single-story convenience store height shall be consistent with the height of the canopy.
6. All sidewalks and frontage depths shall be designed and constructed to the development standards of the 2016 Prince George's Plaza Transit District Development Plan.

Assistant City Administrator Jim Chandler addressed the Mayor and Council with a summary of the item and provided background stating that the requests from the applicant would require a variance to regular requirements under the Transit District Development Plan (TDDP) and also an amendment to the list of uses. Mr. Chandler described the recommendations from the Planning Committee regarding the project and stated that significant changes would have to be made to the site to allow some of the requests being made by the applicant. He expressed that he was seeking feedback from the Body to address the changes proposed by the applicant especially regarding the access and mobility for fuel trucks and the impact on pedestrian accessibility.

**Councilmember Solomon** sought clarity regarding the introduction from Mr. Chandler to which the Assistant City Administrator confirmed that they were recommending support but determined that the recommendations would not significantly change in the following days and that the measure could be revisited on October 7<sup>th</sup>.

**Councilmember Solomon** requested further clarity regarding the illustrative side-by-side and inquired as to whether it was acceptable to the applicant to which Mr. Chandler responded that the site design was in response to requests made by the applicant to address their needs and the



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applicant was requesting 16 fueling bays and an extended convenience store that was in conflict with the TDDP.

**Councilmember Solomon** asked what input received from the Planning Committee would change the recommendation between the current draft and October 7<sup>th</sup> to which Mr. Chandler replied that, taking into consideration discussions with the Planning Committee, he expected that the applicant's proposal would be considered a new use and that staff would not be supportive. **Councilmember Solomon** expressed his preference to hear the perspective of the applicant.

Attorney for NSR properties, Dan Lynch, addressed the Mayor and Council stating that they only became aware of the new layout that day when they received the staff report and that he relayed to Mr. Chandler that several substantial changes would have to be made to the site for the recommendations of the Planning Committee feasible. He stated that the recommendations would not allow for adequate parking and ingress and egress of fuel trucks which, in turn, would not allow for the functionality of a gas station.

**Mayor Hollingsworth** requested that the discussion focus on the specific requests made by staff in response to the original proposal and asked what the civil engineering concerns were and what concerns remained.

**Councilmember Lawrence** asked whether the side-by-side comparison was a result of discussions with the County in which it was determined that the County would not be supportive and, therefore, staff provided recommendations that would facilitate the requests of the applicant to some degree to which Mr. Chandler responded that he anticipated that the Park and Planning board would view the applicant's proposal as a new use and would not be in support. He stated that the recommendations considered the needs of the applicant, but that a parking capacity of 32 spaces was not consistent with the vision of the TDDP. Mr. Chandler continued that the TDDP placed priority on pedestrian access and mobility and that if the number of parking spaces was lessened it would help mitigate the pedestrian traffic.

**Councilmember Solomon** recalled a conversation concerning a site that contained a restaurant and referenced a compromise regarding the building being moved to the property line and asked why the same process of compromise was not being applied to the project in question to which Mr. Chandler stated that the civil engineer assigned to that project; consequently the same civil engineer assigned to the project in question, was able to achieve a parking and pedestrian balance that was in compliance with the TDDP and that the applicant was not able to apply the same implementations to this project due to the market base and the location of the convenience store and it would not result in adequate pedestrian safety.

**Councilmember Simasek** expressed support for the proposed sidewalk and increased pedestrian safety stating that the lot was currently used as a path from the nearby Metro station and that the implementation of an art aspect as opposed to gas station signage would serve as welcoming focal point for pedestrians and motor vehicle drivers to accentuate an iconic area identifying the City of Hyattsville.





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**Councilmember Croslin** noted that there were currently nine (9) spaces for the convenience store and asked why there was a request for increase to which Mr. Lynch responded that the increase in parking spaces would be reflective of an increase to the square footage of the convenience store. Mr. Lynch added that, outside of the TDDP area, a convenience store of that size would require 20 to 25 spaces in any other part of the County.

**Councilmember Lawrence** expressed the importance of development projects remaining within the boundaries of TDDP regulations and thanked Mr. Chandler for seemingly attempting to help create an opportunity to appease all parties.

**Councilmember Solomon** asked whether conversations could then take place to determine what was feasible for the project given that the applicant had now viewed the latest site plan to which Mr. Chandler confirmed and Mr. Lynch interjected that the proposal provided was impossible. **Councilmember Solomon** requesting confirmation stating that any design that involves building to the curb line would be impossible to which Mr. Lynch answered in the affirmative and reiterated the untraditional shape of the parcel and the limits placed upon the applicant therein.

**Councilmember Solomon** asked whether any designs that did not require building to the curb line were being considered to which Mr. Chandler responded that it was the intention of the staff to minimize any variances outside of the regular requirements and they would pursue a plan that limited variances while still allowing the preferred operation of the applicant and return before the Body with those recommendations. Mr. Lynch added that should the project not move forward it would prevent several improvements to the site such as the decrease in access points and stormwater management and stated that had they been aware that adding a second story to the structure would be a point of contention, they would not have pursued the project.

**Mayor Hollingsworth** expressed that she understood the frustration from Mr. Lynch stating that she did not have an interest in putting limitations on the recommendations from staff to Council and noted that she would prefer further communication from the applicant regarding items in the plan that would have the potential to be problematic. She proposed an extended timeframe to allow for coordination between the applicant, City staff, and Park and Planning board staff to which Mr. Lynch was amenable. **Mayor Hollingsworth** stressed the importance of maintaining a balance between providing an opportunity to businesses to thrive while also keeping any development within the vision and direction desired by the community.

A motion was made by the Body to table the item with an anticipated schedule for action on October 7, 2019.

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



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**9. Discussion Items (10:00 p.m. – 10:20 p.m.)**

~~**9.a) Proposed Changes to the Noise Ordinance (20 minutes)**~~

~~**HCC 85-FY20**~~

~~**Lead Sponsor: Hollingsworth**~~

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

~~[Noise Ordinance Draft 9.13.19.docx](#)~~

~~[Hollingsworth Noise Ordinance Modification.pdf](#)~~

~~[Current Chapter 79.docx](#)~~

**Mayor Hollingsworth** requested that the discussion item be postponed to a later date to which the Council agreed.

**10. Council Dialogue**

**Ward 4 Councilmember Daniel Peabody** thanked those who participated in the community meetings; Chief Amal Awad and her staff specifically. He recognized the Department of Public Works for their efforts to improve safety and accessibility around Felegy Elementary School.

**Councilmember Schaible** reported on the scheduling and rescheduling of meetings and Ward check-ins.

**Councilmember Solomon** announced his graduation from the Maryland Municipal League (MML) and University of Maryland's Academy for Excellence in Local Governance.

**Council Vice President Carrianna Suiter** expressed her appreciation for being included in the opening of the Parkview Manor Apartments.

**Council President Ward** cited the Hyattsville electric car show, the implementation of Code Red, and the attendance of the CIP meeting.

**Ward 4 Councilmember Edouard Haba** cited the following year's MML conference and continuing road construction.

**Ward 5 Councilmember Erica Spell Wolf** reiterated the soft opening of the 35<sup>th</sup> Avenue fitness space and sent best wishes regarding the future of Jake Rollow.

**Councilmember Simasek** reiterated the comments of his colleagues and thanked several staff for their advocacy on the environment and their continued efforts on behalf of the community.

**Mayor Hollingsworth** provided details regarding upcoming events in the City.



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**11. Community Notices and Meetings**

**11.a) Main City Calendar: September 17 - October 7, 2019**

**HCC-84-FY20**

**Lead Sponsor:** At the Request of the City Administrator

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

[Main City Calendar Sept 16 - Oct 7 2019.pdf](#)

**12. Motion to Adjourn**

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

The meeting adjourned at 10:53 p.m.

**ATTEST:**

**June 15, 2020**

A handwritten signature in blue ink, appearing to read "Laura Reams".

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**Laura Reams, City Clerk**