



## REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD THURSDAY, JUNE 4, 2020 8:00 PM

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Candace Hollingsworth, Mayor (*arrived at 8:10 p.m.*)  
Kevin Ward, W1 (Council President)  
Carrianna Suiter, W3 (Council Vice President) (*arrived at 8:13 p.m.*)  
Bart Lawrence, W1  
Robert Croslin, W2  
Ben Simasek, W3  
Daniel Peabody, W4  
Joseph A. Solomon, W5  
Erica Spell Wolf, W5

Absent: Danny Schaible, W2  
Edouard Haba, W4

Also present were the following City staff members:

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

### MEETING NOTICE:

As we continue to take precautions due to the COVID-19 (Coronavirus) pandemic, the Hyattsville City Council will hold its meeting on Thursday, June 4, 2020 remotely via video conference. The Council meeting will be conducted entirely remotely, there will be no in person meeting attendance.

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

### PUBLIC PARTICIPATION:

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

### 1. Call to Order

**Council President Kevin Ward** called the meeting to order at 8:08 p.m.

### 2. Pledge of Allegiance to the Flag



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#### 3. Approval of the Agenda

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

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

Deputy City Clerk Sean Corcoran read an electronically submitted public comment.

Attorney for McMillan Metro, P.C., Peter Ciferri, addressed the Mayor and Council in opposition to the Detailed Site Plan (DSP) for the Dewey Development stating that the Planning Committee was silent on the issue of parking determining that it was a dispute between private parties and the City could not approve a project that had fundamental unresolved impacts to neighboring properties.

Mr. Ciferri provided a live public comment during the virtual meeting reiterating his written statement and further stating that he represented the owner of the Metro 3 building and that the DSP canceled Metro 3's long-held right to park on the Dewey property from publicly determined requirements from 1960.

Ward 2 resident, David Marshall, addressed the Mayor and Council in opposition to Metro 3's parking position stating that parking spaces in the area were abundant and the change in parking availability equated only to approximately 75% of a City block.

Developer for the Dewey Project, Scott DeCain, addressed the Mayor and Council in response to the comments provided by Mr. Ciferri stating that it was not the developer's intention to remove accessible parking from Metro 3, rather that they were transferring parking from a 1000 space area to a legally allowable area of higher density within the requirements of the Transit District Development Plan (TDDP) that would result in several thousand parking spaces.

#### 5. City Administrator Update

City Administrator Tracey Douglas provided the Mayor and Council with an update regarding events, programs, and volunteer services within the City stating that the Council approved COVID-19 relief funding was being distributed to residents, small businesses, and artists with assistance from Hyattsville Community Development Corporation (CDC), Casa de Maryland, and Employ Prince George's (EPG).

Ms. Douglas noted that Prince George's County had lifted stay-at-home orders and that City staff would be integrated back into the City municipal building at a 50% capacity in the following weeks. She noted that staff are available to conduct regular business and provide services to residents on a limited and scheduled basis and that precautionary inventory was being procured, such as



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hand sanitation stations and protective masks. She stated that distribution of protective equipment and food for those in need would continue.

City Administrator Douglas reported that there would be a free COVID-19 testing station in the City located at the First United Methodist Church expected to be available to the public on June 15, 2020 and further details were to follow in the coming days.

Ms. Douglas announced that a contract had been signed to commence a solid waste study to assess the City's solid waste management services, explore the expansion of services, gauge costs and equipment, and other variables. She added that the study had been delayed in order to review the implementation of the Pay-as-You-Throw program and other added initiatives.

Ms. Douglas stated that the University Hills construction was nearing completion with the start of the Wells Boulevard portion pending which would be followed by areas of West Hyattsville. She noted a community meeting had taken place the previous evening to inform residents of the upcoming construction.

City Administrator Douglas then introduced Hyattsville Chief of Police Amal Awad and stated that she was prepared to provide a statement on behalf of the Hyattsville Police Department.

Chief Awad addressed the Mayor, Council, and residents of Hyattsville with comments regarding the current political climate regarding citizens and law enforcement throughout the Country stating that she had recently deeply reflected on her own personal life experiences as well as those of her friends and family in preparation for a long overdue message. Chief Awad expressed the devastation held by her and the Hyattsville Police Department in response to the fatal incident that resulted in the death of George Floyd in Minneapolis, MN on May 25, 2020. She stated that, as a profession, we must acknowledge the history of African Americans and commit to constructive dialogue, education, and action to prevent future racial profiling, abuse of power, and police brutality. Chief Awad continued that, as human beings, we must look at ourselves and recognize the longstanding disparate treatment of African Americans in our communities by police officers across the Country.

Chief Awad addressed the shooting incident of September 2019 which involved Hyattsville officers expressing the devastation of having to make a life-altering, split-second, decision and enduring the weight and consequences of that decision. She stated that an investigation of the incident was still ongoing and delayed due to court closings, but that she was in constant contact with the Prince George's Police Department and the State's Attorney awaiting any developments. Chief Awad averred that she and her team were committing to taking all of the necessary steps to ensure a safe community and continuing to build trust among citizens and law enforcement and commended her officers for their restless efforts and hard work amid such a challenging time and under many compromising restrictions.

She referenced required training for all police officers and discussions with experts to improve and expand training including mental health and crisis intervention. Chief Awad noted several efforts to educate regarding the history of Black Americans including guided, in-depth, tours of the National African American Museum of History and Culture, the formal adoption and



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implementation of the President's Task Force's report on 21<sup>st</sup> Century policing, and the updating of policies to work in accordance with the vision of the City. Chief Awad offered her condolences on the behalf of the police department for George Floyd and his family and stressed the importance of unity and inclusion and working toward a just and equitable society.

**Mayor Candace Hollingsworth** thanked the Chief for her comments and acknowledged the difficulty of providing communications to colleagues and residents from a leadership perspective. She cited events conducted by President Obama and other officials regarding the commencement of the initiative Campaign Zero which intended to decrease police brutality to zero instances and detailed the 8 Can't Wait initiative which showcases eight (8) measures to significantly reduce police violence.

**Mayor Hollingsworth** recalled that in 2016, then Chief of Police Doug Holland and the Mayor met at the White House to discuss 21<sup>st</sup> century policing and an agreement to adopt the framework of the initiative and adapt it to the City of Hyattsville's police policies. She noted that work in that regard continued into Chief Awad's leadership and they had developed policies for all eight (8) items before they were categorized in the President's program. **Mayor Hollingsworth** acknowledged the great steps taken in improving policies and procedures and cautioned that progress should not stop there and Council and staff had a duty to expand the community and continue to improve on police and resident relationships, trust, and communication.

**Mayor Hollingsworth** announced that 2020 graduates would be honored with a celebratory vehicular caravan throughout the City the next day and introduced a video featuring advice and best wishes from Councilmembers and City officials.

#### 6. Consent Items (8:30 p.m. – 8:35 p.m.)

##### 6.a) Cooperation Agreement Regarding Community Development Block Grant (CDBG) Urban County Qualification – Federal FY 2021-2023

[HCC-412-FY20](#)

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

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

[PGC FY 2021-2023 Cooperation Agreements - Cooperation](#)

[Agreement for Municipalities & Legal Cert](#)

[PGC FY 2021-2023 Cooperation Agreements - Cert. of Cooperation Agreement](#)

I authorize the City Administrator to enter into a cooperation agreement with Prince Georges County Department of Housing and Community Development in order to participate in the Community Development Block Grant (CDBG) program and the Home Investment Partnership Program (HOME) for a three-year period during Federal Fiscal Years 2021-2023 from the U.S. Department of Housing and Urban Development (HUD). Participating municipalities may be eligible to receive project financing assistance from the County's CDBG and, where applicable, HOME program that will begin on 1 July 2021.



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

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

**7.a) Dewey Development – Detailed Site Plan (DSP-19050-01)**

**[HCC-409-FY20](#)**

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

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

[Memo - DSP-19050-01 - Dewey - Discussion and Action FINAL](#)

[Planning Committee Minutes - June 2, 2020](#)

[DSP-19050-01 Applicant Modifications and Staff Comments](#)

[DSP-19050-01 - Supplemental Documents](#)

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 19050-01, subject to the following conditions:

1. In relation to the alley dead-end servicing Buildings K and M on Parcel 2, the applicant shall either include additional width to accommodate a turn-around for vehicles or extend the alley to connect to another section of the internal roadway if granted DPIE approval.
2. The applicant shall ensure all units on Parcels 2 and 3 have adequate access for fire and other emergency vehicles.
3. All front entrances of the proposed multifamily condominiums shall be outfitted with overhead canopies.
4. Rear façades and side units, especially those that are visible from public roadways, of the proposed multifamily condominiums shall include additional colors or materials to break up the repetitiveness of the current design.
5. If deemed feasible by M-NCPPC and County DPW&T, the pedestrian trail on Parcel 4 shall form a connected loop around the stormwater pond. The trail shall integrate appropriate wayfinding signage and vinyl treatment fencing to ensure pedestrian safety if required by Prince George's County Department of Environment (DER) guidelines.
6. All transformers associated with this development shall be installed subgrade.
7. The applicant shall install a minimum of two (2) inverted-U shaped bike racks in front of the leasing office.
8. A public art installation shall be incorporated in a publicly visual location on or near at least two of the three subject parcels, with specific consideration of the entrance monument signs.
9. The applicant shall incorporate a more colorful palette in the façade of the multifamily building on parcel 1, complementing the colors of the other units on the property.
10. Applicant shall make an effort to preserve mature trees on Parcel 3 and plant native shade trees between 2 and 2 1/2 caliper on the subject property.
11. Regarding the legal dispute between the applicant and the owner of Metro III; the City of Hyattsville has no comment as the issue is between private property owners.



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Assistant City Administrator Jim Chandler addressed the Mayor and Council providing a background and summary regarding the Dewey Development stating that Council had a discussion regarding the development three (3) days earlier, staff met with the applicants the following day and the applicants presented to the Planning Committee that same evening. Mr. Chandler stated that the applicant requested two (2) revisions that were included in the documentation provided to the Council and reiterated that staff supported the conditions as they were presented to the Council.

City Planner Kate Powers conducted a presentation that included details of the site and staff recommendations stating that the application did not apply to the entire site, but rather parcels 1, 2, and 3 of the total 5 parcels and provided their locations. Ms. Powers explained that, regarding parcel 1, the applicant proposed a 361 dwelling unit, five-story, multi-family building consisting of rental units; regarding parcels 2, the applicant proposed 136 multi-family condominiums; and 32 multi-family units on parcel 3 which would be designed by Stanley Martin for sale.

City Planner Powers stated that parcel 1 would have loading and servicing separately within the parking garage with the entrance of the garage near parcel 5; parcel 2 would have a private internal roadway and she further described street parking availability as well as relaying that there were parking spaces for each dwelling that would total 158 throughout the development not including driveway availability.

Ms. Powers reported that one of the recommendations of the Planning Committee was for the Prince George's County Department of Permitting, Inspections, and Enforcement (DPPE) allow the applicant additional width so that vehicles may more easily maneuver or extend the alley to the external roadway to provide better accessibility.

Ms. Powers explained that parcel 3 was served by an internal, private road similar to parcel 2 and that all lots will have parking as well as visitor parking and cited the opposition and written correspondence included in the Council's packet from the McMillian Metro law firm which claims a parking entitlement right being retracted from Metro 3. Ms. Powers noted that Mr. Ciferri was available during the meeting to address any questions as needed.

Ms. Powers stated that the parcels would be owned by a homeowners' association (HOA) which would own and maintain the land, but the homes would be available for purchase. She cited the location of parcel 3 as being almost solitary and stated that there was a requirement for approval to create a non-motorized pathway from parcel 3 to the rest of the development and that once the stormwater pond was completed the land and facilities would be dedicated to the County. Ms. Powers continued that, if it was feasible to the Department of Public Works (DPW) and the County, staff recommended that the connecting trail encircle the development and be equipped with wayfinding signs and vinyl fencing.

Ms. Powers noted the Committee's preference to maintain consistency with the aspects of parcel 5 and cited recommended conditions to which she elaborated that transformers be installed subgrade, the inclusion of at least two (2) bike racks, and the incorporation of an art installation that is publicly visible. She stated that the Planning Committee preferred to see the art element extended throughout the development while preserving as many trees as possible, bring the



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utilities and road up to the public standard, and build stairway access connecting parcels 3 and 4.

**Ward 3 Councilmember Ben Simasek** inquired as to why Mr. Ciferri argued that moving the parking spaces from a surface lot to a parking garage was an unacceptable action to which Mr. Ciferri replied that the issue lies with having an entitled permanent right as opposed to a temporary, leased right and added that there also existed the issue of maintaining a familiar layout for area.

**Councilmember Simasek** commented that it was a positive development in most senses, referencing incorporating colors on multi-family condominiums and asked why the same recommendations were not made for parcel 1 to which City Planner Kate Powers responded that comments were made about trendiness and the potential for the style to become unpopular and that the Committee preferred to have diversity.

**Councilmember Simasek** sought clarity regarding the recommendation for a public roadway on parcel 2, the stair access connecting parcels 3 and 4 in addition to American Disabilities Act (ADA) compliant switchbacks, and the effort to preserve mature trees to which Ms. Powers answered that staff relied on the expertise of DPW regarding the preservation of trees and that the stairway would provide a connection throughout the development where there would otherwise be interruption. Assistant City Administrator Jim Chandler added that the parcel in which the stairway would be constructed would be dedicated to the County and there would be a degree of liability and stated that he was unsure of how the connecting sites would interact together given the grading, retaining wall, and stormwater facility which resulted in questioning feasibility of the request.

**Councilmember Simasek** requested further clarity regarding the challenges that staff anticipated with the road adjacent to parcel 2 to which Mr. Chandler explained that the applicant had intentions to place wet and dry utilities in the roadway under a private standard and unless the utilities were removed, the roadway could not be accepted into the public system.

**Councilmember Simasek** expressed his partiality for the amenities included in the streetscape for parcel 4 and relayed his preference for it to be applied elsewhere, specifically for a corner single-family unit.

**Ward 2 Councilmember Robert Croslin** expressed his appreciation for the effort to preserve trees and asked whether the use of any certain type of tree would cause conflict to which Mr. Chandler responded that if the applicant complied with the landscape manual they would have discretion over what species of trees would be included.

**Ward 4 Councilmember Daniel Peabody** inquired as to whether the City attorney had provided any comment regarding the legal dispute over parking to which Mr. Chandler replied in the negative stating that the City Council was merely a recommending Body and that the applicant performed a parking analysis that had been submitted into the record demonstrating an abundance of parking consistent with the transit plan. **Councilmember Peabody** expressed his support for more structured parking.



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**Council Vice President Carrianna Suiter** requested elaboration regarding costs associated with Metro 3 to which Mr. Chandler explained that staff had not looked at the cost per user at Metro 3 and it was common for building operators to negotiate lease agreements with garage operators. He stated that he was unaware of any discussion that had taken place regarding the issue and the City had no intention of playing a role in negotiations between private parties.

**Ward 5 Councilmember Joseph Solomon** raised questions regarding the legal dispute stating that he supported the long-term goal of structured parking for the area and inquired as to including the acknowledgement of the dispute in the motion to which Mr. Chandler retorted that the condition was evident in the site approval and it was Park and Planning's legal position that the applicant had every right to pursue. Mr. Ciferri interjected that there was pending litigation associated with the dispute in the Prince George's Circuit Court system.

**Councilmember Solomon** reiterated his suggestion to have the City's position on the dispute be noted in the motion language to which **Mayor Hollingsworth** attempted to clarify the details in which the amended language would be written.

Attorney for the applicant Thomas Haller addressed the Mayor and Council recalling that when Metro 3 purchased the land they agreed to requirements that stated that the surface parking lot could be relocated to other areas including UTC and that his client is implementing the agreements in the way in which they were intended. He added that the TDDP sought to eliminate all surface parking lots and encourage redevelopment.

Mr. Haller addressed the issue of possibly dedicating part of the roadway network to the City reiterating Mr. Chandler's comments that all utilities would be installed subgrade; beneath the roadway, and therefore the roadway could not be dedicated publicly. He recollected that in the initial plans, only an extension of Toledo Terrace and a road extending from Toledo Road to an intersection were to be publicly dedicated and stated that redesigning the entire development to make any changes to that was impossible.

Mr. Haller explained that when they presented the trail system through the Nine Ponds property, they did not show a connection to parcel 3 that would cross the Nine Ponds property. He stated that to adhere to the City's request that the trail system connect they had to comply with ADA regulations which resulted in the installation of the switchback that would allow all residents access to the ponds and surrounding areas. Mr. Haller stated that attempting to include a staircase for the trail connection would require significant adjustments to the retaining wall and would also extend the construction into an area owned by the County, which was prohibited. He relayed that he and his client determined that what they provided in response to the City was adequate.

Mr. Haller noted that he submitted two (2) revisions to the recommendations read in the motion. First, the client deemed it redundant to apply canopies on parcel 3 to the entrances of the development while the design already included overhanging vestibules that would protect residents from the elements and second, he stated that the transformers in which they wished to be above ground were privately owned and were affixed with decorative screening which were aspects compliant with the TDDP.



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**Councilmember Simasek** made a motion to amend the letter to the to the Planning Commission to include a condition that the applicant shall incorporate a more colorful palette on the façade of the multi-family building on parcel 1 complementing the colors of the other units on the property and that the applicant shall make an effort to preserve mature trees on parcel 3 and plant native canopy street trees on the subject property which was seconded by **Councilmember Solomon**.

**Councilmember Peabody** invited Assistant City Administrator Jim Chandler and City Planner Kate Powers to comment on the propose motion to which Mr. Chandler responded that staff understood and were amenable to the color palette choices, but that the Planning Committee chose to remain silent on the issue and that the amendment regarding trees was acceptable. He advised that any trees planted be at least at a 2 ½ caliper to allow for sturdiness and a more open sightline.

**Councilmember Simasek** elected to amend the amended language previously proposed to read that the applicant shall make an effort to preserve mature trees on parcel 3 and plant native shade trees between 2 and 2 ½ caliper on the subject property which was seconded by **Councilmember Peabody** and approved unanimously.

The initial amendment brough forth by **Councilmember Simasek** and seconded by **Councilmember Solomon** was approved unanimously.

**Councilmember Solomon** made an amendment to add language stating that the City has no comment regarding the legal dispute between the applicant and Metro 3 as the dispute is between to private parties which was seconded by **Council President Ward** and approved unanimously.

**Councilmember Peabody** sought clarity regarding the canopy and covered vestibules within the development to which Mr. Chandler responded that the plan considers canopies to be coverings over single doors and vestibules to be coverings over multiple doors which may also have individual canopies. He continued that the applicant was opposed to the vestibules due to the duplicative application and increase in costs incurred. Attorney Thomas Haller directed the Councilmember to an exhibit in the packet provided to Council containing illustrations of the entrances for clarity.

**Councilmember Peabody** inquired as to whether there was any language regarding covering structures within the TDDP to which Mr. Chandler replied that the TDDP did not provide intricate detail regarding the type of structures that could be affixed with canopies and that the request was made, in part, to maintain consistency with the neighboring areas and that there was a limited downside with applying the additional coverings.

Representative for Stanley Martin Homes, Brandon Gerney, addressed the Mayor and Council explaining the requirement for canopies and stating that the designers intentionally recessed the entrances to have a better covering and to offset the absence of a canopy. He added that including a canopy over entrances would be a significant adjustment to the architecture.



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

**7.b) Uncodified Emergency Ordinance 2020-04 Outdoor Dining, Curbside Pickup, and Consumption of Alcoholic Beverages During COVID-19**

**[HCC-413-FY20](#)**

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

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

**[06.03.20.Uncodified.Ordinance.Permit.Program](#)**  
**[Temporary Restaurant License Agreement](#)**

I move the City Council introduce and adopt emergency ordinance 2020-04, an uncodified Ordinance whereby the City of Hyattsville confirms the authority of the City Administrator to establish a permit and license program allowing City of Hyattsville establishments to maintain temporarily areas dedicated for outdoor dining, curbside pickup, and/or the consumption of alcoholic beverages near the person's business premises, on City owned property, sidewalks, roadways, parking areas, on private property with appropriate permission, or any combination of the same during the COVID-19 pandemic.

Assistant City Administrator Jim Chandler reported that staff had been in discussion with County officials about the enactment of a temporary modification to use and occupancy permits for restaurants and bars which was ultimately approved by the County Council. Mr. Chandler stated that City staff had adopted the County initiative to allow for outside seating or the restructuring of outdoor seating for certain restaurants and augmentations to the requirements of restaurants, including those without outdoor seating. He explained that the measure would allow some relief for small businesses in the wake of the COVID-19 health emergency.

**Councilmember Solomon** expressed concerns regarding abuse of the system and sought clarity regarding the evaluation of applicable businesses to which Mr. Chandler replied that eligibility was determined on the entities' compliance to County regulations and that language from the County and the City alike was clear in its intentions identifying standards for distancing and other mandatory requirements intended to diminish the risk of individuals contracting or transferring COVID-19. He further explained how the ordinance would be applied and the reporting mechanisms therein.

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



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### 8. Council Dialogue (9:35 p.m. – 9:45 p.m.)

**Councilmember Simasek** congratulated the graduating class of 2020, recognized George Floyd, and commended Chief Awad, **Mayor Hollingsworth**, and City Administrator Douglas for their leadership.

**Councilmember Croslin** thanked Chief Awad and **Mayor Hollingsworth** and recommended that the Department of Education improve upon its obligation to educate the population about history that includes the struggles, challenges, and achievements of the Black community.

**Councilmember Peabody** agreed with the comments of **Councilmember Croslin** and expressed the need to improve education. He acknowledged the trying times evident around the world and congratulated the graduates of 2020.

### 9. Community Notices and Meetings

#### 9.a) Main City Calendar: June 5 - July 20, 2020

[HCC-410-FY20](#)

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

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

[Main City Calendar Jun 5-Jul 20](#)

### 10. Motion to Close (9:55 p.m. – 10:55 p.m.)

#### 10.a) Motion to Close – NOTE: The Council will not return to open session.

[HCC-411-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 June 4, 2020 to discuss personnel matters, discuss an investigative proceeding, and consult with staff about potential litigation. The reasons for closing the meeting under these exceptions are to maintain legally required confidentiality regarding personnel information, an ongoing investigation, and pending litigation.

I move that the Mayor and Council find that public discussion of the number of police officers on patrol at a given time during any shift and the reasons, therefore, constitutes a risk to public safety or to public security.

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



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\*\*\* Upon the approval of the first part of the motion\*\*\*

I move that the Council meeting of June 4, 2020, be closed on the additional basis that public discussion of the deployment of police services constitutes a risk to public safety or to public security.

The meeting will not return to open session.

This session will be closed under the authority of the Annotated Code of Maryland State Government General Provisions Article Section 3-305(b)(1) To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; any other personnel matter that affects one or more specific individuals; 3-305(b)(8) consult with staff, consultants, or other individuals about pending or potential litigation; 3-305(b)(10) To discuss public security, if the public body determines that public discussion would constitute a risk to the public or to public security, including: (i) the deployment of fire and police services and staff; and (ii) the development and implementation of emergency plans; and 3-305(b)(12) to discuss an investigative proceeding involving actual or possible criminal conduct. -

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

The open session adjourned at 10:16 p.m.

Pursuant to the requirement of the Annotated Code of Maryland State Government Article 3-104(1)(2); this statement is included in these minutes:

A closed session of the Council of the City of Hyattsville was held virtually at 10:23 p.m. on Thursday June 4, 2020.

In addition to the City Council, the following staff members were present: **Tracey E. Douglas, City Administrator; Laura Reams, City Clerk; Chief Amal Awad, City of Hyattsville Police Department.**

The authority under which the session was closed was the Annotated Code of Maryland State Government General Provisions Article Section 3-305(b)(1) To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; any other personnel matter that affects one or more specific individuals; 3-305(b)(8) consult with staff, consultants, or other individuals about pending or potential litigation; 3-305(b)(10) To discuss public security, if the public body determines that public discussion would constitute a risk to the public or to public security, including: (i) the deployment of fire and police



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services and staff; and (ii) the development and implementation of emergency plans; and 3-305(b)(12) to discuss an investigative proceeding involving actual or possible criminal conduct.

Topics Discussed: The Mayor and City Council were advised on privileged and confidential matters relating to the staffing levels of the Hyattsville Police Department and public safety and security.

Action Taken: None

The closed session adjourned at 11:34 p.m. on a motion made by **Council President Ward** and seconded by **Councilmember Solomon**.

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

**ATTEST:**

**August 19, 2020**

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**Laura Reams, City Clerk**

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**Sean Corcoran, Deputy City Clerk**