



## REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD MONDAY, AUGUST 2, 2021 7:00 PM

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Kevin Ward, W1, Mayor  
Robert Croslin, W2, Council President (*Arrived at 7:08 p.m.*)  
Danny Schaible, W2, Council Vice President  
Sam Denes, W1  
Ben Simasek, W3  
Jimmy McClellan, W3  
Edouard Haba, W4  
Daniel Peabody, W4  
Joseph A. Solomon, W5  
Rommel Sandino, W5

Absent: None

Also present were the following City staff members:  
Tracey Douglas, City Administrator  
Jim Chandler, Assistant City Administrator  
Ron Brooks, City Treasurer  
Scott Dunklee, Acting Chief Hyattsville City Police Department  
Lesley Riddle, Director of the Department of Public Works  
Cheri Everhart, Acting Community Services Director  
Hal Metzler, Deputy Director of the Department of Public Works  
Vivian Snellman, Director of Human Resources  
Laura Reams, City Clerk

### Meeting Notice:

As we continue to take precautions due to the COVID-19 (Coronavirus) pandemic, the Hyattsville City Council will hold its meeting on Monday, August 2, 2021, remotely via video conference. The Council meeting will be conducted entirely remotely; there will be no in-person meeting attendance.

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

### PUBLIC PARTICIPATION:

Public comment may be made using the e-comment feature at [www.hyattsville.org/meetings](http://www.hyattsville.org/meetings) or by emailing [cityclerk@hyattsville.org](mailto:cityclerk@hyattsville.org). All electronic comments must be submitted by 5 PM on August 2, 2021. Comments received will be read by City staff during the public comment portion of the meeting.

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

[https://us06web.zoom.us/webinar/register/WN\\_Osrl43V-QpiU\\_uX5gEcpdg](https://us06web.zoom.us/webinar/register/WN_Osrl43V-QpiU_uX5gEcpdg)

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

**Mayor Kevin Ward** called the meeting to order at 7:05 p.m.



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**2. Pledge of Allegiance to the Flag**

**3. Approval of Agenda**

**AMENDMENTS**

**REMOVE** Item 5.a) HCC-49-FY22 Motion to Close

**REMOVE** Item 7 City Treasurer Update

**REORDER** Presentation Items: 8.a) HCC-50-FY22 Prince George's County Tower Commission - 5G Presentation; 8.b) HCC-51-FY22 ATHA Maryland Milestones Annual Update; 8.c) HCC-44-FY22 Riverfront at West Hyattsville Multifamily Buildings - Preliminary Plan of Subdivision 4-20040

|                  |   |
|------------------|---|
| <b>RESULT:</b>   | <b>APPROVED, AS AMENDED [UNANIMOUS]</b>   |
| <b>MOVER:</b>    | Ward  |
| <b>SECONDER:</b> | Haba  |
| <b>AYES:</b>     | Ward, Croslin, Schaible, Denes, Simasek, McClellan, Haba, Peabody, Solomon, Sandino |
| <b>ABSENT:</b>   | None  |

**4. Public Comment (7:05 p.m. – 7:15 p.m.) Complete Speaker Card, Limit 2 minutes per speaker**

Analise Goger addressed the Mayor and Council asking what the City Council could do to assist small businesses in need due to the detriments suffered from the impact of COVID-19. She inquired as to the use of American Rescue Plan Act (ARPA) funds and noted the specific need for minority and women-owned businesses.

Maureen Ritz addressed the Mayor and Council stressed the need for more rigid requirements and consequences for loose and unruly dogs in the City. She noted the efforts of Residents United for Furry Friends (RUFF) and asked that the Council support the legislation associated with the Animal Welfare Act.

Ward 5 resident Kurt Brintzenhofe addressed the Mayor and Council with concerns about developments in the area producing negative effects by the way of increased pedestrian and vehicular traffic. Mr. Brintzenhofe cited further issues with ever-changing details associated with the Riverfront development and the challenges in the Prince George’s County Public School system.

Ward 4 resident Caitlin Fitzpatrick addressed the Mayor and Council in support of continued virtual access to court proceedings stating that access was vital in keeping accountability and that the language would not affect a judge’s discretion.

Ward 4 resident Camile Edwards Bennehoff addressed the Mayor and Council expressing concerns regarding loose dogs in the neighborhood stating that she feared for the safety of her own pet and encouraged the Council to take action so that there would be more oversight of pets and animal control in general.



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Ward 1 resident Sarah K. Harper addressed the Mayor and Council in support of making virtual access to court proceedings permanent stating that it served the purpose for accountability, but also made court proceedings easier to hear than actually being present during the hearings.

Ward 4 resident Adriane Powell addressed the Mayor and Council recalling the actions taken by RUFF over the previous few years to improve the safety of residents and their pets associated with loose and unruly animals. She expressed support for the Animal Welfare Act and encouraged Council to pass the legislation.

Ward 2 resident David Marshall addressed the Mayor and Council in opposition to the acquisition of an electric vehicle for Code compliance opining that it was a waste of taxpayers' dollars. He stated opposition to the renovation of the City building and requested justification for the spending. Mr. Marshall expressed opposition to virtual access to courtroom hearings stating that going to court should not be easy or convenient. Mr. Marshall closed his public comments by stating opposition to the Animal Welfare Act stating that the current laws should be enforced before creating new ones.

### **5. ~~Motion to Close (7:15 p.m. – 8:15 p.m.)~~**

#### **~~5.a) Motion to Close~~**

**~~HCC-49-FY22~~**

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

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

~~I move the Mayor and Council close the Council Meeting of August 2, 2021 to consult with the City Attorney and staff about litigation. The reasons for closing the meeting under these exceptions are to maintain legally required confidentiality regarding ongoing and pending litigation.~~

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

### **6. City Administrator Update (8:15 p.m. - 8:25 p.m.)**

City Administrator Tracey Douglas addressed the Mayor and Council with an update regarding City programming and events reporting that the COVID-19 pandemic continued to present challenges and variants of the virus were being detected throughout the world. Ms. Douglas relayed information regarding the City's navigation of the health crisis stating that the City was performing approximately 90 tests and 180 to 200 vaccines per week with temporary vaccination pop-up sites at various locations. Ms. Douglas noted that the Delta variant of the virus was evident in the City and cases were rising citing the Centers for Disease Control (CDC) recommendations.

City Administrator Douglas communicated information regarding the American Rescue Plan Act (ARPA) referencing the \$1.9T that would be allocated to aid in the recovery from the impacts of the COVID-19 virus. Ms. Douglas noted that Hyattsville had received the first cycle payment of



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\$8.9M which could be used to support public health expenditures, address the resulting negative economic impacts, invest in the communities which suffered the most damage, replace lost public sector revenue, provide premium pay for essential workers, and invest in general infrastructure.

Ms. Douglas explained that the next steps associated with the incoming funds would be to make sound, lasting investments into the community and to augment staff to ensure a meticulous record of appropriations of ARPA funds to remain in compliance with the Act. She stated that the City would incorporate a Grants Manager, an Economic Development Program Manager, and a Program and Fund Consultant to review and develop plans, establish work groups to assist in prioritization in coordination with surrounding municipalities, the County, and the State. The City Administrator explained that a spending plan would be developed with focus on behavioral health programming, exploration of affordable housing, review of stormwater mitigation and flood prevention, assistance with small businesses and employment, cybersecurity measures and digitalization, and non-profit capacity and capability.

City Administrator Douglas turned attention to the Department of Community Services informing the Body of ongoing senior and disability services including day trips to local events as well as art classes and the return of the Ageless Grace seated exercise classes. Ms. Douglas noted that Youth Programs Supervisor, Saarah Abdul-Rauf had been accepted to the Ritch Stevenson Leadership Institute for an eight (8) month training program hosted by the Maryland Recreation and Parks Association (MRPA) and that Teen Center tutoring and mentoring resumed in-person and was expanding to include 4<sup>th</sup> and 5<sup>th</sup> grade students.

Ms. Douglas relayed information regarding the Department of Public Works (DPW) bulk trash pick-up detailing that the demand for bulk trash retrieval had increased exponentially and provided statistics reflective of the program's results as of the previous year. She stated that further resources were being explored to keep up with demand including consultant assessments, potential restrictions to the number of pick-ups, implementing "mattress only" days, increasing the frequency of bulk waste pop-up days, and the extension of education and outreach to encourage recycling and lessening the burden on City personnel. The City Administrator presented an illustrative document that provided information about the processing of waste after being removed from resident property.

Administrator Douglas provided the Body with updates associated with the Hyattsville City Police Department (HCPD) noting that violent crimes had decreased by 21%, property crimes by 35%, and vehicle thefts had increased over the prior two (2) years. Ms. Douglas reported that community meetings would be held with HCPD staff to discuss the actions taken after the shooting incident on the Route 1 corridor. Ms. Douglas continued that Lieutenant Zach Nemser had been recognized by the Senior Management Institute for Police, Private First Class Hernandez had received the 2020 Traffic Safety Award from the Maryland Chiefs of Police Association, the 2020 DUI Law Enforcement Award from the Maryland Highways Safety Office, and had been certified as a drug recognition expert. She acknowledged that Adrienne Augustus had been named to the Community Crisis Services, Inc. Board of Directors and that newly recruited officers Quiroz, Diaz-Cruz, and Conley had completed six (6) months at the law enforcement academy.



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Ms. Douglas provided details on National Night Out and Coffee with a Cop and introduced the Chair of the Board of Supervisors of Elections, Greta Mosher, to report on the certification of candidates for the Ward 1 Special Election. Ms. Mosher provided the names of the five (5) official candidates and described the process for the predominantly vote-by-mail Ward 1 Special Election that would be held on September 14, 2021. Ms. Mosher relayed information regarding the City Election guide that would be mailed to residents, the scheduled candidate forum hosted by the Hyattsville Life and Times, and the Ward 1 Meet and Greet hosted by **Ward 1 Councilmember Sam Denes**.

City Administrator Douglas provided information regarding the implementation of 5G small cell towers in the City explaining the need and benefits and describing the next steps toward integration. She introduced Michelle Lyons who provided a presentation regarding the Prince George's County Tower Commission

**7. City Treasurer Update (8:25 p.m. – 8:30 p.m.)**

**8. Presentations (8:30 p.m. - 9:10 p.m.)**

**8.a) Prince Georges County Tower Commission - 5G Presentation**

[HCC-50-FY22](#)

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

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

[Small Cell Regulation - Hyattsville](#)

**Presentation Only**

Chair Administrator of Boards and Commission for the Prince George's County Department of Permitting, Inspections, and Enforcement (DPIE) Michelle Lyons addressed the Mayor and Council with a presentation of the recommendations for integrating small 5g cell towers in the City of Hyattsville. Ms. Lyons described the differences between 5G telecommunications and more dated, larger, cell towers and detailed the advantage as being able to collect and store far more data than its predecessors.

Ms. Lyons explained that if there were to be any augmentation or replacement of telecommunications towers anywhere in Prince George's County, such plans would have to be brought before the Tower Committee and approved before any action could take place and described several methods with which the towers could be placed and arranged. She stated that a meticulous recording process was exercised with any action taken to remove or replace telecommunications equipment to ensure transparency and resident awareness.

City Administrator Douglas supplemented that a pertinent ordinance did exist, but it would have to be registered with the County to which Ms. Lyons stated that it would have to be reviewed by the Tower Committee to be taken into consideration when making any adjustments to the current infrastructure and noted that the implementation process was moving quickly with a lot of interest.



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**8.b) ATHA Maryland Milestones Annual Update**

**[HCC-51-FY22](#)**

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

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

**Presentation Only**

Assistant City Administrator Jim Chandler addressed the Mayor and Council with a summary and background regarding the Anacostia Trails Heritage Area (ATHA) Maryland Milestones and introduced Executive Director Meagan Baco.

Director Baco stated that she was very appreciative of the opportunity and would be continuing the operations of her predecessor continuing that nine (9) State agencies work to support cultural tourism and ATHA focused on history preservation, environmental preservation, and the improvement and maintenance of northern Prince George's County trails. Ms. Baco described many of the ongoing projects of the group and the development of informational videos that would inform communities of what the area had to offer.

Director Baco relayed information regarding the research and reporting of the group stating that a recent economic report contributed to a \$36M economic impact and provided for hundreds of employment opportunities and reported that there were two (2) positions on the Board that were vacant encouraging City officials to participate.

Director Baco noted the work being done in the unincorporated areas of Prince George's County and their connectivity to existing trails and paths and how partnerships with local small businesses were being developed and their potential benefits. Ms. Baco relayed the need for grant funding explaining that many projects would not reach full potential without the use of outside resources.

**8.c) Riverfront at West Hyattsville Multifamily Buildings - Preliminary Plan of Subdivision 4-20040**

**[HCC-44-FY22](#)**

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

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

**[Presentation Memo - West HVL MF - PPS 4-20040](#)**

**[Riverfront at West Hyattsville Metro Multifamily Phase 1 Hyattsville City Council](#)**

**[Presentation 8-02-2021](#)**

**Presentation Only**

City Planner Kate Powers addressed the Mayor and Council with a preface to a presentation related to the Riverfront at West Hyattsville multi-family development and clarified an error in the memorandum provided to Council noting that the specifications included referred to the total project and were not per parcel.



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Vice President of Gilbane Inc. Bobby Gilbane addressed the Mayor and Council with a brief summary of the project and introduced colleagues Matthew Michetti, Tom Haller, David Bickel, and Jason Mills. Mr. Gilbane displayed an illustrative document showing an aerial view of the location for the project detailing the boundary lines and explaining the timeline for the project. He showcased drawings of a phase of the project that included 183 townhomes over approximately 24 acres in which construction had begun describing some associated elements such as stormwater management, improvements to the roadways, and trail connectivity. Mr. Gilbane explained that 750 units across the area had been requested and the development would provide approximately 500 square feet of retail space.

Mr. Gilbane provided information regarding the plans for stormwater management stating that some areas had been removed from the floodplain and they intended to do the same with the parcel acquired from the Washington Metropolitan Area Transit Association (WMATA) but were still awaiting permits to do so and the conceptual plan sought to provide a submerged graveled wetland area. Mr. Gilbane continued to display illustrative documents which reflected the plan for stormwater mitigation at several different stages.

Mr. Gilbane described how the development would fit and connect with the nearby metro station, the northwest branch trail, and Ager Road and provided details regarding aesthetics such as lighting fixtures and building facades.

**Ward 4 Councilmember Edouard Haba** expressed appreciation for the presentation and the work being done to improve the area stating that he was interested to see the next phase and continuing conversations to assess and implement the interests of residents.

### 9. Proclamations (9:10 p.m. - 9:15 p.m.)

#### 9.a) Proclamation Recognizing September 2021 as Hispanic Heritage Month in the City of Hyattsville

[HCC-46-FY22](#)

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

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

[CM 0802 Hispanic Heritage Month 2021](#)

I move that the Mayor and Council adopt a proclamation to recognize the month of September 2021, as Hispanic Heritage Month in the City of Hyattsville to honor contributions of Hispanic and Latino workers, innovators, and leaders.

#### 9.b) Proclamation Declaring August 26, 2021 as Women's Equality Day in the City of Hyattsville

[HCC-47-FY22](#)

**Sponsor:** Schaible

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

[CM 0802 Women's Equality Day 2021](#)

I move that the Mayor and Council adopt a proclamation to declare August 26, 2021 as Women's Equality Day in the City of Hyattsville.



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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>   |
| <b>MOVER:</b>    | Croslin   |
| <b>SECONDER:</b> | Simasek   |
| <b>AYES:</b>     | Ward, Croslin, Schaible, Denes, Simasek, McClellan, Haba, Peabody, Solomon, Sandino |
| <b>ABSENT:</b>   | None  |

**10. Consent Items (9:15 p.m. - 9:20 p.m.)**

**10.a) MOU with the City of Mount Rainier for Dispatching Services**

[HCC-29-FY22](#)

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

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

I move that the Mayor and Council authorize the City Administrator to execute a Memorandum of Understanding (MOU) with the City of Mount Rainier that allows the Hyattsville Police Department to provide radio dispatching services on a requested basis and to reimburse Hyattsville for these services.

**10.b) Memorandum of Understanding - Creative Inspections Bio-Retention Monitoring**

[HCC-31-FY22](#)

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

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

[NDC Hyattsville InspectorGreen MOU-July2021 \(1\)](#)

I move that the Mayor and Council authorize the City Administrator to enter onto to a MOU with The Neighborhood Design Center to support working with surrounding municipalities on education and training for green infrastructure maintenance.

**10.c) Renovation of Prangley Room**

[HCC-32-FY22](#)

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

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

[01408-0008 Prangley Conference Room](#)

I move the Mayor and Council authorize the City Administrator to accept the construction proposal from Gordian for an expenditure not to exceed \$55,000.00 for the renovation of the Prangley Room at 4310 Gallatin Street.





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### **10.d) Structural Evaluation of Existing Roof at 4310 Gallatin Street**

#### **HCC-33-FY22**

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

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

[TO 63 Roof Assessment Porposal 6.22.2021](#)

[JMT Option Year 2 Signed](#)

[15-1281-000 - OFFICIAL CONTRACT - CITY OF HYATTSVILLE - DPW07132015 - HYATTSVILLE POLICE HEADQUARTERS RELOCATION AND ADAPTIVE REUS](#)

I move the Mayor and Council authorize the City Administrator to approve an expenditure not to exceed \$19,000.00 to Johnson, Mirmiran, and Thompson (JMT) for a structural evaluation of the existing roof of the City Administration Building- 4310 Gallatin Street, under their existing contract.

### **10.e) Furniture Purchase - First Floor Reception Area**

#### **HCC-34-FY22**

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

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

[MAPT Contract](#)

[JN-8135 HYATTSVILLE ADMIN BLDG-R02 \(003\) MAPT](#)

I move the Mayor and Council approve an expenditure not to exceed \$15,000.00 to Douron for the purchase of furniture for the first-floor office reception area at 4310 Gallatin Street off of the MAPT Contract #2015-42.

### **10.f) Purchase of Videography Equipment**

#### **HCC-35-FY22**

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

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

I move the Mayor and Council authorize an expenditure not to exceed \$31,000 to B&H Photo for the purchase of videography equipment to support the City's cable television studio and original content production. I further move to authorize the resale of existing camera equipment to offset the expenditure. This expenditure will be funded through the use of Public, Education, and Government (PEG) funds which are designated for the purpose of funding capital expenditures to support video production.

### **10.g) Annual Service Agreement with Motorola for Radio Communications Dispatch System, Portable and Mobile Radios**

#### **HCC-36-FY22**

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

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

I move that the Mayor and Council authorize the expenditure of \$33,846 for the renewal of the FY22 Annual Motorola Service Agreement for maintenance on the Police Departments dispatch console, portable and mobile radios.



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**10.h) Ward 5 Discretionary Fund Expenditure: August 14 Community Meeting**

[HCC-39-FY22](#)

**Sponsor:** Solomon

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

[Ward 5 Flyer](#)

I move the Mayor and Council authorize an expenditure NTE \$525 of Ward 5 discretionary funding to Trinity Grill for the purchase of food to be served at the August 14 Community Meeting and Clean Up Event.

**10.i) FY22 Northstar Tutoring Contract**

[HCC-40-FY22](#)

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

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

[Northstar Contract FY22 Draft](#)

I move that the Mayor and Council approve the FY22 Northstar Tutoring contract for tutoring and mentoring management services in an amount not to exceed \$70,000, upon review and approval by the City attorney for legal sufficiency, in support of the City’s teen programming for students in grades 4 through 12.

**10.j) Vehicle Acquisition - Parking Compliance**

[HCC-45-FY22](#)

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

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

[Memo - Vehicle Acquisition - Parking Compliance Chevrolet Hyattsville 2022 Bolt Factory Order Quote](#)

I move the City Council authorize the acquisition of a single (1) Chevy Bolt from Criswell Chevrolet Inc., 503 Quince Orchard Road, Gaithersburg, Maryland 20878, for a cost not to exceed \$36,000.

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>   |
| <b>MOVER:</b>    | Croslin   |
| <b>SECONDER:</b> | Schaible  |
| <b>AYES:</b>     | Ward, Croslin, Schaible, Denes, Simasek, McClellan, Haba, Peabody, Solomon, Sandino |
| <b>ABSENT:</b>   | None  |

**11. Action Items (9:20 p.m. - 9:50 p.m.)**

**11.a) Authorization of Letter to Prince George’s County Judges in Support of Continued Virtual Access to Prince George’s County Courtrooms**

[HCC-38-FY22](#)

**Sponsor:** Schaible

**Co-Sponsor(s):** Simasek, Solomon, Haba, McClellan

[Letter to Administrative Judge Sheila Tillerson revised 72821](#)



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I move that the Mayor and Council prepare letters to be sent to Prince George's County Administrative Judges Sheila Tillerson Adams and Lisa Hall Johnson in support of continued virtual public access to Prince George's County courtroom proceedings, ~~for observers~~.

**Ward 2 Councilmember Danny Schaible** addressed the Body with a summary of the intent of the motion stating that it would retain and expand virtual access to the public to court proceedings in Prince George's County. He stated that the request was for both audio and video access as several non-verbal actions can be noted that would have an effect on the public understanding.

**Ward 3 Councilmember Ben Simasek** inquired as to striking the last two (2) words of the motion to which **Councilmember Schaible** explained that the intent of the motion was to include remote access for those with direct connection to the case such as a plaintiff or defendant.

**Ward 3 Councilmember Jimmy McClellan** expressed support for the motion and support for virtual access to the public so long as privacy when viewing sensitive material remained an option to authoritative discretion.

**Council President Robert Croslin** stated that he did not possess enough knowledge on the subject and had not been convinced that the measure would be beneficial when speaking with individuals and groups familiar with the subject explaining that he would likely not vote in favor of the motion.

**Councilmember Schaible** stated that he had not discussed the matter directly with the City attorney which was followed by a request for clarity of the language by **Ward 4 Councilmember Daniel Peabody** who relayed that he was in support of expressing an affirmative position on behalf of the City Council to advocate for continued virtual public access of court proceedings.

**Councilmember Haba** cited his work within the court system stating that innovation and new ideas were hard to implement and while some lawyers and judges clearly opposed the measure, there were a majority of people associated with the court system who were in favor of continued public access. He stated that inevitable changes came about due to the global pandemic, but that from that came new advantages and that the agenda item would help maintain transparency and trust.

**Ward 5 Councilmember Joseph Solomon** clarified that there were differences between personal opinions and holding a position on behalf of the Council and presenting that position through correspondence while ensuring that the purpose and intent of the correspondence was not misconstrued. He encouraged his colleagues to maintain the regular process performed previously with all other prepared correspondence from the Body.

The Body approved the amendment proposed by **Councilmember Simasek** unanimously.



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| <b>RESULT:</b>   | <b>APPROVED, AS AMENDED [9 – 1]</b>  |
| <b>MOVER:</b>    | Croslin  |
| <b>SECONDER:</b> | Schaible   |
| <b>AYES:</b>     | Ward, Schaible, Denes, Simasek, McClellan, Haba, Peabody, Solomon, Sandino |
| <b>NAYS</b>      | Croslin  |
| <b>ABSENT:</b>   | None   |

**11.b) Hyattsville Ordinance 2021-06: Extension of Temporary Outdoor Seating (Emergency Ordinance)**

[HCC-42-FY22](#)

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

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

[Memo - Temporary Outdoor Seating Ordinance 2021-06](#)

[7.27.21 Uncodified Emergency Ordinance Extending TOS](#)

[Maryland-2021-SB205-Chaptered](#)

[SB 205 Fiscal and Policy Note](#)

[CR-69-2021](#)

[Ordinance 2020-04 SIGNED](#)

I move that the Hyattsville City Council introduce and adopt Hyattsville Emergency Ordinance 2021-06, an uncodified ordinance whereby the City of Hyattsville extends the 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, effective through December 31, 2022 (INTRODUCTION & ADOPTION).

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>   |
| <b>MOVER:</b>    | Croslin   |
| <b>SECONDER:</b> | Denes   |
| <b>AYES:</b>     | Ward, Croslin, Schaible, Denes, Simasek, McClellan, Haba, Peabody, Solomon, Sandino |
| <b>ABSENT:</b>   | None  |

**11.c) Hyattsville Crossing Business Improvement District**

[HCC-43-FY22](#)

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

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

[Memo - HVX Business Improvement District Prince Georges County BID Toolkit](#)

I move the City Council accept the proposal submitted by, and award of contract of services to, HR&A Advisors, 925 15th Street, NW, Washington, DC 20005, in an amount not to exceed \$155,000 for the purpose of developing a Business Improvement District strategy for Hyattsville Crossing, upon review for legal sufficiency by the City Attorney.



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**Councilmember Simasek** expressed his opinion that it was an promising investment for the Hyattsville Crossing (HVX) area and inquired as to the boundaries of the region and how a business’ participation would affect those boundaries to which Assistant City Administrator Jim Chandler responded that any areas in the incorporated City limits would not exceed the regulations stated in the Transit District Development Plan (TDDP) but there were portions of the area that did not lie within the City’s jurisdiction that would be contingent upon a business owner’s participation.

**Council President Croslin** sought clarity regarding the obligation for payment of the project to which Mr. Chandler replied that the majority, \$125K, would be provided by the Maryland National Capital Park and Planning Commission (MNCPPC) and that Council had approved allocations of those funds as well as appropriating \$30K in the FY22 budget to assist in the project. Mr. Chandler continued that once the first two (2) phases were managed, a potential third phase to establish organization may be applied.

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>   |
| <b>MOVER:</b>    | Croslin   |
| <b>SECONDER:</b> | Peabody   |
| <b>AYES:</b>     | Ward, Croslin, Schaible, Denes, Simasek, McClellan, Haba, Peabody, Solomon, Sandino |
| <b>ABSENT:</b>   | None  |

**12. Discussion Items (9:50 p.m. - 10:10 p.m.)**

**12.a) 6400 American Boulevard - Detailed Site Plan (DSP-21006) Presentation**  
**[HCC-19-FY22](#)**

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

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

[Discussion Memo - Parcel N - DSP 21006 - V2](#)

[Parcel N - DSP 21006 - 07.19.21 Materials](#)

[HCC-19-FY22 Attachment Parcel N- City of Hyattsville 21-0719](#)

Discussion

City Planner Kate Powers addressed the Mayor and Council with a brief background and summary of the Detailed Site Plan (DSP) for 6400 American Boulevard relaying the size, acreage, and intent for the site. Ms. Powers described that the site was for a commercial building with retail, health care, and food store uses and the applicant was proposing the development of an eight (8) story, mixed-use building that would include residential units.

Ms. Powers discussed the plans for parking spaces as well as a parking garage with a pedestrian-friendly layout, and highlighted the landscaping features that would be implemented. She stated that staff recommended several environmentally friendly and renewable resources such as solar roof panels, electric vehicle charging stations, and accessible locations for bike storage.



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Ms. Powers displayed an illustrative rendering reflective of the outside façade and location of the building noting the adjacent streets and aesthetics of the building relaying that staff recommended one (1) further change to the entrance of the building. City Planner Powers stated that staff recommended augmentations to the side of the building facing East West Highway to establish and identity that would contribute to the visual and architectural character of the area. She continued that staff recommended an interior courtyard, pet waste stations, and a double-gated entry while the applicant requested modifications to the building façade, and exceptions to regulated distancing of elements within the structure. Ms. Powers provided details regarding the continuation of the process citing dates with which entities would provide feedback and further decisions would be made.

**Councilmember Simasek** referenced the parking challenges in the area and recommended designated parking areas for retail.

**Councilmember McClellan** thanked Ms. Powers for the presentation and taking the comments of residents and Committee members into consideration and expressed support for the item. He echoed the concerns of his colleague regarding adequate spaces for parking and expressed support for affordable housing in the area and more artwork to be included in all development within the City of Hyattsville.

**Councilmember Schaible** inquired as to traffic calming in association with the project to which Ms. Powers responded that nothing had been discussed in detail other than extending the sidewalk along East West Highway.

### **12.b) Animal Welfare and Community Safety Act**

#### **[HCC-52-FY22](#)**

**Sponsor:** Schaible

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

[Animal Welfare and Community Safety Act, FINAL w responses following Dec 7 Council Discussion](#)  
[Charter and Code March 2019 Ch 52](#)  
[FINAL Animal Welfare and Community Safety Act, FINAL](#)  
[FINAL Animal Welfare and Community Safety Act, Supplemental Information](#)

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

1. Update animal welfare provisions to include prohibitions on long-term tethering and exposure to severe weather.
2. Categorize animal control violations as a Public Nuisance violation (less severe) or a Public Threat violation (more severe).
3. Clarify enforcement procedures by:
  - a. Requiring the City to designate persons responsible for implementing Chapter 52 municipal infractions.
  - b. Specifying when municipal infractions require a citation and/or coordination with the Prince George's County Animal Services Division.



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- c. Requiring the City to review and adapt Police General Orders to the requirements of Chapter 52.
- d. Requiring the City to develop a Standardized Response Protocol for violations.
- 4. Enhance public awareness and preparedness on animal control issues by:
  - a. Providing educational outreach and promoting community awareness of incidents that may present a threat to public safety.
  - b. Requiring the City to collect and maintain data on animal control complaints and on actions taken in response to complaints and violations.
  - c. Requiring the City to prepare an annual report on Chapter 52 complaints and actions taken.

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

**Councilmember Schaible** provided a background and history of the measure recalling input and support from the Code Committee and the need for the legislation due to a lack of authority in the City regarding animal control. He spoke of resident concerns and the need for coordination with the County to improve the safety of residents and pets from dangerous dogs and other unsupervised pets.

**Ward 5 Councilmember Rommel Sandino** expressed concerns regarding the onus on City staff and the potential for over-policing, particularly in communities of color to which **Councilmember Schaible** was amenable and supportive of further discussion on the matter to include protective language.

**Council President Croslin** sought details about the responsibilities and title of the new position created through the legislation and asked particularly about the enforcement of the regulations cited as “number 1” in the motion language to which Assistant City Administrator Jim Chandler answered that there was ongoing discussion regarding what staff would be directly involved in the responsibilities and there was an element of response to consider as well as an element of consequence for violations. The Council President held concerns regarding how one could keep a dog from barking and expressed opposition to hiring a new staff member to oversee animal welfare.

City Administrator Tracey Douglas supplemented that it was imperative that an educational aspect be included as problems originated from the owners of the animals and other resources would need to be established such as microchipping and instituting software that would allow the City to track incidents and problem areas.

There was clarification about current Code and changes that would need to be applied to the current Code including a discernment between nuisance and threat and other varying levels of safety violations.

**Councilmember Haba** requested clarity regarding enforcement and how Chapter 52 of the City Code would be affected to which **Councilmember Schaible** responded that the extent of assistance required from law enforcement was in the process of being determined and stated that



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the County's workload in the area of animal welfare was substantial. He relayed that a protocol would be established to what response would be appropriate to what complaint and the level of threat to a resident or pet.

**Councilmember Denes** expressed concerns regarding the vagueness surrounding enforcement and requested a review of the County code. He recommended that a hired staff member assigned to the responsibilities should be part-time until there was more deliberation about what the capabilities of the chosen individual were determined.

**Councilmember Peabody** suggested that, if the motion were to pass, the program be reviewed after a year of operation to assess what was working and what was not.

**Councilmember Solomon** expressed appreciation for the work that had been done on the motion and the clarification of categorizing nuisances and threats stating that an element of police involvement was compulsory but cautioned to be careful of premature intervention, over-policing, and setting a clear line to determine roles and responsibilities.

### 13. **Council Dialogue (10:10 p.m. - 10:20 p.m.)**

**Councilmember Solomon** provided information regarding a Ward 5 community meeting, encouraged vaccinations, and thanked the Abundant Life Church for their assistance in vaccinating residents.

**Councilmember Sandino** stated that he was looking forward to the Ward 5 community meeting.

**Council President Croslin** expressed support for diligence, safety, and vaccination during the health crisis.

**Councilmember Simasek** cited a potential meeting at University Hills and encouraged all to take the necessary safety steps to prevent the spread of COVID-19.

**Councilmember Denes** thanked residents who were able to attend a recent event and reported that a Ward 1 meet and greet would be held for residents to converse with Ward 1 Special Election candidates. He encouraged all to be safe and take precautionary measures to ensure their health.

**Councilmember Haba** echoed the sentiments of his colleagues and stated that he has heard concerns from residents regarding rodents and was confident that the issues would be addressed by City staff.

**Councilmember Schaible** noted the Delta variant of the virus and explained the challenges of residents due to the ending of a moratorium for required rent recommending that methods of relief be explored by City officials and staff.

**Mayor Ward** cautioned all about the Delta variant and expressed that it was imperative to take precautionary measures and seek vaccinations to minimize the spread of the virus.





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**14. Community Notices and Meetings**

**14.a) Main City Calendar: August 3 - September 20, 2021**

[HCC-48-FY22](#)

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

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

[Main City Calendar August 3 - September 20, 2021 FINAL](#)

**15. Motion to Adjourn**

|                  |  |
|------------------|--|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>  |
| <b>MOVER:</b>    | Croslin  |
| <b>SECONDER:</b> | McClellan  |
| <b>AYES:</b>     | Ward, Croslin, Schaible, Denes, Simasek, McClellan, Haba, Peabody, Solomon,<br>Sandino |
| <b>ABSENT:</b>   | None   |

The meeting adjourned at 10:31 p.m.

**ATTEST:**

**November 1, 2021**

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**Laura Reams, City Clerk**

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**Sean Corcoran, Deputy City Clerk**