



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD MONDAY, SEPTEMBER 20, 2021 6:00 PM

Kevin Ward, Mayor
Robert Croslin, Council President, W2
Danny Schaible, Council Vice President, W2
Sam Denes, W1
Ben Simasek, W3
Jimmy McClellan, W3
Edouard Haba, W4 (*Arrived at 6:11 p.m. Departed at 7:00 p.m.*)
Daniel Peabody, W4
Joseph A. Solomon, W5 (*Arrived at 6:11 p.m.*)
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
Sandra Shephard, Director of Community Services
Laura Reams, City Clerk
Sean Corcoran, Deputy City Clerk
Reggie Bagley, Emergency Services Coordinator
Cheri Everhart, Community Services Manager
Hal Metzler, Deputy Director of the Department of Public Works
Kate Powers, City Planner
Zach Peters, Board of Supervisors of Elections

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, September 20, 2021, remotely via video conference. The Council meeting will be conducted entirely remotely; there will be no in-person meeting attendance.

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

PUBLIC PARTICIPATION:

Public comment may be made using the e-comment feature at www.hyattsville.org/meetings or by emailing cityclerk@hyattsville.org. All electronic comments must be submitted by 4 PM on September 21, 2021. Comments received will be read by City staff during the public comment portion of the meeting.

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

https://us06web.zoom.us/webinar/register/WN_li8CORW0RPG462vWAD4Quw



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1. Call to Order and Council Roll Call

Mayor Kevin Ward called the meeting to order at 6:07 p.m.

2. Pledge of Allegiance to the Flag

3. Approval of Agenda

AMENDMENTS

ADD a Moment of Silence after the Pledge of Allegiance in honor of Christa Beverly, wife of former Prince George's County Executive Rushern Baker.

AMEND the closed session language to remove the City Attorney from the motion language.

RESULT:	APPROVED, AS AMENDED [UNANIMOUS]
MOVER:	Croslin
SECONDER:	N/A
AYES:	Ward, Croslin, Schaible, Denes, Simasek, McClellan, Haba, Peabody, Solomon, Sandino
ABSENT:	N/A

4. Approval of the Minutes

4.a) Approval of the Minutes

[HCC-73-FY22](#)

Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Minutes May 17 2021 CM FINAL](#)

[Minutes June 7, 2021 Meeting 1 of 2 2021 CM FINAL](#)

[Minutes June 7, 2021 Meeting 2 of 2 2021 CM FINAL](#)

I move that the Mayor and Council approve the minutes of the Council meetings of May 17, 2021, June 7, 2021 at 12:00 p.m., and June 7, 2021 at 7:00 p.m.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Croslin
SECONDER:	Peabody
AYES:	Ward, Croslin, Schaible, Denes, Simasek, McClellan, Haba, Peabody, Solomon, Sandino
ABSENT:	N/A

5. Public Comment (6:10 p.m. - 6:20 p.m.) Complete Speaker Card, Limit 2 minutes per speaker

Claire Panak addressed the Mayor and Council in support of traffic calming measures on Oliver Street and expressed displeasure with the delays of implementation. Ms. Panak stated that she



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felt all interns of the City should receive compensation and asked that better oversight be developed for animal control in the City.

Gloria Felix-Thompson addressed the Mayor and Council recalled a meeting of the Code Compliance Advisory Committee in which several recommendations were made with regard to animal control and encouraged the Body to act on the items.

Reva Harris addressed the Mayor and Council expressing appreciation for the continued partnership between the Hyattsville Life and Times and the City of Hyattsville. Ms. Harris noted that the paper and its volunteers were recently recognized by the National Newspaper Awards and thanked the City and its residents.

Nihar Shah, the developer of 6400 America Boulevard, addressed the Mayor and Council expressing gratitude for the partnership with the City and describing the project and its benefits to the community.

Greg Smith addressed the Mayor and Council in opposition to Werrlein construction and several, repeated, alleged offenses and building violations. Mr. Smith also expressed opposition to the countywide zoning map amendment and violations there in requesting full transparency from developers.

Ward 2 resident David Marshall addressed the Mayor and Council in opposition to traffic calming measures on Oliver Street and inquired as to the responsibility of the consultant that was being considered to assist in the distribution of American Rescue Plan Act (ARPA) funds.

6. **Motion to Close (6:20 p.m. - 7:20 p.m.)**

6.a) **Motion to Close**

[HCC-76-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 September 20, 2021, to consult with ~~the City Attorney and~~ staff about litigation and to discuss contract negotiations related to the acquisition of property. The reasons for closing the meeting under these exceptions are to maintain legally required confidentiality regarding litigation and contract negotiations.

This session will be closed under the authority of the Annotated Code of Maryland State Government General Provisions Article Section 3-305 (b) (3) to consider the acquisition of real property for a public purpose and matters directly related thereto"; and (b)(8) consult with staff, consultants, or other individuals about pending or potential litigation.



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RESULT:	APPROVED [UNANIMOUS]
MOVER:	Croslin
SECONDER:	Solomon
AYES:	Ward, Croslin, Schaible, Denes, Simasek, McClellan, Haba, Peabody, Solomon, Sandino
ABSENT:	N/A

The Council entered closed session at 6:28 p.m. and adjourned at 7:00 p.m. on a motion by **Council President Robert Croslin** and seconded by **Ward1 Councilmember Sam Denes**.

7. City Administrator Update (7:20 p.m. - 7:30 p.m.)

City Administrator Tracey Douglas addressed the Mayor and Council with updates regarding City events and programming beginning her report by addressing comments submitted in the Public Comment portion of the meeting. She explained that due diligence had been conducted regarding resident concerns with construction projects in the area and transferred the onus of response to Assistant City Administrator Jim Chandler.

Mr. Chandler explained that both he and Director of Department of Public Works (DPW) Lesley Riddle had held conversations with representatives from the Maryland Department of the Environment (MDE) and were awaiting responses regarding alleged violations of land developers within the incorporated City limits of Hyattsville. Ms. Douglas supplemented that she had recently spoken with County representatives who, she was told, were preparing a stop work order that would be issued to developers found in breach of building regulations.

City Administrator Douglas brought attention to the Ward 1 Special Election in which Ms. Joanne Waszczak was elected to finish the two (2) years left on the Ward 1 Councilmember term left vacant by the election of Kevin Ward as Mayor. She thanked all involved in the successful event noting that Ms. Waszczak's oath of office ceremony would be held October 4th.

Ms. Douglas reported that Sandra Shepard had been hired to serve as the Community Services and Programs Director describing her background and qualifications and that Nyeem Nasir had been hired by the Hyattsville City Police Department (HCPD) as a law enforcement officer noting his previous experience with Arlington County Sheriff's Office.

The City Administrator updated the Body regarding the ongoing COVID-19 health crisis stating that an upward trend in virus contraction was evident in the area and provided information as to how residents could receive the vaccine and testing for the virus. She cited October 25th through the 29th as Economic Development Week and detailed the events of each day relaying that it was a beneficial opportunity for the City and its small businesses.

Ms. Douglas provided information regarding the City's allocation of funds from the American Rescue Plan Act (ARPA) stating that \$8.9M of the \$17.9M of the funds had been received and explained that \$2.5M would go toward contracts, professional services, supplies, capital expenditures, and salaries. She noted that a Professional Consultant had been selected and a



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temporary staff member was being sought to evaluate plans, receive community and Council input, develop a spending plan and to manage grant programs and the application process.

Ms. Douglas relayed information regarding the Hyattsville Mini-Camp Days at Driskell Park citing youth programming including in-person tutoring and mentoring and other activities. She informed the Body about upcoming events such as the continuation of diaper distributions and the Back-to-School-a-Thon which provided 200 bags containing school supplies and other resources for students.

Administrator Douglas reported that the City would begin charging fees for use of the electric vehicle charging stations noting that there were 18 located throughout the City that had previously been free of charge since August 2018. She further described that the City was able to acquire the stations as a result of State grant funding and was the only City in the area equipped with a fast-charging station. Ms. Douglas stated that beginning on October 1, 2021, a fee of \$2.00 would be charged for use of the charging stations as well as a \$0.20 per minute charge thereafter with revenue being divided between Hyattsville and the Electric Vehicle Institute of Baltimore.

The City Administrator provided details regarding the Recycling One-Stop Environmental Service Shop explaining that a study would be conducted to determine if the concept would be viable to the City. She explained that the Service Shop would recycle oil, antifreeze, and food waste daily, as well as electronics, household paints, and like items on a less frequent basis. Ms. Douglas said that daily drop-offs of electronics were being entertained and recognized that it was also an opportunity to disperse environmental education, to install an Electric Vehicle charging depot for trucks and buses, a place for repurposing household items, and to recycle items that are not regularly accepted.

Ms. Douglas reported that an accessible voting partnership with the Center for Civic Design (CCD) and the University of Baltimore had been forged with a goal of making vote-by-mail materials easier to understand and use. She explained a project in which Spanish speaking residents could participate in a study to determine the effectiveness and understandability of different instructions and guidance associated with the voting process.

She noted that the City was recently awarded a grant of \$9,975.00 for the planting of 57 trees in the City in collaboration with Casey Trees and followed with a report on the partnership between the City and the Vote 16 initiative; a group consisting of leaders in similar fields in a joint effort to allow 16-and-17-year-old voters throughout the country. Additionally, she acknowledged Assistant City Administrator Jim Chandler's selection to serve on the Urban Land Institute of Prince George's County's Local Product Council, DPW Director Lesley Riddle's reappointment to the Maryland Municipal League's (MML) Board of Directors, and the Commission on Accreditation for Law Enforcement Agencies, Inc. (CALEA) certification received by the HCPD.

Ms. Douglas congratulated Officer Kelly Hernandez for her certification as a Drug Recognition expert and welcomed the new Chief of Police, Jarod Towers. She added that City staff would be participation in free mental health training and cited other educational courses being provided by Community Crisis Services, Inc. (CCSI). Ms. Douglas supplemented that Adrienne Augustus, Jarod



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Towers, and Sandra Shephard would be named to the CCSI Board of Directors and gave details regarding their mission.

It was reported that there were seven (7) new Crisis Intervention Team (CIT) members from HCPD who would receive training on mental illness, brain trauma, addiction, self-care, and de-escalation techniques to be implemented applicable situations.

Ms. Douglas referenced a campaign developed by the City's Communications Department in which residents were encouraged to take photos of themselves in front of some of the City's murals to be identified in a scavenger hunt style, Citywide, game for the community's participation.

Ward 3 Councilmember Ben Simasek requested details regarding rent assistance and eviction prevention for residents to which Ms. Douglas responded that while staff could not intervene directly with tenants, they would provide resources to owners and landlords to inform them of offerings and programs to assist with housing and financial deficiencies.

Ward 5 Councilmember Joseph Solomon thanked staff for their committed service to which City Administrator Douglas reminded that Body that staff members, including herself, were available to assist at events such as Ward check-ins.

Ward 4 Councilmember Daniel Peabody inquired as to the augmenting of operations for the incoming cold months, particularly regarding those without homes to which Ms. Douglas recalled a recent meeting between staff and faith-based organizations in the City in which improving relief for the homeless was discussed stating that outreach was being conducted to nearby entities to establish methods with which tangible needs such as shelter and food could be provided. Emergency Services Coordinator Reggie Bagley relayed information regarding charitable events such as coat drives and other programs that were already active and available.

8. Presentations (7:30 p.m. - 7:50 p.m.)

8.b) Ward 1 Special Election 2021 - Presentation of Results

[HCC-79-FY22](#)

Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

Presentation Only

City Clerk Laura Reams addressed the Mayor and Council with an update regarding the Ward 1 Special Election held earlier in the month transferring lead of the presentation to Board of Supervisors of Elections member Zachary Peters.

Mr. Peters displayed an illustrative document reflective of the votes and percentages of votes for each candidate which showed Joanne Waszczak as the winner of the Ward 1 Council seat followed by Mai Abdul Rahman, Michael Brown, Scott R. Wilson, and Daniel Vallejos-Avila respectively. Mr. Peters relayed that during the 2021 regular election 31.3% of Ward 1 voters participated followed



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by 22.4% for the 2021 Special Election, which was a significant increase from an 8% turnout in 2011. He further explained that with the change in the method of voting to primarily by mail, the City had seen an increase in voting overall and 92% of voters mailed in their ballots for the Special Election and described the statistics regarding the return destinations of ballots.

City Clerk Laura Reams provided information reflective of ballot intake hours, same-day registration rates, unaccepted ballots, and ballots received after the deadline for casting. She explained how residents could provide election feedback to the City and cited October 4th as the date for the new Councilmember's oath of office. Ms. Reams noted that an election report would be presented to Council later in the year with potential recommendations for amendments to the City Code. Clerk Reams briefly updated the Council that discussions continued with the Vote16 Research Network, the Center for Civic Design, and the University of Baltimore.

8.a) Queens Chapel Town Center - Amendment to Conditions of Approval

HCC-71-FY22

Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Memo - DSP-10011-02 - QC Town Center 9.2.2021](#)

[Council Materials 09.20.21 QCTC](#)

[Maisel QCTC Presentation](#)

Presentation Only

Attorney for the applicant Dan Lynch addressed the Mayor and Council with a presentation regarding requested amendments to the Conditions of Approval for the Queens Chapel Town Center development project and introduced colleagues Harvey Maisel of Queens Chapel Town Center, LLC and Land Planner Mark Ferguson. Mr. Lynch explained the details of the request stating that its purpose was to remove one of the underlying conditions contained in the Conceptual Site Plan (CSP) and carried to the Detailed Site Plan (DSP) arguing that the condition imposed was uncommon and placed an impediment to the ability of the owner to lease the property to a national chain.

Harvey Maisel addressed the Mayor and Council recalling the history of ownership of the area and efforts to work with the City and contribute to the community stating that he has been in business with several entities over the past 23 years and described other future development plans and collaboration with the Maryland Capital Park and Planning Commission (MNCPPC).

Councilmember Solomon thanked Mr. Maisel for his contributions to the Route 1 Corridor noting grant funding provided by the City of Hyattsville and sought clarity regarding the non-conforming use and the developers preference for the project. Mr. Lynch responded that the request was only with respect to the KFC restaurant site, and it would allow his client to continue operations. Mark Ferguson relayed the intentions of Mr. Maisel stating that without approval of removing the condition, the business in question would be incapable of improvement in the future and would not be able to attract a replacement business that would be beneficial to the City and the business would likely not succeed. He noted that the Transit District Development Plan (TDDP) required



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the building be three (3) stories and, when considering parking accommodations, would be an insurmountable challenge given the narrowness of the parcel.

Councilmember Solomon stated that pedestrian and cyclist safety was a vital consideration for the area and, while the portion of the City was in the process of growing and progressing, they wanted to be sure that they were standing by the vision for the City and moving it in the right direction. Mr. Ferguson spoke of the contingent need for a private enterprise to achieve goals exclusive to that entity and stressed the need for a partnership and compromise.

Mr. Maisel interjected that it was of great interest to secure a high-quality local merchant or international business to accentuate and build upon the momentum of the City and its rising interest and population.

Councilmember Denes stated that bringing in a national chain would not be in the interest of his constituents as they would prefer a local business to which Mr. Ferguson responded that a more established tenant would be better funded, and the focus should remain on the improvement of the area with tenants in a strong financial position to reach the common goal of all entities while not being restricted to do so due to regulatory restraints. Mr. Maisel supplemented that the best opportunity for success should be sought after and asked the Council for their support in allowing the developer exceptions to City and County restrictions.

Councilmember Denes recalled that in 2011 the City and the County were not in support of a drive through on the site to which Mr. Lynch replied that, at that time, staff were not apprehensive of the addition, but that there were a number of changes to the table of uses that would exclude businesses from operation without the presence of inclusions such as live music.

9. Consent Items (7:50 p.m. - 8:00 p.m.)

9.a) Memorandum of Agreement Between Prince George's County Board of Education and the City of Hyattsville Police Department

[HCC-55-FY22](#)

Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[MOU](#)

I move that the Mayor and Council approve a Memorandum of Agreement with Prince George's County for the assignment of a School Resource Officer to Northwestern High School for a term ending on June 30, 2024, pending legal approval from the City attorney.

9.b) FY22 Grant Appropriation: Police Recruitment and Retention

[HCC-56-FY22](#)

Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[PRAR Grant](#)



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I move that the Mayor and Council accept and appropriate, in the FY22 budget, a grant award from the Governor's Office of Crime Control and Prevention in the amount of \$127,145.00 for recruitment and retention of Police Officers.

9.c) FY22 Grant Acceptance: Chesapeake Bay Trust Green Streets, Green Jobs, Green Cities **[HCC-57-FY22](#)**

Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A
[19550](#)

I move that the Mayor and Council authorize the City Administrator to accept the Chesapeake Bay Trust Green Streets, Green Jobs, Green Cities Grant, in an amount of \$15,000 for the concept development of an "environmental depot". In addition, the Treasurer is authorized to appropriate the funds accordingly to meet the requirements of the grant.

9.d) Installation of Speed Humps on Oliver Street **[HCC-59-FY22](#)**

Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A
[proposal Oliver Street Speed Humps \(1\)](#)

I move that the Mayor and Council authorize an expenditure not to exceed \$20,000 to NZI Construction for the installation of speed humps on Oliver Street under their existing contract.

9.e) Police Promotion Process **[HCC-60-FY22](#)**

Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A
[Police Promotion_09022021111338](#)

I move that the Mayor and Council authorize the City Administrator to execute a contract for services with Emergency Services Consulting International/Fields Human Capital Division for the development, validation, administration, scoring, and other consulting services relating to the Police Department promotional testing process for the ranks of Corporal, Sergeant, and Lieutenant in the Hyattsville City Police Department for no more than \$37,500.00.

9.f) IT Infrastructure - Virtual Server Implementation **[HCC-63-FY22](#)**

Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A
[IT Infrastructure - Virtual Server Implementation](#)

I move that the City Council authorize the City Administrator to accept the proposal submitted by Dataprise Inc., for the acquisition and services required to virtualize, configure, and decommission information technology servers to support City operations, at a cost not to exceed \$65,000.



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9.g) University of Maryland College Park Affiliation Agreement

[HCC-65-FY22](#)

Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[UMD MOU](#)

I move that the Mayor and Council authorize the City Administrator to enter into an Affiliation Agreement between the City of Hyattsville and University of Maryland School of Public Health to provide unpaid internship opportunities to UMD students to support current and future City programs and projects.

9.h) Purchase of Replacement Pedestrian Street Lights

[HCC-66-FY22](#)

Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[21-00030 CITY OF HYATTSVILLE-DDA](#)

I move that the Mayor and Council authorize an expenditure not to exceed \$40,000 for the purchase of replacement pedestrian streetlights from Signify through their local distributor Deporter, Dominick & Associates.

9.i) Award Contract for Oversight and Compliance of American Rescue Plan Act Funds

[HCC-67-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 enter into an agreement with Thomas|Michael LLC for consulting services to provide oversight and compliance of the City's American Rescue Plan Act (ARPA) funds and authorize an expenditure not to exceed \$172,800 over four (4) years, pending the review of the City Attorney. The cost of these services meets the eligibility requirements for reimbursement from the ARPA funds.

9.j) Riverfront at West Hyattsville Multifamily Buildings - Preliminary Plan of Subdivision 4-20040

[HCC-68-FY22](#)

Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

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

[Council Materials 09.20 West HVL PPS-4-20040](#)

I move the City Council authorize the Mayor to provide correspondence to the Maryland-National Capital Park & Planning Commission in support of Preliminary Plan of Subdivision 4-20040 and the applicant's variation request so long as conditions that address the impact of noise and vibration on the dwellings are included in the approval language.



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9.k) Hyattsville Small Cell Program

[HCC-69-FY22](#)

Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[TO 64 5G Wireless Proposal 8.16.2021 \(1\)](#)

I move the Mayor and Council authorize the City Administrator to approve an expenditure not to exceed \$30,000.00 on the existing Johnson, Mirmiran, and Thompson contract for the establishment of the Hyattsville Small Cell Program.

9.l) FY22 Hyattsville Life and Times Contract

[HCC-70-FY22](#)

Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Draft Contract City of Hyattsville - HLT FY2022](#)

I move that the Mayor and Council approve the FY22 contract for advertising in the Hyattsville Life and Times at a cost not to exceed \$30,000, upon the review and approval of the City Attorney for legal sufficiency.

9.m) Approval of Funding for FY22 Lease Extension of 4629 Arundel Place

[HCC-75-FY22](#)

Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[210405 - HCC-286-FY21 - Extension of Lease of 4629 Baltimore Ave](#)

I move that the Mayor and Council authorize an expenditure of \$36,000 to Phu Than Neuyen for the lease of 4629 Arundel Place from July 1, 2021 - June 30, 2022

9.n) Acceptance of the Certified Results for the 2021 Ward 1 Special Election

[HCC-78-FY22](#)

Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

I move the Mayor and Council accept the certified election results from the Board of Supervisors of Elections for the Special Ward 1 City Election held on Tuesday, September 14, 2021. This certification is provided for under Section C4-11 of the Hyattsville City Charter.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Croslin
SECONDER:	Peabody
AYES:	Ward, Croslin, Schaible, Denes, Simasek, McClellan, Peabody, Solomon, Sandino
ABSENT:	Haba



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

10.a) 6400 America Boulevard - Detailed Site Plan (DSP-21006)

[HCC-61-FY22](#)

Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Action Memo - Parcel N - DSP 21006 \(1\)](#)

[Council Materials 09.20.21 Parcel N](#)

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 21006, Parcel N at 6400 America Boulevard, based upon the revised application submitted to, and accepted by, the Commission.

City Planner Kate Powers addressed the Mayor and Council with a brief summary of DSP 21006 explaining that the applicant was proposing a mixed-use development of eight (8) stories with approximately 316 dwelling units. Ms. Powers recalled that when the item was addressed previously, recommendations were made that the applicant would include at least one more architectural element to the building’s entrance to which the applicant was amenable. Further recommendations included improving the façade along East West Highway for which the applicant made augmentations and also included electric vehicle (EV) charging stations as well as allowing pets in the interior courtyard.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Croslin
SECONDER:	Solomon
AYES:	Ward, Croslin, Schaible, Denes, Simasek, McClellan, Peabody, Solomon, Sandino
ABSENT:	Haba

10.b) Mall at Prince George’s Self-Storage Project (DSP-99044-20)

[HCC-62-FY22](#)

Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[DSP-99044-20 MPG Self-Storage - Discussion & Action Memo \(1\)](#)

[City Council Materials 09.20.21 MPG Storage](#)

I move the City Council approve a letter in support of Mall at Prince George’s Self-Storage Project, DSP-99044-20, an amendment to the Table of Uses to allow the adaptive reuse of unleaseable retail space in the basement of the MPG.

City Planner Kate Powers presented the item to the Mayor and Council stating that the applicant was proposing an amendment to the 2016 table of uses to allow for consolidated storage units located in the sub-grade basement area of the Mall. Ms. Powers noted that the number of proposed units had decreased from 807 to 796 and that consolidated storage would not be permitted without and amended permit. She noted that the basement area would include 17 parking spaces and four (4) loading docks with vehicular access to the site on the north side of the



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mall and described vehicular circulation through the facility. Ms. Powers explained the position of the Planning Board and the Planning Committee stating that both were in favor of amending the table of uses.

The applicant, Ibrahim Sheikh, fielded questions from the Council explaining that the traffic pattern within the basement allowed for passing traffic and attorney for the applicant, Nathaniel Forman, confirmed that the change in the table of uses would only apply to this particular set of parcels.

Councilmember Solomon explained that he would not be voting in favor of the motion due to concerns regarding increased traffic in the area and opined that it was not the best use of the space.

Manager of the facility, Henry Watford, described the security of the area stating that there was security 24 hours a day by camera surveillance and regular security officer patrols. Mr. Ibrahim added that the mall had tracking systems to record entrances and exits as well as any after hour activity.

Councilmember Solomon shared concerns regarding the storage of hazardous materials to which Mr. Ibrahim reiterated that the area would be under close surveillance and would be secure, but there was no capacity or interest to inspect each item being stored in the facility.

RESULT:	APPROVED [8 – 1]
MOVER:	Croslin
SECONDER:	Peabody
AYES:	Ward, Croslin, Schaible, Denes, Simasek, McClellan, Peabody, Sandino
NAYS:	Solomon
ABSENT:	Haba

10.c) FY22 Budget Amendment: Special Revenues Budget and Appropriation of American Rescue Plan Act Funds

[HCC-64-FY22](#)

Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Email Confirmation for Receipt of ARPA Funds](#)

[Proposed FY22 American Rescue Plan Funds Budget 9-1-2021](#)

I move that the Mayor and Council amend the FY22 Special Revenues Fund Budget and approve the establishment of the American Rescue Plan Act (ARPA) fund and to appropriate \$2.5 million of the \$8.9 million in ARPA funds received to cover anticipated expenditures in various categories to include, but not limit to, salaries, benefits, supplies, contract services, professional services, capital equipment, miscellaneous reimbursements, and grant awards through June 30, 2022. The remaining \$6.4 million of the current allocation plus the second allocation of \$8.9 million will be submitted to Council to appropriate in concurrence with a spending plan which will be developed over the next 12 months. This will account for the total of \$17.9 million in ARPA funds the City



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will receive. All ARPA funds must be obligated between March 3, 2021, and December 31, 2024, and all obligated funds must be spent by December 31, 2026.

Council Vice President Danny Schaible sought clarity as to the purpose of the motion to which City Treasurer Ron Brooks explained that one (1) of two (2) installments of the American Rescue Plan Act (ARPA) funds had been received by the City and \$2.5M of the \$8.9M would be allocated for salaries and benefits, supplies, professional services, computer hardware, and capital computer software in anticipation of costs that would be incurred and paid by grant funding. He explained that staff were tasked with developing a spending plan and determining programming and further grant appropriations.

City Administrator Tracey Douglas added that all of the ARPA funds would be audited and tracked, and it was important to provide relief and resources to residents without using tax dollars. She stated that some funds would likely be used to modernize restrooms and for hardware maintenance, but not until the guidelines are clearly established and understood. Treasurer Brooks noted the intention to hire a specialist for management of the funds as well as two (2) positions to develop pertinent programming sourced by the funding.

Council President Schaible requested further detail about the intentions of the ARPA funds to which Treasurer Brooks responded that the newly created positions would be funded by ARPA and that several other areas will be realized after the establishment of a spending plan.

Councilmember Solomon asked if there were items approved in the previous budget that could be paid for with grant funding to which City Administrator Douglas and Mr. Brooks explained that the new positions could be paid by ARPA and some of the items approved in the budget would also be eligible such as the Portland Loos and upgrading restrooms to operating as touchless. Ms. Douglas continued that there were several plans being discussed, but for many to come to fruition, they would need to be approved by Council.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Croslin
SECONDER:	Simasek
AYES:	Ward, Croslin, Schaible, Denes, Simasek, McClellan, Peabody, Solomon, Sandino
ABSENT:	Haba

10.d) WSSC Utility Easement Request - Suffrage Pointe Development Plan
[HCC-72-FY22](#)

Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Memo - WSSC Public Use Easement](#)

[WSSC Utility Easement Documents](#)

[A001 - Extension Plan](#)



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD
MONDAY, SEPTEMBER 20, 2021 6:00 PM

I move the City Council authorize the City Administrator to negotiate and execute a public use easement with the Washington Suburban Sanitary Commission (WSSC) for the purpose of granting certain rights regarding the replacement and maintenance of storm drains located on City land and within public rights of way.

Councilmember Denes requested information regarding associated Stop Work Orders to which Assistant City Administrator Jim Chandler responded that the storm piping needed to be replaced and discussions were ongoing to determine who was obligated to make the improvements. Mr. Chandler noted that there was a storm drain on the site that was operated by the City of which WSSC had no record.

Council President Schaible asked what the rationale was for going through the easement process only to have it cease before exiting the WSSC property to which Mr. Chandler stated that the City could put a Stop Work Order on the site, but the pipe could still be replaced as a matter of emergency and relayed that staff would be following up with WSSC to determine the details and status of the underground structure. **Council President Schaible** stressed that he did not want to give the impression that the City was in support of the development and was not in favor of approving any easement.

Council President Croslin inquired as to the responsibility of procuring permits to which Mr. Chandler responded that WSSC should have been repairing and replacing its own infrastructure and, therefore, pulling their own permits but it was not likely that the repairs would be considered a requirement by WSSC.

It was stated that the pipe in question was, in fact, part of a larger network of plumbing that collected water from the Northeast area of Driskell Park and feeds West.

Mayor Ward suggested tabling the item until further details could be collected regarding the status of plumbing on the site and its status so that staff would be able to determine next steps. A motion was made by **Council President Croslin** and seconded by **Councilmember Simasek** to table to motion until further notice.

RESULT:	MOTION TABLED [UNANIMOUS]
MOVER:	Solomon
SECONDER:	Peabody
AYES:	Ward, Croslin, Schaible, Denes, Simasek, McClellan, Peabody, Solomon, Sandino
ABSENT:	Haba

11. Council Dialogue (9:00 p.m. - 9:10 p.m.)

Councilmember Simasek congratulated **Ward 1 Councilmember Joanne Waszczak** on her victory and informed residents and staff of a park clean-up event.

Councilmember Denes congratulated Ms. Waszczak and thanked everyone for their efforts in the Ward 1 Special Election.



**REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD
MONDAY, SEPTEMBER 20, 2021 6:00 PM**

Councilmember Solomon thanked the staff and Director Lesley Riddle for their work and noted upcoming events and meetings in Ward 5.

Council Vice President Schaible congratulated staff on a successful election, welcomed the new Chief of Police, and relayed information regarding Ward 2 events and programming.

Councilmember Peabody congratulated Ms. Waszczak and thanked City staff for their continued work in developing partnerships and conducting charitable events.

Council President Croslin welcomed the Afghani refugees to the United States and to the City of Hyattsville.

Ward 5 Councilmember Rommel Sandino congratulated Ms. Waszczak and informed residents of resources that could be provided for emergency assistance.

Ward 3 Councilmember Jimmy McClellan congratulated Ms. Waszczak for her win and City staff for a successful election. He noted that the COVID-19 vaccine was available for ages five (5) to 11 and encouraged all to receive vaccination.

Mayor Ward welcomed the new Councilmember and encouraged everyone to get the COVID-19 vaccine.

12. Community Notices and Meetings

12.a) Main City Calendar: September 21 - October 4, 2021

[HCC-74-FY22](#)

Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Main City Calendar September 21 - October 4, 2021 FINAL](#)

13. Motion to Adjourn

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Croslin
SECONDER:	Schaible
AYES:	Ward, Croslin, Schaible, Denes, Simasek, McClellan, Peabody, Solomon, Sandino
ABSENT:	Haba

The meeting adjourned at 9:55 p.m.

**ATTEST:
December 6, 2021**



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD
MONDAY, SEPTEMBER 20, 2021 6:00 PM

A handwritten signature in blue ink, appearing to be "Laura Reams", written in a cursive style.

Laura Reams, City Clerk

A handwritten signature in black ink, appearing to be "Sean Corcoran", written in a cursive style.

Sean Corcoran, Deputy City Clerk