



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD MONDAY, OCTOBER 4, 2021, 7:00 PM

Kevin Ward, Mayor
Robert Croslin, Council President, W2
Danny Schaible, Council Vice President, W2
Sam Denes, W1
Joanne Waszczak, W1
Ben Simasek, W3
Jimmy McClellan, W3
Edouard Haba, W4 (*Arrived at 6:11 p.m. Departed at 7:00 p.m.*)
Joseph A. Solomon, W5 (*Arrived at 6:11 p.m.*)
Rommel Sandino, W5

Absent: Daniel Peabody, W4

Also present were the following City staff members:
Tracey Douglas, City Administrator
Jim Chandler, Assistant City Administrator
Ron Brooks, City Treasurer
Jarod Towers, Chief Hyattsville City Police Department
Lesley Riddle, Director of the Department of Public Works
Sandra Shephard, Director of Community Services
Sean Corcoran, Deputy City Clerk
Reggie Bagley, Emergency Services Coordinator
Jonathan Alexander, Cable Services Manager
Scott Dunklee, Deputy Chief Hyattsville City Police Department
Adrienne Augustus, Public Information Officer/Mental Health Programs Manager

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, October 4, 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 5 PM on October 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_oRGEMpIfTbylm6CPlt7SOw



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD
MONDAY, OCTOBER 4, 2021, 7:00 PM

1. Call to Order and Council Roll Call

Mayor Kevin Ward called the meeting to order at 7:07 p.m.

2. Pledge of Allegiance to the Flag

3. Approval of Agenda

AMENDMENT

MOVE Item 10.a) Mental Wellness Check-in Initiative (HCC-88-FY22) to Action

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

4. Approval of the Minutes

4.a) Approval of the Minutes

[HCC-103-FY22](#)

Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Minutes July 19 2021 CM FINAL](#)

I move that the Mayor and Council approve the minutes of the Council meeting of July 19, 2021.

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

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

Adriane Powell addressed the Mayor and Council in support of the Animal Welfare and Community Safety Act citing several dog attacks in the area and opining that City streets are not completely safe from aggressive pets.

Vaughn Powell addressed the Mayor and Council in support of the Animal Welfare and Community Safety Act stating that he had witnessed several loose dogs in the community recalling instances of personal attacks from unsupervised pets.

Ward 1 resident Irene Marsh addressed the Mayor and Council in support of the Animal Welfare and Community Safety Act that animal safety regulations should follow the guidelines of the County and provide a responsive unit to address concerns with dangerous animals.



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD

MONDAY, OCTOBER 4, 2021, 7:00 PM

Ward 4 resident Camille Edwards Bennehoff addressed the Mayor and Council in support of the Animal Welfare and Community Safety Act relaying that she had several instances in which she felt endangered due to loose pets and her pet had suffered injury from a loose dog. She advocated for further safety measures in the City.

Maureen Ritz addressed the Mayor and Council in support of the Animal Welfare and Community Safety Act recognizing officers who responded to a call for animal control the previous weekend commending them for their work and highlighting the need for the proposed legislation.

Sharell Butler addressed the Mayor and Council requesting that stanchions for nearby construction projects not be placed in front of resident homes as she stated that securing parking was already very challenging.

Sarah Weber addressed the Mayor and Council in support of the City taking ownership of a portion of Hamilton Street; MD 208 referencing many issues with road accessibility and safety in the subject area and urged Council to prioritize funds for the improvement of Hamilton Street.

Victoria Medick addressed the Mayor and Council in support of transferring the section of MD 208 to the City of Hyattsville.

Owner of the web address valboy@comcast.net addressed the Mayor and Council in support of the City's request to take ownership of Hamilton Street stating that safety and aesthetic needs could be addressed.

Bruce Boyd addressed the Mayor and Council in support of the City's ownership of Hamilton Street explaining that the roadway is integral to the lives of all the residents who use the highway every day.

Carmen Garcia addressed the Mayor and Council in support of the City's ownership of Hamilton Street.

Alexi Boado addressed the Mayor and Council expressing appreciation for holding Hyattsville Fine Wine and Spirits accountable for their lack of compliance with regulations imposed by the City Council.

Cliff Mayo addressed the Mayor and Council expressing displeasure with the City for not seeking any injunctive relief against Werrlein Properties for actions proven to be detrimental to nearby residents. Mr. Mayo stated that he opposed the Preliminary Plan for Subdivision (PPS) for the WSSC property citing multiple violations. He expressed support for the City's ownership of MD 208.

Ward 4 resident Krissi Humbard and Ward 2 residents Bronwyn King and Nate Groenendyk addressed the Mayor and Council on behalf of the SoHy Co-op requesting support for a fundraiser for Afghan refugee families relocating and settling in the City of Hyattsville.



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD MONDAY, OCTOBER 4, 2021, 7:00 PM

Greg Smith addressed the Mayor and Council in agreement with the comments of Mr. Cliff Mayo expressing displeasure with the conduct of Werrlein contractors and the WSSC development project citing substantial alleged City, County, and State violations.

Melissa Sweisguth addressed the Mayor and Council in support of the Animal Welfare and Community Safety motions but suggested edits to refine and specify the motion for clarity.

Stuart Eisenberg addressed the Mayor and Council in support of the City's ownership of MD 208 and in opposition of the Animal Welfare and Community Safety Act opining that it was not a feasible measure and many aspects needed further detail and protocol.

Francis Dezelski addressed the Mayor and Council with a brief summary of the challenges faced in making upgrades and renovations to his home requesting support from Council.

Ward 2 resident David Marshall addressed the Mayor and Council in opposition to the Animal Welfare and Community Safety Act and imposing the requirement of food service at Hyattsville Fine Wine and Spirits.

Mark Graham addressed the Mayor and Council in support of a letter regarding stormwater management to include eight (8) points provided by **Ward 3 Councilmember Ben Simasek**.

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

City Administrator Tracey Douglas addressed the Mayor and Council with an update on City events and programming welcoming new **Ward 1 Councilmember Joanne Waszczak**, new Chief of Police Jarod Towers and new Project Manager for the Department of Public Works (DPW) Helder de Almeida.

Administrator Douglas provided an update regarding the ongoing COVID-19 health pandemic communicating that vaccinations were still readily available at the First United Methodist Church and detailed related opportunities for vaccinations, advertisements and outreach, guidance pertaining to booster vaccinations, collaboration with neighboring jurisdictions, and reported that the City's employee vaccination rate had reached 84%. She noted that many employers were implementing mandatory testing and/or vaccinations.

Ms. Douglas reported on the City's Business Retention and Expansion (BRE) strategy describing a partnership with &Access, a local firm dedicated to creating equitable retail and real estate solutions for small businesses and underserved communities to develop the strategy. She stated that a survey regarding the BRE was sent to all licensed businesses in the City and the firm would be presenting during the Fall Business Roundtable event with a presentation to Council scheduled for later in the year.

Ms. Douglas highlighted Community Services and recognized Hispanic Heritage Month in which the City would showcase members of the community and a webinar would take place for a screening of the documentary "La Manpleza" which focused on the 1991 Mount Pleasant uprising. She and cited the Halloween celebration "Trick or Treat-o-Rama" to be held on October 30th and



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD

MONDAY, OCTOBER 4, 2021, 7:00 PM

acknowledged several outreach efforts by the Hyattsville City Police Department (HCPD) including an upcoming Trunk or Treat event, coat drive, and Coffee with a Cop. The HCPD's participation and recognition of virtual training by simulator was referenced as an innovative initiative in the area.

City Administrator Douglas brought attention to other October observances including recognizing the month as Domestic Violence Awareness month and National Breast Cancer Awareness month providing detail, summary, and a brief history for each.

Council Vice President Danny Schaible brought attention to the reinstatement of evictions by the Sheriff's Department in which 200 pending evictions would be processed each week and asked what could be done to assist or protect potential displacements in the City to which City Administrator Tracey Douglas responded that City staff had conducted outreach regarding the reinstatement and provided resource information and materials to building owners, landlords, residents, and other pertinent entities and suggested asking the HCPD Chief to discuss the matter with the Sheriff. It was agreed that further discussion would take place to identify the addresses that housed residents set for eviction and explore ways to intervene where feasible.

Ward 5 Councilmember Joseph Solomon relayed that a list of pending eviction addresses had been supplied by **Ward 5 Councilmember Rommel Sandino** and thanked DPW Director Lesley Riddle for removing the stanchions that were obstructing drivers from a local construction development requesting that as much information as possible be disseminated to the affected residents.

Ward 3 Councilmember Jimmy McClellan requested further information regarding a possible vaccination mandate for City employees to which Ms. Douglas reiterated that City staff were at 84% vaccination and that the imposition of an official policy was being discussed and would likely be implemented to require that all employees be vaccinated or receive weekly testing with negative results.

Councilmember Sandino sought clarity regarding the newly created Equity Officer position to which Ms. Douglas explained that \$50K was allocated in the budget in preparation for the hiring of the position with the intention of the employment and cost being shared by neighboring municipalities. She stated that an Equity Plan would first have to be established and the position was intended to be shared because staff did not believe that the responsibilities of the Equity Officer would warrant a full-time, 40 hour a week, implementation.

Assistant City Administrator Jim Chandler addressed the Mayor and Council recalling an update from the previous week about the Washington Suburban Sanitary Commission (WSSC) property and provided details as to progress with appeals and opposition by the City to the development site. He stated that City staff were doing everything in their power to address the alleged violations of the property noting that communication from the Maryland Department of Environment (MDE) to determine next steps. Mr. Chandler provided details to clarify the challenges regarding an appeal in relation to permitting and the regulations for variances from established protocols.



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD MONDAY, OCTOBER 4, 2021, 7:00 PM

Councilmember Solomon requested further detail regarding a potential injunction to which Mr. Chandler answered that discussions regarding an injunction had taken place between City staff and the City Attorney but all associated information was not appropriate for public consumption.

Councilmember Waszczak requested information regarding the legality of the proposed density of the WSSC property to which Assistant City Administrator Chandler responded that, as far as City staff had assessed, the densities of both parcels of the site were compliant with the Conceptual Site Plan (CSP) which was approved by the District Council. He supplemented that the City did not necessarily concur with the District Council's approval, the approved CSP was the controlling document barring an amendment or judgement by the Maryland Court of Special Appeals.

7. Presentations (7:30 p.m. - 7:45 p.m.)

7.a) Suffrage Pointe Development - Preliminary Plan of Subdivision 4-19053

[HCC-104-FY22](#)

Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Attachment Memo - PPS 4-19053 - Suffrage V3](#)

Presentation only.

Assistant City Administrator Jim Chandler introduced Karl Granzow representative for the developer who would lead the presentation on the Suffrage Point Development. Mr. Granzow addressed the Mayor and Council describing the location and aspects of the development including traffic patterns through the central alley, noting that the project had been approved for 41 lots on the lower parcel.

Council President Robert Croslin requested detail regarding the ability to turn a vehicle around at the end of the alley to which Mr. Granzow responded that each unit had adjacent parking spaces allowing adequate room for vehicular navigation.

Council Vice President Schaible questioned how the density of the lower parcel was calculated and explained that he could not be supportive of the project if it did not comply with all zoning regulations.

Councilmember Simasek requested further detail regarding parcel B1 as presented by the representative to which Mr. Granzow stated that the area in question would remain a floodplain with a slight grade to hold excess water as needed noting the requirement to plant trees and bushes and avowing that the firm was willing to work with the City to accommodate any preferences regarding landscaping.

Councilmember Simasek requested further detail regarding allegations from residents that the proper permits for the development had not been secured before conducting work on the site to which Mr. Granzow responded that the Maryland Department of Environment (MDE) gave



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD MONDAY, OCTOBER 4, 2021, 7:00 PM

authority to begin operations and only stormwater mitigation was performed. He stated that they were in the process of receiving the final approval from MDE.

8. Proclamations (7:45 p.m. - 7:50 p.m.)

8.a) Proclamation Celebrating October 2021 as National Disability Employment Awareness Month

[HCC-81-FY22](#)

Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[CM 1004 National Disability Employment Awareness Month 2021](#)

I move that the Mayor and Council adopt a proclamation recognizing October 2021 as National Disability Employment Awareness Month in the City of Hyattsville.

8.b) Proclamation Recognizing Domestic Violence Awareness Month

[HCC-82-FY22](#)

Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[CM 1004 Domestic Violence Awareness Month 2021](#)

I move that the Mayor and Council adopt a proclamation recognizing October 2021 as Domestic Violence Awareness Month in the City of Hyattsville.

8.c) Proclamation Recognizing Economic Development Week in the City of Hyattsville

[HCC-83-FY22](#)

Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[CM 1004 Economic Development Week 2021](#)

I move that the Mayor and Council adopt a proclamation recognizing the week of October 25 - 29, 2021, as Economic Development Week in the City of Hyattsville.

8.d) Proclamation Honoring DeMatha High School's 75th Anniversary

[HCC-85-FY22](#)

Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[CM 1004 75th Anniversary of Dematha High School](#)

I move that the Mayor and Council adopt a proclamation honoring DeMatha High School for 75 years of excellence in higher education.

8.e) Proclamation Recognizing Breast Cancer Awareness Month

[HCC-111-FY22](#)

Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD
MONDAY, OCTOBER 4, 2021, 7:00 PM

[CM1004 Breast Cancer Awareness Month 2021](#)

I move that the Mayor and Council adopt a proclamation recognizing October 2021 as Breast Cancer Awareness Month in the City of Hyattsville.

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

9. Appointments (7:50 p.m. - 7:55 p.m.)

9.a) Appointments to the Code Compliance Advisory Committee

[HCC-89-FY22](#)

Sponsor: McClellan

Co-Sponsor(s): Sandino

[Bohls, Edward redacted](#)

[Bean, Jamie redacted](#)

[Haw, Mike redacted](#)

[Eddings, Cordell redacted](#)

I move that the Mayor and Council approve the appointments of Edward Bohls, Jamie Bean, Mike Haw, and Cordell Eddings to the Code Compliance Advisory Committee for a term of two (2) years to expire on October 31, 2023.

9.b) Appointments to the Education Advisory Committee

[HCC-90-FY22](#)

Sponsor: Peabody

Co-Sponsor(s): McClellan

[Delao, Maira redacted](#)

[Misukanis, Nicholas redacted](#)

I move that the Mayor and Council approve the appointments of Maira Delao and Nicholas Misukanis to the Education Advisory Committee for a term of two (2) years to expire on October 31, 2023.

9.c) Appointment to the Health, Wellness, and Recreation Advisory Committee

[HCC-91-FY22](#)

Sponsor: Denes

Co-Sponsor(s): N/A

[Scheller, Alissa redacted](#)

I move that the Mayor and Council approve the appointment of Alissa Scheller to the Health, Wellness, and Recreation Advisory Committee for a term of two (2) years to expire on October 31, 2023.



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD
MONDAY, OCTOBER 4, 2021, 7:00 PM

9.d) Appointments to the Hyattsville Environment Committee

[HCC-92-FY22](#)

Sponsor: Simasek

Co-Sponsor(s): Haba

[Ball, James redacted](#)

[Waterman, Thaddeus redacted](#)

I move that the Mayor and Council approve the appointments of James Ball and Thaddeus Waterman to the Hyattsville Environment Committee for a term of two (2) years to expire on October 31, 2023.

9.e) Appointments to the Race and Equity Task Force

[HCC-94-FY22](#)

Sponsor: Croslin

Co-Sponsor(s): Sandino

[Gafford, Jennifer redacted](#)

[Vallejos-Avila, Daniel redacted](#)

[Swift, Allison redacted](#)

I move that the Mayor and Council approve the appointment of Jennifer Gafford, Daniel Vallejos-Avila, and Allison Swift to the Race and Equity Task Force for a term of two (2) years to expire on October 31, 2023.

9.f) Appointment to the Shade Tree Board

[HCC-95-FY22](#)

Sponsor: Schaible

Co-Sponsor(s): Simasek

[Dorner, Zachary redacted](#)

I move that the Mayor and Council approve the appointment of Zachary Dorner to the Shade Tree Board for a term of three (3) years to expire on October 31, 2024.

9.g) Appointments to the Planning Committee

[HCC-96-FY22](#)

Sponsor: Simasek

Co-Sponsor(s): Haba, Denes

[Marshall, David redacted](#)

[Dengel, Todd redacted](#)

[Foster, Maureen redacted](#)

I move that the Mayor and Council approve the appointments of David Marshall, Todd Dengel, and Maureen Foster to the Planning Committee for a term of two (2) years to end on October 31, 2023.



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD
MONDAY, OCTOBER 4, 2021, 7:00 PM

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

10. Consent Items (7:55 p.m. - 8:00 p.m.)

10.b) Acceptance of the PEPCO Sustainable Communities Grant

[HCC-93-FY22](#)

Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[210906 - grant - pepco sustainable communities award](#)

I move that the Mayor and Council accept the PEPCO Sustainable Communities Grant awarded by the Rock Creek Conservancy in an amount of \$9,975 for the City-wide Tree Planting Project. The City Treasurer is authorized to make the necessary adjustments to the budget required to accept and expend the proceeds of this grant.

10.c) Installation of Security Gate Controls at the Public Works Facility

[HCC-97-FY22](#)

Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[SkylinesPublicSectorProposal \(2\)](#)

I move that the Mayor and Council authorize an expenditure not to exceed \$20,000 to Skyline Technology Solutions for the installation of security gate access controls at the Public Works facility under their existing contract.

10.d) IT Infrastructure - 4310 Gallatin Street Cabling, WiFi and IT Infrastructure

[HCC-102-FY22](#)

Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Memo - IT - 4310 Gallatin Recabling](#)

I move the City Council authorize the City Administrator to execute a work order with Dataprise Inc. to re-cable the existing City Administration Building and increase the WiFi connectivity within the facility at a cost not to exceed \$150,000.

10.e) Assignment of Council Liaison to Committees

[HCC-106-FY22](#)

Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD

MONDAY, OCTOBER 4, 2021, 7:00 PM

I move that the Mayor and Council appoint Ward 1 Councilmember Joanne Waszczak to serve as the Council liaison to the Health, Wellness, and Recreation Advisory Committee and the Educational Facilities Task Force.

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

11. Action Items (8:00 p.m. - 9:15 p.m.)

10.a) Mental Wellness Check-in Initiative

[HCC-88-FY22](#)

Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[HCPD Mental Wellness Check-In Program - Original proposal](#)

[Councilman Peabody PP Presentation-MW Check-in Proposal](#)

[HCPD RFP- Mental Wellness Check-in Program](#)

I move that the Mayor and Council authorize the City Administrator to execute a contract for services with Interdynamics, Inc. located in Prince George's County, Maryland to conduct quarterly Mental Wellness Check-ins for all City of Hyattsville Police Department dispatchers and sworn officers for no more than \$45,900.00.

Ward 4 Councilmember Edouard Haba asked for further detail regarding the motion to which Mental Health Programs Manager Adrienne Augustus stated that once the agreement was approved and executed further information would be made public. Ms. Augustus recalled that a Request for Proposal (RFP) resulted in two (2) proposals and ultimately chose the more robust option which included three (3) available licensed practitioners with experience working with first responders and was also a racially diverse group. She added that the selected group worked in Prince George's County and their accepted forms of insurance were consistent with insurance provided to employees of the City.

Ms. Augustus noted that the chosen agency's cost was higher than its competitor but also included several unexpected benefits as well as an eagerness to work with the City and provide these types of services to City employees, first responders, and dispatchers. City Administrator Tracey Douglas apologized that detailed information was not supplied to the Council earlier and expressed that she was surprised that the City did not receive more offers, but concurred that it was understandable due to the volume of work being managed by these types of groups as a result of the COVID-19 health crisis.



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD
MONDAY, OCTOBER 4, 2021, 7:00 PM

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

11.a) Suffrage Pointe Development - Preliminary Plan of Subdivision 4-19053

HCC-100-FY22

Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Memo - PPS 4-19053 - Suffrage - Staff Memo Council Materials 10.04.21 Suffrage PPS](#)

I move the City Council authorize the Mayor to provide correspondence to the Maryland-National Capital Park and Planning Commission regarding Preliminary Plan of Subdivision 4-19053.

The correspondence shall express that if the Planning Board chooses to proceed with consideration of this subdivision application, the City **opposes the Preliminary Plan of Subdivision and** requests the Planning Board consider the following revisions to the application as conditions for approval:

1. The City is recommending the Preliminary Plan of Subdivision (PPS) application be revised, or resolution be conditioned as Urban Street Design Standard Alley, STD 100.31. The internal alleyway shall be designed and constructed to a public standard and dedicated to the City as a public right-of-way. The site plans and any future dedication of plat shall incorporate language stating that the alleyway shall be publicly dedicated to the City of Hyattsville.
2. Per Urban Street Standards, turning radius from any roadway connecting to City roadway shall have a Minimum Turning Radius of 15'.
3. The internal alleyway shall include an adequate turnaround space for emergency vehicles. This can be achieved through the elimination of lots 23 and 24.
4. Overhead lighting shall be designed and constructed to Pepco standards for acceptance into the public utility system. The lighting shall be placed at the entrance/exit of the site at Gallatin Street, entrance/exit of the site on Alley 3, and at the terminus of the alley.
5. The applicant shall dedicate Parcel B2 for a Public Use Easement (PUE) in which the applicant shall maintain ownership of Parcel B2, but access of the parcel shall be granted to the general public. Parcel B2 shall primarily serve to provide compensatory storage for the subject parcel, but shall be used by the public, and permitted at the City's discretion, under a separate Memorandum of Understanding.
6. The language will provide an explanation of the City's public safety concerns regarding the associated alley.
7. The language will remind the Maryland National Capital Park and Planning Commission of the ongoing Conceptual Site Plan dispute.

City Planner Kate Powers addressed the Mayor and Council with details regarding the Preliminary Plan of Subdivision (PPS) explaining that the applicant planned for 31 lots on the upper parcel and 41 on the lower which was consistent with the Conceptual Site Plan (CSP) but did not abide by R55 standards. If the City sought to overturn the decision, it would have to be made through a judicial



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD

MONDAY, OCTOBER 4, 2021, 7:00 PM

process to amend the CSP. She noted that Council did voice opposition to the CSP and stated that the portion of the process to be addressed was the PPS.

Ms. Powers provided details regarding the location of the site and the intended units and their layout. She identified the areas which would contain micro bioretention and compensatory stormwater storage and described the purpose and function of the adjacent alleyway. Ms. Powers continued that the lower parcel was initially intended to be dedicated to the City but had been deemed unusable by the City's Department of Public Works (DPW) compelling a staff recommendation that the parcel be dedicated as a public use easement.

Ms. Powers relayed that staff recommended that the internal roadway be built to a public standard and DPW was investigating the possibility of creating turnaround and further mobility capabilities and overhead lighting for safety adding that should the Body want have input as to what would be included in the site in the future, they would need to include correspondence from the Council that would be approved that evening.

Ward 1 Councilmember Sam Denes requested further detail about the ability of service vehicles and trucks to turn around 180 degrees in the alley and roadways to which Ms. Powers replied that smaller service trucks would be able to maneuver the area but to provide services under these conditions was challenging and certain requirements would be imperative.

Councilmember Simasek highlighted issues opined as fundamental problems including not procuring required permits and densities that did not comply with regulations proposing that the language of the motion be augmented to clearly state opposition from the City and the rationale to support the position.

Councilmember Waszczak proposed adding attachments to the correspondence that would be sent to the Maryland National Capital Park and Planning Commission (MNCPPC) that could clearly identify the City's concerns to which Mr. Powers replied that although it was not common it could be included.

Assistant City Administrator Jim Chandler supplemented that the applicant was proposing to conform to public standard and while he understood that the roads were built under a private standard but before such a thoroughway is approved by the MNCPPC it would also be assessed first by agencies such as the Fire Department to identify any dangers or problematic characteristics.

Councilmember Solomon offered amendments to the motion language to adjust items 1, 6, and 7 to express the City's opposition of the PPS. The proposed amendment was approved unanimously.

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



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD MONDAY, OCTOBER 4, 2021, 7:00 PM

11.b) Board of Zoning Appeals: V-85-21 - 4910 41st Place, Hyattsville [HCC-109-FY22](#)

Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Memo - V-85-21](#)

[V-85-21 Binder](#)

[City of Hyattsville Zoning Variance Policy Statement and Variance Process 10 3 11
FDezelski 20200602 0005.pdf](#)

[Land Plot Drawing](#)

[City of Hyattsville Zoning Variance Policy Statement and Variance P rocess 10 3 11](#)

I move the City Council authorize the Mayor to send correspondence to the Prince George's County Board of Zoning appeals, upon receipt of an updated survey, regarding V-85-21, the subject property located at 4910 41st Place Hyattsville. The correspondence to the BZA shall state:

- The City supports the applicant's variance request of 7 feet front building line width as this is an existing condition that cannot feasibly be altered;
- The City ~~requests denial of~~ supports the applicant's variance provided that it is of 4.4 5.1 feet side yard width. ~~The building overhang is not an existing condition, but rather new construction. The applicant can reasonably alter their design to increase the side yard width. The City recommends the applicant construct a second story addition flush to the existing garage, 5.1' from the property line.~~

Councilmember Denes explained that he had spoken with the applicant and wanted to point out that the memo distributed to staff was based on a flat survey that had recently been resurveyed and would include items not included in the memo received by the Body. City Planner Kate Powers stated that requests from the Board of Zoning Appeals (BZA) are usually quite delayed and recommended that the applicant submit the new land survey to show that the garage on the property in question was compliant with the zoning code requirement. She added that it was common when dealing with new construction that a property owner would be granted a variance when they could not reasonably or feasibly meet the requirements of the Code stating that, in this case, staff members feel that the applicant can meet the code requirements for the roof overhang but would need a variance for the side yard in order to access the garage.

Council President Croslin sought clarity regarding the status of the survey to which Ms. Powers reiterated that the new survey was received that week by Council but the same document had not yet been received by the BZA. Mr. Chandler supplemented that the applicant could request an addition to the initial survey as long as it was within the existing boundary of the footprint of the garage.

Applicant for the variance, Francis Dezelski, addressed the Mayor and Council explaining that the architect of the structure needed the overhang due to space constraints in the second floor bedroom and stated that removing the overhang and concurred with the proposals made by staff.

Discussion was held to determine if the application should have been resubmitted and to ensure that it was consistent with the motion after an amendment was offered by **Councilmember Solomon**, seconded by **Councilmember Denes**, and approved unanimously.



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD
MONDAY, OCTOBER 4, 2021, 7:00 PM

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

11.c) Board of Zoning Appeals: V-26-21 - 4016 Hamilton Street, Hyattsville

HCC-110-FY22

Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Memo - V-26-21](#)

[V-26-21 Application](#)

[City of Hyattsville Zoning Variance Policy Statement and Variance Process 10 3 11](#)

I move the City Council authorize the Mayor to send correspondence to the Prince George's County Board of License Commissioners regarding V-26-21 for the subject property at 4016 Hamilton Street, Hyattsville. The correspondence shall communicate to the BZA:

- The City supports the applicant's 15 square feet front building line width, 5.3 feet front yard depth, 4 feet left side yard width as these are existing conditions that cannot feasibly be altered.
- The City requests the Board's denial the applicant's variance requests of 2 feet side lot line setback and 1.7 feet rear lot line setback in this circumstance. The City will support of validating the existing one-story shed, however, the rebuild will include extensive reworking of the existing structure. The applicant can reasonably alter their design to meet the required setback standards. The City recommends the applicant construct the two-story shed with setbacks of 2 feet from any side or rear lot line, or keep the existing shed as-is and seek validation of existing conditions.

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

11.d) Correspondence to Prince George's County Board of License Commissioners: Hyattsville Fine Wine & Spirits

HCC-108-FY22

Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Attachment 5350 Queens Chapel Rd](#)

I move the City Council to authorize the Mayor to send correspondence to the Prince George's County Board of License Commissioners (BLC) regarding violations of the license held by Hyattsville Fine Wine & Spirits, Hyattsville



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD MONDAY, OCTOBER 4, 2021, 7:00 PM

The correspondence shall state that the City requests the Board suspend the liquor license of Hyattsville Fine Wine & Spirits, as the Board has determined that the license holder was knowingly operating outside of the restrictions of its license which requires the establishment to operate as a restaurant with food service.

The City's requests that the applicant's license be suspended, until such time that the applicant has (1) been permitted and has constructed a commercial kitchen (2) the commercial kitchen is inspected and approved by Prince George's County for legal operation and (3) the applicant shall demonstrate to the Board that the commercial kitchen is operating and serving food to the general public.

Councilmember Solomon provided a background regarding the item stating that the measure had come before the Council before and was met with opposition. He continued that the tenants had not met the requirements for properties in the area and recommended a suspension of their license.

Assistant City Administrator Jim Chandler added that the applicant had until October 17 to respond and submit compliant plans conforming to the liquor license requirements and the submission would be heard the following day. He stated that staff would be present to convey the opinion of the Council.

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

11.e) Animal Welfare and Community Safety Act

HCC-99-FY22

Sponsor: Schaible

Co-Sponsor(s): N/A

[Attachment FINAL Animal Welfare and Community Safety Act, FINAL](#)

[Attachment 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.



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD

MONDAY, OCTOBER 4, 2021, 7:00 PM

- 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 addressed his colleagues with information regarding the motion stating that accountability was the main focus of the item, and it would assign an individual to responsive to animal control issues. He detailed the changes that had been made to the language since its first adaptation including recommendations from other Council members. The Councilmember explained some aspects in detail such as what types of animals would fall under the purview of the measure and explained minor changes to the verbiage that would clarify ambiguousness and set clearer guidelines.

Councilmember Denes sought clarity regarding a 24-hour response time for incidents and inquired as to whether the part-time staff member assigned to the position would be responsible for addressing an issue in that time frame to which **Councilmember Schaible** acknowledged that there was difficulty in assessing the outstanding issues and stated that there was an option for the animal control liaison to respond in 72 hours, but a more valuable regulation would be to provide an alert to residents within 24 hours and may warrant assistance from other City departments.

Councilmember Denes expressed that he did not see the rationale behind hiring a part-time liaison when the onus would fall on City staff for 75% of the time to which **Councilmember Schaible** concurred that time allocation and further protocols would need to be established. City Administrator Tracey Douglas supplemented that she and staff had been trying to identify a department that could absorb the responsibility before moving forward with hiring a part-time staff member.

Council President Croslin requested a reading of the latest language of the motion stating that he had not been privy to the amended language to which **Councilmember Schaible** explained that the changes were minimal and that a vast majority of the language remained unchanged.

Councilmember Simasek expressed reservations about the part-time nature of the position and requested further detail regarding its expectations and the public release of residents phone numbers, email addresses, and home addresses. He recommended that, if the measure were to move forward, that the City engage in a contract of one (1) year and reassess the need and operation of the animal control oversight.



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD

MONDAY, OCTOBER 4, 2021, 7:00 PM

Councilmember Waszczak suggested alerts to City staff as opposed to residents to reduce the likelihood of unrest and panic among the community. She stated that she wanted to see the legislation passed by the Body with consideration taken to address potential disproportionate impact among different ethnicities and socioeconomic status and stressed the importance of educational outreach.

Councilmember Haba stated that it was more important to concentrate on the collection of data regarding animal-related incidents before entertaining the employment of a part-time animal control liaison and suggested procuring County and State records adding that it was a responsibility that could be absorbed by current City staff.

Councilmember Solomon noted that an ordinance could not create staff positions and expressed support for continuing to explore the opportunities to provide the service. He stated that he would support a year of analytics and assessment before handing off the responsibility to a staff member noting that while the idea was simple, determining the details, protocols, feasibility, and process was very challenging.

Councilmember Schaible recounted the history of the motion, the research conducted, and the outreach for data and recommendations and expressed disappointment that some of the issues being realized at the meeting were not brought about earlier in the process. He relayed that he had not heard any positive comments regarding the current portion of the Code that related to animal control noting that much effort and time would be wasted if they were not to expound on the opportunity to develop the motion.

Councilmember Haba expressed content for the changes to the language stating that he would be in support of the City Attorney drafting an ordinance or making changes to Chapter 52 of the City Code.

RESULT:	APPROVED, 9-2 [UNANIMOUS]
MOVER:	Croslin
SECONDER:	N/A
AYES:	Ward, Schaible, Denes, Simasek, McClellan, Solomon, Sandino
NAYS:	Croslin, Haba
ABSENT:	Peabody

12. Discussion Items (9:15 p.m. - 9:40 p.m.)

12.a) Letter to Prince George's County Executive and County Council Regarding Stormwater Management

[HCC-84-FY22](#)

Sponsor: Simasek

Co-Sponsor(s): Schaible, McClellan

[Construction Stormwater Mngmt Memo FINAL Master](#)



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD

MONDAY, OCTOBER 4, 2021, 7:00 PM

I move the Council authorize the Mayor to send a letter to the Prince George's County Executive and County Council regarding stormwater management. The letter should request the eight (8) points detailed in the summary background of this motion.

Councilmember Denes suggested reimbursing residents and asked if there was an accurate estimate of the damages incurred to which Administrator Douglas replied that the challenge was trying to determine what was caused by stormwater and sediment and what could be covered by an individual's homeowners insurance. Department of Public Works Director Lesley Riddle supplemented that she believed there to be adequate ability among current staff to address specific stormwater mitigation and it would be advantageous to develop funding to help those who have suffered damage or loss due to excessive stormwater.

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

12.b) Transitioning Ownership of a Segment of MD 208

[HCC-107-FY22](#)

Sponsor: Solomon

Co-Sponsor(s): Sandino, Haba

[Attachment Memo - Hamilton Street Ownership 38th Avenue to Queensbury Road](#)

I move that the Mayor and Council authorize the City Administrator to begin negotiations with the Maryland State Highway Administration for the purpose of transitioning ownership of the segment of MD 208 (Hamilton Street) within the corporate limits of the City of Hyattsville (from 38th Avenue to Queens Chapel) to the City of Hyattsville. Any such negotiations are non-binding, subject to the review and approval of the City Attorney for legal sufficiency and shall require final approval from the Hyattsville City Council.

Councilmember Denes had questions regarding sidewalks and roadways that enter private properties to which **Councilmember Solomon** responded that in some cases eminent domain could be instituted and described the pertinent roadways including Hamilton Street, East West Highway, and Route 38 explaining which portions would need further construction, repair, and upgrades. He elaborated, in great detail, the maneuvers required for navigating the areas and further explained specific needs for each intersection.

Councilmember Sandino acknowledged **Councilmember Solomon** for his efforts on the motion stating that traffic and pedestrian issues had been of great concern in the area for several years and the legislation would allow for needed improvements for safety and mobility.

Councilmember Waszczak concurred with the comments of her colleagues and asked if there was any concern regarding the traffic lights at the 38th Avenue intersection to which Ms. Riddle responded that the City would not manage the lights or signalization but would be able to address a substantial number of other issues.



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD

MONDAY, OCTOBER 4, 2021, 7:00 PM

Councilmember Schaible expressed support for the measure and was appreciative that it was made a priority. He cited the traffic signal at the intersection of 38th Avenue as a continued problem and the legislation would begin the improvement of the entire roadway.

13. Council Dialogue (9:40 p.m. - 9:50 p.m.)

Councilmember Waszczak expressed appreciation for her swearing in ceremony and stated that she was excited to be a part of the process and a community leader.

Councilmember Haba welcomed **Councilmember Waszczak** and promoted working toward a safe environment.

Councilmember Simasek welcomed **Councilmember Waszczak** and the new Chief of Police, Jarod Towers.

Councilmember McClellan welcomed his new colleague and recognized LGBTQ month.

Councilmember Sandino congratulated his new colleague and reminded residents of a fundraiser for local students.

Council President Croslin brought attention to the suffering in Afghanistan and Haiti and promoted helping the victims of atrocities in any way possible.

Councilmember Denes welcomed the new Chief and Councilmember and reminded participants of fundraisers for social support. He noted that resident attendees were not respectful in their comments and recommended removing the Q&A function from the meeting interface.

Councilmember Schaible reminded participants about the Hyattsville Zombie Run and welcomed his new colleague.

Councilmember Solomon provided information regarding events and programming in the City.

Mayor Ward welcomed **Councilmember Waszczak** and endorsed attendance at the Zombie Run.

14. Community Notices and Meetings

14.a) Main City Calendar October 5 - October 18, 2021

[HCC-98-FY22](#)

Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Main City Calendar October 5 October 18, 2021 FINAL](#)

15. Motion to Adjourn

The meeting adjourned at 11:18 p.m.



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD
MONDAY, OCTOBER 4, 2021, 7:00 PM

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

ATTEST:
December 20, 2021

Laura Reams, City Clerk

Sean Corcoran, Deputy City Clerk