

City of Hyattsville

*Hyattsville Municipal Building
4310 Gallatin Street, 3rd Floor
Hyattsville, MD 20781
(301) 985-5000
www.hyattsville.org*



Meeting Minutes

Monday, December 20, 2021

7:00 PM

Register in advance for this webinar:

https://us06web.zoom.us/webinar/register/WN_s636bIV8S9uuWGC-kyJO4A

Virtual

City Council

Kevin Ward, Mayor

Robert Croslin, Council President, Ward 2

Danny Schaible, Council Vice President, Ward 2

Sam Denes, Ward 1

Joanne Waszczak, Ward 1

Ben Simasek, Ward 3

Jimmy McClellan, Ward 3

Daniel Peabody, Ward 4

Edouard Haba, Ward 4

Joseph Solomon, Ward 5

Rommel Sandino, Ward 5

ADMINISTRATION

Tracey E. Douglas, City Administrator

~~Laura Reams, City Clerk, 301-985-5009, cityclerk@hyattsville.org~~

WELCOME TO THE CITY OF HYATTSVILLE CITY COUNCIL MEETING!
Your participation at this public meeting is valued and appreciated.

AGENDA/PACKET: The Agenda/Packet is available for review at the Hyattsville Municipal Building and online at www.hyattsville.org prior to the scheduled meeting (generally available no later than the Friday prior to the scheduled Monday meeting). Please note, times given for agenda items are estimates only. Matters other than those indicated on the agenda may also be considered at Council discretion.

AMERICANS WITH DISABILITY ACT: In compliance with the ADA, if you need special assistance to participate in this meeting or other services in conjunction with this meeting, please contact the City Clerk's Office at (301) 985-5009. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

AUDIBLE DEVICES: Please ensure all audible devices are turned off or otherwise not audible when the City Council is in session. Thank you.

PUBLIC INPUT: If you wish to address the Council during the Public Comment period, please use the "Raise Hand" feature in the virtual meeting interface. Participants may also submit statements electronically using the eComment feature at www.hyattsville.org/meetings or via email to cityclerk@hyattsville.org no later than two (2) hours prior to the start of the meeting. All participants shall remain respectful in their contributions and associated functions of the virtual meeting interface are not intended for public dialogue or discussion.

WAYS TO WATCH THE MEETING LIVE: City Council meetings are broadcast live on cable television channel 71 (Comcast) and channel 12 (Verizon). You may also view meetings live online at hyattsville-md.granicus.com/MediaPlayer.php?camera_id=2

REPLAY SCHEDULE: The meetings will be re-broadcast on cable television, channel 71 (Comcast) and channel 12 (Verizon) daily at 7:00 a.m., 1 p.m., and 8 p.m. Meetings are also able for replay online at www.hyattsville.org/meetings.

CITY INFORMATION: Sign up to receive text and email notifications about Hyattsville events, government, police and programs at www.hyattsville.org/list.aspx

INCLEMENT WEATHER: In the event of inclement weather, please call 301-985-5000 to confirm the status of the Council meeting.

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, December 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:

If you wish to address the Council during the Public Comment period, please use the "Raise Hand" feature in the virtual meeting interface. Participants may also submit statements electronically using the eComment feature at www.hyattsville.org/meetings or via email to cityclerk@hyattsville.org no later than two (2) hours prior to the start of the meeting. All participants shall remain respectful in their contributions and associated functions of the virtual meeting interface are not intended for public dialogue or discussion.

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

https://us06web.zoom.us/webinar/register/WN_s636bIV8S9uuWGC-kyJO4A

1. Call to Order and Council Roll Call

The meeting was called to order at 7:02 p.m.

Also present:

City Administrator-Tracey Douglas

Assistant City Administrator-Jim Chandler

City Treasurer-Ron Brooks

Chief of Police-Jarod Towers

Director of Public Works-Lesley Riddle

Acting Director of Community Services-Cheri Everhart

City Clerk-Laura Reams

ARPA Funds Manager-Patrick Paschall

City Planner-Taylor Robey

Present:

Mayor Kevin Ward

Council President Robert Croslin

Council Vice-President Danny Schaible

Councilmember Sam Denes

Councilmember Joanne Waszczak

Councilmember Ben Simasek

Councilmember Jimmy McClellan

Councilmember Edouard Haba

Councilmember Daniel Peabody

Council President Joseph Solomon

Councilmember Rommel Sandino

2. Pledge of Allegiance to the Flag

3. Approval of Agenda

A motion was made by Council President Croslin, seconded by Council Vice-President Schaible, that this agenda item be Approved. The motion carried by the following vote:

Aye: Ward, Croslin, Schaible, Denes, Waszczak, Simasek, McClellan, Haba, Peabody, Solomon, and Sandino

4. Approval of the Minutes**4.a) Approval of the Minutes**[HCC-200-FY22](#)

I move that the Mayor and Council approve the minutes of the City Council meeting of October 4, 2021.

Sponsors: City Administrator

Attachments: [Minutes CM October 4 2021 FINAL](#)

A motion was made by Council President Croslin, seconded by Council Councilmember Haba, that this agenda item be Approved. The motion carried by the following vote:

Aye: Ward, Croslin, Schaible, Denes, Waszczak, Simasek, McClellan, Haba, Peabody, Solomon, and Sandino

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

Mr. Bailey provided a written comment not in support of the gas-powered leaf blower ban.

Ms. Faye provided a written comment urging the Council to support the ban on gas leaf blowers.

Ms. Dorsey provided a written comment stating the use of the gas leaf blowers should be included in the Hyattsville Noise Ordinance.

Mr. Perry spoke on behalf of the donation of a bloodhound to the City of Hyattsville Police Department. He stated even though it is a minimal cost to the City for the animal, there are costs associated with training and he urged the Council to seek animals from shelters as police dogs.

6. Community Notices and Meetings (7:20 p.m. - 7:30 p.m.)**6.a) Main City Calendar: December 21, 2021 - January 3, 2022**[HCC-201-FY22](#)

N/A

Sponsors: City Administrator

Attachments: [Main City Calendar December 21, 2021 - January 3, 2022 FINAL](#)

7. City Administrator Update (7:30 p.m. - 7:45 p.m.)

City Administrator Tracey Douglas provided updates on City related news and events. There were no questions or comments from Council.

8. Presentations (7:45 p.m. - 8:45 p.m.)**8.a) Presentation on the Adaptive Reuse of 3505 Hamilton Street**[HCC-180-FY22](#)

Presentation only.

Sponsors: City Administrator

Attachments: [Power Point - City of Hyattsville Public Safety City Council Presentation 12.20.21Final](#)

Deputy Director Hal Metzler introduced Soli Guille and Mitch Nelson from JMT, who gave an overview of the plans for the new Hyattsville Police Headquarters located at 3505 Hamilton Street.

Councilmember Denes asked if there will be sufficient parking at the building for employees and community events and if there are any parking issues which should be addressed. Mr. Nelson stated there should be sufficient parking for staff and community events, and that the rear of the structure will house police cars only.

Council President Croslin asked if there are any discussions with Bestway to utilize their parking lots. Mr. Metzler stated that the City has not contacted Bestway regarding their parking lot.

8.b) Overview of American Rescue Plan Spending Eligibility and Process Plans[HCC-199-FY22](#)

Presentation only.

Sponsors: City Administrator

Attachments: [HVL - ARPA Overview Presentation 12.20.2021](#)

City Treasurer Ron Brooks provided an update on the ARPA funds received by the City. The City has already received \$8.9 million of the ARAP funds and the second round is anticipated to arrive in March of 2022.

ARPA Program Manager Patrick Paschall presented an overview of the City of Hyattsville's plan for ARPA funds .

There were no questions or comments from Councilmembers.

9. Consent Items (8:45 p.m. - 8:55 p.m.)

Items listed on the Consent Agenda are considered routine in nature, and are approved in one motion. There will be no separate discussion of these items unless the Mayor/Council request specific items be removed from the Consent agenda for separate action.

Councilmember Haba noted that the awardee for item 9.a was missing from the motion language. City Administrator Douglas confirmed that Pennoni would be awarded the funds. City Clerk Reams amended the motion to include Pennoni.

A motion was made by Council President Croslin, seconded by Councilmember Solomon, to approve the Consent Agenda. The motion carried by the following vote:

Aye: Ward, Croslin, Schaible, Denes, Waszczak, Simasek, McClellan, Haba, Peabody, Solomon, and Sandino

9.a) Hamilton Street/MD 208 Corridor Improvement Concepts[HCC-171-FY22](#)

I move that the Mayor and Council authorize an expenditure to Pennoni not to exceed \$100,000 for the development of preliminary designs, engineering studies, development of concept plans, and other work as required as part of negotiations for improvements to, and the possible transfer of ownership of, Hamilton Street from the State of Maryland to the City of Hyattsville, under their existing contract. In addition, the City Treasurer is authorized to adjust FY22 DPW budget appropriations as required to facilitate this expenditure.

Sponsors: City Administrator

Attachments: [Hamilton St Corridor estimate](#)
[Hamilton St Improvements](#)

I move that the Mayor and Council authorize an expenditure to Pennoni not to exceed \$100,000 for the development of preliminary designs, engineering studies, development of concept plans, and other work as required as part of negotiations for improvements to, and the possible transfer of ownership of, Hamilton Street from the State of Maryland to the City of Hyattsville, under their existing contract. In addition, the City Treasurer is authorized to adjust FY22 DPW budget appropriations as required to facilitate this expenditure.

A motion was made by Council President Croslin, seconded by Councilmember Solomon, that this agenda item be Approved, as amended. The motion carried by the following vote:

Aye: Ward, Croslin, Schaible, Denes, Waszczak, Simasek, McClellan, Haba, Peabody, Solomon, and Sandino

9.b) Memorandum of Understanding between the Town of Brentwood and the City of Hyattsville Concerning the Mental Wellness Check-in Initiative[HCC-192-FY22](#)

I move that the Mayor and Council authorize the City Administrator to enter into a Memorandum of Understanding (MOU) between the Town of Brentwood, MD and the City of Hyattsville concerning the Hyattsville Police Department's Mental Wellness Check-in Initiative.

Sponsors: City Administrator

Attachments: [Brentwood - Hyattsville MWCI MOU](#)

I move that the Mayor and Council authorize the City Administrator to enter into a Memorandum of Understanding (MOU) between the Town of Brentwood, MD and the City of Hyattsville concerning the Hyattsville Police Department's Mental Wellness Check-in Initiative.

A motion was made by Council President Croslin, seconded by Council Member Solomon, that this agenda item be Approved. The motion carried by the following vote:

Aye: Ward, Croslin, Schaible, Denes, Waszczak, Simasek, McClellan, Haba, Peabody, Solomon, and Sandino

9.c) Room License Agreement between City of Hyattsville and SHP Management Corp. [HCC-193-FY22](#)

I move that the Mayor and Council authorize the City Administrator to enter into a Room License Agreement between the City of Hyattsville and SHP Management Corp. for the City's use of an office at the Friendship Arms building for the purpose of the Mental Wellness Check-in Initiative.

Sponsors: City Administrator

Attachments: [Friendship Arms 12062021155903](#)

I move that the Mayor and Council authorize the City Administrator to enter into a Room License Agreement between the City of Hyattsville and SHP Management Corp. for the City's use of an office at the Friendship Arms building for the purpose of the Mental Wellness Check-in Initiative.

A motion was made by Council President Croslin, seconded by Council Member Solomon, that this agenda item be Approved. The motion carried by the following vote:

Aye: Ward, Croslin, Schaible, Denes, Waszczak, Simasek, McClellan, Haba, Peabody, Solomon, and Sandino

9.d) Room License Agreement between the City of Hyattsville and 6525 Belcrest Road, LLC [HCC-194-FY22](#)

I move that the Mayor and Council authorize the City Administrator to enter into a License Agreement between the City of Hyattsville and 6525 Belcrest Road, LLC for use of office space by the City of Hyattsville Police Department.

Sponsors: City Administrator

Attachments: [6525 Licensing Agreement](#)

I move that the Mayor and Council authorize the City Administrator to enter into a License Agreement between the City of Hyattsville and 6525 Belcrest Road, LLC for use of office space by the City of Hyattsville Police Department.

A motion was made by Council President Croslin, seconded by Council Member Solomon, that this agenda item be Approved. The motion carried by the following vote:

Aye: Ward, Croslin, Schaible, Denes, Waszczak, Simasek, McClellan, Haba, Peabody, Solomon, and Sandino

9.e) Extension of Agreement with American Traffic Solutions, Inc. d/b/a Verra Mobility [HCC-195-FY22](#)

I move that the Mayor and Council authorize the City Administrator to sign the seventh amendment to the agreement between Hyattsville, Maryland and American Traffic Solutions, Inc. to continue the Red-Light Camera program for a term of one (1) year, beginning on January 1, 2022, and ending on December 31, 2022.

Sponsors: City Administrator

Attachments: [ATS](#)

I move that the Mayor and Council authorize the City Administrator to sign the seventh amendment to the agreement between Hyattsville, Maryland and American Traffic Solutions, Inc. to continue the Red-Light Camera program for a term of one (1) year, beginning on January 1, 2022, and ending on December 31, 2022.

A motion was made by Council President Croslin, seconded by Council Member Solomon, that this agenda item be Approved. The motion carried by the following vote:

Aye: Ward, Croslin, Schaible, Denes, Waszczak, Simasek, McClellan, Haba, Peabody, Solomon, and Sandino

9.f) Installation of Street Signs [HCC-196-FY22](#)

I move that the Mayor and Council authorize the City Administrator the execute a rider contract on the Montgomery County IFB #1110132 with Shannon-Baum Signs Inc. and authorize an expenditure not to exceed \$30,000 for FY22, pending legal review.

Sponsors: City Administrator

Attachments: [20210405102301](#)
[Renewal K 1110132](#)

I move that the Mayor and Council authorize the City Administrator to execute a rider contract on the Montgomery County IFB #1110132 with Shannon-Baum Signs Inc. and authorize an expenditure not to exceed \$30,000 for FY22, pending legal review.

A motion was made by Council President Croslin, seconded by Council Member Solomon, that this agenda item be Approved as Amended. The motion carried by the following vote:

Aye: Ward, Croslin, Schaible, Denes, Waszczak, Simasek, McClellan, Haba, Peabody, Solomon, and Sandino

10. Action Items (8:55 p.m. - 9:30 p.m.)

10.a) Municipal Gas-Powered Leaf Blower Ban[HCC-198-FY22](#)

I move that the Mayor and Council direct the City Attorney to draft an ordinance to ban gas-powered leaf blowers (GPLBs) as follows:

- Effective July 1, 2022 - The use of gas-powered leaf blowers by the City will cease entirely, including City staff and City contracts. Also, this date will be the start of the 75 percent rebate window for the trade-in of GPLBs towards the purchase of an electric leaf blower.
- Effective July 1, 2023 - The 75 percent rebate window will end, and the 50 percent rebate window will begin for GPLB trade-ins.
- Effective January 1, 2024 - The 50 percent rebate window will end, and the 25 percent rebate window will begin for GPLB trade-ins.
- Effective July 1, 2024 - the use of gas-powered leaf blowers will be prohibited permanently, and the 25 percent rebate window will end for GPLB trade-ins.

Sponsors: Schaible, McClellan, Simasek and Solomon

Attachments: [Recommendation to Address Noise and other Impacts from GPLB](#)

Councilmember Denes asked if this ordinance will separate the rebate program from the ordinance and if the ordinance will dictate that the City must stop using gas-powered leaf blowers. Council President Solomon replied that the rebate program will be incorporated into the upcoming FY23 budget cycle, and the monetary rebate program will not be included in this ordinance. He also stated that the City Attorney will draft the ordinance and that will determine how the City proceeds internally with its policy on usage of gas-powered leaf blowers.

Councilmember Simasek stated the motion should include the authorization for City staff to speak with local retailers regarding the rebate program and assist the retailers in promoting the program with their customers. Director Jim Chandler stated that once the ordinance is passed, local retailers will be contacted.

Council Vice President Schaible appreciated the separation of the budget request from the recommendation to change the City code along with the change to time. He has suggested a third party handle the rebate program.

Councilmember Waszczak stated she is looking forward to learning from the Code Compliance Committee what they have learned from other jurisdictions that have banned gas-powered leaf blower. It is an important focus on an education campaign for the changes. She asked if there would be a delay in the public outreach due separating the budget aspect of the initiative from the ordinance. City Clerk Reams replied that outreach would not be delayed as a motion to fund outreach would come forward in the current fiscal year.

Council President Croslin asked if there are rebate dollars budgeted for the current fiscal year. City Treasurer Ron Brooks replied that further discussion is needed about funding for the rebate. Council Vice President Schaible asked Clerk Reams how much is being requested for communication in FY22. Clerk Reams stated that \$5,000 would be brought forward in the current budget year for a communication campaign, and that a funds for the rebate program would be brought forward for the FY23 budget. Council President Croslin asked Director Chandler if he foresees any issues with enforcement. Mr. Chandler responded that he believes most residents will comply, but is not clear on

how effective forced compliance will be in situations where residents refuse to stop using gas-powered leaf blowers.

Councilmember Haba expressed his support to postpone or table the motion until additional information from the Code Compliance Committee is received. He suggested that a cleaner approach would be to only change the requirement for City contractors and not residents. He asked for clarity on the discrepancy in the rebate program between residents and businesses. Council Vice President Schaible replied that the level of rebate is more for businesses because commercial grade battery powered leaf blowers cost more than a residential grade blowers. He also stated his disappointment that the Code Compliance Committee discussed this without inviting him to be present and speak to it. He found their feedback to be without direction and that had he been present he feels he could have clarified questions they had.

Councilmember Haba expressed his concern regarding the enforcement on homeowners versus landscape companies, and the impact that the ban may have on the ability of hourly workers to do their jobs.

Councilmember Sandino clarified the feedback provided by the Code Compliance Committee and their understanding that it was late in the process for them to comment.

Councilmember Waszczak sought to clarify for Councilmember Haba that the rebate program is to incentivize not to subsidize. She asked Council President Schaible to speak again to the rebate program and the adequacy of the rebate amount for small businesses. She expressed her support to amend the motion to only address the City's use of gas powered leaf blowers.

Councilmember Solomon clarified that the current vote is just to authorize the drafting of the ordinance so there will be time to incorporate changes. He also expressed his support for the rebate program and that changes could be made to it moving forward if Council sought to allocate more funds, and he supports voting on the motion as presented.

Council Vice President Schaible contrasted the specificity of feedback given by the Environmental Committee and the Code Compliance Committee. He also stated that there are many jurisdictions that have enacted similar legislation and he feels that there is an urgency to act environmentally and this issue should be addressed.

Councilmember McClellan expressed his support for this legislation and noted that residents have reached out to him in support of it. He asked that if an amendment passes to split the legislation, he hopes that a specific timeline be indicated to account for the environmental urgency of the issue.

Councilmember Haba made a motion to amend the item to focus on the City and City contracted services to remove the impact on Hyattsville residents. The motion was seconded by Council President Croslin.

Councilmember Solomon expressed his intention to vote against the amendment due to the timeline.

Councilmember Waszczak asked if data collection needed to be put into the motion. Councilmember Solomon replied that it could go in the motion but it did not need to. Councilmember Waszczak expressed her intent to vote against the amendment.

Councilmember Haba stated that it would not be easy to change the ordinance if this motion passes as is and that is why he proposed the amendment.

Council Vice President Schaible reiterated that the passing of the legislation is the beginning and that it will be adjusted as needed moving forward.

The amendment to the motion failed- Aye 2(Haba, Croslin)/Nay 9(Ward, Schaible, Denes, Waszczak, Simasek, McClellan, Peabody, Solomon, Sandino)

Councilmember Solomon made a motion to amend the item by adding an additional bullet point stating: "By November 2023, City staff will report back to the City Council on the effectiveness of the public awareness campaign and lessons learned in collaboration with the Hyattsville Environment Committee and the Code Compliance Advisory Committee."

The motion was seconded by Council President Croslin.

The amendment to the motion passed-Aye 10/Nay 1(Denes)

See the amended motion below:

I move that the Mayor and Council direct the City Attorney to draft an ordinance to ban gas-powered leaf blowers (GPLBs) as follows:

- Effective July 1, 2022 - The use of gas-powered leaf blowers by the City will cease entirely, including City staff and City contracts. Also, this date will be the start of the 75 percent rebate window for the trade-in of GPLBs towards the purchase of an electric leaf blower.
- Effective July 1, 2023 - The 75 percent rebate window will end, and the 50 percent rebate window will begin for GPLB trade-ins.
- Effective November 2023 - City staff will report back to the Council on the effectiveness of the public awareness campaign and lessons learned with collaboration from the Hyattsville Code Committee and the Hyattsville Environment Committee.
- Effective January 1, 2024 - The 50 percent rebate window will end, and the 25 percent rebate window will begin for GPLB trade-ins.
- Effective July 1, 2024 - the use of gas-powered leaf blowers will be prohibited permanently, and the 25 percent rebate window will end for GPLB trade-ins.
- By November 2023, City staff will report back to the City Council on the effectiveness of the public awareness campaign and lessons learned in collaboration with the Hyattsville Environment Committee and the Code Compliance Advisory Committee.

A motion was made by Council President Croslin, seconded by Council Member Solomon, that this agenda item be Approved as Amended. The motion carried by the following vote:

Aye: Ward, Croslin, Schaible, Denes, Waszczak, Simasek, McClellan, Haba, Peabody, Solomon, and Sandino

11. Council Dialogue (9:30 p.m. - 9:40 p.m.)

12. Motion to Adjourn

The meeting adjourned at 9:57 p.m.

A motion was made by Council President Croslin, seconded by Council Member McClellan, that this agenda item be Approved. The motion carried by the following vote:

Aye: Ward, Croslin, Schaible, Denes, Waszczak, Simasek, McClellan, Haba, Peabody, Solomon, and Sandino