

**MAYOR AND CITY COUNCIL
CITY OF SEAT PLEASANT
ANNEXATION PUBLIC HEARING
MONDAY, MARCH 8, 2021
6:00P.M.**

1. OPENING

1.1.1 Call to Order

Councilmember President Porter called the meeting to order at 6:02p.m.

1.1.2 Roll Call

Present: Mayor Eugene W. Grant (Late), Councilmember Monica Higgs, Councilmember Hope Love, Councilmember Shireka McCarthy, Councilmember Kelly Porter, Councilmember Gerald Raynor, Sr. Councilmember Kizzie Scott, Councilmember Gloria Sistrunk,

Staff: Dashaun N. Lanham, City Clerk, Jeannelle B. Wallace, Interim City Manager, Devan A. Martin, Chief of Police and Interim Deputy City Manager, John O'Connor, Sergeant and Todd Pounds, City Attorney

2. Meeting Topics

2.1.1. Annexation of Central Avenue-Todd Pounds

- Mrs. Wallace stated the former Economic Development Director, Mayor Grant, met with the Government Affairs and Technology Committee with City Clerk on February 7, 2020 to discuss the annexation process, plan, and purpose of annexing Central Avenue.
- Mrs. Wallace stated that the Administration met with the City Attorney Todd Pounds to draft the legislation for the Central Avenue Annexation and contracted with Ben Dwyer & Associates to draft the Metes and Bounds Survey.
- Mrs. Wallace stated that the City Clerk advertised the Annexation of Central Avenue in the Prince George's Post on July 16, July 23, July 30, and August 6, 2020 and February 11, February 18, February 25, and March 4, 2021.
- Mrs. Wallace stated that the Legislation for the Annexation of Central Avenue was introduced at the City Council Public Session on July 13, 2020 and February 8, 2021.

- Mrs. Wallace stated that the City Clerk mailed the required notices to the following agencies on July 15, 2020 and February 3, 2021 for Amending the Approved Legislation to Annex Central Avenue:

1. Maryland Department of Planning
2. Maryland Department of Transportation/State Highway Administration-Office of Attorney General
3. Office of the Clerk of the County Council for Prince George's County
4. Clerk of the Circuit Court
5. Maryland National Capital Park & Planning Commission-Office of the Planning Director

- Mrs. Wallace stated that the City Council approved the Annexation of Central Avenue on September 8, 2020. The purpose of the Annexation hearing and amendment of the Charter Amendment Resolution and Resolution to adopt the description is to remove the enclave, which is a portion of the Town of Capitol Heights from the Annexation boundaries.
- Chief Martin stated that there will be no new cameras that will be installed on the Central Avenue, as they can only be installed in school zones.
- Chief Martin stated that we are city that is trying to grow, and we had received statistics in the Master Plan of the City, and they were very alarming. The Seat Pleasant Police Department educate, engage, and then enforce.
- Sgt. O'Connor stated that the camera that currently located on Central Avenue was a five-year process to get the camera installed after multiple fatalities on Central Avenue.
- Sgt. O'Connor stated that the Central Avenue corridor is unsafe as it has a lot of speeding along the roadway up to 70 MPH with distracted drivers.
- Sgt. O'Connor stated that the city covers eight lanes of highway within it is jurisdiction and we have seen reduction of speed.
- Chief Martin stated that we receive the speed statistics from the Camera and Maryland Police on the crash statistic data and the County crash data statistic. It was 560 collisions on Central Avenue in 2020 with property damages.
- Chief Martin stated that the City of Seat Pleasant has MOU with Prince George's County to address traffic concerns that impact the boundaries of Seat Pleasant.

- Sgt. O'Connor stated that he has spoken with District 3 and State Highway Administration and Prince George's County regarding the road upkeep for the Annexation going forward.
- Mrs. Wallace stated that the city will not take over the roadway maintenance of Central Avenue, as the road still belongs to State Highway Administration. The city number one priority is to address safety on our borders.
- Chief Martin stated that the roadway report can be found on the city's website. We have taken 15 firearms off suspects in traffic stops along Central Avenue and MLK.
- Sgt. O'Connor stated that the Office of the Attorney General was involved with this process from the beginning and since it was no deed transfer SHA had no opposition of the annexation.
- City Attorney Todd Pounds stated that there was a previous Annexation that was voted upon and approved by the city. The State planning office notice that the description included portions of the Town of Capitol Heights, which changed the acreage from 41.7 to 41.2302. The annexation requirements were met in the original Resolution and requirements were met in the amended Resolution of the annexation of Central Avenue.
- City Attorney Todd Pounds stated that it we are here tonight for the amendment due to the error in the original boundaries of the annexation.
- Mrs. Wallace stated that the Survey Engineer Ben Dwyer and Associates has done several boundaries survey in Prince George's County. We are not attaching any HOA or homes along Central Avenue.

CITIZEN'S COMMENTS:

- Senator Joanne Benson stated that the city had stated that Annexation is from curb to curb, and she would like to understand how this annexation will benefit Seat Pleasant economically if you are only talking about the roadway? Senator Benson stated that she sees that the businesses along Central Avenue must be apart of the economic development? What role will the state and county police play on the state highway as they have an obligation to protect the citizens on state highway.
- Chief Martin stated that he helped create the plan on the annexation. There is new business development, and the Fire Department will be installed on Central Avenue, this will allow the Fire Department to be apart of our community. The second phase of the annexation is to annex businesses into the city along the central avenue. The State and County police still have

jurisdiction on Central Avenue. We have an MOU with both the State Police and Prince George's County. The State police will not come into the city as we have asked them to do so. The Prince George's County Police will still assist the city with Central Avenue.

- Latasha Gatling stated that she is not impressed with the filibuster that had taken place this evening to not allow the residents to speak during the public hearing. What was done tonight is very disrespectful to the residents of Seat Pleasant.
- Mrs. Gatling stated that her questions are as follows:
 - Was the annexation of Central Avenue the proper thing to do at this time considering the government is in turmoil?
 - What is the estimated State Highway User Revenue from this annexation?
 - How will this annexation benefit the City?
 - I understand this hearing is simply a formality as the highway has already been annexed. Because the original plan included land that was already a part of Capitol Heights.
- **Sandra Womack-**
 - Questions:
 - Purpose of annexation?
 - Benefit of Annexation to Seat Pleasant? and surrounding communities? Is Seat Pleasant intentions for annexation to place speed camera along Central Avenue?
 - The annexation poses a strong general perception that these speed cameras are more about generating revenue than making roads safer, what is the Councils intentions/purpose?
 - There are no other (to my knowledge) municipalities on Central Avenue to receive benefit of an annexation, will Seat Pleasant include the local schools, businesses and communities, civic association and HOAs located on and directly using Central Avenue in the benefits of the annexation whether monetary or policy?
 - Has Seat Pleasant met with the local and immediate affected communities, civic association and HOAs concerning the annexation? I

serve as the President of Peppermill Village Civic Association and have not received any communication from Seat Pleasant.

- Has Seat Pleasant communicated to the Prince Georges County School Board and its District 24 representatives concerning the annexation?

1) Will Seat Pleasant receive County and State Resources from the annexation?

2) Will Central Avenue remain a state highway under the Seat Pleasant annexation?

- **Joseph Fenwick-**

- Good evening. My name is Joseph C. Fenrick, Jr and I reside at 7602 Millrace Road where my wife and I have lived since 1969. Since that time, we have seen and heard of a variety of bizarre and or ill-conceived ideas related to the community. This planned virtual annexation of a part of Central Avenue falls into the category of bizarre if not outright illegal. It makes no sense to those outside the Seat Pleasant environment for this idea to be approved. Just on the face of it, the concept should not stand. It reminds me of policies in Washington where the government makes no apologies for setting up a number of locations designed to entrap drivers to raise millions of dollars. In the name of fairness for all county residents, I urge those in authority to deny this outrageous money grab. Thank you!

- **G Nickols-**

- Good Afternoon, please provide me access to the zoom meeting scheduled for March 8, 2021.

- I do not feel that the additional speed monitors are planned for the safety of our citizens, but for financial benefit instead.

- **LaTasha Ward-**

- Have you all talked to the 3 civic association and or HOAs: Wilbur, Tri Area and Peppermill, Hyattsville, Landover civic associations?

- 2. How many people in the Peppermill community, Wilburn, support this annex?
- 3. What is your purpose in Annexing the road will this build revenue together?
- 4. How will the communities be affected by this annex?
- Is this already approved and if approved already who approved this Annex?
- Has anyone been injured or killed near the area you want to annex?
- How much revenue has been generated from the current cameras and how much did you put back into the citizens/community?

- **Renee Holliday-**

- **RE: Public Comment to Annexation Resolution and Annexation Plan**

- I am writing in opposition to the City Council of Seat Pleasant's Resolution to annex a

portion of Central Avenue between the Capital Beltway US 95 and the District of Columbia line. This is an extreme measure that is not in the best interest of the public. I urge you to vote against the Resolution. It is my understanding that by annexing said land, the City Council of Seat Pleasant (the City Council) intends to increase its tax base by expanding the Automated Speed Enforcement Program (speed cameras) to collect fines and fees. The speed cameras and enforcement thereof, falls under the authority of Seat Pleasant Police Department.

Although the City Council and police department state that they rely on speed cameras to make travel safer; the placement of speed cameras emphasizes ticket volume to make money for Seat Pleasant. Additionally, the current Seat Pleasant speed cameras are problematic and annexing land to add more speed cameras would be impractical, unworkable, and unnecessary. My personal experience with speed cameras in Seat Pleasant has demonstrated:

1) The photo radar generates false readings.

I receive a speeding citation by mail. After accessing onlinecitationpayment.com and

viewing images of my vehicle, another vehicle can be seen within the radar's field of view.

which caused a false radar reading.

2) Speed cameras are inaccurate on Central Avenue.

Central Avenue is a multi-lane and multi-directional roadway, technical errors do occur which Seat Pleasant officials and its contractor for the speed cameras (Optotrafic) are? *unable or refuse to acknowledge. I am a careful driver and always mindful of my speed. When I saw my vehicle and another vehicle in the image, I knew instantly that the speed camera did not read correctly and wrongly identified my vehicle as speeding.*

3) Adjudication of contested citations is non-existent. *Following instructions to dispute the citation, I contacted the Local Designee for Seat Pleasant whose mailing address is in Baltimore MD to dismiss the citation and penalty. No one responded which led to my sending a complaint and request for resolution to Maryland Department of Transportation - State Highway Administration. MDOT stated they do not have a role in the citation, and a formal complaint should be with the local government that has utilized the speed camera. I contacted Mayor Eugene Grant's office to dismiss the citation and penalty based on a false reading. The Seat Pleasant Chief of Police responded and determined that based on the camera's test logs, the photographic evidence, and other available information the violation was properly issued, is valid, and was not a result of a system error. I questioned the information used in the determination and was instructed to direct my request to the City's custodian of records, Dashaun N. Lanham, City Clerk. I emailed the City Clerk and Mayor Eugene Grant about the speed camera and was directed back to the Chief of Police. Out of frustration, I contacted the City Clerk again and we when back on forth on who is the appropriate person to contact to address issues with the speed camera. I was finally instructed to contact Optotrafic, the City's citation processing vendor.*

I emailed Thomas Bouchard, president of Optotrafic who read my request for resolution with the speed camera but never responded. Ultimately, I paid the citation to avoid penalties and other fees but believe the Chief of Police decision was not fact-based but subjective. For the reasons stated above, the City of Seat Pleasant has to address issues with its existing speed cameras instead of proposing a Resolution to annex a portion of Central Avenue. I urge you to oppose the Resolution.

- **Faye Martin Howell-**

1) Has this annexation already been approved?

2) How will the generated revenue be used? Who will benefit from the revenue?

3) Was a study done on the speed limit for this area? Thirty-five (35) seems like it is too slow for this size highway. Is this the right speed for the area we are discussing?

- [vhwilson](#) and mmiladylee66

1. Is the annexation for the roadway only or does annexation include the property on either side of Central Avenue?

2. What jurisdiction gets the revenue from the tickets issued from Hill Road to the Beltway underpass.

3. What jurisdiction gets the revenue now from tickets issued from the Pepper Mill Village entrance to Addison Road?

- **Stephen Sturdivant-**

can the council provide the residents with the City's complete annexation plan?

1. when did it start?
2. purpose of the annexation?
3. is the city considering or working on future annexation?
4. were outside consultants used?
5. other than tonight's meeting what other communication was given to resident for their input?

- **Belinda Queen-**

I am writing in great opposition to the City Council of Seat Pleasant's Resolution to annex a portion of Central Avenue between the Capital Beltway US 95 and the District of Columbia line. I truly believe that this is not in the best interest of the local community and public. I urge you to vote against the Resolution.

First, I have found that many of these speed cameras on incorrect and just money-making traps off of local residence. I feel it would not only force more people to move where you have more roads and less speed cameras. I have been affected by the speed camera you have in Seat Pleasant and now I try my best to not drive in the City unless I really have to for a good reason. Many people are normal everyday drivers but, on some days, people may have an off day and their minds are on a mental meld down and this is the time when they get ticket by these speed traps. We all have had off days, emergency, or days where our minds were far away and it just that moment, we get caught by the speed trap.

Next, instead of speed traps we need more services and understanding of the issue in and around our local community. To be more understanding of people own social and emotion issues. Right now, in the mist of this pandemic people are struggling trying to make end meet. Some jobless, Some Homeless and other emotionally unstable and the only thing you all can think about is more Speed Traps. Something is really wrong with this type of thinking.

Last but not the least the local Communities of HOA and Civic Association are in opposition to this Annex. We do not feel that Seat Pleasant will be able to maintain, clean and service this roadway and that many of the local homeowners will be the ones getting this ticket. I also set and listen to the meeting and to hear it about a seat at the table for business along Central Avenue is troublesome as the

CA and HOA members we have a seat at the table for most. If Addison Plaza had stores where the shopping center is overflowing because people loved to shop, then I can see it but we both know this is not happening. I am not saying Seat Pleasant should not because I think all municipalities need more of a seat at the table for thing within 5-10 miles of their cities.

4. LEGISLATION

4.1. None

5. ANNOUNCEMENTS

5.1 Regular Work Session, Monday, October 5, 2020 by Zoom Video Conference at 6:00p.m.

5.2 Public Session, Monday, October 12, 2020 by Zoom Video Conference at 7:00p.m.

6. ADJOURN

6.1 The meeting was adjourned at 7:37p.m.

Submitted by,

DocuSigned by:

Dashaun N. Lanham

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Dashaun N. Lanham, CMC
City Clerk

APPROVED 04/12/21