

Official Minutes of the City of Mount Rainier
MAYOR AND CITY COUNCIL PUBLIC HEARING
DATE: March 5, 2020
Mount Rainier Police Department Community Room

Call to Order:

7:00 PM, Mount Rainier Police Department Community Room, 3249 Rhode Island Avenue
Mount Rainier, Maryland 20712

Presiding Officer:

Mayor Malinda Miles

Officials Present:

Councilmember Celina Benitez
Councilmember Scott Cecil
Councilmember Luke Chesek
Councilmember Bryan Knedler

Staff Present:

City Clerk John Hoatson

Minutes provided by:

City Clerk

Mayor Miles called the Public Hearing to order. Only purpose of the hearing is to hear testimony on the renewal of Chuck's liquor license. Council will be as fair as they can.

Rules: Council will not debate you on any issue
Council will not vote at the hearing
They are going to hear from speakers
3 minutes to speak – no extension of time allowed

If you are speaking on behalf of a group, they can have 5 minutes to speak. No other member of the group can speak.

City Clerk will call out the names. Speakers shall approach the podium, state name and hundred block you reside on and street.

There was a notice sent out from the liquor board. There will be a hearing on the challenge April 1, 2020 7:00 pm located on Basil Court.

Councilmember Scott Cecil asked how many people signed up to speak? Time may need to be changed to 2 minutes based on how many people signed up.

Mayor stated everyone would have 3 minutes to speak.

35 people signed up to speak.

1. Willamena France – 3700 Bladensburg - Law issue. People use Western Union to send money to their families. Vibrant store in community. Not only a liquor store, you can go there to cash checks. Going to lose jobs because of a law issue. Need brighter lights outside. Increase the police presence. Lived in community 5 years. Allow people waiting for bus to stand inside when it is cold.
2. Martin Lawson – 4000 36th Street – Business has been very kind to him. Never had any issues with Chuck's Liquor Store. Without liquor store there is just no place to go. It is like, "Cheers". Does not need to be shut down.
3. Mr. Curtis & Mrs. Jane Hill – 3000 36th Street – Lived in community 36 years. Store is very courteous to all the neighbors. Look out for everybody. Store should remain open. All the projects and building in the community being down. They need something old (establishment) in the community.
4. Valmer & Paula Blankenship – 4000 35th Street – Lived in Mount Rainier over 40 years wife is over 50 years. Got married and raised 3 children in this town. Has seen a lot of ups and downs in the town. Chuck's has been in this town 40 years. It needs to stay.
5. Evelin Arago & Translator – 4000 Irving Street - Her opinion is that Chuck's should remain open. The liquor store is close and very convenient to residents. You can cash checks and get soda. There is also no place to buy money orders or send money. It is a privilege to have the liquor store nearby.
6. Surabhi Shah – 4000 35th Street - Homeowner & trained mediator – Deputy Director Office of Community Revitalization at the EPA. Mayor & City Council should work hard to support local business in the community. High crime rates happen when businesses closes. Chuck's generates foot traffic all day long. Business has been an anchor in the community. Admires people on both side of the issue. She loves Mount Rainier. Cannot imagine Mount Rainier with out Chuck's Liquor Store.
7. K.C. Jones – 3800 Block 35th Street – Lived in Mount Rainier close to 40 years. Chuck's has been a staple in the community for years. Chuck's keep an eye on the people. They are not allowed to meander in front of the store. They offer check cashing, snacks and other things. If Mount Rainier loses this business, where will Mount Rainier obtain tax money. It will go to Bladensburg or somewhere else.

8. Tangie Thomas - 3400 Block by Circle – Was appalled by the petition. Seen a lot of stuff go on. Liquor store is the friendliest and family friendly. Been going there for 16 years. Elders are in there playing numbers. Goes in there 3 to 4 times a week. Father use to go in there 14 years. People from Chuck's came to her father's memorial when he passed away. People from the Metro Bus are the ones using the bathroom outside. You cannot blame Chuck's for adult actions.
9. Shawna Jones - Shawna Jones – Does not live in Mount Rainier. Works in Mount Rainier – Realtor for LRES. Specialize in mixed use development and urban renewal. Spent a lot of time working in communities that did not have quality access to goods and services. Supports Chuck's Liquor Store. Owner is honest and cares about people. Store is always clean and has cameras. They are part of the community. They are working with the owner to build a beautiful new building with apartments above. There will be a much better appearance from the street. They pay taxes that supports taxes, roads and schools. (Provided copies of the new building plan)

Podium was moved so that speakers could address Council and not the audience.

Councilmember Cecil wanted it explained that Mayor & City Council does not decide whether Chuck's stays open or not or obtains their liquor license.

Councilmember Benitez stated they asked for a letter of support to be heard.

Mayor Miles stated that on April 1, 2020 in Largo, there will be an official hearing of the Prince George's County board of license and commission. How does Mayor & Council proceed. Mayor and Council will listen. Will Mayor & City Council appose or approve? It is a liquor board issue.

10. Larry Solomon - Larry Soloman – Penske Truck Rental – Previous liquor store was a completely different issue. Previous President of MRBA and now Treasurer. Chuck's problem is a Metro / City problem. Benches were purchased and the problem is the bus stop and not the liquor store. A lot of bus stop are problems. City should get together with WMATA to see about moving bus stop a little bit. It is a matter of solving the problem.
11. Nisey Baylor - Nisey Baylor – 4007 34th Street – 24 years as a boutique owner. She is in support of Chuck's Liquor Store. Hoping that there is an agreement so no other business is closed in the City. Do not close Churck's.
12. Ayelet Hines – 3200 Shepherd Street – She is the Director of Center on Alcohol Marketing and Youth Johns Hopkins Bloomberg Center of Public Health. Works with top alcohol researchers in the world. Works with residents of the poorest communities in Baltimore. Mount Rainier is not Baltimore, but they share Alcohol fueled violence. 47% of homicides are combined with Alcohol. Racial justice issue. People are dying and going to prison because liquor stores are open in black communities.

13. MaryLee Haughwout - 4000 31st Street – Business is not an asset to the community. Learned early on that you don't go down there unless you want to be harassed. She was verbally harassed by people outside the liquor store. Has not gone down there in the last 9 years. Daughter has witnessed men's genitals in her face and men urinating. Husband has taken photos and has been told nothing can be done. She should feel safe walking in her community. Library improvements have been made because of Chuck's Liquor Store. The business needs to clean up after itself. The area is full of trash and it the gateway to the City. Not welcoming. Support the residents and close Chuck's Liquor Store.
14. John (Jack) Priestley – 3700 34th Street – Owned a house in Mount Rainier since 1983. This issue can only be solved by a collaborative effort among citizens, police City and businesses. Seen drunkenness, prostitution, illegal drug sales, theft, property damage and several murders. Best thing City did was install cameras by the circle. Congresswoman Susan Bailey spearheaded this effort. Was effective because she had her car set on fire. Camera were very effective. Bass Liquors, Anchor Insurance & Abdulah Grocery Beer and Wine was muscled out by City. Things were done to build the Artist Space Building. Great asset to have the new building. Building has no connection with the community. Chuck's has played by the rules and paid their taxes. Jack is supportive of Chuck's. City does not need more grant dependent businesses in the City. Hands off Chuck's. May Chuck's live long and prosper.
15. Carthy Boston – Taking three minutes to say I'm supportive of Chuck's for two reasons. First Chuck's is not the reason of the problems. Problems have existed. Need to work together to solve these issues and problems. Second reason she is not in favor of closing Chuck's is because her taxes will go up. Since 2012 she has not seen one new business coming into the City. When will City receive development and new business. Chuck's should stay.
16. Mario Cisneros – 3800 31st Street – Mount Rainier has three liquor stores plus the restaurant that sell alcohol. There are six liquor stores in a one-mile radius. Passes Chuck's every other day. Always sees people drinking and urinating. People drink go down the alley by Perry Street. As a long-time resident, this is not a black or white, gay or straight issue. Wants a better City for the future generation.
17. Neil Dicken – Party Time Liquors – Been in Mount Rainier 38 years. Most of what he planned to say already was said. Business district with no public restrooms. Public library, City Hall (locked up like a prison) Police Station that does not have public restrooms that people can use. There is no McDonalds or fast food restaurants for the public to use the facility. There were portable bathrooms put in place before. That is not the answer. Another empty store front is not the answer either.

18. Arthur Silverman – 3200 Shepherd Street – Thank you for the opportunity. Does not own a car and takes the bus sometimes twice a day. The idea that the bus stop is a problem is offensive. What is a problem that the liquor stores open at 6:00 am in the morning. If the owner was to forego that business in the morning, then that is an accommodation the owner could make. Notices all the time that people who live here who take the bus do not feel they can sit at the bus shelter. Fights break out and foul language is used. Situations do escalate. This situation is unique. Facility is uncomfortable and unusable by the residents.
19. Brooke Kidd – Resident and Director of Joe’s Movement Emporium – Been in Mount Rainier 25 years as both. Gathering tonight expressed the urgency and importance of this issue. Been involved in the loitering, mental health and addiction issues in the town center for a very long time with a variety of efforts. Served on the anti-loitering committee that petered out 5 years ago. Need to work with WMATA Police. Must have City and County agencies involved. Must have short and long-term strategies. Chuck’s is not the only reason why people gather at the bus stop as well as City Hall plaza. Biggest impact at Joe’s is people come in and drugs fuels their difficult behavior. Example was old man with a cane that smoked crack in Joe’s Movement bathroom. Hope City can come together. This burden cannot just be on one liquor store. Social and economic issue. Businesses suffer the most because of these issues. Makes a difference on safety.
20. Sahar Chaudhry – 3200 Perry Street – Lived in Mount Rainier 14 years. Mayor Miles and Councilmember Bryan Knedler know her well. Numerous times she has come to them about these same issues. Raised issues about the portable bathrooms in 2007 because they were overflowing with urine and prostitution was taking place. Came to them when public drunkenness was happening at the bus stop and she was harassed. Came to meeting between Chuck’s and Party Time Liquors when they were asked about being open at 6:00am and close at midnight. Brightest lights going thru downtown is a giant 6ft liquor sign going thru and Party Time Liquor sign as you leave. The liquor stores have been a major contributor of public safety. Has a car and does not use the bus.
21. Therese Nemill – 3100 Block Perry Street – Lived behind Bass liquors. It was terrible. Bass is much worse than Chuck’s. Mount Rainier use to have a bank. Suburban Trust bank had to move. Was right by fire station. Might get a bank or something else if City did not have these issues. There was a dead man in the alley behind her house. Daughter has been propositioned by riding the bus to University of Maryland. Son was held up at gun point. Mount Rainier Police allowed them to be their security at Bass Liquors. On Sunday the streets are clean. You can tell what business is the issue on Sunday.
22. Bob Vanderbilt – 3800 31st Street – Obtained the police data from Police Chief that is public information. Reads calls for service at 3416 Rhode Island Avenue (Chuck’s Liquors). Of the 476 calls for service from 2017 to 2019, had to remove 387 - could not understand the language. (Reads the list of calls for service).

23. Joseph Jakuta – 29th Street - Thank you to Mayor & City Council. Hope they support the petition. Does not want to see Chuck's go, wants to see the liquor license go. Has lead litter clean-ups in the town. Invite high school students to come and obtain service hours. Been picking up litter since 11 years old. Use to do it as a Boy Scout and in college. Pile of liquor bottles and dirty diapers behind the library. Lots of talk about taxes. Leroy and Public Works must clean up liquor bottles. Cannot do litter clean-ups anymore because the supplies are locked up. Does not want more police, does not want more bottles on the ground.
24. Debbie Dittmann – 3700 35th Street – Does not go to Chuck's. Find the situation in front of store really a mess. Could not stand at bus stop because the smell of urine was terrible and had to walk down the street. Don't need another liquor store in community. Not an asset to the community. Keeping other businesses away. Trash is an issue. (Showed a photo of trash in front of house).
25. Seth Rotramel – 3400 Shepherd Street – Great opportunity. Been in community five years. Dark side of life takes the bus. Around 6:00 AM there is a line waiting to buy alcohol. They sit on the bus benches and start drinking. How is having liquor available helping the community? Why does the store have to be open at 6:00 am? Police car parked outside in the afternoon. Perfect place for a bus stop with other businesses.
26. Intizar Hamid – 4000 34th Street – Chuck's should not be there. Library finally fixed up and children don't need to see all that. They have benches that are like couches. If you moved all those benches, you would not have loitering. Place does not need to be there next to a library. There not doing friendly stuff. They should hire security and make sure the place is clean. Council needs to move the benches. Business should not be open at 6:00 am in the morning.
27. Tom Thompson – 3800 31st Street - Opposed to the renewal. Chuck's is no "Cheers". Magnet for anti-social behavior. Daughter attended the University of Maryland and had to ride the bus. Biggest challenge were the insults and racial slurs at the bus stop. Knows people that could open a business in Mount Rainier and will not do it because of the anti-social behavior. Area is an eye sore. Will not walk in front of Chuck's. Not going to help the City grow.
28. Nathan Cederth – 31th & Webster – Resident for past 15 years. Business owner in town for 6 years. New member of the MRBA. Chuck's and staff are great for their customers. Cannot be a policing issue. Problem folks who are arrested are back again the next day. Bus stop is not going anywhere. Council cannot fix substance abuse in the City. We need transit hubs. Seen people overserved for years. Owners have heard these issues in the past. How has Chuck's worked with the City in the past? What is proposed is that a license not be renewed. This is an opportunity to make that review.

29. Holly Marshall – 4000 30th Street – On the fence of this issue. Lived in Mount Rainier for a while and wants to support the local businesses. Looked at the data and has her own data. Been threatened and verbally assaulted. Been a problem for 20 years and talking to the business for years versus people are getting threatened and assaulted. People need a place to pee and that is no big deal. If they expose themselves it just happens. Everyone who comes to the table thinks what they say is more important. This is alcohol funded problem versus bus stop problem. It is data driven and based on alcohol. These problems would not be here if it was a coffee shop instead of Chuck's. The problem is this combination.
30. Charnette Robinson – 3500 Perry Street - A lot of issues have been dealt with for many years. Does not see anyone from Metro here. Demand that Metro take some action here. Lived in Mount Rainier close to 30. Never seen the alcohol bus come over here. Not the way to shut down the businesses. This is a racial issue. There is a problem in this City and to just say we are going to shut it down, it is a racial issue. Understands with Chuck's. It is not impossible to move the bus stop. Worst idea to have a gate behind the alley. God forbid there is a fire at the library. People will not get out.
31. Daniel Cruz – ZiZi Pizza at 34th Street – Resident – Supports keeping Chuck's open. Still will not get the issue across about vandalism and loitering. Business partners also support keeping Chuck's open.
32. Lisa Harris – 4000 34th Street – As a business owner and resident use to work at Atmosphere. Saw drugs and substance abuse. As a business owner it is terrible to put pressure on this one business. Rode with drunks from New Carrollton to Mount Rainier. This is a bigger issue that needs to be addressed. This is not an issue of just Chuck's Liquors. Closing a store is not going to stop them at the bus stop or them drinking.
33. Toni George – 3300 Rhode Island Avenue – Resources need to be made available to help individuals. The City has come a long way all things considered. Not just a Chuck's problem. A lot of City's have to deal with these same issues. Don't need a scapegoat here. Has provided shelter to people when it rains and snows. Provided services to a lot of people.
34. David Dorio – 3200 Perry Street – Liquor store has been unchanged. There was a meeting of the owners. The City and the residents have tried to work with the owners. Along the way they have not wanted to do anything about it. Both owners are not good partners for the City. No redevelopment in the City is because two anchors are liquor stores. It is a health and safety issue. Sundays is what Mount Rainier would look like if the City did not have the liquor stores. Look at the data.

35. Heather Ware – 3700 35th Street - Lifelong PG County resident. Not scared to go to the circle. They see drug deals and other things. Remembers all the problems spots. Consider the kids.

Mayor Miles stated that Council has listened. Meeting would be held between now and April 1st with a report out. Council will obtain a date ASAP for the meeting.

Statement to be entered into the record. Timothy Meyer could not attend the meeting.

To Mayor Miles and City Council:

My apologies for not being able to attend this evening's meeting regarding Chuck's Liquors in person, but I would appreciate the opportunity to submit the following remarks for the record and for your consideration.

I would also like to clarify that I work with many of you in an official capacity on many other issues regarding Mount Rainier. I want to be clear that any remarks regarding Chuck's are being submitted solely as a private citizen and resident and not in any official capacity.

Thank you, and please see remarks below that I would have delivered if I had been able to attend this evening.

"As the debate about Chuck's Liquors began, I was neutral on this topic. I am not a customer of Chuck's so I have no personal stake in whether Chuck's stays or goes. What ultimately moved me from being neutral to feeling strongly enough about this issue to speak out - while also taking on the personal risk of coming out publicly against the position of many friends on the other side - is a concern about the appropriate role of City Council in potentially opposing one of our city's own businesses and the message that action would send to any other entrepreneurs considering doing business here in Mount Rainier.

Half of all small businesses in the U.S. fail within their first 5 years. For Chuck's to have operated as a taxpaying contributor to our community for 40 years is impressive, no matter how controversial their presence may be. Aside from Glut, I cannot think of many businesses or institutions that have been part of Mount Rainier longer. I can't imagine having spent 40 years as part of a community,

building a successful business and paying taxes only to have that community turn on me. Or having spent 40 years helping to pay for a City Council and then have that Council actively try to drive my business out. Residents don't have to like every local business. But as their neighbor, I respect them. And as a taxpayer, I thank them for all they contribute to our city. Every successful business we have is a bit less burden on the rest of us as residents and property owners.

It is one thing for a group of citizens to oppose Chuck's and petition the liquor board, as this effort began. That is indisputably their right and my fellow neighbors and I can agree to disagree on the merits of their case. But where I believe this effort crosses a dangerous line is asking Council to intervene and oppose one of your own businesses.

If you were a new business owner looking at Mount Rainier or Brentwood or Hyattsville or College Park, where would you choose to locate? Where would you feel confident that a City Council would have small business' back? This issue - and the message that you send - is much bigger than Chuck's.

From following much of the discussion on Facebook, I have also been taken aback by some of the overly zealous attitudes more consistent with 1920s Prohibition than a progressive community in 2020. Chuck's sells products such as alcohol and tobacco that, while they may be objectionable to some, are 100% legal. Fast forward several years to a time when our first legalized marijuana dispensary is ready to open in Mount Rainier. Will we attempt to prevent or close that type of business, or any other legal yet controversial business, because some residents complain? As long as a legal business is operating legally, I strongly believe that it ought to be the free market, not a government entity, that determines their fate. And for 40 years, in the face of a changing community all around it, the free market has spoken favorably towards Chuck's.

I have seen many circumstantial arguments about negative behavior in the vicinity of Chuck's, but very little evidence that Chuck's itself is to blame. I am sure some of the bad actors that will be cited at this meeting obtained their alcohol from Chuck's. But I am equally certain that many of them could just as easily walk an extra block to Party Time if Chuck's were to close - or that a large percentage of individuals are simply riding the bus to the end of the bus line. To the extent that there is a problem with the 3400 block of Rhode Island Avenue, I believe it is

a bus depot, loitering and inappropriate public behavior problem – not a problem that can be solved by scapegoating and driving away a local 40-year business like Chuck's.

There are certainly violations that would warrant Chuck's being strongly reprimanded or even shut down. For example:

- Have they been regularly cited for illegally selling alcohol or tobacco to minors?
- Have they amassed an excessive number of citations for selling alcohol to intoxicated individuals?
- Have they been formally cited for any other major violations?

Or is Chuck's simply guilty of having the "wrong" kind of clientele - different from the types of upscale drinkers who shop at Yes! Organic Market or Riverdale Town Center or will soon sip cocktails at Pennyroyal Station?

I agree with many of the concerns about behavior that neighbors have witnessed. But I disagree with those who insist such behavior doesn't warrant police action. I am not suggesting that we throw the book at these individuals and I trust you and Chief Morgan to strike a proper balance, but if police witness someone urinating or otherwise relieving themselves in public or harassing or acting aggressively towards others, then yes, that absolutely merits police intervention. Give them a first or second warning, educate them that Mount Rainier is cracking down on that type of behavior, but don't turn a blind eye and blame a nearby business instead of the actions and poor decisions of the individual.

I am not asking Council to give Chuck's any Business of the Year award. But I do hope all of you will consider how difficult it has been to attract new businesses to Mount Rainier, and the message it would send if we take one of our longtime small businesses and drive them out. The city has made great progress over the past few weeks with the announcement of new development along Rhode Island Avenue. We are finally heading in the right direction, saying that Mount Rainier is open for business. I sincerely hope we keep it that way.

Thank you for your consideration."

Respectfully,

Timothy Meyer
4004 30th Street
Mount Rainier, MD 20712