

# AGENDA MINUTES

Tuesday, June 2, 2009

Legislative Day No. 16

## COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

### AGENDA BRIEFING – (ROOM 2027) - BRIEFING HELD

**CALL TO ORDER:** - Chairperson Bland called to order at 10:05 A.M. with the following Council Members present:

*Marilynn M. Bland*  
*Will Campos*  
*Samuel H. Dean*  
*Thomas E. Dernoga*  
*Camille A. Exum* (attending Graduation)  
*Andrea C. Harrison*  
*Tony Knotts* (attending Oxon Hill HS Graduation)  
*Eric C. Olson*  
*Ingrid M. Turner*

*Others Present:*

*Craig S. Price, Council Administrator*  
*Robert J. Williams Jr., Deputy Council Administrator*  
*Ralph Grutzmacher, Legislative Officer*  
*Todd Turner, Legislative Officer*  
*Jackie Brown, PZED Committee Director*  
*Steve Gilbert, Principal Counsel to District Council*  
*Kenneth Williams, Administrative Assistant*  
*Josh Hamlin, Associate County Attorney*  
*Russell King, Associate County Attorney*  
*Marcus Jackson, County Council Liaison, Office of the County Executive*

**INVOCATION:** - The Invocation was led by Pastor Vernon Lattimore, New Bible Baptist Church, Washington, DC. Council Member Bland requested special intentions for the family of Dick Romine, former Council Employee, in his passing. Council Member Olson for the family of the youth killed in Crofton.

**PLEDGE OF ALLEGIANCE:** - The pledge of allegiance was led by Council Member Olson.

1. **CONSENT AGENDA – CR-30, 31 AND 32 ADDED (pg 4) -- ADOPTED AND ALL ACTIONS APPROVED**

All items listed under the consent agenda have been distributed to each member of the Council for review, are considered to be routine and will be acted upon by motion in the form listed. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the consent agenda and considered separately.

- (a) Approval of County Council Minutes dated May 7, 2008 and May 8, 2009.

- **APPROVED**

- (b) **First Reading of Bills (Presentation)**

**CB-20-2009 – AN ORDINANCE CONCERNING APPEALS** for the purpose of amending the notification period by an appellant to the Board of Zoning Appeals for a refusal of permit, zoning violation notice or other decision. - **PRESENTED**

*Council Bill 20 was presented by Chairperson Bland at the request of the County Executive and referred to the Planning, Zoning and Economic Development (PZED) Committee.*

**CB-21-2009 – AN ORDINANCE CONCERNING USE AND OCCUPANCY PERMITS** for the purpose of defining situations in which a permit is subject to automatic termination.

- **PRESENTED**

*Council Bill 21 was presented by the Chairperson at the request of the County Executive and referred to the Planning, Zoning and Economic Development (PZED) Committee*

**CB-22-2009 – AN ORDINANCE CONCERNING FENCES AND WALLS** for the purpose of defining how fences and walls are measured and prohibiting barbed, razor wire and electrically charged/energized fences and walls. - **PRESENTED**

*Council Bill 22 was presented by the Chairperson at the request of the County Executive and referred to the Planning, Zoning and Economic Development (PZED) Committee.*

**CB-23-2009 – AN ORDINANCE CONCERNING CHECK CASHING BUSINESSES** for the purpose of defining check cashing business, requiring a special exception for this use under certain circumstances, and grandfathering those with valid use and occupancy permits issued prior to April 1, 2009. - **PRESENTED**

*Council Bill 23 was presented by Council Members Campos, Dernoga, Olson and Turner and referred to the Planning, Zoning and Economic Development (PZED)*

*Council Member Dean move to accept additional items into the Agenda; seconded by Council Member Olson. The motion carried by voice vote.*

2. **CONSIDERATION OF ITEMS REMOVED FROM CONSENT AGENDA**

*No items were considered.*

3. **PROPOSED CORRESPONDENCE/ADMINISTRATIVE OFFICER'S REPORT**

*No items were considered*

4. **SECOND READING OF BILLS – (INTRODUCTION)**

**CB-11-2009 (DR-3) – AN ACT CONCERNING VACANT RESIDENTIAL PROPERTY REGISTRATION AND MAINTENANCE** for the purpose of providing for the registration of vacant or unoccupied residential structures with the Department of Environmental Resources; providing civil penalties for failure to register; and providing criminal penalties for failure to maintain such properties. - **INTRODUCED**

*Craig Price, Council Administrator, provided a verbal report of the actions and recommendations from the Committee of the Whole (COW) to the Council. Council Bill 11(DR-3) was favorably reported out of Transportation, Housing and the Environment (THE) Committee on 4/9/2009 with amendments. Council Bill 11(DR-3) was recommitted to the Transportation, Housing and the Environment (THE) Committee on 4/28/2009 and was favorably reported out of Transportation, Housing and the Environment (THE) on 5/12/2009 with amendments). Council Bill 11(DR-3) was introduced by Council Members Campos and Harrison.*

**PUBLIC HEARING SCHEDULED FOR 6/23/2009 @1:30 P.M.**

5. **PUBLIC HEARINGS/BILLS ELIGIBLE FOR THIRD READING – (ENACTMENT)**

**CB-7-2009 (DR-2) – AN ORDINANCE CONCERNING VALIDITY PERIODS FOR DETAILED SITE PLANS AND SPECIFIC DESIGN PLANS** for the purpose of temporarily suspending or tolling the validity periods of all approved applications for Detailed Site Plans and Specific Design Plans that were in a valid status as of January 1, 2009.

- **PUBLIC HEARING HELD; ENACTED**

*Pursuant to proper notice, the public hearing convened on Council Bill 7(DR-2). Tom Farasy, Pete Mellitt and Tom Haller spoke to Council Bill 7(DR-2). All person wishing to speak having done so, the public hearing was declared held. Council Member Dean moved enactment of Council Bill 7(DR-2; seconded by Council Member Turner. The motion carried 7-0. (Absent: Council Members Exum and Knotts).*

**CB-8-2009 (DR-2) (SUBDIVISION BILL) – AN ACT CONCERNING VALIDITY**

**PERIODS FOR PRELIMINARY PLANS OF SUBDIVISION** for the purpose of temporarily suspending or tolling the validity periods of all approved applications for Preliminary Plans of Subdivision that were in a valid status as of January 1, 2009.

- **PUBLIC HEARING HELD; ENACTED**

*Pursuant to proper notice, the public hearing convened on Council Bill 8(DR-2). Martin Mitchell spoke on Council Bill 8 (DR-2). All persons wishing to speak having done so, the public hearing was declared held. Council Member Dean moved enactment of Council Bill 8 (DR-2); seconded by Council Member Turner. The motion carried 7-0. (Absent: Council Members Exum and Knotts).*

**ADDITIONS TO THE AGENDA****1. CONSENT AGENDA – (page 2)**

All items listed under the consent agenda have been distributed to each member of the Council for review, are considered to be routine and will be acted upon by motion in the form listed. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the consent agenda and considered separately.

**(c) Introduction of Resolutions****CR-30-2009 - A RESOLUTION CONCERNING A SUPPLEMENTARY**

**APPROPRIATION OF FEDERAL, STATE AND OTHER FUNDS** for the purpose of appropriating funding from grants and other funds in the amount of \$23,431,282 to the Office of Homeland Security, Fire/EMS Department, Department of Family Services, Department of Social Services, Health Department, Office of the State's Attorney, Office of the Sheriff, Department of Environmental Resources, and Department of Housing and Community Development.

- **INTRODUCED**

*Council Resolution 30 concerns Supplementary Appropriations of Federal, State and other funds in the amount of \$23,431,282 to the Office of Homeland Security, Fire/EMS Department, Department of Family Services, Department of Social Services, Health Department, Office of the State's Attorney, Office of the Sheriff, Department of Environmental Resources, and Department of Housing and Community Development. Council Resolution 30 was introduced by Council Member Bland and referred to the Public Safety and Fiscal Management (PSFM) Committee.*

**CR-31-2009 – A RESOLUTION CONCERNING A SUPPLEMENTARY APPROPRIATION OF FEDERAL, STATE AND OTHER FUNDS**

for the purpose of appropriating funding from grants in the amount of \$2,333,302 to the Health Department, Department of Family Services, Office of the Sheriff, Circuit Court, Police Department and the Department of Public Works and Transportation. - **INTRODUCED**

*Council Resolution 31 concerns Supplementary Appropriations of Federal, State and other funds in the amount of \$2,333,302 to the Health Department, Department of Family Services, Office of the Sheriff, Circuit Court, Police Department and Department of Public Works and Transportation. Council Resolution 31 was introduced by Council Member Bland and referred to the Public Safety and Fiscal Management (PSFM) Committee.*

*Council Member Dean moved adoption of the Consent Agenda; seconded by Council Member Dernoga. The motion carried by voice vote.*

6. **INTRODUCTION AND ADOPTION OF RESOLUTIONS**

**CR-32-2009 – A RESOLUTION CONCERNING HOUSING AND COMMUNITY DEVELOPMENT ANNUAL ACTION PLAN: FY 2009, AS AMENDED**

for the purpose of amending the Prince George's County "Annual Action Plan: FY 2009" to serve as the application for a Community Development Block Grant Recovery Program grant.

- **INTRODUCED; CONVENED AS C.O.W; FAVORABLE RECOMMENDATION; ADOPTED**

*Council Resolution 32 amends the Prince George's County "Annual Action Plan: FY 2009" to serve as the application for funding under the Community Development Block Grant Recovery ("CDBG-R") Program. Council Resolution 32 was introduced by Council Member Bland.*

**RECESS:** - Chairperson Bland recessed the meeting at 10:25 A.M.

**CONVENE:** - Chairperson Bland convened as the Committee of the Whole at 10:28 A.M.

*Todd Turner, Legislative Officer, provided an overview of the Recovery Community Development Block Grant (CDBG) legislation and introduced Shirley Grant spokesperson for Housing who provided the Council with handouts and responded to questions from Council Members. Council Member moved favorable recommendation; seconded by Council Member Campos. The motion carried 7-0. (Absent: Council Members Exum and Knotts).*

**RECONVENED:** - Chairperson Bland reconvened the Council meeting at 11:01 A.M.

*Todd Turner, Legislative Officer, provided a verbal report of the actions and recommendations from the Committee of the Whole (COW) to the Council. Council Member Dean moved adoption of Council Resolution 32; seconded by Council Member Olson. The motion carried 7-0. (Absent: Council Members Exum and Knotts).*

**DISTRICT COUNCIL ITEM**

**(SEE SEPARATE ACTION AGENDA)**

**REQUESTS BY THE GENERAL PUBLIC TO ADDRESS THE COUNCIL**

*No persons wished to address the Council*

**ADJOURN:** - *Chairperson Bland adjourned the meeting at 11:07 A.M.*

**HEALTH, EDUCATION & HUMAN SERVICES COMMITTEE – (ROOM 2027)**  
- **COMMITTEE MEETING HELD**

Prepared By:

Submitted By;

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Shirley T. Blake, Administrative Aide

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Redis C. Floyd, Clerk of the Council