



Prince George's County Council

County Administration Bldg
14741 Governor Oden Bowie
Drive
Upper Marlboro, Maryland
20772-3050

Meeting Minutes - Final County Council

Mel Franklin, District 9, Chairman
Will A. Campos, District 2, Vice Chair
Derrick Leon Davis, District 6
Andrea C. Harrison, District 5
Mary A. Lehman, District 1
Eric C. Olson, District 3
Obie Patterson, District 8
Karen R. Toles, District 7
Ingrid M. Turner, District 4

Robert J. Williams, Jr., Council Administrator

Tuesday, September 9, 2014

1:30 PM

Council Hearing Room

1:00 P.M. - AGENDA BRIEFING - (ROOM 2027)

1:30 P.M. - CALL TO ORDER - (COUNCIL HEARING ROOM)

The meeting was called to order at 2:01 p.m. with nine members present at roll call.

Present: 9 - Chairman Mel Franklin
Vice Chair Will Campos
Council Member Derrick Davis
Council Member Andrea Harrison
Council Member Mary Lehman
Council Member Eric Olson
Council Member Obie Patterson
Council Member Karen Toles
Council Member Ingrid Turner

Also present:

*Robert J. Williams, Jr. Council Administrator
William M. Hunt, Jr., Deputy Council Administrator
Redis C. Floyd, Clerk of the Council
Donna J. Brown, Deputy Clerk of the Council
Nathaniel Tutt, III, County Executive's Office
John Gwynn, Office of Law
Kathleen Canning, Legislative Officer
Leroy Maddox, Legislative Officer
Todd Turner, Legislative Officer
Karen Zavakos, Legislative Officer
Jacqueline Brown, Director, PZED Committee
Sandra Eubanks, Director HEHS Committee
Frank Porter, Director, PSFM Committee
Hawi Sanu, Director, THE Committee*

INVOCATION:

The Invocation was provided by Reverend George A. Hinton, Jr., Associate Minister, Maple Springs Baptist Church, Capitol Heights, Maryland. Council Member Lehman requested prayer for Kathleen Pantano as she undergoes surgery.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Harrison.

DESIGNATION OF SEPTEMBER 9, 2014 AS LEGISLATIVE DAY NO. 25

Chairman Franklin designated Legislative Day number twenty-five.

1. CONSENT AGENDA

A motion was made by Council Member Davis, seconded by Council Member Harrison, that the Consent Agenda be adopted and all actions approved. The motion carried by the following vote:

Aye: 8 - Franklin, Campos, Davis, Harrison, Lehman, Olson,
Patterson and Turner

Absent: 1 - Toles

(a) Approval of County Council Minutes dated September 2, 2014.

These minutes were approved.

(b) First Reading of Bills (Presentation)**[CB-073-2014](#)**

AN ORDINANCE CONCERNING OUTDOOR ADVERTISING SIGNS for the purpose of amending the definition of Outdoor Advertising Sign (Billboard) to include Digital Billboard, and generally amending regulations for Outdoor Advertising signs, and providing additional standards for Digital Billboards.

Attachment(s): [B2014073.doc](#)

This Council Bill was presented by Council Member Harrison and referred to the Planning, Zoning and Economic Development Committee

[CB-074-2014](#)

AN ORDINANCE CONCERNING C-S-C ZONE for the purpose of permitting the conversion of an office building from commercial use to residential use in the C-S-C Zone under certain circumstances.

Sponsor(s): Patterson

Attachment(s): [B2014074 DR-2](#)
[CB-074-2014 Report](#)

This Council Bill was presented by Council Member Patterson and referred to the Planning, Zoning and Economic Development Committee

CONSENT AGENDA - (CONTINUED)**[CB-075-2014](#)**

AN ORDINANCE CONCERNING O-S ZONE for the purpose of amending the Residential Zone Table of Uses to permit a private club for public safety fraternal organizations, under certain circumstances, in the Open Space (O-S) Zone.

Sponsor(s): Franklin

Attachment(s): [B2014075.docx](#)
[CB-075-2014 Report](#)

This Council Bill was presented by Council Member Franklin and referred to the Planning, Zoning and Economic Development Committee

(c) Introduction of Resolutions

[CR-084-2014](#)

A RESOLUTION CONCERNING AUTHORIZATION OF THE ISSUANCE OF A BUILDING PERMIT for the purpose of determining the adequacy of the private right-of-way or easement serving the lot and single-family dwelling on property owned by Pyles Corporation, and authorizing the issuance of a building permit subject to stated conditions.

Attachment(s): [R2014084.doc](#)

This Resolution was introduced by Council Member Franklin and referred to the Planning, Zoning and Economic Development Committee

2. CONSIDERATION OF ITEMS REMOVED FROM CONSENT AGENDA

There were no items considered.

3. PROPOSED CORRESPONDENCE/ADMINISTRATIVE OFFICER'S REPORT

There were no items considered.

4. PUBLIC HEARINGS/BILLS ELIGIBLE FOR THIRD READING – (ENACTMENT)[CB-010-2014](#)

AN ACT CONCERNING FARMER'S MARKET SAMPLER'S LICENSE PERMIT AND FEE for the purpose of establishing a permit and fee for a Sampler's License in County based Farmer's Markets.

Sponsor(s): Davis, Franklin, Lehman, Patterson, Toles and Turner

Attachment(s): [B2014010.doc](#)
[CB-010-2014 Report](#)

Pursuant to proper notice, the public hearing was convened at 2:07 p.m. There were no speakers. All persons wishing to speak having done so, the public hearing was declared held.

The Public Hearing was held on this Council Bill.

A motion was made by Council Member Harrison, seconded by Council Member Patterson, that this Council Bill be enacted. The motion carried by the following vote:

Aye: 9 - Franklin, Campos, Davis, Harrison, Lehman, Olson, Patterson, Toles and Turner

[CB-037-2014](#)

AN ACT CONCERNING SNAP TO HEALTH PROGRAM for the purpose of encouraging and supporting Supplemental Nutrition Assistance Program (SNAP) acceptance and processing technology at farmer's markets.

Sponsor(s): Lehman, Davis, Franklin, Olson, Patterson and Toles

Attachment(s): [B2014037.doc](#)
[CB-037-2014 Report](#)

Pursuant to proper notice, the public hearing was convened at 2:08 p.m. There were no speakers. All persons wishing to speak having done so, the public hearing was declared held.

The Public Hearing was held on this Council Bill.

Under discussion, Council Member Lehman thanked her colleagues for supporting the legislation and encouraged their participation in implementation.

A motion was made by Council Member Davis, seconded by Council Member Lehman, that this Council Bill be enacted. The motion carried by the following vote:

Aye: 9 - Franklin, Campos, Davis, Harrison, Lehman, Olson, Patterson, Toles and Turner

PUBLIC HEARINGS/BILLS ELIGIBLE FOR THIRD READING – (ENACTMENT) - (CONTINUED)**[CB-038-2014](#)**

AN ORDINANCE CONCERNING I-3 ZONE for the purpose of permitting assisted living facilities, nursing or care homes, offices, and hotels in the I-3 Zone (Planned Industrial / Employment Park), under certain circumstances.

Sponsor(s): Harrison

Attachment(s): [B2014038.doc](#)
[CB-038-2014 Report](#)

Pursuant to proper notice, the public hearing was convened at 2:11 p.m. Robert Antonetti and Earl Adams, Jr. spoke in support. All persons wishing to speak having done so, the public hearing was declared held.

The Public Hearing was held on this Council Bill.

A motion was made by Council Member Harrison, seconded by Council Member Davis, that this Council Bill be enacted. The motion carried by the following vote:

Aye: 9 - Franklin, Campos, Davis, Harrison, Lehman, Olson,
Patterson, Toles and Turner

[CB-039-2014](#)

(SUBDIVISION BILL) - AN ACT CONCERNING PRIVATE ROADS AND EASEMENTS for the purpose of permitting the Planning Board to approve private roads and alleys in the C-O Zone under certain circumstances.

Sponsor(s): Olson, Lehman, Patterson and Franklin

Attachment(s): [B2014039.doc](#)
[CB-039-2014 Report](#)

Pursuant to proper notice, the public hearing was convened at 2:12 p.m. Michael Na spoke in support. All persons wishing to speak having done so, the public hearing was declared held.

The Public Hearing was held on this Council Bill.

A motion was made by Council Member Olson, seconded by Council Member Harrison, that this Council Bill be enacted. The motion carried by the following vote:

Aye: 9 - Franklin, Campos, Davis, Harrison, Lehman, Olson,
Patterson, Toles and Turner

PUBLIC HEARINGS/BILLS ELIGIBLE FOR THIRD READING – (ENACTMENT) - (CONTINUED)[CB-043-2014](#)

AN ORDINANCE CONCERNING INTERIM LAND USE CONTROLS FOR MILITARY INSTALLATION CONFORMANCE for the purpose of extending the time for abrogation of certain provisions of Chapter No. 78, 2012 Laws of Prince George's County, Maryland.

Sponsor(s): Davis

Attachment(s): [B2014043.doc](#)
[CB-043-2014 Report](#)

Pursuant to proper notice, the public hearing was convened at 2:13 p.m. There were no speakers. All persons wishing to speak having done so, the public hearing was declared held.

The Public Hearing was held on this Council Bill.

A motion was made by Council Member Davis, seconded by Council Member Harrison, to suspend the Council Rules of Procedure to allow for an effective date on the day it becomes law. The motion carried by the following vote:

Aye: 9 - Franklin, Campos, Davis, Harrison, Lehman, Olson, Patterson, Toles and Turner

A motion was made by Council Member Davis, seconded by Council Member Harrison, that this Council Bill be enacted. The motion carried by the following vote:

Aye: 9 - Franklin, Campos, Davis, Harrison, Lehman, Olson, Patterson, Toles and Turner

[CB-056-2014](#)

AN ORDINANCE CONCERNING ASSISTED LIVING FACILITIES for the purpose of permitting Assisted Living Facilities in the Mixed Use - Transportation Oriented (M-X-T) Zone, under certain circumstances.

Sponsor(s): Turner, Harrison and Lehman

Attachment(s): [B2014056.doc](#)
[CB-056-2014 Report](#)

Pursuant to proper notice, the public hearing was convened at 2:14 p.m. Robert Antonetti spoke in support and requested inclusion of two non-substantive amendments. Frank Stevens spoke in support on behalf of the City of Bowie. All persons wishing to speak having done so, the public hearing was declared held. Final action was deferred to a later date.

The Public Hearing was held on this Council Bill.

PUBLIC HEARINGS/BILLS ELIGIBLE FOR THIRD READING – (ENACTMENT) - (CONTINUED)**[CB-058-2014](#)**

AN ACT CONCERNING SUPPLEMENTARY APPROPRIATIONS for the purpose of declaring additional revenue and appropriating to the Special Revenue Fund to provide for costs that were not anticipated and included in the Approved Fiscal Year 2015 Budget

Sponsor(s): Davis

Attachment(s): [B2014058.docx](#)

Pursuant to proper notice, the public hearing was convened at 2:22 p.m. There were no speakers. All persons wishing to speak having done so, the public hearing was declared held.

The Public Hearing was held on this Council Bill.

Under discussion, Council Member Toles requested additional information regarding the use for the property. Kathy Canning, Legislative Officer and William Hunt, Deputy Council Administrator, provided clarifying remarks.

A motion was made by Council Member Davis, seconded by Council Member Harrison, that this Council Bill be enacted. The motion carried by the following vote:

Aye: 9 - Franklin, Campos, Davis, Harrison, Lehman, Olson, Patterson, Toles and Turner

[CB-049-2014](#)

AN ACT CONCERNING AUTOMATED PURCHASING MACHINES for the purpose of defining automated purchasing machines, prohibiting automated purchasing machines; providing for certain fines and penalties; and generally relating to automated purchasing machines.

Sponsor(s): Harrison, Davis, Franklin, Lehman, Olson, Patterson and Turner

Attachment(s): [B2014049.doc](#)
[CB-049-2014 Report.doc](#)

Under discussion, Council Member Lehman explained her opposition to deviating from the normal standing committee process.

A motion was made by Council Member Harrison, seconded by Council Member Davis, that this Council Bill be discharged from the PSFM Committee. The motion carried by the following vote:

Aye: 7 - Franklin, Campos, Davis, Harrison, Olson, Patterson and Turner

Nay: 2 - Lehman and Toles

RECESS

The meeting went into recess at 2:34 p.m.

COMMITTEE OF THE WHOLE - (COUNCIL HEARING ROOM)**[CB-049-2014](#)**

AN ACT CONCERNING AUTOMATED PURCHASING MACHINES for the purpose of defining automated purchasing machines, prohibiting automated purchasing machines; providing for certain fines and penalties; and generally relating to automated purchasing machines.

Sponsor(s): Harrison, Davis, Franklin, Lehman, Olson, Patterson and Turner

Attachment(s): [B2014049.doc](#)
[CB-049-2014 Report.doc](#)

COMMITTEE OF THE WHOLE RECOMMENDATION: NO RECOMMENDATION
The Committee of the Whole was convened at 2:35 p.m. Kathy Canning, Legislative Officer, provided an overview of the legislation. Chairman Franklin allowed public comment from the following individuals: John Teletchea, Major Jason Johnson, Kerr Watson, Mike McCam, Sean Malone, David Harrington and Kenneth Battle. Ms. Canning and Todd Turner, Legislative Officer, responded to questions regarding licensing and regulation of the machines and related State law. The Office of Law and County Executive stated their positions for the record. Council Member Davis moved to report the item out with no recommendation; seconded by Council Member Harrison. The motion carried 9-0. The Council Administrator was requested to seek an opinion by the Attorney General on the issues raised. The committee work-session concluded at 4:22 p.m.

RECONVENE

The meeting was reconvened at 4:23 p.m.

[CB-049-2014](#)

AN ACT CONCERNING AUTOMATED PURCHASING MACHINES for the purpose of defining automated purchasing machines, prohibiting automated purchasing machines; providing for certain fines and penalties; and generally relating to automated purchasing machines.

Sponsor(s): Harrison, Davis, Franklin, Lehman, Olson, Patterson and Turner

Attachment(s): [B2014049.doc](#)
[CB-049-2014 Report.doc](#)

Kathy Canning, Legislative Officer, provided an overview of the actions and recommendations of the Committee of the Whole. Pursuant to proper notice, the public hearing was convened at 4:24 p.m. There were no speakers. All persons wishing to speak having done so, the public hearing was declared held. Final action was deferred to a later date.

The Public Hearing was held on this Council Bill.

5. INTRODUCTION AND ADOPTION OF RESOLUTIONS[CR-085-2014](#)**A RESOLUTION CONCERNING THE WASHINGTON SUBURBAN SANITARY COMMISSION FISCAL YEARS 2015-2020 CAPITAL IMPROVEMENT PROGRAM FOR PRINCE GEORGE'S COUNTY FOR WATER AND SEWERAGE**

for the purpose of moving the approved Washington Suburban Sanitary Commission Capital Improvement Project S-103.02, Anaerobic Digestion/Combined Heat and Power, into the design stage.

Attachment(s): [R2014085.doc](#)
[I-CR-85-2014 Attachment.pdf](#)

This Resolution was introduced by Council Member Franklin

RECESS

The meeting went into recess at 4:25 p.m.

COMMITTEE OF THE WHOLE - (COUNCIL HEARING ROOM)[CR-085-2014](#)**A RESOLUTION CONCERNING THE WASHINGTON SUBURBAN SANITARY COMMISSION FISCAL YEARS 2015-2020 CAPITAL IMPROVEMENT PROGRAM FOR PRINCE GEORGE'S COUNTY FOR WATER AND SEWERAGE**

for the purpose of moving the approved Washington Suburban Sanitary Commission Capital Improvement Project S-103.02, Anaerobic Digestion/Combined Heat and Power, into the design stage.

Attachment(s): [R2014085.doc](#)
[I-CR-85-2014 Attachment.pdf](#)

COMMITTEE OF THE WHOLE RECOMMENDATION: FAVORABLE

The Committee of the Whole was convened at 4:26 p.m. Hawi Sanu, Director of the Transportation, Housing and Environment Committee, provided an overview of the legislation. Jerry Johnson, General Manager and CEO of the Washington, Suburban, Sanitary Commission provided remarks and responded to questions posed by the Council. Council Member Turner moved a favorable recommendation; seconded by Council Member Davis. The motion carried 9-0. The committee work-session concluded at 4:42 p.m.

RECONVENE

The meeting was reconvened at 4:43 p.m.

[CR-085-2014](#)**A RESOLUTION CONCERNING THE WASHINGTON SUBURBAN SANITARY COMMISSION FISCAL YEARS 2015-2020 CAPITAL IMPROVEMENT PROGRAM FOR PRINCE GEORGE'S COUNTY FOR WATER AND SEWERAGE**

for the purpose of moving the approved Washington Suburban Sanitary Commission Capital Improvement Project S-103.02, Anaerobic Digestion/Combined Heat and Power, into the design stage.

Attachment(s): [R2014085.doc](#)
[I-CR-85-2014 Attachment.pdf](#)

Hawi Sanu, Director of the Transportation, Housing and the Environment Committee provided a verbal report of the actions and recommendations of the Committee of the Whole.

A motion was made by Council Member Davis, seconded by Council Member Olson, that this Resolution be adopted. The motion carried by the following vote:

Aye: 9 - Franklin, Campos, Davis, Harrison, Lehman, Olson,
Patterson, Toles and Turner

[CR-086-2014](#)

A RESOLUTION CONCERNING COUNTY COUNCIL SUBPOENAS for the purpose of issuing a subpoena pursuant to Section 1012 of the Charter for Prince George's County in furtherance of a hearing before the Prince George's County Department of Corrections Hearing Board.

Attachment(s): [R2014086.doc](#)

This Resolution was introduced by Council Member Franklin

A motion was made by Council Member Davis, seconded by Council Member Olson, to suspend the Council Rules of Procedure to allow for the immediate adoption of this Resolution. The motion carried by the following vote:

Aye: 9 - Franklin, Campos, Davis, Harrison, Lehman, Olson,
Patterson, Toles and Turner

A motion was made by Council Member Harrison, seconded by Council Member Davis, that this Resolution be adopted. The motion carried by the following vote:

Aye: 9 - Franklin, Campos, Davis, Harrison, Lehman, Olson,
Patterson, Toles and Turner

REQUESTS BY THE GENERAL PUBLIC TO ADDRESS THE COUNCIL

There were no requests.

ADJOURN

The meeting was adjourned at 4:47 p.m.

COMMITTEE OF THE WHOLE - (COUNCIL HEARING ROOM)**[CB-069-2014](#)**

AN ACT CONCERNING HOMESTEAD PROPERTY TAX CREDIT for the purpose of establishing the homestead property tax credit for the County property tax for the taxab year beginning July 1, 2015.

Sponsor(s): Franklin, Davis, Lehman and Patterson

Attachment(s): [B2014069.doc](#)
[CB-69-2014 Report.dotx](#)

COMMITTEE OF THE WHOLE RECOMMENDATION: FAVORABLE
The Committee of the Whole was convened at 4:48 p.m. Robert Williams, Jr., Council Administrator, provided an overview of the legislation and responded to questions posed by the Council. Council Member Davis moved a favorable recommendation; seconded by Council Memer Turner. The motion carried 9-0. The committee work-session concluded at 4:50 p.m.

2:30 P.M. - BRIEFING – (ROOM 2027)**[BR-14-048](#)**

PRINCE GEORGE'S COUNTY PUBLIC SCHOOL MATTERS
Mr. Curtis Valentine, M.P.P., Board of Education Member

This Briefing was Rescheduled to September 16, 2014 at 2:45 p.m.

Prepared by:

Donna J. Brown, Deputy Clerk of the Council

Submitted by:

Redis C. Floyd, Clerk of the Council