

# ***AGENDA MINUTES***

**Tuesday, September 18, 2012**

**Legislative Day No. 24**

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

### **AGENDA BRIEFING – (ROOM 2027)**

**CALL TO ORDER** – *Council Chair Harrison called to order at 10:14 a.m. with the following Council Members present:*

*Andrea Harrison  
Will Campos  
Derrick Davis  
Mel Franklin  
Mary Lehman  
Eric Olson  
Obie Patterson  
Karen Toles (arrived at 10:27 a.m.)  
Ingrid Turner*

*Others present:*

*Robert Williams, Jr., Council Administrator  
William Hunt, Deputy Council Administrator  
Redis Floyd, Clerk of the Council  
Donna Brown, Deputy Clerk of the Council  
Karen Zvakos, Legislative Officer  
Kerry Watson, Liaison to the Council, Office of the County Executive  
Kathy Canning, Legislative Officer  
Josh Hamlin, Office of Law*

**INVOCATION** – *The Invocation was provided by Howard W. Stone, County Employee.*

**POINT OF PERSONAL PRIVILEGE** – *Council Member Turner as President of MACO invited the public to a forum, “Stop the Bullying” to be held at Benjamin Tasker Middle School for students in grades 6-12 on Saturday September 22, 2012 at 8:30 a.m.*

**PLEDGE OF ALLEGIANCE** – *The Pledge of Allegiance was led by Council Member Franklin.*

1. **CONSENT AGENDA – 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 24 and May 29, 2012. **APPROVED**
- (b) **First Reading of Bills (Presentation)**

**CB-69-2012 – (EXECUTIVE ORDER NO. 20-2012) REORGANIZATIONAL PROPOSAL** relating to the Department of Permitting, Inspections, and Enforcement.

**On August 14, 2012, the County Executive transmitted Executive Order No. 20-2012 relating to the Department of Permitting, Inspections, and Enforcement. Pursuant to Charter 503, this proposal will become effective on October 13, 2012 unless disapproved by a majority vote of the full Council prior to that date. Referral to THE PRESENTED**

*Council Bill 69 was received on August 14, 2012 and requires Council action prior to October 13, 2012. Council Bill 69 was presented and referred to the Transportation, Housing and the Environment Committee (THE).*

**CB-70-2012 – (EXECUTIVE ORDER NO. 23-2012) REORGANIZATIONAL PROPOSAL** amending the Schedule of Legislation to change the name of the Office of Information Technology and Communications.

**On September 6, 2012, the County Executive Transmitted Executive Order No. 23-2012 proposing to amend the Schedule of Legislation to change the name of the Office of Information Technology and Communications to the Office of Information Technology. Pursuant to Charter Section 503, this proposal will become effective on November 5, 2012 unless disapproved by a majority vote of the full Council prior to that date. Referral to PSFM**

*Council Bill 70 was received on September 6, 2012 and requires Council action prior to November 5, 2012. Council Bill 70 was presented and referred to the Public Safety and Fiscal Management Committee (PSFM).*

**CONSENT AGENDA – (CONTINUED)**

**CB-71-2012 – AN ACT CONCERNING OFFICE OF INFORMATION TECHNOLOGY AND COMMUNICATIONS** for the purpose of amending provisions of the County Code to change the name of the Office of Information Technology and Communications to the Office of Information Technology. **PRESENTED**

*Council Bill 71 was presented by the Chair, by request of the County Executive, and referred to the Public Safety and Fiscal Management Committee (PSFM).*

**CB-72-2012 – AN ACT CONCERNING THE CLASSIFICATION PLAN FOR PRINCE GEORGE’S COUNTY** for the purpose of adding a new class series to the County’s Classification Plan. **PRESENTED**

*Council Bill 72 was presented by the Chair, by request of the County Executive, and referred to the Public Safety and Fiscal Management Committee (PSFM).*

**CB-73-2012 – AN ORDINANCE CONCERNING FARMER’S MARKETS** for the purpose of amending regulations concerning Farmer’s Markets. **PRESENTED**

*Council Bill 73 was presented by the Chair by request of the County Executive and referred to the Planning Zoning and Economic Development Committee (PZED).*

**CB-74-2012 – AN ACT CONCERNING REVITALIZATION TAX CREDIT DISTRICT** for the purpose of designating census tracts that comprise the Revitalization Tax Credit District, to reflect changes in median income as determined by the 2010 Census; providing information regarding the revitalization tax credit; providing for reporting and review of the census tract data; and generally relating to the revitalization tax credit. **PRESENTED**

*Council Bill 74 was presented by Council Member Olson and referred to the Public Safety and Fiscal Management Committee (PSFM).*

**CB 75-2012 - AN ORDINANCE CONCERNING MIXED-USE TOWN CENTER (M-U-TC) ZONE** for the purpose of requiring detailed site approval for certain development projects in the Mixed-Use Town Center (M-U-TC) Zone. **PRESENTED**

*Council Bill 75 was presented by Council Member Olson and referred to the Planning Zoning and Economic Development Committee (PZED)*

**CONSENT AGENDA – (CONTINUED)**

**CB-76-2012 - AN ORDINANCE CONCERNING INDUSTRIAL ZONES – TRANSFER STATIONS** for the purpose of providing for a transfer station as a permitted use in the I-2 Zone under certain circumstances. **PRESENTED**

*Council Bill 76 was presented by Council Member Harrison and referred to the Planning Zoning and Economic Development Committee (PZED).*

(c) **Introduction of Resolutions**

**CR-63-2012 –A RESOLUTION CONCERNING THE ENACTMENT OF A CERTAIN ORDINANCE OF THE TOWN OF RIVERDALE PARK** for the purpose of approving the enactment of Ordinance 2012-OR-08, concerning residential storage. **INTRODUCED**

*Council Resolution 63, which approves the enactment of Ordinance 2012-OR-08 concerning residential storage was introduced by Council Member Olson and referred to the Planning, Zoning and Economic Development Committee (PZED).*

**CR-64-2012 - A RESOLUTION CONCERNING THE APPROVED 2004 PRINCE GEORGE'S GATEWAY ARTS DISTRICT SECTOR PLAN AND SECTIONAL MAP AMENDMENT (SMA) AND DEVELOPMENT DISTRICT OVERLAY ZONE** for the purpose of authorizing the Planning Board to prepare an amendment to the Approved 2004 Gateway Arts District Sector Plan and Sectional Map Amendment (SMA) and Development District Overlay Zone revising certain development district standards within the Gateway Arts District. **INTRODUCED**

*Council Resolution 64, which authorizes the Planning Board to prepare an amendment to the Approved 2004 Gateway Arts District Sector Plan and Sectional Map Amendment (SMA) and Development District Overlay Zone revising certain development district standards within the Gateway Arts District, was introduced by Council Members Campos and Turner and referred to the Planning, Zoning and Economic Development Committee (PZED).*

\*\* *Council Member Olson moved adoption of the Consent Agenda; seconded by Council Member Turner. The motion carried by voice vote (Absent: Council Member Toles).*

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

*No items were considered.*

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

*There were no items.*

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

**CB-65-2012 (DR-2) - AN ACT CONCERNING BOARDS AND COMMISSIONS - RESIDENCY REQUIREMENT** for the purpose of requiring candidates for appointment to County boards and commissions, subject to Section 322 of the County Charter, to reside in Prince George's County at the time of their confirmation; to maintain County residency throughout their length of service; and providing for a reporting requirement and expiration of service upon discontinuing County residency. **AMENDED; INTRODUCED**

*Karen Zavakos, Legislative Officer, provided a verbal report of the actions and recommendations of the committee. Council Member Toles moved amendment #1A; seconded by Council Member Turner. The motion carried 9-0. Council Bill 65 (DR-3) was introduced by Council Members Harrison, Franklin, Lehman, Olson, Patterson, Toles and Turner.*

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

**CB-61-2012 - AN ORDINANCE CONCERNING M-X-T ZONE** for the purpose of extending the time for abrogation of certain provisions of Section 27-547(b) of the Zoning Ordinance. **PUBLIC HEARING HELD; RULES SUSPENDED; ENACTED**

(Introduced by Council Member Davis on 7/10/2012; favorably reported out of C.O.W. on 7/23/2012)

**MOTION REQUIRED TO SUSPEND THE RULES TO ALLOW FOR EFFECTIVE DATE ON DATE IT BECOMES LAW**

*Karen Zavakos, Legislative Officer, provided an verbal report of the actions and recommendations of the Committee of the Whole .Pursuant to proper notice, the Public Hearing convened on Council Bill 61. Thomas Haller spoke in support of the legislation. Council Member Davis moved to suspend the Council Rules of Procedure to allow for an effective date on the day it becomes law; seconded by Council Member Franklin. The motion carried 9-0. Council Member Davis moved enactment of Council Bill 61. The motion carried 9-0.*

6. **RESOLUTIONS ELIGIBLE FOR FINAL READING – (ADOPTION)**

**CR-59-2012 – A RESOLUTION CONCERNING PILOT AGREEMENT FOR GLENMORE APARTMENTS PROJECT** for the purpose of approving the terms and conditions of a negotiated Payment in Lieu of Taxes Agreement (PILOT) by and between Glenmore Associates Limited Partnership (the “Owner”) and Prince George’s County, Maryland (“County”). **ADOPTED**

(Introduced by Council Member Harrison on 7/24/2012; favorably reported out of C.O.W. on 9/11/2012)

*Todd Turner, Legislative Officer, provided a verbal report of the actions and recommendations of the Committee of the Whole. Council Member Harrison moved adoption of Council Resolution 59; seconded by Council Member Olson. The motion carried 9-0.*

7. **INTRODUCTION AND ADOPTION OF RESOLUTIONS**

**CR-65-2012 - A RESOLUTION CONCERNING CAR FREE DAY** for the purpose of expressing the County Council’s support for declaring September 22, 2012 as Car Free Day in Prince George’s County as part of international mobility week in the Washington, D.C. metropolitan region. **INTRODUCED; RULES SUSPENDED, ADOPTED**

**COUNCIL SHOULD EITHER CONVENE AS THE COMMITTEE OF THE WHOLE OR SUSPEND THE RULES PRIOR TO ADOPTION**

*Council Resolution 65, which expresses the County Council’s support for declaring September 22, 2012 as Car Free Day in Prince George’s County as part of international mobility week in the Washington, D.C. metropolitan region, was introduced by Council Members Harrison, Olson, Franklin, Toles, Lehman and Turner. Council Member Turner moved to suspend the Council Rules of procedure to allow for immediate adoption of Council Resolution 65; seconded by Council Member Olson. The motion carried 9-0. Council Member Olson moved adoption of Council Resolution 65; seconded by Council Member Turner. The motion carried 9-0.*

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

*The following individuals from the Accokeek HOA Alliance addressed the Council to express concern about the level of services provided to South County by the Department of Environmental Resources, the Department of Public Works & Transportation and related County agencies and announced a 90 day plan of action for improvement.*

Chris Bullock, President, Simmons Acres Home Owners Association  
Gloria Constant, President Horizon Estates Home Owners Association

**POINTS OF PERSONAL PRIVILEGE –**

*Council Member Franklin thanked his constituents for their attendance and participation and pledged his support for agency accountability.*

*Council Member Toles requested continued prayer for the family of Markel Ross in his passing and announced the funeral service arrangements*

*Council Member Lehman requested further discussion regarding student safety in the wake of Markel Ross' death.*

*Council Member Davis announced an upcoming meeting of the Health, Education and Human Services Committee where the School System would provide an update on the topic.*

**ADJOURNED** –*The meeting was adjourned at 11:08 a.m.*

**COMMITTEE OF THE WHOLE – (COUNCIL HEARING ROOM) --  
COMMITTEE MEETING HELD****LAUREL ANNEXATION PETITION NO. 154-2012 - CLERK DIRECTED TO  
SCHEDULE PUBLIC HEARING**

**PUBLIC HEARING SCHEDULED TUESDAY, OCTOBER 16, 2012 @ 1:30 P.M.**

*Karen Zavakos, Legislative Officer, provided an overview of the annexation proposal and spoke to the procedure for processing annexation petitions. Jimi Jone, M-NCPPC explained the Planning Board's recommendation on the matter. Council Member Davis moved to schedule Laurel Annexation Petition No. 154-2012 for a public hearing; seconded by Council Member Franklin. The motion carried 8-0(Absent: Council Member Turner).*

Prepared by:

Submitted by:

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Sherry Bias, Administrative Aide

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Redis C. Floyd, Clerk of the Council