

ACTION MINUTES

Tuesday, February 25, 2003

(Legislative Day No. 5 to be declared)

Business Meeting

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

AGENDA BRIEFING – (ROOM 2027) -- BRIEFING HELD

CALL TO ORDER– *Chairman Peter A. Shapiro called to order at 10:12 a.m. with the following Council Members present:*

*Peter A. Shapiro
Marilynn M. Bland
Thomas E. Dernoga
Camille A. Exum
David C. Harrington
Thomas R. Hendershot
Tony Knotts*

*Absent: Samuel H. Dean (representing the Council before the State Legislature)
Douglas J. J. Peters (representing the Council before the State Legislature)*

Others Present:

*Barbara Holtz, Council Administrator
Craig Price, Deputy Council Administrator
Robert Williams, Jr., Associate Council Administrator
Ralph Grutzmacher, Legislative Officer
Aisha N. Braveboy, County Council Liaison, Office of the County Executive
Kathy Canning, Associate County Attorney
Cheryl Ringer, Associate County Attorney
Karen Zavakos, Associate County Attorney
Jackie Brown, Committee Director, PZED
Frank Porter, Committee Director, PSFM
Sandra Eubanks, Committee Director, THE & HEHS*

INVOCATION – *The Invocation was provided by Reverend James Painter, Cresthill Baptist Church, Bowie, Maryland. Special Intentions were requested for the family and friends of former Council Member Isaac J. Gourdine on the one-year anniversary of his passing. Chairman Shapiro and Council Members Bland and Knotts paid special tribute to Councilman Gourdine's life and legacy and observed a moment of silence in his remembrance.*

PLEDGE OF ALLEGIANCE - *The pledge was led by Council Member Knotts.*

DESIGNATION OF FEBRUARY 25, 2003 AS LEGISLATIVE DAY NO. 5 – *Chairman Shapiro designated February 25, 2003 as Legislative Day number five.*

****** *Council Member Hendershot moved to accept additional items to the Agenda; seconded by Council Member Dernoga; carried by voice vote. (Absent: Council Members Dean and Peters)*

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 - **APPROVED**

County Council Minutes were approved for Council Session held on February 11, 2003.

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

CB-10-2003 – AN ORDINANCE CONCERNING EATING OR DRINKING ESTABLISHMENTS for the purpose of modifying the requirements for eating and drinking establishments in the I-3 Zone. - **PRESENTED**

Council Bill 10 was presented by Council Member Dean and referred to the Planning, Zoning and Economic Development Committee.

CONSENT AGENDA – (CONTINUED)

CB-11-2003 – AN ORDINANCE CONCERNING DEPARTMENT AND VARIETY STORES for the purpose of allowing department or variety stores in the I-3 Zone, under certain circumstances. - **PRESENTED**

Council Bill 11 was presented by Council Member Dean and referred to the Planning, Zoning and Economic Development Committee.

CB-12-2003 – AN ORDINANCE CONCERNING PRE-APPLICATION INFORMATIONAL MAILINGS for the purpose of requiring applicants to send informational mailings to civic associations, municipalities, and adjoining property owners at least 30 days before filing applications and making related amendments to the Zoning Ordinance. - **PRESENTED**

Council Bill 12 was presented by Council Members Dean and Knotts and referred to the Planning, Zoning and Economic Development Committee.

(c) **Introduction of Resolutions**

CR-6-2003 – A RESOLUTION CONCERNING THE REVIEW PROCESS FOR SCHOOL FACILITIES AGREEMENTS for the purpose of establishing procedures for the District Council and Planning Board to review and for the Council to act on school facilities agreements for residential subdivisions, to advance school construction in clusters where elementary, middle, or high schools are over capacity. - **INTRODUCED**

Council Resolution 6 establishes procedures for the Planning Board and District Council to act on school facilities agreement applications, as required by Chapter 389 of the Laws of Maryland of 2002. Council Resolution 6 was proposed by Chairman Shapiro and Council Member Hendershot and referred to the Planning, Zoning and Economic Development Committee. Council Resolution 6 was introduced by Chairman Shapiro and Council Member Hendershot.

Council Member Harrington, as Chairman of the Planning, Zoning and Economic Development Committee, announced that Council Resolution 6 would be considered in the committee meeting scheduled for Wednesday, February 26, 2003 at 1:30 p.m.

****** *Council Member Harrington moved to adopt the Consent Agenda; seconded by Council Member Dernoga; carried by voice vote. (Absent: Council Members Dean and Peters)*

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

No items were removed.

3. **PROPOSED CORRESPONDENCE/ADMINISTRATIVE OFFICER'S REPORT -- 3 (b)**
ADDED

(a) General Assembly Report - **APPROVED**

Robert Williams, Jr., Associate Council Administrator, provided the Council Members with a verbal report of the actions and recommendations of the Rules and General Assembly Committee. Council Member Hendershot moved approval of the General Assembly Report; seconded by Council Member Knotts; carried by roll call vote 7-0. (Absent: Council Members Dean and Peters)

(b) Proposed letter to Chair of the Board of Directors of the Dimensions Health Corporation appointing Marilynn M. Bland as the County Council's representative. - **CHAIRMAN AUTHORIZED TO SIGN**

A letter was proposed to be sent to Dimensions Health Corporation, appointing Council Member Bland as the County Council representative to the Board of Directors. Council Member Exum moved to authorize the Chairman's signature; seconded by Council Member Knotts; carried by roll call vote 7-0. (Absent: Council Members Dean and Peters)

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

CB-2-2003 – AN ORDINANCE CONCERNING PRIVATE SCHOOL OR STUDIO FOR ARTISTIC OR TECHNICAL INSTRUCTION for the purpose of permitting a private school or studio for artistic or technical instruction in the L-A-C Zone. - **ACTION DEFERRED TO 3/4/2003**

CB-4-2003 (DR-2) – AN ORDINANCE CONCERNING R-10 ZONE for the purpose of permitting retail, general offices, and parking lots and amending lot coverage requirements in the R-10 Zone under certain circumstances - **INTRODUCED**

Council Member Harrington, as Chairman of the Planning, Zoning and Economic Development Committee provided the Council Members with a verbal report of the Committee's actions and recommendations. Council Bill 4 permits particular C-S-C Zone uses on R-10 properties that meet certain criteria and amends the lot coverage requirements in the R-10 Zone in the same circumstances. Council Bill 4 was favorably reported out of PZED on 2/12/2003 with amendments. Council Bill 4, Draft 2 was introduced by Chairman Shapiro.

SECOND READING OF BILLS – (INTRODUCTION) – (CONTINUED)

CB-9-2003 - AN ORDINANCE CONCERNING REDUCING/EXERCISE SALON OR HEALTH CLUB for the purpose of permitting reducing/exercise salons or health clubs in the E-I-A Zone. - **INTRODUCED**

Council Member Harrington, as Chairman of the Planning, Zoning and Economic Development Committee provided the Council Members with a verbal report of the Committee's actions and recommendations. Council Bill 9 amends the Comprehensive Design Zones Use Tables to permit reducing/exercise salons or health clubs in the E-I-A (Employment and Institutional Area) Zone. Council Bill 9 was favorably reported out of PZED on 2/12/2003. Council Bill 9 was introduced by Council Member Knotts.

CB-5-2003 – AN ACT CONCERNING CONFORMING AMENDMENTS TO THE COUNTY CODE for the purpose of making certain amendments to the County Code to conform to amendments to the County Charter approved at the 2002 General Election. - **AMENDED; DR-2 INTRODUCED**

Council Member Exum, as Chair of the Public Safety and Fiscal Management Committee, provided the Council Members with a verbal report of the Committee's actions and recommendations. Council Bill 5 amends Sections of the County Code to conform with amendments to the County Charter approved by the voters in the 2002 General Election. Council Bill 5 was favorably reported out of PSFM on 2/12/2003. Council Bill 5 was Introduced by Chairman Shapiro.

CB-6-2003 (DR-2) – AN ACT CONCERNING TECHNICAL AMENDMENTS TO THE COUNTY CODE for the purpose of making technical amendments to the County Code to conform to amendments to the County Charter approved at the 2002 General Election. - **INTRODUCED**

Council Member Exum, as Chair of the Public Safety and Fiscal Management Committee, provided the Council Members with a verbal report of the Committee's actions and recommendations. Council Bill 6 provides technical amendments to the County Code to conform with amendments to the County Charter approved by the voters at the 2002 General Election. Council Bill 6 was favorably reported out of PSFM on 2/12/2003 with amendments. Council Bill 6, Draft 2 was introduced by Chairman Shapiro.

SECOND READING OF BILLS – (INTRODUCTION) – (CONTINUED)

CB-7-2003 – AN ACT CONCERNING PRINCE GEORGE’S COUNTY COUNCIL AND COUNTY EXECUTIVE for the purpose of making amendments to the provisions of the County Code regarding special elections to fill a vacancy on the County Council and compensation of the County Council and County Executive to conform to amendments to the County Charter approved at the 2002 General Election. - **INTRODUCED**

Council Member Exum, as Chair of the Public Safety and Fiscal Management Committee, provided the Council Members with a verbal report of the Committee's actions and recommendations. Council Bill 7 amends existing provisions of the County Code that deal with special elections to fill vacancies on the County Council and establishes a Compensation Review Board to review and determine salaries for the County Executive and County Council prior to the beginning of each term of office, as approved by the voters at the 2002 General Election. Council Bill 7 was favorably reported out of PSFM on 2/12/2003. Council Bill 7 was introduced by Chairman Shapiro.

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

CR-4-2003 (DR-2) – A RESOLUTION CONCERNING MILITARY LEAVE for the purpose of amending the Salary Plan of the County to reflect the addition of certain Military Leave Benefits. - **ADOPTED**

Council Member Exum, as Chair of the Public Safety and Fiscal Management Committee, provided the Council Members with a verbal report of the Committee's actions and recommendations. Council Member Hendershot moved adoption of Council Resolution 4, Draft 2; seconded by Council Member Harrington; carried by roll call vote 7-0. (Absent: Council Members Dean and Knotts)

CR-5-2003 (DR-2) - A RESOLUTION CONCERNING APPROVAL OF A CERTAIN REFUNDING PLAN OF THE WASHINGTON SUBURBAN SANITARY COMMISSION FOR THE ISSUANCE OF REFUNDING BONDS for the purpose of approving the Refunding Plan of the Washington Suburban Sanitary Commission for the refunding of certain bonds of Washington Suburban Sanitary District through the issuance of General Construction Refunding Bonds, Water Supply Refunding Bonds and Sewage Disposal Refunding Bonds of Washington Suburban Sanitary District. - **ADOPTED**

Council Member Bland, as Vice-Chair of the Transportation, Housing and the Environment Committee, provided the Council Members with a verbal report of the Committee's actions and recommendations. Council Member Exum moved adoption of Council Resolution 5, Draft 2; seconded by Council Member Bland; carried by roll call vote 5-0. (Absent: Council Members Dean, Hendershot, Knotts and Peters)

REQUESTS BY THE GENERAL PUBLIC TO ADDRESS THE COUNCIL

No persons wished to address the Council.

ADJOURN – *Chairman Shapiro adjourned the meeting at 10:41 a.m.*

GENERAL ASSEMBLY COMMITTEE MEETING – (ROOM 2027) -- MEETING CANCELLED

COMMITTEE OF THE WHOLE – (ROOM 2027) – *Chairman Shapiro convened the Committee of the Whole at 11:42 a.m. and concluded at 12:25 p.m.*

Council Members Dean and Peters provided the Council Members with an overview of the day's activities in Annapolis. A discussion was held regarding "MC/PG 121-03, Prince George's County – Washington Suburban Sanitary Commission and Maryland-National Capital Park and Planning Commission – Commissioners – Removal" and an amendment received by Council Members Dean and Peters while representing the Council. Ms. Aisha Braveboy, Council Liaison, Office of the County Executive, spoke to the intent of the proposal. Council Member Dernoga moved to request a study of the structure of the proposed change to a State agency and opposition to M C/PG 121-03 and the amendment offered today; seconded by Council Member Harrington; carried by roll call vote 9-0.

Prepared by:

Submitted by:

Donna J. Brown, Office Manager

Redis C. Floyd, Clerk of the Council

