

ACTION MINUTES

Tuesday, January 20, 2004

Legislative Day No. 4

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

EXECUTIVE SESSION – (ROOM 2027)

Consult with counsel to obtain legal advice in accordance with Maryland Annotated Code, State Government, Section 10-508 (a) (7). - **POSTPONED**

On December 3, 2003 a motion was made by Council Member Dean; seconded by Council Member Dernoga to convene in this Executive Session. The motion carried 7-0. (Absent: Council Members Bland and Hendershot)

BRIEFING - (LARGO GOVERNMENT CENTER) -- BRIEFING HELD

ECONOMIC DEVELOPMENT

AGENDA BRIEFING -- BRIEFING HELD

CALL TO ORDER – *Chairman Tony Knotts called to order at 2:04 p.m. with the following Council Members present:*

*Marilynn M. Bland
Samuel H. Dean
Thomas E. Dernoga
Camille A. Exum
Tony Knotts
David C. Harrington
Thomas R. Hendershot
Douglas J. J. Peters
Peter A. Shapiro*

*Others Present:**Barbara L. Holtz, Council Administrator**Craig S. 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**Jackie Brown, Committee Director, PZED*

INVOCATION – *Mr. Rick Witcher, a member of St. Paul Baptist Church in Capitol Heights, Maryland, provided the Invocation. Council Member Exum requested special prayer for Ms. Frances Dixon in the loss of her mother.*

PLEDGE OF ALLEGIANCE – *The pledge was led by Council Member Harrington.*

CONSENT AGENDA -- CR-8-2004 ADDED; 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.

First Reading of Bills (Presentation)

CB-4-2004 – AN ORDINANCE CONCERNING PRISONS, DETENTION CENTERS AND CORRECTION FACILITIES for the purpose of amending the definitions in the Zoning Ordinance to add prisons and corrections facilities as a separate use and to prohibit the use in all zones. - **PRESENTED**

Council Bill 4 was presented by Council Member Dean and referred to the Planning, Zoning and Economic Development Committee.

CB-5-2004 – AN ORDINANCE CONCERNING WHOLESALING, DISTRIBUTION, AND RELATED STORAGE for the purpose of permitting wholesaling, distribution, and related storage in the C-S-C Zone under certain circumstances. - **PRESENTED**

Council Bill 5 was presented by Council Member Hendershot and referred to the Planning, Zoning and Economic Development Committee.

CONSENT AGENDA - (CONTINUED)**Introduction of Resolutions**

CR-6-2004 – A RESOLUTION CONCERNING DESIGNATION OF THE PATUXENT RIVER AS A FEDERAL WILD AND SCENIC RIVER for the purpose of supporting a request by the Patuxent River Commission for federal legislation that will enable a study to determine the qualification of the Patuxent River for designation as a Federal Wild and Scenic River. - **INTRODUCED**

Council Resolution 6, supports a request by the Patuxent River Commission for federal legislation that will enable a study to determine the qualification of the Patuxent River for designation as a Federal Wild and Scenic River. Council Resolution 6 was introduced by Council Members Peters, Knotts, Hendershot, Shapiro, Harrington, Dernoga, Dean and Exum and referred to the Transportation, Housing and the Environment Committee.

CR-7-2004 – A RESOLUTION CONCERNING MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION for the purpose of transferring certain appropriations and expenditures between development projects in the Approved Maryland-National Capital Park and Planning Commission's FY 2003-2004 Capital Budget and Fiscal Years 2004-2009 Capital Improvement Program. - **INTRODUCED**

Council Resolution 7 allows for the transfer of funds from the South Regional Technical/Recreation Complex Project and District 9 Development Reserve, in the amount of \$1,550,000, to five existing development projects. The projects are: Capitol Heights Area Park Improvements (\$400,000), Peppermill Community Center Athletic Field Lights (\$100,000), Bowie Civic Auditorium (\$720,000), District 4 Development Reserve (\$195,000), and Kentland Community Center Park (Golf Learning Center) (\$135,000). Council Resolution 7 was introduced by Council Members Dean, Dernoga, Exum, Harrington, Knotts and Peters and referred to the Planning, Zoning and Economic Development Committee.

THIS RESOLUTION REQUIRES A PUBLIC HEARING

****** *Council Member Shapiro moved to accept additional items o the agenda; seconded by Council Member Harrington. The motion carried by voice vote.*

CR-8-2004 – A RESOLUTION CONCERNING JOINT RESOLUTION – PROPOSED FEDERAL DETENTION CENTER IN PRINCE GEORGE'S COUNTY for the purpose of expressing the County Executive and the County Council's policy position opposing a proposed federal detention center in Prince George's County. - **INTRODUCED**

Council Resolution 8, which expresses the County Executive and County Council's policy position opposing a proposed federal detention center in Prince George's County, was introduced by Council Members Dean, Knotts, Hendershot, Shapiro, Harrington, Dernoga, Exum, Peters and Bland and referred to the Committee of the Whole.

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

CONSIDERATION OF ITEMS REMOVED FROM CONSENT AGENDA

No items were removed.

PROPOSED CORRESPONDENCE/ADMINISTRATIVE OFFICER'S REPORT

General Assembly Report - **APPROVED**

Council Member Shapiro provided a verbal report of the actions and recommendations of the General Assembly Committee. Council Member Hendershot moved adoption of the Committee's recommendations and subsequent authorization of the Chairman's signature on the transmittal; seconded by Council Member Dernoga. Under discussion, Council Member Harrington clarified his vote of support as related to a forthcoming meeting on State Bill PGMC 103-04. The motion carried 8-1 (Opposed: Council Member Peters).

CONFIRMATION OF COG APPOINTMENTS: - ALL CONFIRMED

Board of Directors – Camille A. Exum
Transportation Planning Board (TPB) – David C. Harrington
Chesapeake Bay Policy Committee – Peter A. Shapiro
Committee on Noise Abatement at Airports – Carl D. Gordon, Alternate

Council Member Peters moved confirmation of all of the above listed Council of Governments appointments; seconded by Council Member Exum. The motion carried 9-0.

DISTRICT COUNCIL ITEM – *The Council convened as the District Council at 2:10 p.m. for consideration of the item below.*

ZONING ORDINANCE NO. 1- 2004 (CR-5-2004) - ADOPTED

MIXED USE TOWN CENTER ZONE FOR THE TOWN OF RIVERDALE PARK

Zoning Ordinance No. 1-2004 amends the Zoning Map for the Maryland-Washington Regional District in Prince George's County, Maryland, by approving the Mixed- Use Town Center Zone for the Town of Riverdale Park. Council Member Hendershot moved adoption of Zoning Ordinance 1-2004 as embodied in Council Resolution 5; seconded by Council Member Harrington. The motion carried 9-0.

District Council concluded at 2:21 p.m.

**PUBLIC HEARINGS/RESOLUTIONS ELIGIBLE FOR FINAL READING
(ADOPTION)**

**CR-4-2004 – A RESOLUTION CONCERNING PRIVATE SCHOOLS IN THE R-R
ZONE** for the purpose of temporarily suspending certain requirements for the operation of a private school in the R-R Zone under certain circumstances. - **PUBLIC HEARING HELD;
RULES SUSPENDED; ADOPTED**

(Introduced by Council Members Dernoga, Knotts, Dean, Exum, Peters, Shapiro and Harrington; on 1/13/2004)

Pursuant to proper notice, the public hearing convened for Council Resolution 4. Mr. David Murray, Ms. Joseline Melnyh, Mr. Manjit and Ms. Renee Snyder spoke in support of the legislation. All persons wishing to speak having done so, the public hearing was declared held. Council Member Dernoga moved to suspend the Council Rules of Procedures to allow for the immediate adoption of Council Resolution 4; seconded by Council Member Hendershot. The motion carried by voice vote. Council Member Dernoga moved adoption of Council Resolution 4; seconded by Council Member Hendershot. The motion carried 9-0. Council Member Dernoga thanked Ms Donna Wilson, Director of Department of Environment Resources and Mr. Michael Herman, Office of the County Executive, for their assistance with this measure and assured his colleagues that this was not a "zoning text amendment."

****** *Council Member Dernoga moved to convene as the Committee of the Whole; seconded by Council Member Exum. The motion carried by voice vote.*

**COMMITTEE OF THE WHOLE – (COUNCIL HEARING ROOM) -- COMMITTEE
MEETING HELD**

Chairman Knotts convened the Committee of the Whole at 2:35 p.m.

THE WITT REPORT ON HURRICANE ISABEL AND ITS RECOMMENDATION

PEPCO
Thomas H. Graham
Maryland Regional Vice President
Office of Prince George's County Affairs

Mr. Thomas Graham, Maryland Regional Vice President, provided introductory remarks and introduced Mr. James Lee who in-turn provided a report of PEPCO's actions during and after Hurricane Isabel.

REQUESTS BY THE GENERAL PUBLIC TO ADDRESS THE COUNCIL

There were no persons who wished to address the Council.

ADJOURNED - *Chairman Knotts adjourned the meeting at 3:12 p.m.*

Prepared by:

Submitted by:

Donna J. Brown, Deputy Clerk

Redis C. Floyd, Clerk of the Council