



Prince George's County Council

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

Meeting Minutes - Final County Council

Mel Franklin, District 9, Chairman
Derrick Leon Davis, District 6, Vice Chair
Dannielle M. Glaros, District 3
Andrea C. Harrison, District 5
Mary A. Lehman, District 1
Obie Patterson, District 8
Deni L. Taveras, District 2
Karen R. Toles, District 7
Todd M. Turner, District 4

Robert J. Williams, Jr., Council Administrator

Tuesday, October 27, 2015

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 by Chairman Franklin at 1:50 p.m. with eight members present at roll call. Council Member Lehman arrived at 2:10 p.m.

Present: 8 - Chair Mel Franklin
 Vice Chair Derrick Davis
 Council Member Dannielle Glaros
 Council Member Andrea Harrison
 Council Member Obie Patterson
 Council Member Deni Taveras
 Council Member Karen Toles
 Council Member Todd Turner

Absent: Council Member Mary Lehman

(a) Approval of County Council Minutes[MIN 10202015](#)

County Council Minutes dated October 20, 2015.

Attachment(s): [10202015](#)**These minutes were approved****(b) Introduction of Resolutions**[CR-067-2015](#)**A RESOLUTION CONCERNING THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION APPROVED FISCAL YEAR 2016 CAPITAL IMPROVEMENTS PROGRAM**

for the purpose of approving an amendment to the Prince George's County portion of the approved Fiscal Year 2016 Capital budget for the Department of Parks and Recreation of the Maryland-National Capital Park and Planning Commission in order to develop solar photovoltaic systems and perform other solar-related projects on Commission-owned parkland throughout Prince George's County

Sponsor(s): Harrison, Franklin, Taveras and Davis**Attachment(s):** [R2015067](#)[I-CR-67-2015 Attachment A](#)[CR-67-2015 AIS](#)[CR-67-2015 Report](#)[CR-67-2015 Transmittal](#)[CR-67-2015 Report](#)

Council Resolution 67 amends the Prince George's County portion of the approved Fiscal Year 2016 Capital budget for the Department of Parks and Recreation of the Maryland-National Capital Park and Planning Commission to develop a turn-key PV system to provide for the design, permitting, construction, operations, maintenance, and ownership interest of a 2-megawatt solar PV electric generating system.

This Resolution was introduced by Council members Harrison, Franklin, Taveras and Davis and referred to the Committee of the Whole

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: -(COUNCIL HEARING ROOM)**[APPT-059](#)**

Appointment of the following individuals to the Citizen Complaint Oversight Panel for Prince George's County:

Mr. Cardell Montague

Appointment

Replacing: Clyde Davis

Term Expiration: 1/8/2019

Mr. Dale Crowell

Reappointment

Term Expiration 1/8/2019

Council Member Toles, as Chair of the Health, Education and Human Services Committee, provided a verbal report of the actions and recommendations of the committee. Pursuant to proper notice, the public hearing was convened at 1:59 p.m. Nathaniel Tutt, III, Council Liaison, introduced the nominees to the Council and spoke to her character and credentials. The nominees were present, but declined to speak. All persons wishing to speak having done so, the public hearing was declared held.

A motion was made by Council Member Toles, seconded by Council Member Taveras, that this Appointment be confirmed. The motion carried by the following vote:

Aye	8 - Franklin, Davis, Glaros, Harrison, Patterson, Taveras, Toles and Turner
Absent	Lehman

PUBLIC HEARINGS: -(COUNCIL HEARING ROOM) - (CONTINUED)**[APPT-061](#)**

Appointment of the following individuals to the Agricultural Land Preservation Advisory Board for Prince George's County.

Mr. Peter W. Buchheister

Appointment

Owner-Operator Representative

Replacing: Sidney Tucker

Term Expiration: 9/20/2017

Mr. Phillip O. Hutton

Appointment

Owner-Operator Representative

Replacing: David Bourdon
Term Expiration: 9/20/2019

Ms. Dorothy "Anna" Rauch

Appointment
Owner-Operator Representative
Replacing: Herman Windsor
Term Expiration: 9/20/2019

Mr. Steven E. Darcey

Reappointment
General Public Representative
Term Expiration: 9/20/2018

Ms. Stephanie DeVille-Eugene

Reappointment General Public Representative
Term Expiration: 9/20/2018

Council Member Harrison, as Chair of the Planning, Zoning and Economic Development Committee, provided a verbal report of the actions and recommendations of the committee. Pursuant to proper notice, the public hearing was convened at 2:00 p.m. Nathaniel Tutt, III, Council Liaison, introduced the nominee to the Council and spoke to her character and credentials. The nominees were present, but declined to speak. All persons wishing to speak having done so, the public hearing was declared held.

A motion was made by Council Member Harrison, seconded by Vice Chair Davis, that this Appointment be confirmed. The motion carried by the following vote:

Aye	8 - Franklin, Davis, Glaros, Harrison, Patterson, Taveras, Toles and Turner
Absent	Lehman

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

[CB-030-2015](#)

AN ACT CONCERNING COUNTY-BASED BUSINESS COMPLIANCE for the purpose of establishing an annual Local Business Participation Procurement Report, requiring the report to be annually provided to the County Council and County Executive, and generally relating to County-based business assistance.

Sponsor(s): Franklin, Lehman and Taveras

Attachment(s): [B2015030](#)
[CB-30-2015 AIS](#)
[CB-30-2015 Report](#)
[CB-30-2015 DR -2 Fiscal Impact](#)

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 for this Council Bill.

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

Aye	8 - Franklin, Davis, Glaros, Harrison, Patterson, Taveras, Toles and Turner
Absent	Lehman

[CB-052-2015](#)

AN ACT CONCERNING THE CLASSIFICATION PLAN FOR PRINCE GEORGE'S COUNTY for the purpose of adding a class series and upgrading existing classes of work.

Sponsor(s): Turner, Lehman, Harrison, Davis and Glaros

Attachment(s): [B2015052.doc](#)
[CB-52-2015 AIS](#)
[CB-52-2015 Report](#)
[CB-52-2015 Fiscal Impact](#)

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 for this Council Bill.

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

Aye	8 - Franklin, Davis, Glaros, Harrison, Patterson, Taveras, Toles and Turner
Absent	Lehman

6. PUBLIC HEARING RESOLUTIONS - (COUNCIL HEARING ROOM)

[CR-045-2015](#)

A RESOLUTION CONCERNING THE 2008 WATER AND SEWER PLAN (APRIL 2015 CYCLE OF AMENDMENTS) for the purpose of changing the water and sewer category designations of properties within the 2008 Water and Sewer Plan.

Sponsor(s): Turner

Attachment(s): [R2015045.doc](#)
[I-CR-45-2015 Attachments A & B.doc](#)
[CR-45-2015 AIS](#)
[CR-45-2015 Report](#)
[CR-45-2015 Fiscal Impact](#)
[CR-45-2015 Transmittal](#)

Pursuant to proper notice, the public hearing was convened at 2:09 p.m. Thomas Haller, Esq., spoke in support. All persons wishing to speak having done so, the public hearing was declared held.

The public hearing was held for this Resolution.

Present: 9 - Chair Mel Franklin
Vice Chair Derrick Davis
Council Member Dannielle Glaros
Council Member Andrea Harrison
Council Member Mary Lehman
Council Member Obie Patterson
Council Member Deni Taveras
Council Member Karen Toles
Council Member Todd Turner

[CR-059-2015](#)

A RESOLUTION CONCERNING HOUSING AND COMMUNITY

DEVELOPMENT ANNUAL ACTION PLAN: FY 2015 for the purpose of amending the County's Fiscal Year ("FY") 2015 Annual Action Plan for Housing and Community Development by restructuring Community Development Block Grant ("CDBG") activities from the FY 2014 and FY 2015 Annual Action Plans.

Sponsor(s): Glaros, Taveras and Franklin

Attachment(s): [R2015059](#)
[I-CR-59-2015 Attachment A](#)
[I-CR-59-2015 Attachment B](#)
[CR-59-2015 AIS](#)
[CR-59-2015 Report](#)
[CR-59-2015 Fiscal Impact](#)
[CR-59-2015 TRANSMITTAL](#)

Pursuant to proper notice, the public hearing was convened at 2:12 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 for this Resolution.

RECESS

The meeting went into recess at 2:13 p.m.

COMMITTEE OF THE WHOLE - (COUNCIL HEARING ROOM)**[CR-066-2015](#)**

A RESOLUTION CONCERNING ECONOMIC DEVELOPMENT REVENUE BONDS for the purpose of and pursuant to and in accordance with Sections 12-101 through 12-118 of the Economic Development Article of the Annotated Code of Maryland as amended (the Maryland Economic Development Revenue Bond Act “the Act”), issuing economic development revenue bonds in an aggregate principal amount not to exceed Thirty-Seven Million Five Hundred Thousand Dollars (\$37,500,000), and to loan the proceeds from the sale of such bonds to (i) Chesapeake Lighthouse Foundation, Inc., a not-for-profit corporation organized under the laws of the State of Maryland (the “Foundation”), and (ii) Chesapeake Education Services, L.L.C., a limited liability company organized under the laws of the State of Maryland (“CES” and, together with the Foundation, the “Facility Applicant”), to be used for the purpose of financing or refinancing the costs of certain facilities, within the meaning of such Act (as defined herein), located in Prince George’s County, Maryland (the “County”) and Anne Arundel County, Maryland, to be used by the Facility Applicant in connection with its tax-exempt purposes of operating not-for-profit charter schools in accordance with and pursuant to the laws of the State of Maryland; authorizing the County Executive to specify, prescribe, determine, provide for, approve, execute and deliver any and all matters, details, forms, documents or procedures necessary or appropriate to effectuate the authorization, sale, security, issuance, delivery and payment of and for such bonds and the lending of the proceeds thereof; reserving certain rights in the County; providing for the effective date of this Resolution; providing for the termination of this Resolution; and generally providing for and determining various matters in connection with such bonds and the lending of the proceeds thereof.

Sponsor(s): Toles, Franklin, Davis, Patterson and Taveras

Attachment(s): [R2015066](#)
[I-CR-66-2015 Attachment A](#)
[CR-66-2015 AIS](#)
[CR-66-2015 Transmittal](#)
[CR-066-2015 Fiscal Impact](#)

The Committee of the Whole was convened at 2:15 p.m. Howard Stone, Interim Director of the Public Safety and Fiscal Management Committee, provided an overview of the legislation. Ronald Halper, Office of Finance, and representatives of the Chesapeake Lighthouse Foundation, Inc., spoke to the specifics of the proposal and responded to questions posed by the Council (See Administrative Day file for details)

Clerk's notes). The committee meeting concluded at 2:48 p.m.

A motion was made by Council Member Glaros, seconded by Council Member Lehman, that this Resolution be Favorably recommended to the County Council.

The motion carried by the following vote:

Aye	8 -	Franklin, Davis, Glaros, Harrison, Lehman, Patterson, Taveras and Toles
Nay	1 -	Turner

RECONVENE

The meeting was reconvened at 2:50 p.m.

8. RESOLUTIONS ELIGIBLE FOR FINAL READING – (ADOPTION)

[CR-066-2015](#)

A RESOLUTION CONCERNING ECONOMIC DEVELOPMENT REVENUE BONDS for the purpose of and pursuant to and in accordance with Sections 12-101 through 12-118 of the Economic Development Article of the Annotated Code of Maryland as amended (the Maryland Economic Development Revenue Bond Act “the Act”), issuing economic development revenue bonds in an aggregate principal amount not to exceed Thirty-Seven Million Five Hundred Thousand Dollars (\$37,500,000), and to loan the proceeds from the sale of such bonds to (i) Chesapeake Lighthouse Foundation, Inc., a not-for-profit corporation organized under the laws of the State of Maryland (the “Foundation”), and (ii) Chesapeake Education Services, L.L.C., a limited liability company organized under the laws of the State of Maryland (“CES” and, together with the Foundation, the “Facility Applicant”), to be used for the purpose of financing or refinancing the costs of certain facilities, within the meaning of such Act (as defined herein), located in Prince George’s County, Maryland (the “County”) and Anne Arundel County, Maryland, to be used by the Facility Applicant in connection with its tax-exempt purposes of operating not-for-profit charter schools in accordance with and pursuant to the laws of the State of Maryland; authorizing the County Executive to specify, prescribe, determine, provide for, approve, execute and deliver any and all matters, details, forms, documents or procedures necessary or appropriate to effectuate the authorization, sale, security, issuance, delivery and payment of and for such bonds and the lending of the proceeds thereof; reserving certain rights in the County; providing for the effective date of this Resolution; providing for the termination of this Resolution; and generally providing for and determining various matters in connection with such bonds and the lending of the proceeds thereof.

Sponsor(s): Toles, Franklin, Davis, Patterson and Taveras

Attachment(s): [R2015066](#)
[I-CR-66-2015 Attachment A](#)
[CR-66-2015 AIS](#)
[CR-66-2015 Transmittal](#)
[CR-066-2015 Fiscal Impact](#)

Howard Stone, Interim Director of the Public Safety and Fiscal Management Committee, provided a verbal report of the actions and recommendations of the Committee of the Whole.

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

Aye	7 -	Franklin, Davis, Glaros, Lehman, Patterson, Taveras and Toles
Nay	1 -	Turner
Absent		Harrison

RESOLUTIONS ELIGIBLE FOR FINAL READING – (ADOPTION)

[CR-058-2015](#)

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.

Sponsor(s): Franklin, Davis, Glaros and Harrison

Attachment(s): [R2015058](#)
[CR-58-2015 AIS](#)

Council Member Harrison, as Chair of the Planning, Zoning and Economic Development Committee, provided a verbal report of the actions and recommendations of the committee.

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

Aye	9 -	Franklin, Davis, Glaros, Harrison, Lehman, Patterson, Taveras, Toles and Turner
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9. INTRODUCTION AND ADOPTION OF RESOLUTIONS

[CR-068-2015](#)

A RESOLUTION CONCERNING STATE OF MARYLAND SUSTAINABLE COMMUNITIES PROGRAM for the purpose of approving the Glassmanor-Oxon Hill Transforming Neighborhoods Initiative (“TNI”) Area Sustainable Community application and proposed Action Plan for submission to the Maryland Department of Housing and

Community Development (“Department”) for participation in the Department’s Sustainable Communities Program.

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

Attachment(s): [R2015068](#)
[I-CR-68-2015 Attachment A](#)
[CR-68-2015 AIS](#)
[CR-068-2015 Fiscal Impact](#)

Council Resolution 68 approves the proposed designation of the Glassmanor-Oxon Hill Transforming Neighborhoods Initiative Area as a Sustainable Communities Area pursuant to Title 6, Housing and Community Development, Annotated Code of Maryland.

This Resolution was introduced by Council Members Lehman, Franklin, Davis, Glaros, Taveras and Patterson and Toles.

A motion was made by Council Member Lehman, seconded by Council Member Glaros, that the Council Rules of Procedure be suspended to allow for the immediate adoption of this Resolution. The motion carried by the following vote:

Aye 9 - Franklin, Davis, Glaros, Harrison, Lehman, Patterson, Taveras, Toles and Turner

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

Aye 9 - Franklin, Davis, Glaros, Harrison, Lehman, Patterson, Taveras, Toles and Turner

RECESS

The meeting went into recess at 2:57 p.m.

2:30 P.M. - COMMITTEE OF THE WHOLE - (COUNCIL HEARING ROOM)

APPT-062

Appointment of the following individual as the District 7 Representative to the Board of Education for Prince George's County;

Mr. K. Alexander Wallace

The Committee of the Whole was convened at 3:07 p.m. Sandra Eubanks, Director of the Health, Education and Human Services Committee, provided an overview of the executive appointment. Betty Hager-Francis, Deputy Chief Administrative Officers for Health, Human Services and Education, introduced the nominee to Council and spoke briefly to his credentials. The nominee provided brief comments and responded to questions posed by the Council (See Administrative Day File for detailed Clerk's

notes). The committee meeting concluded at 3:59 p.m.

RECONVENE

The meeting was reconvened at 4:03 p.m.

3:00 P.M. - BRIEFING – (COUNCIL HEARING ROOM)

[BR 10272015](#)

BRIEFING:

ZONING ORDINANCE AND SUBDIVISION REGULATIONS REWRITE

Craig Richardson, Clarion Associates

Don Elliott, Clarion Associates

Derick Berlage, Chief, Countywide Planning Division, M-NCPPC

Chad Williams, Master Planner, Countywide Planning Division, M-NCPPC

Brittney Drakeford, Administrative Specialist, Countywide Planning Division, M-NCPPC

Attachment(s): [M-NCPPC TRANSMITTAL LETTER](#)

The briefing was convened at 4:03 p.m. Chad Williams, M-MCPPC, provided introductory remarks and spoke to the scope of the briefing. Craig Richardson and Don Elliott of Clarion Associates, facilitated a PowerPoint presentation on Module 1 of the Rewrite which focused on Zones and Zone Regulations, Use Regulations, User-Friendly Format, Interpretation and Definitions and an overview of the next modules. The panelists responded to questions regarding: proposed timelines for adoption, stakeholder engagement, transition of old zones to new zones, impact on M-X-T Zone, amendment process, focus groups, potential development standards, M-U-TC Zone, inclusion of urban parks and open space within Module 1, circles and edges as related to neighborhood compatibility standards, impact on county-wide plans, re-zoning process, deletion of the use of ERR as a report title, which is different than the zoning case type of ERR, need for Council workgroup on this issue and case examples. The briefing concluded at 5:12 p.m.

REQUESTS BY THE GENERAL PUBLIC TO ADDRESS THE COUNCIL

There were no requests.

ADDITION TO THE AGENDA

A motion was made by Vice Chair Davis, seconded by Council Member Turner, to accept the additions package. The motion carried by the following vote:

Aye 9 - Franklin, Davis, Glaros, Harrison, Lehman, Patterson, Taveras,
Toles and Turner

RECESS

The meeting went into recess at 5:17 p.m.

DISTRICT COUNCIL ITEM - (COUNCIL HEARING ROOM)

District Council items were considered. See separate meeting minutes for details.

4:00 P.M. - GENERAL ASSEMBLY/COMMITTEE OF THE WHOLE – (COUNCIL HEARING ROOM)

The Rules and General Assembly Committee meeting was held. See Separate Standing Committee Report for details.

EXECUTIVE SESSION – (1ST FLOOR EXECUTIVE CONFERENCE ROOM)**[EX 10272015](#)**

Motion to convene in Executive Session, in accordance with Section 3-305(b), (1) (i) (ii), (4), (7), and (8) General Provisions Article, Annotated Code of Maryland.

1. To discuss personnel issues
2. To consider a matter related to a proposal for a business to locate, expand, or remain in the State
3. To consult with legal counsel to seek legal advice; and
4. To discuss pending or potential litigation.

This Executive Session was Rescheduled to a later date

RECONVENE

The meeting reconvened at 6:50 p.m.

6:30 P.M. - JOINT PUBLIC HEARING: -(COUNCIL HEARING ROOM)**[JT PH 10272015](#)**

THE PRINCE GEORGE'S COUNTY COUNCIL AND THE PRINCE GEORGE'S COUNTY PLANNING BOARD OF THE MARYLAND-NATIONAL CAPITAL PLANNING AND PLANNING COMMISSION ON THE PROPOSED DESIGNATION OF PROPERTY IN PRINCE GEORGE'S COUNTY AS HISTORIC SITES

Pursuant to provisions of the Land Use Article of the Maryland Annotated Code, as well as Subtitle 29 of the Prince George's County Code, the County Council of Prince George's County, Maryland, sitting as the District Council, and the Prince George's County Planning

Board of the Maryland-National Capital Park and Planning Commission joint public hearing to receive public testimony concerning the proposed designation of property in Prince George's County as Historic Sites, specifically five (5) properties located within the City of College Park, the City of Hyattsville, and the City of Bowie, as follows:

1. (PG 66-076) Marenka House, 7300 Radcliffe Drive, College Park
2. (PG 68-010-87) Miller-Spicknall House, 4916 40th Place, Hyattsville
3. (PG 68-010-88) Harvey Dairy Store, 4214 Gallatin Street, Hyattsville
4. (PG 68-010-89) Jardella House, 4002 Crittenden Street, Hyattsville
5. (PG 71B-023) Frederick and Frances Watkins House, "Grovehurst, 14307 Delcastle Drive, Bowie

(SEE SEPARATE AGENDA)

Attachment(s): [10-27-2015 ph agenda](#)
[10-27-15 Joint Public Hearing Presentation](#)

The Joint Public Hearing was held. See separate meeting minutes for details.

7:00 P.M. - JOINT PUBLIC HEARING: -(COUNCIL HEARING ROOM)

[JT PH 10272015](#)
[7PM](#)

THE PRINCE GEORGE'S COUNTY COUNCIL AND THE PRINCE GEORGE'S COUNTY PLANNING BOARD OF THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION ON THE PROPOSED MINOR AMENDMENTS TO THE GATEWAY ARTS DISTRICT DEVELOPMENT DISTRICT OVERLAY ZONE WITHIN THE 2004 SECTOR PLAN AND SECTIONAL MAP AMENDMENT FOR THE PRINCE GEORGE'S COUNTY GATEWAY ARTS DISTRICT (CR-48-2015)

Pursuant to provisions of the Land Use Article of the Maryland Annotated Code, as well as Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission ("M-NCPPC") and the County Council of Prince George's County, Maryland, sitting as the District Council for that part of the Maryland-Washington Regional District in Prince George's County, joint public hearing to receive public comment and testimony concerning three (3) proposed minor amendments to the 2004 *Sector Plan and Sectional Map Amendment for the Prince George's County* in the Gateway Arts District Development District Overlay Zone ("DDOZ")

(SEE SEPARATE AGENDA)

Attachment(s): [10-27-2015 ph agenda](#)
[GAD Minor Amendments JPH Presentation 10-27-15](#)

The Joint Public Hearing was held. See separate meeting minutes for details.

ADJOURN

The meeting was adjourned at 7:38 p.m.

Prepared by:

Donna J. Brown, Deputy Clerk of the Council

Submitted by:

Redis C. Floyd, Clerk of the Council