



Prince George's County Council

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

Meeting Minutes - Draft 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, June 23, 2015

10:00 AM

Council Hearing Room

9:30 A.M. - AGENDA BRIEFING - (ROOM 2027)

10:00 A.M. - CALL TO ORDER - (COUNCIL HEARING ROOM)

The meeting was called to order at 10:54 a.m. with nine members present at roll call.

Present: 9 - Chairman Mel Franklin
Vice Chairman 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

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
Lakeecia Allen, Office of Law
John Gwynn, Office of Law
Kathleen Canning, Legislative Officer
Colette Gresham, Legislative Officer
Jacqueline Brown, Director, PZED Committee
Howard Stone, Interim Director, PSFM Committee
Bridgette Greer, Office of Law
David VanDyke, County Auditor

INVOCATION:

The Invocation was provided by Gillie Haynes, County Employee. Chairman Franklin requested prayer for the families of the victims of the recent shooting at Mother Emmanuel AME Church in Charleston, South Carolina and for Governor Larry Hogan who was recently diagnosed with an aggressive form of cancer. Council Member Davis requested continued prayer for Dawn McRae in the passing of her mother and for her sister, Brenda Hester, who is still recovering from an automobile accident. Council Member Harrison requested prayer for all who are suffering with life threatening illnesses. Council Member Toles requested prayer for Jack Lawlah, who is ill.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Harrison.

DESIGNATION OF JUNE 23, 2015 AS LEGISLATIVE DAY NO. 22

Chairman Franklin designated Legislative Day number twenty-two.

1. CONSENT AGENDA**(a) Approval of County Council Minutes**[MIN 06162015](#)

County Council Minutes dated June 16, 2015.

These Minutes were approved.**ADDITIONS TO THE AGENDA**

A motion was made by Vice Chairman Davis, seconded by Council Member Taveras, that this be accepted the additions package. The motion carried by the following vote:

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

1. CONSENT AGENDA**(b) First Reading of Bills (Presentation)**[CB-045-2015](#)

AN ACT CONCERNING SUPPLEMENTARY APPROPRIATIONS for the purpose of declaring additional revenue and appropriating to the General Fund to provide for costs that were not anticipated and included in the Approved Fiscal Year 2015 Budget, and providing an adjustment to the revenue estimates to the Internal Service Fund and Special Revenue Fund.

Sponsor(s): Franklin

Attachment(s): [B2015045.doc](#)
[CB-45-2015 Report.doc](#)

This Council Bill was presented and referred to the Committee of the Whole

Approval of the Consent Agenda

A motion was made by Vice Chairman Davis, seconded by Council Member Turner, to adopt the Consent Agenda. The motion carried by the following vote:

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

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-036-2015](#)**

AN ACT CONCERNING EROSION AND SEDIMENT CONTROL AND STORMWATER MANAGEMENT for the purpose of updating the County's erosion and sediment control regulations to be consistent with the State of Maryland's revised erosion sediment control regulations and the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control (Standards and Specifications), as adopted by the Maryland Department of Environment in January 2012, and incorporating by reference the Prince George's County Stormwater Design Manual.

Sponsor(s): Franklin, Turner and Davis

Attachment(s): [B2015036.doc](#)
[I-CB-36-2015 Manual.pdf](#)
[CB-36-2015 Report.doc](#)

Pursuant to proper notice, the public hearing was convened at 11:05 a.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 Chairman Davis, seconded by Council Member Turner, that this Council Bill be enacted. The motion carried by the following vote:

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

PUBLIC HEARINGS/BILLS ELIGIBLE FOR THIRD READING – (ENACTMENT) - (CONTINUED)**[CB-037-2015](#)**

AN ACT CONCERNING TELECOMMUNICATION TAX for the purpose of revising the telecommunications tax rate.

Sponsor(s): Franklin and Davis

Attachment(s): [B2015037.doc](#)
[CB-37-2015 Report.doc](#)

Pursuant to proper notice, the public hearing was convened at 11:05 a.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 Chairman Davis, seconded by Council Member Glaros, that this Council Bill be enacted. The motion carried by the following vote:

Aye: 7 - Franklin, Davis, Glaros, Harrison, Taveras, Toles and Turner
Nay: 2 - Lehman and Patterson

[CB-038-2015](#)

AN ACT CONCERNING PRINCE GEORGE'S COUNTY RECORDATION TAX RATE for the purpose of setting the recordation tax rate.

Sponsor(s): Franklin and Davis

Attachment(s): [B2015038.doc](#)
[CB-38-2015 Report.doc](#)

Pursuant to proper notice, the public hearing was convened at 11:06 a.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 Chairman Davis, seconded by Council Member Turner, that this Council Bill be enacted. The motion carried by the following vote:

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

PUBLIC HEARINGS/BILLS ELIGIBLE FOR THIRD READING – (ENACTMENT) - (CONTINUED)**[CB-039-2015](#)**

AN ACT CONCERNING HOTEL AND MOTEL TAXES for the purpose of revising the hotel and motel tax rate.

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

Attachment(s): [B2015039.doc](#)
[CB-39-2015 Report.doc](#)

Pursuant to proper notice, the public hearing was convened at 11:07 a.m. Marcia Fields Milton, David Reel and Claire Simpson-Jones spoke in opposition. Matt Neitzey, Conference and Visitor's Bureau, responded to questions posed by the Council. 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 Chairman Davis, seconded by Council Member Lehman, that this Council Bill be enacted. 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 11:21 a.m.

5. COMMITTEE OF THE WHOLE - (COUNCIL HEARING ROOM)

The Committee of the Whole was convened at 11:54 a.m.

[CB-040-2015](#)

AN ACT CONCERNING SUPPLEMENTAL PROPERTY TAX CREDIT for the purpose of establishing a tax credit for real property.

Attachment(s): [B2015040.doc](#)

COMMITTEE RECOMENDATION: HELD

William Hunt, Deputy Council Administrator, provided an overview of the Bill. He and David VanDyke, County Auditor responded to questions posed by the Council regarding income and eligibility requirements, asset cap, existing participation in State Homeowner's Tax Credit, source of the funding, vision for implementation of the program, public outreach and notification process, application deadlines. This bill was held for further consideration.

COMMITTEE OF THE WHOLE - (COUNCIL HEARING ROOM) - (CONTINUED)**[CB-041-2015](#)**

AN ACT CONCERNING DEPARTMENT OF PERMITTING, INSPECTIONS AND ENFORCEMENT for the purpose of adding certain fees; increasing certain fees; amending provisions of the County Code to remove fee references directly from the County Code that fall under Department of Permitting, Inspections and Enforcement; requiring the Department of Permitting, Inspections and Enforcement to publish an annual comprehensive Table of Fees submitted by the County Executive to be approved by the County Council after legislative review and approval by resolution, after notice and public hearing; providing that this Act shall be retroactively effective to July 1, 2015; and generally relating to fees.

Sponsor(s): Franklin

COMMITTEE RECOMENDATION: FAVORABLE WITH AMENDMENTS

Kathy Canning, Legislative Officer, provided an overview of the Bill and spoke to changes within the Proposed Draft 2. Bradley Frome, Assistant Deputy Chief Administrative Officers for Economic Development and Public Infrastructure, Susan Hubbard and other representatives from DPIE, responded to questions posed by the Council regarding: impact on residential versus commercial fees, how fees are calculated, history of multiplier, impact on mobile vending legislation, technology fee, enterprise funds, future considerations, . Marcus Jackson, Maryland Building Industry, provided testimony regarding the letter entered by the Association. There was a consensus that the fees should be revisited in the future. Council Member Turner moved a favorable committee recommendation on the proposed draft two with amendments; seconded by Council Member Taveras. The motion carried 9-0.

[CB-045-2015](#)

AN ACT CONCERNING SUPPLEMENTARY APPROPRIATIONS for the purpose of declaring additional revenue and appropriating to the General Fund to provide for costs that were not anticipated and included in the Approved Fiscal Year 2015 Budget, and providing an adjustment to the revenue estimates to the Internal Service Fund and Special Revenue Fund.

Sponsor(s): Franklin

Attachment(s): [B2015045.doc](#)
[CB-45-2015 Report.doc](#)

COMMITTEE RECOMENDATION: NO RECOMMENDATION

Colette Gresham, Legislative Officer, provided an overview of the Bill. Lorenzo Hylton, Office of Management and Budget, responded to questions posed by the Council regarding: the agencies impacted, reasons for cost overruns, impact of SAP program, community school resource coordinators, status of fund balance, funds allocated related to vacant/blighted properties and use of Economic Development

Incentive funds. Council Member Glaros moved to vote it out of committee with no recommendation; seconded by Council Member Turner. The motion carried 9-0.

RECONVENE

The meeting was reconvened at 3:46 p.m.

6. SECOND READING OF BILLS – (INTRODUCTION)

[CB-045-2015](#)

AN ACT CONCERNING SUPPLEMENTARY APPROPRIATIONS for the purpose of declaring additional revenue and appropriating to the General Fund to provide for costs that were not anticipated and included in the Approved Fiscal Year 2015 Budget, and providing an adjustment to the revenue estimates to the Internal Service Fund and Special Revenue Fund.

Sponsor(s): Franklin

Attachment(s): [B2015045.doc](#)
[CB-45-2015 Report.doc](#)

Colette Gresham, Legislative Officer, provided a verbal report of the actions and recommendations of the Committee of the Whole.

This Council Bill was introduced by Council Member Franklin

[CB-019-2015](#)

AN ORDINANCE CONCERNING MIXED USE ZONES for the purpose of permitting a group residential facility in the M-X-T (Mixed Use- Transportation Oriented) Zone under certain circumstances.

Sponsor(s): Davis

Attachment(s): [B2015019.doc](#)
[CB-019-2015 Report](#)

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. Council Bil 19 amends the Zoning Ordinance to permit by right a group residential facility in the Mixed Use Transportation (M-X-T) Zone under certain circumstances as provided in a new footnote to the mixed use zones use table.

This Council Bill was introduced by Council Member Davis

The Clerk was directed to expedite scheduling of the public hearing for this Council Bill

SECOND READING OF BILLS – (INTRODUCTION) - (CONTINUED)**[CB-023-2015](#)**

AN ORDINANCE CONCERNING MIXED USE TRANSPORTATION ORIENTED (M-X-T) ZONE AND COMPREHENSIVE DESIGN ZONES for the purpose of amending the provisions of the M-X-T Zone and the Comprehensive Design Zones to be consistent with the findings for adequate public facilities in Subtitle 24.

Sponsor(s): Franklin

Attachment(s): [B2015023.doc](#)
[CB-023-2015 Report](#)

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. Council Bill 23 amends the M-X-T (Mixed Use Transportation) and Comprehensive Design Zone provisions in Subtitle 27 (Zoning Ordinance) to be consistent with the findings for adequate public facilities and roads in Subtitle 24 (Subdivision Regulations).

This Council Bill was introduced by Council Member Franklin

The Clerk was directed to expedite scheduling of the public hearing for this Council Bill

[CB-025-2015](#)

AN ORDINANCE CONCERNING COMMERCIAL ZONES - VEHICLE, MOBILE HOME, CAMPING TRAILER, AND BOAT SALES AND SERVICE for the purpose of permitting Vehicle, Mobile Home, Camping Trailer, and Boat Sales and Service uses in the C-S-C (Commercial Shopping Center) Zone, under certain circumstances.

Sponsor(s): Davis

Attachment(s): [B2015025.doc](#)
[CB-025-2015 Report.doc](#)

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.

Council Bill 25 amends the Zoning Ordinance to permit vehicle, mobile home, camping trailer, and boat sales and service in the Commercial Shopping Center (C-S-C) Zone under certain circumstances as contained in a new footnote to the commercial zones use table.

This Council Bill was introduced by Council Member Davis

The Clerk was directed to expedite scheduling of the public hearing for this

Council Bill**SECOND READING OF BILLS – (INTRODUCTION) - (CONTINUED)**[CB-027-2015](#)

AN ORDINANCE CONCERNING M-X-T (MIXED USE - TRANSPORTATION ORIENTED) ZONE for the purpose of providing certain alternate development regulations as to the location, density, size, height, and other provisions for buildings and structures in the M-X-T (Mixed Use - Transportation Oriented) Zone, under certain circumstances.

Sponsor(s): Turner and Franklin

Attachment(s): [B2015027.doc](#)
[CB-027-2015 Report](#)

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. Council Bill 27 amends the Zoning Ordinance to provide alternate development regulations for location, density, size, height, and other provisions for buildings and structures in the Mixed Use Transportation (M-X-T) Zone and allows these regulations to be established pursuant to a Conceptual Site Plan (CSP).

This Council Bill was introduced by Council Members Turner and Franklin

The Clerk was directed to expedite scheduling of the public hearing for this Council Bill

[CB-040-2015](#)

AN ACT CONCERNING SUPPLEMENTAL PROPERTY TAX CREDIT for the purpose of establishing a tax credit for real property.

Attachment(s): [B2015040.doc](#)

Introduction of this Council Bill was deferred

SECOND READING OF BILLS – (INTRODUCTION) - (CONTINUED)**[CB-041-2015](#)**

AN ACT CONCERNING DEPARTMENT OF PERMITTING, INSPECTIONS AND ENFORCEMENT for the purpose of adding certain fees; increasing certain fees; amending provisions of the County Code to remove fee references directly from the County Code that fall under Department of Permitting, Inspections and Enforcement; requiring the Department of Permitting, Inspections and Enforcement to publish an annual comprehensive Table of Fees submitted by the County Executive to be approved by the County Council after legislative review and approval by resolution, after notice and public hearing; providing that this Act shall be retroactively effective to July 1, 2015; and generally relating to fees.

Sponsor(s): Franklin

Kathy Canning, Legislative Officer, provided a verbal report of the actions and recommendations of the Committee of the Whole and described the amendment as proposed.

A motion was made by Council Member Toles, seconded by Council Member Turner, that Draft two of this Council Bill be amended (1). The motion carried by the following vote:

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

Council Bill 41 amends the Prince George's County Code to create a comprehensive Table of Fees regarding permits, licenses, plans or items set forth in the Table of Fees and provides that future amendments to the Table of Fees be subject to legislative review and approval by a Resolution of the County Council.

Draft 3 of this Council Bill was introduced by Council Members Toles, Turner, Lehman, Davis, Glaros, Franklin and Taveras

7. RESOLUTIONS ELIGIBLE FOR FINAL READING – (ADOPTION)**[CR-027-2015](#)**

A RESOLUTION CONCERNING SUPPLEMENTARY APPROPRIATIONS OF FEDERAL, STATE AND OTHER FUNDS for the purpose of appropriating funding from grants in the amount of \$12,159,893 to the Department of Social Services, Office of the Sheriff, Office of Homeland Security, Circuit Court, Department of Family Services, Police Department, Fire/EMS Department, Department of Public Works and Transportation, Department of Housing and Community Development, Department of the Environment, Health Department and Department of Corrections.

Sponsor(s): Franklin, Harrison and Davis

Attachment(s): [R2015027.doc](#)
[CR-27-2015 Report.doc](#)

Council Member Patterson, as Chair of the Public Safety and Fiscal Management Committee, provided a verbal report of the actions and recommendations of the committee.

A motion was made by Council Member Taveras, seconded by Vice Chairman Davis, that a new draft of this Resolution be substituted. 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 Patterson, seconded by Vice Chairman 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

8. INTRODUCTION AND ADOPTION OF RESOLUTIONS**[CR-032-2015](#)**

A RESOLUTION CONCERNING THE TAX RATES FOR FISCAL YEAR 2016 for the purpose of imposing and levying the tax rates and causing to be raised the amount of taxes required by the adopted budget so as to balance the budget as to proposed income and expenditures for the fiscal year beginning July 1, 2015; and to set forth the State tax levy and the Stormwater Management District tax levy.

Sponsor(s): Franklin

Attachment(s): [R2015032.doc](#)

Council Resolution 32 approves the rates for an annual County tax levy in an amount required in CB-32-2015, the Fiscal Year 2016 Annual Budget and Appropriation Ordinance, as it was finally adopted on June 16, 2015.

This Resolution was introduced by Council Member Franklin

A motion was made by Council Member Turner, seconded by Council Member Taveras, 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: 8 - Franklin, Davis, Glaros, Harrison, Lehman, Taveras,
Toles and Turner

Nay: 1 - Patterson

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

Aye: 7 - Franklin, Davis, Glaros, Harrison, Taveras, Toles and
Turner

Nay: 2 - Lehman and Patterson

REQUESTS BY THE GENERAL PUBLIC TO ADDRESS THE COUNCIL

There were no requests.

POINT OF PERSONAL PRIVILEGE

Council Member Toles wished her staff member, Davion Percy, Happy Birthday.

ADJOURN

The meeting was adjourned at 4:05 p.m.

Prepared by:

Donna J. Brown, Deputy Clerk of the Council

Submitted by:

Redis C. Floyd, Clerk of the Council