

# ***AGENDA MINUTES***

**Tuesday, December 6, 2005**

**Business Meeting**

**(Legislative Day No. 1 to be declared)**

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

### **AGENDA BRIEFING – (ROOM 2027) - *BRIEFING HELD***

**CALL TO ORDER:** - - *Chairman Dean called to order at 10:30 a.m. with the following Council Members present:*

*Marilynn M. Bland  
Will Campos  
Samuel H. Dean  
Thomas E. Dernoga  
Camille A. Exum  
David C. Harrington  
Thomas R. Hendershot (out due to surgery)  
Tony Knotts  
Douglas J. J. Peters*

***Others Present:***

*Craig Price, Council Administrator  
Robert William, Jr., Deputy Council Administrator  
Ralph Grutzmacher, Legislative Officer  
Kathy Canning, Associate County Attorney  
Adrion Howell, County Council Liaison, Office of the County Executive*

**INVOCATION:** - - *The Invocation was led by Reverend Wayne K. Bumbry, Pastor, Le Detroit Baptist Church, Oxon Hill, Maryland. Council Member Knotts requested special prayers for the family of James Murphy on the passing of his mother who died in an Apartment fire. Council Member Dean for the family of Iretha Tate on the passing of her father and for family of Betty Hewlett on the passing of her mother.*

**PLEDGE OF ALLEGIANCE:** - - *The pledge of allegiance was led by Council Member Dernoga.*

**DESIGNATION OF DECEMBER 6, 2005 AS LEGISLATIVE DAY NO. 1**  
*Chairman Dean designated December 6, 2005 as Legislative Day No. 1*

### **RECONSIDERATION OF RESOLUTION**

**CR-90-2005 - A RESOLUTION CONCERNING THE MASTER PLAN AND**

**SECTIONAL MAP AMENDMENT FOR BOWIE AND VICINITY** for the purpose of Approving the Master Plan and Sectional Map Amendment for Bowie and Vicinity thereby defining long range land use and development policies and setting forth detailed zoning proposals in Planning Areas 71A, 71B, 74A, and 74B, for the area generally bounded by the Patuxent River to the east and northeast; the Beltsville Agricultural Research Center and Patuxent Wildlife Research Center- to the northwest; Springfield Road, Hillmeade Road, Enterprise Road, and Watkins Park Drive to the west; and Oak Grove, Leeland Road, and District Branch to the south.

- **RECONSIDERED; TABLED**

*Council Member Peters moved to reconsider Council Resolution 90; seconded by Council Member Dernoga. The motion carried 8-0. (Absent: Council Member Hendershot). Council Member Dernoga moved to table Council Resolution 90; seconded by Council Member Peters. The motion carried 8-0. (Absent: Council Member Hendershot).*

(Introduced and adopted on 11/29/2005. Vote 7-0-2. (In favor: Council Members Dean, Bland, Campos, Exum, Harrington, Knotts and Peters; Abstain: Council Members Dernoga and Hendershot)

## **INTRODUCTION AND ADOPTION OF RESOLUTIONS**

**CR-1-2006 – A RESOLUTION CONCERNING MASTER PLAN AND SECTIONAL MAP AMENDMENT FOR BOWIE AND VICINITY** for the purpose of proposing amendments to the Adopted Master Plan and Endorsed Sectional Map Amendment for Bowie and Vicinity, Planning Areas 71A, 71B, 74A, and 74B which defines long-range land use policies for guiding future development and sets forth the zoning to implement those land use policies within the planning area. - **INTRODUCED; RULES SUSPENDED; ADOPTED**

*Council Resolution 1 was introduced at the request of the Planning Board. Council Resolution 1 proposes amendments to the Adopted Master Plan and Sectional Map Amendment for Bowie and Vicinity. Council Resolution 1 was introduced by Council Members Harrington, Dean, Peters and Exum. Council Member Harrington moved to suspend the Council Rules of Procedure to allow for the immediate adoption of Council Resolution 1; seconded by Council Member Exum. The motion carried by voice vote. Council Member Peters moved adoption of Council Resolution 1; seconded by Council Member Harrington. The motion carried 8-0. (Absent: Council Member Hendershot).*

**CR-2-2006 – A RESOLUTION CONCERNING THE ENACTMENT OF A CERTAIN ORDINANCE OF THE CITY OF COLLEGE PARK** for the purpose of approving the enactment of Ordinance 05-O-12 amending Chapter 87 of the City of College Park Code concerning fences. - **DEFERRED TO FEBRUARY, 2006**

**CR-3-2006 – A RESOLUTION CONCERNING COMMUNITY LEGACY PROGRAM** for the purpose of approving the application and receipt of financing for Neighborhood Intervention Projects in Fairmount Heights, Mt. Rainier, Seat Pleasant, Suitland, Fort Washington, Oxon Hill, Forest Heights, Camp Springs, Clinton, Glenarden, Bladensburg, Cheverly, Colmar Manor, Edmonston and Temple Hills, Prince George's County, Maryland to be financed either directly by the Department of Housing and Community Development (the "Department") of the State of Maryland or through other departments or agencies of the State of Maryland.

- **INTRODUCED; ADOPTED**

*Council Resolution 3 approves the application by the Washington Area Community Investment Fund, Inc. (WACIF) for funding through the Maryland Department of Housing and Community Development Community Legacy Financial Assistance Fund. Council Resolution 3 was introduced by Council Member Campos and was favorably reported out of Committee of the Whole on 12/05/2005. Council Member Campos moved adoption of Council Resolution 1; seconded by Council Member Harrington. The motion carried 8-0. (Absent: Council Member Hendershot.)*

(CR-85-2005 was introduced by Council Members Dean, Harrington, Peters, Campos, Bland, and Dernoga on 11/29/2005 with no action taken. Council directed that this item be deferred to 12/6/2005 and is now known as CR-3-2006)

**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.

**First Reading of Bills (Presentation)**

**CB-1-2006 – AN ORDINANCE CONCERNING USE AND OCCUPANCY PERMITS** for the purpose of authorizing all immediate reasonable and necessary action to cease and desist the operation of any activity requiring a use and occupancy permit when a use and occupancy permit has not been issued; authorizing all immediate reasonable and necessary action to cease and desist the operation of any activity requiring a use and occupancy permit when a use and occupancy permit has been issued and is not in compliance with the provisions of the Zoning Ordinance; authorizing all immediate reasonable and necessary action to cease and desist the operation of any activity requiring a use and occupancy permit when the activity is found to present an imminent danger and threat to the health, safety, and welfare of the public by not doing so, that there are no other mitigating circumstances to be taken to resolve the imminent danger and threat to the health, safety, and welfare of the public, and that there are no other reasonable means of preventing further danger and threat to the health, safety, and welfare of the public resulting from the continuation of the activity until a hearing is held; authorizing all immediate reasonable and necessary action to cease and desist the operation of any activity requiring a temporary use and occupancy permit when a temporary use and occupancy permit has not been issued; authorizing all immediate reasonable and necessary action to cease and desist the operation of any activity requiring a temporary use and occupancy permit when a temporary use and occupancy permit has been issued and is not in compliance with the provisions of the Zoning Ordinance; authorizing all immediate reasonable and necessary action to cease and desist the operation of any activity requiring a temporary use and occupancy permit when the activity is found to present an imminent danger and threat to the health, safety, and welfare of the public by not doing so, that there are no other mitigating circumstances to be taken to resolve the imminent danger and threat to the health, safety, and welfare of the public, and that there are no other reasonable means of preventing further danger and threat to the health, safety, and welfare of the public resulting from the continuation of the activity until a hearing is held; authorizing all immediate reasonable and necessary action to implement this Act for the health, safety and welfare of the public; providing for the designation of certain public officials to enforce this Act; providing for enforcement procedures to implement this Act; providing for establishing policies,

rules, and procedures to implement this Act; providing for a hearing before the Board of Zoning Appeals from a violation of this Act; providing for an appeal from the Board of Zoning Appeals determination to the Circuit Court of Maryland; providing for the computation of time pursuant to this Act; and generally relating to use and occupancy permits. - **PRESENTED**

*Council Bill 1 was presented by the County Executive Jack B. Johnson; Council Members Dean, Bland, Campos, Dernoga, Exum, Harrington, Hendershot, Knotts and Peters. Council Bill 1 was referred to the Committee of the Whole (COW).*

**CB-2-2006 – AN ACT CONCERNING TELECOMMUNICATIONS TRANSMISSION FACILITY COMMITTEE – FACILITY INVENTORY** for the purpose of amending the procedures pertaining to the Prince George's County Telecommunications Transmission Facility Committee. - **PRESENTED**

*Council Bill 2 was presented by Council Member Dean and referred to Public Safety and Fiscal Management (PSFM) Committee.*

### **Introduction of Resolutions**

**CR-4-2006 – A RESOLUTION CONCERNING COMPENSATION AND BENEFITS – POLICE OFFICIALS – SALARY SCHEDULE “P-O” SCHEDULE OF PAY GRADES** for the purpose of amending the Salary Plan of the County to reflect certain wage and benefit modifications of Police Officials. - **INTRODUCED**

*Council Resolution 4 was introduced at the request of the County Executive and referred to Public Safety and Fiscal Management (PSFM) Committee. Council Resolution 4 was introduced by Council Members Harrington, Peters, Exum, Knotts, Campos, Bland and Dean.*

**(CR-88-2005 was introduced by Council Members Exum, Campos and Bland on 11/29/2005 with no action taken. Council directed that this item be carried over to the 2006 Legislative Year and is now known as CR-4-2006)**

### **ELECTION OF COUNCIL CHAIRMAN TO SERVE FROM DECEMBER 6, 2005 TO DECEMBER 5, 2006.**

*Council Member Peters moved to elect Council Member Dernoga as Chairman of the County Council to serve from December 6, 2005 to December 5, 2006; seconded by Council Member Exum. The motion carried 8-0. (Absent: Council Member Hendershot.)*

### **ELECTION OF COUNCIL VICE CHAIRMAN TO SERVE FROM DECEMBER 6, 2005 TO DECEMBER 5, 2006.**

*Council Member Harrington moved to elect Council Member Exum as Vice-Chair of the County Council to serve from December 6, 2005 to December 5, 2006; seconded by Council Member Peters. The motion carried 8-0. (Absent: Council Member Hendershot.)*

**EXCHANGE OF GAVEL**

*Council Member Dean and Council Member Dernoga made overall remarks in appreciation of support from their respective office staff as well as Administrators and Administrative Staff.*

**PRAYER FOR NEW COUNCIL LEADERSHIP**

*Prayer was given by Reverend Dr. Robert L. Lennon, Calvary Alliance Church, Beltsville, Maryland.*

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

*No person wished to address the Council*

**ADJOURN:** - - *Chairman Dernoga adjourned the meeting at 11:40 a.m.*

Prepared By:

Submitted By:

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Shirley T. Blake, Administrative Aide

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Redis C. Floyd, Clerk of the Council