

# ***ACTION MINUTES***

Tuesday, April 22, 2003

Business Meeting

(Legislative Day No. 12 to be declared)

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

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

**PRESENTATION OF PROCLAMATIONS/COMMENDATIONS** – *Chairman Peter A. Shapiro commenced presentation of proclamations at 9:34 a.m. and concluded at 10:16 a.m.*

Proclamation **recognizing the "Gorgeous Prince George's/Livable Communities Initiative" in Prince George's County.** (County Executive Jack Johnson and Council Chair Peter A. Shapiro) - **PRESENTED**

*Chairman Peter A. Shapiro, Vice Chairman Tony Knotts and Council Members Peters, Marilyn M. Bland, Samuel H. Dean, and Camille A. Exum presented a proclamation recognizing the "Gorgeous Prince George's/Livable Communities Initiative" in Prince George's County.*

Proclamation **presented to J. Matthew Neitzey, Executive Director, Conference and Visitors Bureau, recognizing "Tourism Week" in Prince George's County.** (Council Chair Peter A. Shapiro and Council Vice Chair Tony Knotts) - **PRESENTED**

*Chairman Peter A. Shapiro, Vice Chairman Tony Knotts and Council Members Peters, Marilyn M. Bland, Samuel H. Dean, and Camille A. Exum presented a proclamation recognizing "Tourism Week" in Prince George's County. Mr. J. Matthew Neitzey was present to accept.*

Proclamation **presented to Leslie Jackson Jenkins, Deputy Director, Department of Environmental Resources and Rodney Taylor, Associate Director, Department of Environmental Resources, recognizing "Be Kind to Animals Week" in Prince George's County.** (Council Chair Peter A. Shapiro and Council Vice Chair Tony Knotts) - **PRESENTED**

*Chairman Peter A. Shapiro, Vice Chairman Tony Knotts, Council Members Peters, Marilyn M. Bland, Samuel H. Dean, and Camille A. Exum and Mr. Al Cornish, representing the County Executive, presented a proclamation recognizing "Be Kind to Animals Week" in Prince George's County. Ms. Leslie Jackson Jenkins, Mr. Rodney Taylor and Ms. Joanne Brown were present to accept.*

**PRESENTATION OF PROCLAMATIONS/COMMENDATIONS – (CONTINUED)**

Proclamation presented to **Chandra Western, Executive Director, National Community Development Association, recognizing “National Community Development Week” in Prince George’s County.** (Council Chair Peter A. Shapiro and Council Vice Chair Tony Knotts) - **PRESENTED**

*Chairman Peter A. Shapiro, Vice Chairman Tony Knotts and Council Members Peters, Marilyn M. Bland, Samuel H. Dean, and Camille A. Exum presented a proclamation recognizing "National Community Development Week" in Prince George's County. Ms. Chandra Western was present to accept, accompanied by Mr. J. David Reid and Ms. Frances Bush.*

Proclamation presented to the following recognizing them as **“Volunteers of the Year” in Prince George’s County.** (Council Chair Peter A. Shapiro and Council Vice Chair Tony Knotts) - **PRESENTED**

**Tiffany Donaldson  
Edward McMahan  
Sandra Owens  
Patricia Pope  
Wendy Torsani  
The CARing Project  
The CPAAA Members**

**Judy McClain  
Herman L. Murrel  
Marjie Peifer  
Donna Marie Stevenson  
Beyond These Walls  
The Kiwanis Club**

*Chairman Peter A. Shapiro, Vice Chairman Tony Knotts and Council Members Peters, Marilyn M. Bland, Samuel H. Dean, Camille A. Exum and David C. Harrington presented a proclamation recognizing the persons listed above as "Volunteers of the Year" in Prince George's County. Each recipient was present to accept.*

Proclamation recognizing the **Bowie “Spirit” Cheerleaders as the State Champions in “Regional Competition.”** (Council Chair Peter A. Shapiro and Council Member Douglas J. J. Peters) - **PRESENTED**

*Chairman Peter A. Shapiro, Vice Chairman Tony Knotts and Council Members Peters, Marilyn M. Bland, Samuel H. Dean, Camille A. Exum and David C. Harrington presented a proclamation to the Bowie "Spirit" Cheerleaders, recognizing the team as State champions in the "Regional Competition". Ms. Leanne Smith, Coach and members of the team were present to accept.*

Proclamation recognizing the **Bowie State University Men’s Basketball Team as the winner of the “CIAA Men’s Basketball Championship”.** (Council Chair Peter A. Shapiro and Council Member Douglas J. J. Peters) - **PRESENTED**

*Chairman Peter A. Shapiro, Vice Chairman Tony Knotts and Council Members Peters, Marilyn M. Bland, Samuel H. Dean, Camille A. Exum and David C. Harrington presented a proclamation to the Bowie State University Men's Basketball Team, recognizing the team for winning the “CIAA Men’s Basketball Championship. Dr. Calvin Lowe, President of the University, Mr. Arthur Lewis, Coach and members of the team were present to accept.*

**CALL TO ORDER** – *Chairman Peter A. Shapiro called to order at 10:18 a.m. with the following Council Members present:*

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

*Absent at roll call: Tony Knotts (arrived at 10:20 a.m.)  
Douglas J. J. Peters (arrived at 10:25 a.m.)*

*Others Present:*

*Barbara Holtz, Council Administrator  
Craig S. Price, Deputy Council Administrator  
Robert Williams, Jr., Associate Council Administrator  
Ralph Grutzmacher, Legislative Officer  
Steve Gilbert, Principal Counsel  
Aisha N. Braveboy, County Council Liaison, Office of the County Executive  
Kathy Canning, Associate County Attorney  
Cheryl Ringer, Associate County Attorney  
Collette Gresham, 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 Ms. Barbara Davis, Member, Mt. Calvary Baptist Church, Lanham, Maryland.*

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

**POINT OF PERSONAL PRIVILEGE** – *Council Member Exum recognized Mr. and Mrs. Davis for their efforts in the Mt. Calvary Baptist Church and the surrounding community.*

**DESIGNATION OF APRIL 22, 2003 AS LEGISLATIVE DAY NO. 12** – *Chairman Shapiro designated April 22, 2003 as Legislative Day number twelve.*

- \*\* *Council Member Harrington moved accept additional items to the agenda; seconded by Council Member Knotts; carried by voice vote.*

1. **CONSENT AGENDA -- CB-27-2003 AND CR-20-2003 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.

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

**CB-26-2003 – AN ACT CONCERNING LANDLORD-TENANT CODE** for the purpose of prohibiting the placement of tenant property removed under a warrant of restitution in the public right-of-way for single family rental facilities. - **PRESENTED**

*Council Bill 26 was presented by Chairman Shapiro and Council Member Peters and referred to the Transportation, Housing and the Environment Committee.*

**CB-27-2003 – AN ACT CONCERNING A SUPPLEMENTARY APPROPRIATION** for the purpose of appropriating to the General Fund revenue in excess of budget estimates to provide funds for costs that were not anticipated in the approved Fiscal Year 2002-2003 budget. - **PRESENTED**

*Council Bill 27 was presented by the Chairman at the request of the County Executive and referred to the Health, Education and Human Services Committee.*

(b) **Introduction of Resolutions**

**CR-19-2003 – A RESOLUTION CONCERNING COMPENSATION AND BENEFITS – POLICE CIVILIANS EMPLOYEES ASSOCIATION (PCEA), SALARY SCHEDULE P, SCHEDULE OF PAY GRADES** for the purpose of amending the Salary Plan of the County to add three new grade levels not previously utilized in Salary Schedule P in accordance with recent amendments to the Classification Plan and the terms of the labor agreement by and between Prince George's County, Maryland and the PCEA. - **INTRODUCED**

*Council Resolution 19 was proposed by the Chairman at the request of the County Executive and referred to the Public Safety, Fiscal Management Committee. Council Resolution 19 amends the Salary Plan in Salary Schedule P to establish three new grade levels (P-22, P-23 and P-24) for employees represented by the PCEA. Council Resolution 19 was introduced by Chairman Shapiro and Council Member Harrington.*

**CONSENT AGENDA - (CONTINUED)****CR-20-2003 – A RESOLUTION CONCERNING HOUSING AND COMMUNITY DEVELOPMENT ANNUAL ACTION PLAN FY 2004**

for the purpose of approving and adopting the Prince George's County Annual Action Plan FY 2004 consisting of federal programs, including their federal funding applications which, along with other resources, serve to implement housing and community development strategies set forth in the County's FY 2001-2005 Consolidated Plan, adopted by CR-10-2000, which Plan was required by the U.S. Department of Housing and Urban Development (HUD) as a prerequisite to consideration of the funding applications. - **INTRODUCED**

*Council Resolution 20 was proposed by the Chairman at the request of the County Executive and referred to the Transportation, Housing and the Environment Committee. Council Resolution 20 approves and adopts the FY 2004 Housing and Community Development Annual Action Plan covering the Community Development Block Grant (CDBG), HOME Investment Partnership (HOME) and Emergency Shelter Grant (ESG) programs. Council Resolution 20 was introduced by Chairman Shapiro and Council Member Harrington. Chairman Shapiro announced that the public hearing for Council Resolution 20 is scheduled to be held Tuesday, June 3, 2003 at 7:00 p.m.*

**\*\*** *Council Member Harrington moved adoption of the Consent Agenda; seconded by Council Member Knotts; carried by voice vote.*

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

*No items were considered.*

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

- (a) Proposed letter to The Honorable Robert L. Ehrlich, Jr., Lieutenant Governor, State of Maryland, expressing opposition to a veto of House Bill 753. - **CHAIRMAN AUTHORIZED TO SIGN**

*A letter was proposed to be sent to Lieutenant Governor Ehrlich opposing a veto of House Bill 753. Barbara Holtz, Council Administrator provided a verbal report regarding the contents of the letter. Robert Williams, Jr., Associate Council Administrator, assisted her in responding to Council Member's questions. Council Member Hendershot moved to authorize the Chairman's signature; seconded by Council Member Harrington; carried by roll call vote 9-0.*

4. **SECOND READING OF BILLS – (INTRODUCTION) – CB-16 ADDED**

**CB-18-2003 – AN ORDINANCE CONCERNING NONCONFORMING BUILDINGS, STRUCTURES, AND USES** for the purpose of allowing certain improvements to nonconforming buildings, structures, and uses with the requirement for a special exception. - **INTRODUCED**

*Jackie Brown, Director of the Planning, Zoning and Economic Development Committee, provided a verbal report of the actions and recommendations of the committee. Council Bill 18, which provides an additional exception for safety improvements made to an existing certified nonconforming use, was favorably reported out of PZED on 4/9/2003. Council Bill 18 was introduced by Council Member Peters and Chairman Shapiro.*

**CB-16-2003 – AN ORDINANCE CONCERNING MIXED-USE PLANNED COMMUNITIES** for the purpose of amending the definition of the Mixed-Use Planned Community use, to permit the use on E-1-A property with an approved Basic Plan, under certain circumstances. - **RECOMMITTED TO PZED**

*Prior to introduction, Council Member Harrington, at the request of the proposer, Council Member Peters, moved to recommit Council Bill 16 to the Planning, Zoning and Economic Development Committee; seconded by Council Member Dernoga; carried by roll call vote 9-0.*

5. **PUBLIC HEARINGS:** - *Chairman Shapiro convened the public hearing for the second group of School Facilities Agreements at 10:30 a.m. and concluded at 10:42 a.m. (See separate agenda for details)*

A public hearing before the District Council to review School Facilities Agreements in the second group of subdivisions in 2003, under Chapter 389 of the Laws of Maryland of 2002 and Council Bill 40-2001. The residential properties to be reviewed include subdivisions in the second group reviewed in 2003, subdivisions with preliminary plat approval before March 4, 2003, and school facilities applications with all information required by State law.

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

*No persons wished to address the Council.*

**ADJOURN** – *Chairman Shapiro adjourned the meeting at 10:43 a.m.*

**TRANSPORTATION, HOUSING AND THE ENVIRONMENT COMMITTEE  
MEETING – (ROOM 2027) -- COMMITTEE MEETING HELD**

**Prepared by:**

**Submitted by:**

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Donna J. Brown, Office Manager

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Redis C. Floyd, Clerk of the Council