



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, July 7, 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 at 1:58 p.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
John Gwynn, Office of Law
Kathleen Canning, Legislative Officer
Karen Zavakos, Legislative Officer
Jacqueline Brown, Director, PZED Committee
Howard Stone, Interim Director, PSFM Committee*

INVOCATION:

The Invocation was provided by Reverend L.K. Floyd, Pastor, Heart Changers Baptist Church, Silver Spring, Maryland.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Patterson.

LEGISLATIVE DAY NO. 23

1. CONSENT AGENDA

Approval of the Consent Agenda

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

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

(a) Approval of County Council Minutes

[MIN 06232015](#)

County Council Minutes dated June 23, 2015 and June 30, 2015.

Attachment(s): [06232015.pdf](#)

These minutes were approved

CONSENT AGENDA - (CONTINUED)**(b) First Reading of Bills (Presentation)****[CB-046-2015](#)**

AN ACT CONCERNING FIRE SAFETY CODE for the purpose of amending the Prince George's County Fire Safety Code to adopt the standards of the National Fire Protection Association regarding increasing administrative fees for apartment buildings related to fire safety.

Attachment(s): [B2015046.doc](#)

This Council Bill was presented by the Chairman, by request of the County Executive, and referred to the Public Safety and Fiscal Management Committee

[CB-047-2015](#)

AN ACT CONCERNING THE COUNTY FORECLOSURE REGISTRY for the purpose of establishing an administrative fee for filing with the County Foreclosure Registry; increasing the amount of the civil penalty; and generally relating to foreclosure.

Attachment(s): [B2015047.doc](#)

This Council Bill was presented by Council Members Lehman, Glaros and Franklin and referred to the Transportation, Housing and the Environment Committee

[CB-048-2015](#)

AN ORDINANCE CONCERNING M-X-T ZONE for the purpose of extending the time for abrogation of certain provisions of Section 27-547(b) of the Zoning Ordinance.

Attachment(s): [B2015048.doc](#)

This Council Bill was presented by Council Member Davis and referred to the Planning, Zoning and Economic Development Committee

(c) Introduction of Resolutions**[CR-033-2015](#)**

A RESOLUTION CONCERNING PAYMENTS IN LIEU OF TAXES ("PILOT") AGREEMENT FOR BRINKLEY HILL for the purpose of approving the terms and conditions of a Payments in Lieu of Taxes ("PILOT") Agreement between Prince George's County, Maryland (the "County") and Brinkley Hill Associates, LLC, (the "Owner").

Sponsor(s): Franklin

Attachment(s): [R2015033.doc](#)

Council Resolution 33 approves the terms and conditions of a Payments in Lieu of Taxes Agreement between Prince George's County, Maryland and Brinkley Hill Associates, LLC for the purpose of operating a rental community containing

approximately sixty-four townhouse rental units and related facilities dedicated to providing housing for low to moderate income residents.

This Resolution was introduced by Council Member Franklin and referred to the Public Safety and Fiscal Management Committee

[CR-034-2015](#)

A RESOLUTION CONCERNING PUBLIC SAFETY SURCHARGE for the purpose of adjusting the public safety surcharge for Fiscal Year 2016, beginning July 1, 2015, as required by State law.

Sponsor(s): Lehman and Turner

Attachment(s): [R2015034.docx](#)

Council Resolution 34 adjusts the public safety surcharge to reflect a 0.2% decrease in the Consumer Price Index for all Urban Customers (CPI-U). The CPI-U decrease results in a surcharge decrease of \$5 for permits issued the Developed Tier and other circumstances and \$15 for permits for all other buildings.

This Resolution was introduced by Council Members Turner and Lehman and referred to the Committee of the Whole

[CR-035-2015](#)

A RESOLUTION CONCERNING SCHOOL FACILITIES SURCHARGE for the purpose of adjusting the school facilities surcharge for Fiscal Year 2016, beginning July 1 2015, as required by State law.

Attachment(s): [R2015035.docx](#)

Council Resolution 35 adjusts the school facilities surcharge to reflect a 0.2% decrease in the Consumer Price Index for all Urban Customers (CPI-U). The CPI-U decrease results in a surcharge decrease of \$18 for permits issued for buildings between Interstate Highway 495 and the District of Columbia and other circumstances and \$31 for permits for all other buildings.

This Resolution was introduced by Council Members Turner, Lehman and Taveras 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-051](#)

Appointment of the following individuals to the **Fire Commission** for Prince George's County:

Mr. Brian F. Dougherty

Appointment: Sworn Member
Replacing: Jonathan P. Bigony
Term Expiration: July 1, 2017

Mr. James Robert "Bobby" Breen

Reappointment: Volunteer Member
Term Expiration: July 1, 2017

Mr. William H. "Buddy" King

Reappointment: Volunteer Member
Term Expiration: July 1, 2017

Mr. Randy S. Kuenzli

Reappointment: Volunteer Member
Term Expiration: July 1, 2017

Mr. William C. Taylor

Reappointment: Resident Member
Term Expiration: July 1, 2017

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. Pursuant to proper notice, the public hearing was convened at 2:07 p.m. Nathaniel Tutt, III, Council Liaison, introduced the nominees to the Council and spoke to their character and credentials. Each nominee was 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 Chairman Davis, that this Appointment be confirmed. The motion carried by the following vote:

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

PUBLIC HEARINGS: -(CONTINUED)**[APPT-050](#)**

Appointment of the following individuals to the **Cable Television Commission** for Prince George's County:

Ms. Brenda L. Beitzell - (unable to attend)

Appointment

Replacing: Malcom Augustine

Public Member

Term Expiration: 12/3/2018

Mr. Samson T. Afolabi - (unable to attend)

Reappointment

CPA Member

Term Expiration: 12/3/2018

Ms. Doris E. McMillon

Reappointment

Cable Industry Member

Term Expiration: 12/3/2018

Mr. Michael Thompson

Municipal Member

Term Expiration: 12/3/2018

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. Pursuant to proper notice, the public hearing was convened at 2:10 p.m. Nathaniel Tutt, III, Council Liaison, introduced the nominees to the Council and spoke to their character and credentials. Michael Thompson was present but declined to speak. Brenda Beitzell, Samson Afolabi and Doris McMillon were unable to attend. All persons wishing to speak having done so, the public hearing was declared held.

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

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

5. PUBLIC HEARINGS/BILLS ELIGIBLE FOR THIRD READING – (ENACTMENT)**[CB-020-2015](#)**

AN ORDINANCE CONCERNING SPECIFIC TEMPORARY USES -EMPLOYMENT OR TRAINING CENTER- R-R (RURAL RESIDENTIAL) ZONE for the purpose of providing for employment or training center as a permitted temporary use in the R-R Zone, under certain circumstances.

Sponsor(s): Patterson, Toles and Franklin

Attachment(s): [B2015020.doc](#)
[CB-020-2015 Report](#)

Pursuant to proper notice, the public hearing was convened at 2:11 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 Chairman Davis, seconded by Council Member Harrison, that the Council Rules of Procedure be suspended to allow for an effective date on the date of enactment of this Bill. 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 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 - (CONTINUED)**[CB-024-2015](#)**

AN ORDINANCE CONCERNING RESIDENTIAL ZONES for the purpose of permitting artist's studio, barber shop, beauty shop, and medical practitioner's office in certain residential zones under certain circumstances.

Sponsor(s): Harrison and Franklin

Attachment(s): [B2015024.doc](#)
[CB-024-2015 Report](#)

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 Council Bill.

A motion was made by Council Member Harrison, seconded by Vice Chairman Davis, that 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

A motion was made by Vice Chairman Davis, seconded by Council Member Harrison, that the Council Rules of Procedure be suspended to allow for an effective date on the date of enactment of this Bill. 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 Harrison, seconded by Vice Chairman Davis, 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 - (CONTINUED)**[CB-026-2015](#)**

AN ORDINANCE CONCERNING ASSISTED LIVING FACILITIES, CONGREGATE LIVING FACILITIES, AND NURSING OR CARE HOMES IN THE MIXED USE ZONES for the purpose of permitting Assisted Living Facilities, Congregate Living Facilities, and Nursing or Care Homes in the M-X-T (Mixed Use - Transportation Oriented) and M-X-C (Mixed Use Community) Zones, subject to certain requirements.

Sponsor(s): Harrison and Turner

Attachment(s): [B2015026.doc](#)
[CB-026-2015 Report](#)

Pursuant to proper notice, the public hearing was convened at 2:16 p.m. Anthony G. Brown, 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 Council Bill.

A motion was made by Council Member Harrison, 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

[CB-035-2015](#)

AN ORDINANCE CONCERNING APPROVED COMPREHENSIVE PLANS, FUNCTIONAL PLANS AND DEVELOPMENT DISTRICT PLANS - MINOR AMENDMENT PROCESS for the purpose of providing a minor plan amendment process for approved comprehensive plans, functional plans, development district plans, and associated approved Development District Overlay (D-D-O) Zones.

Sponsor(s): Taveras

Attachment(s): [B2015035.doc](#)

Pursuant to proper notice, the public hearing was convened at 2:20 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 Council Member Taveras, seconded by Vice Chairman Davis, that the Council Rules of Procedure be suspended to allow for an effective date on the date of enactment of this Bill. 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 Taveras, seconded by Vice Chairman Davis, 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

6. INTRODUCTION AND ADOPTION OF RESOLUTIONS

[CR-036-2015](#)

A RESOLUTION CONCERNING THE STATE OF MARYLAND COMMUNITY INVESTMENT TAX CREDIT PROGRAM for the purpose of approving the project submitted by the Housing Initiative Partnership, Inc. ("HIP") to the Maryland Department of Housing and Community Development for participation in the Department's Community Investment Tax Credit Program.

Attachment(s): [R2015036.doc](#)

Council Resolution 36 approves the application submitted by the Housing Initiative Partnership, Inc. for funding through the Community Investment Tax Credit Program for expansion of the "Bounce Back" financial literacy and foreclosure prevention program.

This Resolution was introduced by Council Members Taveras, Glaros, Turner and Lehman

A motion was made by Council Member Taveras, seconded by Vice Chairman Davis, 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 Taveras, 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

INTRODUCTION AND ADOPTION OF RESOLUTIONS**[CR-037-2015](#)**

A RESOLUTION CONCERNING THE STATE OF MARYLAND COMMUNITY INVESTMENT TAX CREDIT PROGRAM for the purpose of approving the project submitted by Doctors Community Hospital to the Maryland Department of Housing and Community Development for participation in the Department's Community Investment Tax Credit Program.

Attachment(s): [R2015037.doc](#)

Council Resolution 37 approves the application submitted by Doctors Community Hospital for funding through the Community Investment Tax Credit Program for implementation of its Health Services Programs in State-identified Priority Funding Area as described in the Attachment "A" of the legislation.

This Resolution was introduced by Council Members Glaros, Turner, Lehman, Harrison, Franklin, Taveras, Davis and Patterson

A motion was made by Vice Chairman Davis, 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 Glaros, 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

[CR-038-2015](#)

A RESOLUTION CONCERNING M-X-T ZONE for the purpose of extending the time for abrogation of certain provisions of Section 27-547(b) of the Zoning Ordinance.

Council Resolution 38 extends the time for abrogation of certain provisions of Section 27-547(b) of the Zoning Ordinance, permitting limited industrial uses in the M-X-T Zone under certain circumstances.

This Resolution was introduced by Council Member Davis

A motion was made by Vice Chairman Davis, seconded by Council Member Turner, 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 7 - Franklin, Davis, Glaros, Lehman, Patterson, Taveras and Turner
Abstain 2 - Harrison and Toles

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

vote:

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

REQUESTS BY THE GENERAL PUBLIC TO ADDRESS THE COUNCIL

There were no requests.

ADJOURN

The meeting was adjourned at 2:25 p.m.

Prepared by:

Donna J. Brown, Deputy Clerk of the Council

Submitted by:

Redis C. Floyd, Clerk of the Council

DRAFT