

# ***ACTION MINUTES***

**Tuesday, February 17, 2004**

**Legislative Day No. 6**

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

### **AGENDA BRIEFING – (ROOM 2027)**

**CALL TO ORDER** – *Chairman Tony Knotts called to order at 10:04 a.m. with the following Council Members present:*

*Marilynn M. Bland  
Samuel H. Dean  
Camille A. Exum  
Tony Knotts  
David C. Harrington  
Thomas R. Hendershot  
Douglas J. J. Peters  
Peter A. Shapiro*

*Thomas E. Dernoga (arrived at 10:10 a.m.)*

#### *Others Present:*

*Barbara L. Holtz, Council Administrator  
Craig S. Price, Deputy Council Administrator  
Robert Williams, Jr., Associate Council Administrator  
Ralph Grutzmacher, Legislative Officer  
Aisha N. Braveboy, County Council Liaison, Office of the County Executive  
Kathy Canning, Associate County Attorney  
Jackie Brown, Committee Director, PZED*

**INVOCATION** – *The Invocation was provided by Edwin H. Brown, Jr., County Employee and member of From the Heart Church Ministries in Temple Hills, Maryland. Special prayer was requested for Pastor James Hardy of Greater Missionary Baptist Church in Capital Heights, Maryland in his illness and for the family of Delante Darias Smith in his passing.*

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

**\*\*** *Council Member Shapiro moved to accept additional items to the agenda; seconded by Council Member Harrington. The motion carried by voice vote.*

**CONSENT AGENDA -- CB-10-2004 AND CR-15-2004 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.

**First Reading of Bills (Presentation)**

**CB-9-2004 – AN ORDINANCE CONCERNING C-O ZONE** for the purpose of permitting a swimming pool accessory to a hotel or motel in the C-O Zone. - **PRESENTED**

*Council Bill 9 was presented by Council Member Peters and referred to the Planning, Zoning and Economic Development Committee (PZED).*

**CB-10-2004 - AN ORDINANCE CONCERNING PEOPLE’S ZONING COUNSEL** for the purpose of amending the appointment procedure for the People’s Zoning Counsel, providing for the role of Deputy People’s Zoning Counsel, and amending the compensation provisions. - **PRESENTED**

*Council Bill 10 was presented by Council Members Knotts, Dean, Peters, Harrington and Exum and referred to the Planning, Zoning and Economic Development Committee (PZED).*

**Introduction of Resolutions**

**CR-14-2004 – A RESOLUTION CONCERNING OPPOSITION TO SLOT MACHINES AND FURTHER EXPANSION OF LEGALIZED GAMBLING IN THE STATE OF MARYLAND** for the purpose of expressing the opposition of the Prince George’s County Council to slot machines and further expansion of legalized gambling in the State of Maryland. - **INTRODUCED**

*Council Resolution 14, as proposed by Council Member Harrington, expresses the Council’s opposition to slot machines and any further expansion of legalized gambling in the State of Maryland. Council Resolution 14 was introduced by Council Members Harrington, Bland, Shapiro, Exum, Dean and Hendershot and referred to the General Assembly Committee.*

**CR-15-2004 – A RESOLUTION CONCERNING THE 2001 WATER AND SEWER PLAN (DECEMBER 2003 CYCLE OF AMENDMENTS)** for the purpose of changing the water and sewer category designations of properties within the 2001 Water and Sewer Plan. - **INTRODUCED**

*Council Resolution 15, as proposed by the Chairman by request of the County Executive, includes the December 2003 Cycle of Amendments to the 2001 Water and Sewer Plan, providing for 18 requests for a category change and one shared sewer facility (two (2) in the Blue Plains, seven (7) in the Western Branch, and nine (9) in the Piscataway sewer sheds). Council Resolution 15 was introduced by Chairman Knotts and referred to the Transportation, Housing and the Environment Committee (THE). Chairman Knotts announced that the public hearing for Council Resolution 15 would occur on Tuesday, March 23, 2004 at 10:00 a.m.*

- \*\*** *Council Member Shapiro moved adoption of the Consent Agenda; seconded by Council Member Exum. The motion carried by voice vote.*

### **CONSIDERATION OF ITEMS REMOVED FROM CONSENT AGENDA**

*No items were removed.*

### **PROPOSED CORRESPONDENCE/ADMINISTRATIVE OFFICER'S REPORT**

General Assembly Report – **APPROVED**

*Council Member Shapiro, as Chairman of the General Assembly Committee, provided a verbal report of the actions and recommendations of the Committee. Council Member Hendershot moved approval of the report and authorization of the Chairman to sign the transmittal; seconded by Council Member Shapiro. The motion carried 9-0.*

HB 841 – **SUPPORT**

*Council Member Peters moved support of House Bill 841-2004; seconded by Council Member Dean. Council Member Dernoga proffered a friendly amendment, supported by the maker and second to the motion, to support the bill as drafted and submit clarifying remarks at a later date. Under discussion, Council Member Hendershot spoke in opposition suggesting that the Council should take no position. The motion carried 7-2 (Opposed: Council Members Bland and Hendershot).*

### **SECOND READING OF BILLS (INTRODUCTION)**

#### **CB-4-2004 – AN ORDINANCE CONCERNING PRISONS, DETENTION CENTERS AND CORRECTION FACILITIES**

for the purpose of amending the definitions in the Zoning Ordinance to add prisons and corrections facilities as a separate use and to prohibit the use in all zones. - **INTRODUCED**

*Council Member Dernoga, as Chairman of the Planning, Zoning and Economic Development Committee, provided a verbal report of the actions and recommendations of the Committee. Council Bill 4, which amends the Zoning Ordinance by defining “prisons, detention centers, and corrections facilities” as a separate use, and prohibits the uses in all zones, was favorably reported out of PZED on 2/4/2004. Council Bill 4 was introduced by Council Members Dean, Knotts, Harrington, Dernoga, Exum, Peters, Bland and Shapiro.*

### **PUBLIC HEARINGS/RESOLUTIONS ELIGIBLE FOR FINAL READING (ADOPTION)**

#### **CR-7-2004 – A RESOLUTION CONCERNING MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION**

for the purpose of transferring certain appropriations and expenditures between development projects in the Approved Maryland-National Capital Park and Planning Commission's FY 2003-2004 Capital Budget and Fiscal

Years 2004-2009 Capital Improvement Program. - **PUBLIC HEARING HELD; ADOPTED**

(Introduced by Council Members Dean, Dernoga, Exum, Harrington, Knotts and Peters on 1/20/2004; favorably reported out of PZED on 2/4/2004)

*Pursuant to proper notice, the public hearing convened on Council Resolution 7. There were no speakers. The public hearing was declared held. Council Member Bland moved to continue the public hearing to an evening session; seconded by Council Member Hendershot. Under discussion, Council Member Bland read into the record an excerpt from the Agenda Item Summary regarding her opposition to a portion of the bill. The motion failed 2-7 (Opposed: Chairman Knotts, Council Members Dean, Dernoga, Exum, Harrington, Peers and Shapiro). Council Member Exum moved adoption of Council Resolution 7; seconded by Council Member Peters. Under discussion, Council Member Bland reiterated her opposition to the proposal, alleging that one million dollars was being taken from her district and read into the record a letter from one of her constituents. Council Member Dean expressed his exception to Council Member Bland's comments. The motion carried 7-2 (Opposed: Council Members Bland and Hendershot).*

**POINT OF PERSONAL PRIVILEGE** – *Council Member Bland spoke to the committee process, expressing her displeasure with the content of the Agenda Item Summary for Council Resolution 7. She requested that all Committee work sessions be audio taped. As a point of order, Council Member Shapiro requested clarification of the process. Ms. Bland restated her concerns as a motion to require all Committee work sessions to be audio taped. There was no second to the motion.*

#### **RESOLUTIONS ELIGIBLE FOR FINAL READING (ADOPTION)**

**CR-9-2004 (DR-2) – A RESOLUTION CONCERNING ENACTMENT OF A CERTAIN ORDINANCE OF THE CITY OF COLLEGE PARK** for the purpose of approving the enactment of Ordinance 03-O-10 amending Chapter 125 of the College Park Code concerning residential parking. - **DR-2 SUBSTITUTED; ADOPTED**

(Introduced by Council Member Shapiro on 1/27/2004)

*Council Member Dernoga, as Chairman of the Planning, Zoning and Economic Development Committee, provided a verbal report of the actions and recommendations of the Committee. Council Resolution 9 was favorably reported out of the Planning, Zoning and Economic Development Committee (PZED) on 2/4/2004 with amendments. Council Member Dernoga moved to substitute Draft 2 in lieu of Draft 1; seconded by Council Member Exum. The motion carried 9-0. Council Member Dernoga moved adoption; seconded by Council Member Exum. The motion carried 9-0.*

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

*No persons wished to address the Council.*

*Chairman Knotts adjourned the meeting at 11:05 a.m.*

**BRIEFINGS – (ROOM 2027) -- BRIEFINGS HELD**

- **DISCUSSION OF HIGH SCHOOL ADDITIONS AND OTHER CAPACITY ISSUES**  
**Convened at 11:13 a.m.**

Dr. André J. Hornsby  
Chief Executive Officer  
Prince George's County Public Schools

- **INFORMATION AND DISCUSSION OF DISTRICT COUNCIL ITEMS SCHEDULED FOR MONDAY, FEBRUARY 23, 2004**

*Chairman Knotts convened the briefing at 12:12 p.m.*

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

**ZONING ORDINANCE REVIEW TASK FORCE MEETING – (ROOM 2027)**

**Prepared by:**

**Submitted by:**

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Donna J. Brown, Deputy Clerk

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Redis C. Floyd, Clerk of the Council