

Prince George's County Council

Meeting Minutes - Final 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

Wednesday, September 9, 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)

Present:

9 -	Chair Mel Franklin
	Vice Chair 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 Theresa D. Myers, Office of the Clerk of Council Beatrice P. Tignor, Office of the County Executive John Gwynn, Office of Law County Administration Bldg 14741 Governor Oden Bowie Drive Upper Marlboro, Maryland 20772-3050 Colette R. Gresham, Legislative Officer Jackie Brown, Director, PZED Committee Howard W. Stone, Interim Director, PSFM Committee

INVOCATION:

The Invocation was provided by Reverend Akil Dickens, Youth Minister, Ebenezer A.M.E. Church, Ft. Washington, Maryland.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Turner.

DESIGNATION OF SEPTEMBER 9, 2015 LEGISLATIVE DAY NO. 27

This day was designated Legislative Day Number 27.

<u>1. CONSENT AGENDA</u>

(a) Approval of County Council Minutes

MIN 07212015 Approval of County Council Minutes dated July 21, 2015 and July 28, 2015.

<u>Attachment(s): 07212015</u>

These Minutes were approved.

(b) First Reading of Bills (Presentation)

CB-063-2015

AN ACT CONCERNING THE CLASSIFICATION PLAN FOR PRINCE GEORGE'S COUNTY for the purpose of adding a class title and grade for a certain clas of work and upgrading existing classes of work.

Attachment(s): B2015063.doc

<u>CB-63-2015 AIS</u> <u>CB-63-2015 Transmittal</u> 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-064-2015AN ORDINANCE CONCERNING "MINOR CHANGES TO SPECIALEXCEPTION SITE PLANS" for the purpose of allowing certain minor changes to a
special exception site plan for Planned Retirement Communities to be made by the

Planning Board.

<u>Attachment(s)</u>: <u>B2015064.doc</u> <u>CB-64-2015 AIS</u>

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

(c) Introduction of Resolutions

CR-045-2015A RESOLUTION CONCERNING THE 2008 WATER AND SEWER PLAN (APRII
2015 CYCLE OF AMENDMENTS) for the purpose of changing the water and sewer
category designations of properties within the 2008 Water and Sewer Plan.

Sponsor(s): Turner

Attachment(s): R2015045.doc I-CR-45-2015 Attachments A & B.doc CR-45-2015 AIS CR-45-2015 Transmittal

Council Resolution 45 proposes to change a water and sewer category designation within the 2008 Water and Sewer Plan. The public hearing is scheduled Tuesday, October 27, 2015 at 1:30 p.m.

This was introduced by Council Member Turner and referred to the Transportation, Housing and the Environment Committee.

CR-046-2015

A RESOLUTION CONCERNING STATE OF MARYLAND COMMUNITY

LEGACY PROGRAM for the purpose of approving the application submitted by the Housing Initiative Partnership, Inc. ("HIP") to the Maryland Department of Housing and Community Development for Community Legacy Program funds in the approximate amount of four hundred eighty thousand dollars (\$480,000.00).

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

<u>Attachment(s)</u>: R2015046.doc CR-46-2015 AIS CR-46-2015 Transmittal CR-46-2015 Fiscal Impact CR-046-2015 Report

Council Resolution 46 expresses the Council's support and approval of the applicatio submitted by the Housing Initiative Partnership, Inc. ("HIP") to the Maryland Department of Housing and Community Development for Community Legacy Progra. funds in the approximate amount of \$480,000.00.

This Resolution was introduced by Council Members Lehman, Harrison, Turner, Franklin, Davis, Glaros and Taveras and referred to the Transportation, Housing and the Environment Committee

CR-047-2015

A RESOLUTION CONCERNING STATE OF MARYLAND COMMUNITY INVESTMENT TAX CREDIT PROGRAM for the purpose of approving the Towson University Foundation, Inc.'s application to the Maryland Department of Housing and Community Development for participation in the Community Investment Tax Credit ("CITC") Program.

Sponsor(s): Franklin

Attachment(s): R2015047.doc I-CR-47-2015 Attachment A.pdf CR-47-2015 AIS CR-47-2015 Transmittal CR-47-2015 Fiscal Impact CR-047-2015 Report

Council Resolution 47 expresses the approval of the application of Towson University Foundation, Inc. to the Maryland Department of Housing and Community Development for participation in the Community Investment Tax Credit Program. Beatrice P. Tignor, Office of the County Executive, provided an overview of the program and answered questions provided by Council Members.

This Resolution was introduced by Council Member Franklin and referred to the Transportation, Housing and the Environment Committee

A motion was made by Vice Chair Davis, seconded by Council Member Harrison, that the Consent Agenda be adopted. 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

No items were considered.

3. PROPOSED CORRESPONDENCE/ADMINISTRATIVE OFFICER'S REPORT

No items were considered.

4. SECOND READING OF BILLS – (INTRODUCTION)

<u>CB-066-2015</u> <u>AN ORDINANCE CONCERNING THE MIXED USE ZONES</u> for the purpose of clarifying the Uses Permitted provision of the Zoning Ordinance permitting a group residential facility in the M-X-T (Mixed Use-Transportation Oriented) Zone under certain circumstances.

Sponsor(s): Davis and Harrison

<u>Attachment(s)</u>: <u>B2015066.doc</u> <u>CB-66-2015 AIS</u>

Council Bill 66 proposes to clarify the Uses Permited provision of the Zoning Ordinance permitting a group residential facilty in the Mixed-Use-Transportation Oriented Zone. This bill is clarifying legislation to correct a technical error in a date referenced in CB-19-2015. By authority of the Council Rules of Procedure, as Chairman, this bill was not referred to committee.

A motion was made by Council Member Harrison, seconded by Vice Chair Davis, that the Council Rules of Procedure be suspended. The motion carried by the following vote:

Aye9 -Franklin, Davis, Glaros, Harrison, Lehman, Patterson, Taveras,
Toles and Turner

This Council Bill was introduced by Council Members Davis and Harrison.

The Clerk was directed to expedite scheduling of Council Bill 66-2015.

5. PUBLIC HEARINGS/BILLS ELIGIBLE FOR THIRD READING – (ENACTMENT)

<u>CB-043-2015</u> <u>AN ORDINANCE CONCERNING PRIVATE CLUBS</u> for the purpose of permitting public safety fraternal organization private clubs in the Residential Estate (R-E) Zone under certain circumstances, and making related amendments in the Open Space (O-S) Zone.

Sponsor(s): Davis and Franklin

<u>Attachment(s)</u>: <u>B2015043.doc</u> <u>CB-43-2015 AIS</u> <u>CB-043-2015 Report</u>

Pursuant to proper notice, the public hearing was convened on Council Bill 43 (Draf. 2). 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 Chair Davis, seconded by Council Member Harrison, that this Council Bill be enacted. The motion carried by the following vote:

Aye9 -Franklin, Davis, Glaros, Harrison, Lehman, Patterson, Taveras,
Toles and Turner

<u>CB-048-2015</u>

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

Sponsor(s): Davis and Franklin

<u>Attachment(s)</u>: <u>CB-048-2015 Report</u> <u>B2015048</u> CB-48-2015 AIS

Pursuant to proper notice, the public hearing was convened on Council Bill 48 (Draf. 2). 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 Chair Davis, seconded by Council Member Turner, that this Council Bill be enacted. The motion carried by the following vote:

Aye9 -Franklin, Davis, Glaros, Harrison, Lehman, Patterson, Taveras,
Toles and Turner

<u>CB-046-2015</u> <u>AN ACT CONCERNING FIRE SAFETY CODE</u> 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.

Sponsor(s): Franklin, Toles, Lehman, Harrison, Davis and Taveras

<u>Attachment(s)</u>: <u>B2015046</u> <u>CB-46-2015 AIS</u> <u>CB-46-2015 Report.doc</u>

Pursuant to proper notice, the public hearing was convened on Council Bill 46 (Draf. 1). 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 Chair Davis, seconded by Council Member Glaros, that this Council Bill be enacted. The motion carried by the following vote:

Aye9 -Franklin, Davis, Glaros, Harrison, Lehman, Patterson, Taveras,
Toles and Turner

6. INTRODUCTION AND ADOPTION OF RESOLUTIONS

CR-048-2015A RESOLUTION CONCERNING THE 2004 GATEWAY ARTS DISTRICT FOR
PRINCE GEORGE'S COUNTY - D-D-O ZONE - MINOR AMENDMENT for the
purpose of directing the Planning Board to initiate a minor amendment to the Gateway Ar
District D-D-O (Development District Overlay) Zone development district standards of th
2004 Sector Plan and Sectional Map Amendment for the Prince George's County Gateway
Arts District concerning freestanding signs in the Traditional Residential Neighborhood
character area, to amend the Table of Uses Permitted for the Traditional Residential
Neighborhood character area concerning the use, "conversion of a one-family detached
dwelling to a building containing up to three dwelling units," and to amend the Table of
Uses Permitted to clarify that the use, "Vehicle parts and tire store," is prohibited within
the Gateway Arts development district.

Sponsor(s): Taveras and Toles

<u>Attachment(s)</u>: <u>R2015048</u> CR-48-2015 AIS

Council Resolution 48 initiates a minor amendment to the the 2004 Sector Plan and Sectional Map Amendment for the Prince George's County Gateway Arts District to exempt replacement freestanding signs in the Traditional Residential Neighborhood character area from conformance with the Arts District development district standards, to amend the Table of Uses Permitted for the Traditional Residential Neighborhood character area to limit the number of converted units for a conversion of one-family dwelling to a building containing up to three (3) dwelling units, and to amend the Table of Uses Permitted to clarify that the use, "Vehicle parts and tire store," is prohibited within the Gateway Arts development district. The Joint Public Hearing on the minor amendment is scheduled, Tuesday, October 27, 2015 at 7:00 p.m.

This Resolution was introduced by Council Members Taveras and Toles.

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

Aye9 -Franklin, Davis, Glaros, Harrison, Lehman, Patterson, Taveras,
Toles and Turner

REQUESTS BY THE GENERAL PUBLIC TO ADDRESS THE COUNCIL

Susie Redmond Moore, Broker, Redmond Realty & Consulting, LLC, addressed the Council regarding a proposal to implement a plan that will collect unbilled and uncollected rental licensing fees.

Theresa Mitchell Dudley, President, Prince George's County Educations' Association (PGCEA), addressed the Council regarding Prince George's County Schools.

Melissa Broome, Deputy Director, Job Opportunities Task Force, addressed the Council regarding the Working Matters Coalition.

A motion was made by Council Member Taveras, seconded by Vice Chair Davis, that the Council convene into Executive Session. The motion carried by the following vote:

Aye9 -Franklin, Davis, Glaros, Harrison, Lehman, Patterson, Taveras,
Toles and Turner

RECESS

The County Council went into recess at 2:47 p.m.

DISTRICT COUNCIL ITEM - (COUNCIL HEARING ROOM)

The District Council convened at 2:50 p.m.

ADJOURN

The District Council adjourned at 2:52 p.m.

EXECUTIVE SESSION – (1ST FLOOR EXECUTIVE CONFERENCE ROOM)

EX 09092015 Motion to convene in e

Motion to convene in executive session, in accordance with Section 3-305(b) (7, 8), General Provisions Article, Annotated Code of Maryland, as follows:

- 1. to consult with legal counsel to seek legal advice; and
- 2. to discuss pending or potential litigation.

This Executive Session was held.

Topics:

- Zimmer lawsuit
- County's purchasing program

3:30 P.M. - COMMITTEE OF THE WHOLE - (COUNCIL HEARING ROOM)

Committee of the Whole convened at 4:45 p.m.

BR 09092015 THE COUNTYWIDE RESOURCE CONSERVATION FUNCTIONAL MASTER PLAN

C.J. Lammers, Project Leader Countywide Planning Division, M-NCPPC

C.J. Lammers, Project Leader, Countywide Planning Division, M-NCPPC provide a powerpoint presentation outlining the planning process, schedule and public participation of the Countywide Resource Conservation Function Master Plan that includes 3 master plans within it: an update to the 2005 Approved Countywide Green Infrastructure Plan and two Functional Master Plans, one for agricultural conservation that includes within it the provisions of the Priority Preservation Area Functional Master Plan, and one for rural character conservation that combines the results of several recent studies. C.J. Lammers was accompanied by Derick Berlage, Chief, Countywide Planning Division. No action was taken on this item by the Committee of the Whole. The Committee adjourned at 4:55 p.m.

This Briefing was held

Prepared by:

Theresa D. Myers, LIS Coordinator

Submitted by:

Redis C. Floyd, Clerk of the Council