

BALTIMORE COUNTY COUNCIL MINUTES
LEGISLATIVE SESSION 2006, LEGISLATIVE DAY NO. 09
May 1, 2006 7:00 P.M.

A. The meeting was called to order by Chairman Olszewski at 7:00 P.M. The Chairman asked the audience to rise for a moment of silent meditation and the Pledge of Allegiance to the Flag. There were approximately 20 persons in attendance and the following Councilmembers were present:

S.G. SAMUEL MOXLEY	FIRST DISTRICT
KEVIN KAMENETZ	SECOND DISTRICT
T. BRYAN MCINTIRE	THIRD DISTRICT
KENNETH N. OLIVER	FOURTH DISTRICT
VINCENT J. GARDINA	FIFTH DISTRICT
JOSEPH BARTENFELDER	SIXTH DISTRICT
JOHN OLSZEWSKI, SR.	SEVENTH DISTRICT

B. APPROVAL OF JOURNAL

Upon motion by Councilman Moxley, seconded by Councilman McIntire the reading of the Journal Entries for the meeting of April 17, 2006 was waived and accepted unanimously.

C. ENROLLMENT OF BILLS

The Chairman stated that the following bills was passed by the County Council and signed by the County Executive. He certified and delivered to the Secretary, Bills 28-06, 30-06, 31-06 and 32-06.

D. INTRODUCTION OF BILLS

BILL 47-06, entitled An Act for the purpose of levying and imposing a property tax for the use of Baltimore County for taxable year beginning July 1, 2006 and ending on the thirtieth day of June following; fixing the rate of county taxation for such taxable year; fixing the rate to be charged when property taxes are paid on a semi-annual basis; and generally relating to the property tax.

BILL 50-06, entitled An Act for the purpose of adding new landmarks to the Final Historical Landmarks List: and generally relating to the Baltimore County Historical Landmarks List.

BILL 51-06, entitled the Annual Budget and Appropriation Ordinance of Baltimore County to adopt the County Budget, consisting of the Current Expense Budget for the fiscal year ending June 30, 2007, the Capital Budget for the fiscal year ending June 30, 2007 and the Capital Program for the fiscal years ending June 30, 2008, June 30, 2009, June 30, 2010, June 30, 2011 and June 30, 2012; and to appropriate funds for all expenditures for the fiscal year beginning July 1, 2006 and ending June 30, 2007, as hereinafter indicated.

BILL 52-06, entitled An Act for the purpose of providing for certain changes to the Baltimore County Code and Baltimore County Classification and Compensation Plans by amending certain Pay Schedules; adding certain new class titles, codes and grades; abolishing certain job classification, codes and grades; amending certain personnel rules and regulations; providing for the application of this Act; and generally relating to the governance and compensation of the personnel of Baltimore County Government.

BILL 53-06, entitled An Act for the purpose of amending the law dealing with the maintenance of investment property to require the Building Engineer to order the removal of certain abandoned properties located in Commercial Revitalization Districts; and generally relating to the maintenance of investment property.

BILL 54-06, entitled An Ordinance for the purpose of authorizing and empowering Baltimore County, Maryland to borrow money in a principal amount not exceeding \$6,000,000 for land preservation to be undertaken in the ensuing fiscal years starting July 1, 2007, and to provide that the full amount of such borrowing shall be submitted to a referendum of the registered voters of Baltimore County for their approval or rejection, pursuant to Section 718 and Section 705(a) of the Baltimore County Charter.

BILL 55-06, entitled an Ordinance for the purpose of authorizing and empowering Baltimore County, Maryland to borrow money in a principal amount not exceeding \$17,216,000 for the purpose of community college projects to be undertaken in the ensuing fiscal years starting July 1, 2007, and to provide that the full amount of such borrowing shall be submitted to a referendum of the registered voters of Baltimore County for their approval or rejection, pursuant to Section 718 and Section 705(a) of the Baltimore County Charter.

BILL 56-06, entitled an Ordinance for the purpose of authorizing and empowering Baltimore County, Maryland to borrow money in a principal amount not exceeding \$3,750,000 for community and economic improvement and development projects to be undertaken in the ensuing fiscal years starting July 1, 2007, and to provide that the full amount of such borrowing shall be submitted to a referendum of the registered voters of Baltimore County for their approval or rejection, pursuant to Section 718 and Section 705(a) of the Baltimore County Charter.

BILL 57-06, entitled an Ordinance for the purpose of authorizing and empowering Baltimore County, Maryland to borrow money in a principal amount not exceeding \$54,929,000 for public operational buildings, including, but not limited to general, health, police, fire, recreation, library, senior center and jail buildings or facilities and necessary or desirable equipment to be undertaken in the ensuing fiscal years starting July 1, 2007, and to provide that the full amount of such borrowing shall be submitted to a referendum of the registered voters of Baltimore County for their approval or rejection, pursuant to Section 718 and Section 705(a) of the Baltimore County Charter.

BILL 58-06, entitled an Ordinance for the purpose of authorizing and empowering Baltimore County, Maryland to borrow money in a principal amount not exceeding \$8,320,000 for the purpose of parks, preservation and greenways projects to be undertaken in the ensuing fiscal years starting July 1, 2007, and to provide that the full amount of such borrowing shall be submitted to a referendum of the registered voters of Baltimore County for their approval or rejection, pursuant to Section 718 and Section 705(a) of the Baltimore County Charter.

BILL 59-06, entitled an Ordinance for the purpose of authorizing and empowering Baltimore County, Maryland to borrow money in a principal amount not exceeding \$74,503,000 for public works purposes, for the class of projects which includes, among other things, streets and highways, bridges and storm drain systems, to be undertaken in the ensuing fiscal years starting July 1, 2007, and to provide that the full amount of such borrowing shall be submitted to a referendum of the registered voters of Baltimore County for their approval or rejection, pursuant to Section 718 and Section 705(a) of the Baltimore County Charter.

BILL 60-06, entitled an Ordinance for the purpose of authorizing and empowering Baltimore County, Maryland to borrow money in a principal amount not exceeding \$5,360,000 for refuse disposal projects, to be undertaken in the ensuing fiscal years starting July 1, 2007, and to provide that the full amount of such borrowing shall be submitted to a referendum of the registered voters of Baltimore County for their approval or rejection, pursuant to Section 718 and Section 705(a) of the Baltimore County Charter.

BILL 61-06, entitled an Ordinance for the purpose of authorizing and empowering Baltimore County, Maryland to borrow money in a principal amount not exceeding \$72,543,000 for public school buildings, buildings for school purposes, buildings to support school operations and site projects to be undertaken in the ensuing fiscal years starting July 1, 2007, and to provide that the full amount of such borrowing shall be submitted to a referendum of the registered voters of Baltimore County for their approval or rejection, pursuant to Section 718 and Section 705(a) of the Baltimore County Charter.

BILL 62-06, entitled an Ordinance for the purpose of authorizing and empowering Baltimore County, Maryland to borrow money in a principal amount not exceeding \$6,750,000 for waterway improvement projects to be undertaken in the ensuing fiscal years starting July 1, 2007, and to provide that the full amount of such borrowing shall be submitted to a referendum of the registered voters of Baltimore County for their approval or rejection, pursuant to Section 718 and Section 705(a) of the Baltimore County Charter.

BILL 63-06, entitled An Act for the purpose of expanding the effect to the State of Maryland's Homeowners' Property Tax Credit Program for eligible homeowners based on certain local eligibility and benefits standards; and generally relating to tax credits for senior citizens.

E. CALL OF BILLS FOR FINAL READING AND VOTE

BILL 33-06, CEB - 005-016-1696 FFY '05 UASI - Mobile Command Post, was called. Richard Muth appeared. There being no discussion, this bill passed by the following roll call vote:

Aye - Moxley, Kamenetz, McIntire, Oliver, Gardina, Bartenfelder, Olszewski
Nay - None

BILL 34-06, CEB - MIEMSS ALS Training, was called. Battalion Chief Michael Robinson appeared. There being no discussion, this bill was passed by the following roll call vote.

Aye - Moxley, Kamenetz, McIntire, Oliver, Gardina, Bartenfelder, Olszewski
Nay - None

BILL 35-06, Planned Unit Developments, was called. There being no discussion, this bill passed by the following roll call vote:

Aye - Moxley, Kamenetz, McIntire, Oliver, Gardina, Bartenfelder, Olszewski
Nay - None

BILL 36-06, Housing, was called. Councilman Bartenfelder moved to amend this bill with the following amendments:

1. On page 3, in line 10, strike "AND"; in line 13, strike the period and substitute "AND"

2. After line 13, insert the following:

"(12) THE AREA KNOWN AS HOLLAND HILLS BOUNDED BY THE FOLLOWING STREETS AND ROADS: HAZELWOOD AVENUE, I-95, RADECKE AVENUE, AND THE BALTIMORE CITY BOUNDARY LINE."

3. On page 3, in line 18, after "Eastwood" insert "and Holland Hills"

Councilman Oliver seconded the motion and these amendments passed by the following roll call vote:

Aye - Moxley, Kamenetz, McIntire, Oliver, Gardina, Bartenfelder, Olszewski
Nay - None

Thereafter, upon motion by Councilman Moxley, seconded by Councilman Bartenfelder, Bill 36-06, as amended, passed by the following roll call vote:

_____ Aye - Moxley, Kamenetz, McIntire, Oliver, Gardina, Bartenfelder, Olszewski
Nay - None

BILL 37-06, Code Enforcement, was called. Councilman Kamenetz moved to amend this bill with the following amendments:

1. On page 1, in the second line of the purpose paragraph, after “notice”, insert “, requiring the Code Official to establish certain criteria”
2. On page 2, in line 9, insert the following after the period: “THE CODE OFFICIAL SHALL ESTABLISH WRITTEN CRITERIA FOR ANY CIRCUMSTANCES IN WHICH THE ISSUANCE OF A CORRECTION NOTICE IS NOT REQUIRED.”

Councilman Moxley seconded the motion and these amendments passed by the following roll call vote:

Aye - Moxley, Kamenetz, McIntire, Oliver, Gardina, Bartenfelder, Olszewski
Nay - None

Thereafter, upon motion by Councilman Olszewski seconded by Councilman McIntire, Bill 37-06, as amended, passed by the following roll call vote:

Aye - Moxley, Kamenetz, McIntire, Oliver, Gardina, Bartenfelder, Olszewski
Nay - None

_____ BILL 38-06, Signs, was called. Councilman Moxley moved to amend this bill with the following amendment:

_____ On page 2, in line 20, strike “TO ENTER” and strike “OR PUBLIC”

_____ Councilman McIntire seconded the motion and this amendment passed by the following roll call vote:

Aye - Moxley, Kamenetz, McIntire, Oliver, Gardina, Bartenfelder, Olszewski
Nay - None

_____ Thereafter, upon motion by Councilman Kamenetz, seconded by Councilman Moxley, Bill 38-06, as amended, passed by the following roll call vote:

Aye - Moxley, Kamenetz, McIntire, Oliver, Gardina, Bartenfelder, Olszewski
Nay - None

_____ BILL 39-06, Solicitation of Donations, was called. Councilman Moxley commented, then moved to amend this bill with the following amendment:

_____ On page 3, in line 3, strike “TWO”

_____ Councilman Olszewski seconded the motion and this amendment passed by the following roll call vote:

Aye - Moxley, Kamenetz, McIntire, Oliver, Gardina, Bartenfelder, Olszewski
Nay - None

_____ Councilman McIntire then moved to amend this bill with the following amendment:

_____ On page 3, in line 5 and 6, strike “, OTHER THAN THE SHOULDER”

_____ Councilman Moxley seconded the motion and this amendment passed by the following roll call vote:

Aye - Moxley, Kamenetz, McIntire, Oliver, Gardina, Bartenfelder, Olszewski
Nay - None

_____ Councilman Moxley then moved to amend this bill with the following amendment:

_____ On page 5, in line 11, strike “48” and insert “24” and in line 12 strike “4” and insert “12”

_____ Councilman Olszewski seconded the motion and this amendment passed by the following roll call vote:

Aye - Moxley, Kamenetz, McIntire, Oliver, Gardina, Bartenfelder, Olszewski
Nay - None

_____ Thereafter, upon motion by Councilman Moxley, seconded by Councilman Kamenetz, Bill 39-06, as amended, passed by the following roll call vote:

Aye - Moxley, Kamenetz, McIntire, Oliver, Gardina, Bartenfelder, Olszewski
Nay - None

_____ BILL 40-06, Rental Housing Program, was called. Councilman Gardina commented. There being no discussion, this bill passed by the following roll call vote:

Aye - Moxley, Kamenetz, McIntire, Oliver, Gardina, Bartenfelder, Olszewski
Nay - None

_____ BILL 41-06, Signs, was called. Councilman Kamenetz moved to amend this bill with the following amendment:

_____ On page 2, in line 7, strike “EXCEPT” and substitute a period, and strike line 8 in its entirety.

_____ Councilman Moxley seconded the motion and this amendment passed by the following roll call vote:

Aye - Moxley, Kamenetz, McIntire, Oliver, Gardina, Bartenfelder, Olszewski
Nay - None

_____ Thereafter, upon motion by Councilman Kamenetz, seconded by Councilman Moxley, Bill 41-06, as amended, passed by the following roll call vote:

Aye - Moxley, Kamenetz, McIntire, Oliver, Gardina, Bartenfelder, Olszewski
Nay - None

_____ BILL 42-06, This Bill was withdrawn prior to the meeting.

_____ **F. APPROVAL OF FISCAL MATTERS**

The Chairman stated that the Council would now consider Fiscal Matters. Extensive testimony on each item was taken at the Council’s work session on April 25, 2006. The witnesses who testified at the work session were available to restate their testimony if needed. If a Councilmember had any questions regarding a particular Fiscal Matter, that item would be discussed as a separate matter. Chairman Olszewski then called upon the Secretary to read the cover letters for Fiscal Matters 1 through 7.

_____ 1. Contract of Sale - Lonnie D. & Cynthia M. Ledford - Improvement of Joppa Road at Cowenton

A contract of sale with Lonnie D. & Cynthia M. Ledford for a partial acquisition for a highway widening area and temporary slope easement in connection with the improvements of Joppa Road.

2. Engagement Letter - Venable, LLP - Collective Bargaining

A contract with Venable, LLP for legal services in support for labor-related collective bargaining with two County unions.

3. Addendum No. 1 to Contract - EBL Fire Engineering - Detention Center

_____ Addendum No. 1 to Contract with EBL Fire Engineering for increasing the compensation for contract modifications for special inspections and testing of smoke control management systems for the new Detention Center.

4. Contract - Development Facilitators, Inc. - Inspection Services for Public Works Construction

_____ 5. Contract - Tidewater, Inc. - Inspection Services for Public Works

_____ 6. Contract - Century Engineering, Inc. - Inspection Services for Public Works

_____ Three contracts to provide inspection services for public works construction projects on an as-needed basis. Development Facilitators, Inc. will serve as will the primary contractor and Century Engineering, Inc. and Tidewater, Inc. will serve as the secondary and tertiary contractors, respectively, to provide services in the event that the primary contractors is unable to do so at the time of the request.

7. Contract - Crabtree, Rohrbaugh & Associates - Architectural Services - Detention Center Expansion Project

_____ A contract with Crabtree, Rohrbaugh & Associates for architectural services for analysis and review of construction claims and litigation by the County related to the Baltimore County Detention Center Expansion Project.

There being no discussion, upon motion by Councilman Moxley, seconded by Councilman McIntire, Fiscal Matters 1 through 7 were unanimously approved.

G. MISCELLANEOUS BUSINESS

1. Correspondence

At the direction of the Chairman, the Secretary read the correspondence from the Office of Budget and Finance listing the non-competitive awards made during April, 2006.

2. Res. 31-06 - Endorsement of Low-income elderly housing project - Garrison Forest Rd. - Weinberg Village IV

At the direction of the Chairman, the Secretary read this Resolution concerning the Local Endorsement that was approved by Resolution 13-06 on March 20, 2006 that authorized the County Executive or other authorized official to enter into a written agreement on behalf of the County with The Harry and Jeanette Weinberg Village IV, Limited Partnership (the "Owner") for the payment of stipulated amounts in lieu of regular real property taxes in order to facilitate the development of an elderly housing project to benefit low income elderly persons in Baltimore County. Mary Harvey appeared. There being no discussion, upon motion by Councilman Kamenetz, seconded by Councilman Moxley, this Resolution was unanimously approved.

3. Res. 32-06 - PILOT - Elderly Housing Project Weinberg Village IV

At the direction of the Chairman, the Secretary read this resolution An Amendment, pro forma, to change/remove information regarding the Pilot (Payment in Lieu of Taxes) and to mention the Department of Housing and Community development of the State of Maryland financing of the project designated in Resolution 14-06 and approved by the Council on March 20, 2006 to authorize the County Executive or other authorized official to enter into written agreement on behalf of the County with The Harry and Jeanette Weinberg Village IV, Limited Partnership (the "Owner") for the payment of stipulated amounts in lieu of regular real property taxes in order to facilitate the development of an elderly housing project to benefit low income elderly persons in Baltimore County. Mary Harvey appeared. There being no discussion, upon motion by Councilman Moxley, seconded by Councilman Kamenetz, this Resolution was unanimously approved.

4. Res. 33-06 - Planning Board - Zoning Regulations - Standards for changeable copy signs

At the direction of the Chairman, the Secretary read this Resolution requesting the Baltimore County Planning Board to review the Zoning Regulations relating to the standards for changeable copy signs. There being no discussion, upon motion by Councilman Kamenetz, seconded by Councilman McIntire, this Resolution was unanimously approved.

There being no further business to come before the Council at this time, upon motion by Councilman Moxley, seconded by Councilman Kamenetz, the meeting adjourned at 7:20 P.M.


Thomas J. Peddicord, Jr.