

BALTIMORE COUNTY COUNCIL MINUTES
LEGISLATIVE SESSION 2007, LEGISLATIVE DAY NO. 21
November 19, 2007 7:00 P.M.

A. The meeting was called to order by Chairman Moxley 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 30 persons in attendance and the following Councilmembers were present:

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|---------------------|------------------|
| S.G. SAMUEL MOXLEY | FIRST DISTRICT |
| KEVIN KAMENETZ | SECOND DISTRICT |
| KENNETH N. OLIVER | FOURTH DISTRICT |
| VINCENT J. GARDINA | FIFTH DISTRICT |
| JOHN OLSZEWSKI, SR. | SEVENTH DISTRICT |

Councilmembers McIntire and Bartenfelder were absent the entire meeting.

B. APPROVAL OF JOURNAL

Upon motion by Councilman Oliver, seconded by Councilman Gardina, the reading of the Journal Entries for the meeting of November 5, 2007 was waived and accepted unanimously by the five Councilmembers present.

C. ENROLLMENT OF BILLS

The Chairman stated that the following bills were passed by the County Council and signed by the County Executive. He certified and delivered to the Secretary, Bills 71-07, 72-07, 73-07, 74-07, 75-07 and 76-07.

D. INTRODUCTION OF BILLS

BILL 83-07, entitled An Act for the purpose of amending the 2007-2008 Current Expense Budget, by appropriating to the Gifts and Grants Special Revenue Fund monies derived from federal funds and made available to the County through the Maryland Emergency Management Agency.

BILL 84-07, entitled An Act for the purpose of amending the 2007-2008 Current

Expense Budget, by appropriating to the Gifts and Grants Special Revenue Fund monies derived from state funds and made available to the County through the Maryland Institute for Emergency Medical Services Systems (MIEMSS).

BILL 85-07, entitled An Act for the purpose of adopting the 2006 National Standard Plumbing Code with the 2007 Supplement and adopting with certain amendments, deletions , and additions the 2006 National Standard Plumbing Code to be known as the Baltimore County Plumbing Code.

BILL 86-07, entitled An Act for the purpose of authorizing the Code official to enforce rodent control ordinances; defining a certain term; and generally relating to rodent control.

BILL 87-07, entitled An Act for the purpose of applying the rental housing license program to the entire county; requiring property owners to obtain home inspections by certain home inspectors at the property owner's expense; requiring compliance with certain state law regarding lead paint; repealing certain civil penalties; altering a certain civil penalty; clarifying certain provisions regarding denial of a license and appeals; providing for notification to property owners; defining certain terms; and generally relating to the Rental Housing License Program.

BILL 88-07, entitled An Act for the purpose of repealing legislation establishing and amending the Dundalk-Yorkway Renaissance Opportunity Area in the Seventh Councilmanic District; establishing the Dundalk-Yorkway Renaissance Opportunity Area in the Seventh Councilmanic District; and providing for a certain residential density in a certain portion of the Dundalk-Yorkway Renaissance Opportunity Area.

BILL 89-07, entitled An Act for the purpose of permitting certain changeable copy signs in planned shopping centers; permitting certain joint identification signs to advertise products and services; permitting certain enterprise signs in large retail or office developments in certain business zones; and generally relating to signs.

BILL 90-07, entitled An Act for the purpose of amending the definition of commercially zoned properties to include properties located in certain approved planned unit developments; and generally relating to the Revitalization Property Tax Credit qualifications.

BILL 91-07, 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.

E. CALL OF BILLS FOR FINAL READING AND VOTE

Bill 77-07, Zoning Regulations - C.T. District of Towson, was called. There being no discussion, this bill was passed by the following roll call vote:

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

Bill 78-07, High Performance Buildings, was called. Councilman Gardina commented. There being no discussion, this bill was passed by the following roll call vote:

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

Bill 79-07, Distribution of Tobacco Products, was called. Councilman Kamenetz moved to amend this Bill with the following amendments:

1. On page 3, strike lines 11 through 13 and substitute the following:

“(B) A PERSON OTHER THAN AN OWNER MAY NOT:

(1) BUY FOR OR SELL ANY TOBACCO PRODUCTS TO A MINOR;

OR

(2) DISTRIBUTE TOBACCO PARAPHERNALIA TO A MINOR.”

2. On page 5, in line 1, insert “(1)” after “(D)” and after line 3, insert:

“(2) THE DEPARTMENT MAY ADOPT REASONABLE REGULATIONS, IN ACCORDANCE WITH THE PROVISIONS OF ARTICLE 3, TITLE 7, TO CARRY OUT THE PURPOSES OF THIS TITLE.”

3. On page 5, in lines 2 and 3, strike “IN ACCORDANCE WITH ARTICLE 3, TITLE 6 OF THE CODE”

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

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

Thereafter, upon motion by Councilman Kamenetz, seconded by Councilman Oliver, Bill 79-07 as amended, passed by the following roll call vote:

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

Bill 80-07, CEB - MIEMSS ALS Training FY2007, was called. Councilman Gardina moved to amend this Bill with the following amendment:

On page 1, in the title, after “Dog”, insert “and Cat”; in the first line of the purpose paragraph, after “dog”, insert “or cat”. On page 2, in line 8, after “DOG” insert “OR CAT”

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

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

Thereafter, upon motion by Councilman Olszewski, seconded by Councilman Gardina, Bill 80-07 as amended, passed by the following roll call vote:

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

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 November 13, 2007. 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 Moxley then called upon the Secretary to read the cover letters for Fiscal Matters 1 through 6.

1. Amendment 1 to Contract - EESCO Pump and Valve, Inc. - Machine parts and on-call service for Sewage Stations

Amendment number 1 to the contract with EESCO Pump and Valve, Inc., to increase the compensation cap.

2. Contract - Jeffrey L. Bruce & Company, LLC - On-Call Contract for Landscape Architect/Civil Engineer Services

A contract with Jeffrey L. Bruce & Company, LLC., to provide an on-call an on-call contract for landscape architect/civil engineer services.

3. Contract - A. Morton Thomas and Assoc., Inc. - On-Call Contract for Landscape Architect/Civil Engineer Services

A contract with A. Morton Thomas and Assoc., Inc., to provide an on-call contract for landscape architect/civil engineer services.

4. Contract - Huntington & Hopkins, Inc. - On Call Carpentry Services

A contract with Huntington & Hopkins, Inc., to provide carpentry services for various County buildings on an as-needed basis.

5. Contract - Hayes Construction Company - On -Call Carpentry Services

A contract with Hayes Construction Company, to provide carpentry services for various County buildings on an as-needed basis.

6. Contract - Navigant Consulting, Inc. - On-Call Consulting Services - Detention Center Expansion Project

A contract with Navigant Consulting, Inc., to provide on-call consulting and expert services for the County in connection with various matters and/or claims arising out of the Baltimore County Detention Center expansion project.

There being no discussion, upon motion by Councilman Olszewski, seconded by Councilman Oliver, Fiscal Matters 1 through 6 were unanimously approved by the five Councilmembers present.

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 October 2007.

2. Res. 100-07 -Review of Planned Unit Development - Stevenson Taylor Investments, LLC

At the direction of the Chairman, the Secretary read this resolution to approve the review of a proposed planned unit development in accordance with County law. Stevenson Taylor Investments, LLC has submitted an application for approval of an approximately 13.58 acre site,

known as 1400 Taylor Avenue, located on the north side of Taylor Avenue, west of Hillendale Road, in the 5th Councilmanic District. Councilman Gardina commented. There being no discussion, upon motion by Councilman Oliver, seconded by Councilman Olszewski, this Resolution was unanimously approved by the five Councilmembers present.

3. Res. 104-07 - Property Tax Exemption - Irvin L. Strickler

At the direction of the Chairman, the Secretary read this resolution to approve the refund of certain real property taxes collected from Irvin R. Strickler who is entitled to a partial exemption from State and County real property taxes by reason of the exemption afforded to blind persons under State law. There being no discussion, upon motion by Councilman Moxley, seconded by Councilman Olszewski, this Resolution was unanimously approved by the five Councilmembers present.

4. Res. 105-07 -Endorsement of Application by the Dundalk Renaissance Corporation

At the direction of the Chairman, the Secretary read this resolution to endorse the filing of an application by the Dundalk Renaissance Corporation to support its housing restoration program and to hire a housing project manager. Councilman Olszewski commented. There being no discussion, upon motion by Councilman Olszewski, seconded by Councilman Oliver, this Resolution was unanimously approved by the five Councilmembers present.

There being no further business to come before the Council at this time, upon motion by Councilman Olszewski, seconded by Councilman Oliver, the meeting adjourned at 7:15 P.M.

Thomas J. Peddicord, Jr.