

BALTIMORE COUNTY COUNCIL MINUTES
LEGISLATIVE SESSION 2016, LEGISLATIVE DAY NO. 7
April 4, 2016 6:00 P.M.

A. The meeting was called to order by Chairwoman Almond at 6:04 P.M. The Chairwoman asked the audience to rise for a moment of silent meditation and the Pledge of Allegiance to the Flag. There were approximately 50 persons in attendance and the following Councilmembers were present:

TOM QUIRK	FIRST DISTRICT
VICKI ALMOND	SECOND DISTRICT
WADE KACH	THIRD DISTRICT
JULIAN E. JONES, JR.	FOURTH DISTRICT
DAVID MARKS	FIFTH DISTRICT
CATHY BEVINS	SIXTH DISTRICT
TODD K. CRANDELL	SEVENTH DISTRICT

B. APPROVAL OF JOURNAL

Upon motion by Councilwoman Bevins, seconded by Councilman Quirk, the reading of the Journal Entries for the meeting of March 21, 2016 was waived and accepted unanimously.

C. ENROLLMENT OF BILLS

The Chairwoman stated that the following Bills were passed by the County Council and signed by the County Executive. She certified and delivered to the Secretary, Bills 7-16, 8-16, 9-16 and 12-16.

D. INTRODUCTION OF BILLS

Bill 18-16, entitled An Act for the purpose of repealing the Basic Services Sewerage Map, the Basic Services Water Supply Map and the Basic Services Transportation Map; and adopting a new Basic Services Sewerage Map, a new Basic Services Water Supply Map and a new Basic Services Transportation Map.

Bill 19-16, entitled An Act for the purpose of amending the 2015-2016 Capital Budget, by appropriating to the Capital Budget monies derived from state funds and made available to the County through the Maryland Department of Aging.

Bill 20-16, entitled An Act for the purpose of amending the 2015-2016 Current Expense Budget, by appropriating to the Gifts and Grants Special Revenue Fund monies derived from state, federal and other funds and made available to the County through the Maryland Transportation Administration and a donation from Margaret Leister.

Bill 21-16, entitled An Act for the purpose of providing for a certain retail use in the R-O (Residential – Office) Zone by special exception; and generally relating to uses in the R-O (Residential – Office) Zone.

E. CALL OF BILLS FOR FINAL READING AND VOTE

Bill 14-16, CEB - Community Legacy - Winters Lane, was called. Councilman Quirk commented. Andrea Van Arsdale appeared. There being no further discussion, this Bill passed by the following roll call vote:

Aye - Quirk, Almond, Kach, Jones, Marks, Bevins, Crandell
Nay - None

Bill 15-16, CEB - Housing Services, was called. Andrea Van Arsdale remained. There being no discussion, this Bill passed by the following roll call vote:

Aye - Quirk, Almond, Kach, Jones, Marks, Bevins, Crandell
Nay - None

Bill 16-16, Comprehensive Zoning Map Process, was called. Councilman Marks moved to amend this Bill with the following amendments:

1. On page 2, in line 14, strike "(I)" and strike the brackets, and strike the balance of line 14; in line 15, strike "AN"; and strike lines 16 through 18 in their entirety.
2. On page 2, after line 18, insert the following:

"SECTION 2. AND BE IT FURTHER ENACTED, that, not later than 5:00 p.m. on the third full weekday after enactment of this Act, and notwithstanding any other provision of law, a member of the County Council may withdraw an issue that the member filed, or part of an issue, if the issue, or part, includes county or other government property."

3. On page 2, in line 19, strike "2" and substitute "3"; in line 20, strike "on April 17, 2016" and substitute "upon enactment"

Councilwoman Bevins seconded the motion and these amendments passed by the following roll call vote:

Aye - Quirk, Almond, Kach, Jones, Marks, Bevins, Crandell
Nay - None

Thereafter, upon motion by Councilman Marks, seconded by Councilman Crandell, Bill 16-16, as amended, passed by the following roll call vote:

Aye - Quirk, Almond, Kach, Jones, Marks, Bevins, Crandell
Nay - None

Bill 17-16, Mercantile Exposition Overlay District, was called. Councilman Marks and Kach commented. Councilman Kach then moved to amend this Bill with the following amendments:

1. On page 1, in the purpose paragraph, strike "additional forms and expansion of commercial"; after the semicolon, insert "permitting pari-mutuel betting on land with a Mercantile Exposition Overlay District designation, permitting certain uses in a M.R. Zone that adjoins the Overlay District;"
2. On page 1, in the function paragraph, strike "D." and substitute "C. 28, 29, and 30 and D. and Section 241.1"
3. On page 2, insert the following after line 2:

"C. Uses permitted by right. The following listed commercial and agricultural activities are permitted:

28. Thoroughbred horse racing [and pari-mutuel betting as authorized under Title 11 of the Business Regulation Article of the Annotated Code of Maryland].

29. PARI-MUTUEL BETTING AS AUTHORIZED UNDER TITLE 11 OF THE BUSINESS REGULATION ARTICLE OF THE ANNOTATED CODE OF MARYLAND ON DAYS WITH OR WITHOUT LIVE THOROUGHBRED HORSE RACING ON THE PROPERTY.

[29] 30. Trade shows and business shows.

[30] 31. Other uses, events, or activities that are similar or consistent with the uses listed above and support the agricultural society organization.”

4. On page 2, strike lines 9 and 10 and substitute the following: “LOCATION FOR A CASINO WITH”; in line 11, strike the comma.

5. On page 2, after line 11, insert the following:

“SECTION 241
M.R. Zone Use Regulations

§241.1. Permitted uses.

The following uses are permitted, provided that their operations are entirely within enclosed buildings except where approval of the development plan indicates otherwise:

Any use permitted in a Commercial Zone OR M.E. OVERLAY DISTRICT that adjoins the M.R. Zone, except residential uses. The use shall be reviewed and approved in accordance with Section 240.3.

phonographs
Assembly of electrical appliances, electronic instruments and devices, radios and

Bakery

Bank

Bottling establishment, soft drink

Cold storage plant

Commercial film production

Commercial recreational facilities

Heliport, Type II, if located at least 200 feet from a residential zone

Helistop

Laboratory

perfumes and food products
Manufacture, compounding, packaging or treatment of candy, cosmetics, drugs,

comparable light processing or treatment of articles of merchandise from the following previously prepared materials: canvas, cellophane, cloth, cork, feathers, felt, fiber, fur, glass, horn, leather, paper, plastics, precious or semiprecious metals or stones, sheet metal (excluding large stampings such as motor vehicle fenders and bodies), light steel or other light metal mesh, pipe, rods, shapes, strips, wire or similar component parts, shells, textiles, tobacco, wax, wood and yarns

toys, novelties, wrought iron products, rubber or metal stamps and other small moulded rubber products

Neighborhood car rental agency, subject to Section 408A

Office and office buildings and medical clinic

Printing, lithographing or publishing plant

Public utility uses

Research institute

and transit storage repair yards
Transit facilities, rail passenger stations subject to Section 434, transit centers

incidental to the warehouse function)
Warehouses (inclusion of wholesale sales area permitted, provided it is clearly

Accessory uses”

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

Aye - Quirk, Almond, Kach, Jones, Marks, Bevins, Crandell

Nay - None

Thereafter, upon motion by Councilman Kach, seconded by Councilman Quirk, Bill 17-16, as amended, passed by the following roll call vote:

Aye - Quirk, Almond, Kach, Jones, Marks, Bevins, Crandell
Nay - None

F. APPROVAL OF FISCAL MATTERS

The Chairwoman stated that the Council would now consider Fiscal Matters. Extensive testimony on each item was taken at the Council's work session on March 29, 2016. 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. Chairwoman Almond then called upon the Secretary to read the cover letter for Fiscal Matters 1 through 4.

1. Contract of Sale - Woodlawn Motor Coach, Inc. - 3109 Rolling Road - REC

A contract of sale with Woodlawn Motor Coach, Inc., to acquire a parcel of land and necessary easements, located at 3109 Rolling Road, in Windsor Mill, Maryland, for the widening of Rolling Road project.

2. Contract of Sale - Jeffrey Alan Bayer - Katherine R. Bayer Living Trust - 3113 Rolling Road - REC

A contract of sale with Jeffrey Alan Bayer, trustee of Katherine R. Bayer Living Trust, to acquire a parcel of land and necessary easements, located at 3113 Rolling Road, in Windsor Mill, Maryland, for the widening of Rolling Road project.

3. Contract of Sale - Jeffrey Alan Bayer - Katherine R. Bayer Living Trust - 3111 Rolling Road - REC

A contract of sale with Jeffrey Alan Bayer, trustee of Katherine R. Bayer Living Trust, to acquire a parcel of land and necessary easements, located at 3111 Rolling Road, in Windsor Mill, Maryland, for the widening of Rolling Road project.

4. Contract of Sale - Caves Valley Partners Acquisitions, LLC - Sale of County-owned property -Susquehanna Ave. - REC

A contract of sale with Caves Valley Partners Acquisitions, LLC, to sell the County-owned property comprising a portion of Susquehanna Avenue, east of Washington Avenue, Towson, Maryland; containing approximately 0.389 acres of land.

Councilman Jones commented. There being no further discussion, upon motion by Councilwoman Bevins, seconded by Councilman Kach, Fiscal Matters 1 through 4 were unanimously approved.

G. MISCELLANEOUS BUSINESS

1. Correspondence - Non-Competitive Awards

At the direction of the Chairwoman, the Secretary read the correspondence from the Office of Budget and Finance listing the non-competitive awards made during February and March, 2016.

2. Res. 37-16 - Accept donation - Parkville Rec. & Parks Council - Northeast Regional Recreation Center

At the direction of the Chairwoman, the Secretary read this Resolution to authorize the County to accept a donation of Sixty-Five Thousand dollars (\$65,000) from the Parkville Recreation and Parks Council. Barry Williams appeared. There being no discussion, upon motion by Councilman Kach, seconded by Councilman Quirk, this Resolution was unanimously approved.

3. Res. 38-16 - Property Tax Exemption - DAV - Stanley Fishman

At the direction of the Chairwoman, the Secretary read this Resolution to approve the refund of certain real property taxes collected from Stanley Fishman, who is entitled to an exemption from real property taxes by reason of the exemption afforded to disabled veterans under State law. There being no discussion, upon motion by Councilwoman Almond, seconded by Councilman Kach, this Resolution was unanimously approved.

4. Res. 39-16 - Property Tax Exemption - DAV - Lonnie Blyther

At the direction of the Chairwoman, the Secretary read this Resolution to approve the refund of certain real property taxes collected from Lonnie Blyther, who is entitled to an exemption from real property taxes by reason of the exemption afforded to disabled veterans under State law. There being no discussion, upon motion by Councilwoman Bevins, seconded by Councilman Jones, this Resolution was unanimously approved.

5. Res. 40-16 - Property Tax Exemption - BLIND - Elmuttasim A. Fadl

At the direction of the Chairwoman, the Secretary read this Resolution to approve the refund of certain real property taxes collected from Elmuttasim A. Fadl, 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 Councilwoman Bevins, seconded by Councilman Quirk, this Resolution was unanimously approved.

6. Res. 41-16 - Property Tax Exemption - BLIND - Jimmy A. Clift

At the direction of the Chairwoman, the Secretary read this Resolution to approve the refund of certain real property taxes collected from Jimmy A. Clift, 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 Crandell, seconded by Councilman Quirk, this Resolution was unanimously approved.

7. Res. 42-16 - Property Tax Exemption - BLIND - Donald Cliento

At the direction of the Chairwoman, the Secretary read this Resolution to approve the refund of certain real property taxes collected from Donald Cliento, 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 Crandell, seconded by Councilman Quirk, this Resolution was unanimously approved.

8. Res. 43-16 - Property Tax Exemption - DAV - Earnest E. DeArmitt

At the direction of the Chairwoman, the Secretary read this Resolution to approve the refund of certain real property taxes collected from Earnest E. DeArmitt, who is entitled to an exemption from real property taxes by reason of the exemption afforded to disabled veterans under State law. There being no discussion, upon motion by Councilman Crandell, seconded by Councilwoman Bevins, this Resolution was unanimously approved.

9. Reappointment - Baltimore County Board of Appeals - Meryl W. Rosen

At the direction of the Chairwoman, the Secretary read this correspondence from Councilwoman Almond requesting the reappointment of Meryl W. Rosen to the Baltimore County Board of Appeals for an additional three year term. There being no discussion, upon motion by Councilwoman Almond, seconded by Councilman Quirk, this Reappointment was unanimously approved.

10. Reappointment - Baltimore County Board of Appeals - Andrew M. Belt

At the direction of the Chairwoman, the Secretary read this correspondence from Councilman Marks requesting the reappointment of Andrew M. Belt to the Baltimore County Board of Appeals for an additional three year term. There being no discussion, upon motion by Councilman Marks, seconded by Councilwoman Bevins, this Reappointment was unanimously approved.

11. Res. 44-16 - Approval of purchase of (2) Ag. Easements – Maryland Agricultural Land Preservation Foundation

This Resolution was for introduction only.

12. Res. 45-16 - Planning Board/Public Works - Neighborhood Traffic Management Program

This Resolution was for introduction only.

There being no further business to come before the Council at this time, upon motion by Councilman Kach, seconded by Councilman Jones, the meeting adjourned at 6:23 P.M.


Thomas J. Peddicord, Jr.