

BALTIMORE COUNTY COUNCIL MINUTES
LEGISLATIVE SESSION 2014, LEGISLATIVE DAY NO. 2
January 22, 2014 6:00 P.M.

A. The meeting was called to order by Chair Bevins at 6:00 P.M. The Chair asked the audience to rise for a moment of silent meditation and the Pledge of Allegiance to the Flag. There were approximately 15 persons in attendance and the following Councilmembers were present:

TOM QUIRK	FIRST DISTRICT
VICKI ALMOND	SECOND DISTRICT
TODD HUFF	THIRD DISTRICT
KENNETH N. OLIVER	FOURTH DISTRICT
DAVID MARKS	FIFTH DISTRICT
CATHY BEVINS	SIXTH DISTRICT
JOHN OLSZEWSKI, SR.	SEVENTH DISTRICT

B. APPROVAL OF JOURNAL

Upon motion by Councilman Quirk, seconded by Councilman Huff, the reading of the Journal Entries for the meeting of January 6, 2014 was waived and accepted unanimously.

C. ENROLLMENT OF BILLS

There were no Bills for enrollment.

D. INTRODUCTION OF BILLS

BILL 1-14, entitled An Act for the purpose of permitting certain age-restricted apartment units in any story of a building located in a C.C.C. District superimposed upon a B.L. Zone; providing that certain laws are applicable to the conversion of an elderly housing facility in a C.C.C. District to age-restricted apartments; and generally relating to development in C.C.C. Districts.

BILL 2-14, entitled An Act for the purpose of amending the A.S. (Automotive Services) Overlay District to permit certain uses under certain circumstances; and generally relating to the A.S. (Automotive Services) Overlay District.

BILL 3-14, entitled An Act for the purpose of amending the Zoning Regulations to prohibit electronic changeable copy signs in certain areas; and generally relating to signs.

BILL 4-14, entitled An Act for the purpose of prohibiting smoking in certain outdoor areas of recreation and parks facilities; and generally relating to smoking in public places.

E. CALL OF BILLS FOR FINAL READING AND VOTE

Bill 71-13, Government Reorganization - Department of Economic and Workforce Development, was called. Will Anderson appeared. There being no discussion, this Bill was passed by the following roll call vote:

Aye - Quirk, Almond, Huff, Oliver, Marks, Bevins, Olszewski

Nay - None

Bill 72-13, CEB - Adult Disability/Resource Center, was called. Joanne Williams appeared. There being no discussion, upon motion by Councilman Quirk, seconded by Councilman Marks, this Bill was passed by the following roll call vote:

Aye - Quirk, Almond, Huff, Oliver, Marks, Bevins, Olszewski

Nay - None

Bill 73-13, CEB - Greenways, Stream Valleys, and Trails Development, was called. Barry Williams appeared. There being no discussion, upon motion by Councilman Huff, seconded by Councilman Oliver, this Bill was passed by the following roll call vote:

Aye - Quirk, Almond, Huff, Oliver, Marks, Bevins, Olszewski

Nay - None

Bill 74-13, County Executive - Compensation, was called. There being no discussion, upon motion by Councilman Oliver, seconded by Councilman Quirk, this Bill was passed by the following roll call vote:

Aye - Quirk, Almond, Huff, Oliver, Marks, Bevins, Olszewski

Nay - None

Bill 75-13, County Council - Compensation, was called. There being no discussion, upon motion by Councilman Quirk, seconded by Councilwoman Almond, this Bill was passed by the following roll call vote:

Aye - Quirk, Almond, Huff, Oliver, Marks, Bevins, Olszewski

Nay - None

Bill 76-13, Food Trucks, was called. Councilmembers Marks and Olszewski commented. Councilman Huff then moved to amend this Bill with the following amendments:

1. On page 1, strike the function paragraph in its entirety and substitute

“By repealing and reenacting, without amendments

Section 18-2-702(a)

Article 18 – Transportation

Title 2 – Vehicles and Traffic

Baltimore County Code, 2003

By repealing and reenacting, without amendments

Section 21-1-101(a) and (c)

Article 21 – Permits, Licenses and Business Regulation

Title 1 – In General

Baltimore County Code, 2003”.

2. On page 2, in the second line of the function paragraph, strike “21-11-201 to 21-11-210” and substitute “21-8-101 to 21-8-110”; in the fourth line of the function paragraph, strike “Title 11 – Hucksters and Peddlers” and substitute “Title 8 – Food Trucks”; strike the fifth line of the function paragraph in its entirety and substitute “Baltimore County Code, 2003”; after line 2, insert:

“Article 18. Transportation.

§ 18-2-702.

(a) In addition to the costs established in the Courts Article of the Annotated Code of Maryland, the following fines are imposed:

- (1) A parking meter violation is punishable by a fine of \$20;
- (2) An off-street head-in violation on a parking meter lot is punishable by a fine of \$25;
- (3) Parking where or when prohibited is a violation punishable by a fine of \$50;
- (4) Parking an unregistered vehicle in violation of this title is a violation punishable by a fine of \$40;
- (5) Stopping or standing violations are punishable by a fine of \$50;
- (6) Obstructing a fire lane or parking in a fire lane in violation of § 14-3-103 of the Code is a violation punishable by a fine of \$100;
- (7) Parking in a space designated for the use of individuals with disabilities in violation of § 18-2-210 of this title is a violation punishable by a fine of \$150; and
- (8) Except as provided in §§ 18-2-206(e) and 18-2-211 of this title, all other parking violations are punishable by a fine of \$50.

Article 21. Permits, Licenses and Business Regulation.

§ 21-1-101.

- (a) In this article the following words have the meanings indicated.
- (c) Department. "Department" means the Department of Permits, Approvals and Inspections."

3. On page 2, in line 3, strike "SUBTITLE 2." and substitute "TITLE 8."; in line 4, strike "§21-11-201." and substitute "§21-8-101."; in line 5, strike "(A)"; also in line 5, strike from "THE FOLLOWING" through "(C)" in line 9; also in line 9, after "SELF-CONTAINED", insert "AND SELF-PROPELLED"; in line 12, strike "§21-11-202." and substitute "§21-8-102."; strike line 13 in its entirety and substitute "(A) A PERSON WHO IS REQUIRED TO OBTAIN A LICENSE FOR A FOOD TRUCK UNDER THIS TITLE MAY NOT OBTAIN A"; in line 14, after "LICENSE", insert "FOR THE FOOD TRUCK"; also in line 14, strike "SUBTITLE 1" and substitute "TITLE 11 OF THIS ARTICLE"; and after line 14, insert "(B) THIS TITLE DOES NOT APPLY TO FARMERS OR GROWERS SELLING THEIR OWN RAW AGRICULTURAL PRODUCTS."

4. On page 3, in line 1, strike "§21-11-203." and substitute "§21-8-103."; in line 4, strike "§21-11-204." and substitute "§21-8-104."; starting in line 12, strike from "ALL" through "MARYLAND" in line 14 and substitute "THE CERTIFIED FOOD SERVICE MANAGER LEVEL I WHO WILL BE ON DUTY AT ALL TIMES THE FOOD TRUCK IS IN OPERATION"; and in line 20, strike "§21-11-205." and substitute "§21-8-105."

5. On page 4, in line 11, strike "§21-11-206." and substitute "§21-8-106."; in line 15, strike "§21-11-204(B)" and substitute "§21-8-104(B)"; and in line 16, strike "§21-11-207." and substitute "§21-8-107."

6. On page 5, in line 7, after "REGULATIONS", insert "DURING A LICENSE YEAR"; in line 10, strike "§21-11-208." and substitute "§21-8-108."; and in line 18, strike "§21-11-209." and substitute "§21-8-109."

7. On page 5, in line 19, strike "300" and substitute "200"; in line 20 strike "LOCATED" and substitute a period. On page 6, strike lines 1 and 2; and after line 4, insert "(3) A VIOLATION OF THIS SUBSECTION SHALL BE SUBJECT TO THE PENALTY PROVIDED IN § 18-2-702(A)(8) OF THE CODE."; in line 9, strike "§21-11-210." and substitute "§21-8-110."; in line 10, strike "A PERSON", insert, "(A) EXCEPT AS PROVIDED IN THIS SECTION, A PERSON"; after line 12, insert:

"(B) PARKING VIOLATIONS OF THIS TITLE SHALL BE ENFORCED IN ACCORDANCE WITH ARTICLE 18, TITLE 2 OF THE CODE.

(C) THE DEPARTMENT OF HEALTH SHALL ENFORCE ALL LAWS AND REGULATIONS RELATED TO FOOD SERVICE FACILITIES IN ACCORDANCE WITH THE FOOD SERVICE REGULATIONS AND ARTICLE 3, TITLE 6 OF THE CODE."

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

Aye - Quirk, Almond, Huff, Oliver, Marks, Bevins, Olszewski

Nay - None

Thereafter, upon motion by Councilman Huff, seconded by Councilman Olszewski, Bill 76-13, as amended, passed by the following roll call vote:

Aye - Quirk, Almond, Huff, Oliver, Marks, Bevins, Olszewski

Nay - None

Bill 77-13, This Bill was withdrawn prior to the meeting.

Bill 78-13, Synthetic Cannabinoids, was called. Councilmembers Almond, Bevins and Marks commented. Councilman Quirk then moved to amend this Bill with the following amendment:

1. On page 1, in line 4 of the Purpose paragraph, after “marijuana;”, insert “amending the monetary penalty;”, and on page 3, in line 15, after “subject to a fine”, strike “of” and substitute “NOT EXCEEDING”.”

Councilwoman Almond seconded the motion and this amendment passed by the following roll call vote:

Aye - Quirk, Almond, Huff, Oliver, Marks, Bevins, Olszewski

Nay - None

Thereafter, upon motion by Councilwoman Almond, seconded by Councilman Quirk, Bill 78-13, as amended, passed by the following roll call vote:

Aye - Quirk, Almond, Huff, Oliver, Marks, Bevins, Olszewski

Nay - None

F. APPROVAL OF FISCAL MATTERS

The Chair stated that the Council would now consider Fiscal Matters. Extensive testimony on each item was taken at the Council's work session on January 14, 2014. 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. Chair Bevins then called upon the Secretary to read the cover letters for Fiscal Matters 1 through 3.

1. BAT#14-03 - Security Services/Emergency Funds - Baltimore County Homeless Shelters/Maryland Food Bank - Planning/HHS

Budget appropriation transfer #14-03 for the Department of Planning and Health and human Services. Transferred funds are required in order to provide increased security services at two homeless shelters in Baltimore county, to increase emergency funds and to increase a grant to the Maryland Food Bank.

2. Contract - BARCO Enterprises, Inc. - Air duct cleaning/mold remediation services - OBF

A contract with BARCO Enterprises, Inc., to provide air duct cleaning and mold remediation services for various County-owned and/or operated buildings within the boundaries of Baltimore County, Maryland.

3. Contract - Maryland Environmental Science - Various services - Solid Waste Transfer Facility - Eastern Sanitary Landfill - Public Works

A contract with Maryland Environmental Science, to provide the design, construction, construction management and inspection services for a new, open top solid waste transfer facility at the Eastern Sanitary Landfill.

There being no discussion, upon motion by Councilman Quirk, seconded by Councilman Oliver, Fiscal Matters 1 through 3 were unanimously approved.

G. MISCELLANEOUS BUSINESS

1. Res. 1-14 - Baltimore County Water Supply and Sewerage Plan

At the direction of the Chair, the Secretary read this Resolution to amend the Baltimore County Water Supply and Sewerage Plan. Ed Adams appeared. Councilman Quirk commented. There being no further discussion, upon motion by Councilman Oliver, seconded by Councilwoman Almond, this Resolution was unanimously approved.

2. Res. 2-14 - Accept donation - fitness equipment - Police Department - Woodlawn Precinct

At the direction of the Chair, the Secretary read this Resolution to authorize the County to accept a gift for the use of Baltimore County, Maryland. Chief Johnson appeared. There being no discussion, upon motion by Councilman Quirk, seconded by Councilman Marks, this Resolution was unanimously approved.


3. Res. 3-14 - Endorsement - Wishrock Investment Group - 67 Timber Grove Road

At the direction of the Chair, the Secretary read this Resolution of the County Council of Baltimore County, Maryland approving the redevelopment of housing in Owings Mills, Baltimore County, Maryland, to be financed either directly by the Department of Housing and Community Development, a principal department of the State of Maryland or through the Department's Community Development Administration. Liz Glenn appeared. Councilwoman Almond commented. There being no further discussion, upon motion by Councilman Oliver, seconded by Councilman Quirk, this Resolution was unanimously approved.

4. Res. 6-14 - Mr. Marks - Re-designation of Joppa Trail Park site, Forge View Park site & Soukup Arena site

At the direction of the Chair, the Secretary read this Resolution of the Baltimore County Council to re-designate the Joppa Trail Park site, the Forge View Park site, and the Soukup Arena site as the Susquehannock Trail Park site, the Gwynn-Harvey Park site, and the Soukup Park site, respectively. Councilman Marks commented. There being no further discussion, upon motion by Councilman Marks , seconded by Councilman Quirk, this Resolution was unanimously approved.

There being no further business to come before the Council at this time, upon motion by Councilman Huff seconded by Councilman Oliver, the meeting adjourned at 6:20 P.M.


Thomas J. Peddicord, Jr.