

City of Baltimore

*City Council
City Hall, Room 408
100 North Holliday Street
Baltimore, Maryland 21202*



Meeting Agenda - Final

Monday, August 11, 2008

5:00 PM

City Hall

City Council

Stephanie Rawlings-Blake, President of the Council

Edward L. Reisinger, Vice President

District 1: James Kraft - District 2: Nicholas C. D'Adamo

District 3: Robert W. Curran - District 4: Bill Henry

District 5: Rochelle "Rikki" Spector - District 6: Sharon Green Middleton

District 7: Belinda Conaway - District 8: Helen L. Holton

**District 9: Agnes Welch - District 10: Edward L. Reisinger
District 11: William H. Cole, IV - District 12: Bernard C. "Jack" Young
District 13: Warren Branch - District 14: Mary Pat Clarke**

Call to Order

Invocation

Reverend Terry Love, Pastor, New Beginnings Church of Jesus Christ

Pledge of Allegiance

Roll Call

Showcase Baltimore

Tony Dawson, former President of the Belair Edison Community Association and COP Walk Organizer

Approval of the Journal

July 21, 2008

Communications from the Mayor

Bills Signed by the Mayor

July 25, 2008

08-0110

Planned Unit Development - Designation - Guilford/Holliday Towers

FOR the purpose of approving the application of RWN Development Group, LLC, its affiliates and assigns, who are either the developer, contract purchaser, potential owner, or owner of certain properties known as 211 East Pleasant Street (a/k/a 320 Guilford Avenue), 310-318 Guilford Avenue, 222 East Saratoga Street, 407 East Saratoga Street, 231-233 Holliday Street, 235-239 Holliday Street, and 154, 158, 160, 162, and 164 North Gay Street (collectively referred to as "the Property"), to have the Property designated a Business Planned Unit Development; and approving the Development Plan submitted by the applicant.

Sponsors: William H. Cole, IV

08-0116

Water Regulations - Citation Penalties

FOR the purpose of reducing the prepayable citation penalties for certain violations of regulations adopted to protect the City's water supply and facilities.

Sponsors: City Council President (Administration)

Executive Nominations

EA08-0095

Kishia Lynn Powell

Bureau Head - Water and Waste Water

EXECUTIVE APPOINTMENTS COMMITTEE

Bills Introduced

08-0168

City Streets - Opening - Certain Streets Lying Within the Middle East Urban Renewal Project

FOR the purpose of condemning and opening certain streets lying within the Middle East Urban Renewal Project, bounded by Ashland Avenue, McDonogh Street, Chase Street, and Washington Street, as shown on Plat 348-A-80D in the Office of the Department of Public Works; and providing for a special effective date.

Sponsors: City Council President (Administration)

ORDINANCE

At the request of: Department of Public Works

HIGHWAYS AND FRANCHISES SUBCOMMITTEE

08-0169

City Streets - Closing - Certain Streets or Portions of them Lying Within the Middle East Urban Renewal Project

FOR the purpose of condemning and closing certain streets or portions of them lying within the Middle East Urban Renewal Project, bounded by Ashland Avenue, McDonogh Street, Chase Street, and Washington Street, as shown on Plat 348-A-80E in the Office of the Department of Public Works; and providing for a special effective date.

Sponsors: City Council President (Administration)

ORDINANCE

At the request of: Department of Public Works

HIGHWAYS AND FRANCHISES SUBCOMMITTEE

08-0170

Baltimore City Landmark List - Four Bay House

FOR the purpose of designating the Four Bay House, 1733 Aliceanna Street, as a historical landmark.

Sponsors: City Council President (Administration)

ORDINANCE

*At the request of: Commission for Historical and Architectural Preservation
URBAN AFFAIRS AND AGING COMMITTEE*

08-0171

Baltimore City Landmark List - Dr. Giering House

FOR the purpose of designating the Dr. Giering House, 3906 Parkside Drive, as a historical landmark.

Sponsors: City Council President (Administration)

ORDINANCE

*At the request of: Commission for Historical and Architectural Preservation
URBAN AFFAIRS AND AGING COMMITTEE*

08-0172

Baltimore City Landmark List - Mount Calvary Church

FOR the purpose of designating Mount Calvary Church, 816 North Eutaw Street, as a historical landmark.

Sponsors: City Council President (Administration)

ORDINANCE

*At the request of: Commission for Historical and Architectural Preservation
URBAN AFFAIRS AND AGING COMMITTEE*

08-0173

Baltimore City Landmark List - St. Mark's Evangelical Lutheran Church

FOR the purpose of designating St. Mark's Evangelical Lutheran Church, 1920 Saint Paul Street, as a historical landmark.

Sponsors: City Council President (Administration)

ORDINANCE

*At the request of: Commission for Historical and Architectural Preservation
URBAN AFFAIRS AND AGING COMMITTEE*

08-0174

Baltimore City Landmark List - Scottish Rite Temple

FOR the purpose of designating the Scottish Rite Temple, 3800 North Charles Street, as a historical landmark.

Sponsors: City Council President (Administration)

ORDINANCE

*At the request of: Commission for Historical and Architectural Preservation
URBAN AFFAIRS AND AGING COMMITTEE*

08-0175

Baltimore City Landmark List - Melvin Cade Armory

FOR the purpose of designating the Melvin Cade Armory, 2620 Winchester Street, as a historical landmark.

Sponsors: City Council President (Administration)

ORDINANCE

*At the request of: Commission for Historical and Architectural Preservation
URBAN AFFAIRS AND AGING COMMITTEE*

08-0176

Baltimore City Landmark List - Nazarene Baptist Church

FOR the purpose of designating the Nazarene Baptist Church, 1201 Harford Avenue, as a historical landmark.

Sponsors: City Council President (Administration)

ORDINANCE

*At the request of: Commission for Historical and Architectural Preservation
URBAN AFFAIRS AND AGING COMMITTEE*

08-0177

Baltimore City Landmark List - Harford Commons (William Fuld Company)

FOR the purpose of designating the Harford Commons (William Fuld Company), 1508 Harford Avenue, as a historical landmark.

Sponsors: City Council President (Administration)

ORDINANCE

*At the request of: Commission for Historical and Architectural Preservation
URBAN AFFAIRS AND AGING COMMITTEE*

08-0178

Baltimore City Landmark List - St. Stanislaus Kostka Church

FOR the purpose of designating St. Stanislaus Kostka Church, 700 block of South Ann Street, as a historical landmark.

Sponsors: City Council President (Administration)

ORDINANCE

*At the request of: Commission for Historical and Architectural Preservation
URBAN AFFAIRS AND AGING COMMITTEE*

08-0179

Parking Tax - Tax Rate

FOR the purpose of establishing a new, uniform tax rate for parking a motor vehicle on a parking lot or in a garage; providing for a special effective date; and generally relating to the imposing and administration of the parking tax.

Sponsors: City Council President (Administration)

ORDINANCE

*At the request of: Department of Transportation
TAXATION, FINANCE AND ECONOMIC DEVELOPMENT COMMITTEE*

08-0180

Sale of Property - 3904 White Avenue

FOR the purpose of authorizing the Mayor and City Council of Baltimore to sell, at either public or private sale, all its interest in certain property known as 3904 White Avenue (Block 5691, Lot 005) and no longer needed for public use; and providing for a special effective date.

Sponsors: City Council President (Administration)

ORDINANCE

At the request of: The Comptroller (Department of Real Estate)

TAXATION, FINANCE AND ECONOMIC DEVELOPMENT COMMITTEE

08-0181

Environmental and Civil Citations - Building Code Notices - Service

FOR the purpose of requiring that service by mail of environmental citations, civil citations, and building code notices be both by certified mail and by regular mail; conforming and clarifying certain language; and generally relating to the service of environmental citations, civil citations, and building code notices .

Sponsors: President Rawlings-Blake, Mary Pat Clarke, Bernard C. 'Jack' Young, Sharon Green Middleton, Bill Henry, Warren Branch, Edward L. Reisinger, William H. Cole, IV, Belinda K. Conaway, Nicholas C. D'Adamo and Agnes Welch

ORDINANCE

JUDICIARY AND LEGISLATIVE INVESTIGATIONS COMMITTEE

08-0182

Rezoning - 2003-2017 East Federal Street and 2006 Bauernschmidt Alley

FOR the purpose of changing the zoning for the properties known as 2003-2017 East Federal Street and 2006 Bauernschmidt Alley, as outlined in red on the accompanying plat, from the B-1-2 Zoning District to the B-3 Zoning District.

Sponsors: Bernard C. 'Jack' Young

ORDINANCE

At the request of: The Elite Development Group Enterprise, LLC and Marlesia Johnson
LAND USE AND TRANSPORTATION COMMITTEE

08-0183

Planned Unit Development - Amendment - Eastern Plaza (Anchor Square)

FOR the purpose of approving certain amendments to the Development Plan of the Eastern Plaza Planned Unit Development.

Sponsors: Nicholas C. D'Adamo

ORDINANCE

At the request of: MAFA Easter Avenue Associates, LLC, c/o Stanley S. Fine, Esq.
LAND USE AND TRANSPORTATION COMMITTEE

08-0184

"Dumpsters" - Registration and Regulation

FOR the purpose of requiring certain large waste containers to be registered; defining certain terms; requiring certain information; prohibiting certain conduct; and imposing certain civil and criminal penalties.

Sponsors: Warren Branch, Bernard C. 'Jack' Young, Sharon Green Middleton, Nicholas C. D'Adamo, Bill Henry, Mary Pat Clarke, Robert W. Curran, William H. Cole, IV, Agnes Welch, Belinda K. Conaway and Edward L. Reisinger

*ORDINANCE
JUDICIARY AND LEGISLATIVE INVESTIGATIONS COMMITTEE*

08-0185

Non-Owner-Occupied Dwellings - Registration

FOR the purpose of requiring certain leases and other tenant information to accompany the registration statements for non-owner-occupied dwellings.

Sponsors: Belinda K. Conaway, Bernard C. 'Jack' Young, Sharon Green Middleton, Bill Henry, Robert W. Curran, Mary Pat Clarke, Warren Branch, Edward L. Reisinger and Agnes Welch

*ORDINANCE
JUDICIARY AND LEGISLATIVE INVESTIGATIONS COMMITTEE*

08-0186

Scrap - Collectors, Scavengers, Processors, and Others - Penalties

FOR the purpose of increasing the penalties for violations by scrap collectors, scavengers, scrap metal processors, and others who collect, buy, process, sell, transport, or otherwise deal in scrap; and correcting, conforming, and clarifying related provisions.

Sponsors: Belinda K. Conaway, Bernard C. 'Jack' Young, Sharon Green Middleton, Bill Henry, Warren Branch, William H. Cole, IV and Mary Pat Clarke

*ORDINANCE
JUDICIARY AND LEGISLATIVE INVESTIGATIONS COMMITTEE*

08-0187

Zoning - Parking Regulations - Religious Institutions

FOR the purpose of modifying the number of off-street parking spaces required for churches, temples, and synagogues.

Sponsors: Bill Henry and Robert W. Curran

*ORDINANCE
LAND USE AND TRANSPORTATION COMMITTEE*

08-0188

Zoning - Conditional Use Banquet Hall - 1702 West Pratt Street

FOR the purpose of permitting, subject to certain conditions, the establishment, maintenance, and operation of a banquet hall on the property known as 1702 West Pratt Street, as outlined in red on the accompanying plat.

Sponsors: Agnes Welch

*ORDINANCE
At the request of: Terrina Henderson
LAND USE AND TRANSPORTATION COMMITTEE*

Resolutions Introduced

08-0059R

Request for State Legislation - Non-Customer Check Cashing Bank Fees

FOR the purpose of urging the Honorable Chair and Members of the Baltimore City Delegation to the 2009 session of the Maryland General Assembly to introduce legislation that would stop banks from charging non-customer check cashing fees.

Sponsors: Belinda K. Conaway, Bill Henry, Warren Branch and Edward L. Reisinger

RESOLUTION

TAXATION, FINANCE AND ECONOMIC DEVELOPMENT

08-0060R

Informational Hearing - XSPAND - Tax Lien Servicer

FOR the purpose of inviting XSPAND to make a presentation to the City Council on the services the company offers providing local governments with the resources needed to turn delinquent property tax liens into government revenue.

Sponsors: President Rawlings-Blake, Bernard C. 'Jack' Young, Sharon Green Middleton, Bill Henry, Nicholas C. D'Adamo, Robert W. Curran, Warren Branch, Edward L. Reisinger, Belinda K. Conaway and Agnes Welch

RESOLUTION

TAXATION, FINANCE AND ECONOMIC DEVELOPMENT

Consent Calendar

(See Section A at back of Agenda)

2R Second Reader

Executive Appointments

EA08-0091 **Dana M. Cole**
Member - Board of Finance - 5th District

RECOMMEND CONFIRMATION

Highways and Franchises

08-0114 **Franchise - Private Product Recovery System Pipeline Under and Across a Portion of the Boston Street Right-of-way**

FOR the purpose of granting a franchise to ExxonMobil to construct, use, and maintain a private product recovery system pipeline under and across a portion of the Boston Street right-of-way, connecting facilities located on the properties known as 4200 Boston Street and 1610 South Newkirk Street, subject to certain terms, conditions, and reservations; and providing for a special effective date.

Sponsors: City Council President (Administration)

REPORTED FAVORABLE WITH AMENDMENT

Judiciary and Legislative Investigations

08-0108

Charter Amendment - Department of General Services

FOR the purpose of establishing a Department of General Services among the Executive Departments; providing for the powers and duties of the Department of General Services; transferring certain powers and duties from the Department of Public Works to the Department of General Services; repealing certain obsolete provisions; requiring obstructions to the work of the Department of Transportation or the Department of General Services to be removed; conforming, correcting, and clarifying related provisions; and submitting this amendment to the qualified voters of the City for adoption or rejection.

Sponsors: City Council President (Administration)

REPORTED FAVORABLE WITH AMENDMENT

08-0125

Board of Fire Commissioners - Number

FOR the purpose of increasing the number of persons serving on the Board of Fire Commissioners from 3 to 5; and restating for context and clarifying certain Charter provisions governing the Board of Fire Commissioners.

Sponsors: City Council President (Administration)

REPORTED FAVORABLE

3R Third Reader

Third Reader (requires invocation of CC Rule 12-1 for same day advance from 2nd to 3rd Reader)

08-0108

Charter Amendment - Department of General Services

FOR the purpose of establishing a Department of General Services among the Executive Departments; providing for the powers and duties of the Department of General Services; transferring certain powers and duties from the Department of Public Works to the Department of General Services; repealing certain obsolete provisions; requiring obstructions to the work of the Department of Transportation or the Department of General Services to be removed; conforming, correcting, and clarifying related provisions; and submitting this amendment to the qualified voters of the City for adoption or rejection.

Sponsors: City Council President (Administration)

08-0114

Franchise - Private Product Recovery System Pipeline Under and Across a Portion of the Boston Street Right-of-way

FOR the purpose of granting a franchise to ExxonMobil to construct, use, and

maintain a private product recovery system pipeline under and across a portion of the Boston Street right-of-way, connecting facilities located on the properties known as 4200 Boston Street and 1610 South Newkirk Street, subject to certain terms, conditions, and reservations; and providing for a special effective date.

Sponsors: City Council President (Administration)

Third Reader (to be held one meeting)

08-0031

Rezoning - 5901 Falls Road

FOR the purpose of changing the zoning for the property known as 5901 Falls Road, as outlined in red on the accompanying plat, from the R-5 Zoning District to the O-R-1 Zoning District.

Sponsors: Rochelle 'Rikki' Spector

08-0111

Planned Unit Development - Amendment 1 - Marketplace at Fell's Point

FOR the purpose of approving certain amendments to the Development Plan of the Marketplace at Fell's Point Planned Unit Development.

Sponsors: James B. Kraft

Third Reader (for final passage)

08-0019

Building Code - Dwellings - Carbon Monoxide Alarms

FOR the purpose of requiring the installation and maintenance of carbon monoxide alarms in dwellings, hotels, motels, boarding or rooming houses, or other structures that provide living or sleeping facilities; defining certain terms; adopting certain standards; prohibiting certain conduct; and generally relating to protection from carbon monoxide poisoning.

Sponsors: James B. Kraft, Edward L. Reisinger, Mary Pat Clarke, Warren Branch, Agnes Welch, Sharon Green Middleton, Belinda K. Conaway, Rochelle 'Rikki' Spector, Bernard C. 'Jack' Young, Helen L. Holton and President Rawlings-Blake

08-0046

Firearms - Reporting Theft or Loss

FOR the purpose of requiring that the theft or loss of a firearm be reported, within a specified time, to the police; defining certain terms; and imposing certain criminal and civil penalties.

Sponsors: James B. Kraft, Nicholas C. D'Adamo, Robert W. Curran, Warren Branch, William H. Cole, IV, President Rawlings-Blake, Mary Pat Clarke, Rochelle 'Rikki' Spector, Sharon Green Middleton, Belinda K. Conaway, Helen L. Holton, Bill Henry and Bernard C. 'Jack' Young

08-0047

"Dirt Bikes" - Unregistered Motorcycles and Similar Vehicles - Forfeiture Proceeding

FOR the purpose of requiring a person who owns, controls, possesses, or has custody of a dirt bike or an unregistered motorcycle or similar vehicle to immobilize that vehicle while in Baltimore City; modifying certain restrictive provisions relating to published notice of a forfeiture petition; repealing certain provisions authorizing repossession of a vehicle pending a decision on forfeiture; prohibiting a secured party from selling a forfeited vehicle to the owner or other person from whom it was seized; correcting, clarifying, and conforming related language; and generally relating to dirt bikes or unregistered motorcycles or similar vehicles.

Sponsors: City Council President (Administration)

08-0109

Zoning - Conditional Use Housing for the Elderly - 5300 Harford Road

FOR the purpose of permitting, subject to certain conditions, the establishment, maintenance, and operation of housing for the elderly on the property known as 5300 Harford Road, as outlined in red on the accompanying plat.

Sponsors: Robert W. Curran

08-0115

Corrective Bill 2008

FOR the purpose of correcting certain technical errors and omissions in the City Code and other enactments; repealing certain obsolete provisions; correcting, clarifying, and conforming certain language; and providing for a special effective date.

Sponsors: City Council President (Administration)

08-0127

Accident and Disabled-Vehicle Towing

FOR the purpose of clarifying and revising the laws governing accident and disabled-vehicle towing to, among other things, further protect the public from unauthorized, predatory towers; conforming these laws to current practices; correcting, clarifying, and conforming related provisions; increasing certain penalties; authorizing the issuance of civil citations, subject to certain penalties, for violations; and generally relating to the towing of vehicles disabled by accident.

Sponsors: Robert W. Curran, Rochelle 'Rikki' Spector, Bernard C. 'Jack' Young, James B. Kraft, Bill Henry, Warren Branch, Helen L. Holton, Sharon Green Middleton, Nicholas C. D'Adamo, Mary Pat Clarke, Agnes Welch and Edward L. Reisinger

08-0139

Urban Renewal - Inner Harbor Project I-A - Amendment _

FOR the purpose of amending the Urban Renewal Plan for Inner Harbor Project I-A to amend the height restrictions for certain property within the project area; waiving certain content and procedural requirements; making the provisions of this Ordinance severable; providing for the application of this Ordinance in conjunction with certain other ordinances; and providing for a special effective date.

Sponsors: City Council President (Administration)

Committee Announcements

Announcements

**THE NEXT MEETING OF THE CITY COUNCIL
WILL BE HELD ON MONDAY, SEPTEMBER 8, 2008, AT 5:00 P.M.**

Adjournment

Cable Hearing Schedule

MONDAY, AUGUST 18, 2008 AT 5:00 P.M.

Education Committee, Councilmember Clarke - Chair

08-0057R - Informational Hearing - Baltimore City Public School System - Preparedness for the 2008-2009 School Year

Part II - Data on the number of principal and teacher vacancies; and Progress report on the plan to decentralize the school budget process.

WEDNESDAY, SEPTEMBER 10, 2008 AT 5:00 P.M.

Judiciary and Legislative Investigations Committee - Councilmember Kraft - Chair

LO08-0017 - The State of Preparedness for Election Day 2008

WEDNESDAY, SEPTEMBER 17, 2008 AT 5:00 P.M.

Budget and Appropriations Committee, Councilmember Young - Chair

LO08-0019 - Baltimore City's Employment/Unemployment Outlook