

BALTIMORE COUNTY COUNCIL MINUTES
LEGISLATIVE SESSION 2024, LEGISLATIVE DAY NO. 5
March 4, 2024 6:00 P.M.

A. The meeting was called to order by Chairman Patoka at 6:09 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 35 persons in attendance. The following Councilmembers were present:

PAT YOUNG	FIRST DISTRICT
IZZY PATOKA	SECOND DISTRICT
WADE KACH	THIRD DISTRICT
JULIAN E. JONES	FOURTH DISTRICT
DAVID MARKS	FIFTH DISTRICT
MICHAEL ERTEL	SIXTH DISTRICT

Councilman Crandell was absent the entire meeting.

B. APPROVAL OF JOURNAL

Upon motion by Councilman Young, seconded by Councilman Ertel, the reading of the Journal Entries for the meeting of February 20, 2024 was waived and accepted unanimously by the six 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, Bill 2-24.

D. INTRODUCTION OF BILLS

The Chair stated he received a letter on today's date from the County Executive indicating that as a result of the compromise to establish a Mixed-Use Overlay District with the introduction of Bill 9-24, the Administration requested that Bill 3-24 be withdrawn. The Chair then announced the withdrawal of Bill 3-24.

Bill 9-24 entitled An Act for the purpose of establishing a Mixed-Use (M.U.) Overlay District and permitting Mixed-Use Development within the district, subject to certain conditions and limitations; defining certain terms; providing for permitted uses by right and by special exception; providing for prohibited uses; providing for residential density and floor area ratio; providing bulk and area regulations, parking requirements, open space requirements, site development and architectural design, and signage; establishing inclusionary housing set-asides; providing for the application of the Act; and generally relating to Mixed-Use Development and Overlay Districts.

Bill 10-24 entitled An Act for the purpose of repealing a prohibition on applying the R.C.7 Zone to property currently zoned R.C.2; and generally relating to R.C. zones.

Bill 11-24 entitled An Act for the purpose of permitting the N.C. Overlay District to be applied to a property that is in a floodplain; and generally relating to the N.C. District.

Bill 12-24 entitled An Act for the purpose of expanding a property tax credit for disabled Baltimore County law enforcement officers to a law enforcement officer that was disabled through employment in the State; and generally relating to property tax credits.

Bill 13-24 entitled An Act for the purpose of permitting a swim school and learning center in the B.L.R. Zone under certain circumstances; and generally relating to a swim school and learning center.

F. VETOED BILLS

Bill 1-24, Zoning Regs. – Uses Permitted in the Business, Major (B.M.) and Manufacturing, Light (M.L.) Zones – Residential Uses in Hunt Valley, was called. The Secretary stated that on February 20, 2024, the County Council passed Bill 1-24. On February 22, 2024, the bill was presented to the County Executive for his approval or disapproval. On February 29, 2024, the County Executive returned Bill 1-24 with his Executive Veto, which included a letter stating his reasons for not approving the bill. Sec. 308(g) of the County Charter states that any such legislation presented to the County Executive and returned with his veto may be reconsidered by the County Council not later than at its next regular session. A vote of a majority plus one of the seven Councilmembers will override the veto and allow the legislation to stand enacted. Councilman Kach commented. There being no further discussion, upon motion by Councilman Kach, to override the Executive Veto, seconded by Councilman Jones, the motion passed by the following roll call vote:

Aye - Patoka, Kach, Jones, Marks, Ertel
Nay – Young
Absent – Crandell

E. CALL OF BILLS FOR FINAL READING AND VOTE

Bill 4-24, Zoning Regulations – Signs – Portable Signs, was called. Councilmembers Kach, Jones and Patoka commented. There being no further discussion, upon motion by Councilman Kach, seconded by Councilman Jones, this Bill passed by the following roll call vote:

Aye - Young, Patoka, Kach, Jones, Marks, Ertel
Nay – None
Absent - Crandell

Bill 5-24, Zoning Regulations – Capping Residential Growth in Greenleigh, was called. Councilman Marks commented. There being no further discussion, upon motion by Councilman Marks, seconded by Councilman Patoka, this Bill passed by the following roll call vote:

Aye - Young, Patoka, Kach, Jones, Marks, Ertel
Nay – None
Absent - Crandell

G. 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 February 27, 2024. 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 Patoka then called upon the Secretary to read the cover letters for Fiscal Matters 1 through 10.

1. Contract – Centennial Protection Group, LLC – Pre-employment background check services-FD

A contract with Centennial Protection Group, LLC, to provide pre-employment background check services for potential employees of the Fire Department.

2. Contract of Sale – Judtih Katcoff – 1441 Rolling Road, 21228 – REC

A contract of sale with Judith Katcoff, to acquire a parcel of land, located at 1441 Rolling Road, Catonsville, MD 21228, to remediate the County-owned playground encroachment.

3. Addendum to Contract – Johnson, Mirmiran & Thompson, Inc. – On-call Tier 2 traffic engineering design services – DPWT

An addendum to the contract with Johnson, Mirmiran & Thompson, Inc., to increase the total not exceed amount of the contract. The contractor will continue to provide Tier 2 traffic engineering design services on an on-call, as-needed basis.

4. Addendum to Contract – The Wilson T. Ballard Co. – On-call Tier 1 traffic engineering design services – DPWT

An addendum to the contract with The Wilson T. Ballard Co., to increase the total not to exceed amount of the contract. The contract will continue to provide Tier 1 traffic engineering design services on an on-call, as-needed basis.

5. Contract – Freeland Hoist & Crane, Inc. – Overhead crane and hoist – inspection, maintenance & repair services – PM

A contract with Freeland Hoist & Crane, Inc., to provide overhead crane and hoist annual maintenance and inspection repair services.

6. Contracts – (3) – Routine maintenance/repairs of wood floors – PM

Three contracts to provide all necessary labor, equipment, materials, supervision, tools and related incidentals required to perform routine repairs, replacement, refinishing and re-lining of wood floors.

7. Contracts – (3) – On-call roofing services – PM

Three contracts to provide on-call roofing services at various County-owned and/or operated buildings on an as-need basis.

8. Contracts – (4) – On-call carpentry services – PM

Three contracts to provide on-call carpentry services at various County-owned and/or operated buildings on a time and materials basis.

9. 2nd Amendment to Contract – Nelson, Mullins, Riley & Scarborough, LLP – OOL

A 2nd amendment to the contract with Nelson, Mullins, Riley & Scarborough, LLP, to increase the total compensation amount. The contractor will continue to serve as co-lead counsel for the County with respect to Fair Labor Standards Act (FLSA) class action litigation in federal court.

10. Contract - Karpinski, Cornbrooks & Karp, P.A. – Part-time legal counsel - OIG

A contract with Karpinski, Cornbrooks & Karp, P.A., to provide legal counsel on a part-time basis to the Office of the Inspector General. The firm will be providing advice, researching various issues and drafting litigation, legislative documents and OIT reports for legal compliance with MPIA and other legal requirements on an as-needed basis.

There being no discussion, upon motion by Councilman Ertel, seconded by Councilman Kach, Fiscal Matters 1 through 10 were unanimously approved by the six Councilmembers present.

G. MISCELLANEOUS BUSINESS

1. Res. 6-24 – Amending the Rules of Procedure for the Baltimore County Council

At the direction of the Chairman, the Secretary read this Resolution of the Baltimore County Council to amend the Rules of Procedure for the Baltimore County Council. Councilmembers Young and Patoka commented. Councilman Young then moved to amend this Resolution with the following amendments:

1. On page 6, in the paragraph that starts “C. IN THE”, in the first line, after “THE CHAIR” strike “DOES NOT INTRODUCE A BILL OR RESOLUTION SUBMITTED FOR INTRODUCTION BY THE COUNTY EXECUTIVE OR” and in the last line of the same paragraph, strike “INTRODUCTION OR”.
2. On page 6, after the paragraph that starts “C. IN THE”, insert the following.
“RULE 9. REMOTE SESSIONS. AT THE CHAIR’S DISCRETION, ANY LEGISLATIVE, WORK SESSION, OR PUBLIC HEARING MAY BE CONDUCTED VIRTUALLY, IF A STATE OF EMERGENCY, A WEATHER EVENT, A POWER OUTAGE, OR OTHER OCCURRENCE WOULD PRESENT A DANGER TO MEMBERS OF THE PUBLIC ATTENDING IN PERSON OR WOULD PREVENT THE NORMAL OPERATIONS OF THE SESSION OR HEARING. PUBLIC NOTICE WILL BE GIVEN WITH AS MUCH ADVANCED NOTICE AS IS POSSIBLE FOR THE GIVEN CIRCUMSTANCE AND POSTED ON THE COUNCIL’S WEBSITE.”
In the next paragraph, after “Rule” strike “9” and substitute “10”.
3. On page 6, after the heading “The Rights and Duties of Members” insert the following.
“RULE 11. METHOD OF COUNCILMEMBER ATTENDANCE. SUBJECT TO RULE 9, COUNCILMEMBERS ARE EXPECTED TO ATTEND ALL LEGISLATIVE AND WORK SESSIONS IN PERSON. IF A COUNCILMEMBER CANNOT ATTEND A SESSION IN PERSON DUE TO ILLNESS OR OTHER CIRCUMSTANCES, THE COUNCILMEMBER MAY PARTICIPATE AND VOTE VIRTUALLY THROUGH THE COUNCIL’S PREFERRED PLATFORM. A

COUNCILMEMBER WISHING TO PARTICIPATE REMOTELY SHOULD GIVE AS MUCH ADVANCED NOTICE AS POSSIBLE TO THE COUNCIL CHAIR AND THE COUNCIL SECRETARY. A COUNCILMEMBER PARTICIPATING REMOTELY TO A LEGISLATIVE SESSION SHOULD BE AVAILABLE TO STATE THEIR VOTE AT THE TIME A VOTE IS CALLED, BUT MAY STATE THEIR VOTE AFTER THE ROLL CALL BUT BEFORE THE SESSION ADJOURNS IF TECHNICAL DIFFICULTIES OCCUR.”

4. On pages 6 through 16, all-inclusive, re-number all rules and all references to Rules 9 through 39.

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

Aye - Young, Patoka, Kach, Jones, Marks, Ertel
Nay – None
Absent - Crandell

Thereafter, upon motion by Councilman Kach, seconded by Councilman Ertel, Resolution 6-24, as amended, passed by the following roll call vote:

Aye - Young, Patoka, Kach, Jones, Marks, Ertel
Nay – None
Absent - Crandell

2. Res. 7-24 – Accept donation – Parcel of land – 2005 Old Bosley Road, 21093

At the direction of the Chairman, the Secretary read this Resolution to accept a donation of a parcel of land containing a total area of 0.23 acres (10,019 sq. ft.), more or less. Faith Thomas testified. There being no discussion, upon motion by Councilman Kach, seconded by Councilman Patoka, this Resolution was unanimously approved by the six Councilmembers present.


3. Res. 8-24 – Payment in lieu of property taxes (PILOT) – Essex 2 Limited Partnership

At the direction of the Chairman, the Secretary read this to authorize the County Executive or other authorized administrative official to enter into a written agreement on behalf of the County with Essex 2 Limited Partnership (LP) (the “Owner”) for the payment of stipulated amounts in lieu of regular real property taxes in order to facilitate the development of a rental housing project to benefit eligible persons in Baltimore County. Marcia Williams testified. There being no discussion, upon motion by Councilman Kach, seconded by Councilman Patoka, this Resolution was unanimously approved by the six Councilmembers present.

4. **Res. 9-24 – Payment in lieu of property taxes (PILOT) – Essex 2 Limited Partnership**

This Resolution was for introduction only.

There being no further business to come before the Council at this time, upon motion by Councilman Jones, seconded by Councilman Young, the meeting was adjourned at 6:35 P.M.



Thomas H. Bostwick
Legislative Counsel/Secretary