

EIGHTH DAY

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FIRST COUNCILMANIC YEAR - SESSION OF 2016-2020

JOURNAL

CITY COUNCIL OF BALTIMORE

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April 3, 2017

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Pastor Tanya Wade, of Grace Presbyterian Church, led the Council in Prayer.

The President and members of the Council recited the Pledge of Allegiance to the Flag.

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The City Council of Baltimore met pursuant to adjournment. Present: Bernard C. “Jack” Young, President, and Councilmembers Cohen, Scott, Dorsey, Henry, Schleifer, Pinkett, Burnett, Bullock, Reisinger, Costello, Stokes, Sneed, Clarke

Absent - Councilmember Middleton

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**SHOWCASE BALTIMORE**

Kimberly Mays, of the American Heart Association, delivered a presentation.

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**JOURNAL APPROVED**

The Journal of March 20, 2017 was read and approved.

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**COMMUNICATIONS FROM THE MAYOR**

**VETO MESSAGE OF THE MAYOR  
FOR CITY COUNCIL BILL NO. 17-0018**

March 24, 2017

The Honorable President and Members of the Baltimore City Council  
City Hall  
100 North Holliday Street

Suite 400  
Baltimore, MD 21201

Re: City Council Bill #17-0018, Labor and Employment - City Minimum Wage

Dear Mr. President and Members of the Council:

After careful consideration and deliberation, I have decided to veto **City Council Bill #17-0018, Labor and Employment - City Minimum Wage**.

The recent news of our declining population has added to this decision. All indications are that if the current minimum wage legislation is implemented - like residents who have moved to neighboring jurisdictions - businesses, small and large, will choose to do the same.

Among other factors that have contributed to my decision are: the impact this legislation will have on the City's budget, the negative implications it will have on the City's economy, many unaddressed issues we attempted to address through amendments, as well as serious concerns raised by residents and business owners.

I want you all to know that no one wants to see wages in our city, state and country increase more than I do. I look forward to the state-wide increase in the minimum wage to \$10.10 that I fought so hard for in Annapolis as the Senate Majority Leader. The State's minimum wage increase will take place in 2018 and I believe working families will benefit from and deserve these increased wages. Baltimore companies, corporations and City government, along with surrounding jurisdictions, are already preparing now for these increases.

I have also had conversations with my counterparts, County Executives in the surrounding jurisdictions of Anne Arundel County, Baltimore County, Harford and Howard County. They advised that while it might mean greater opportunities for them - because businesses and organizations have warned that they would move into their counties if Baltimore took this action - they were clear that they were not advancing minimum wage increases on their own and would concur with the State's rise in the minimum wage in 2018 as required by law. The movement of any businesses to surrounding counties would only create more hardship for Baltimore residents who would then be forced to incur costs to travel outside the city. These executives have assured me that they stand with Baltimore because an economically strong City is important to the region and important to the state.

As the City's Chief Executive Officer, I have taken an oath to manage its fiscal health and well-being. According to the Department of Finance, the net budgetary impact on the City's finances is estimated as a \$115.8 million cost over the next seven years. This additional cost comes while the City has an existing structural budget deficit, additional City maintenance of effort contributions and service support for the Baltimore City Public Schools, and new costs to implement the terms of the Department of Justice consent decree with the Baltimore Police

Department. An unintended consequence of this bill would be an increase on employee costs for the utility, which will require raising water bills or reducing investment in critical infrastructure. These financial risks and others that the City faces are already straining the City's budget. Signing this bill into law would only exacerbate the City's fiscal challenges and require further service reductions and layoffs in the City workforce.

I have significant reservations about the Bill's impact on business and the local economy. As a City, we also have the highest property tax rate in the state which is more than double any of our surrounding jurisdictions. We also have the highest income tax rate, the highest personal property tax rate, and the highest utility tax rate in the State of Maryland. Moreover, increasing water rates, an important but aggressive bottle tax and a complex regulatory structure, Baltimore City already is a challenging place to operate a business. Despite those obstacles, we are seeing job growth and have attracted a number of businesses to Baltimore City in the last 24 months. However, increasing the wage rate by 50% would create a competitive disadvantage that may well be impossible to overcome. The growth that we've seen, while robust, is still nascent and I am concerned that this bill would stall, stagnate or even reverse into decline.

My goal is to bring more retail to every community of this City, especially those areas where investment has not occurred in decades. These businesses and the services that they provide should not just be in affluent communities.

An uncompetitive wage rate will make our efforts and ability of attracting and retaining neighborhood amenities more difficult or impossible.

An amendment was proposed that would have tied the increase in the minimum wage to a corresponding increase in surrounding jurisdictions. This is important not just for the competitiveness of our City businesses, but also for the local labor market. According to a previous report by the Baltimore Development Corporation, nearly 61% of low wage job workers commute into Baltimore City from surrounding counties. Raising the wage in the City alone would create more outside competition for our residents in an already competitive environment. The intended benefits for our citizens would invariably be gained by the labor force of surrounding counties. I believe that a broader regional effort, and optimally, a national effort, would be the best way to prevent this type of job gentrification or job compression.

County Executive Isiah Leggett recently vetoed a similar \$15 minimum wage bill in Montgomery County. In his message to the County Council, he cited many of the same concerns regarding his own local economy. When the executive of one of the wealthiest counties in our state and country contemplates those issues, it not only gives me great pause, but makes clear to me that the City of Baltimore should pay close attention to those apprehensions. The County Executive also cited how a minimum wage increase in his county would impact Medicaid providers - an unintended consequence, that should not be overlooked. Since such providers cannot pass on the cost of increases through rate increases, the \$15 minimum wage was estimated to increase operation costs by 5.5% annually. This type of evaluation is key to understanding the total

impact of a minimum increase in Baltimore, yet, I am not aware of a comparable study being conducted by City Council or local providers. Given the large number of hospitals in Baltimore City, this level of consideration is imperative.

In an effort to support our City Council in its deliberations on legislation, I will include in my proposed budget a new position for the City Council President's office, a fiscal analyst who will calculate the financial impact of all legislation on the City's financial health. I believe this will be a valuable tool for our Council Members as they continue to seek ways to make Baltimore better and stronger.

Finally, in conversations with close friends, neighbors, business owners and faith leaders who live in Baltimore City, I have been asked to do what is best for Baltimore - create more jobs, provide more training and opportunities for the 76,000 people who are unemployed in our city as we prepare for the State's minimum wage increase to \$10.10 in 2018.

I understand and appreciate the Council's desire to increase the minimum wage. I hope that the City Council will be my partner in achieving these important goals.

Sincerely,

Catherine E. Pugh  
Mayor

**APPROVED BY THE MAYOR**

**OFFICE OF THE MAYOR**

March 17, 2017

The Honorable Bernard C. "Jack" Young, President  
and Members of the City Council

Dear Council Members:

I am pleased to inform your Honorable Body that I have signed into law this day these bills which are routine and require no special treatment:

**Bill 16-0002** - An Ordinance concerning - City Property – Naming the Park, Located at 1900-2100 Mount Royal Terrace, Lady Baltimore Park - For the purpose of naming the park, located at 1900-2100 Mount Royal Terrace, Lady Baltimore Park.

- Bill 17-0004** - A Resolution of the Mayor and City Council concerning - Railway Franchise – Consent to Transfer - For the purpose of acknowledging that Baltimore Washington Rapid Rail, LLC (“BWRR”) has sought the consent of the Mayor and City Council of Baltimore to the transfer of the authority to exercise the franchise formerly held by the Washington, Baltimore and Annapolis Railroad (WBAR) in accordance with PSC Order No. 87248, in Case 9363; granting consent for BWRR, as a successor to the WBAR, to exercise the franchise formerly held by the Washington, Baltimore and Annapolis Railroad; ~~and~~ generally relating to the transfer of a certain railway franchise; and setting a special effective date.
- Bill 17-0009** - An Ordinance concerning - Supplementary State Fund Operating Appropriation – Department of Public Works – \$3,000,000 - For the purpose of providing a Supplementary State Fund Operating Appropriation in the amount of \$3,000,000 to the Department of Public Works – Service 730 (Public and Private Energy Performance), to provide funding for the installation of Combined Heat and Power (CHP) at the Back River Waste Water Treatment Plant; and providing for a special effective date.
- Bill 17-0010** - An Ordinance concerning - Supplementary General Fund Operating Appropriation – Law Department – \$570,000 - For the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$570,000 to the Law Department – Service 861 (Controversies), to provide funding for technology purchases by the Central Bureau of Investigation to allow remote data collection and migration to a paperless office, which will improve information management, reduce existing costs and risks for the City, and improve operating efficiency; and providing for a special effective date.
- Bill 17-0011** - An Ordinance concerning - General Fund Operating Appropriation Transfer – M-R: Employees’ Retirement Contribution (Service 355) to Fire Department (Service 600) – \$4,109,177 - For the purpose of transferring a General Fund Operating Appropriation in the amount of \$4,109,177 from M-R: Employees’ Retirement Contribution (Service 355 - Employees’ Retirement Contribution) to the Fire Department (Service 600 - Administration); and providing for a special effective date.
- Bill 17-0012** - An Ordinance concerning - Sale of Property – 217 North Pine Street - 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 217 North Pine Street (Block 0589, Lot 017) and no longer needed for public use; and providing for a special effective date.
- Bill 17-0013** - An Ordinance concerning - Sale of Property – 907½ North Fremont 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 907½ North Fremont Avenue (Block 0372, Lot 020A) and no longer needed for public use; and providing for a special effective date.

**Bill 17-0014** - An Ordinance concerning - Sale of Property – WS Scott Street 94' N Carroll Street (Block 851, Lot 010) - 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 WS Scott Street 94' N Carroll Street (Block 851, Lot 010) and no longer needed for public use; and providing for a special effective date.

**Bill 17-0017** - An Ordinance concerning - Building, Fire, and Related Codes – International Residential Code – Corrections - For the purpose of expressly continuing the regulation of solar photovoltaic power systems for all 1- and 2-family dwellings; and expressly reinstating the application of certain regulations governing driveways and other paved surfaces for all 1- and 2-family dwellings.

**Bill 17-0020** - An Ordinance concerning - Building Code – Demolition Permit Fees - For the purpose of modifying the maximum permit fee for the demolition of structures (other than interior only).

Sincerely,

Catherine E. Pugh  
Mayor

March 24, 2017

The Honorable Bernard C. “Jack” Young, President  
and Members of the City Council

Dear Council Members:

I am pleased to inform your Honorable Body that I have signed into law this day this bill which is routine and requires no special treatment:

**Bill 16-0001** - An Ordinance concerning - Sale of Property – 823-825 North Mount Street - 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 located at 823-825 North Mount Street (to be known as Block 86, Lot 048E) and no longer needed for public use; and providing for a special effective date.

Sincerely,

Catherine E. Pugh  
Mayor

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**INTRODUCTION AND READ FIRST TIME**

The President laid before the City Council the following bills and Resolutions of the Mayor and City Council for first reading:

**Bill No. 17-0045** - By Councilmember Burnett:

An Ordinance naming an unnamed 15-foot lane, located in the vicinity of William Street and Beechwood Avenue in the Franklintown Community and measuring approximately 315 feet east of the William Street intersection and approximately 120 feet west of the William Street intersection, Unity Lane.

The bill was read the first time and referred to the City Solicitor, Department of Planning, Department of Transportation, Commission for Historical and Architectural Preservation, Judiciary and Legislative Investigations Committee.

**Bill No. 17-0046** - By Councilmember Burnett:

An Ordinance changing the name of Harlem Denison Park, located at 3421 Harlem Avenue, to William Donald Schaefer Park.

The bill was read the first time and referred to the City Solicitor, Planning Commission, Department of Real Estate, Department of Recreation and Parks, Department of Transportation, Judiciary and Legislative Investigations Committee.

**Bill No. 17-0047** - By Councilmember Bullock (by request):

An Ordinance changing the zoning for the property known as 2300 Edmondson Avenue, as outlined in red on the accompanying plat, from the R-7 Zoning District to the C-1 Zoning District.

The bill was read the first time and referred to the City Solicitor, Board of Municipal and Zoning Appeals, Planning Commission, Department of Housing and Community Development, Baltimore Development Corporation, Land Use and Transportation Committee.

**Bill No. 17-0048** - By Councilmembers Sneed, Henry, President Young, Councilmembers Scott, Dorsey, Cohen, Pinkett, Stokes, Burnett, Bullock, Reisinger, Costello, Clarke:

An Ordinance requiring successor entities taking over certain terminated service contracts to retain employees who worked on the previous contracts under certain conditions; requiring the disclosure of information when service contracts are terminated in certain circumstances; prohibiting retaliation against workers for seeking assistance from, or cooperating with, the Wage Commission; empowering the Wage Commission to issue subpoenas and administer oaths;

defining certain terms; establishing certain penalties; and generally relating to the protection of displaced service workers.

The bill was read the first time and referred to the City Solicitor, Wage Commission, Department of Finance, Labor Committee.

**Bill No. 17-0049** - By Councilmember Schleifer (by request):

An Ordinance approving the application of Blue Ocean Realty, contract purchaser of certain property located at Ward 27, Section 15, Block 4820E, Lot 021, to have that property designated a Residential Planned Unit Development; and approving the Development Plan submitted by the applicant.

The bill was read the first time and referred to the City Solicitor, Board of Municipal and Zoning Appeals, Planning Commission, Department of Housing and Community Development, Department of Public Works, Fire Department, Baltimore Development Corporation, Baltimore City Parking Authority Board, Department of Transportation, Land Use and Transportation Committee.

The President laid before the City Council the following Council Resolutions for first reading:

**Bill No. 17-0018R** - By Councilmembers Clarke, Schleifer, Henry, Costello, Scott, Pinkett, Stokes, Burnett, Sneed:

A Resolution reviewing and helping reverse the recent annual reductions in crossing guard personnel, elimination of previously assigned crossing locations, and the proposed cutback of hours paid for crossing guard services.

The bill was read the first time and referred to the Baltimore City Public School System, Department of Finance, Budget and Appropriations Committee.

**Bill No. 17-0019R** - By Councilmember Cohen, President Young, Councilmembers Henry, Stokes, Dorsey, Sneed, Bullock, Clarke, Reisinger, Pinkett, Schleifer, Scott, Burnett:

Introduced: April 3, 2017  
(Read and adopted)

## A COUNCIL RESOLUTION CONCERNING

### Children's Dental Health

FOR the purpose of recognizing the importance of good dental health for children and supporting efforts to improve oral health literacy in underserved communities and throughout Baltimore.



**Recitals**

**WHEREAS**, Dental caries is the most common chronic disease found in children. Left untreated, tooth decay can cause pain and infections as well as problems eating, speaking, and learning.

**WHEREAS**, In the United States, more than 16 million children go each year without seeing a dentist.

**WHEREAS**, Low income and minority children, especially those of Latino background, are disproportionately affected by poor oral health and have a greater number of untreated cavities.

**WHEREAS**, Latino children in Maryland are less likely to visit the dentist and more likely to lack dental insurance than are white children.

**WHEREAS**, An oral health literate and educated public is more empowered to embrace healthy oral hygiene and dietary behaviors and to make and keep dental appointments.

**WHEREAS**, The Maryland Dental Action Coalition is building oral health awareness and knowledge within the Latino community by running the Dientes Sanos, Niños Sanos (Healthy Teeth, Healthy Kids) campaign promoting good oral health habits.

**WHEREAS**, Brushing twice daily for two minutes using toothpaste with fluoride, flossing daily, having routine check-ups, drinking tap water if your community water system or private well has fluoride in it, and eating a diet low in sugary foods and drinks help prevent tooth decay.

**WHEREAS**, Baltimore City is pleased to join with the Maryland Dental Action Coalition, the American Dental Association, and the Maryland Dental Action Coalition's Dientes Sanos, Niños Sanos (Healthy Teeth Healthy Kids) campaign targeting Latino families to promote good oral health through evidence based messages communicated through proven social marketing channels, community outreach, and educational websites.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE**, that the Council recognizes the importance of good dental health for children and supports efforts to improve oral health literacy in underserved communities and throughout Baltimore.

**AND BE IT FURTHER RESOLVED**, That a copy of this Resolution be sent to the Mayor, the Health Commissioner, and the Mayor's Legislative Liaison to the City Council.

Councilmember Cohen made a motion, which was duly seconded, that the Rules be suspended.

The roll was called on the motion, resulting as follows:

Yeas - President and Councilmembers Cohen, Scott, Dorsey, Henry, Schleifer, Pinkett, Burnett, Bullock, Reisinger, Costello, Stokes, Sneed, Clarke - Total 14.

Nays - 0.

Absent - Councilmember Middleton - Total 1.

The President declared the Rules "Suspended".

Then Councilmember Cohen made a motion, which was duly seconded, that the Resolution be adopted.

The roll was called on the motion, resulting as follows:

Yeas - President and Councilmembers Cohen, Scott, Dorsey, Henry, Schleifer, Pinkett, Burnett, Bullock, Reisinger, Costello, Stokes, Sneed, Clarke - Total 14.

Nays - 0.

Absent - Councilmember Middleton - Total 1.

The President declared the Resolution "Adopted".

**Bill No. 17-0020R** - By Councilmembers Henry, Clarke, Reisinger, Middleton, Pinkett, Dorsey, Burnett, Sneed, Bullock, Cohen, Scott:

A Resolution requesting that the Baltimore Development Corporation (BDC), the Department of Finance, and other City agencies involved in offering incentives to spur private sector development report to the Council on the current and planned uses of these incentives, how these incentives can be used more equitably in the future, and options to improve transparency and accountability to Baltimore's citizens in how incentives are awarded.

The bill was read the first time and referred to the Baltimore Development Corporation, Department of Finance, Department of Housing and Community Development, Committee of the Whole.

**Bill No. 17-0021** - By Councilmembers Stokes, Henry, Scott, Dorsey, Burnett:

Introduced: April 3, 2017  
(Read and adopted)

**A COUNCIL RESOLUTION CONCERNING**

**Request for State Action – Require Presidential Candidates to Release Tax Returns**

FOR the purpose of supporting the longstanding tradition requiring that presidential candidates release tax return information to allow serious and informed discussion about their financial history, and calling on the General Assembly to adopt, and the Governor to sign, the Presidential Candidate Tax Transparency Act, or similar legislation, to give this tradition the force of law.

**Recitals**

Leading presidential candidates from both major parties have voluntarily released multiple years of their tax returns for the better part of two generations. This gives voters an objective record to evaluate how they have earned their money, what conflicts of interest they would face if elected, what charities they support, and how they have conducted their finances.

Unfortunately, in the most recent election cycle this important tradition was not universally complied with, undermining the longstanding norm that disclosure of financial information is required of serious contenders to lead our nation.

Without tax information critics and supporters of presidential candidates are left without any objective facts with which to discuss important elements of a potential president's history, leading to speculation and unfounded assertions that demean our democratic process.

Now that this norm has been breached, we must decide whether to let it fall by the wayside for the future or reinforce it by giving the tradition legal force. A serious commitment to transparency in government, and debate based on facts rather than mere supposition, requires that every effort be made to restore access to this information.

Efforts are underway at the Federal level and in many states to require that presidential candidates release multiple years of tax returns in order to qualify to appear on the ballot. Here in Maryland, the Presidential Candidate Tax Transparency Act filed in the House as HB 517 and in the Senate as SB 358, would require a candidate for the office of President or Vice President of the United States to release a copy of the candidate's federal income tax return for at least the five most recent taxable years for which the candidate filed a return with the Internal Revenue Service in order to appear on the ballot in Maryland. It is important that we join the nationwide effort to restore this important norm by passing this bill, or similar legislation, before the next presidential election cycle begins.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE,** That the Council supports the longstanding tradition requiring that presidential candidates release tax return information to allow serious and informed discussion about their financial history, and calls on the General Assembly to adopt, and the Governor to sign, the Presidential Candidate Tax Transparency Act, or similar legislation, to give this tradition the force of law.

**AND BE IT FURTHER RESOLVED**, That a copy of this Resolution be sent to the Governor, the Honorable Chairs and Members of the Baltimore City House and Senate Delegations to the Maryland General Assembly, the President of the Maryland Senate, the Maryland House Speaker, the Mayor, and the Mayor's Legislative Liaison to the City Council.

Councilmember Stokes made a motion, which was duly seconded, that the Rules be suspended.

The roll was called on the motion, resulting as follows:

Yeas - President and Councilmembers Cohen, Scott, Dorsey, Henry, Schleifer, Pinkett, Burnett, Bullock, Reisinger, Costello, Stokes, Sneed, Clarke - Total 14.

Nays - 0.

Absent - Councilmember Middleton - Total 1.

The President declared the Rules "Suspended".

Then Councilmember Stokes made a motion, which was duly seconded, that the Resolution be adopted.

The roll was called on the motion, resulting as follows:

Yeas - President and Councilmembers Cohen, Scott, Dorsey, Henry, Schleifer, Pinkett, Burnett, Bullock, Reisinger, Costello, Stokes, Sneed, Clarke - Total 14.

Nays - 0.

Absent - Councilmember Middleton - Total 1.

The President declared the Resolution "Adopted".

#### **CONSENT CALENDAR**

CEREMONIAL RESOLUTIONS NO. 0254, 0255, 0256, 0257, 0258, 0259, 0260, 0261, 0262, 0263, 0264, 0265, 0266, 0267, 0268, 0269, 0270, 0271, 0272, 0273, 0274, 0275, 0276, 0277, 0278, 0279, 0280, 0281, 0282, 0283, 0284, 0285, 0286, 0287, 0288, 0289, AND 0290 ADOPTED UNDER RULE 3-9.

The resolutions were read.

The roll was called on the adoption of the resolutions, resulting as follows:

Yeas - President and Councilmembers Cohen, Scott, Dorsey, Henry, Schleifer, Pinkett, Burnett, Bullock, Reisinger, Costello, Stokes, Sneed, Clarke - Total 14.

Nays - 0.

Absent - Councilmember Middleton - Total 1.

The President declared the resolutions adopted under Rule 3-9.

**Ceremonial Resolutions will be found at the end of the Journal.**

**COMMITTEE REPORTS**

**BILL NO. 17-0022 REPORTED FAVORABLY  
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Bullock, for the Housing and Urban Affairs Committee, reported Bill No. 17-0022 favorably.

An Ordinance condemning and closing the bed of Duker Alley, extending westerly 92 feet, more or less, to the westernmost extremity thereof from the west side of Albemarle Street, as shown on Plat 232-A-15A in the Office of the Department of Transportation; and providing for a special effective date.

Favorable report adopted.

The bill was read the second time and ordered printed for third reading.

**BILL NO. 17-0015 REPORTED FAVORABLY, WITH AMENDMENTS,  
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Reisinger, for the Land Use and Transportation Committee, reported that the Committee has complied with the Land Use Article of the Maryland Code and recommends the adoption of Bill No. 17-0015 favorably, with amendments.

An Ordinance approving the application of D & C Management LLP, owner of the following properties: 3100 Falls Cliff Road (Block 3504B, Lot 001), 3300 Falls Cliff Road (Block 3511D, Lot 002), and Block 3511D, Lots 1 and 3 (collectively, the “property”), to have the property designated an Industrial Planned Unit Development; and approving the Development Plan submitted by the applicant.

**Findings of Fact****City Council Bill No. 17-0015  
Planned Unit Development – Designation – The Fox Building**

According to the Baltimore City Code, agency reports and public testimony, an amendment to a Planned Unit Development is being granted under:

**Title 9-112**

After consideration of:

- (1) the standards in Title 14 (Conditional Uses) of this article governing conditional uses; and
- (2) the plans for the Planned Unit Development are in general conformance with:
  - (A) all elements of the Master Plan; and
  - (B) the character and nature of existing and contemplated development in the vicinity of the proposed Planned Unit Development;
- (3) the Planned Unit Development will preserve unusual topographic or natural features of the land;
- (4) the design of the Planned Unit Development will best utilize and be compatible with the topography of the land;
- (5) the physical characteristics of the Planned Unit Development will not adversely affect:
  - (A) future development or the value of undeveloped neighboring areas; or
  - (B) the use, maintenance, or value of neighboring areas already developed;
- (6) with respect to availability of light, air, open space, and street access, the Planned Unit Development will secure for its residents and neighboring residents substantially the same benefits as would be provided by application of the basic district regulations;
- (7) with respect to fire, health hazards, and other dangers, the Planned Unit Development will secure for its residents and neighboring residents substantially the same protection as would be provided by application of the basic district regulations; and
- (8) the Planned Unit Development will permit design features that would not be possible by application of the basic district regulations.

**Title 14-204**

Upon finding that:

- (1) the establishment, location, construction, maintenance, and operation of the conditional use will not be detrimental to or endanger the public health, security, general welfare, or morals;
- (2) the use is not in any way precluded by any other law, including an applicable Urban Renewal Plan;
- (3) the authorization is not otherwise in any way contrary to the public interest; and
- (4) the authorization is in harmony with the purpose and intent of this article.

**Land Use and Transportation Committee:**

Edward Reisinger  
Chair

Eric Costello  
Member

Leon Pinkett  
Member

Ryan Dorsey  
Member

Mary Pat Clarke  
Member

Findings of Fact adopted.

Committee Amendments to City Council Bill No. 17-0015

**Amendment No. 1**

On page 1, after line 17, insert:

“The Applicant has entered into a Memorandum of Understanding with the Hampden Community Council, Inc., dated March 31, 2016, governing the redevelopment of the property. The Applicant shall maintain communication with the Hamden Community Council’s Zoning and Land Use Committee throughout the development of the PUD.”.

**Amendment No. 2**

On page 2, in line 15 and in line 16, in each instance, strike “January 3, 2017” and substitute “February 10, 2017”.

**Amendment No. 3**

On page 2, in line 31, after “That”, insert “to the extent that the following uses are defined in the Zoning Code in effect at the time of enactment of this ordinance and are allowed in the underlying Zoning District,”.

**Amendment No. 4**

On page 3, after line 15, insert:

“SECTION 5. AND BE IT FURTHER ORDAINED, That, in addition, upon the effective date of Ordinance 16-581, then the following uses are prohibited:

- (a) Animal clinic
- (b) Banquet hall
- (c) Boat manufacturing
- (d) Broadcasting station
- (e) Day-care center: adult or child
- (f) Entertainment: indoor
- (g) Entertainment: live
- (h) Government facilities: Public Works
- (i) Heavy retail, rental or service
- (j) Homeless shelter
- (k) Hospital
- (l) Kennel
- (m) Lodge or club



(n) Lodging: hotel/motel

(o) Marina: dry storage

(p) Motor vehicle service and repair (major and minor)

(q) Passenger terminal

(r) Recreation: indoor

(s) Recreation: outdoor”.

**Amendment No. 5**

On page 3, strike lines 16 through 18, in their entireties.

**Amendment No. 6**

On page 3, in line 23, after “the Zoning Code”, insert “in effect at the time a use permit application is filed”.

**Amendment No. 7**

On page 3, strike lines 24 through 26, in their entireties.

The amendments were read and adopted.

Then Councilmember Clarke made a motion, which was seconded, to offer a floor amendment.

Amendment to City Council Bill No. 17-0015

**Amendment No. 1**

On page 2, in line 17, strike “December 15, 2016” and substitute “February 10, 2017”.

The amendment was read and adopted.

Favorable report, as amended, adopted.

The bill, as amended, was read the second time and ordered printed for third reading.

**THIRD READING**

The President laid before the City Council:

**BILL NO. 16-0003** - An Ordinance changing the name of Oliver Community Center Playground, located at 1351 North Eden Street, to Calvin B. Scruggs, Sr. Playground.

It was read the third time.

The bill being on its final passage, the yeas and nays were called, resulting as follows:

Yeas - President and Councilmembers Cohen, Scott, Dorsey, Henry, Schleifer, Pinkett, Burnett, Bullock, Reisinger, Costello, Stokes, Sneed, Clarke - Total 14.

Nays - 0.

Absent - Councilmember Middleton - Total 1.

The bill was read and approved, and the bill was declared "Passed".

**MOTION TO SUSPEND CITY COUNCIL RULES 10-2 AND 10-3  
WITH REGARD TO BILL NO. 17-0018R**

Councilmember Costello made a motion, duly seconded, to suspend Rules 10-2 and 10-3 in order to have an early hearing on Bill No. 17-0018R.

The motion carried without exception, and the President declared the rules suspended with regard to the bill. Then Councilmember Costello announced a hearing date for the bill.

**ADJOURNMENT**

On motion of Councilmember Reisinger, duly seconded, the City Council adjourned to meet on Monday, April 24, 2017, at 5:00 p.m.

Consent Calendar

- CR 0254** President Young, All Members  
A City Council RESOLUTION congratulating Robert Maloney on 20 years of dedicated service to the City of Baltimore, starting as a Baltimore City Firefighter Paramedic Apprentice, and retiring as Director of Emergency Management.
- CR 0255** President Young, All Members  
A City Council RESOLUTION to the Family of Georgine Mazie Newman Edgerton, February 13, 1926 – March 15, 2017.
- CR 0256** President Young, All Members  
A City Council RESOLUTION congratulating Deanna A. Ferguson on your retirement as a Fiscal Management Analyst after 44 years and 26 days of dedicated service to the Social Security Administration.
- CR 0257** President Young, All Members  
A City Council RESOLUTION to the Family of Rashad Daquan Opher, August 20, 1996 – March 14, 2017.
- CR 0258** President Young, All Members  
A City Council RESOLUTION congratulating Darnell Ranson on your 60<sup>th</sup> Birthday, it's time to reach down deep and grab happiness by the horns, you are never too old to set another goal or to dream a new dream, Happy Birthday.
- CR 0259** President Young, All Members  
A City Council RESOLUTION congratulating Oliver Schubert on 31 years of dedicated service to the City of Baltimore.
- CR 0260** President Young, All Members  
A City Council RESOLUTION congratulating Henry Raysor on 29 years of dedicated service to the City of Baltimore.
- CR 0261** President Young, All Members  
A City Council RESOLUTION to the Family of Clara C. Jones, June 10, 1927 – March 12, 2017.
- CR 0262** President Young, All Members  
A City Council RESOLUTION congratulating Thomas Jeannetta on 42 years of service with the City of Baltimore.
- CR 0263** President Young, All Members  
A City Council RESOLUTION to the Family of Gary Lee Dingle, February 12, 1951 – March 15, 2017.

- CR 0264** President Young, All Members  
A City Council RESOLUTION to the Family of Mother Lillian May Bryant, December 11, 1922 – March 22, 2017.
- CR 0265** President Young, All Members  
A City Council RESOLUTION congratulating Officer Leonard Clifford Baze on your retirement after 42 years of dedicated and committed service to the Baltimore City Police Department, “The adventure begins and the best is yet to come, enjoy.”
- CR 0266** President Young, All Members  
A City Council RESOLUTION on the death of Richard E. Lee, December 1, 1954 – March 18, 2017.
- CR 0267** Pinkett  
A City Council RESOLUTION congratulating Mrs. Jerilyn Manning on your many years of service to the community, advocacy for seniors, and hands-on community organizing, your legacy will remain as a historic accomplishment in Druid Heights.
- CR 0268** Costello  
A City Council RESOLUTION congratulating Lauren Zeitels on your leadership and dedication to the City of Baltimore through your work in Thread and the MD/PHD Program at Johns Hopkins University.
- CR 0269** President Young, All Members  
A City Council RESOLUTION congratulating Duchess Beverly Barksdale on your 60<sup>th</sup> Birthday and to honor you reaching three scores.
- CR 0270** President Young, All Members  
A City Council RESOLUTION on the death of William Bryson Young, June 25, 1922 – March 15, 2017.
- CR 0271** President Young, All Members  
A City Council RESOLUTION to the Family of Wilbert James Flowers, February 3, 1936 – March 19, 2017.
- CR 0272** President Young, All Members  
A City Council RESOLUTION congratulating Morgan State University on a most special occasion, unveiling the Enolia P. McMillan Exhibit, this exhibit will memorialize her accomplishments as a distinguished educator, civil rights warrior, and community leader.
- CR 0273** Sneed  
A City Council RESOLUTION congratulating Russell E. Stewart on his dedication to the Eastside Community.

- CR 0274** President Young, All Members  
A City Council RESOLUTION on the death of Mrs. Minnie C. Requer, February 24, 1916 – March 21, 2017.
- CR 0275** President Young, All Members  
A City Council RESOLUTION on the death of Lucy Lee, March 28, 1942 – March 20, 2017.
- CR 0276** President Young, All Members  
A City Council RESOLUTION congratulating Gerard B. “El Jefe” Volatile on your retirement after 30 years of dedicated and committed service as an Assistant State’s Attorney to the citizens of Baltimore City.
- CR 0277** Pinkett  
A City Council RESOLUTION congratulating Mr. Collin Jefferson Shepherd on 57 years of exemplary service to Union Memorial United Methodist Church.
- CR 0278** President Young, All Members  
A City Council RESOLUTION congratulating Denise I. Thorne on your retirement after 36 years of dedicated service to the City of Baltimore.
- CR 0279** President Young, All Members  
A City Council RESOLUTION on the death of Gordon Garrett “Coach Flash”, June 25, 1933 – March 16, 2017.
- CR 0280** President Young, All Members  
A City Council RESOLUTION on the death of Daniel Berryman-Bey, June 20, 1953 – March 22, 2017.
- CR 0281** Sneed  
A City Council RESOLUTION congratulating Russell E. Stewart on celebrating his 88<sup>th</sup> Birthday April 6, 2017.
- CR 0282** Burnett  
A City Council RESOLUTION on the death of Charles Edward Jenifer, February 19, 1932 – March 10, 2017.
- CR 0283** Burnett  
A City Council RESOLUTION congratulating Doreatha Virginia Skinner on 100 years of life, Happy 100<sup>th</sup> Birthday.
- CR 0284** Burnett  
A City Council RESOLUTION congratulating Linda E. Parsons on 30 years of service with the Baltimore City Fire Department.

- CR 0285** President Young, All Members  
A City Council RESOLUTION on the death of David Bartee, Sr., March 11, 1937 – March 23, 2017.
- CR 0286** Dorsey  
A City Council RESOLUTION on the death of Desi Stringer, September 27, 1968 – March 24, 2017.
- CR 0287** Burnett  
A City Council RESOLUTION congratulating Rosanna Powell, May 13, 1934 – March 25, 2017.
- CR 0288** President Young, All Members  
A City Council RESOLUTION congratulating Nikkie McNeil on your exemplary service throughout the community of Greektown as Southeast Community Development Corporations Community Outreach Coordinator.
- CR 0289** President Young, All Members  
A City Council RESOLUTION on the death of Jessie Rogers McCaskill, October 9, 1937 – March 30, 2017.
- CR 0290** President Young, All Members  
A City Council RESOLUTION congratulating Frank J. Narvell on 30 years of dedicated service to the City of Baltimore.