

NINTH DAY

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S E C O N D C O U N C I L M A N I C Y E A R - S E S S I O N O F 2 0 0 7 - 2 0 1 1

**JOURNAL**  
**CITY COUNCIL OF BALTIMORE**

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March 30, 2009

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Pastor Ellis Prince, Pastor/Teacher of the Gallery Church of Baltimore, 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: Stephanie Rawlings-Blake, President, and Councilmembers Kraft, D'Adamo, Curran, Henry, Spector, Middleton, Conaway, Holton, Welch, Reisinger, Cole, Young, Branch, Clarke

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Councilmember Reisinger, duly seconded, made a motion to journalize the invocation. It was so ordered.

Almighty God, Father in Heaven, Creator, everything exists because of you alone, things seen and unseen. Every breath we breathe comes from you as a good gift. Now today, I stand before you and these distinguished men and women to ask, petition you for our city and our leaders. Our city exists as a part of the vision of our country's founders. A vision that desires and demands "justice for all." May each of us in this great city stand for justice. May we not just seek justice when we feel wronged, but would we seek justice on behalf of our neighbors. May we move past just tolerating one another and move to complete unity found and anchored in our love for one another. As I reflect on this city and our seemingly insurmountable issues, I can't help but pray for its leaders. May these leaders live and display in their lives the example of how each person in our city ought to live. May these leaders seek justice, walk humbly and show mercy in not only this building, but in the communities of Baltimore where they live. May you give them divine wisdom to address the ills and successes of this city. May you protect their families from the attacks that leadership invites on them. Help us to see clearly, oh God, when we become self-centered, when we have exchanged love for hatred, when we have turned our back on You, for all of these we ask You to forgive us. Father in Heaven, as I close this brief prayer, I am sensitive to the diversity of this city and the many different faiths that call it home, yet I do

need to close in the name of One who changed my heart, mind, soul, and strength  
– Jesus, Amen!

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**SHOWCASE BALTIMORE**

Ysem Brown, Director of the Govans Elementary Chorale, delivered a presentation.

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**JOURNAL APPROVED**

The Journal of March 23, 2009 was read and approved.

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**COMMUNICATIONS FROM MUNICIPAL AGENCIES**

February 24, 2009

Honorable Stephanie Rawlings-Blake, President  
Baltimore City Council  
Room 400 City Hall

Dear Madam President:

In order to expedite the return of tax sale properties to private ownership, Ordinance 477 was approved December 6, 1973. This ordinance allows the City Comptroller to sell property acquired by tax sale at either private or public sale once certain criteria are met.

It is requested that the following properties be published in the City Council Journal as promptly as possible in order that we may pursue their disposition:

**Councilmanic District 4**

716 E. 43<sup>rd</sup> St  
603 Oakland Ave  
4423 Wrenwood Ave

**Councilmanic District 9**

802 Whitmore Ave

**Councilmanic District 12**

813 N Caroline St  
817 N Caroline St  
819 N Caroline St  
821 N Caroline St  
825 N Caroline St  
827 N Caroline St

**Councilmanic District 13**

212 N Madeira St  
221 N Madeira St  
222 N Madeira St  
223 N Madeira St  
225 N Madeira St

In accordance with the provisions of Ordinance 477, certification of the publication shall be submitted to the Commissioner of Housing 30 days after such publication. It would be most helpful and sincerely appreciated if the certification is directed to the attention of the Department of Housing and Community Development Real Property Disposition Office.

Should you have any questions or need any further information, please contact Mandy Martin at 410-396-4122.

Mandy Martin  
Assistant Director Real Property  
Disposition  
Department of Housing and  
Community Development

March 25, 2009

Honorable Stephanie Rawlings-Blake, President  
Baltimore City Council  
Room 400 City Hall

Dear Madam President:

On December 6, 1973, Ordinance 477 was approved to expedite the return of tax sale properties to private ownership. This ordinance allows the Department of Housing and Community Development to sell property acquired by tax sale at either private or public sale once certain criteria are met.

It is requested that the following properties be published in the City Council Journal as promptly as possible in order that we may pursue their disposition:

**Councilmanic District 7**

Address	Block/Lot
2104 Chelsea Terrace	2817/054
2106 Chelsea Terrace	2817/053
2108 Chelsea Terrace	2817/052
2110 Chelsea Terrace	2817/051
2112 Chelsea Terrace	2817/048
2120 Chelsea Terrace	2817/045
2124 Chelsea Terrace	2817/043
3724 Windsor Mill Road	2818/008
2108 Allendale Road	2808/043
3610 Clifton Avenue	2809/006
3710 Clifton Avenue	2808/003
3509 Windsor Avenue	2810/015

In accordance with the provisions of Ordinance 477, certification of the publication shall be submitted to the Commissioner of Housing 30 days after such publication. We would greatly appreciate your certification of the above listed properties and ask that response be sent to the attention of the Department of Housing, Real Property Disposition.

Should you have any questions or need any further information, please contact Mr. Angelo Hernandez, Real Estate Officer at 410-396-4123.

Paul T. Graziano  
Commissioner

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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. 09-0313** - By President Rawlings-Blake ( by request):

An Ordinance amending the Urban Renewal Plan for Uplands to revise the Land Use Plan for residential uses permitted under a certain zoning district; clarifying certain references and language; amending Appendix B to provide that where there may be a conflict between the provisions of the Renewal Plan and the provisions of any Planned Unit Development in the

Renewal Area, the provisions of the Renewal Plan control; modifying certain design guidelines of Appendix B; and replacing certain Exhibits; 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.

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, Baltimore Development Corporation, Baltimore City Parking Authority Board, Department of Transportation, Urban Affairs and Aging Committee.

**Bill No. 09-0314** - By President Rawlings-Blake ( by request):

An Ordinance changing the zoning for certain properties in the Uplands Renewal Area, as outlined in red on the accompanying plat, from the R-6 Zoning District to the R-5 Zoning District.

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

**Bill No. 09-0315** - By President Rawlings-Blake ( by request):

An Ordinance approving the application of the Mayor and City Council of Baltimore and Uplands Visionaries, LLC, which are either the owner, potential owner, developer and/or awardee of development rights for the properties listed on Exhibit 1, attached to and made part of this Ordinance, together with certain adjoining roads, highways, alleys, and rights-of-way (collectively, the “Property”), to have the 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, Commission on Sustainability, Land Use and Transportation Committee.

**Bill No. 09-0316** - By Councilmember Conaway (by request):

An Ordinance permitting, subject to certain conditions, the establishment, maintenance, and operation of open off-street parking areas on the properties known as Block 3635, Lots 17 and 17A (WS Maryland Avenue SWC 26<sup>th</sup> Street and ES North Howard Street SEC 26<sup>th</sup> Street), as outlined in red on the accompanying plat.

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 Transportation, Fire Department, Baltimore City Parking Authority Board, Land Use and Transportation Committee.

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

**Bill No. 09-0124R** - By President Rawlings-Blake, Councilmembers D'Adamo, Young, Clarke, Middleton, Reisinger, Welch, Henry, Cole, Branch, Kraft, Curran, Conaway, Holton, Spector:

A Resolution requesting the Commissioner of Housing, the Director of Construction and Demolition, the Director of Public Works, the Chief of the Bureau of Water and Waste Water Utility Billing Division, and the Senior Vice President, BGE Customer Relations & Account Services, to report to the City Council on the notification process for discontinuing utility services to properties that become vacant or are scheduled for demolition.

The bill was read the first time and referred to the Department of Housing and Community Development, Department of Public Works, Judiciary and Legislative Investigations Committee.

**Bill No. 09-0125R** - By Councilmembers Middleton, D'Adamo, Henry, Branch, Kraft, Clarke, Welch, Reisinger, Curran, Young, Conaway, Holton, Spector:

A Resolution exploring how the Baltimore City Council can best assist the Administration in securing an accurate population count in the 2010 Census, determining Council district organization, and identifying focus groups.

The bill was read the first time and referred to the Planning Department, Judiciary and Legislative Investigations Committee.

#### CONSENT CALENDAR

CEREMONIAL RESOLUTIONS NO. 1857, 1858, 1859, 1860, 1861, 1862, 1863, 1864, 1865, 1866, 1867, 1868, 1869, 1870, 1871, 1872, AND 1873 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 Kraft, D'Adamo, Curran, Henry, Spector, Middleton, Conaway, Holton, Welch, Reisinger, Cole, Young, Branch, Clarke - Total 15.

Nays - 0.

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

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

**THIRD READING**

The President laid before the City Council:

**BILL NO. 08-0018** - An Ordinance extending the automatic termination of the Maritime Industrial (Zoning) Overlay District; providing for the ability of property owners to apply for removal of their properties from the District; clarifying certain language; providing for the creation of a committee to study and report on the District; and general relating to the Maritime Industrial Overlay District.

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 Kraft, D'Adamo, Curran, Henry, Spector, Middleton, Conaway, Holton, Welch, Reisinger, Cole, Young, Branch, Clarke - Total 15.

Nays - 0.

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

The President laid before the City Council:

**BILL NO. 08-0234** - An Ordinance condemning and opening Diamond Street, extending from Fayette Street northerly 195.2 feet, more or less, as shown on Plat 347-A-63 in the Office of the Department of Public Works; and providing for a special effective date.

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 Kraft, D'Adamo, Curran, Henry, Spector, Middleton, Conaway, Holton, Welch, Reisinger, Cole, Young, Branch, Clarke - Total 15.

Nays - 0.

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

The President laid before the City Council:

**BILL NO. 08-0235** - An Ordinance condemning and closing Diamond Street, extending from Fayette Street northerly 220.2 feet, more or less, to Shad Alley, as shown on Plat 347-A-63A in the Office of the Department of Public Works; and providing for a special effective date.

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 Kraft, Curran, Henry, Spector, Middleton, Conaway, Holton, Welch, Reisinger, Cole, Young, Branch, Clarke - Total 14.

Nays - 0.

Out of Chambers - Councilmember D'Adamo - Total 1.

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

The President laid before the City Council:

**BILL NO. 08-0240** - An Ordinance condemning and opening Pleasant Street, extending from St. Paul Place, Easterly 223.9 feet, more or less, to Calvert Street, as shown on Plat 114-A-54 in the Office of the Department of Public Works; and providing for a special effective date.

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 Kraft, D'Adamo, Curran, Henry, Spector, Middleton, Conaway, Holton, Welch, Reisinger, Cole, Young, Branch, Clarke - Total 15.

Nays - 0.

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

The President laid before the City Council:

**BILL NO. 08-0241** - An Ordinance condemning and closing the subterranean rights under Pleasant Street, 23.35 feet east of St. Paul Place and extending Easterly 26.00 feet, as shown on Plat 114-A-54A in the Office of the Department of Public Works; and providing for a special effective date.

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 Kraft, D'Adamo, Curran, Henry, Spector, Middleton, Conaway, Holton, Welch, Reisinger, Cole, Young, Branch, Clarke - Total 15.

Nays - 0.

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

The President laid before the City Council:

**BILL NO. 08-0258** - An Ordinance approving certain amendments to the Development Plan of the Benhurst Park Planned Unit Development.

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 Kraft, D'Adamo, Curran, Henry, Spector, Middleton, Conaway, Holton, Welch, Reisinger, Cole, Young, Branch, Clarke - Total 15.

Nays - 0.

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

**MOTION TO SUSPEND CITY COUNCIL RULE 10-2  
WITH REGARD TO BILL NO. 09-0295**

Councilmember Cole made a motion, duly seconded, to suspend Rule 10-2 in order to have an early hearing on Bill No. 09-0295.

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

**MOTION TO SUSPEND CITY COUNCIL RULES 10-2 AND 10-3  
WITH REGARD TO BILL NO. 09-0309**

Councilmember Kraft made a motion, duly seconded, to suspend Rules 10-2 and 10-3 in order to have an early hearing on Bill No. 09-0309.

**Journal of the City Council**

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

**MOTION TO SUSPEND CITY COUNCIL RULES 10-2 AND 10-3  
WITH REGARD TO BILL NO. 09-0310**

Councilmember Kraft made a motion, duly seconded, to suspend Rules 10-2 and 10-3 in order to have an early hearing on Bill No. 09-0310.

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

**MOTION TO SUSPEND CITY COUNCIL RULE 10-2  
WITH REGARD TO BILL NO. 09-0302**

Councilmember Kraft made a motion, duly seconded, to suspend Rule 10-2 in order to have an early hearing on Bill No. 09-0302.

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

**MOTION TO SUSPEND CITY COUNCIL RULE 10-2  
WITH REGARD TO BILL NO. 09-0303**

Councilmember Kraft made a motion, duly seconded, to suspend Rule 10-2 in order to have an early hearing on Bill No. 09-0303.

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

**MOTION TO SUSPEND CITY COUNCIL RULE 10-2  
WITH REGARD TO BILL NO. 09-0292**

Councilmember Kraft made a motion, duly seconded, to suspend Rule 10-2 in order to have an early hearing on Bill No. 09-0292.

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

**ADJOURNMENT**

On motion of Councilmember Reisinger, duly seconded, the City Council adjourned to meet on Monday, April 20, 2009, at 5:00 p.m.

Consent Calendar

- CR 1857 Branch, All Members**  
A City Council RESOLUTION congratulating Myrtle Kelly and Marjorie Flemming on their continued participation and assistance in the Berea community.
- CR 1858 President Rawlings-Blake, All Members**  
A City Council RESOLUTION congratulating the North Baltimore Center on 40 years of dedicated service to the citizens of Baltimore – together we are making Baltimore better, safer and stronger.
- CR 1859 Welch**  
A City Council RESOLUTION congratulating NAACP Lifetime Members, The Reverend P.M. Smith – Pastor, Huber Memorial, Marvin “Doc” Cheatham – President of Branch and The Reverend Dr. Kevin A. Rogers – Pastor, New Fellowship Christian Community Church, on 100 years of advocating and freedom fighting (Centennial Luncheon).
- CR 1860 President Rawlings-Blake, All Members**  
A City Council RESOLUTION congratulating Violet “Vi” Pavis on the celebration of her 95<sup>th</sup> birthday and the many lives she’s touched along the way.
- CR 1861 President Rawlings-Blake, All Members**  
A City Council RESOLUTION congratulating Christopher Michael Baker on earning the designation of BSO Eagle Scout, and for his spirit, service and leadership.
- CR 1862 Conaway**  
A City Council RESOLUTION on the death of Alice “Sissy” Jackson-Gatewood, March 20, 1919 – March 20, 2009.
- CR 1863 Young**  
A City Council RESOLUTION on the death of Judge Roger William Brown, Sr.
- CR 1864 President Rawlings-Blake, All Members**  
A City Council RESOLUTION congratulating Senator Barbara Mikulski on receiving the 2009 Industrious Woman Award from the Woman’s Industrial Exchange and for her many years of service to Maryland and the City of Baltimore.
- CR 1865 President Rawlings-Blake, All Members**  
A City Council RESOLUTION congratulating Ralph N. McQuaige on his retirement after 20 years of service with the Department of Transportation, Maintenance Division.
- CR 1866 President Rawlings-Blake, All Members**  
A City Council RESOLUTION congratulating Therese Iwancio on the celebration of her 50<sup>th</sup> birthday and the many lives she’s touched along the way.

- CR 1867** President Rawlings-Blake, All Members  
A City Council RESOLUTION congratulating Larry Dawson, Edie Chancey, Samantha Mellerson, Mischa Green, Nadine B. Pulliam, Ede Taylor, Nargas Hyman, Marlene Johnson, Will Hanna, III, Oscar Cobbs, Gregory Brewer, Marie Green, Lauren Abramson, Rakia Hicks, Michael Smith, Shiela Woodley, Michele Williams, Edna Lawrence, Kirk Hemphill, Darien Nolan, Ali Smith, Atman Smith, Andy Gonzalez, Franz Cadet, Wanda Young, Kendra Banks, Deanna V. Ikhinmwin, Cameron Miles, Ray Cook, Anthony McFarlane, Anthony Walters, Garrick Williams, Hattie Bailey, Claire Schwadron, Dante Wilson, Irona Pope, Nzinga Oneferua-El, Moziah Saleem, Dave Schorr, Chris Youngston, Steven Mitchell, Michelle Debruin, Latonya Savage, Lisa Gainer, Ali Danios and Rafael Lopez on their participation in “The Roots” Community Services Grant Program (2006-2009).
- CR 1868** President Rawlings-Blake, All Members  
A City Council RESOLUTION congratulating the Maryland Centenarians on the 2009 Centenarians Luncheon and for reaching such an incredible milestone in their lives.
- CR 1869** President Rawlings-Blake, All Members  
A City Council RESOLUTION on the death of James Wesley Faulcon, March 3, 1981 – March 22, 2009.
- CR 1870** Young  
A City Council RESOLUTION on the death of Derrick Willis.
- CR 1871** Cole  
A City Council RESOLUTION congratulating Great Southern Temple No. 30 on 100 years of existence and dedicated service to the community and the students of Eutaw-Marshburn Elementary School.
- CR 1872** Kraft  
A City Council RESOLUTION congratulating Officer Chris Gatewood on being named the Highlandtown Exchange Club’s Officer of the Year.
- CR 1873** Young  
A City Council RESOLUTION on the death of Richard Stewart.