



# Howard County Council

George Howard Building  
3430 Court House Drive  
Ellicott City, Maryland 21043-4392

## COUNCILMEMBERS

Calvin Ball, Chairperson  
District 2  
Jon Weinstein, Vice Chairperson  
District 1  
Jennifer Terrasa  
District 3  
Mary Kay Sigaty  
District 4  
Greg Fox  
District 5

Minutes (Approved)  
Legislative Public Hearing  
September 19, 2016, 7:00 p.m.  
Banneker Room

**Members Present:** Calvin Ball, Council Chairperson; Jon Weinstein, Vice Chairperson; Greg Fox, Council Member; Mary Kay Sigaty, Council Member; and Jennifer Terrasa, Council Member.

**Staff Present:** Jessica Feldmark, Administrator; Jennifer Sager, Administration; Craig Glendenning, County Auditor; Theo Wimberly, Legislative Analyst; and Patricia Hammond, Administrative Support.

I. Call to Order at 7:01 p.m.

II. Public Hearing

A. Appointments

1. Council Resolution 98-2016 – A RESOLUTION confirming the appointment Paul Lin to the Environmental Sustainability Board. (tabled 7/29/16)

a. Paul Lin called to speak

B. General

1. Council Resolution 114-2016 – A RESOLUTION declaring that a total of approximately 0.215 acres of real property owned by Howard County, Maryland located off of MD Route 216 and commonly shown as Parcel 288 on Tax Map 46 is no longer needed for a public purpose and authorizing the County Executive to waive the advertising and bidding requirements of Section 4.201 of the Howard County Code in order to sell the property to the owner of the adjacent property; and providing that the County Executive is not bound to sell the property if he finds that the land may have a further public use.

- a. Jim Irvin, Director of Public Works - called to speak on behalf of the Administration
2. TAO1-FY17 – AN ACT transferring \$550,000 in grant funding from Capital Project D1165, Flood Mitigation and Stormwater/Waterway Enhancement, to Capital Project D1158, Watershed Management Construction, so that the County may receive additional grant funds from the Maryland Department of Natural Resources, Chesapeake Bay Trust Fund, for stream restoration work.
    - a. Jim Irvin, Director of Public Works - called to speak on behalf of the Administration
3. Council Resolution 113-2016 – A RESOLUTION endorsing the provision of financing by the State Department of Commerce for an economic development project in Howard County and certifying that the project is consistent with the County’s plan for economic development.
    - a. Larry Twele, CEO, Howard County Economic Development Authority - called to speak
4. Council Bill 63-2016 – AN ACT amending the Classification Plan for Howard County; amending the Fair Labor Standards Act designation for certain positions in order to comply with Federal law; and generally relating to amendments to the Howard County Classification Plan.
    - a. Wanda Hutchinson, Administrator, Howard County Human Resources - called to speak
5. Council Resolution 112-2016 – Introduced by: The Chairperson; A RESOLUTION acknowledging receipt of the annual report of the Howard County Retirement Plan and the Police and Fire Employees’ Retirement Plan submitted by the Pension Oversight Commission.
    - a. Todd Snyder - Chairperson, Howard County Pension Oversight Commission - called to speak
6. SAO1-FY17 – AN ACT transferring \$69,624.00 from the Grant Fund, Contingency Reserve to the Department of Police for a grant to fund a Heroin Coordinator position.
    - a. Gary Gardner, Chief, Howard County Police Department - called to speak

7. Council Bill 61-2016 – AN ORDINANCE authorizing the issuance, sale and delivery of up to \$100,000,000 consolidated public improvement bonds and up to \$25,000,000 metropolitan district bonds, pursuant to various bond enabling laws; providing that such bonds shall be general obligations of the County; authorizing the County Executive to specify, prescribe, determine, provide for or approve the final principal amounts, maturity schedules, interest rates and redemption provisions for such bonds, and other matters, details, forms, documents or procedures and to determine the method of sale of such bonds; providing for the disbursement of the proceeds of such bonds and for the levying of taxes to pay debt service on such bonds; and providing for and determining various matters in connection therewith.
  - a. Stan Milesky, Director, Howard County Department of Finance - called to speak
  
8. Council Bill 62-2016 – AN ORDINANCE authorizing and providing for the issuance of Howard County, Maryland Consolidated Public Improvement Refunding Bonds and Howard County, Maryland Metropolitan District Refunding Bonds; providing that such bonds shall be general obligations of the County; providing for the disbursement of the proceeds of such bonds and the levying of taxes to pay debt service on such bonds; providing for the private (negotiated) sale of such bonds; providing for an escrow deposit agreement and a continuing disclosure agreement; authorizing the County Executive to specify, prescribe, determine, provide for or approve the final principal amounts, maturity schedules, interest rates and redemption provisions for such bonds, the final list of refunded bonds, and certain other matters, details, forms, documents or procedures; and providing for and determining various matters in connection therewith.
  - a. Stan Milesky, Director, Howard County Department of Finance - called to speak
  
9. Council Resolution 110-2016 – Introduced by: Calvin Ball; A RESOLUTION requesting that the Environmental Sustainability Board expand the scope of its review of studies regarding mold in Howard County Public Schools to include review of the various reports conducted by Skelly and Loy, Inc. on behalf of the Howard County Department of Public Works; and extending the timeframe for submitting the report to the County Council and County Executive.
  - a. Daniel Mackey, 4273 Coattail Court - called to speak
  - b. Barbara Krupiarz, 7834 Rockburn Drive - called to speak
  
10. Council Bill 64-2016 – Introduced by: Calvin Ball; AN ACT authorizing the Howard County Office of Law to institute any civil action or other proceedings to enforce the financial audit of the Howard County Public School System mandated by Council

Resolution No. 88-2016; and generally relating to enforcement of Resolution No. 88-2016.

- a. Kirsten Coombs, 10213 Sherman Heights Place - called to speak
  - b. Vicky Cutroneo, 15005 Scottswood Court - called to speak
  - c. Daniel Mackey, 4273 Coattail Court - called to speak
  - d. Christina Delmont-Small, 10206 Maxine Street - called to speak
  - e. Barbara Krupiarz, 7834 Rockburn Drive - called to speak
  - f. Lisa Markovitz, 2948 Normandy Drive - called to speak
  - g. Judy Fisher George, 11142 Wood Elves Way - called to speak
11. Council Bill 59-2016 (ZRA 164) – Introduced by: Calvin Ball; AN ACT amending the Howard County Zoning Regulations to remove certain restrictions that limit the size of Commercial Solar Facilities on County Preservation Parcels and allow Commercial Solar Facilities as a Conditional Use on RR and RC zoned properties, under certain conditions; and generally relating to Commercial Solar Facilities.
- a. Howie Feaga, 3807 Walt Ann Drive - called to speak for Howard County Farm Bureau
  - b. Brett Cullen , 225 W. Hubbard Street - called to speak for SoCore Energy
  - c. Jamie Frazier, 2605 Brown Alder Court - called to speak
  - d. George Brown, 17500 Frederick Road - called to speak
  - e. Dan O’Leary, 12832 Highland Road - called to speak for Greater Highland Crossroads Association
  - f. Susan Garber, 9100 Gorman Road - called to speak for Howard County Citizens Association
  - g. Theodore Mariani, 16449 Ed Warfield Road - called to speak for Concerned Citizens of Western Howard County
  - h. Natalie Ziegler, 4288 Manor Lane - called to speak

- i. Brenda Stewart, 2752 Daisy Road - called to speak
  - j. Lisa Markovitz, 2948 Normandy Drive - called to speak for Howard County Citizens Association
  - k. Joan Becker - called to speak
  - l. Teresa Stonesifer, 1285 Frederick Road- called to speak
  - m. Dennis Satnick - called to speak
12. Council Bill 60-2016 (ZRA 165) – Introduced by: The Chairperson at the request of Robert Haney; AN ACT amending the Howard County Zoning Regulations Conditional Use section to create a new Athletic Facilities, Commercial Conditional Use in the RC and RR zoning districts; and generally relating to Athletic Facilities, Commercial.
- a. Robert Haney, 15036 Scottswood Court - called to speak
  - b. Thomas Meachum, 10715 Charter Drive - called to speak
13. Council Resolution 111-2016 – Introduced by: Mary Kay Sigaty and Jon Weinstein; A RESOLUTION amending the Howard County Council Rules of Procedure to clarify that there is no legislative session in August and to indicate that the session in December is only to take specified actions.
- a. Grace Kubofcik, 4801 Carman Drive - called to speak
14. Council Bill 65-2016 – Introduced by: Jon Weinstein; AN ACT temporarily prohibiting issuance of certain permits for certain development within a specified area of Howard County; finding that development in the Tiber-Hudson Watershed may be a contributing factor to flooding in Historic Ellicott City and thus may be a threat to the public health, safety and welfare; requesting the Department of Planning Zoning and other County agencies to study and report certain matters and make recommendations regarding such matters; providing that the purposes of this Act are to provide the Department of Planning and Zoning and other County agencies with time to study whether development in the specified area needs to be further restricted or modified and to make recommendations for improvement, and to give the County Council time to act on the recommendations; defining certain terms; providing certain exemptions from the Act; establishing certain processes on the development review and permitting processes; providing that this Act shall be abrogated and of no further force and effect after a certain period; and generally relating to land use, permitting activities, storm water management, drainage and flood mitigation.

- a. Denise Cortis, 3407 Deanwood Avenue - called to speak
- b. Lori Lilly, 10520 Old Frederick Road - called to speak
- c. Angie Boyter, 3914 MacAlpine Road - called to speak
- d. Bill Withers, 3615 Fels Lane - called to speak
- e. JD Smith, 7425 Swan Point Way - called to speak for Howard County Citizens Association
- f. Grace Kubofcik, 4801 Carman Drive - called to speak
- g. Todd Taylor, 3546 Church Road - called to speak
- h. Elizabeth Walsh, 3574 Church Road - called to speak
- i. Peter Green, 9117 Northfield Road - called to speak
- j. Elaine Lutz, 6 Herdon Avenue - called to speak on behalf of Chesapeake Bay Foundation of Howard County
- k. Lisa Markovitz, 2948 Normandy Drive - called to speak for The People's Voice
- l. Stephanie Tuite, 6905 Deer Valley Road - called to speak
- m. Josh Greenfeld - called to speak for Maryland Building Industry Association
- n. Carl Gutschick, 3909 National Drive - called to speak
- o. David Woessner, 308 Magothy Road - called to speak
- p. Susan Garber, 9100 Gorman Road - called to speak
- q. Jean Sedlacko, 9114 Northfield Road - called to speak
- r. Holly DeFrances, 9809 Millwick Drive
- s. Gary Segal, 3630 Church Road - called to speak
- t. Joel Hurwitz, 5681 Harpers Farm Road - called to speak

- u. Fred Dorsey, 10774 Judy Lane - called to speak
- v. Alan Schneider, 7305 Swan Way - called to speak for Sierra Club

V. Adjourned: 10:34 p.m.

IV. Tabled

- A. Council Resolution 98-2016 – A RESOLUTION confirming the appointment Paul Lin to the Environmental Sustainability Board. (tabled 7/29/16)
- B. Council Bill 43-2016 – Introduced by Jennifer Terrasa; AN ACT amending the Downtown Columbia Plan to establish an Affordable Housing Inclusionary Zoning provision for Downtown Columbia, under certain conditions; amending certain Community Enhancements, Programs, and Public Amenities (CEPPAs) requirements regarding affordable housing; and generally relating to planning, zoning and land use in Howard County. (tabled 7/29/16)
- C. Council Bill 44-2016 (ZRA 162) – Introduced by Jennifer Terrasa; AN ACT amending the Howard County Zoning Regulations’ New Town (NT) District Downtown Revitalization regulations to include a 15 percent Affordable Housing Inclusionary Zoning provision for Downtown Columbia, under certain conditions; and generally relating to the NT District. (tabled 7/29/16)
- D. Council Bill 45-2016 – Introduced by Jennifer Terrasa; AN ACT amending the Howard County Code’s Downtown Columbia provisions regarding affordable housing payments required by Community Enhancements, Programs, and Public Amenities (CEPPAs) to reflect an inclusionary zoning provision for Downtown Columbia; and generally relating to affordable housing in Downtown Columbia. (tabled 7/29/16)
- E. Council Bill 52-2016 – AN ACT amending the Downtown Columbia Plan, a General Plan Amendment, to revise the Downtown Columbia affordable housing program; setting forth methods for the development of affordable housing; revising the Downtown Revitalization Phasing Progression to reflect the timing of affordable housing development; amending certain Community Enhancements, Programs and Public Amenities to reflect the methods for the development of affordable housing; and generally relating to planning, zoning and land use in Howard County. (tabled 7/29/16)

- F. Council Bill 53-2016 – AN ACT amending PlanHoward 2030, the general plan for Howard County, in order to amend the number of housing unit allocations available to developers of new residential units in Downtown Columbia for the period 2015 - 2030; and generally relating to planning, zoning and land use in Howard County. (tabled 7/29/16)
  
- G. Council Bill 54-2016 (ZRA 170) – AN ACT requiring a new configuration of affordable housing in Downtown Columbia under certain conditions with certain alternatives; amending and providing for certain parking requirements related to residential units in Downtown Columbia; providing certain requirements for certain plans; requiring that certain types of construction provide for art in the community; and generally relating to the Howard County Zoning Regulations. (tabled 7/29/16)
  
- H. Council Bill 55-2016 – AN ACT amending the County Code by clarifying that certain moderate income housing units are provided in certain Zoning Districts as required by the Howard County Zoning Regulations or when required by certain plans; exempting Downtown Columbia from a certain provision of the Adequate Public Facilities Ordinance; amending certain payments for affordable housing required by each developer of residential property within Downtown Columbia under certain conditions; and generally relating to development in Downtown Columbia. (tabled 7/29/16)
  
- I. Council Resolution 103-2016 – A RESOLUTION approving and authorizing the execution of a Development Rights and Responsibilities Agreement by Howard Research And Development Corporation and Howard County in accordance with Title 16, Subtitle 17 of the Howard County Code; authorizing the Executive to make changes to the Agreement, under certain conditions; authorizing the County Executive to execute the Agreement; providing for the effective date of this Resolution, and generally relating to the Agreement. (tabled 7/29/16)
  
- J. Council Resolution 104-2016 – A RESOLUTION pursuant to Section 4.201 of the Howard County Code, authorizing the County Executive’s sale of certain real property known as the “Flier Building” owned by Howard County, Maryland, containing approximately 2.159 acres, and located at 10750 Little Patuxent Parkway, Maryland; waiving the advertising and bidding requirements of Section 4.201 of the Howard County Code; and providing that the County Executive is not bound to sell the property if he finds that it may have a further public use. (tabled 7/29/16)
  
- K. Council Bill 56-2016 – AN ORDINANCE levying and providing for the collection of a special tax on property within the special taxing district in the downtown Columbia area of Howard County, Maryland known as the “Crescent Special Taxing District” (the “Special Taxing District”) pursuant to the Rate and Method identified herein and for various matters



relating thereto; authorizing and empowering the County to issue up to \$90,000,000 of its special obligation bonds at a maximum interest rate not to exceed 12% per annum in order to finance or reimburse the cost of certain public improvements relating to the Special Taxing District and the Development District (as defined herein) and other costs permitted under the Acts (as identified herein); providing that such bonds and the interest thereon shall never constitute a general obligation of the County or a pledge of its full faith and credit; providing for the further specification, prescription, determination, provision for or approval of various other matters, details, documents and procedures in connection with the authorization, issuance, security, sale and payment for any such bonds; making certain legislative findings; and generally providing for the levy, imposition, collection and application of such special tax and the issuance of an initial series of bonds in accordance with the Acts identified herein. (tabled 7/29/16)