

**COUNTY COUNCIL
OF
HOWARD COUNTY, MARYLAND**

2017 Legislative Session

Legislative Day No. 1

January 3, 2017

HOWARD COUNTY TO WIT:

The Chairperson called the legislative session to order at **7:02** p.m.

Chairperson Jon Weinstein, Vice Chairperson Calvin Ball, Council Member Greg Fox, Council Member Mary Kay Sigaty, and Council Member Jennifer Terrasa were present.

Jessica Feldmark, Administrator to the County Council; Craig Glendenning, County Auditor; Theo Wimberly, Legislative Analyst; John Gwynn County Solicitor; Gary Kuc, County Solicitor; Jennifer Sager, Legislative Coordinator; and Jennifer Egan Administrative Support were also present.

APPROVE JOURNALS AND MINUTES

The Chairperson moved to approve the Journal for Legislative Day No. 1, December 5, 2016. The motion was seconded by Dr. Ball.

The roll call vote called by the Administrator on the motion was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve the journal passed.

INTRODUCTION OF LEGISLATION

The following legislation is introduced by the Chairperson at the request of the County Executive unless otherwise noted:

Appointments

Council Resolution 2-2017- A RESOLUTION confirming the appointment of Kenneth M. Barnes to the Pension Oversight Commission.

Council Resolution 3-2017- A RESOLUTION confirming the appointment Christine E. Conn to the Environmental Sustainability Board.

Council Resolution 4-2017- A RESOLUTION confirming the appointment of Leslie B. Kornreich to the Commission on Disability Issues.

Council Resolution 5-2017-A RESOLUTION confirming the appointment Nancy McAllister to the Environmental Sustainability Board.

Council Resolution 6-2017-A RESOLUTION confirming the appointment of Michelle K. Melotti-Merdon to the Adult Public Guardianship Review Board.

Council Resolution 7-2017-A RESOLUTION confirming the appointment of Leslie P. Salgado-Tamayo to the Martin Luther King, Jr. Holiday Commission.

Council Resolution 8-2017-A RESOLUTION confirming the appointment Ann M. Strozyk to the Environmental Sustainability Board.

Council Resolution 9-2017-A RESOLUTION approving a list of Howard County residents to be sent to the Governor, in accordance with State law, so that the Governor may choose one of the residents from the list to fill a vacancy on the Property Tax Assessment Appeal Board.

Council Resolution 10-2017-A RESOLUTION confirming the appointment of Marian S. Vessels to the Commission on Disability Issues.

Council Resolution 11-2017-A RESOLUTION confirming the appointment of Mary Weeks as a member of the Cable Advisory Committee.

Council Resolution 12-2017-A RESOLUTION confirming the appointment of Karen Wood to the Commission on Disability Issues.

Council Resolution 13-2017-A RESOLUTION confirming the reappointment of John Dove to the Environmental Sustainability Board.

Council Resolution 14-2017-A RESOLUTION confirming the reappointment of Mary K. Hargadon-Zester to the Alcohol & Drug Abuse Advisory Board.

Council Resolution 15-2017-A RESOLUTION confirming the reappointment of Rebecca Roberts to the Alcohol & Drug Abuse Advisory Board.

General

Council Bill1-2017- AN ACT amending certain permit requirements related to hazardous substances; defining certain terms and setting forth different types of hazardous substances; and generally relating to the Howard County Fire Prevention Code.

Council Bill2-2017-AN ACT pursuant to Section 612 of the Howard County Charter, approving a Second Amendment for the lease of space; and authorizing the County Executive to take certain actions in connection with the Agreement.

Council Bill 3-2017 -AN ACT amending the Annual Budget and Appropriation for Fiscal Year 2017 in order to fund unanticipated expenses related to the Ellicott City flood response and recovery efforts; increasing the General Fund for certain departments; and amending the total General Fund accordingly; adding funding to Capital Project D1165, Flood Mitigation and Stormwater/Waterway Enhancement, and H2014, Road Resurfacing; and generally relating to the Annual Budget and Appropriation Ordinance for Fiscal Year 2017.

Council Bill4-2017-Introduced by Jon Weinstein; AN Act requiring periodic reviews and certain revisions to the Howard County Design Manual; generally relating to standards for design and construction in Howard County.

Council Bill 5-2017-Introduced by Greg Fox and Co-sponsored by Mary Kay Sigaty; AN ACT amending the Howard County Code to clarify that court-ordered partitions of real property under certain conditions are not included within the definitions of minor subdivision or resubdivisions under the Subdivision Regulations; and generally relating to Minor Subdivisions and Resubdivisions.

Council Resolution 1-2017-Introduced by the Chairperson at the request of Windsor Forest Fox Chasing HOA, Inc. and Gaither Hunt Homeowners Association, Inc.; A RESOLUTION to close all of Winter Thicket Road, as shown in Exhibits A and B, in accordance with Section 18.204 of the Howard County Code.

Council Bill 6-2017-AN ACT clarifying the definition of eligible property; clarifying certain qualified expenses for purposes of qualifying to receive the tax credit; clarifying the process to receive the tax credit; removing certain obsolete provisions; making certain technical corrections; defining certain terms, and generally related to the tax credit for the restoration and rehabilitation of historic or heritage properties.

Council Bill 7-2017-AN ACT amending the Livable Homes Tax Credit in order to amend the features for which one may receive the tax credit; adding certain features; amending the amount of the credit that may be received; amending certain reporting requirements; and generally relating to real property tax credits.

Council Resolution 16-2017-Introduced by the Chairperson at the request of the County Executive and Cosponsored by Greg Fox; A RESOLUTION adding a reimbursement related to the Watershed Protection and Restoration Fee; and generally related to the Watershed Protection and Restoration Fee.

Council Bill 8-2017-Introduced by Calvin Ball and Jon Weinstein; AN ACT authorizing the Howard County Office of Law to institute any civil action or other proceedings related to the implementation of the Next Generation Air Transportation System at Baltimore Washington International Thurgood Marshall Airport.

Council Resolution 17-2017-Introduced by the Chairperson; A RESOLUTION calling the County Council of Howard County, Maryland into legislative session on specified dates.

Council Bill 9-2017-Introduced by Calvin Ball and Jennifer Terrasa; AN ACT providing that certain individuals shall take, or refrain from taking, specified actions with respect to the immigration status of specified individuals; prohibiting certain discrimination based on citizenship status; requiring that certain information related to citizenship status be kept confidential; providing a procedure whenever specified provisions may be preempted by other law; requiring specified officials to take actions under certain circumstances; and generally relating to human rights in Howard County.

FINAL CONSIDERATION

The Chairperson moved to allow the reading of short titles for bills and resolutions for final approval. The motion was seconded by Dr. Ball.

The roll call vote called by the Administrator on the motion was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to allow the reading of short titles for bills and resolutions for final approval passed.

General

Council Bill 81-2016- Introduced by: Jon Weinstein: AN ACT amending certain fees, as previously set by Council Bill58-2016, Resolution 65-2016, Resolution 111-2012, and Resolution 63-2016, for a limited time and related to properties damaged by the severe flooding event in historic Ellicott City and elsewhere in Howard County addressed by the Executive Order 2016-05 issued on July 30, 2016; and making this Act an Emergency Bill.

The Chairperson moved to approve Council Resolution 81-2016. The motion was seconded by Dr. Ball.

The roll call vote called by the Administrator on the motion to approve Council Resolution 81-2016 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution 81-2016 passed.

Council Bill 71-2016 (ZRA 167)- Introduced by the Chairperson at the request of Elisa Kamens; AN ACT amending the Howard County Zoning Regulations Conditional Use section to clarify that indoor noises at Pet Day Care Facilities Conditional Uses must not be detectible at the lot lines; and generally relating to Pet Day Care Facilities Conditional Uses. (tabled 12/05/16)

The Chairperson moved to remove Council Bill 71-2016. The motion was seconded by Dr. Ball.

The roll call vote by the Administrator on the motion to remove Council Bill 71-2016 from the table was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to remove Council Bill 71-2016 from the table passed.

The Chairperson moved to approve Council Bill 71-2016. The motion was seconded by Dr. Ball.

Council Member Sigaty moved to allow the introduction of Amendment 1 which was not prefilled. The motion was seconded by Dr. Ball.

The roll call vote by the Administrator on the motion to allow the introduction of Amendment 1 which was not prefilled was: Yea: Council Members: Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to allow the introduction of Amendment 1 which was not prefiled passed.

Council Member Sigaty moved to approve Amendment 1. The motion was seconded by Dr. Ball.

Amendment No. 1

(This amendment adds a definition for "Pet Day Care Facility to the Zoning Regulations).

The roll call vote called by the Administrator on the motion to approve Amendment 1 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Amendment 1 passed.

The roll call vote called by the Administrator on the motion to approve Council Bill 71-2016 as amended was: Yea: Council Members Ball, Fox, Sigaty, Terrasa, and Weinstein.

The motion to approve Council Bill 71-2016 as amended passed.

Council Bill 72-2016-Council Bill 72-2016 (ZRA 168)- Introduced by the Chairperson at the request of Demirel Plaza, Inc.; AN ACT amending the Howard County Zoning Regulations Office Transition (OT) section to add several new uses to be allowed as a matter of right; amending the Conditional Use section to allow Child Day Care Centers and Nursery Schools, Day Treatment and Care Facilities and Pet Day Care Facilities as Conditional Uses in the Office Transition (OT) district; and generally relating to the Office Transition (OT) section. (tabled 12/05/16)

The Chairperson moved to remove Council Bill 72-2016. The motion was seconded by Dr. Ball.

The roll call vote by the Administrator on the motion to remove Council Bill 72-2016 from the table was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to remove Council Bill 72-2016 from the table passed.

The Chairperson announced as a reminder that both Amendment #1 to Council Bill 72-2016 (*introduced by Dr. Ball*) and Amendment #1 to Amendment #1 to Council Bill 72-2016 (*introduced by Ms. Sigaty*) were moved and seconded before this item was tabled at the last

legislative session.

The roll call vote called by the Administrator on the motion to approve Amendment 1 to Amendment 1 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Amendment 1 to Amendment 1 passed.

The roll call vote called by the Administrator on the motion to approve Amendment 1, as amended was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Amendment 1, as amended passed.

The roll call vote called by the Administrator on the motion to approve Council Bill 72-2016, as amended was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Bill 72-2016, as amended passed.

Tabled

Council Resolution 171-2016- A RESOLUTION confirming the appointment of John F. Tenerowicz to the Board to Promote Self-Sufficiency. (tabled 12/05/16)

Council Resolution 179-2016- Introduced by Calvin Ball and Jennifer Terrasa; A RESOLUTION calling on the Maryland State Department of Education to contract for a performance audit of the Howard County Public School System and specifying the issues requested to be studied. (tabled 12/05/16)

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)

Adjourned **7:25 p.m.**