

**COUNTY COUNCIL  
OF  
HOWARD COUNTY, MARYLAND**

**2017 Legislative Session**

**Legislative Day No. 6**

April 3, 2017

**HOWARD COUNTY TO WIT:**

The Chairperson called the legislative session to order at **7:03** 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; Edward Shulder, Deputy County Auditor; Jeff Meyers, Legislative Analyst; John Gwynn, Assistant County Solicitor; Jennifer Sager, Legislative Coordinator; and Kel Habicht, Administrative Support were also present.

---

The Chairperson moved to suspend the rules to set the budget amendment prefile deadline for 2:00 p.m. on Wednesday, May 17, 2017. The motion was seconded by Dr. Ball.

The roll call vote called by the Administrator on the motion to suspend the rules to set the budget amendment prefile deadline for 2:00 p.m. on Wednesday, May 17, 2017 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to suspend the rules to set the budget amendment prefile deadline for 2:00 p.m. on Wednesday, May 17, 2017 passed.

---

**APPROVE JOURNALS AND MINUTES**

The Chairperson moved to approve the Journal for Legislative Day No. 5, March 6, 2017. 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.

The Chairperson moved to approve the minutes for the Monthly Meeting – March 13, 2017, the Legislative Public Hearing – March 20, 2017 and the Legislative Work Session – March 27, 2017. 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 minutes passed.

The Chairperson moved to approve the minutes for the Joint Quarterly Meeting with the Board of Education – March 28, 2017. The motion was seconded by Dr. Ball.

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

The motion to approve the minutes passed.

---

The Chairperson moved to suspend the rules to allow for introduction of legislation that was not prefiled. The motion was seconded by Dr. Ball.

The roll call vote called by the Administrator on the motion to suspend the rules to allow for introduction of legislation that was not prefiled was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to suspend the rules to allow for introduction of legislation that was not prefiled 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 36-2017 - A RESOLUTION confirming the appointment of Shivani K. Aghera to the Human Rights Commission.

Council Resolution 37-2017 - A RESOLUTION confirming the appointment of Hector J. Garcia,

Jr. to the Human Rights Commission.

Council Resolution 38-2017 - A RESOLUTION confirming the appointment of Savannah A. Kaiss to the Agricultural Land Preservation Board.

Council Resolution 39-2017 - A RESOLUTION confirming the appointment of Tina Kwon Melton to the Planning Board.

Council Resolution 40-2017 - A RESOLUTION confirming the appointment of Sue Song to the Commission on Aging.

Council Resolution 41-2017 - A RESOLUTION confirming the reappointment of Jennifer H. Asher to the Commission on Aging.

Council Resolution 42-2017 - A RESOLUTION confirming the reappointment of Peter J. Brunner to the Commission on Aging.

Council Resolution 43-2017 - A RESOLUTION confirming the reappointment of Karen Greenfield to the Board of Electrical Examiners.

Council Resolution 44-2017 - A RESOLUTION confirming the reappointment of Julia Mattis to the Commission on Aging.

Council Resolution 45-2017 - A RESOLUTION confirming the reappointment of Marshall McLeod to the Advisory Board on Consumer Protection.

Council Resolution 46-2017 - A RESOLUTION confirming the reappointment of M. Eletta Morse to the Commission on Aging.

Council Resolution 47-2017 - A RESOLUTION confirming the reappointment of Rev. Rodney T. Morton to the Martin Luther King, Jr. Holiday Commission.

Council Resolution 48-2017 - A RESOLUTION confirming the reappointment of Jason Quan to the Public Transportation Board.

Council Resolution 49-2017 - A RESOLUTION confirming the reappointment of Tracy Snyder to the Board of Electrical Examiners.

Council Resolution 50-2017 - A RESOLUTION confirming the reappointment of Cory J. Summerson to the Public Works Board.

Council Resolution 51-2017 - A RESOLUTION confirming the reappointment of Daniel E. Tracy, Jr. to the Recreation and Parks Board.

---

## General

Council Bill 25-2017 - AN ACT making a technical amendment to *PlanHoward 2030*, the general plan for Howard County, correcting a chart to correspond to an amendment that was passed to *PlanHoward2030*; and generally relating to planning, zoning and land use in Howard County.

Council Bill 26-2017 - AN ACT requiring a permit for the installation of certain wireless facilities on public street lights; defining certain terms; amending certain definitions; requiring certain information in support of an application for a permit; requiring certain agreements; requiring that certain agreements include fair compensation; providing for the review of applications; authorizing certain fees; and generally related to public rights-of-way in Howard County.

Council Bill 27-2017 – AN ACT approving, in accordance with Section 612 of the Howard County Charter, a Seventh Amendment to Agreement of Lease for the portion of the building consisting of approximately 5,728 square feet located at 3300 North Ridge Road, Suite 240, Ellicott City, Howard County, Maryland by and between Executive Center LLC, a Maryland limited liability company; authorizing the County Executive to make changes to the Amendment, under certain conditions; authorizing the County Executive to execute the Amendment; and generally relating to the Amendment.

Council Resolution 52-2017 - A RESOLUTION adopting Howard County’s Annual Action Plan for housing and community services to qualify for the receipt of federal Community Development Block Grant and Home Investment Partnership Program funds.

Council Resolution 35-2017 - Introduced by: The Chairperson at the request of Meadowlark, LLC - A RESOLUTION to close a portion of Forest Avenue, as shown in Exhibits A and B, in accordance with Section 18.204 of the Howard County Code.

Council Bill 28-2017 (ZRA 174) – Introduced by: Mary Kay Sigaty - AN ACT amending the Howard County Zoning Regulations to define Cottage Food Business and allow Cottage Food Business as a Home Occupation; and generally relating to Cottage Food Businesses.

Council Bill 29-2017 (ZRA 176) – Introduced by Greg Fox and Mary Kay Sigaty - AN ACT amending the Howard County Zoning Regulations to remove the Business Rural Crossroads (BRX) zoning district; and generally relating to BRX district.

Council Bill 30-2017 – Introduced by Jennifer Terrasa and Jon Weinstein - AN ACT establishing a voluntary Citizens’ Election Fund system for candidates for County Executive or County Council; regulating specified campaign finance activities of a candidate who accepts public funding; providing for the administration and enforcement of specified aspects of the Citizens’ Election Fund system;

providing certain penalties for violations of the Citizens' Election Fund system; creating a Citizens' Election Fund Commission and specifying its composition and duties; requiring the Director of Finance to take specified actions; and generally related to elections for County offices.

Council Bill 31-2017 (ZRA-171) – Introduced by The Chairperson at the request of Olenka Stasyshyn – AN ACT amending the Howard County Zoning Regulations Conditional Use section to add a new Instructional School use to the R-20 Zoning District; and generally relating to Instructional Schools.

Council Bill 32-2017 (ZRA-172) – Introduced by The Chairperson at the request of Stephen Ferrandi, Maryland Land Advisors – AN ACT amending the Howard County Zoning Regulations to make certain Neighborhood Preservation sending parcels eligible for a Conditional Use for Historic Building Uses; and generally relating to Historic Building Uses.

### **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.

---

### **Consent Agenda**

Council Resolution 32-2017 – A RESOLUTION confirming the reappointment of Caroline Harper to the Martin Luther King, Jr. Holiday Commission.

Council Resolution 33-2017 - A RESOLUTION confirming the reappointment of Jonah Hornum to the Martin Luther King, Jr. Holiday Commission.

The Chairperson moved to approve Council Resolution 32-2017 and Council Resolution 33-2017. The motion was seconded by Dr. Ball.

The roll call vote called by the Administrator on the motion to approve Council Resolution 32-2017 and Council Resolution 33-2017 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution 32-2017 and Council Resolution 33-2017 passed.

---

### Appointments

Council Resolution 29-2017 - A RESOLUTION confirming the appointment of Erica B. Byrne to the Howard County Local Children's Board.

The Chairperson moved to approve Council Resolution 29-2017. The motion was seconded by Dr. Ball.

The roll call vote called by the Administrator on the motion to approve Council Resolution 29-2017 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution 29-2017 passed.

---

Council Resolution 30-2017 – A RESOLUTION confirming the appointment of Brian M. Dillard to the Public Transportation Board.

The Chairperson moved to approve Council Resolution 30-2017. The motion was seconded by Dr. Ball.

The roll call vote called by the Administrator on the motion to approve Council Resolution 30-2017 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution 30-2017 passed.

---

Council Resolution 31-2017 – A RESOLUTION confirming the appointment of Ayesha Bajwa Holmes to the Board to Promote Self-Sufficiency.

The Chairperson moved to approve Council Resolution 31-2017. The motion was seconded by Dr. Ball.

The roll call vote called by the Administrator on the motion to approve Council Resolution 31-2017 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution 31-2017 passed.

---

**General**

SAO3-FY2017 – AN ACT transferring \$600,000 from the Grants Fund, Contingency Reserve to the Department of Public Works for a grant to assist in improving enhanced nutrient removal performance levels.

The Chairperson moved to approve SAO3-FY2017. The motion was seconded by Dr. Ball.

The roll call vote called by the Administrator on the motion to approve SAO3-FY2017 was:  
Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve SAO3-FY2017 passed.

---

TAO3-FY2017 – AN ACT transferring a total of \$3,445,000 to Capital Project C0309, Land Acquisition Contingency Reserve, from various capital projects in the Fiscal Year 2017 Capital Budget including C0351, Harriet Tubman Remediation, C0352, Site Acquisition for School Sites, and F5973, Logistics Facility.

The Chairperson moved to approve TAO3-FY2017. The motion was seconded by Dr. Ball.

The Chairperson moved to approve Amendment 1. The motion was seconded by Dr. Ball.

**Amendment No. 1**

*(This amendment changes the source of funding from Other to Bonds for \$2,500,000 being transferred from C0352 to C0309.)*

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 TAO3-FY2017 as amended was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve TAO3-FY2017 as amended passed.

---

Council Bill 18-2017 - AN ACT for the purpose of authorizing and empowering Howard County, Maryland to borrow money an additional aggregate principal amount of up to \$945,000 on its full faith and credit, and issue and sell its bonds therefor, to be used to pay costs of various capital projects, more particularly described in the County's 2017 Capital Budget, and to pay costs of issuance of such bonds; authorizing the County to issue bond anticipation notes or to enter into installment purchase agreements for payment of portions of such costs; and to levy taxes upon the assessable property within the County sufficient, together with other available funds, to pay the debt service on such obligations; and providing for and determining various matters in connection therewith.

The Chairperson moved to approve Council Bill 18-2017. The motion was seconded by Dr. Ball.

The Chairperson moved to approve Amendment 1. The motion was seconded by Dr. Ball.

**Amendment No. 1**

*(This amendment changes the amount of bond funding in order to be consistent with an amendment to TAO 3 FY17.)*

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 18-2017 as amended was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Bill 18-2017 as amended passed.

---

Council Bill 19-2017 – AN ACT approving and providing for a multi-year Installment Purchase Agreement by Howard County, Maryland to acquire development rights in approximately 20.56 acres of agricultural land located at 1401 Woodbine Road, Woodbine, Howard County, Maryland, from Sharon Sachs or any other owner thereof for a maximum purchase price of \$536,500.00 or, if less, not more than \$26,093.60 per acre or portion thereof, rounded to the next highest \$100, plus interest on the deferred portion of such purchase price; providing that the County's obligation to pay such purchase price and interest on the deferred portion of such purchase price shall be a full faith and credit general obligation of the County; providing for the levying of taxes for such payments; authorizing the County Executive to modify such Agreement; and providing for and determining various matters in connection therewith.



The Chairperson moved to approve Council Bill 19-2017. The motion was seconded by Dr. Ball.

The roll call vote called by the Administrator on the motion to approve Council Bill 19-2017 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Bill 19-2017 passed.

---

Council Resolution 34-2017 – A RESOLUTION endorsing the provision of financing by the State Department of Commerce for two economic development projects in Howard County and certifying that the projects are consistent with the County’s plan for economic development.

The Chairperson moved to approve Council Resolution 34-2017. The motion was seconded by Dr. Ball.

The Chairperson moved to approve Amendment 1. The motion was seconded by Dr. Ball.

**Amendment No. 1**

*(This amendment corrects an address.)*

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 Resolution 34-2017 as amended was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution 34-2017 as amended passed.

---

Council Bill 20-2017 - AN ACT amending the qualifications of the Administrator of the Office of Transportation; amending the duties of the Office of Transportation; amending the general powers and duties of members of the Public Transportation Board; adding the Office of Transportation to agencies serving on the Subdivision Review Committee; and generally relating to the Office of Transportation.

Council Member Terrasa moved to table Council Bill 20-2017. The motion was seconded by Dr. Ball.

The roll call vote called by the Administrator on the motion to table Council Bill 20-2017 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to table Council Bill 20-2017 passed.

---

Council Bill 21-2017 – Introduced by: Chairperson at the request of the County executive and Cosponsored by Jon Weinstein; AN ACT repealing certain County licenses and inspections related to massage; defining certain terms; allowing certain entry into massage establishments; authorizing the right to request certain authorization; providing for certain penalties; and generally relating to massage establishments in Howard County.

The Chairperson moved to approve Council Bill 21-2017. The motion was seconded by Dr. Ball.

The roll call vote called by the Administrator on the motion to approve Council Bill 21-2017 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Bill 21-2017 passed.

---

Council Bill 22-2017 (ZRA-175) – AN ACT exempting farms in the Rural Conservation Zoning District and farms 20 acres or larger in the Rural Residential Zoning District from Animal Shelter and Riding Academy and Stable setback requirements from dwellings on future new residential lots; and generally relating to the Howard County Zoning Regulations.

The Chairperson moved to approve Council Bill 22-2017. The motion was seconded by Dr. Ball.

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

**Amendment No. 1**

*(This amendment would require all animal shelters on farms to comply with the accessory structure setbacks for the applicable zoning district and remove any proposed changes to riding academies and stables).*

Council Member Fox moved to table Council Bill 22-2017. The motion was seconded by Dr. Ball.

The roll call vote called by the Administrator on the motion to table Council Bill 22-2017 was: Yea: Council Member Fox. Nay: Council Members Ball, Sigaty, Terrasa and Weinstein.

The motion to table Council Bill 22-2017 failed.

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

The motion to approve Amendment 1 passed.

The roll call vote called by the Administrator on the motion to approve Council Bill 22-2017 as amended was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Bill 22-2017 as amended passed.

---

Council Bill 23-2017 – Introduced by: Mary Kay Sigaty and Co-Sponsored by Calvin Ball and Jon Weinstein; AN ACT amending the Howard County Code to clarify that parcels may be eligible for the County’s Agricultural Land Preservation Program notwithstanding the effect of the Growth Tier designation of the parcel on the County’s General Plan; and generally relating to the Howard County Agricultural Land Preservation Program.

The Chairperson moved to approve Council Bill 23-2017. The motion was seconded by Dr. Ball.

The roll call vote called by the Administrator on the motion to approve Council Bill 23-2017 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Bill 23-2017 passed.

---

Council Bill 24-2017 – Introduced by: Jon Weinstein and Greg Fox; AN ACT requiring that any on-site sewage disposal system installed within a major subdivision in the Rural Conservation (RC) zoning district utilize Best Available Technology for Nitrogen removal; and generally relating to on-site sewage disposal systems.

Council Member Fox moved to withdraw Council Bill 24-2017. The motion was seconded by Mr. Weinstein.

The roll call vote called by the Administrator on the motion to withdraw Council Bill 24-2017 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to withdraw Council Bill 24-2017 passed.

---

The Chairperson moved to remove Council Resolution 21-2017 from the table. The motion was seconded by Dr. Ball.

The roll call vote called by the Chairperson on the motion to remove Council Resolution 21-2017 from the table was: Yea: Council Members, Ball, Fox, Sigaty, Terrasa, and Weinstein.

The motion to remove Council Resolution 21-2017 from the table passed.

---

Council Resolution 21-2017 – A RESOLUTION confirming the appointment of Jean Xu to the Public Ethics Commission. (tabled 3/6/17)

The Chairperson moved to approve Council Resolution 21-2017. The motion was seconded by Dr. Ball.

The roll call vote called by the Administrator on the motion to approve Council Resolution 21-2017 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution 21-2017 passed.

Adjourned **7:37** p.m.

---

### **Tabled**

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. (tabled 2/6/17)

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)

Council Bill 20-2017 - AN ACT amending the qualifications of the Administrator of the Office of Transportation; amending the duties of the Office of Transportation; amending the general powers and duties of members of the Public Transportation Board; adding the Office of Transportation to agencies serving on the Subdivision Review Committee; and generally relating to the Office of Transportation. (tabled 4/3/17)