

**COUNTY COUNCIL  
OF  
HOWARD COUNTY, MARYLAND**

**2015 Legislative Session**

**Legislative Day No. 10  
September 8, 2015**

**HOWARD COUNTY TO WIT:**

**STATEMENT OF CLOSED SESSION**

The County Council held a closed meeting at 6:12 p.m. on September 8, 2015, in the Council's large conference room.

Chairperson Sigaty moved that, in accordance with Section 3—305(b) (1), General Provisions Article, Annotated Code of Maryland, the meeting be closed for the purpose of discussing the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; or any other personnel matter that affects one or more specific individuals. Vice Chairperson Weinstein seconded the motion. Council Members Mary Kay Sigaty, Greg Fox, and Jon Weinstein voted in favor. Council Members Calvin Ball and Jennifer Terrasa were not present for the vote.

Members Present: Mary Kay Sigaty; Jon Weinstein; Calvin Ball; Greg Fox; Jennifer Terrasa

Others Present: Jessica Feldmark, Council Administrator; Eric Solomon

The Council discussed the potential appointment of an individual and authorized the Administrator to act on that matter.

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The Chairperson called the legislative session to order at 7:10 p.m.

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

Jessica Feldmark, Administrator to the County Council; Craig Glendenning, County Auditor; Meredith Beach, Legislative Analyst; Gary Kuc, County Solicitor, Jennifer Sager, Legislative Coordinator; and Rozonna Hightower, Administrative Support Tech III were also present.

## **APPROVE JOURNAL**

The Chairperson moved to approve the journal for Legislative Day No. 9, July 31, 2015. The motion was seconded by Mr. Weinstein.

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 124-2015 – A RESOLUTION confirming the appointment of Janice Agazio to the Howard County Commission for Veterans and Military Families.

Council Resolution 125-2015 - A RESOLUTION confirming the appointment of Donna M. Blackwell to the Board of Social Services.

Council Resolution 126-2015 - A RESOLUTION confirming the appointment of Douglas A. Dribben, P.E., to the Howard County Commission for Veterans and Military Families.

Council Resolution 127-2015 - A RESOLUTION confirming the appointment of Alice Giles to the Commission for Women.

Council Resolution 128-2015 - A RESOLUTION confirming the appointment of Joyce Kim to the Commission for Women.

Council Resolution 129-2015 - A RESOLUTION confirming the appointment of Nancy L. Smith to the Housing and Community Development Board.

Council Resolution 130-2015 - A RESOLUTION confirming the appointment of Gary A. Stewart to the Board of Health.

Council Resolution 131-2015 - A RESOLUTION confirming the reappointment of Donzella Curtis

to the Housing Commission.

Council Resolution 132-2015 - A RESOLUTION confirming the reappointment of Antonio S. daRosa to the Howard County Commission for Veterans and Military Families.

Council Resolution 133-2015 - A RESOLUTION confirming the reappointment of Ryan C. Frederic to the Howard County Board of Directors of the Revenue Authority.

Council Resolution 134-2015 - A RESOLUTION confirming the reappointment of Edward Plitt, III to the Cemetery Preservation Advisory Board.

Council Resolution 135-2015 - A RESOLUTION confirming the reappointment of M. Lee Preston, Jr. to the Cemetery Preservation Advisory Board.

Council Resolution 136-2015 - A RESOLUTION confirming the reappointment of Wanda L. Riddle to the Howard County Commission for Veterans and Military Families.

Council Resolution 137-2015 - A RESOLUTION confirming the reappointment of Bruce Rothschild to the Board of Library Trustees.

Council Resolution 138-2015 - A RESOLUTION confirming the reappointment of Todd Snyder to the Pension Oversight Commission.

Council Resolution 139-2015 - A RESOLUTION confirming the reappointment of Charley Sung to the Alcoholic Beverage Hearing Board.

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### **Financial**

SAO1-FY2016 - AN ACT transferring \$68,260 from the Grants Fund, Contingency Reserve to the Department of Housing and Community Development to account for increased Community Development Block Grant funding.

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### **General**

Council Bill 39-2015 (ZRA154) – Introduced by the Chairperson at the request of Robert and F. Maxine Walker - AN ACT amending the Howard County Zoning Regulations' Limited Outdoor Social Assemblies conditional use to permit the interior use of existing farm structures during events; and generally relating to Limited Outdoor Social Assemblies.

Council Bill 40-2015 - AN ACT approving and providing for a multi-year Installment Purchase Agreement by Howard County, Maryland to acquire development rights in approximately 29.38 acres of agricultural land located at 13945 Forsythe Road, Sykesville, Howard County, Maryland, from Our Forsythe, LLC, or any other owner thereof, for a maximum purchase price of \$635,400.00 or, if less, not more than \$21,625.60 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.

Council Bill 41-2015 - AN ACT amending the Howard County Police and Fire Employees' Retirement Plan, Deferred Retirement Option Program II in order to clarify certain interest accruals for the Chief of Police and Chief of Fire and Rescue Services; providing that certain compensation amounts will be included in determining the average compensation for certain Chiefs under certain conditions; and generally relating to the Howard County Police and Fire Employees' Retirement Plan.

Council Resolution 140-2015 – Introduced by Mary Kay Sigaty; Co-sponsored by: Calvin Ball, Jennifer Terrasa and Jon Weinstein - A RESOLUTION amending the Howard County Council Rules of Procedure to allow a Council Member to be added as a co-sponsor at a certain time and in a certain manner; and generally relating to the Council Rules of Procedure.

Council Resolution 141-2015 – 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.

Council Resolution 142-2015 – Introduced by: The Chairperson - A RESOLUTION setting the compensation of the Howard County Alcoholic Beverage Hearing Board.

Council Resolution 143-2015 - A RESOLUTION endorsing a Howard County application with the Maryland Transit Administration of the Maryland Department of Transportation for certain grants under the Federal Transit Act.

Council Resolution 144-2015 - A RESOLUTION pursuant to Sections 16.301 and 16.200(a) of the Howard County Code, granting a variance for government uses from the structure and use setback for the construction of the Mayfield Fire & Rescue Logistics Facility to be located on Meadowridge Road.

The Chairperson moved to allow the reading of bills by short title for final consideration. The motion was seconded by Mr. Weinstein.

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 bills by short title for final consideration passed.

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### **FINAL CONSIDERATION**

The Chairperson moved to remove CR29-2015 from the table. The motion was seconded by Mr. Weinstein.

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

The motion to remove CR29-2015 from the table passed.

Council Resolution 29-2015 – A RESOLUTION confirming the appointment of Kimberly A. Hartman to the Howard County Local Children’s Board. (tabled 5-4-2015)

The Chairperson moved to approve CR29-2015. The motion was seconded by Mr. Weinstein.

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

The motion to approve CR29-2015 failed.

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The Chairperson moved to remove CR89-2015 from the table. The motion was seconded by Mr. Weinstein.

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

The motion to remove CR89-2015 from the table passed.

Council Resolution 89-2015 – A RESOLUTION confirming the appointment of Ivan R.

Betancourt to the Human Rights Commission. (tabled 7-6-2015)

The Chairperson moved to approve CR89-2015. The motion was seconded by Mr. Weinstein.

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

The motion to approve CR89-2015 passed.

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The Chairperson moved to remove CB37-2015 from the table. The motion was seconded by Mr. Weinstein.

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

The motion to remove CB37-2015 from the table passed.

Council Bill 37-2015 (ZRA 155) – Introduced by: The Chairperson at the request of Jonathan L. Miller and Sonya A. Miller - AN ACT amending the Howard County Zoning Regulations' Home-Based Contractors conditional use to permit the Home-Based Contractors conditional use in the R-20 zoning district under certain conditions; and generally relating to Home-Based Contractors. (tabled 7-31-2015)

The Chairperson moved to extend the life of CB37-2015. The motion was seconded by Mr. Weinstein.

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

The motion to extend the life of CB37-2015 passed.

The Chairperson moved to table CB37-2015. The motion was seconded by Mr. Weinstein.

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

The motion to table CB37-2015 passed.

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The Chairperson moved to remove CR121-2015 from the table. The motion was seconded by Mr. Weinstein.

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

The motion to remove CR121-2015 from the table passed.

Council Resolution 121-2015 - A RESOLUTION pursuant to Section 4.201 of the Howard County Code, declaring that a certain interest in a portion of real property owned by the County located at the Timbers of Troy Golf Course containing approximately 5,811 square feet is no longer needed by Howard County, Maryland for public purposes; authorizing the County Executive to grant an easement for the installation of fiber optic cable to PEG Bandwidth MD, LLC; 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 grant the easement if he finds that the land may have a further public use. (tabled 7-31-2015)

The Chairperson moved to withdraw CR121-2015. The motion was seconded by Mr. Weinstein.

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

The motion to withdraw CR121-2015 passed.

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At 7:22 p.m., the legislative session adjourned.

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### **Tabled**

Council Resolution 68-2015 – A RESOLUTION pursuant to Section 4.201 of the Howard County Code, declaring that 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 is no longer needed by the County for public purposes; authorizing the County Executive to sell the property; 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.

Council Resolution 69-2015 – A RESOLUTION pursuant to Section 4.201 of the Howard County Code, declaring that certain real property known as the “Hurst Building” owned by Howard

County, containing approximately 1.92 acres, and located at 9770 Washington Boulevard and 9790 Washington Boulevard, Laurel, Maryland, is no longer needed by the County for public purposes; authorizing the County Executive to sell the property; 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.

Council Resolution 112-2015 – A RESOLUTION confirming the appointment of Alan Whitworth to the Public Works Board. (tabled 7-31-2015)

Council Bill 37-2015 (ZRA 155) – Introduced by: The Chairperson at the request of Jonathan L. Miller and Sonya A. Miller - AN ACT amending the Howard County Zoning Regulations' Home-Based Contractors conditional use to permit the Home-Based Contractors conditional use in the R-20 zoning district under certain conditions; and generally relating to Home-Based Contractors. (tabled 7-31-2015; re-tabled 9-8-15)