

**COUNTY COUNCIL
OF
HOWARD COUNTY, MARYLAND**

2015 Legislative Session

Legislative Day No. 11

October 5, 2015

HOWARD COUNTY TO WIT:

The Chairperson called the legislative session to order at **7:04** 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; Ed Shulder, County Auditor Office; Theodore Wimberly, Legislative Analyst; James Vannoy, Office of Law; Jennifer Sager, Legislative Coordinator; were also present.

APPROVE JOURNAL

The Chairperson moved to approve the journal for Legislative Day No. 10, September 8, 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.

APPROVE MINUTES

The Chairperson moved to approve the minutes for the Closed Meeting – September 8, 2015, Work Session – September 8, 2015 and Legislative Public Hearing – September 21, 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 minutes 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 No. 145-2015 - A RESOLUTION confirming the appointment of Delphine P. Adler to the Planning Board.

Council Resolution No. 146-2015 - A RESOLUTION confirming the appointment of M. Eletta Morse to the Adult Public Guardianship Review Board.

Council Resolution No. 147-2015 - A RESOLUTION confirming the reappointment of Sherry Banks to the Board to Promote Self-Sufficiency.

Council Resolution No. 148-2015 - A RESOLUTION confirming the reappointment of Stephen M. Liggett-Creel to the Board of Directors of the Howard County Mental Health Authority.

Council Resolution No. 149-2015 - A RESOLUTION confirming the reappointment of Helen H. Liu to the Board of Directors of the Howard County Mental Health Authority.

Council Resolution No. 150-2015 - A RESOLUTION confirming the reappointment of Stephen Martin to the Board to Promote Self-Sufficiency.

Council Resolution No. 151-2015 - A RESOLUTION confirming the reappointment of Regina S. Mitchell to the Howard County Housing Commission.

Financial

Supplementary Budget & Appropriation Ordinance No. 2 - Fiscal Year 2015 - AN ACT transferring \$895,880 from the Grants Fund, Contingency Reserve to the Department of County Administration, Office of Transportation for a Congestion Mitigation and Air Quality Program grant.

Council Resolution No. 152-2015 - A RESOLUTION pursuant to Section 5-301 of the Education Article of the Annotated Code of Maryland, approving the Howard County Board of Education's Capital Budget Request for Fiscal Year 2017 and Capital Improvement Program Request for Fiscal Years 2018-2022 for the purpose of submission to the Interagency Committee on School

Construction.

Council Bill No. 42-2015 - AN ACT amending the Annual Budget and Appropriation Ordinance for Fiscal Year 2016 in order to use certain cost savings realized during Fiscal Year 2015 to provide \$290,000 to the Community Action Council and \$50,000 for the Village of Oakland Mills; amending the total for the General Fund accordingly; adding a total of \$150,000 to the Program Revenue Fund for the Department of Fire and Rescue Services and amending the total for the Program Revenue Fund accordingly; and generally relating to the Annual Budget and Appropriation Ordinance for Fiscal Year 2016.

General

Council Bill No. 43-2015 - AN ACT approving and providing for a multi-year Installment Purchase Agreement by Howard County, Maryland to acquire development rights in approximately 58.7 acres of agricultural land located at 15685 Old Frederick Road, Woodbine, Howard County, Maryland, from Charles A. Sharp, Denise D. Sharp, and Charles Alan Sharp and any other owner thereof for a maximum purchase price of \$1,676,500 or, if less, not more than \$28,560.00 per acre or portion thereof, rounded to the next highest \$100.00, 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 No. 44-2015 - AN ACT amending the Pay Plan for Howard County; adding steps to the pay scales for members of certain collective bargaining units that were recently negotiated in collective bargaining agreements; providing certain Correctional management pay scales with the same additional step provided to members of Local 3080; providing an additional step to the pay scale for certain Sheriff employees and Sheriff management; providing for the application of this Act; and generally relating to the Pay Plan for Howard County.

Council Bill No. 45-2015 - AN ACT amending the Classification Plan for Howard County; amending certain class descriptions; amending certain educational and licensure requirements; and generally relating to amendments to the Howard County Classification Plan.

Council Resolution No. 41-2015 - A RESOLUTION designating the Department of Police as the "primary law enforcement unit" for Howard County for the purpose of receiving records from secondhand precious metal dealers and pawnbrokers in accordance State Law.

Council Bill No. 46-2015 - AN ACT pursuant to Section 1.111(e) of the Howard County Code, approving provisions in a collective bargaining agreement between Howard County and the Howard

County Public Safety Dispatchers Association that are in conflict with the provisions of Title 1 “Human Resources” of the Howard County Code or the Employee Manual; and providing for the application of this Act.

Council Bill No. 47-2015 - AN ACT pursuant to Section 1.111(e) of the Howard County Code, approving provisions in a collective bargaining agreement between Howard County and the American Federation of State, County and Municipal Employees, Howard County Local 3080, Council 67, AFL-CIO that are in conflict with the provisions of Title 1 “Human Resources” of the Howard County Code or the Employee Manual; and providing for the application of this Act.

Council Bill No. 48-2015 - AN ACT pursuant to Section 1.111(e) of the Howard County Code, approving provisions in a collective bargaining agreement between Howard County and the American Federation of State, County and Municipal Employees, Howard County Local 3085, Council 67, AFL-CIO that are in conflict with the provisions of Title 1 “Human Resources” of the Howard County Code or the Employee Manual; and providing for the application of this Act.

Council Bill No. 49-2015 - AN ACT pursuant to Section 1.111(e) of the Howard County Code, approving provisions in a collective bargaining agreement between Howard County and the American Federation of State, County and Municipal Employees, Howard County Local 3888, Council 67, AFL-CIO that are in conflict with the provisions of Title 1 “Human Resources” of the Howard County Code or the Employee Manual; and providing for the application of this Act.

Council Resolution No. 153-2015 - Introduced by: Mary Kay Sigaty - A RESOLUTION appointing certain members of the Downtown Columbia Partnership Advisory Committee.

FINAL CONSIDERATION

The Chairperson moved to allow the reading of bills by short title on third reading. 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 on third reading passed.

Consent

Council Resolution No. 131-2015 - A RESOLUTION confirming the reappointment of Donzella Curtis to the Housing Commission.

Council Resolution No. 133-2015 - A RESOLUTION confirming the reappointment of Ryan C. Frederic to the Howard County Board of Directors of the Revenue Authority.

Council Resolution No. 134-2015 - A RESOLUTION confirming the reappointment of Edward Plitt, III to the Cemetery Preservation Advisory Board.

Council Resolution No. 135-2015 - A RESOLUTION confirming the reappointment of M. Lee Preston, Jr. to the Cemetery Preservation Advisory Board.

Council Resolution No. 136-2015 - A RESOLUTION confirming the reappointment of Wanda L. Riddle to the Howard County Commission for Veterans and Military Families.

Council Resolution No. 137-2015 - A RESOLUTION confirming the reappointment of Bruce Rothschild to the Board of Library Trustees.

Council Resolution No. 138-2015 - A RESOLUTION confirming the reappointment of Todd Snyder to the Pension Oversight Commission.

Council Resolution No. 139-2015 - A RESOLUTION confirming the reappointment of Charley Sung to the Alcoholic Beverage Hearing Board.

The Chairperson moved to approve Consent Agenda. 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 Consent Agenda passed.

Council Resolution No. 124-2015 - A RESOLUTION confirming the appointment of Janice Agazio to the Howard County Commission for Veterans and Military Families.

The Chairperson moved to approve Council Resolution No. 124-2015. The motion was seconded by Mr. Weinstein.

The roll call vote called by the Administrator on the motion to approve Council Resolution No. 124-2015 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution No. 124-2015 passed.

Council Resolution No. 125-2015 - A RESOLUTION confirming the appointment of Donna M. Blackwell to the Board of Social Services.

The Chairperson moved to approve Council Resolution No. 125-2015. The motion was seconded by Mr. Weinstein.

The roll call vote called by the Administrator on the motion to approve Council Resolution No. 125-2015 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution No. 125-2015 passed.

Council Resolution No. 126-2015 - A RESOLUTION confirming the appointment of Douglas A. Dribben, P.E., to the Howard County Commission for Veterans and Military Families.

The Chairperson moved to approve Council Resolution No. 126-2015. The motion was seconded by Mr. Weinstein.

The roll call vote called by the Administrator on the motion to approve Council Resolution No. 126-2015 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution No. 126-2015 passed.

Council Resolution No. 127-2015 - A RESOLUTION confirming the appointment of Alice Giles to the Commission for Women.

The Chairperson moved to approve Council Resolution No. 127-2015. The motion was seconded by Mr. Weinstein.

The roll call vote called by the Administrator on the motion to approve Council Resolution No. 127-2015 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution No. 127-2015 passed.

Council Resolution No. 128-2015 - A RESOLUTION confirming the appointment of Joyce Kim to the Commission for Women.

Council Member Jon Weinstein moved to approve Council Resolution No. 128-2015. The motion was seconded by Ms. Sigaty.

The roll call vote called by the Administrator on the motion to approve Council Resolution No. 128-2015 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution No. 128-2015 passed.

Council Resolution No. 129-2015 - A RESOLUTION confirming the appointment of Nancy L. Smith to the Housing and Community Development Board.

The Chairperson moved to approve Council Resolution No. 129-2015. The motion was seconded by Mr. Weinstein.

The roll call vote called by the Administrator on the motion to approve Council Resolution No. 129-2015 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution No. 129-2015 passed.

Council Resolution No. 130-2015 - A RESOLUTION confirming the appointment of Gary A. Stewart to the Board of Health.

The Chairperson moved to approve Council Resolution No. 130-2015. The motion was seconded by Mr. Weinstein.

The roll call vote called by the Administrator on the motion to approve Council Resolution No. 130-2015 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution No. 130-2015 passed.

Council Resolution No. 132-2015 - A RESOLUTION confirming the reappointment of Antonio S. daRosa to the Howard County Commission for Veterans and Military Families.

The Chairperson moved to approve Council Resolution No. 132-2015. The motion was seconded by Mr. Weinstein.

The Chairperson moved to approve Amendment 1. The motion was seconded by Mr. Weinstein.

Amendment No. 1

(This amendment corrects the appointee's name.)

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 132-2015 as amended was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution No. 132-2015 as amended passed.

Financial

Supplementary Budget & Appropriation Ordinance No. 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.

The Chairperson moved to approve Supplementary Budget & Appropriation Ordinance No. SAO1-FY2016. The motion was seconded by Mr. Weinstein.

The roll call vote called by the Administrator on the motion to approve Supplementary Budget & Appropriation Ordinance No. SAO1-FY2016 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Supplementary Budget & Appropriation Ordinance No. SAO1-FY2016 as amended passed.

Council Bill No. 39-2015 (ZRA 154) - 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.

The Chairperson moved to approve Council Bill No. 39-2015. The motion was seconded by Mr. Weinstein.

The roll call vote called by the Administrator on the motion to approve Council Bill No. 39-2015 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Bill No. 39-2015 passed.

Council Bill No. 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.

The Chairperson moved to approve Council Bill No. 40-2015. The motion was seconded by Mr. Weinstein.

The roll call vote called by the Administrator on the motion to approve Council Bill No. 40-2015 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Bill No. 40-2015 passed.

Council Bill No. 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.

The Chairperson moved to approve Council Bill No. 41-2015. The motion was seconded by Mr. Weinstein.

The roll call vote called by the Administrator on the motion to approve Council Bill No. 41-2015 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Bill No. 41-2015 passed.

Council Resolution No. 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.

The Chairperson moved to approve Council Resolution No. 140-2015. The motion was seconded by Mr. Weinstein.

The roll call vote called by the Administrator on the motion to approve Council Resolution No. 140-2015 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution No. 140-2015 passed.

Council Resolution No. 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.

The Chairperson moved to approve Council Resolution No. 141-2015. The motion was seconded by Mr. Weinstein.

The roll call vote called by the Administrator on the motion to Approve Council Resolution No. 141-2015 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to Approve Council Resolution No. 141-2015 passed.

Council Resolution No. 142-2015 - Introduced by: The Chairperson - A RESOLUTION setting the compensation of the Howard County Alcoholic Beverage Hearing Board.

The Chairperson moved to approve Council Resolution No. 142-2015. The motion was seconded by Mr. Weinstein.

The roll call vote called by the Administrator on the motion to Approve Council Resolution No. 142-2015 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to Approve Council Resolution No. 142-2015 passed.

Council Resolution No. 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.

The Chairperson moved to approve Council Resolution No. 143-2015. The motion was seconded by Mr. Weinstein.

The roll call vote called by the Administrator on the motion to Approve Council Resolution No. 143-2015 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to Approve Council Resolution No. 143-2015 passed.

Council Resolution No. 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 approve Council Resolution No. 144-2015. The motion was seconded by Mr. Weinstein.

The roll call vote called by the Administrator on the motion to approve Council Resolution No. 144-2015 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution No. 144-2015 passed.

Council Resolution No. 112-2015 - A RESOLUTION confirming the appointment of Alan Whitworth to the Public Works Board.

The Chairperson moved to remove from table Council Resolution No. 112-2015. The motion was seconded by Mr. Weinstein.

The roll call vote called by the Administrator on the motion to remove from table Council Resolution No. 112-2015 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to remove from table Council Resolution No. 112-2015 passed.

The Chairperson moved to approve Council Resolution No. 112-2015. The motion was seconded by Mr. Weinstein.

The roll call vote called by the Administrator on the motion to approve Council Resolution No. 112-2015 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution No. 112-2015 passed.

Council Bill No. 37-2015 - 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.

The Chairperson moved to remove from table Council Bill No. 37-2015. The motion was seconded by Mr. Weinstein.

The roll call vote called by the Administrator on the motion to remove from table Council Bill No. 37-2015 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to remove from table Council Bill No. 37-2015 passed.

The Chairperson moved to approve Council Bill No. 37-2015. The motion was seconded by Mr. Weinstein.

The Chairperson moved to approve Amendment 1. The motion was seconded by Mr. Weinstein.

Amendment No. 1

(This amendment would restrict the conditions under which a home-based contractor conditional use located in the R-20 zoning district could be approved).

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 37-2015 as amended was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Bill 37-2015 as amended passed.

Council Resolution No. 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.

The Chairperson moved to remove from table Council Resolution No. 69-2015. The motion was seconded by Mr. Weinstein.

The roll call vote called by the Administrator on the motion to remove from table Council Resolution No. 69-2015 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to remove from table Council Resolution No. 69-2015 passed.

The Chairperson moved to approve Council Resolution No. 69-2015. The motion was seconded by Mr. Weinstein.

Council Member Jennifer Terrasa moved to approve Amendment 1. The motion was seconded by Mr. Weinstein.

Amendment No. 1

(This amendment requires an RFP before the Property may be sold.)

Council Member Jennifer Terrasa moved to approve Amendment 1 to Amendment 1. The motion was seconded by Mr. Weinstein.

Amendment No. 1 to Amendment 1

(This amendment requires that the community members be selected from a certain geographic area.)

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.

Council Member Greg Fox moved to approve Amendment 2 to Amendment 1. The motion was seconded by Chairperson Sigaty.

Amendment No. 2 to Amendment 1

(This amendment establishes a deadline for the committee.)

Council Member Greg Fox withdrew Amendment 2 to Amendment 1

Council Member Greg Fox moved to approve Amendment 3 to Amendment 1. The motion was seconded by Council Member Weinstein.

Amendment No. 3 to Amendment 1

(This amendment establishes a deadline for the committee.)

The roll call vote called by the Administrator on the motion to approve Amendment 3 to Amendment 1 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Amendment 3 to Amendment 1 passed.

Council Member Greg Fox moved to approve Amendment 4 to Amendment 1. The motion was seconded by Chairperson Sigaty.

Amendment No. 4 to Amendment 1

(This amendment establishes a deadline for the committee.)

The roll call vote called by the Administrator on the motion to approve Amendment 4 to Amendment 1 was: Yea: Council Member Fox. Nay: Council Members: Ball, Sigaty, Terrasa and Weinstein.

The motion to approve Amendment 4 to Amendment 1 failed.

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 Resolution No. 69-2015 as amended was: Yea: Council Members: Ball, Fox, Sigaty, Terrasa and Weinstein

The motion to approve Council Resolution No. 69-2015 as amended passed.

Adjourned **8:34** p.m.

Tabled

Council Resolution No. 68-2015 - 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. (tabled 7-6-2015)