

**COUNTY COUNCIL  
OF  
HOWARD COUNTY, MARYLAND**

**2015 Legislative Session**

**Legislative Day No. 13**

December 7, 2015

**HOWARD COUNTY TO WIT:**

The Chairperson called the legislative session to order at **7:08** 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; Edward Shulder, Deputy County Auditor; Meredith Beach, Legislative Analyst; James Vannoy, Senior Assistant County Solicitor; Jennifer Sager, Legislative Coordinator; and Kel Habicht, Administrative Support were also present.

**ELECTION OF COUNCIL OFFICERS**

Ms. Sigaty nominated Dr. Ball for Council Chairperson. 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. Dr. Ball was elected Chairperson.

Ms. Sigaty nominated Mr. Weinstein for Council Vice Chairperson. 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. Mr. Weinstein was elected Vice Chairperson.

Dr. Ball nominated Ms. Terrasa for Chairperson of the Zoning Board. 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. Ms. Terrasa was elected Chairperson of the Zoning Board.

Ms. Terrasa nominated Ms. Sigaty for Vice Chairperson of the Zoning Board. 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. Ms. Sigaty was elected Vice Chairperson of the Zoning Board.

Mr. Weinstein nominated Ms. Sigaty for Chairperson of the Board of License Commissioners. The motion was seconded by Ms. Terrasa. The roll call vote called by the Administrator on the motion was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein. Ms. Sigaty was elected Chairperson of the Board of License Commissioners.

Ms. Sigaty nominated Mr. Fox for Vice Chairperson of the Board of License Commissioners. 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. Mr. Fox was elected Vice Chairperson of the Board of License Commissioners.

### **COUNCIL APPOINTMENTS**

The Chairperson announced the following County Council appointments, effective December 2015 to December 2016:

Maryland Association of Counties Legislative Committee – Jennifer Terrasa  
Alternate – Jon Weinstein

National Association of Counties liaison – Greg Fox

Patuxent River Commission – Mary Kay Sigaty

### **APPROVE JOURNAL AND MINUTES**

The Chairperson moved to approve the Journal for Legislative Day No. 12, November 2, 2015. The motion was seconded by Ms. Terrasa.

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

The motion to approve the journal passed.

The Chairperson moved to approve the minutes for the Work Session – November 2, 2015. The motion was seconded by Ms. Terrasa.

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

The motion to approve the minutes passed.

The Chairperson moved to approve the minutes for the Monthly Meeting – November 9, 2015. The motion was seconded by Mr. Weinstein.

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

The motion to approve the minutes passed.

The Chairperson moved to approve the minutes for the Work Session – November 16, 2015 and the Legislative Public Hearing – November 16, 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 171-2015 – Introduced by: Chairperson; A RESOLUTION reappointing James P. Howard II to the Board of Appeals of Howard County, Maryland, to fill a term ending on December 31, 2020.

Council Resolution 172-2015 – A RESOLUTION confirming the appointment of Riffat S. Ashai, M.D., to the Commission on Disability Issues.

Council Resolution 173-2015 – A RESOLUTION confirming the appointment of Jennifer H. Asher to the Commission on Aging.

Council Resolution 174-2015 – A RESOLUTION confirming the appointment of Joseph Markwordt to the Public Ethics Commission.

Council Resolution 175-2015 – A RESOLUTION confirming the appointment of Susan Mascaro to the Personnel Board.

Council Resolution 176-2015 – A RESOLUTION confirming the appointment of Edisa T. Padder, MD to the Howard County Local Children’s Board.

Council Resolution 177-2015 – A RESOLUTION confirming the appointment of Darren Vilus to the Board of Directors of the Howard County Mental Health Authority.

Council Resolution 178-2015 – A RESOLUTION confirming the reappointment of Andrea Kolp to the Commission on Disability Issues.

Council Resolution 179-2015 – A RESOLUTION confirming the reappointment of Diane B. Mikulis to the Commission on Disability Issues.

Council Resolution 180-2015 – A RESOLUTION confirming the reappointment of Linda M. Skelton to the Housing and Community Development Board.

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### **Financial**

TAO1-FY2016 – Introduced by: The Chairperson at the request of the Board of Education; AN ACT transferring a total of \$2,200,000 between capital projects in the Board of Education capital budget for Fiscal Year 2016.

Council Bill 52-2015 – Introduced by the Chairperson at the request of the County Executive and Cosponsored by Greg Fox; AN ACT amending the existing Watershed Protection and Restoration Fee to include the rates in the Howard County Code; reducing the rates of the fee beginning on July 1, 2016; providing for the application of this Act; providing for the abrogation of certain provisions of the Howard County Code related to the fee, as of July 1, 2017; and generally relating to the Watershed Protection and Restoration Fee.

Council Resolution 181-2015 - Introduced by the Chairperson at the request of the County Executive and Cosponsored by Greg Fox; A RESOLUTION amending schedules for various charges related to the Watershed Protection and Restoration Fee; removing certain fees because they are being transferred to the County Code; providing for an effective date of certain changes; providing for certain changes to be effective in Fiscal Year 2018.

Council Resolution 182-2015 - Introduced by the Chairperson at the request of the County Executive and Cosponsored by Greg Fox; A RESOLUTION approving a financial assurance plan for funding Howard County’s stormwater management program for a two-year period, in accordance with Section 4-202.1 of the Environment Article of the Annotated Code of Maryland.

## General

Council Bill 53-2015 – AN ACT amending certain minimum educational and experience requirements for certain positions in the Department of Fire and Rescue Service; and generally relating to amendments to the Howard County Classification Plan.

Council Bill 54-2015 – Introduced by: Mary Kay Sigaty and Jon Weinstein; AN ACT requiring that the capital budget and the current expense budget as proposed by the Executive contain certain information; delaying certain requirements; and generally related to County budgets.

Council Bill 55-2015 – Introduced by: Greg Fox and Mary Kay Sigaty, Councilmembers; AN ACT establishing the temporary BRX/BR Interim Development Act; temporarily prohibiting applications for proposed rezonings to the BRX and BR zoning districts; finding that such applications, if approved under the current Zoning Regulations, could lead to development incompatible with surrounding residential uses; finding that the potential incompatibility represents a current threat to the public health, safety and welfare; providing that the purposes of this Act are to provide the Department of Planning and Zoning with time to study the deficiencies in the BRX and BR districts, investigate alternatives and make recommendations for improvement and give the County Council time to act on the recommendations; providing that this Act shall be abrogated and of no further force and effect after a certain period; and generally relating to zoning and land use.

Council Bill 56-2015 – Introduced by: Jon Weinstein, Councilmember; AN ACT establishing the temporary Two-family Dwelling Conditional Use Interim Development Act; temporarily prohibiting certain Conditional Use petitions for proposed Conditional Use approvals for Two-family Dwellings; finding that such petitions, if approved under the current Zoning Regulations, could lead to development incompatible with surrounding residential uses; finding that the potential incompatibility represents a threat to the public health, safety and welfare; providing that the purposes of this Act are to provide the Department of Planning and Zoning with time to study the deficiencies in the Two-family Dwelling Conditional Use, investigate alternatives and make recommendations for improvement and give the County Council time to act on the recommendations; providing that this Act shall be abrogated and of no further force and effect after a certain period; and generally relating to zoning and land use.

Council Resolution 183-2015 – A RESOLUTION pursuant to Section 4.201 of the Howard County Code, authorizing the County Executive to grant an easement containing a total of approximately 0.537 acres on certain real property owned by the County located at 10741 Little Patuxent Parkway, Columbia; 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.

Council Resolution 184-2015 – A RESOLUTION authorizing the sale of surplus mobile video trailers to the Baltimore City Police Department.

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### **FINAL CONSIDERATION**

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

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### **Appointments**

Council Resolution 154-2015 – A RESOLUTION confirming the appointment of Syed K. Ahmad to the Board of Electrical Examiners.

The Chairperson moved to approve Council Resolution 154-2015. The motion was seconded by Mr. Weinstein.

The roll call vote called by the Administrator on the motion to approve Council Resolution 154-2015 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution 154-2015 passed.

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Council Resolution 155-2015 – A RESOLUTION confirming the appointment of Dawn E. Audia to the Commission for Women.

The Chairperson moved to approve Council Resolution 155-2015. The motion was seconded by Mr. Weinstein.

The roll call vote called by the Administrator on the motion to approve Council Resolution 155-2015 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution 155-2015 passed.

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Council Resolution 156-2015 – A RESOLUTION confirming the appointment of Susan Gerb as a member of the Cable Advisory Committee.

The Chairperson moved to approve Council Resolution 156-2015. The motion was seconded by Mr. Weinstein.

The roll call vote called by the Administrator on the motion to approve Council Resolution 156-2015 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution 156-2015 passed.

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Council Resolution 157-2015 – A RESOLUTION confirming the appointment of Robert Gorman to the Howard County Design Advisory Panel.

The Chairperson moved to approve Council Resolution 157-2015. The motion was seconded by Mr. Weinstein.

The roll call vote called by the Administrator on the motion to approve Council Resolution 157-2015 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution 157-2015 passed.

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Council Resolution 158-2015 – A RESOLUTION confirming the appointment of John Graybeal as a member of the Cable Advisory Committee.

The Chairperson moved to approve Council Resolution 158-2015. The motion was seconded by Mr. Weinstein.

The roll call vote called by the Administrator on the motion to approve Council Resolution 158-2015 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution 158-2015 passed.

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Council Resolution 159-2015 – A RESOLUTION confirming the appointment of David Kreuzinger as a member of the Cable Advisory Committee.

The Chairperson moved to table Council Resolution 159-2015. The motion was seconded by Mr. Weinstein.

The roll call vote called by the Administrator on the motion to table Council Resolution 159-2015 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to table Council Resolution 159-2015 passed.

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Council Resolution 160-2015 – A RESOLUTION confirming the appointment of Sujit Mishra to the Howard County Design Advisory Panel.

The Chairperson moved to approve Council Resolution 160-2015. The motion was seconded by Mr. Weinstein.

The roll call vote called by the Administrator on the motion to approve Council Resolution 160-2015 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution 160-2015 passed.

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Council Resolution 161-2015 – A RESOLUTION confirming the appointment of Perry Priestly as a member of the Cable Advisory Committee.

The Chairperson moved to approve Council Resolution 161-2015. The motion was seconded by Mr. Weinstein.

The roll call vote called by the Administrator on the motion to approve Council Resolution 161-2015 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution 161-2015 passed.

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Council Resolution 162-2015 – A RESOLUTION confirming the appointment of Muhammad Shahid Qureshi as a member of the Cable Advisory Committee.

The Chairperson moved to approve Council Resolution 162-2015. The motion was seconded by Mr. Weinstein.

The roll call vote called by the Administrator on the motion to approve Council Resolution 162-2015 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution 162-2015 passed.

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Council Resolution 163-2015 – A RESOLUTION confirming the appointment of Robert F. Rossomondo to the Board of Social Services.

The Chairperson moved to table Council Resolution 163-2015. The motion was seconded by Mr. Weinstein.

The roll call vote called by the Administrator on the motion to table Council Resolution 163-2015 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to table Council Resolution 163-2015 passed.

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Council Resolution 164-2015 – A RESOLUTION confirming the appointment of Cindi R. Rubin to the Commission for Women.

The Chairperson moved to approve Council Resolution 164-2015. The motion was seconded by Mr. Weinstein.

The roll call vote called by the Administrator on the motion to approve Council Resolution 164-2015 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution 164-2015 passed.

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Council Resolution 165-2015 – A RESOLUTION confirming the appointment of Eli Sauerwalt to the Human Rights Commission.

The Chairperson moved to approve Council Resolution 165-2015. The motion was seconded by Mr. Weinstein.

The roll call vote called by the Administrator on the motion to approve Council Resolution 165-2015 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution 165-2015 passed.

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Council Resolution 166-2015 – A RESOLUTION confirming the appointment of Marjorie Valin to the Board of Social Services.

The Chairperson moved to approve Council Resolution 166-2015. The motion was seconded by Mr. Weinstein.

The roll call vote called by the Administrator on the motion to approve Council Resolution 166-2015 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution 166-2015 passed.

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Council Resolution 167-2015 – A RESOLUTION confirming the appointment of Julie D. Wilson to the Howard County Design Advisory Panel.

The Chairperson moved to approve Council Resolution 167-2015. The motion was seconded by Mr. Weinstein.

The roll call vote called by the Administrator on the motion to approve Council Resolution 167-2015 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution 167-2015 passed.

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Council Resolution 168-2015 – A RESOLUTION confirming the appointment of Lanlan Xu to the Commission for Women.

The Chairperson moved to approve Council Resolution 168-2015. The motion was seconded by Mr. Weinstein.

The roll call vote called by the Administrator on the motion to approve Council Resolution 168-2015 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution 168-2015 passed.

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### **Financial**

Council Bill 50-2015 - AN ORDINANCE authorizing the issuance, sale and delivery of up to \$100,000,000 consolidated public improvement bonds and up to \$50,000,000 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.

The Chairperson moved to approve Council Bill 50-2015. 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 substitutes a revised Appendix.)*

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 50-2015 as amended was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Bill 50-2015 as amended passed.

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Council Bill 51-2015 - AN ACT providing that the Design Advisory Panel will provide advice on projects in certain Zoning Districts consistent with the Zoning Regulations; adding that the Panel will review and provide advice for projects that are subject to the Clarksville Pike Streetscape Plan and Design Guidelines; reorganizing the Panel's purpose and applicability sections; removing redundant language; clarifying certain principles of review; making certain technical corrections; and generally related to the Design Advisory Panel in Howard County.

The Chairperson moved to table Council Bill 51-2015. The motion was seconded by Mr. Weinstein.

The roll call vote called by the Administrator on the motion to table Council Bill 51-2015 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to table Council Bill 51-2015 passed.

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Council Resolution 169-2015 – A RESOLUTION adopting the Clarksville Pike Streetscape Plan and Design Guidelines which will apply to new development or redevelopment in the Clarksville Pike/Route108 corridor.

The Chairperson moved to table Council Resolution 169-2015. The motion was seconded by Mr. Weinstein.

The roll call vote called by the Administrator on the motion to table Council Resolution 169-2015 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to table Council Resolution 169-2015 passed.

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Council Resolution 170-2015 – A RESOLUTION authorizing the sale of certain Utilities Infrastructure to American Water Operations and Maintenance, Inc., a contractor for the Defense Logistics Agency-Energy, upon such terms and conditions as the County Purchasing Agent deems proper.

The Chairperson moved to approve Council Resolution 170-2015. The motion was seconded by Mr. Weinstein.

The roll call vote called by the Administrator on the motion to approve Council Resolution 170-2015 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution 170-2015 passed.

Adjourned **7:33** p.m.

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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. (tabled 7-6-2015)

Council Resolution 159-2015 – A RESOLUTION confirming the appointment of David Kreutzinger as a member of the Cable Advisory Committee. (tabled 12-7-2015)

Council Resolution 163-2015 – A RESOLUTION confirming the appointment of Robert F. Rossomondo to the Board of Social Services. (tabled 12-7-2015)

Council Resolution 169-2015 – A RESOLUTION adopting the Clarksville Pike Streetscape Plan and Design Guidelines which will apply to new development or redevelopment in the Clarksville Pike/Route108 corridor. (tabled 12-7-2015)

Council Bill 51-2015 - AN ACT providing that the Design Advisory Panel will provide advice on projects in certain Zoning Districts consistent with the Zoning Regulations; adding that the Panel will review and provide advice for projects that are subject to the Clarksville Pike Streetscape Plan and Design Guidelines; reorganizing the Panel’s purpose and applicability sections; removing redundant language; clarifying certain principles of review; making certain technical corrections; and generally related to the Design Advisory Panel in Howard County. (tabled 12-7-2015)