

**COUNTY COUNCIL OF CECIL COUNTY
LEGISLATIVE SESSION MINUTES
LSD 2019-02
January 15, 2019**

The County Council of Cecil County met in legislative session at the County Administration Building, 200 Chesapeake Blvd., Elk Room, Elkton, MD. The following members of the Council were present:

Robert Meffley, Council President
Jackie Gregory, Vice President
William H. Coutz, Council Member
Al Miller, Council Member
George Patchell, Council Member

NOTE: The video and audio recording with transcription of this meeting is available on the County website at www.ccgov.org.

CALL TO ORDER

The meeting of the County Council of Cecil County of January 15, 2019 was called to order by Council President Meffley at 7:00 p.m. and opened with the Pledge of Allegiance.

OPENING PRAYER

In the absence of the clergy, Council President Meffley led a moment of silence.

APPROVAL OF AGENDA

On motion made by Councilwoman Gregory, seconded by Councilman Coutz, the Council moved to approve the legislative agenda of January 8, 2019. Motion was unanimously approved.

PUBLIC HEARINGS

Council Manager Massey stated for the record:

Bill No. 2018-21 Title of Bill: Electrical Code – Compliance Requirements – Board of Electrical Examiners

A Bill to amend certain provisions of the Cecil County Code, Chapter 191, Electrical Standards, Article I (General Provisions), Section 191-3 (Compliance With National Electric Code Required), and Article II (Board of Electrical Examiners), Section 191-6 (Membership; Terms, Vacancies).

The Bill was introduced on December 18, 2018, advertised on January 2, 2019 and January 9, 2019. The public hearing was advertised and scheduled on January 15, 2019.

Al Wein, Director of Administration, introduced Bill Funk, Division Chief of Permits and Inspections, who provided detailed comments. There were no Council questions or comments.

Council President Meffley opened the public hearing for public comments. Harold McCanick, Elk Neck, commented on his concern for the free market.

Council President Meffley concluded the public hearing and announced that final consideration of Bill No. 2018-21 is scheduled on February 5, 2019.

Council Manager Massey stated for the record:

**Resolution No. 46-2018: Great Wolf Lodge –Hotel Rental Tax –
Administrative Fee Waiver**

A Resolution waiving, for a period of twenty five (25) years, the County's Five Percent (5%) administrative fee on hotel tax administration as part of a development incentive package for a new "Great Wolf Lodge" on 44+/- acres of land within the Perryville Hotel Taxing District Limits along Overlook Parkway adjacent to Hollywood Casino.

The Resolution was introduced on December 18, 2018, advertised on January 2, 2019 and January 9, 2019. The public hearing was advertised and scheduled on January 15, 2019.

Christopher Moyer, Economic Development Director, provided comments. Jason Allison, County Attorney, stated that the administration is proposing an amendment to the legislation to revise the language.

**AMENDMENT NO. 1
TO RESOLUTION NO. 46-2018**

Synopsis: To correct language in original legislation to clarify the terms of the fee waiver.

On page 2, lines 18-22, delete the following in its entirety:

"NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF CECIL COUNTY, MARYLAND, that a Fifty Percent (50%) credit is approved for a duration of Twenty-Five (25) years, not to exceed \$4,500,000, on the County personal property tax for the new Great Wolf Lodge on 44+/- acres of land along Overlook Parkway adjacent to Hollywood Casino in the Town of Perryville, Cecil County, Maryland."

On page 2, lines 18-22, insert the following:

"NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF CECIL COUNTY, MARYLAND, that, for a period of twenty-five (25) years after occupancy, the County's waiver of its Five Percent (5%) administrative fee on hotel tax administration as part of a development incentive package in furtherance of the Great Wolf Lodge project on 44+/- acres of land within the Perryville Hotel Taxing District Limits along Overlook Parkway adjacent to Hollywood Casino is hereby approved."

There were no Council questions or comments.

Council President Meffley opened the public hearing for public comments.

JoAnn Dawson, North East, commented in support of the legislation.

Marion Hess, Elkton, commented in support of the legislation.

Bruce Leith, Elkton, commented in support of the legislation.

John Ford, North East, commented in support of the legislation.

Bonnie Grady, Executive Director, Cecil County Chamber of Commerce, commented in support of the legislation.

Harold McCanick, Elk Neck, commented in opposition to the legislation.

Council President Meffley concluded the public hearing and announced that final consideration of Resolution No. 46-2018 is scheduled on February 5, 2019.

Council Manager Massey stated for the record:

Resolution No. 47-2018 Great Wolf Lodge –County Personal Property Tax – Tax Credit

A Resolution pursuant to *Md. Code Ann., § 9-257, Tax Property Article*, to approve a 50% credit on the County personal property tax for a new “Great Wolf Lodge” on 44+/- acres of land along Overlook Parkway adjacent to Hollywood Casino in the Town of Perryville, Cecil County, Maryland.

The Resolution was introduced on December 18, 2018, advertised on January 2, 2019 and January 9, 2019. The public hearing was advertised and scheduled on January 15, 2019.

There were no comments from the administration. There were no Council questions or comments.

Council President Meffley opened the public hearing for public comments. There were no public comments.

Council President Meffley concluded the public hearing and announced that final consideration of Resolution No. 47-2018 is scheduled on February 5, 2019.

APPROVAL OF MINUTES

On motion made by Councilwoman Gregory, seconded by Councilman Coutz, the Council moved to approve the minutes of January 8, 2019. Motion was approved unanimously.

PUBLIC COMMENTS

John Ford, North East, commented in support of Great Wolf Lodge and his good experience at another location.

Harold McCanick, Elk Neck, commented that he hoped that the Council would rescind the increases in property tax and income tax, implement in-district elections of Council Members, and require all budget increases to be approved by referendum.

PRESIDENT AND COUNCIL COMMENTS

Councilman Patchell attended the Parks and Recreation Advisory board today and encouraged the public to join the Friends of Parks and Recreation, a volunteer organization that will raise funds to support the department needs.

Councilman Miller attended the Soil Conservation Banquet and congratulated Ordinary Point Farm, the Bayards and Spry Brothers. He attended the Local Management Board and commented on the opioid and drug statistics in Cecil County.

Councilman Coutz attended the Soil Conservation Banquet and commented on a great success. He also attended Cecil Night in Annapolis and commented that it was well attended. He also thanked the Chamber of Commerce for organizing the event. He thanked the Great Wolf Lodge representatives for

making their presentation about the project. He also recognized the efforts of the County Executive, Economic Development, and Town of Perryville.

Councilwoman Gregory expressed her appreciation to the Chamber of Commerce for sponsoring Cecil Night in Annapolis and commented on the unity of the group. She also thanked the Economic Development staff for their work in bringing Great Wolf Lodge to Cecil County. She visited the office of State's Attorney, Amanda Bessicks, and thanked her for the opportunity to meet her staff and discuss their challenges. She will be attending the Governor's Inauguration.

Council President Meffley attended Cecil Night in Annapolis and commented on his opportunity to talk with the county delegation. He also thanked the citizens for their comments at tonight's session.

INTRODUCTION OF BILLS

Council Manager Massey stated for the record:

Bill No. 2019-01 Budget Transfer – Capital Budget – Board of Education – Various School Capital Projects

A Bill to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland, for the fiscal year ending June 30, 2019, to transfer existing bond appropriation authority within the Board of Education Capital Projects Budget in the amount of \$59,322.00, from two completed School Capital Projects, (Cecil Manor Elementary Roof Replacement \$13,812.85 and Bohemia Manor High Roof Replacement \$45,509.15); to four incomplete projects (Cecil Manor Elementary Waterline Installation \$3,500, Bohemia Manor High Water Line Installation \$3,635, Perryville High Boiler Replacement \$10,426 and Chesapeake City Elementary Replacement \$41,761) .

Al Wein, Director of Administration, provided introductory comments. There were no Council questions or comments.

Introduced, read first time, and order posted on January 15, 2019. The public hearing on Bill No. 2019-01 will be advertised and scheduled on February 19, 2019.

INTRODUCTION OF RESOLUTIONS

Council Manager Massey stated for the record:

Resolution No. 04-2019 Supplemental Appropriation – Fund Balance – Voluntary Fire Service – Vehicle Replacement Program

A Resolution to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for the fiscal year ending June 30, 2019 in order to provide the Volunteer Fire Service Department's budget within the General Fund expenditure appropriation authority to authorize \$450,000 to be expended for the County's match portion towards the Vehicle Replacement Program.

Al Wein, Director of Administration, provided comments. There were no Council questions or comments.

Introduced, read first time and posted on January 15, 2019 and scheduled for consideration on February 5, 2019.

CONSIDERATION OF RESOLUTIONS

Council Manager Massey stated for the record:

Resolution No. 01-2019 Appointment—Commission on Aging – Joyce Bowsbey

A Resolution to confirm the appointment of Joyce Bowsbey to the Commission on Aging to a three-year term to expire on June 1, 2021.

There were no Council questions or comments.

The Resolution was introduced and posted on January 8, 2019.

On motion by Councilwoman Gregory, seconded by Councilman Coutz, the Council moved to approve Resolution No. 01-2019.

Roll Call Vote: Coutz-Y, Miller-Y, Patchell-Y, Gregory-Y, Meffley-Y.

Motion was approved unanimously.

Council Manager Massey stated for the record:

Resolution No. 02-2019 Appointment—Property Tax Assessment Appeal Board- Robert R. Reed

A Resolution to recommend to the Governor of Maryland the appointment of Robert R. Reed to the Cecil County Property Tax Assessment Appeal Board to a five year term, which will expire on June 1, 2024.

There were no Council questions or comments.

The Resolution was introduced and posted on January 8, 2019.

On motion by Councilman Coutz, seconded by Councilwoman Gregory, the Council moved to approve Resolution No. 02-2019.

Roll Call Vote: Coutz-Y, Miller-Y, Patchell-Y, Gregory-Y, Meffley-Y.

Motion was approved unanimously.

Council Manager Massey stated for the record:

Resolution No. 03-2019 Support – Grant Application – Clene Nanomedicine – Maryland Neighborhood Business Works

A Resolution to approve support for an application from Clene Nanomedicine for grant funds from the Maryland Neighborhood Business Works program through the Maryland Department of Housing and Community Development.

There were no Council questions or comments.

The Resolution was introduced and posted on January 8, 2019.

On motion by Councilwoman Gregory, seconded by Councilman Coutz, the Council moved to approve Resolution No. 03-2019.

Roll Call Vote: Coutz-Y, Miller-Y, Patchell-Y, Gregory-Y, Meffley-Y.
Motion was approved unanimously.

CALL FOR FINAL READING OF BILLS

Council Manager Massey stated for the record:

Bill No. 2018-18 Budget Transfer – Wastewater Capital Budget – Replace Port Deposit Wastewater Treatment Plant Project

A Bill to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for the fiscal year ending June 30, 2019 to transfer existing bond appropriation authority within the Wastewater Capital Projects Budget in the amount of \$1,719,269.13 from completed Wastewater Capital Projects (Construct Principio Sanitary Sewer - North \$569,062.13, Replace CSX Sewer Line at Red Toad- \$40,000, I&I Meadowview, Cherry Hill, Highlands - \$50,000 & Upgrade NERAWWTP - \$1,060,207) to the Replace Port Deposit WWTP Project. The bill also removes existing bond authority of \$555,000 from two inactive projects, (Expand Meadowview WWTP -\$430,000 & Upgrade Two Port Deposit Pump Stations -\$125,000) and add it to the Replace Port Deposit WWTP Project. The bill adds additional bond authority of \$763,175 to the Wastewater Capital Budget to allow for sufficient funding for the Replace Port Deposit WWTP Project. The bill will remove \$2,500,000 in estimated State grant funding and \$2,500,000 of other funding from the project funding schedule to reflect the County's plan to build a locally funded package plant to serve the sewer needs of the Town of Port Deposit. The end result of the bill is County bond expenditure authority of \$8,737,444 to Replace Port Deposit WWTP.

The Bill was introduced on December 4, 2018 and public hearing held and concluded on January 8, 2019.

There were no Council questions or comments.

On motion by Councilwoman Gregory, seconded by Councilman Coutz, the Council moved to approve Bill No. 2018-18.

Roll Call Vote: Coutz-Y, Miller-Y, Patchell-Y, Gregory-Y, Meffley-Y.
Motion was approved unanimously.

Council Manager Massey stated for the record:

Bill No. 2018-19 Budget Transfer - Roads and Bridges Capital Budget – Upgrade Nottingham Roads Facility Project

A Bill to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland, for the fiscal year ending June 30, 2019, to transfer existing bond appropriation authority within the Roads and Bridges Capital Projects Budget in the amount of \$95,000 from the completed Replace Razor Strap Road Bridge Project to the Upgrade Nottingham Roads Facility Project.

The Bill was introduced on December 4, 2018 and public hearing held and concluded on January 8, 2019.

There were no Council questions or comments.

On motion by Councilman Coutz, seconded by Councilwoman Gregory, the Council moved to approve Bill No. 2018-19.

Roll Call Vote: Coutz-Y, Miller-Y, Patchell-Y, Gregory-Y, Meffley-Y.
Motion was approved unanimously.

Council Manager Massey stated for the record:

Bill No. 2018-20 Supplemental Appropriation - Facilities Management Capital Budget –Courthouse Holding Cell Renovation Project

A Bill to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland, for the fiscal year ending June 30, 2019, to add bond appropriation authority within the Facilities Management Capital Projects Budget in the amount of \$50,000 to complete the Courthouse Holding Cell Renovation Project.

The Bill was introduced on December 4, 2018 and public hearing held and concluded on January 8, 2019.

There were no Council questions or comments.

On motion by Councilwoman Gregory, seconded by Councilman Coutz, the Council moved to approve Bill No. 2018-20.

Roll Call Vote: Coutz-Y, Miller-Y, Patchell-Y, Gregory-Y, Meffley-Y.
Motion was approved unanimously.

OLD BUSINESS

Council Manager Massey stated for the record:

Rezoning Case 2018-04 APPLICANT: Dawn & Gregory Hartzell. REQUEST: to rezone 10.218 acres from Rural Residential, (RR) to Northern Agricultural Residential, (NAR). PROPERTY LOCATION: 2108 Theodore Road, Rising Sun, MD 21911, Election District: 5, Tax Map: 24, Parcel: 219

Councilman Coutz made a motion to approve the application of Dawn and Gregory Hartzell to rezone 10.218 acres located 2108 Theodore Road, Rising Sun, MD from Rural Residential (RR) to Northern Agricultural Residential (NAR) based upon a mistake in the zoning classification of the property during the last comprehensive rezoning.

The motion was seconded by Councilwoman Gregory.

Roll Call Vote: Coutz-Y, Miller-Y, Patchell-Y, Gregory-Y, Meffley-Y.

Motion was approved unanimously.

ADJOURNMENT

On motion made by Councilwoman Gregory, seconded by Councilman Coutz, Council President Meffley adjourned the meeting at 7:57 p.m.

The next Council Legislative Session is scheduled on Tuesday, February 5, 2019 at 7:00 p.m. in the Elk Room of the County Administration Building, 200 Chesapeake Blvd., Elkton, Maryland.

Approved:



Robert Meffley
Council President

Attest:



James Massey
Council Manager