

**COUNTY COUNCIL OF CECIL COUNTY
LEGISLATIVE SESSION MINUTES
LSD 2020-20
September 15, 2020**

The County Council of Cecil County met in legislative session in an online virtual meeting because of the current health crisis and based on the Governor's orders to avoid public meetings. Council Members, presenters and members of the public participated in this meeting by going online to www.ccgov.org/council and selecting "livestream".

The following members of the Council were present:

Robert Meffley, Council President
Al Miller, Council Member
Jackie Gregory, Vice President
William H. Coutz, 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 September 15, 2020 was called to order by Council President Meffley at 7:00 p.m. Council President Meffley led the audience in the Pledge of Allegiance.

ROLL CALL OF COUNCIL MEMBERS

Council President Meffley asked for a roll call of attending Council Members. The Council Manager called the roll and recorded the following Council Members in attendance:

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

Council President Meffley announced that there were five Council Members present, which constitute a quorum.

SUSPENSION OF RULES

Councilman Coutz made a motion to suspend the rules to allow Council Members who are connected to participate and vote in this legislative session, because of the current health crisis and orders by the Governor to avoid public meetings. The motion was seconded by Vice President Gregory.

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

The motion was approved unanimously.

OPENING PRAYER

Councilman Miller introduced Pastor Stephen Nissley, Mercy Missionary Baptist Church of North East, who delivered the opening prayer.

APPROVAL OF AGENDA

On motion made by Councilman Coutz, seconded by Vice President Gregory, the Council moved to approve the legislative agenda of September 15, 2020. Motion was unanimously approved.

PRESENTATION OF PROCLAMATIONS/CERTIFICATES

Councilman Patchell presented a proclamation to Maria Wittmeyer from Burris Logistics in recognition of Truck Driver Appreciation Week.

PUBLIC HEARINGS

Council Manager Massey stated for the record:

Rezoning Case # 2020-04 APPLICANT: 929 West Pulaski Hwy, LLC. REQUEST: Request to rezone .626 acres from Residential Mixed Use, (RMU) to Heavy Industrial, (M2). PROPERTY LOCATION: 927 West Pulaski Hwy., Elkton, MD 21921, Election District: 3, Tax Map: 26, Parcel: 55. PROPERTY OWNER: 929 West Pulaski Hwy, LLC c/o Charmie Polansky. PRESENTLY ZONED: Residential Mixed Use, (RMU)

Notice of the public hearing was published on September 2, 2020 and September 9, 2020.

Witnesses presenting testimony were sworn in by the Council Manager.

Karl Fockler, representative of the applicant, presented his request for rezoning, based on a mistake in the Comprehensive Rezoning of May 1, 2011. The application included several maps of the parcel. Mr. Fockler also presented five additional maps during the hearing that showed the history of zoning of the property. Mr. Richard Polansky, applicant, presented testimony of the parcel's history and potential use.

Bryan Lightner, Planner, Land Use and Development Services, stated that the Planning and Zoning staff and Planning Commission had recommended approval based on a demonstrated mistake in the Comprehensive Rezoning. He also presented the staff report of findings of facts, which recommended approval based on a mistake in the Comprehensive Rezoning.

Council President Meffley clarified that the parcel will be used in conjunction with activities on the adjacent parcels.

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

Mr. Fockler provided closing remarks.

Council President Meffley concluded the public hearing and announced that the rezoning case will be considered at the next legislative session on October 6, 2020.

Council Manager Massey stated for the record:

Bill No. 2020-10 Supplemental Appropriation and Budget Transfer – Roads and Bridges Capital Projects – Mechanics Valley Road over CSX Bridge Project

A Bill to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for the fiscal year ending June 30, 2021 to transfer existing bond appropriation authority within the Roads and Bridges Capital Projects Budget from the completed Belvidere Road Culvert Project (\$32,505.11), the completed Painting of County Bridges Project (\$57,868.00) and remaining VLT casino funds leftover from various completed roads and bridges projects (\$34,626.89) to the Mechanics Valley Road over CSX Bridge Project (\$125,000).

The Bill was introduced on August 18, 2020, advertised on September 2, 2020 and September 9, 2020; and scheduled for public hearing on September 15, 2020.

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 Bill No. 2020-10 will be considered for approval at the next legislative session on October 6, 2020.

Council Manager Massey stated for the record:

Resolution No. 47-2020: Approval – Application – Enterprise Zone Expansion

A Resolution to expand the existing Cecil County Enterprise Zone by 568.5 acres, more or less, of which 386.83 acres, more or less, are within the Town of Elkton.

The Resolution was introduced on August 18, 2020, advertised on September 2, 2020 and September 9, 2020; and scheduled for public hearing on September 15, 2020.

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 Resolution No. 47-2020 will be considered for approval at the next legislative session on October 6, 2020.

APPROVAL OF MINUTES

On motion made by Councilman Coutz, seconded by Vice President Gregory, the Council moved to approve the minutes of the legislative session of September 1, 2020. Motion was approved unanimously.

PUBLIC COMMENTS

Harold McCanick, Elk Neck, expressed his concern that there is no public hearing for the Nuisance Flooding legislation, the Ethics Commission appointment, conduct of County Attorney toward Council Member, and the need for better leadership.

Joyce Bowsbey, Elkton, past Council President, commented that Mr. McCanick should prove his accusations.

PRESIDENT AND COUNCIL COMMENTS

Vice President Gregory thanked the audience for attending and thanked Mr. McCanick for his support.

Councilman Coutz thanked the audience for attending. He reported on the increase in emergency calls for mental health, domestic violence and overdoses. He participated in the 9/11 memorial service by the Elkton Police Department. He commented on the importance of unity and standing together for America. He attended the induction ceremony in the Harford Cecil Hall of Fame for Frank Muller where he presented a certificate of recognition.

Councilman Miller commented on his longtime friendship with Frank Muller and commended him for his service to the community, including the Cecil County Fair. He also reminded the public that there are two more weeks to be counted in the 2020 Census. He attended a Cecil County Fair board meeting and commended the group for their success in holding a virtual fair.

Councilman Patchell commended the Cecil County School System for their success in reopening schools and providing students with long distance learning; and for providing 4,000 meals daily for students at no charge.

Council President Meffley commented on his work with the residents of Edgar Price Road and the need to improve the traffic patterns. He will attend a memorial service for Lee Hutton on Saturday at Pell Gardens in Chesapeake City, who was a victim of COVID. He encouraged the leaders of Cecil County to come together in unity for the future of Cecil County.

INTRODUCTION OF RESOLUTIONS

Council Manager Massey stated for the record:

Resolution No. 61-2020: Appointment—Board of Parks and Recreation—Megan K. Coleman

A Resolution to confirm the reappointment by the County Executive of Megan K. Coleman to the Board of Parks and Recreation for a three (3) year term to expire October 17, 2023.

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

Introduced, read first time, order posted and scheduled for consideration on October 6, 2020.

CONSIDERATION OF RESOLUTIONS

Council Manager Massey stated for the record:

Resolution No. 52-2020 Approval – Nuisance Flooding Plan

A Resolution to adopt the Cecil County Nuisance Flooding Plan.

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

The Resolution was introduced on September 1, 2020 and scheduled for consideration on September 15, 2020.

Councilman Coutz commented that he appreciated the clarification comments made by Steve O'Connor, Zoning Administrator. Council President Meffley expressed his concern for the use of the 100-year floodplain. Councilman Miller expressed his support for the plan.

Councilman Miller made a motion to approve Resolution No. 52-2020, which was seconded by Councilman Coutz.

Roll call vote: Coutz-Y, Miller-Y, Patchell-Y, Gregory-Y, Meffley-Y

The motion was approved unanimously.

Council Manager Massey stated for the record:

Resolution No 60-2020: Approval – Grant Application – Community Development Block Grant – COVID Funding

A Resolution to authorize the Cecil County Department of Community Services, Housing and Community Development Division, to apply for funds from the Maryland Community Development Block Grant Program-COVID Funding, through the Maryland Department of Housing and Community Development.

The Resolution was introduced and posted on September 1, 2020, and scheduled for consideration on September 15, 2020.

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

Councilman Miller moved to approve Resolution No. 60-2020, which was seconded by Councilman Coutz.

Roll call vote: Coutz-Y, Miller-Y, Patchell-Y, Gregory-Y, Meffley-Y

The motion was unanimously approved.

NEW BUSINESS

Cecil County Public Schools – Budget Amendment #78

Councilman Coutz made a motion to approve Budget Amendment #78, which was seconded by Councilman Miller. The Council unanimously approved the motion by a voice vote of 5 to 0.

ADJOURNMENT

On motion made by Councilman Coutz, seconded by Councilman Miller, Council President Meffley adjourned the meeting at 8:00 p.m.

The next Council Legislative Session is scheduled on Tuesday, October 6, 2020 at 7:00 p.m., which is planned as a virtual meeting because of the current health crisis and Governor's orders to avoid public meetings. The session will be livestreamed on the County Council's webpage at www.ccgov.org/council. Members of the public who do not have broadband access, should call the Council Office for instructions to connect to the session via telephone.

Attest:


James Massey
Council Manager

Approved:



Robert Meffley
Council President