

**COUNTY COUNCIL OF CECIL COUNTY
LEGISLATIVE SESSION MINUTES
LSD 2022-22
October 18, 2022**

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
Absent: Donna Culberson, Council Member

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

CALL TO ORDER

The meeting of the County Council of Cecil County of October 18, 2022, was called to order by Council President Meffley at 7:00 p.m.

OPENING PRAYER

Council Member Miller introduced Reverend Jason Cornish from Providence United Methodist Church in Elkton who led 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 October 18, 2022. Motion was approved unanimously.

PRESENTATION OF PROCLAMATIONS and CERTIFICATES

Councilman Coutz, on behalf of the Council, presented a proclamation to Nadeline Fleisher-Pile, the 2022 Cecil County Teacher of the year. Councilman Miller presented certificates of recognition to Reed Mason, Brayden Madron, and Angela Edelson for their outstanding 4-H Diamond Clover Projects. Council President Meffley presented a proclamation for White Cane Awareness Month to Don Hausz. Vice President Gregory presented a proclamation to recognize Sheilagh Weinert for her commitment to Sheilagh's Pantry.

PUBLIC HEARINGS

Council Manager Massey stated for the record:

Resolution No. 60-2022 Annexation – Town of Elkton – West of Chesapeake Blvd – Zoning Designation.

A Resolution to approve the request from the Town of Elkton that the zoning of the property, located on the west of Chesapeake Blvd. consisting of 37.726 acres, also known as the Perch Creek Properties LLC, which is being annexed into the Town of Elkton, to be changed from the County's High Density Residential District (RM) to the Town's Business Industrial (BI) zoning district. **COUNCIL APPROVED EXPEDITING LEGISLATION.**

The Resolution was introduced on October 4, 2022, advertised on October 12, 2022 and October 14, 2022, and scheduled for public hearing on October 18, 2022.

Steve Overbay, Director of Administration, and Lawrence Scott, County Attorney, provided comments. Councilman Coutz clarified that the annexed property includes property adjacent to the Estes Trucking facility. Council President Meffley clarified that the extension of Chesapeake Blvd onto Maloney Road would be limited to emergency vehicles only when access to Route 40 is blocked.

Council President Meffley opened the public hearing for public comments. Ann Guns, Maloney Road, Elkton, opposed access to Maloney Road because of increased traffic and safety concerns.

Council President Meffley closed the public hearing and announced that this legislation will be considered for approval later in the session because the legislation had been approved for expediting.

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 October 4, 2022. Motion was approved by a vote of 4 to 0. Councilwoman Culberson was absent.

PUBLIC COMMENTS

Phyllis Kilby, Colora, commented on her concerns that the county's surplus of \$69M is not being allocated to glaring needs of public schools and law enforcement.

Harold McCanick, Elk Neck, commented on supplemental appropriation for bonuses for Sheriff's Office deputies.

PRESIDENT AND COUNCIL COMMENTS

Councilman Coutz commended the recipients of the proclamations and certificates tonight. He attended the Maryland Five Star and commented on its growth. He reported on statistics from the Sheriff's Office intel meeting and commented that Narcan is not effective with all opioids.

Vice President Gregory thanked the audience for attending. She attended the Maryland Five Star and commented on its success. She participated in MACo's legislative committee and reported that their 2023 initiatives are: central resources for body worn cameras, adult use cannabis, recruit and retention of volunteer firefighters, and transparency in education spending.

Councilman Miller thanked the audience for attending. He participated in the candidates' forum sponsored by Rising Sun High School. He attended the Maryland Five Star and described his impressions of the event. He attended the ribbon cutting for the I-95 interchange at Belvidere Road. He attended the Farm Museum's Heritage Day, which was also supported by students from the School of Technology and 4-H clubs. He attended the Farm Bureau meeting that discussed legislative topics that will be sent to the Maryland Farm Bureau for consideration.

Council President Meffley attended the Fair Board dinner where Councilman Miller was recognized for his forty-five years on the Farm Board. He attended the ribbon cutting for the I-95 interchange at Belvidere Road and thanked the Governor for his support. He attended the Maryland Five Star and commented on the international attendance. He attended the 30th anniversary of Chessie Marine, which is one of the largest dealers on the east coast. He participated in the Elkton Rotary golf tournament that raises funds for community projects.

CONSIDERATION OF RESOLUTIONS

Council Manager Massey stated for the record:

Resolution No. 52-2022 Amendment-Policies and Procedures of the Cecil County Council-Rezoning Cases

A Resolution to amend Chapter 7, Rezoning Cases, Section 7-1, in the County Council's Policies and Procedures to update the processes to reflect current procedures.

Council President Meffley asked the Council Manager to read the Amendments into the record that were suggested by the administration.

Council Manager Massey stated for the record:

AMENDMENT NO. 1 TO RESOLUTION NO. 52-2022

Title: Amendment – Policies and Procedures of Cecil County Council – Rezoning Cases

Synopsis: To clarify that the adjacent property owners list, provided by LUDS, will be the same list as notified by LUDS of the Planning Commission hearing.

Introduced by: Council President on behalf of County Executive

On Page 3, Line 49, in Subsection A., add the following:

“, that are were notified of the Planning Commission hearings.”

AMENDMENT NO. 2 TO RESOLUTION NO. 52-2022

Synopsis: To clarify that the Council must schedule rezoning hearing within 60 days of receipt of the Planning Commission’s recommendation.

Introduced by: Council President on behalf of County Executive

On Page 3, Line 50-51, delete in its entirety and insert the following:

“B) The County shall hold the hearing for rezoning case within sixty (60) days after receipt of the Planning Commission’s recommendation.”

AMENDMENT NO. 3 TO RESOLUTION NO. 52-2022

Synopsis: To refer to LUDS documents provided to the Council as the staff report.

Introduced by: Council President on behalf of County Executive

On Page 4, Line 63, delete “findings of facts” and insert “staff report”.

On Page 4, Line 66, delete “findings of facts” and insert “staff report”.

On Page 4, Line 69, delete “findings of facts” and insert “staff report”.

The Resolution was introduced and posted on September 6, 2022, public hearing held and concluded on October 4, 2022, and scheduled for consideration on October 18, 2022.

Steve Overbay, Director of Administration, stated that the administration approves the legislation and amendments. There were no Council questions or comments.

The Council agreed by consensus to consider Amendment Nos. 1 to 3 as a group.

Councilman Coutz made a motion to approve Amendment Nos. 1 to 3 to Resolution No. 52-2022, which was seconded by Vice President Gregory.

Roll Call Vote:

Coutz-Y, Miller-Y, Culberson-Absent, Gregory-Y, Meffley-Y

The motion was approved by a vote of 4 to 0. Councilwoman Culberson was absent.

Councilman Coutz made a motion to approve Resolution No. 52-2022 As Amended, which was seconded by Vice President Gregory.

Roll Call Vote:

Coutz-Y, Miller-Y, Culberson-Absent, Gregory-Y, Meffley-Y

The motion was approved by a vote of 4 to 0. Councilwoman Culberson was absent.

Council Manager Massey stated for the record:

Resolution No. 55-2022 Maryland Agricultural Land Preservation Foundation-Application Finalists-FY 2023

A Resolution to approve sixteen applications as FY 2023 Application Finalists to be submitted to the Maryland Agricultural Land Preservation Foundation.

The Resolution was introduced and posted on October 4, 2022, and scheduled for consideration on October 18, 2022.

Steve O'Connor, Land Use and Development Services Director, provided comments. There were no Council questions or comments.

Councilman Miller made a motion to approve Resolution No. 55-2022, which was seconded by Councilman Coutz.

Roll Call Vote:

Coutz-Y, Miller-Y, Culberson-Absent, Gregory-Y, Meffley-Y

The motion was approved by a vote of 4 to 0. Councilwoman Culberson was absent.

Council Manager Massey stated for the record:

Resolution No. 56-2022 Supplemental Appropriation- Grant Funds- Law Enforcement- Police Accountability

A Resolution to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland, for the fiscal year ending June 30, 2023, in order to provide a total of \$460,000 to the Special Revenue Other Grants Fund – Law Enforcement to record the grant awarded from the Governor’s Office of Crime Prevention, Youth and Victim Services for the Police Accountability, Community, and Transparency Grant (PACT) program.

The Resolution was introduced and posted on October 4, 2022, and scheduled for consideration on October 18, 2022.

Lawrence Scott, County Attorney, provided comments. There were no Council questions or comments.

Councilman Coutz made a motion to approve Resolution No. 56-2022, which was seconded by Councilman Miller.

Roll Call Vote:

Coutz-Y, Miller-Y, Culberson-Absent, Gregory-Y, Meffley-Y

The motion was approved by a vote of 4 to 0. Councilwoman Culberson was absent.

Council Manager Massey stated for the record:

Resolution No. 57-2022 Supplemental Appropriation- Grant Funds- Parks and Recreation- Elk River Dredge Survey

A Resolution to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for the fiscal year ending June 30, 2023, in order to provide a total of \$10,000 to the Special Revenue Other Grant Funds – Parks and Recreation, to record a grant awarded from the Maryland Department of Natural Resources Water Way Improvement fund in order to evaluate site capacity in the Elk River Dredge Material Placement for future dredge projects.

The Resolution was introduced and posted on October 4, 2022, and scheduled for consideration on October 18, 2022.

Steve Overbay, Director of Administration, provided comments. There were no Council questions or comments.

Vice President Gregory made a motion to approve Resolution No. 57-2022, which was seconded by Councilman Coutz.

Roll Call Vote:

Coutz-Y, Miller-Y, Culberson-Absent, Gregory-Y, Meffley-Y

The motion was approved by a vote of 4 to 0. Councilwoman Culberson was absent.

Council Manager Massey stated for the record:

Resolution No. 58-2022 Approval – IAFF Agreement – Public Safety Professionals

A Resolution to approve the collective bargaining agreement between Cecil County and the Public Safety Professionals of Cecil County, International Association of Firefighters, Local 4645, to be effective July 1, 2022, to June 30, 2026.

The Resolution was introduced and posted on October 4, 2022, and scheduled for consideration on October 18, 2022.

Lawrence Scott, County Attorney, provided comments. Councilman Miller clarified that the increase in compensation will be retroactive to July 1, 2022.

Councilman Coutz made a motion to approve Resolution No. 58-2022, which was seconded by Vice President Gregory.

Roll Call Vote:

Coutz-Y, Miller-Y, Culberson-Absent, Gregory-Y, Meffley-Y

The motion was approved by a vote of 4 to 0. Councilwoman Culberson was absent.

Council Manager Massey stated for the record:

Resolution No.59-2022 Operation Green Light for Veterans

A Resolution to designate Cecil County as a Green Light for Veterans and encourage business and residents to display a green light on November 1-11 to salute and honor Veterans in observance of Operation Green Light for Veterans.

The Resolution was introduced and posted on October 4, 2022, and scheduled for consideration on October 18, 2022.

Steve Overbay, Director of Administration, provided comments. There were no Council questions or comments.

Councilman Coutz made a motion to approve Resolution No. 59-2022, which was seconded by Vice President Gregory.

Roll Call Vote:

Coutz-Y, Miller-Y, Culberson-Absent, Gregory-Y, Meffley-Y

The motion was approved by a vote of 4 to 0. Councilwoman Culberson was absent.

Council Manager Massey stated for the record:

Resolution No. 60-2022 Annexation – Town of Elkton – West of Chesapeake Blvd – Zoning Designation

A Resolution to approve the request from the Town of Elkton that the zoning of the property, located on the west of Chesapeake Blvd. consisting of 37.726 acres, also known as the Perch Creek

Properties LLC, which is being annexed into the Town of Elkton, to be changed from the County's High Density Residential District (RM) to the Town's Business Industrial (BI) zoning district. COUNCIL APPROVED EXPEDITING LEGISLATION.

The Resolution was introduced on October 4, 2022, public hearing on October 18, 2022, and scheduled for consideration on October 18, 2022 because it was approved to be expedited.

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

Vice President Gregory made a motion to approve Resolution No. 60-2022, which was seconded by Councilman Coutz.

Roll Call Vote: Coutz-Y, Miller-Y, Culberson-Absent, Gregory-Y, Meffley-Y

The motion was approved by a vote of 4 to 0. Councilwoman Culberson was absent.

CALL FOR FINAL READING OF BILLS

Council Manager Massey stated for the record:

Bill No. 2022-12 Amendment-Zoning Ordinance-Floodplain District

A Bill to amend Article XI, Part III (Floodplain District) of the Cecil County Zoning Ordinance including: updates to references to federal statutes, updates to definitions, clarifications in administration and procedures, clarifications to requirements in all flood zones, clarifications to requirements in flood zones that are not high hazard or coastal A zones (A zones), clarifications to requirements to high hazard or coastal A flood zones(V zones or Coastal A zones), and updates to variance requirements within a flood zones.

The Bill was introduced on September 6, 2022, public hearing held on October 4, 2022, and scheduled for final consideration on October 18, 2022.

Steve O'Connor, Land Use and Development Services Director, provided comments. There were no questions or comments from the administration.

Councilman Miller made a motion to approve Bill No. 2022-12, which was seconded by Councilman Coutz.

Roll Call Vote: Coutz-Y, Miller-Y, Culberson-Absent, Gregory-Y, Meffley-Y

The motion was approved by a vote of 4 to 0. Councilwoman Culberson was absent.

NEW BUSINESS

Cecil County Public Schools – Budget Amendment #103

Councilman Coutz made a motion to approve Budget Amendment #103 in the amount of \$886,564 for September expenses. The motion was seconded by Councilman Miller. The motion was approved by a voice vote of 4 to 0. Councilwoman Culberson was absent.

ADJOURNMENT

Council President Meffley recognized Councilman Coutz for his service to the Council and wished him well as his term will end on December 6, 2022.

Council President Meffley recognized James Massey, Council Manager, as he will be retiring.

On motion made by Councilman Coutz, seconded by Vice President Gregory, Council President Meffley adjourned the meeting at 8:06pm.

Council President Meffley announced that the next Council Legislative Session is scheduled on Tuesday, December 6, 2022, at 7:00 p.m. in the Elk Room of the County Administration Building. The legislative session will be livestreamed at the county's webpage at www.ccgov.org/council. The recording and transcription will be uploaded to the county's website as soon as possible.

Approved:


Jackie Gregory
Council President

Attest:


David M. Culver
Council Manager