

**COUNTY COUNCIL OF CECIL COUNTY
LEGISLATIVE SESSION MINUTES
LSD 2023-05
March 7, 2023**

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:

Jackie Gregory, Council President
Robert Meffley, Vice President
Rebecca Hamilton, Council Member
Al Miller, Council Member
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 March 7, 2023, was called to order by Council President Gregory at 7:00 p.m.

OPENING PRAYER

Councilman Miller introduced Pastor Michael Moore from Nottingham Baptist Church who gave the opening prayer.

APPROVAL OF AGENDA

On motion made by Councilwoman Culberson, seconded by Vice President Meffley, the Council moved to approve the legislative agenda of March 7, 2023. The motion was approved unanimously.

PUBLIC HEARING

Council Manager Culver stated for the record:

Bill No. 2023-01 - Supplemental Appropriation – Fund Balance to Capital Projects – Renovate State’s Attorneys Offices

A Bill to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland, for the fiscal year ending June 30, 2023, to move expenditure authority from the fund balance to the Capital Projects - Renovate State’s Attorneys Offices capital project in the amount of \$250,000.

Introduced and order posted on February 7, 2023, with a Public Hearing schedule on March 7, 2023 at 7:00 pm and consideration scheduled on March 21, 2023.

States Attorney James Dellmyer spoke in favor of the bill and project. He noted that the improvements are necessary for his office. Vice President Meffley inquired if this improvement would meet his needs and for how long. States Attorney Dellmyer noted that he anticipates this will

meet the needs of the office for 5 or more years but would met with Council if anything changes before that time.

Being no further testimony, President Gregory closed the public hearing on this bill.

Council Manager Culver stated for the record:

Bill No 2023-02 – EXPEDITED - Supplemental Appropriation – Fund Balance to Capital Projects - Real Estate Activities Account.

A Bill to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland, for the fiscal year ending June 30, 2023, to transfer \$1,000,000 (one million) from the General Fund Balance to Capital Improvement Budget to set up a Real Estate Activities Account.

Introduced and order posted on February 7, 2023, with a Public Hearing schedule on March 7, 2023 at 7:00 pm and consideration scheduled on March 7, 2023.

Council Manager noted that this was an expedited bill and would be voted on this evening.

Being no testimony, President Gregory closed the public hearing on this bill.

APPROVAL OF MINUTES

On motion made by Councilwoman Culberson, seconded by Vice President Meffley, the Council moved to approve the minutes of the legislative session of February 21, 2023. The motion was approved unanimously.

PUBLIC COMMENTS

Sean Brimm of Elkton commented on the need for the Council to fund the Board of Education budget.

Phyllis Kilby of Colora noted the fund balance in the ACFR and noted Council should be spending these funds.

Charles David Walls of Elkton noted the water issues in Cherry Hill as a result of contamination from the Gore plant and requested Council to get more information and assistance to the residents in this area.

Joann Craig of Elkton also noted the water issues in Cherry Hill and the cost of water systems to make the water safe.

Chris Diebold of North East noted his rezoning on Old Bay View Road and reviewed his testimony from the public hearing.

Jordan Seguin of Elkton commented on the school budget and the need for additional funding.

PRESIDENT AND COUNCIL COMMENTS

Councilwoman Culberson noted she met with Governor Wes Moore on March 2 during his tour of the Belvidere Road area. She also noted that on March 3, she attended the "Read Across America" program at North East Elementary School. She also gave the Intel Report for the previous week.

Councilman Miller noted he attended the Charlestown Elementary "Cows to Carton" event on March 2. This event introduced the students to a calf and how milk is produced and used in various products. He also attended the "Rooted in our Community" event on March 4 at the Cecil College. He indicated the event was well run and he was very impressed by the School of Technology students who presented.

Vice President Meffley noted at the Social Services Board Meeting they discussed foster care in Cecil County. He also noted Social Services has over 40 vacancies they are trying to fill at his time. He also met with Dr. Lawson and MRDC last week to discuss the Head Start program and how that will function with the Blueprint for Growth pre-k programs. He noted that both MRDC and the BOE will have staffing challenges to find qualified personnel for this program. He also attended the Chesapeake City Town Council Meeting and heard the Town's proposals for the redevelopment of the Chesapeake City Elementary School. The school site will be passed from the State to the County and the County Executive will need to review and approve the deposition of the site. He also noted he has received a number of constituent calls on roads, signs, tax bills and pending legislation.

Councilwoman Hamilton noted she attended the Parks and Recreation Board meeting last week and was impressed by the number of programs and the participation rate. She encouraged everybody to look at the programs and to attend the April 30, 2023, event at Calvert Park. She also attended the "Rooted in our Community" event on March 4 at the Cecil College and indicated she was also impressed at how well the event was run. She was also very impressed by the School of Technology students who presented and noted the accomplishments of the students at various events. She also noted the upcoming Franklin Graham Event at Fair Hill and the Night of Worship Event at Crossroads.

Council President Gregory also met with Governor Wes Moore during his visit to Cecil County on March 2. She also attended the "Read Across America" event at North East Elementary School. She noted that MACo has been made aware of the staffing issues for the Blueprint requirements for the pre k students and they will be lobbying for the Counties on upcoming legislation. She also indicated that the ideas for the Chesapeake City Elementary School redevelopment are interesting and should be further discussed with the administration.

Councilwoman Culberson and Councilman Miller also added congratulations for the Rising Sun wrestlers who placed at the State tournament.

INTRODUCTION OF RESOLUTIONS

Council Manager Culver stated for the record:

Resolution No. 12-2023- Supplemental Appropriation – Grant Funds – Department of Public Works – Roads Division – Lighting Improvement Southern Yard

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 \$10,681 to the Special Revenue other Grants, Department of Public Works, Roads Division, to record a grant awarded from Delmarva Power for lighting improvements at the Southern Yard.

Introduced, read for the first time, order posted on March 7, 2023 and scheduled for consideration on March 21, 2023.

Director of Administration Steven Overbay thanked DELMARVA Power for the grant.

Council Manager Culver stated for the record:

Resolution No. 13-2023 - Budget Amendment – Special Revenue Other Grants – Grant from the Maryland Department of Natural Resources Waterway Improvement Funding – Parks and Recreation.

A resolution to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for the fiscal year ending June 30, 2023, to provide a total of \$2,196,750 to the Special Revenue Other Grants Fund- Parks and Recreation to record the grant awarded from the Maryland Department of Natural Resources Water Way Improvement to be used for the Engineering, Inspection, and Construction of the Stoney Run, Route7, DMP site (\$2,196,750).

Introduced, read for the first time, order posted on March 7, 2023 and scheduled for consideration on March 21, 2023.

Director of Administration Steve Overbay noted that this grant was for the dredge spoil site for the North East River project. The dredge site will be prepared this spring and summer and the Army Corps of Engineers will be dredging in December and January to minimize environmental concerns.

Council Manager Culver stated for the record:

Resolution No. 14-2023 - Supplemental Appropriation – Parks and Recreation – Program Revenue and Self-Funded Program Expense.

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 increase revenue and offsetting expenses by \$25,000 for Cecil County Parks and Recreation.

Introduced, read for the first time, order posted on March 7, 2023 and scheduled for consideration on March 21, 2023.

Director of Administration noted that this is to cover additional costs of programs and that the costs are offset by fees charged for the programs.

Council Manager Culver stated for the record:

Resolution No. 15-2023 – Reappointment - Board of Appeals – Mark Saunders

A Resolution to confirm the reappointment of Mark Saunders to the Cecil County Board of Appeals for a three-year term to expire on August 6, 2025.

Introduced, read for the first time, order posted on March 7, 2023 and scheduled for consideration on March 21, 2023.

Director of Administration Steven Overbay noted that Mr. Saunders is being reappointed and has been doing an excellent job on this board.

CALL FOR FINAL READING OF BILLS

Council Manager Culver stated for the record:

Bill No 2023-02 – EXPEDITED - Supplemental Appropriation – Fund Balance to Capital Projects - Real Estate Activities Account.

A Bill to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland, for the fiscal year ending June 30, 2023, to transfer \$1,000,000 (one million) from the General Fund Balance to Capital Improvement Budget to set up a Real Estate Activities Account.

Councilwoman Culberson made a motion to approve Bill 2023-02, which was seconded by Vice President Meffley.

Roll Call Vote: Hamilton – Y, Miller – Y, Culberson- Y, Meffley – Y, Gregory - Y
The motion was approved unanimously.

OLD BUSINESS

Council Manager Culver stated for the record:

a. Rezoning File: 2023-01 APPLICANT: Chris and Keri Diebold. REQUEST: to rezone 9.113 acres from Suburban Transition (ST) to High Density Residential (RM). PROPERTY LOCATION: 131 Old Bayview Road, North East, MD 21901. Election District: 5, Tax Map: 25, Parcel: 9. PROPERTY OWNER: Chris and Keri Diebold. PRESENTLY ZONED: Suburban Transition (ST)

Council President Gregory stated upon review of the evidence presented, testimony given, and the DLUDS staff report in the matter of Christopher and Keri Diebold (or Applicants in the matter of Application #) on February 7, 2023, the Council made findings of fact in regard to Section 326.4 of the Cecil County Zoning Code as follows:

- a. Population changes. The U.S. Census recorded a 5.46% decrease in population in the tract the Property is located within.
- b. Availability of public facilities. Sanitary Sewer is provided by Cecil County. Although the Property is located within the water service area of the Town of North East, it is not

connected. For the Property to become compliant, a connection to the Town of North East water supply is required.

- c. Present and future transportation and traffic patterns, character, and volume. The Property is accessed by Old Bayview Road which lacks shoulders and is not designed to accommodate the traffic and pedestrian requirements of high-density zoning. The proposed rezoning would cause significant changes in traffic patterns and volume, and neighborhood character not contemplated by the County Comprehensive Plan.
- d. Compatibility with existing and proposed developments in the area. The Property is located in the Medium Density Growth Area and abuts a Low Density Growth Area to the north.
- e. Compatibility with the intent of the Comprehensive Plan. The staff reported the proposed rezoning is inconsistent with the County Comprehensive Plan.
- f. Compatibility with the purposes of any Special District in which the area requested to be rezoned is located. The parcel is not within any special districts.

Councilwoman Hamilton made a motion to deny the application of Christopher and Keri Diebold, rezoning file 2023-01, to rezone 9.113 acres located at 131 Old Bayview Road from Suburban Transition (ST) to High Density Residential (RM) due to there having been no mistake in the zoning classification of the property during the last comprehensive rezoning. The motion was seconded by Vice President Meffley.

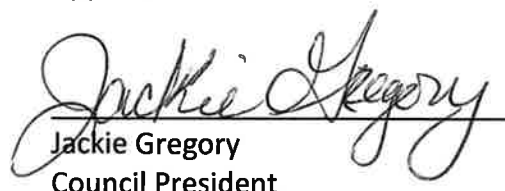
Roll Call Vote: Hamilton – Y, Miller – Y, Culberson- Y, Meffley – Y, Gregory - Y
The motion was approved unanimously.

ADJOURNMENT

On motion made by Councilwoman Culberson, seconded by Councilman Miller, Council President Gregory adjourned the meeting at 7:55 pm.

Council President Gregory announced that the next Council Legislative Session is scheduled on Tuesday, March 21, 2023, 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