

**COUNTY COUNCIL OF CECIL COUNTY
LEGISLATIVE SESSION MINUTES
LSD 2021-05
March 2, 2021**

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 March 2, 2021 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 Councilman Miller.

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

OPENING PRAYER

Councilman Miller led the opening prayer.

APPROVAL OF AGENDA

On motion made by Councilman Coutz, seconded by Councilman Miller, the Council moved to approve the legislative agenda of March 2, 2021. Motion was unanimously approved.

PUBLIC HEARINGS

Council Manager Massey stated for the record:

Rezoning Case # 2021-02 APPLICANT: EJP, LLC., REQUEST: Request to rezone 34.1 acres from Business General (BG) to Heavy Industrial (M2). PROPERTY LOCATION: 875 West Old Philadelphia Road, North East, MD 21901. Election District: 5, Tax Map: 31A, Parcel: 558.

Request to rezone 9.4 acres from Suburban Transition (ST) to Heavy Industrial (M2). PROPERTY LOCATION: 875 West Old Philadelphia Road, North East, MD 21901. Election District: 5, Tax Map: 31D, Parcel: 165. PROPERTY OWNER: EJP, LLC., Richard Polansky. PRESENTLY ZONED: Business General (BG).

Notice of the public hearing was published on February 17, 2021 and February 24, 2021.

Witnesses presenting testimony were sworn in by the Council Manager.

Dwight Thomey, attorney for applicant, introduced Richard Polansky, applicant; Amy DiPietro, MRA, and Sean Davis, MRA. Mr. Thomey presented his request for rezoning, based on a mistake in the Comprehensive Rezoning of May 1, 2011; and substantial change in the character of the neighborhood. The application included a diagram of the parcel. He stated that the applicant has withdrawn request to rezone parcel 165 (9.4 acres), and referred to his correspondence to Mr. O'Connor, dated February 19, 2021. Mr. Thomey asked Sean Davis, MRA Plans and Landscaping Operations, to present a visual program of their request. Mr. Thomey also interviewed Richard Polansky, owner and applicant. Council questions and comments ensued.

Steve O'Connor, Acting Director of Land Use and Development Services, stated that the Planning and Zoning staff had recommended denial of the request. He stated that the Planning Commission made no recommendation.

Bryan Lightner, Planner, presented the staff report of findings of facts, which recommended disapproval based on a failure to demonstrate either a mistake with or a change since the 2011 Comprehensive Rezoning.

Council President Meffley opened the public hearing for public comments.

Roger Mason, Charlestown, commented in opposition to the rezoning request.

Janine Antoshak, Charlestown, commented in opposition to the rezoning request.

Jeff Fields, Charlestown Commissioner, commented in opposition to the rezoning request.

Veronica Hickman, Charlestown, commented in opposition to the rezoning request.
Karl Fockler, President, Charlestown Commissioner, commented in opposition to the rezoning request. He also presented three visuals as exhibits of growth in this area.
Elizabeth Bolt, Charlestown, commented in opposition to the rezoning request.
Lou Wood, Charlestown Commissioner, commented in opposition to the rezoning request.
Marsha Sweezy, Charlestown, commented in opposition to the rezoning request.
Michael Kline, Charlestown, commented in opposition to the rezoning request.
Michael Hartsfield, Charlestown, commented in opposition to the rezoning request.
Barbara Payne, Charlestown, commented in opposition to the rezoning request.
Cindy Reeser, Elk Neck, commented in opposition to the rezoning request.
Harold McCanick, Elk Neck, commented on the growth corridor.
Jean Marie Miller, Charlestown, commented in opposition to the rezoning request.
Tina Barkley, Charlestown, commented in opposition to the rezoning request.
Suzanne Fockler, Charlestown, commented in opposition to the rezoning request.
Maggie Tome, Charlestown, commented in opposition to the rezoning request.
Patricia Wagner, Charlestown, commented in opposition to the rezoning request.
Vincent Sammons, Rising Sun, commented in opposition to the rezoning request.
Timothy Ward, Charlestown, commented in support of rezoning case.
Scott Gibson, Charlestown, commented in support of rezoning case.
Joseph Brandt-Russell, Charlestown, commented in support of rezoning case.

Mr. Thomey gave closing remarks.

There were no Council questions or comments.

Council President Meffley concluded the public hearing and announced that the rezoning case will be considered at the next legislative session on March 16, 2021.

APPROVAL OF MINUTES

On motion made by Councilman Miller, seconded by Vice President Gregory, the Council moved to approve the minutes of the legislative session of February 16, 2021. Motion was approved unanimously.

PUBLIC COMMENTS

Council President Meffley reviewed the proper conduct for the public to conduct themselves in Council session.

Harold McCanick, Elk Neck, commented on limiting public comments.

PRESIDENT AND COUNCIL COMMENTS

Vice President Gregory thanked the audience for attending and their comments. She attended the 75th anniversary of the VFW Post 6027 in North East and thanked the veterans for the service. She expressed her concern for the volunteer firefighters who were injured in a recent house fire.

Councilman Coutz thanked the audience for their comments and expressed his appreciation for their participation in the hearing. He thanked the VFW Post in North East

for inviting him to their 75th anniversary. He expressed his concern for the injured firefighters and urged the administration to bring legislation to address unoccupied properties. He commended the Health Department for their outstanding service for vaccinating the elderly. He attended the Sheriff's Office Intel meeting and reported on statistics. He expressed his concern on the dramatic increase in fatal overdoses this year.

Councilman Miller commended the Health Department on their vaccine clinic at Fair Hill. He encouraged the public to participate in the online Ag Rooted in our County program on Saturday. He thanked the audience for attending.

Councilman Patchell thanked the Health Department for providing a vaccine clinic at the Walls Activity Center so that older residents could receive their vaccination. He extended his best wishes to firefighters who were injured in a house fire recently.

Council President Meffley attended the 75th anniversary of the VFW Post in North East. He attended the Health Department's vaccine clinic and commended them for their outstanding organization of the clinic. He attended the Chesapeake City Town Council meeting and expressed his support for the reuse of the old elementary school. He attended a demonstration of new software that the county is looking to acquire for use by departments in keeping track of construction permits and inspections. He attended the Elkton Town Commissioners session. He recognized Lauren Levy, Health Officer, who spoke recently at the Elkton Rotary Club.

INTRODUCTION OF RESOLUTIONS

Council Manager Massey stated for the record:

Resolution No. 20-2021 Establishment – Redistricting Commission

A Resolution to establish the Redistricting Commission that will present a new councilmanic redistricting plan that is based on the 2020 Census.

Council Manager Massey, provided comments. There were no Council questions or comments.

Introduced, read first time, order posted and scheduled for consideration on March 16, 2021.

CONSIDERATION OF RESOLUTIONS

Council Manager Massey stated for the record:

Resolution No. 04-2021 Amendment – Comprehensive Plan – Mineral Extraction District

A Resolution to amend the Comprehensive Plan in order change the land use classification of a 60.102 acre property, located at 730 Craigtown Road, Port Deposit, Maryland, from Low Density Growth area to Mineral Extraction District for the purpose of removal of sand and gravel resources; and amend the total proposed land uses by area categories.

The Resolution was introduced on January 19, 2021; advertised on February 3, 2021 and February 10, 2021; public hearing held and concluded February 16, 2021; and scheduled for consideration on March 2, 2021.

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

Councilman Coutz made a motion to approve Resolution No. 04-2021, which was seconded by Vice President Gregory.

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. 19-2021: Appointment—Economic Development Commission – Sharon Kurfuerst

A Resolution to confirm the appointment by the County Executive of Sharon Kurfuerst to the Economic Development Commission, filling the vacancy of Dr. Richard Szumel, which will expire on January 7, 2023.

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

Vice President Gregory made a motion to approve Resolution No. 19-2021, which was seconded by Councilman Coutz.

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

The motion was approved unanimously.

CALL FOR FINAL READING OF BILLS

Council Manager Massey stated for the record:

Bill No. 2021-01 County Council - Qualifications

An Act to amend Chapter 21 (County Council) to add a new section to be titled "Qualifications" to reflect the approved Charter Amendment that non-elected board members, committee members and employees, who receive county funds, not under the direct supervision or substantially controlled by the County Executive or County Council, may be qualified as candidates for County Council; which was approved as Local Question A by Cecil County qualified voters at the General Election on November 3, 2020.

The Bill was introduced on January 19, 2021; advertised on February 3, 2021 and February 10, 2021; public hearing held on February 16, 2021; and scheduled for final consideration on March 2, 2021.

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

Councilman Coutz made a motion to approve Bill No. 2021-01, which was seconded by Vice President Gregory.

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:

Bill No. 2021-02 Ethics – Employment and Financial Interest Restrictions

An Act to amend Chapter 39. (Ethics), Article III. (Prohibited Conduct and Interest), Section 39-14. (Employment and Financial Interest Restrictions), to add language to reflect the Charter Amendment that non-elected board members, committee members and employees, who receive county funds, not under the direct supervision or substantially controlled by the County Executive or County Council, are not included in the restrictions of employment and financial interest; which was approved as Local Question A by Cecil County qualified voters at the General Election on November 3, 2020.

The Bill was introduced on January 19, 2021; advertised on February 3, 2021 and February 10, 2021; public hearing held on February 16, 2021; and scheduled for final consideration on March 2, 2021.

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

Vice President Gregory made a motion to approve Bill No. 2021-02 which was seconded by Councilman Coutz.

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

The motion was approved unanimously.

ADJOURNMENT

On motion made by Councilman Coutz, seconded by Vice President Gregory, Council President Meffley adjourned the meeting at 9:01 p.m.

The next Council Legislative Session is scheduled on Tuesday, March 16, 2021 at 7:00 p.m., which is planned as a virtual meeting because of the current health crisis. The session will be livestreamed on the County Council's webpage. Members of the public who do not have broadband access should contact the Council Office for instructions to be connected via telephone.

Approved:

Attest:


James Massey
Council Manager


Robert Meffley
Council President