

COUNTY COUNCIL OF CECIL COUNTY
LEGISLATIVE SESSION MINUTES
LSD 2022-09
April 19, 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
William H. Coutz, Council Member
Al Miller, Council Member
Donna Culberson, Council Member
Absent: Jackie Gregory, Vice President

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 April 19, 2022, was called to order by Council President Meffley at 7:00 p.m.

OPENING PRAYER

Council Member Miller introduced Reverend Tim Beardsley from St. John's United Methodist Church in Elkton, who led the opening prayer.

APPROVAL OF AGENDA

On motion made by Councilman Coutz, seconded by Councilwoman Culberson, the Council moved to approve the legislative agenda of April 19, 2022. Motion was approved by a vote of 4 to 0. Vice President Gregory was absent.

PUBLIC HEARINGS

Council Manager Massey stated for the record:

Rezoning Case # 2022-02 APPLICANT: Yug Patel, LLC. Request to rezone .42 and .23 acres from Business Local (BL) to Business General (BG). PROPERTY LOCATION: 712 Craigtown Road, Port Deposit, MD 21904. Election District: 7, Tax Map: 23E, Parcel: 92 & 471. PROPERTY OWNER: Yug Patel, LLC. PRESENTLY ZONED: Business Local (BL)

Notice of the public hearing was published on April 1, 2022 and April 8, 2022.

Witnesses presenting testimony were sworn in by the Council Manager.

Karl Fockler, attorney for the applicant, presented the request for rezoning, based on a change in the character of the neighborhood since the last comprehensive rezoning, and a mistake in the zoning classification of the property during the last comprehensive rezoning. Mr. Fockler used

pages 5 through 24, provided in Exhibit A to illustrate his presentation. After his presentation, Council questions and comments ensued.

Steve O'Connor, Director of Land Use and Development Services, stated that the Planning staff recommended disapproval due to applicant's failure to demonstrate a mistake in the last comprehensive rezoning, and due to the applicant's failure to provide evidence of a substantial change in the character of the neighborhood since the last comprehensive rezoning.

Aaron Harding, Planning and Zoning Division Chief, presented the findings of facts.

Council President Meffley opened the public hearing for public comments.

Bob Gatchell, Port Deposit, commented in opposition to the application.

Justin Hill, representing Paresh Patel, commented in opposition to the application and submitted Exhibit B, correspondence from Alex Meitzler of Traffic Planning and Design, Inc.; to William F. Riddle regarding existing access evaluation of Craigtown Market regarding access evaluation.

Adam Kelson, owner of Old South Smokehouse, commented on why a change in zoning is needed.

Harold McCanick, Elk Neck, commented that warehouses and trucks may not be a good mix.

James Basgall, Conowingo, commented that applicant's intention to open liquor store is not needed.

Virginia Barton, Port Deposit, commented on her concern for traffic at the entrance and why rezoning is needed for a larger building.

Lisa Moore, Port Deposit, commented that the area is low density and there are no street lights.

Michael James, Port Deposit, commented on too much traffic and opposed enlarging the building.

President Meffley concluded the public hearing and announced that the rezoning case will be considered at the next legislative session on May 3, 2022.

APPROVAL OF MINUTES

On motion made by Councilman Coutz, seconded by Councilman Miller, the Council moved to approve the minutes of the legislative session of April 5, 2022. Motion was approved by a vote of 4 to 0. Vice President Gregory was absent.

PUBLIC COMMENTS

Dr. Carolyn Teigland, Associate Superintendent of Education Services, Cecil County Public Schools, commented on political disruption and misinformation about the schools and the need for funding.

Dr. Jenni Hammer, Executive Director of Elementary School Education, Cecil County Public Schools, commented on the lack of adequate school funding and the effects of criticism on school staff.

Dr. David Foye, Executive Director for Secondary Schools, Cecil County Public Schools, commented on the impact of the pandemic, especially on mental health of students and the lack of funding.

Harold McCanick, Elk Neck, commented on previous county administrations that spent down the fund balance and raised taxes.

PRESIDENT AND COUNCIL COMMENTS

Councilwoman Culberson stated she was Principal of a Day at Perryville High School and shadowed Dr. Boyer through his busy day. She commented how impressed she was of his attention to all aspects of the school and students. She said that she was glad that her grandson graduated from Perryville High School during Dr. Boyer's leadership.

Councilman Miller made no comments.

Councilman Coutz attended the School Superintendent's brunch. He reported on statistics from the Sheriff's Intel meeting.

Council President Meffley stated that he is looking forward to attending the Teacher of the Year awards banquet on Thursday. He encouraged everyone to participate in the bike ride being sponsored by the Cecil Land Trust.

INTRODUCTION OF BILLS

Council Manager Massey stated for the record:

Bill No. 2022-06 Residential Noise Ordinance

An Act to add new Chapter 250, Noise in Residential Areas, of the Code of Cecil County; to prohibit certain noises in certain areas during specified hours; to establish certain exemptions to this prohibition; to establish fines for violating this prohibition; and generally relating to noise.

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

Introduced, read first time, order posted on April 19, 2022, and scheduled for public hearing on May 17, 2022.

INTRODUCTION OF RESOLUTIONS

Council Manager Massey stated for the record:

Resolution No. 28-2022 Charter Amendment – Vacancies – County Council

A Resolution amending Article 2, County Council, Section 209, Vacancies, of the Cecil County Charter to provide that the County Council shall have thirty (30) days after receiving a list of nominees from the county central committee of the political party affiliated with the person vacating the office, to fill the Council vacancy. To require submission of this amendment to the legally qualified voters of Cecil County for their adoption or rejection, in accordance with Section 602 of the Charter of Cecil County.

Charles MacLeod, Council Attorney, provided comments. There were no comments from the administration. There were no Council questions or comments.

Introduced, read first time, order posted on April 19, 2022, and scheduled for public hearing on May 17, 2022.

Council Manager Massey stated for the record:

Resolution No. 29-2022 Charter Amendment – Redistricting Commission

A Resolution amending Article 2, County Council, Section 214, Redistricting, of the Cecil County Charter to provide that the deadline for Council to establish Redistricting Commission shall be within thirty days after receipt of census data; and to specify that current local central committee members are ineligible to be members of the Redistricting Commission. To require submission of this amendment to the legally qualified voters of Cecil County for their adoption or rejection in accordance with Section 602 of the Charter of Cecil County.

Charles MacLeod, Council Attorney, provided comments. There were no comments from the administration. There were no Council questions or comments.

Introduced, read first time, order posted on April 19, 2022, and scheduled for public hearing on May 17, 2022.

Council Manager Massey stated for the record:

Resolution No. 30-2022 Charter Amendment – Vacancy in the Office of County Executive

A Resolution amending Article 4, Executive, Section 407, Vacancy in the Office of County Executive, of the Cecil County Charter to provide that the Council has thirty days after receiving a list of nominees from the county central committee of the political party affiliated with the person vacating the office, to fill the County Executive vacancy. To require submission of this amendment to the legally qualified voters of Cecil County for their adoption or rejection in accordance with Section 602 of the Charter of Cecil County.

Charles MacLeod, Council Attorney, provided comments. There were no comments from the administration. There were no Council questions or comments.

Introduced, read first time, order posted on April 19, 2022, and scheduled for public hearing on May 17, 2022.

Council Manager Massey stated for the record:

Resolution No. 31-2022 Charter Amendment – Ethics Commission

A Resolution amending Article 6, Miscellaneous, to add a new Section 607, Ethics Commission, of the Cecil County Charter to re-establish the Ethics Commission as an independent agency with five-voting members, who shall serve a four-year staggered term; three members, including chair, appointed by the Executive; and two members appointed by the Council. To require submission of this amendment to the legally qualified voters of Cecil County for their adoption or rejection in accordance with Section 602 of the Charter of Cecil County.

Charles MacLeod, Council Attorney, provided comments. There were no comments from the administration. There were no Council questions or comments.

Introduced, read first time, order posted on April 19, 2022, and scheduled for public hearing on May 17, 2022.

Council Manager Massey stated for the record:

Resolution No. 32-2022 Charter Amendment – Council Review of Contracts

A Resolution amending Article 5, Budget and Finance, to add a new Section 516, Council Review of Contracts, of the Cecil County Charter to require all county purchases above \$100,000; and all real estate purchases, sales and leases, be reviewed by County Council in public session before the contract is awarded or executed by the County Executive.

To require submission of this amendment to the legally qualified voters of Cecil County for their adoption or rejection in accordance with Section 602 of the Charter of Cecil County.

Charles MacLeod, Council Attorney, provided comments. There were no comments from the administration. There were no Council questions or comments.

Introduced, read first time, order posted on April 19, 2022, and scheduled for public hearing on May 17, 2022.

Council Manager Massey stated for the record:

Resolution No. 33-2022 Appointment - Acting Director of Administration - Steven Overbay

A Resolution to extend the Acting Director of Administration appointment of Steven Overbay for an additional four months, pursuant to Chapter C, Article 4, Section 413 of the Charter of Cecil County.

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

Introduced, read first time, order posted on April 19, 2022, and scheduled for consideration on May 17, 2022.

CONSIDERATION OF RESOLUTIONS

Council Manager Massey stated for the record:

Resolution No. 22-2022 Appointment—Property Tax Assessment Appeal Board- Norman Anderson

A Resolution to recommend to the Governor of Maryland the appointment of Norman Anderson as an alternate to the Cecil County Property Tax Assessment Appeal Board to a five-year term, which will expire on June 1, 2027.

The Resolution was introduced and posted on April 5, 2022 and scheduled for consideration on April 19, 2022.

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

Councilman Coutz made a motion to approve Resolution No. 22-2022, which was seconded by Councilwoman Culberson.

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

The motion was approved by a vote of 4 to 0. Vice President Gregory was absent.

Council Manager Massey stated for the record:

Resolution No. 23-2022 Appointment—Commission for Women – Holly Ayers and Tyra Kenly

A Resolution to confirm the County Executive's appointment of Holly Ayers, and Tyra Kenly to the Commission for Woman for a two (2) year term to expire April 19, 2024.

The Resolution was introduced and posted on April 5, 2022 and scheduled for consideration on April 19, 2022.

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

Councilman Miller made a motion to approve Resolution No. 23-2022, which was seconded by Councilwoman Culberson.

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

The motion was approved by a vote of 4 to 0. Vice President Gregory was absent.

Council Manager Massey stated for the record:

Resolution No. 24-2022 Appointment—Weed Control Advisory Board

A Resolution to confirm the reappointment by the County Executive of Michael Scheeler and William Ewing; and the appointment of Scott Heaps and Jessica Lynn Edge to the Cecil County Weed Control Advisory Board for a one (1) year term, to expire April 19, 2023.

The Resolution was introduced and posted on April 5, 2022 and scheduled for consideration on April 19, 2022.

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

Councilman Miller made a motion to approve Resolution No. 24-2022, which was seconded by Councilman Coutz.

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

The motion was approved by a vote of 4 to 0. Vice President Gregory was absent.

Council Manager Massey stated for the record:

Resolution No. 25-2022 Appointment—Department of Social Services Board – Berkeley Orr, Glenn Jensen, Abigail Hooper.

A Resolution to confirm the appointments by the County Executive of Berkeley Orr, Glenn Jensen, and Abigail Hooper to the Department of Social Services Board, to a three (3) year term, to expire April 19, 2025.

The Resolution was introduced and posted on April 5, 2022 and scheduled for consideration on April 19, 2022.

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

Councilman Coutz made a motion to approve Resolution No. 25-2022, which was seconded by Councilwoman Culberson.

Roll Call Vote: Coutz-Y, Miller-Y, Culberson-Y, Gregory-Absent, Meffley-Y
The motion was approved by a vote of 4 to 0. Vice President Gregory was absent.

Council Manager Massey stated for the record:

Resolution No. 26-2022 Appointment—Economic Development Commission – Charles E. Jones, Jr.
A Resolution to confirm the appointment by the County Executive of Charles E. Jones, Jr. to the Economic Development Commission, to complete the vacated term of Michael Lara, which will expire on January 7, 2023.

The Resolution was introduced and posted on April 5, 2022 and scheduled for consideration on April 19, 2022.

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

Councilwoman Culberson made a motion to approve Resolution No. 26-2022, which was seconded by Councilman Coutz.

Roll Call Vote: Coutz-Y, Miller-Y, Culberson-Y, Gregory-Absent, Meffley-Y
The motion was approved by a vote of 4 to 0. Vice President Gregory was absent.

CALL FOR FINAL READING OF BILLS

Bill No. 2022-02 Agricultural Land Preservation District – Marybeth and William Preston - Preston Farm

A Bill to approve the petition of Marybeth and William Preston for property located at 160 Spence Road, North East, MD 21901, (Acres 46.004, Election District 5, Tax Map 36, Grid 24, Parcels 153 and 577), requesting the establishment of an agricultural preservation district.

The Bill was introduced and posted on March 1, 2022, public hearing held and concluded on April 5, 2022, and scheduled for consideration on April 19, 2022.

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

Councilman Miller made a motion to approve Bill No. 2022-02, which was seconded by Councilwoman Culberson.

Roll Call Vote: Coutz-Y, Miller-Y, Culberson-Y, Gregory-Absent, Meffley-Y
The motion was approved by a vote of 4 to 0. Vice President Gregory was absent.

NEW BUSINESS

Cecil County Public Schools – Budget Amendment #97

Councilman Miller made a motion to approve Budget Amendment #97, in the amount of \$182,103 for March 2022, which was seconded by Councilman Coutz. The motion was approved by a vote of 4 to 0. Vice President Gregory was absent.

ADJOURNMENT

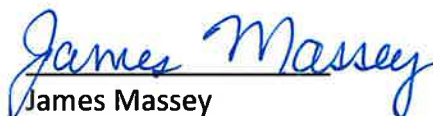
On motion made by Councilman Coutz, seconded by Councilwoman Culberson, Council President Meffley adjourned the meeting at 8:40 p.m.

Council President Meffley announced that the next Council Legislative Session is scheduled on Tuesday, May 3, 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:


Robert Meffley
Council President

Attest:


James Massey
Council Manager