

COUNTY COUNCIL OF CECIL COUNTY
LEGISLATIVE SESSION MINUTES
LSD 2021-02
January 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
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 January 18, 2022 was called to order by Council President Meffley at 7:00 p.m. Councilman Coutz introduced Ken Granger who led the audience in the Pledge of Allegiance.

OPENING PRAYER

Council Member Miller introduced Pastor Josh McCord of Conowingo Baptist Church in Conowingo, 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 January 18, 2022. Motion was approved unanimously.

PRESENTATION OF PROCLAMATIONS/CERTIFICATES

The Council presented a proclamation in recognition of the Shop with a Cop program to Jimmy Russell, leader of this volunteer organization, which arranges for law enforcement officers to spend a day shopping with an underprivileged child for clothing, toys and other gifts for Christmas.

PUBLIC HEARINGS

Council Manager Massey stated for the record:

File #2021-06: 109-111 Providence Road LLC, Request to rezone 0.5924 acres from Rural Residential (RR) to Light Industrial (M1). Property Location: 109-111 Providence Road, Elkton, MD 21921. Election District: 04, Tax Map: 0013, Parcel: 0767. Property Owner: 109-111 Providence Road LLC. Presently Zoned: Rural Residential (RR)

File #2021-07: 109-111 Providence Road LLC, Request to rezone 0.7 acres from Northern Agricultural Residential (NAR) to Light Industrial (M1). Property Location: 109-111 Providence Road, Elkton, MD 21921. Election District: 04, Tax Map: 0013, Parcel: 0360. Property Owner: 109-111 Providence Road LLC. Presently Zoned: Northern Agricultural Residential (NAR)

File #2021-08: 109-111 Providence Road LLC, Request to rezone 7.29 acres from Northern Agricultural Residential (NAR) to Light Industrial (M1). Property Location: 109-111 Providence Road, Elkton, MD 21921. Election District: 04, Tax Map: 0013, Parcel: 0349. Property Owner: 109-111 Providence Road LLC. Presently Zoned: Northern Agricultural Residential (NAR)

Notice of the public hearing was published on January 5, 2022 and January 12, 2022.

Witnesses presenting testimony were sworn in by the Council Manager.

W. David Fennimore, project manager and authorized applicant, introduced Thomas Preves, attorney, Thomas Prevas of Saul, Ewing, Arnstein and Lehr. They presented the request for rezoning, based on a mistake in the Comprehensive Rezoning of May 1, 2011.

Stephen O'Connor, Director of Land Use and Development Services, stated that the staff recommendation and Planning Commission recommended approval of the request based on a mistake in the Comprehensive Rezoning plan. He stated that since the Planning Commission's meeting, the county was considering new legislation to establish a brownfield overlay zone, which would be more suitable for this property, which is a superfund site being developed for solar generation. Mr. O'Connor stated that the staff recommendation was for the applicant to wait until after the brownfield redevelopment overlay legislation is adopted, which would benefit the applicant.

Aaron Hardy, Planning Division Chief, presented the finding of facts, which recommended approval based on a mistake on the Comprehensive Rezoning plan. He stated that staff had been meeting with the administration about the feasibility of adopting new legislation for a brownfield redevelopment overlay zone that would benefit the applicant. He stated that the staff recommends that the applicant wait until new legislation could be adopted for a brownfield designation.

Council questions and comments ensued. Councilman Coutz verified that the Planning Commission recommended approval of the application based on a mistake in the Comprehensive Rezoning plan.

Council President Meffley opened the public hearing for public comments on these rezoning applications.

Vincent Sammons, Rising Sun, asked about the impact on a nearby creek. Mr. Fennimore stated that the creek had been restored and property remediated as authorized by MDA and EPA. He stated that the proposed project will not disturb the soil or groundwater.

Mr. Fennimore provided closing remarks.

Councilman Coutz verified that this superfund site has been remediated and there will be no disturbance of soil for this project.

Council President Meffley concluded the public hearing and announced that these rezoning cases will be considered at the next legislative session on February 1, 2022.

Council Manager Massey stated for the record:

BILL NO. 2021-16: Amendment – Zoning Ordinance – Animal Husbandry – Backyard Chickens

An Act to amend the Cecil County Zoning Ordinance, Article V, Part I, Section 58, Animal Husbandry in order to add and define backyard chickens raised in specific residential zones.

The Bill was introduced on December 21, 2021; advertised on January 5, 2022 and January 12, 2022; and scheduled for public hearing on January 18, 2022.

Council President Meffley stated that Council Members have been working on amendments for this legislation but welcomed public comments. There were no other Council questions or comments.

Council President Meffley opened the hearing for public comments.

Bob Gatchell, Port Deposit, commented in support of the legislation as introduced.

Scott Mesneak, Elkton, commented in support of the legislation.

Deb Short, Elkton, commented in support of the legislation.

Gabrielle Antiono, Elkton, commented that the legislation is too restrictive.

Heather Lyons, North East, commented in support of the legislation.

Jerry Blankenship, Elkton, commented in opposition to the legislation.

Tracy Mann, Perryville, commented in support of the legislation.

Barb Rachek, Elkton, commented in support of the legislation.

Adrian Brown, Rising Sun, commented in support of the legislation.

Dr. Bob Gorman, Elkton, commented that Code Enforcement's failure to address animal excrements and noise.

Kathleen Kennedy, North East, commented in support of the legislation.

Anna Maria Gorman, Elkton, commented in support of the legislation.

Vincent Sammons, Rising Sun, commented in support of the legislation.

Jason Howard, Chesapeake City, commented in support of the legislation.

Donna Shelton, Elkton, commented in opposition to legislation.

Joe McDevitt, Elkton, commented in support of the legislation.

Audrey Adams, Elkton, commented that backyard chickens should be permitted on less than 20,000 sq. ft.

Barb Cox, Elkton, commented in support of the legislation.

Tim Lyons, North East, commented in support of the legislation. He also read a letter from Joanne and Gary Sherling who supported the legislation.

Charles Missouri, Perryville, commented in support of the legislation.

Chris Abernathy, Chesapeake City, commented in support of the legislation.

Council President Meffley stated that because several Email messages had been read in support of this legislation at the previous session, he asked Council Manager Massey to read an email in opposition to this legislation from Timothy Karschner of North East.

Council President Meffley concluded the public hearing and announced the consideration of this legislation will be scheduled on February 1, 2022.

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 January 4, 2022. Motion was approved unanimously.

PUBLIC COMMENTS

Heather Lyons, North East, commented in opposition to the reading of an email in opposition to the backyard chicken legislation.

Vincent Sammons, Rising Sun, commented that the county should stop bullying him.

Tanya Emkey, Aberdeen, commented on the county taking no action against the Indian Acres management.

Dwayne Maeser, Edgewood, commented on the county taking no action against the Indian Acres management.

Anna Maria Gorman, Elkton, commented that the Indian Acres management is demolishing properties without proper permits.

Scott Mesneak, Elkton, commented in support of the renovation of 135 East Main Street, home of the Arts Council.

Harold McCanick, Elk Neck, commented that he was proud of the County in the lawmaking process.

Barb Cox, North East, commented that she was taking care of another person's chickens.

Adrian Brown, Rising Sun, commented that the Council was not wearing masks.

PRESIDENT AND COUNCIL COMMENTS

Councilman Coutz reported on statistics from the Sheriff's Office Intel meeting. He stated that there were 10 drug overdoses this week and one fatality.

Vice President Gregory thanked the audience for attending and for their comments.

Councilman Miller had no comments.

Councilwoman Culberson thanked the audience for attending and for their comments.

Council President Meffley thanked the audience for attending.

INTRODUCTION OF RESOLUTIONS

Council Manager Massey stated for the record:

Resolution No. 01-2022: Appointment - Board of Library Trustees – Shirley Simmons-McCrary

A Resolution to confirm the appointment by the County Executive of Shirley Simmons-McCrary to the Cecil County Board of Library Trustees, completing the term of Linda Burris which will expire on January 7, 2024.

Introduced, read first time, order posted on January 18, 2022, and scheduled for consideration on February 1, 2022.

NEW BUSINESS

Cecil County Public Schools – Budget Amendment #94

Councilman Coutz made a motion to approve Budget Amendment #94, in the amount of \$362,674 for December 2021 expenses. The motion was seconded by Councilman Miller and was approved unanimously by voice vote of 5 to 0.

ADJOURNMENT

On motion made by Councilman Coutz and seconded by Vice President Gregory. 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, February 1, 2022 at 7:00 p.m. in the Elk Room of the County Administration Building. The public may attend and participate. The legislative session will continue to be livestreamed in real

time 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