

COUNTY COUNCIL OF CECIL COUNTY
WORK SESSION MINUTES
April 21, 2015

PRESENT: Council Members: President Hodge, Vice President McCarthy, Joyce Bowsbey, George Patchell and Dan Schneckenburger; Al Wein, Director of Administration; Jason Allison, County Attorney; Winston Robinson, Director of Finance; Eric Sennstrom, Director of Planning and Zoning; James Massey, Council Manager; Terry Hale, Council Assistant; members of the press; and members of the public.

OPEN SESSION – Elk Room

9:00 a.m. – President Hodge called the meeting to order at 9:00 a.m.

NOTE: Audio recording of this meeting is available on the County website www.ccgov.org.

Approval of Minutes

On a motion made by Vice President McCarthy, seconded by Councilman Schneckenburger, the Council moved to approve the minutes of the Council work session of April 14, 2015. Motion carried unanimously.

Review of Legislative Agenda

Council President Hodge led a review of the legislative agenda.

Council Members agreed by consensus to consider Resolution No. 20-2105 Enterprise Zone - Port Deposit as emergency legislation so that action can be taken at tonight's legislative agenda after the public hearing. Discussion and questions ensued.

Mr. Sennstrom provided information on Resolution No. 28-2015 Tax Credit - Historic Property - Cross Keys Tavern.

Mr. Allison was asked to respond to Council President's questions regarding Rezoning Case 2015-02 Anthony E. and Sharon K. Nonn.

Mr. Allison stated that the Code requires that a sign be posted on the subject property, however, the Code does not require that the County, the owner of the subject property, or any other individual assure that the sign remains standing once it is initially posted.

Mr. Allison stated that the applicant can amend the application at the time of the hearing as to whether the request is based on a mistake in the comprehensive rezoning or a substantial change in the character of the neighborhood. Mr. Allison stated that legal counsel for the applicant clearly entered testimony and evidence into the record that was designed to establish that there was a mistake in comprehensive rezoning. The evidence and testimony, which was accepted by the County Council without objection, is sufficient to effect an amendment to the application.

Mr. Allison also advised that bringing sewer line to a new area could give support for a finding of change, and he offered case law to support this counsel. Mr. Allison also advised that, depending on the Council's finding as to when the infrastructure was known to be firmly planned for the area, the facts could also support a finding that there has been no change. Mr. Allison advised that the Council should make specific findings of fact as to each of these issues, and this one in particular.

When asked about whether the history of an application should be considered, Mr. Allison stated that the Council should consider the testimony provided at the public hearing. Council Members are permitted to ask any of the witnesses, including staff, about the history or the property.

Council President Hodge asked Mr. Allison to provide more information about whether the Council can discuss or deliberate a rezoning case outside the public hearing.

Council Manager Report

Council Manager Massey reminded Council Members that the Cecil Leadership Academy will be visiting the County Administration Building on April 22. In addition, Council Members are invited to tour Bainbridge with the Cecil County delegation on April 27, following the Legislative Wrap-up Breakfast, sponsored by the Cecil County Chamber of Commerce Legislative Relations Committee.

Council Member Items

Councilman Patchell enjoyed attending the Senior Services/Community Transit Volunteer Recognition Luncheon on April 16.

Vice President McCarthy and Councilwoman Bowsbey also attended the Volunteer luncheon.

Councilwoman Bowsbey attended the Planning Commission and commented on proposed changes to the commission's process.

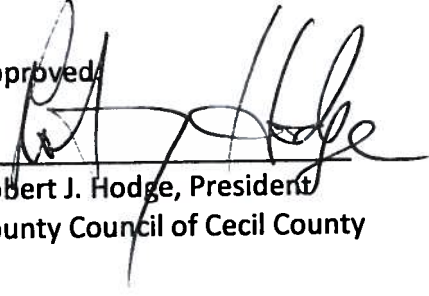
Councilman Schneckenburger met with Delegate Hornberger, Delegate Reilly and Michael Pugh, chairman of the Bainbridge Development Corporation, to discuss Bainbridge and other economic development opportunities in western Cecil County. He also asked about plans to meet with MDTA regarding the Hatem Bridge Work Group. Mr. Wein will resend information about their plan to Council President Hodge.

Council President Hodge reminded Council Members of the budget hearing today at 1:30 p.m. He attended the Water Witch Awards Banquet and received a plaque on behalf of Cecil County Government in appreciation of the county's support of the fire company. He also stated that the Health Department was offering a low cost rabies shot clinic in May.

ADJOURNMENT

President Hodge adjourned the meeting at 9:43 a.m.

Approved:


Robert J. Hodge, President
County Council of Cecil County

Attest:


James Massey
Council Manager

