

COUNTY COUNCIL OF CECIL COUNTY
LEGISLATIVE SESSION MINUTES
LSD 2016-09
May 3, 2016

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 Hodge, Council President
Dr. Alan McCarthy, Vice President
Joyce Bowsbey, Council Member
Dan Schneckenburger, Council Member
George Patchell, Council Member

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

CALL TO ORDER

The meeting of the County Council of Cecil County of May 3, 2016 was called to order by President Hodge at 7:00 p.m. and opened with the Pledge of Allegiance.

MOMENT OF SILENCE

Council President Hodge led the Council in a moment of silence.

APPROVAL OF AGENDA

On motion made by Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to approve the legislative agenda of May 3, 2016. Motion carried unanimously.

PRESENTATION OF PROCLAMATION

The Council presented a proclamation in recognition of Cecil County Tourism Month to Sandy Turner, Tourism Coordinator.

PUBLIC HEARING

Rezoning Application:

Council Manager Massey stated for the record:

File No. 2016-03; Applicant: Delmarva Power and Light, Co.; Location: 315 W. Cecil Avenue, North East, MD 21901; Election District 5; Tax Map: 31; Parcel: 915; Request: To rezone 4 acres with no current zoning classification to Light Industrial (M1).

Notice of the public hearing was published on April 13, 2016 and April 20, 2016.

Witnesses presenting testimony were sworn in by Council Manager Massey.

Ryan Showalter, representing the applicant, presented the request for rezoning, based on a mistake in the Comprehensive Rezoning.

Eric Sennstrom, Director of Planning and Zoning, stated that the Planning Commission recommended approval because of a mistake in the 2011 Comprehensive Rezoning.

Stephen O'Connor, Zoning Administrator, presented the staff report of findings of facts, which recommended approval because of a mistake in the 2011 Comprehensive Rezoning.

Council questions and comments ensued. Mr. O'Connor was asked to show the current zoning map for this property. David Seay, representing Delmarva Power and Light Co., Newark DE, provided additional answers to Council questions.

Council President Hodge opened the public hearing for public comments. There were no public comments.

There were no closing remarks.

Council President Hodge concluded the public hearing and announced that the rezoning case may be considered at the next legislative session on May 17, 2016.

Council Manager Massey stated for the record:

Resolution No. 16-2016 Old Elk Neck Road - Speed Limit

A Resolution approving implementation of the change in the speed limit from 25 Miles Per Hour to 35 Miles Per Hour on a portion of Old Elk Neck Road.

Scott Flanigan, Director of Public Works, provided comments on the legislation. The Resolution was introduced on April 5, 2016, advertised on April 20, 2016 and April 27, 2016, and scheduled for public hearing on May 3, 2016. Council questions or comments ensued.

Council President Hodge opened the public hearing for public comment.

John Bitely, Elk Neck, commented in opposition to the Resolution.

John McMaster, Elk Neck, commented in opposition to the Resolution.

Harold McCanick, Elk Neck, commented in support of the Resolution.

Additional Council questions and comments ensued.

Council President Hodge concluded the public hearing on Resolution No. 16-2016 and announced that final consideration of this Resolution will be held on May 17, 2016.

APPROVAL OF MINUTES

On motion made by Vice President McCarthy, seconded by Councilman Schneckenburger, the Council moved to approve the legislative session minutes of April 19, 2016 as presented. Motion was unanimously approved.

PUBLIC COMMENTS

Leslie Leader, Chesapeake City, commented in support of the Public School budget.

Hank Passi, Elk Neck, commented in support of the School of Technology facility and programs.

Harold McCanick, Elk Neck, commented on the School of Technology, today's work session and changing hours at the landfill.

PRESIDENT AND COUNCIL COMMENTS

Councilman Schneckeburger attended the Tourism Partnership Breakfast. He commented on bridge closed on Red Toad Road at I-95, and the new Route 40 turning lane onto Red Toad Road. He commented on the closed Razor Strap Road bridge, and the transportation priorities.

Councilwoman Bowsbey attended the Cecil County Chamber of Commerce delegation wrap-up breakfast and commented on good cooperation with the delegation. She also attended Union Hospital's Volunteer luncheon and the Local Management Board meeting. Councilwoman Bowsbey commented that the Council does not determine where the funds will be used in the public schools budget and encouraged the public to address school needs to the school board.

Councilman Patchell had no comments.

Vice President McCarthy commented that Mechanics Valley Road bridge will be open by the end of the week.

Council President Hodge commented on the first meeting of the Compensation Review Commission and the Charter requirement that the Commission recommend changes in compensation and allowances to the County Council; and that any change in compensation would not be effective until the next Council term.

INTRODUCTION OF BILLS

Bill No. 2016-09 Central Landfill - Operating Schedule

This Bill was withdrawn by administration. Council requested that the administration provide additional information about the hourly landfill usage on Saturdays.

Council Manager Massey stated for the record:

Bill No. 2016-10 Supplemental Appropriation - Board of Education Capital Budget - BTOP and E-Rate

A Bill to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for the fiscal year ending June 30, 2016, to amend and increase the revenue and expenditure authority within the Board of Education Capital Projects fund by \$13,752 to record the total cost for the FY2016 phase of the Broadband Technology Opportunities Program (BTOP) project, and to recognize the Federal Communications Commissions' E-Rate program that will provide \$398,433 towards (BTOP) project costs. The savings gained by federal reimbursement of County bonds funds will allow the transfer of bonds funds from the BTOP project to complete the Perryville High School Cooling Tower (\$150,000), install a new water line at Cecil Manor Elementary (\$175,000) and start work on replacing an interior water line at Bohemia Manor High School (\$59,681).

Introduced and order posted on May 3, 2016. The public hearing for Bill No. 2016-16 will be advertised and scheduled on the Council legislation session of June 7, 2016. Tentative consideration of this Bill is scheduled on June 21, 2016.

Al Wein, Director of Administration, provided introductory comments. There were no Council questions and comments.

INTRODUCTION OF RESOLUTIONS

Council Manager Massey stated for the record:

Resolution No. 18-2016 Approval - Critical Area Growth Allocation - Town of Chesapeake City

A Resolution to approve the Growth Allocation request of the Town of Chesapeake City by re-designating three (3) acres of land, located off Boatyard Road in Chesapeake City, from Resource Conservation Area (RCA) to Intensely Developed Area (IDA) in order to allow the development of a new wastewater treatment facility.

Eric Sennstrom, Director of Planning and Zoning, provided introductory remarks. There were no Council questions and comments.

Introduced, read first time, order posted on May 3, 2016 and scheduled for public hearing on June 7, 2016, and tentatively scheduled for consideration on June 21, 2016.

Council Manager Massey stated for the record:

Resolution No. 19-2016 Budget Amendment - Health Insurance Fund

A Resolution to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for the fiscal year ending June 30, 2016 to increase the revenue estimate and budget expenditure authority within the Health Insurance Fund by a total of \$1,500,000 in order for the fund to have sufficient budgetary authority to pay incurred medical claims through year-end, and to increase the revenue estimate for County income taxes by \$1,500,000 to the General Fund in order to increase various departmental expenditures per Appendix A to provide a total of \$1,500,000 in additions to expenditures to the General Fund Budget

Al Wein, Director of Administration, provided introductory remarks. Council questions and comments ensued. Council President Hodge polled Council Members on the possible need for a public hearing. After discussion, Council Members agreed by consensus that there will be no public hearing on this Resolution.

Introduced, read first time, order posted on May 3, 2016 and scheduled for public hearing on June 7, 2016, and tentatively scheduled for consideration on June 21, 2016.

CONSIDERATION OF RESOLUTIONS

Council Manager Massey stated for the record:

Resolution No. 17-2016 Tax Credit - Historic Property - Keiffer Brick House

A Resolution to approve a property tax credit of 10% of the documented expenses spent by the owner-taxpayer for the restoration and preservation of Keiffer Brick House, a historic designated structure in Cecil County.

The Resolution was introduced and posted on April 19, 2016. There were no Council questions or comments.

On motion made by Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to approve Resolution No. 17-2016.

Roll call vote: McCarthy - Y, Bowsbey - Y, Schneckenburger - Y, Patchell - Y, Hodge - Y. The motion was unanimously approved.

NEW BUSINESS

Cecil County Public Schools - Budget Amendment #28

Councilwoman Bowsbey made a motion, seconded by Councilman Schneckenburger, to approve Budget Amendment #28.

Roll call vote: McCarthy - Y, Bowsbey - Y, Schneckenburger - Y, Patchell - Y, Hodge - Y. The motion was carried unanimously.

ADJOURNMENT

President Hodge adjourned the meeting at 8:15 p.m.

The next Council Legislative Session is scheduled for Tuesday, May 17, 2016 in the Elk Room of the County Administration Building, 200 Chesapeake Blvd., Elkton, Maryland.

Attest:


James Massey, Council Manager

Approved:


Robert Hodge
President