

**COUNTY COUNCIL OF CECIL COUNTY  
LEGISLATIVE SESSION MINUTES  
LSD 2016-19  
October 4, 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 Bowlsbey, 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](http://www.ccgov.org).

**CALL TO ORDER**

The meeting of the County Council of Cecil County of October 4, 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 Councilman Schneckenburger, the Council moved to approve the legislative agenda of October 4, 2016. Motion carried unanimously.

**PUBLIC HEARINGS**

**Rezoning Application:**

Council Manager Massey stated for the record:

File 2016-05 APPLICANT: Carolyn Diane Merriman; REQUEST: Request to rezone 47 acres from Low Density Residential District (LDR) to Northern Agricultural Residential, (NAR); PROPERTY LOCATION: 159 Waibel Road, Port Deposit, MD 21904; Election District: 7, Tax Map: 23, Parcel: 26. PROPERTY OWNER: Carolyn Diane Merriman and Ellen C. Johnson. PRESENTLY ZONED: Low Density Residential District (LDR)

Notice of the public hearing was published on September 14, 2016 and September 21, 2016.

Witnesses presenting testimony were sworn in by Council Manager Massey.

Carolyn Diane Merriman, the applicant, presented the request for rezoning, based on a mistake in the Comprehensive Rezoning. She introduced Ellen C. Johnson, her sister and co-owner of the property.

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. Mr. O'Connor was asked to show the zoning map of properties surrounding Ms. Merriman's parcel.

Council questions and comments ensued.

Council President Hodge opened the public hearing for public comments. Elizabeth Buda, 279 Burlin Road, commented on her concerns as an adjacent property owner, which included whether the proposed use as a solar farm would interfere with her utilities and whether the value of her property would be affected.

Ms. Merriman provided closing remarks.

Council President Hodge concluded the public hearing. There were no additional Council questions or comments. He announced that the rezoning case may be considered at the next legislative session on October 18, 2016.

**Legislation:**

Council Manager Massey stated for the record:

**Bill No. 2016-20 Amendment – Zoning Ordinance – Initiation of Amendments**

An Act to amend the Cecil County Zoning Ordinance, Article XVII, Part IV, Section 323.3- Initiation of Amendments, to allow the County Council to initiate amendments to the Zoning Ordinance.

The Bill was introduced on September 6, 2016 and advertised on September 21, 2016 and September 28, 2016, and scheduled for public hearing on October 4, 2016.

Council President Hodge provided a summary of the Bill. Councilwoman Bowlsbey commented on the Bill and the proposed Amendment No. 1.

Council President Hodge opened the public hearing for public comments. John Bolinski, 956 Irishtown Road, commented on the Bill and requested that any Council initiated changes should go through the same process as other changes. Al Wein, Director of Administration, stated that the administration supports the amendment to the Bill.

Council Manager Massey stated for the record:

**AMENDMENT NO. 1  
TO BILL NO. 2016-20**

**Title:** Amendment - Zoning Ordinance - Initiation of Amendments

**Synopsis:** To allow Council to initiate zoning ordinance changes but require the Council's proposed changes to be submitted to Planning and Zoning Office and Planning Commission as all other changes are done.

On page 3, line 29, insert "the County Council"

Proposed amendments may be originated by the Office of Planning and Zoning, the Planning Commission, THE COUNTY COUNCIL, or the owner(s) of the property(s) for which a zoning change is sought.

On Page 3, lines 34-35, delete in its entirety.

Council President Hodge concluded the public hearing on Bill No. 2016-20 and announced that final consideration of this Bill will be held on October 18, 2016.

Council Manager Massey stated for the record:

**Bill No. 2016-21 Budget Amendment and Budget Transfer - Wastewater Capital Improvement Program - Port Deposit**

A Bill to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for the fiscal year ending June 30, 2017, to modify the scope of the Inflow & Infiltration – Port Deposit project (55061) and modify the name and scope of the Repair Port Deposit WWTP project (55069) within the Wastewater Capital Improvement Program. The Bill will also move \$1,120,000 in bond expenditure authority from the Inflow & Infiltration project to the Replace Port Deposit WWTP project.

The Bill was introduced on September 6, 2016 and advertised on September 21, 2016 and September 28, 2016, and scheduled for public hearing on October 4, 2016.

Scott Flanigan, Director of Public Works, provided a summary of the Bill. There were no Council questions or comments.

Council President Hodge opened the public hearing for public comments. Mike Pugh, chair of the Bainbridge Development Corporation, commented in support of this Bill.

Eric Sennstrom, Director of Planning and Zoning, stated that the Planning Commission approved of these capital projects to be consistent with the Comprehensive Plan.

Council President Hodge concluded the public hearing on Bill No. 2016-21 and announced that final consideration of this Bill will be held on October 18, 2016.

Council Manager Massey stated for the record:

**Bill No. 2016-22 Pawnbrokers, Dealers and Secondhand Dealers - Licensing and Regulation**

A Bill to amend Part II of the Code of Cecil County by adding a new Chapter 262 (Pawnbrokers, Dealers and Secondhand Dealers), Sections 262-1 through 262-10, of the Cecil County Code, providing for licensure, regulation, and imposition of penalty upon violation of Chapter 262.

The Bill was introduced on September 6, 2016 and advertised on September 21, 2016 and September 28, 2016, and scheduled for public hearing on October 4, 2016.

Jason Allison, County Attorney, provided a summary of the Bill. Council questions and comments ensued.

Council President Hodge opened the public hearing for public comments. Detective Jeremy Strohecker, Cecil County Sheriff's Office, testified in favor of the Bill and provided additional details for the need to require pawnbrokers, dealers and secondhand dealers to hold property for 30 days. In addition, Sgt. Lance from the Maryland State Police, provided testimony in support of the Bill. Detective Strohecker introduced Cpl. Justin Blubaugh, Harford County Sheriff's Office, who stated that a similar Bill was being introduced in Harford County. There were no other public comments.

The Council discussed an amendment to clarify those businesses affected by this legislation.

Council President Hodge concluded the public hearing on Bill No. 2016-22 and announced that final consideration of this Bill will be held on October 18, 2016.

Council Manager Massey stated for the record:

**Resolution No. 49-2016 Amendment – Master Water and Sewer Plan - Port Deposit Water System**  
A Resolution to amend the Cecil County Master Water and Sewer Plan, Chapter 3, §3.2.10.2 Port Deposit Water System, to expand the water system to the Bainbridge area in a three phase project, and associated tables 6,14, 15, and 17, and associated maps.

The Resolution was introduced on September 6, 2016 and advertised on September 21, 2016 and September 28, 2016, and scheduled for public hearing on October 4, 2016.

Al Wein, Director of Administration, provided a summary of the Bill. Mr. Wein discussed the concerns submitted by the Town of Perryville and stated that the administration would support an amendment to exclude properties inside the Town limits of Perryville and parcels that are within the Perryville Growth Area.

There were no Council questions or comments. Council President Hodge stated that the Council was given a thorough review of this legislation during the work session.

Council President Hodge opened the public hearing for public comments. Joe DiNunzio, Executive Vice President, Artesian Water, commented in support of this Bill as recommended by the Planning Commission. Mike Pugh, chair of the Bainbridge Development Corporation, also commented in support of this legislation.

Eric Sennstrom, Director of Planning and Zoning, stated that the Planning Commission approved of this amendment to the Master Water and Sewer Plan to be consistent with the Comprehensive Plan.

Council President Hodge asked the administration to work with the Council Manager to prepare an amendment to this Resolution that would exclude the properties that were requested by the Town of Perryville.

Council President Hodge concluded the public hearing on Resolution No. 49-2016 and announced that final consideration of this Bill will be held on October 18, 2016.

Council Manager Massey stated for the record:

**Resolution No. 50-2016 Amendment – Master Water and Sewer Plan - Port Deposit Wastewater Treatment Plant**

A Resolution to amend the Cecil County Master Water and Sewer Plan, Chapter 4, §4.1.7 Port Deposit, to add text that proposes to replace the existing Port Deposit Wastewater Treatment Plant, construct an Enhanced Nutrient Removal Wastewater Treatment Plant at Bainbridge, and construct sewer pumping station and force main to convey sewage from Port Deposit to Bainbridge; and associates Tables 13 and 7.

The Resolution was introduced on September 6, 2016 and advertised on September 21, 2016 and September 28, 2016, and scheduled for public hearing on October 4, 2016.

Al Wein, Director of Administration, provided a summary of the Bill. Mr. Wein discussed the concerns submitted by the Town of Perryville and stated that the administration would support an amendment to exclude properties inside the Town limits of Perryville and parcels that are within the Perryville Growth Area.

There were no Council questions or comments. There were no Council questions or comments.

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

Eric Sennstrom, Director of Planning and Zoning, stated that the Planning Commission approved of this amendment to the Master Water and Sewer Plan to be consistent with the Comprehensive Plan.

Council President Hodge concluded the public hearing on Resolution No. 50-2016 and announced that final consideration of this Bill will be held on October 18, 2016.

**APPROVAL OF MINUTES**

On motion made by Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to approve the minutes of the legislative session of September 20, 2016 as presented. Motion was unanimously approved.

**PUBLIC COMMENTS**

There was no public comment.

**PRESIDENT AND COUNCIL COMMENTS**

Councilman Schneckenburger stated that he will be attending the Economic Development Commission meeting and commented in having a representative from EDC on the Local Business Initiative Committee. He will be attending the Maryland Jockey Club public hearing on satellite simulcast betting at Hollywood Casino and a meeting with Rising Sun officials with the Department of Housing and Human Development to look at potential funding for their proposed water lines.

Councilwoman Bowsbey, Councilman Patchell, Vice President McCarthy, and Council President Hodge had no comments.

### **INTRODUCTION OF RESOLUTIONS**

Council Manager Massey stated for the record:

#### **Resolution No. 53-2016 Creation and Appointment - Local Business Initiative Committee**

A Resolution to establish the Local Business Initiative Committee to investigate possible policies and procedures to encourage the hiring of local businesses and employees for County projects; and make a recommendation to the County Council by June 1, 2017.

Council President Hodge provided introductory comments.

Introduced, read first time, order posted on October 4, 2016, and scheduled for consideration on October 18, 2016.

Council Manager Massey stated for the record:

#### **Resolution No. 54-2016 Approval - RASTRAC Vehicle Tracking Service - Multiple Year Contract**

A Resolution to approve a service agreement with RASTRAC Vehicle Tracking Service for sixty months beginning November 1, 2016 and ending September 30, 2021.

There were no introductory comments. Council President Hodge stated that the Council had been apprised of this legislation at the work session. Council questions and comments ensued.

Introduced, read first time, order posted on October 4, 2016, and scheduled for consideration on October 18, 2016.

### **CALL FOR FINAL READING OF BILLS**

Council Manager Massey stated for the record:

#### **Bill No. 2016-19 Budget Transfer - Capital Budget - Historical Society and Arts Council**

A Bill to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for the fiscal year ending June 30, 2017, to transfer the bond expenditure authority in the amount of \$61,011 within the Facilities Maintenance General Capital Projects Fund from three completed projects (Courthouse Roof Replacement(58023), Construct Courthouse Sally Port(58024) & Courthouse Phase II Renovation Projects(58022); and utilize the unspent bond funds to further the project to renovate the Historical Society and Arts Council(58040).

The Bill was introduced on August 16, 2016 and public hearing held and concluded on September 20, 2016.

There were no Council comments or questions.

On motion made by Council Vice President McCarthy, seconded by Councilman Schneckenburger, the Council moved to approve Bill No. 2016-19.

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 8:25 p.m.

The next Council Legislative Session is scheduled for Tuesday, October 18, 2016 in the Elk Room of the County Administration Building, 200 Chesapeake Blvd., Elkton, Maryland.

Attest:

  
\_\_\_\_\_  
James Massey  
Council Manager

Approved:

  
\_\_\_\_\_  
Robert Hodge  
President