

**COUNTY COUNCIL OF FREDERICK COUNTY
MEETING MINUTES
Tuesday, July 7, 2020**

Council Members M.C. Keegan-Ayer, President; Michael Blue, Vice-President, Jerry Donald, Kai Hagen, Jessica Fitzwater, Phil Dacey and Steve McKay were present for the meeting.

Also present were Bryon Black, County Attorney; Catherine Keller, Assistant County Attorney; Sarah Ambrosio, Recording Secretary; and Nancy Luna, Executive Assistant, County Council.

Council President M.C. Keegan-Ayer called the meeting to order at 5:30 p.m. virtually via video conference.

Opening Statement from Council President M.C. Keegan-Ayer

Good Evening and welcome to the virtual meeting of the Frederick County Council. Today is Tuesday, July 7, 2020, and it is a legislative day for the County Council.

The Frederick County Council is continuing to conduct our meetings on-line during this time and it seems this may be the way we will be holding our meetings for the foreseeable future due to concerns about the spread of the COVID virus.

Our meetings are televised on Frederick County Government Channel 19, on Frederick County Government's website: www.FrederickCountyMD.Gov/FCGTV, and while we are meeting virtually, we will continue to use our software program which allows the public to watch and participate in our meetings. Please go to www.frederickcountymd.gov/councilmeetings in order to watch us on that format.

You may still send us comments via email at: (Councilmembers@frederickcountymd.gov), or by calling our office line (301) 600-1135 and leaving a voicemail message. Or using our virtual format, you may call toll free 855-925-2801 and enter meeting code 8365 to listen to our meetings live and to give public comment. I will be giving instructions for how to give public comment before each portion of our meeting when public comment will be received. As always, all comments received will be reflected in the minutes.

As a reminder during these virtual meetings, I will periodically stop to allow the members to ask any questions in a round robin type fashion, calling the council members by name to make sure the public is aware of which member has the floor.

As a continued caution to our Council Members – Please be respectful of each other's time and wait to be recognized before you begin to speak. Remember the microphone issue and please limit your questions to one at a time. I will come back around as often as necessary until all questions are heard.

To begin our meeting, I will start with a roll call vote to determine a quorum. Just

**COUNTY COUNCIL OF FREDERICK COUNTY
MEETING MINUTES
Tuesday, July 7, 2020**

respond with “here”. Again, going in alphabetical order: CM Blue, Dacey, Donald, Fitzwater, Hagen, and McKay. A quorum having been established, we will begin our meeting.

The meeting began with a moment of silence followed by the Pledge of Allegiance.

Action on the Agenda

Council Member Michael Blue moved to approve the agenda as presented. Council Member Steve McKay seconded the motion that passed 7-0.

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 – Donald	X		
District 2 – McKay	X		
District 4 – Fitzwater	X		
District 5 – Blue	X		
At-large – Dacey	X		
At-large – Hagen	X		
Presiding Officer – Keegan-Ayer	X		

Public Comment was heard from:

- Betsy Smith
- Ann Payne
- Margie Lance
- Lynne Cherry

Business Items:

Budget Adjustments

- J-20-315 – Accounting, Finance Division and Board of Education School Construction Amendment #20-14
- J-20-318 – Engineering and Construction Management, Public Works Division
- J-20-319 – Senior Services Division
- J-20-320 – Emergency Communications, Emergency Management Division
- J-20-324 – Sheriff’s Office
- J-20-328 – Parks and Recreation Division

Council Member Jerry Donald moved to approve Budget Adjustments J-20-315, J-20-318, J-20-319, J-20-320, J-20-324 and J-20-328 as presented. Council Member Steve McKay seconded the motion that passed 7-0.

**COUNTY COUNCIL OF FREDERICK COUNTY
MEETING MINUTES
Tuesday, July 7, 2020**

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 – Donald	X		
District 2 – McKay	X		
District 4 – Fitzwater	X		
District 5 – Blue	X		
At-large – Dacey	X		
At-large – Hagen	X		
Presiding Officer – Keegan-Ayer	X		

Approval of Minutes from June 9, June 16, June 23, 2020 and Closed Session Minutes from June 23, 2020.

Council Member Steve McKay moved to approve the minutes from June 9, June 16, and June 23, 2020 and Closed Session Minutes from June 23, 2020 as presented. Council Member Kai Hagen seconded the motion that passed 7-0.

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 – Donald	X		
District 2 – McKay	X		
District 4 – Fitzwater	X		
District 5 – Blue	X		
At-large – Dacey	X		
At-large – Hagen	X		
Presiding Officer – Keegan-Ayer	X		

Council Rule 4-14

Kathy Mitchell, Senior Assistant County Attorney and Catherine Keller, Assistant County Attorney presented information to the Council on Council Rule 4-14.

AMENDMENT 1 to Frederick County Council Rules of Procedure

Introduced By: Council President Keegan-Ayer (District 3)

Introduction Date: June 30, 2020

Adopted/Rejected/Withdrawn: _____

Rules of Procedure – Chapter 4 – Conduct of Business

4-14 [Other Council Actions]

[An agenda item that is not intended to have the effect of law (e.g. a resolution) may be amended at any time. Unless otherwise required by law, such an item is not required to have a public hearing before it is amended or adopted by the Council. The President

COUNTY COUNCIL OF FREDERICK COUNTY
MEETING MINUTES
Tuesday, July 7, 2020

~~may schedule a public hearing on such an item at his or her discretion or with the affirmative vote of four (4) of the Council Members.]~~

RESOLUTIONS

- a) **THERE SHALL BE A FIRST READING AND A FINAL READING OF EACH RESOLUTION; PROVIDED, HOWEVER, THAT ANY RESOLUTION MAY BE REJECTED UPON INTRODUCTION BY A VOTE OF TWO-THIRDS OF THE MEMBERS OF THE COUNCIL, AND PROVIDED FURTHER THAT ANY RESOLUTION MAY BE WITHDRAWN FROM CONSIDERATION BEFORE A VOTE ON ITS FINAL PASSAGE BY A VOTE OF A MAJORITY OF THE COUNCIL. A RESOLUTION SHALL BE READ BY SHORT TITLE. AT ANY READING OF A RESOLUTION OTHER THAN THE FIRST, THE READING SHALL BE BY SHORT TITLE. A PUBLIC HEARING MAY BE HELD ON RESOLUTIONS AT THE DIRECTION OF THE PRESIDENT OR BY MOTION APPROVED BY A MAJORITY OF THE COUNCIL.**

- b) **[VOTE ON FINAL PASSAGE SHALL BE AT THE NEXT REGULARLY SCHEDULED COUNCIL MEETING, UNLESS A MAJORITY OF THE MEMBERS VOTE TO HOLD THE VOTE ON FINAL PASSAGE IMMEDIATELY FOLLOWING THE PUBLIC HEARING. VOTE ON FINAL PASSAGE SHALL BE ON ROLL CALL BY THE YEAS AND NAYS, AND A MAJORITY OF THE VOTES OF THE MEMBERS SHALL BE NECESSARY TO PASS THE RESOLUTION. AN ENROLLED COPY SHALL BE PREPARED AFTER FINAL PASSAGE AND CERTIFIED A TRUE COPY BY THE CHIEF OF STAFF. ON ENROLLING, THE CHIEF OF STAFF SHALL HAVE AUTHORITY TO CORRECT OBVIOUS ERRORS IN SECTION REFERENCES AND NUMBERS, CAPITALIZATION, SPELLING, GRAMMAR, HEADINGS AND SIMILAR MATTERS.]**

- c) **A RESOLUTION TAKES EFFECT ON ADOPTION UNLESS THE RESOLUTION SPECIFIES A DIFFERENT DATE.**

NOTWITHSTANDING THE ABOVE, RESOLUTIONS FOR WATER AND SEWERAGE PLAN AMENDMENTS OR SOLID WASTE MANAGEMENT PLAN AMENDMENTS MAY BE INTRODUCED AND ADOPTED ON THE SAME DAY AS THE PUBLIC HEARING FOR THESE ITEMS.

Council Member Steve McKay moved to approve Frederick County Council Rules of Procedure with changes to section 4-14 for procedures related to resolutions as presented. Council Member Kai Hagen seconded the motion that passed 7-0.

Council Members	Aye	Nay	Absent/ Abstain/ Present
-----------------	-----	-----	--------------------------------

**COUNTY COUNCIL OF FREDERICK COUNTY
MEETING MINUTES
Tuesday, July 7, 2020**

District 1 – Donald	X		
District 2 – McKay	X		
District 4 – Fitzwater	X		
District 5 – Blue	X		
At-large – Dacey	X		
At-large – Hagen	X		
Presiding Officer – Keegan-Ayer	X		

Council took a break from 6:15 p.m. to 7:00 p.m.

Public Hearing:

Proposed Bill 20-07 Amending Chapter 1-19 of the County Code (Zoning Ordinance) to Update and Clarify Transportation, Environmental Resource Protection, and Historic Preservation Criteria on Rezoning Requests

Council Members Kai Hagen and Steve McKay presented information to the Council on Amending Chapter 1-19 of the County Code (Zoning Ordinance) to Update and Clarify Transportation, Environmental Resource Protection, and Historic Preservation Criteria on Rezoning Requests.

Public Comment was heard from:

- Eric Fisher
- Eric Soter
- Ben Alexandro
- Jennifer Kunze
- Virginia Borda
- Kimberly Stuart
- Leland Robinson
- Ellie Collin

Proposed Bill 20-08 Amending Chapter 1-21 of the County Code (Forest Resource Ordinance) to Increase Forest Conservation Efforts

Council Member Kai Hagen presented information to the Council on Amending Chapter 1-21 of the County Code (Forest Resource Ordinance) to Increase Forest Conservation Efforts.

Public Comment was heard from:

- Ben Alexando
- Eric Fisher
- Eric Soter
- Jennifer Kunze
- Virginia Borda

COUNTY COUNCIL OF FREDERICK COUNTY
MEETING MINUTES
Tuesday, July 7, 2020

Proposed Bill 20-09 Domestic Violence Coordinating Council

Council Member Jessica Fitzwater, Brett Englar, Assistant State's Attorney and Inga James presented information to the Council on a Domestic Violence Coordinating Council.

Public Comment was heard from:

- Pam Holzinger

Proposed Bill 20-10 Revisions to Requirements for Accessory Dwelling Units (ADUs)

Council President M.C. Keegan-Ayer, on behalf of Administration, provided information to the Council on the Revisions to Requirements for Accessory Dwelling Units (ADUs).

Public Comment was heard from:

- None

Proposed Bill 20-11 Revisions to the Frederick County Employees Retirement Plan: Addition of Pop Up Benefit Payment Option; Update to Actuarial Factors; Change in Consumer Price Index

Council President M.C. Keegan-Ayer, on behalf of Administration, presented information to the Council on the Revisions to the Frederick County Employees Retirement Plan: Addition of Pop Up Benefit Payment Option; Update to Actuarial Factors; Change in Consumer Price Index.

Public Comment was heard from:

- None

Public Comment was heard from:

- None

Council Member Comments:

Council Member comments were provided.

Adjourn

The meeting adjourned at 8:55 p.m.

M.C. Keegan-Ayer, President
County Council