

**COUNTY COUNCIL OF FREDERICK COUNTY
MEETING MINUTES
Tuesday, June 13, 2017**

Council Members Bud Otis, President; M.C. Keegan-Ayer, Vice-President; Tony Chmelik, Kirby Delauter, Jerry Donald, Jessica Fitzwater, and Billy Shreve were present for the meeting.

Also present were Ragen Cherney, Council Chief of Staff; Wendy Kearney, County Attorney's Office; Patti Morrow and Nancy Luna, Recording Secretaries.

Council Member Otis called the meeting to order at 4:30 p.m. in the first floor hearing room, Winchester Hall, 12 East Church Street, Frederick, Maryland.

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

Action on the Agenda

Council Member Keegan-Ayer moved to approve the agenda as presented.

Council Member Chmelik seconded the motion that passed 6-1 with Council Member Shreve opposed.

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 - Donald	X		
District 2 - Chmelik	X		
District 3 - Keegan-Ayer	X		
District 4 - Fitzwater	X		
District 5 - Delauter	X		
At-large - Otis			
At-large - Shreve		X	
Presiding Officer - Otis	X		

Public Comments

- Mary Posey
- Matt Seubert

Budget Adjustment – Rick Harcum, Budget Office, Office of the County Executive

- J-17-223 – Public Works Division
- J-18-003 – Housing & Community Development, Citizens Division

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Council Member Keegan-Ayer moved to approve the budget adjustments as presented. Council Member Fitzwater seconded the motion that passed 6-0-1, Council Member Shreve abstained.

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 - Donald	X		
District 2 - Chmelik	X		
District 3 - Keegan-Ayer	X		
District 4 - Fitzwater	X		
District 5 - Delauter	X		
At-large - Otis			
At-large - Shreve			X
Presiding Officer - Otis	X		

Business Items:

Metropolitan Washington Council of Governments Presentation

Mr. Chuck Bean, Director and Mr. Rick Konrad, Office of Cooperative Purchasing from Metropolitan Washington Council of Governments made a presentation to the council members.

Livable Frederick Presentation

The following Planning and Permitting Division staff participated in the presentation: Steve Horn and John Dimitriou

Discussion of Council Rules – Council President Bud Otis

Discussion and debate on Council Rules occurred. Deliberation and votes would be taken at the Tuesday, June 27, 2017, Council Meeting.

Third Reading Calendar:

Amended Bill No. 17-08 – Zoning Map Amendments during the Election Year – Council Member Bud Otis (On behalf of the County Executive)

Council Member Keegan-Ayer moved Amended Bill No. 17-08. It was seconded by Council Member Fitzwater.

Council Member Shreve moved Amendment #1 to Bill No. 17-08. It was seconded by Council Member Delauter.

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An ACT to: Provide that the County Council may not consider certain zoning map amendments for a period beginning six (6) months prior to through three (3) months after the general election for Council Members.

Amend § 1-19-3.110.2. APPLICATION to add certain criteria.

On Exhibit 1, Page, Subsection 1-19-3.110.2 is hereby amended as follows:

* * * * *

(F) PRIOR TO ANY ACTION ON AN APPLICATION PENDING BEFORE THE COUNTY COUNCIL, THE COUNTY COUNCIL SHALL HOLD A MINIMUM OF ONE (1) SITE VISIT TO THE PROPERTY ON THE APPLICATION.

EXPLANATION:

BOLD CAPITALS INDICATE MATTER ADDED TO THE BILL.

[Brackets] indicate matter deleted from the bill.

The vote on Amendment #1 to Bill No. 17-08 failed 3-4-0 with Council Members Donald, Keegan-Ayer, Fitzwater and Otis were opposed.

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 - Donald		X	
District 2 - Chmelik	X		
District 3 - Keegan-Ayer		X	
District 4 - Fitzwater		X	
District 5 - Delauter	X		
At-large - Otis			
At-large - Shreve	X		
Presiding Officer - Otis		X	

Council Member Keegan-Ayer moved to approve and enact the amended to Bill No. 17-08 as presented. Council Member Donald seconded the motion that passed 4-3-0 with Council Members Chmelik, Delauter and Shreve opposed.

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 - Donald	X		
District 2 - Chmelik		X	
District 3 - Keegan-Ayer	X		
District 4 - Fitzwater	X		
District 5 - Delauter		X	
At-large - Otis			
At-large - Shreve		X	
Presiding Officer - Otis	X		

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(A copy of the adopted/enacted bill can be obtained from the county's website, www.FrederickCountyMD.gov.)

**Amended Bill No. 17-10 – Continuation of the Payment in Lieu Option for
Moderately Priced Dwelling Units and Adjustment to the Payment Amount –
Council Member Jessica Fitzwater**

Council Member Fitzwater moved to approve and enact the amended to Bill No. 17-10 as presented. Council Member Keegan-Ayer seconded the motion that passed 5-2-0 with Council Members Delauter and Shreve opposed.

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 - Donald	X		
District 2 - Chmelik	X		
District 3 - Keegan-Ayer	X		
District 4 - Fitzwater	X		
District 5 - Delauter		X	
At-large - Otis			
At-large - Shreve		X	
Presiding Officer - Otis	X		

(A copy of the adopted/enacted bill can be obtained from the county's website, www.FrederickCountyMD.gov.)

Motion to Go into Closed Session

A motion was made by Council Member Keegan-Ayer to go into closed session at 6:15 p.m. in accordance with Annotated Code of Maryland, General Provisions Article §3-305(b) (1) To discuss: (i) The appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; or (ii) Any other personnel matter that affects one or more specific individuals. The motion was seconded by Council Member Fitzwater and passed 6-1 with Council Member Shreve opposed.

Topic for Discussion: To interview the candidates for the Frederick County Board of Appeals and County Executive Gardner's appointees to the Frederick County Planning Commission.

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Council Members	Aye	Nay	Absent/ Abstain/ Present
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District 3 - Keegan-Ayer	X		
District 4 - Fitzwater	X		
District 5 - Delauter	X		
At-large - Otis			
At-large - Shreve		X	
Presiding Officer - Otis	X		

Public Comments

- Matt Seubert
- Mary Posey

Council Member Comments

Comments were provided by the Council Members.

Adjourn

The meeting adjourned at 6:45 p.m.

Bud Otis, President
County Council

**COUNTY COUNCIL OF FREDERICK COUNTY
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TUESDAY, JUNE 13, 2017**

**FORM OF STATEMENT FOR
CLOSING THE MEETING OF TUESDAY, JUNE 13, 2017**

STATUTORY AUTHORITY TO CLOSE SESSION

Annotated Code of Maryland, General Provisions Article §3-305(b)(1)

To discuss: (i) The appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; or (ii) Any other personnel matter that affects one or more specific individuals.

Motion:

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Time and Location:

6:50 p.m. – County Council Conference Room, First Floor, Winchester Hall

Topic for Discussion:

To interview the candidates for the Frederick County Board of Appeals and County Executive Gardner's appointees to the Frederick County Planning Commission.

Bud Otis, President
County Council