

**COUNTY COUNCIL OF FREDERICK COUNTY
MEETING MINUTES
Tuesday, September 3, 2019**

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

Also present were Ragen Cherney, Chief of Staff, County Council; Bryon Black, Assistant County Attorney; Nancy Luna, Executive Assistant, County Council; Sydnee Sichert, Legislative Analyst, County Council; and Lee Redmond, Executive Assistant.

Council President M.C. Keegan-Ayer called the meeting to order at 5:30 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 Jessica Fitzwater 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:

- None

Business Items:

Budget Adjustments

- J-20-054 – Senior Services Division
- J-20-055 – Development Review and Planning, Planning and Permitting Division
- J-20-057 – Accounting, Finance Division
- J-20-058 – Workforce Services, Office of Economic Development
- J-20-059 – Family Partnership, Citizens Services Division

Council Member Jerry Donald moved to approve the budget adjustments, as presented. Council Member Kai Hagen seconded the motion that passed 7-0.

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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 August 20 and August 27, 2019 and Closed Session Minutes from August 20, 2019

Council Member Steve McKay moved to approve the minutes from August 20, August 27 and closed Session minutes from August 20, 2019, as presented. Council Member Jessica Fitzwater 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		

Confirmation of County Executive’s Appointments and Reappointments to Boards and Commissions

Ms. Joyce Grossnickle, Administrative Officer, Office of the County Executive, presented the appointments and reappointments recently made by County Executive Gardner. Ms. Grossnickle requested the Council’s confirmation of the appointments and reappointments, as presented.

Containment Laboratory Community Advisory Committee

Council Member Jessica Fitzwater moved to confirm the appointment of Dwayne Oland to the Containment Laboratory Community Advisory Committee, to terms as presented by staff. Council Member Kai Hagen seconded the motion that passed 7-0.

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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		

Deferred Compensation Committee

Council Member Jessica Fitzwater moved to confirm the appointment of Susan Keller and Paul Wallick to the Deferred Compensation Committee, to terms as presented by staff. Council Member 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		

Fire and Rescue Advisory Board

Council Member Jessica Fitzwater moved to confirm the appointment of Allen (Frank) Davis to the Fire and Rescue Advisory Board, to terms as presented by staff. 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		

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Insurance Committee

Council Member Jessica Fitzwater moved to confirm the appointment of Matt Stegle to the Insurance Committee, to terms as presented by staff. Council Member Jerry Donald 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		

Sustainability Commission

Council Member Kai Hagen moved to confirm the appointment of David Lake to the Sustainability Commission, to terms as presented by staff. Council Member Jessica Fitzwater 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		

Transportation Services Advisory Council

Council Member Steve McKay moved to confirm the appointment of Tim Davis to the Transportation Services Advisory Council, to terms as presented by staff. Council Member Jerry Donald 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		

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At-large – Dacey	X		
At-large – Hagen	X		
Presiding Officer – Keegan-Ayer	X		

Veterans Advisory Council

Council Member Steve McKay moved to confirm the appointment of Nan Mann to the Veterans Advisory Council, to terms as presented by staff. Council Member Jerry Donald 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		

Bond Authorizing Resolution for the September 2019 Sale of General Obligation Public Facilities Refunding Bonds, Taxable Series 2019B

Ms. Lori Depies, Director, Finance Division and Mr. Jim Cumbie, Partner, Venable, LLP, presented the Bond Authorizing Resolution for the September 2019 Sale of General Obligation Public Facilities Refunding Bonds, Taxable Series 2019B to the Council.

Council Member Jerry Donald moved to adopt the attached Resolution for approval of the General Obligation Public Facilities Refunding Bonds, Taxable Series 2019B issuance, in an amount not to exceed \$33,000,000, as presented by staff. Council Member Jessica Fitzwater 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		

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First Reading Calendar:

Repeal of Certain Provisions of Frederick County Personnel Rules Pertaining to County Council Employees – Council President M.C. Keegan-Ayer

Council President M.C. Keegan-Ayer presented the bill that will repeal previously amended Frederick County Personnel rules.

Third Reading Calendar:

Amended Bill No. 19-12 Allocation of Recordation Tax Proceeds to the Housing Initiative Fund for the Facilitation of Affordable Housing in Frederick County – Council Member Jessica Fitzwater

Council Member Jessica Fitzwater moved to approve Amended Bill No. 19-12 Allocation of Recordation Tax Proceeds to the Housing Initiative Fund for the Facilitation of Affordable Housing in Frederick County. Council Member Kai Hagen seconded the motion that passed 6-1 with Council Member Phil Dacey opposed.

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		

(The Council took a break at 6:00 p.m. and reconvened at 7:00 p.m.)

Public Hearing:

Livable Frederick Master Plan

A public hearing was held, as duly advertised, on the Livable Frederick Master Plan.

Public comment was heard from:

- Richard “Kap” Kaplowitz
- Annie Garnett
- Dick Bittner
- Stan Mordensky
- Hope Greene
- Carla Papaionow

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Council Member Jerry Donald moved to adopt the Resolution 19-23 Livable Frederick Master Plan. Council Member Kai Hagen seconded the motion that passed 6-1 with Council Member Phil Dacey opposed.

After discussion between the council members, Council Member Jerry Donald agreed to remove the words “morals, order, convenience” in paragraph 4 on page 2 of Resolution 19-23. Council Member Kai Hagen also agreed to the removal as the seconder of 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		

Vote on original motion to adopt Resolution 19-23.

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:

- Richard Kaplowitz

Council Member Comments:

Council Member comments were provided.

Adjourn

The meeting adjourned at 8:10 p.m.

M.C. Keegan-Ayer, President
County Council