

**COUNTY COUNCIL OF FREDERICK COUNTY  
MEETING MINUTES  
Tuesday, July 21, 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 Ragen Cherney, Chief of Staff, County Council; 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 21, 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](http://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](http://www.frederickcountymd.gov/councilmeetings) in order to watch us on that format.

You may still send us comments via email at: ([Councilmembers@frederickcountymd.gov](mailto: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

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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 to include the reversal of agenda items c and d. 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		

**Public Comment was heard from:**

- John Gretz
- Paul Rose
- Mary Smith

**Business Items:**

**Budget Adjustments**

J-20-334 – Senior Services Division

J-20-337 – Transit Services Division

J-20-342 – Emergency Communications, Emergency Management Division

J-21-004 – Senior Services Division

J-21-005 – Child Advocacy Center, Citizens Services Division

*Council Member Jerry Donald moved to approve Budget Adjustments J-20-334, J-20-337, J-20-342, J-21-004, and J-21-005 as presented. Council Member Jessica Fitzwater seconded the motion that passed 7-0.*

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 – Donald	X		

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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 30, and July 7, 2020.**

*Council Member Jessica Fitzwater moved to approve the minutes from June 30 and July 30, 2020 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		

**Jefferson Technology Park Bond Refunding**

Lori Depies, CPA, Director, Finance Division and Jim Cumbie, Esquire, Venable LLP, provided information to the Council on the Jefferson Technology Park Bond Refunding.

*Council Member Michael Blue moved to approve Jefferson Technology Park Bond Refunding as presented. Council Member Jerry Donald seconded the motion that passed 6-1.*

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		

**Urbana CDA Bond Refunding**

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Lori Depies, CPA, Director, Finance Division and Jim Cumbie, Esquire, Venable LLP, provided information to the Council on the Urbana CDA Bond Refunding.

*Council Member Michael Blue moved to approve Urbana CDA Bond Refunding as presented. Council Member Jessica Fitzwater seconded the motion that passed 6-1.*

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 took a break from 7:10 p.m. to 7:20 p.m.

**Climate Emergency Resolution**

Council Members Jessica Fitzwater and Kai Hagen provided information to the Council on the Climate Emergency Resolution.

*Council Member Jessica Fitzwater moved to approve the Climate Emergency Resolution as presented. Council Member Kai Hagen seconded the motion.*

**Climate Emergency Resolution Amendment 1**

**AMENDMENT 1 to Climate Emergency Resolution**

**Introduced By:** Council Member Steve McKay  
**Introduction Date:** July 21, 2020  
**Adopted/~~Rejected~~/Withdrawn:**

**A RESOLUTION:** establishing a Climate Emergency Mobilization Workgroup and committing the Frederick County Council to consider policy and legislative actions through the lens of climate change.

On Page 1, amend the name as follows:

Re: Climate [~~Emergency~~] **ACTION**

A RESOLUTION establishing a Climate [~~Emergency~~] **ACTION** Mobilization Workgroup

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and committing the Frederick County Council to consider policy and legislative actions through the lens of climate change

*Council Member Steve McKay moved to approve the Climate Emergency Resolution Amendment 1 as presented. Council Member Michael Blue seconded the motion that failed 3-4.*

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 main motion then passed 4-3.*

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		

**First Reading Calendar**

**Proposed Bill – Amend and Update Chapter 1-22 Article I, Development Impact Fee Procedures and Requirements, and Article II, Public School Development Impact Fee, of the Frederick County Code**

Council Member Jerry Donald (on behalf of the County Executive) presented information to the Council on the Amend and Update Chapter 1-22 Article I, Development Impact Fee Procedures and Requirements, and Article II, Public School Development Impact Fee, of the Frederick County Code

**Proposed Bill - Revisions to Clarify and Update the Impact Fee Exemption for Farm Lots**

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Council President M.C. Keegan-Ayer (on behalf of the County Executive) presented information to the Council on Revisions to Clarify and Update the Impact Fee Exemption for Farm Lots

**Third Reading Calendar**

**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 Member Hagen moved to approve 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 as presented. Council Member Steve McKay seconded the motion.*

*Council Member Phil Dacey moved to postpone Bill 20-07 until August 4, 2020. Council Member Jessica Fitzwater seconded the motion that passed 4-3.*

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	

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

*Council Member Kai Hagen moved to approve Bill 20-08 Amending Chapter 1-21 of the County Code (Forest Resource Ordinance) to Increase Forest Conservation Efforts 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		

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

**Bill 20-09 Domestic Violence Coordinating Council**

*Council Member Jessica Fitzwater moved to approve Bill 20-09 Domestic Violence Coordinating Council 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		

At 9:15 pm Council President MC Keegan-Ayer passed the gavel to Council Vice President Michael Blue

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

*Council President MC Keegan-Ayer moved to approve Bill 20-10 Revisions to Requirements for Accessory Dwelling Units (ADUs) as presented. 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		

**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**

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*Council President MC Keegan-Ayer moved to approve 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 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		

At 9:17 pm Council Vice President Michael Blue passed the gavel to Council President MC Keegan-Ayer

**Public Comment was heard from:**

- John Gretz

**Council Member Comments:**

Council Member comments were provided.

**Adjourn**

The meeting adjourned at 9:40 p.m.

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M.C. Keegan-Ayer, President  
County Council