

**COUNTY COUNCIL OF FREDERICK COUNTY  
MEETING MINUTES  
Tuesday, October 18, 2022**

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

Also present were Ragen Cherney, County Council Chief of Staff; Catherine Keller, Assistant County Attorney; Nancy Luna, Executive Assistant, County Council; Sydnee Klimko, Legislative Analyst, County Council; and Abby Boroughs, Administrative Assistant, County Council.

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

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

Council President M.C. Keegan-Ayer provided an opening statement at the start of the meeting. Included in that statement was a welcoming to the meeting for Tuesday, October 18, 2022, and information on how to watch and participate in the meeting. President Keegan-Ayer called roll and a quorum was established for the meeting.

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

**Action on the Agenda**

*Council Member Steve McKay moved to approve the Agenda for Tuesday, October 18, 2022, 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		

**Public Comment**

Public Comment was heard from:

- Johanna Springston
- Steve Black
- Sue Trainor
- Nick Carrera
- Ingrid Rosencrantz

**Budget Adjustments**

J-23-080 – Sheriff's Office

J-23-081 – Office for Children & Families, Citizens Services Division

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J-23-083 – Housing & Community Development, Citizens Services Division

J-23-084 – Sheriff's Office

J-23-085 – Area Agency on Aging, Senior Services Division

J-23-091 – Circuit Court

J-23-097 – Parks & Recreation Division

J-23-100 – Administration, Finance Division

*Council Member Steve McKay moved to approve the Budget Adjustments J-23-080 - Sheriff's Office; J-23-081 - Office for Children & Families, Citizens Services Division; J-23-083- Housing & Community Development, Citizens Services Division; J-23-084 - Sheriff's Office; J-23-085 - Area Agency on Aging, Senior Services Division; J-23-091- Circuit Court; J-23-097 - Parks & Recreation Division; and J-23-100 - Administration, Finance Division. 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		

**Approval of Minutes**

*Council Member Steve McKay moved to approve the council minutes from September 13, September 20, and September 27, 2022. 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		

**Review the Final Draft of the 2023 Legislative Package**

Joy Schaefer, Director, Government Affairs briefed the council on the Final Draft of the 2023 Legislative Package.

*Council Member Jessica Fitzwater moved to support the County Executive's Draft of the 2023 Legislative Package as presented. Council Member Kai Hagen seconded the motion that*

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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 Hearing on a Resolution – Declaration of Surplus Property – 300 Scotty's Bus Lane**

Michelle Hurney, Chief of Capital Assets, Lease, and Acquisition Management, Department of Professional Services, Division of Public Works briefed the council on the Declaration of Surplus Property – 300 Scotty's Bus Lane.

**Public Comment was heard from:**

- None

With no further comments, Council President M.C. Keegan-Ayer closed Public Comment.

**Public Hearing on Summer 2022 Water and Sewer Plan Amendments**

**WS 22-09: Division of Planning & Permitting (Walz property)**

Tim Goodfellow, Environmental Planner, Livable Frederick Planning & Design Office, Planning & Permitting Division presented WS application 22-09.

**Public Comment was heard from:**

- None

With no further comments, Council President M.C. Keegan-Ayer closed Public Comment.

*Council Member Steve McKay moved to approve case number WS-22-09 for the reclassification of .47 acres from S1 to S5 Dev; located on the East side of Bethel Road, North of Crestview Drive. Council Member Jerry Donald 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		

**WS 22-10: Maureen Wood/Frank Campbell**

Tim Goodfellow, Environmental Planner, Livable Frederick Planning & Design Office, Planning & Permitting Division presented WS application 22-10.

Public Comment was heard from:

- None

With no further comments, Council President M.C. Keegan-Ayer closed Public Comment.

*Council Member Jerry Donald moved to approve case number WS-22-10 for reclassification of .36 acres from W5-S5 to W4-S4; located on the North side of Urbana Church Road, South of Maryland 325 Urbana Pike. 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		

**WS 22-11: Division of Planning & Permitting (Text Amendment)**

Tim Goodfellow, Environmental Planner, Livable Frederick Planning & Design Office, Planning & Permitting Division presented WS application 22-11.

Public Comment was heard from:

- None

With no further comments, Council President M.C. Keegan-Ayer closed Public Comment.

*Council Member Jessica Fitzwater moved to approve case number WS 22-11 to amend section 3 of Chapter 1 of the Water and Sewage Plan. Council Member Jerry Donald seconded the*

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*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		

**WS 22-12: Division of Planning & Permitting (75-80 Properties, LLC)**

Tim Goodfellow, Environmental Planner, Livable Frederick Planning & Design Office, Planning & Permitting Division presented WS application 22-12.

Public Comment was heard from:

- None

With no further comments, Council President M.C. Keegan-Ayer closed Public Comment.

*Council Member Steve McKay moved to approve case number WS-22-12 for reclassification of 2 acres from W3-S3 to Plan Service; located at 4601 Ed McClain Road. 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		

**WS 22-13: Division of Planning & Permitting (McFarland; Edgerly)**

Tim Goodfellow, Environmental Planner, Livable Frederick Planning & Design Office, Planning & Permitting Division presented WS application 22-13.

Public Comment was heard from:

- None

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With no further comments, Council President M.C. Keegan-Ayer closed Public Comment.

*Council Member Jerry Donald moved to approve case number WS-22-13 for reclassification of 2.2 acres from the W1-S1 to Plan Service. 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		

The Council stood in recess from 6:57 p.m. to 7:07 p.m. at which time Council President M.C. Keegan-Ayer reestablished quorum.

**Second Reading**

**AMENDED Bill No. 22-24** – Private Park in the Resource Conservation Zoning District – Council President Keegan-Ayer on behalf of County Executive

Public Comment was heard from:

- Steve Poteat
- Stan Mordesnky
- Karen Russel

With no further comments, Council President M.C. Keegan-Ayer closed Public Comment.

**AMENDED Bill No. 22-25** – Sugarloaf Rural heritage Overlay District – Council President Keegan-Ayer on behalf of County Executive

Public Comment was heard from:

- Johanna Springston
- Nick Carrera
- Sue Trainor
- Ingrid Rosencrantz

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- Steve Poteat
- Steve Black
- Margy Simpson
- Elizabeth Law
- Susan Hanson
- Tina Brown
- Tom Natelli
- Lauren Greenburger
- Sherry Stephenson
- Stan Mordensky
- Abigail Brown
- Kristen Morrison
- Orlando Morales
- Elizabeth Franklin
- Matt Seubert
- James Wagner
- Jay Cinque
- Sophia Jennings
- Pandora Gonzales
- Jaimie Fields
- Ellen Gordon
- Maryellen Perry
- Patrice Gallagher

With no further comments, Council President M.C. Keegan-Ayer closed Public Comment.

**Sugarloaf Area Plan Vote of Adoption**

*Council Member Jessica Fitzwater moved to postpone consideration of the Sugarloaf Area Plan to a date certain of next Tuesday, October 25, 2022. Council Member Phil Dacey 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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**Discussion Continuation on Rezoning Changes for Rezoning/Zoning Map**

Vice President Michael Blue left the meeting at 9:06 p.m.

**Third Reading**

**Bill No. 22-27 - Requirements to Build Moderately Priced Dwelling Units (MPDUs) and Changes to Sale or Rentals – Council Member Fitzwater**

*Council Member Jessica Fitzwater moved to approve Bill 22-27 – Requirements to Build Moderately Priced Dwelling Units (MPDUs) and Changes to Sale or Rentals. Council Member Kai Hagen seconded the motion that passed 4-2-1, with Council Members Jerry Donald and Phil Dacey opposed and Council Vice President Michael Blue absent.*

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 No. 22-28 - Density Bonuses for Moderately Priced Dwelling Units (MPDUs) – Council Member Fitzwater**

*Council Member Jessica Fitzwater moved to approve Bill 22-28 – Density Bonuses for Moderately Priced Dwelling Units (MPDUs). Council Member Kai Hagen seconded the motion that passed 5-1-1, with Council Member Phil Dacey opposed and Council Vice President Michael Blue absent.*

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. No 22-29 - Exemption for Moderately Priced Dwelling Units (MPDUs) From**

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Development Impact Fees – Council Member Fitzwater

*Council Member Jessica Fitzwater moved to approve Bill 22-29 – Exemption for Moderately Priced Dwelling Units (MPDUs) from Development Impact Fees. Council Member Steve McKay seconded the motion that passed 4-2-1, with Council Member Jerry Donald and Council President Keegan-Ayer opposed and Council Vice President Michael Blue absent.*

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:

- Ryan Trout
- David Angel
- Nick Carrera

**Council Member Comments**

Council member comments were provided.

**Adjourn**

The meeting adjourned at 9:50 p.m.

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M.C. Keegan-Ayer, President  
County Council