

**CITY OF SALISBURY, MARYLAND**

**#6 MEETING**

**MARCH 26, 2007**

**PRESENT**

*Council President Michael P. Dunn  
Councilwoman Deborah S. Campbell  
Councilwoman Eugenie P. Shields*

*Council Vice President Gary A. Comegys  
Councilwoman Lynn B. Cathcart  
Mayor Barrie P. Tilghman (left at 7:08 p.m.)*

**IN ATTENDANCE**

*City Clerk Brenda Colegrove, CMC, City Administrator John Pick, ICMA-CM, City Attorney Paul Wilber, Director of Internal Services Pam Oland, Major Jeff Livingston, Assistant Director of Internal Services-Procurement Karen Reddersen, Planning, Zoning and Community Development Director Jack Lenox, and interested Citizens and Members of the Press.*

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**CONVENING – ADOPTION OF AGENDA**

*The City Council and Mayor met in regular session at 6:00 p.m. in Council Chambers. Council President Dunn called the meeting to order. The Lord's Prayer and the Pledge of Allegiance were recited. On a motion and a second by Mrs. Shields and Mrs. Cathcart, respectively, the agenda as presented was unanimously approved.*

**PUBLIC COMMENTS**

*One member of the audience commented on the following issues:*

- *radar enforcement on Riverside Drive – suggested enforcement on College Avenue and Beaglin Park Drive;*
- *non-title wetlands permit application for Northeast Collector;*
- *notice of violations of City's pretreatment ordinance;*
- *scanning of historical records;*
- *evaluation of vault for fire protection of records; and*
- *damage to Salisbury Cemetery.*

**PROCLAMATION**

*Mayor Tilghman presented a proclamation proclaiming March 26, 2007 as "Hunter Smith Day" in the City of Salisbury. The proclamation honored Mr. Smith as the founder of Salisbury University's athletic training program and being the National Football League's longest tenured head trainer (Indianapolis Colts for 23 years).*

**APPROVAL OF MINUTES**

*On a motion by Mrs. Cathcart, and seconded by Mr. Comegys, the minutes of March 12, 2007 were unanimously approved.*

**CONSENT AGENDA**

Mrs. Cathcart moved and Mr. Comegys seconded to approve the Consent Agenda. City Clerk Brenda Colegrove presented the following items:

- **Resolution No. 1502** – accepting \$5,000 in grant funds awarded through the United States Department of Agriculture, Office of Inspector General, for Operation Talon; and
- **Resolution No. 1503** – accepting a \$200,000 financial contribution from Salisbury University to be used for the purchase of a new aerial ladder truck for the Salisbury Fire Department (payable to the City in five annual installments of \$40,000 beginning when the truck is placed in service).

The Consent Agenda was unanimously approved.

**AWARD OF BIDS**

Mrs. Shields moved and Mrs. Cathcart seconded to approve the Award of Bids. Assistant Director of Internal Services-Procurement Karen Reddersen presented the following items:

- |    |   |              |
|----|---|--------------|
| 1. | Surplus of items – police duty weapon (Officer James Veals)   | -0-          |
| 2. | Surplus of items – police vehicle   | -0-          |
| 3. | Surplus of items – City Auction   | -0-          |
| 4. | Recommendation of Award of Contract #117-07-BT<br>Citywide Blacktop Acct. No. 31000-534318<br>Chesapeake Paving & Sealing, Inc. | \$186,800.00 |

The above items were unanimously approved.

**RESOLUTION NO. 1504 – EXTENDING AUDIT CONTRACT WITH TRICEGEARY & MYERS**

Mr. Comegys moved and Mrs. Cathcart seconded to approve Resolution No. 1504. Resolution No. 1504, as recommended by Director of Internal Services Pam Oland, extends the audit contract with TriceGeary & Myers through the FY07 audit year.

Resolution No. 1504 passed unanimously.

**PUBLIC HEARING – ORDINANCE NO. 2030 – 2<sup>ND</sup> READING – AUTHORIZING TIF BONDS FOR VILLAGE AT SALISBURY LAKE**

Mr. Comegys moved and Mrs. Cathcart seconded to approve Ordinance No. 2030 for second reading. Director of Internal Services Pam Oland, Ms. Lindsey Rader (bond counsel), Mr. Keenan Rice and Mr. Nathan Betnum addressed Ordinance No. 2030 authorizing the TIF bonds for the Village at Salisbury Lake project.

Mr. Comegys moved and Mrs. Shields seconded to amend Ordinance No. 2030, including Exhibits A and B, to reflect the change in the aggregate principal amount not to exceed

\$16,000,000 to \$15,000,000. The amendment passed on a 4-1 vote with Mrs. Campbell voting nay.

Several members of the audience voiced their concern with the TIF (i.e., current taxpayers would be subsidizing services for another community, \$15 million give-a-way, should table until all questions are answered, demolition should move forward) while others stressed the importance of protecting the Civic Center's overflow parking needs (copy of March 26, 2007 letter submitted on behalf of R. Wayne Strausburg attached to original minutes).

After receiving comments from the developer, Jon Natelson (i.e., economic impact of the project, surpluses exceed the cost of services, no taxpayer money being used, other malls being redeveloped with a TIF), the Council took a break at 7:28 p.m. and reconvened at 7:35 p.m.

Mrs. Campbell expressed her concerns with the TIF and moved to table Ordinance No. 2030 for further discussion. The motion died for lack of a second. After further discussion by Council, Ordinance No. 2030, as amended, passed on a 4-1 vote with Mrs. Campbell casting the nay vote.

**PUBLIC HEARING – RESOLUTION NO. 1501 – AMENDING DEFINITIONS CONTAINED IN RESOLUTION NO. 1119 (RELATING TO VILLAGE AT SALISBURY LAKE)**

Mrs. Cathcart moved and Mr. Comegys seconded to approve Resolution No. 1501. Bond counsel Lindsey Rader explained that Resolution No. 1501 clarifies three definitions (Original Assessable Base, Original Taxable Value and Tax Increment) contained in Resolution No. 1119 pertaining to Village at Salisbury Lake in order to conform to the provisions of the Tax Increment Financing Act.

No public comments were received. All voted in favor of Resolution No. 1501 with the exception of Mrs. Campbell's nay vote.

**ORDINANCE NO. 2029 – 2<sup>ND</sup> READING – GRANTING RIGHT-OF-WAY EASEMENT TO VERIZON**

Mrs. Campbell moved and Mrs. Shields seconded to approve Ordinance No. 2029 for second reading. City Attorney Paul Wilber addressed Ordinance No. 2029 granting a right-of-way easement across city owned land located on Naylor Mill Road. Verizon will pay \$3,000 for the easement.

Ordinance No. 2029 for second reading passed unanimously.

**PUBLIC HEARING – ORDINANCE NO. 2031 – 1<sup>ST</sup> READING – TEXT AMENDMENT TO SECTION 17.156.060.A.2**

Mrs. Cathcart moved and Mrs. Campbell seconded to approve Ordinance No. 2031 for first reading. Planning, Zoning and Community Development Director Jack Lenox introduced Ordinance No. 2031 amending Section 17.156.060.A.2 of the Code to delete the lot standards for

*two-family dwellings in the R-5, R-8 and R-10 Residential Districts including minor wording changes to the Purpose in Section 17.156.010.*

*In response to an inquiry from a citizen, Mr. Lenox emphasized that the amendment clarifies that two-family dwellings would not be permitted in the R-5, R-8 and R-10 Residential Districts.*

*Ordinance No. 2031 for first reading passed unanimously.*

**PUBLIC HEARING – ORDINANCE NO. 2032 – 1<sup>ST</sup> READING – TEXT AMENDMENT TO SECTION 17.168.030.B.2**

*Mrs. Campbell moved and Mr. Comegys seconded to approve Ordinance No. 2032 for first reading. Planning, Zoning and Community Development Director Jack Lenox, along with Mr. Matt Mills from Adkins, Potts and Smethurst, reviewed the text amendment to Section 17.168.030.B.2. The Ordinance repeals the existing language and adopts language relative to age and occupancy of seniors' apartments to mirror Federal Code.*

*After clarifying for an individual where this amendment would apply, Ordinance No. 2032 for second reading passed unanimously.*

*With no further business, the meeting adjourned at 8:30 p.m.*

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*City Clerk*

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*Council President*