

CITY OF SALISBURY, MARYLAND

REGULAR MEETING

JANUARY 13, 2014

PUBLIC OFFICIALS PRESENT

*Council President Jacob R. Day Council Vice President Laura Mitchell
Councilwoman Eugenie P. Shields Councilwoman Terry E. Cohen
Councilman Timothy K. Spies*

PUBLIC OFFICIALS NOT PRESENT

Mayor James P. Ireton, Jr.

IN ATTENDANCE

*City Clerk Kimberly R. Nichols, CMC, City Attorney Mark Tilghman, Acting City Administrator M. Thomas (Tom) Stevenson, Jr., Internal Services Director Keith Cordrey, Assistant Director of Internal Services – Procurement & Parking Jennifer L. Miller, Public Works Director Michael Moulds, Planning & Zoning Director Jack Lenox, interested citizens, and members of the press

MEDITATION – PLEDGE OF ALLEGIANCE

The City Council met in regular session at 6:00 p.m. in Council Chambers. Council President Day called the meeting to order and made several announcements; a moment of silent meditation was held followed by the Pledge of Allegiance.

COMMUNITY ORGANIZATION PRESENTATION – *Maryland Capital Enterprises – presented by Joseph Morse*

President Day invited Joseph Morse, President/CEO of Maryland Capital Enterprises (MCE) to speak about how MCE helps businesses with loans, education and consulting. Mr. Morse explained that the MCE, which is funded through Federal and State grants and private contributions, has assisted over 1,200 entrepreneurs, provided training to more than 2,200 people, and granted over 115 loans, totaling over \$2.2 million.

ADOPTION OF LEGISLATIVE AGENDA

Ms. Cohen moved and Mrs. Shields seconded to approve the legislative agenda.

Mrs. Mitchell moved, Mrs. Shields seconded, and the vote was unanimous to amend the legislative agenda to note that Ordinance No. 2272 for second reading is also a Public Hearing. The notification of the hearing was published according to State law and the City Code, and the property was posted.

The legislative agenda, as amended, was adopted unanimously on a 5-0 vote.

CONSENT AGENDA – presented by City Clerk Kim Nichols

The Consent Agenda, consisting of the following items, was unanimously approved on a motion by Ms. Cohen that was seconded by Mr. Spies:

- November 18, 2013 closed session minutes
- December 2, 2013 work session minutes
- December 9, 2013 regular meeting minutes
- December 16, 2013 closed session minutes
- December 16, 2013 special meeting minutes
- December 16, 2013 work session minutes
- Resolution No. 2359 – accepting a donation from Donna Faw for a memorial park bench
- Resolution No. 2360 – extending Acting Status for Acting City Administrator M. Thomas Stevenson
- Resolution No. 2361 – extending Acting Status for Acting Neighborhood Services/Code Compliance Director Susan Phillips

AWARD OF BIDS – presented by Assistant Director of Internal Services – Procurement & Parking Jennifer L. Miller

Mr. Spies moved and Mrs. Mitchell seconded to approve the Award of Bids.

Ms. Cohen moved, Mr. Spies seconded, and the vote was unanimous to adopt the Award of Bids contingent upon City Attorney Tilghman finding it to be legally permissible and advisable, and if that is not the finding, that the City Attorney then advise the Council of the required course of action.

The Award of Bids, consisting of the following item, was unanimously approved as amended:

- Change Order #1 to Contract No. 114-13 (Mill Street Bulkhead) - \$18,300.00

RESOLUTIONS – presented by Interim City Administrator Tom Stevenson

- Resolution No. 2362 – establishing a Foreclosure Task Force to establish, evaluate and review the City's response to foreclosures and to recommend appropriate policies and/or legislation to address the impact of foreclosures in the City

On a motion and seconded by Mrs. Shields and Ms. Cohen, respectively, Resolution No. 2362 was unanimously approved.

ANNEXATION RESOLUTIONS / PUBLIC HEARING – Merritt Mill Road/Smith Annexation
- presented by Acting City Administrator Tom Stevenson

- Resolution No. 2356 & Public Hearing – approving the Merritt Mill Road/Smith Annexation

On a motion and seconded by Mrs. Shields and Mrs. Mitchell, respectively, Resolution No. 2356 was unanimously approved.

Chris Jakubiak provided an overview of the annexation, and City Clerk Nichols administered the oath to one member of the public wishing to speak in the Public Hearing.

The following comments were provided in the Public Hearing:

- *Great collaboration between Messrs. Lenox, Hall, and Jakubiak in developing the annexation plan*
 - *The surrounding neighborhood was examined and consideration was given to a nice transition from a relatively sparse density to a more dense nature on the property*
 - *The property to be annexed will eventually be sold to a developer*
- Resolution No. 2357 & Public Hearing – approving the Merritt Mill Road/Smith Annexation plan

On a motion and seconded by Mrs. Mitchell and Mrs. Shields, respectively, Resolution No. 2357 was unanimously approved. There were no public comments provided in the Public Hearing for Resolution No. 2357.

ORDINANCE / PUBLIC HEARING – Rezoning Former Linens of the Week Property –
presented by City Attorney Mark Tilghman

- Ordinance No. 2272 – Public Hearing & 2nd reading – rezoning property (former Linens of the Week property) located on the northerly side of Anne Street and on both sides of Short Street from General Commercial to R-5a Residential

Mrs. Shields moved and Mrs. Mitchell seconded to approve Ordinance No. 2272 for second reading. Mr. Tilghman presented the Ordinance and President Day opened the Public Hearing.

Ms. Cohen moved, Mrs. Mitchell seconded, and the vote was unanimous to keep the Public Hearing open until January 27, 2014 to ensure the neighboring property owners are notified and given the opportunity to provide comments. The second reading and vote on Ordinance No. 2272 will follow the closure of the Public Hearing.

There were no comments received from the public during the Public Hearing.

- *Ordinance No. 2274 – 1st reading – to amend Subsection 15.24.490 General Definitions of the Property Maintenance Code of the City of Salisbury to add a definition for “blight”*

On a motion and seconded by Mrs. Shields and Mrs. Mitchell, Ordinance No. 2274 for first reading was unanimously approved.

PUBLIC COMMENTS

The following comments were provided by one member of the public:

- *The City should strategize on how to create environments that attract homeowners*
- *The growing number of vacant, unused properties is a huge issue in the City*
- *The City should not charge for parking anywhere on the Downtown Plaza*
- *The City should work with the Library for Lot 11*

ADJOURNMENT

There being no further business, President Day adjourned the Legislative Session at 7:21 p.m.

CITY OF SALISBURY, MARYLAND
CLOSED SESSION
JANUARY 6, 2014

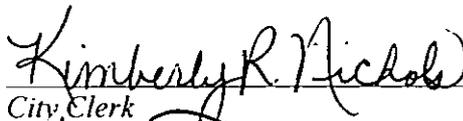
TIME & PLACE: 4:55 p.m., Government Office Building – Council Chambers, Room 301
PURPOSE: To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; or any other personnel matter that affects one or more specific individuals (City Attorney evaluation)
VOTE TO CLOSE: Unanimous
CITATION: Annotated Code of Maryland §10-508(a)(1)
PRESENT: Council President Jacob R. Day, Councilwoman Terry E. Cohen, Councilwoman Eugenie P. Shields, Councilman Timothy K. Spies, Acting City Administrator M. Thomas Stevenson, City Clerk Kimberly R. Nichols, and City Attorney Mark Tilghman
ABSENT: Council Vice President Laura Mitchell

The City Council convened in Open Session in Room #301 of the Government Office Building at 4:40 p.m. Council President Day called Mrs. Mitchell to discuss her request to teleconference in on the Closed Session. After discussion, Council did not reach consensus to suspend the rules to allow Mrs. Mitchell to teleconference in the Closed Session.

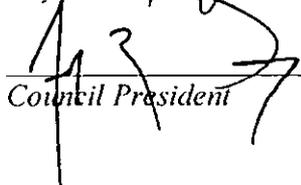
At 4:55 p.m., Mrs. Shields moved, Mr. Spies seconded, and the vote was unanimous (4-0 vote as Mrs. Mitchell was absent) to convene in Closed Session to conduct the performance evaluation of the City Attorney, Mark Tilghman.

On a motion by Mrs. Shields, seconded by Mr. Spies, and approved on a unanimous vote (4-0). President Day adjourned the Closed Session at 6:14 p.m., returned to Open Work Session, and reported that while in Closed Session Council had discussed the City Attorney's job performance.

Thereafter, Council continued in open Work Session.



City Clerk



Council President