

CITY OF SALISBURY, MARYLAND

REGULAR MEETING

FEBRUARY 10, 2014

PUBLIC OFFICIALS PRESENT

*Council President Jacob R. Day
Councilwoman Terry E. Cohen (arrived 6:20 p.m.)*

*Vice President Laura Mitchell
Councilman Timothy K. Spies*

PUBLIC OFFICIALS NOT PRESENT

*James Ireton, Jr., Mayor
Councilwoman Eugenie P. Shields*

IN ATTENDANCE

*City Clerk Kimberly R. Nichols, CMC, Acting City Administrator M. Thomas (Tom) Stevenson, City Attorney Mark Tilghman, Director Internal Services Keith Cordrey, Public Works Director Michael Moulds, Police Colonel Ivan Barkley, and 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 a moment of silent meditation was held followed by the Pledge of Allegiance.

COMMUNITY ORGANIZATION PRESENTATION – *Economic Development Action Team (E-DAT) – presented by Ernie Colburn, CEO, Salisbury Area Chamber of Commerce (SACC)*

Mr. Ernie Colburn joined Council at the podium to discuss E-DAT, the committee formed to streamline planning, permitting, and zoning processes in the City of Salisbury and Wicomico County.

Mr. Colburn explained the goals of the committee (to review the current processes between the City and County offices and streamline ways to accomplish processes in the best interests of all parties, including new and existing entrepreneurs) and presented a PowerPoint on E-DAT which is attached and made part of these minutes.

Brad Gillis, SACC President and Laura Kordzikowski, City of Salisbury Business Development Specialist, joined Mr. Colburn to discuss the benefits of the new processes and how it would improve the relationship between the City and those doing business in the City.

ADOPTION OF LEGISLATIVE AGENDA

Mrs. Mitchell moved, Mr. Spies seconded, and the vote was unanimous (4-0) to approve the legislative agenda as presented.

CONSENT AGENDA – presented by City Clerk Kim Nichols

The Consent Agenda, consisting of the following items, was unanimously approved as presented on a motion by Mrs. Mitchell that was seconded by Mr. Spies:

- *January 6, 2014 closed session minutes*
- *January 31, 2014 special meeting*

PUBLIC HEARING/ CHARTER RESOLUTION – (Procurement Preference Policy) – presented by Acting City Administrator Tom Stevenson

- *Resolution No. 2348 – to amend Article XVI, Section SC16-3 of the Charter of the City of Salisbury, Maryland to permit procurement preferences when authorized by ordinance*

Mrs. Mitchell moved and Mr. Spies seconded to approve Resolution No. 2348.

Mrs. Mitchell moved to amend Resolution No. 2348 by inserting “, services” on Line 31 after “materials”.

Resolution No. 2348, as amended, was unanimously approved. There were no comments during the public hearing.

PUBLIC HEARING/ ORDINANCES – presented by City Attorney Mark Tilghman

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

Mrs. Mitchell moved and Mr. Spies seconded to approve Ordinance No. 2272 for second reading. The Public Hearing remained open since the January 13, 2014 Council Meeting to ensure the neighboring property owners received ample notification to provide comments on the rezoning.

Two members of the public were sworn in by City Clerk Nichols, and the following comments were shared with Council in the Public Hearing:

- *Health concerns that the soil may still contain contaminants and children who may live there could become very sick*

- *Praise for the way the public notices were distributed to the neighbors and hoped all future rezoning efforts were duly advertised*
- *There are many businesses close by this proposed R-5A property*
- *Requested discussion on the motive for the rezoning at this time*

President Day closed the Public Hearing and Council discussed other possible uses for the vacant lot including green space, a playground and park space.

Ordinance No. 2272 for second reading unanimously failed on a 0-4 vote.

Further discussion on the use of the property will be held in Work Session.

- *Ordinance No. 2275 – 1st reading – approving a budget amendment of the FY14 General Fund to appropriate funds received from the Current Year Surplus Funds for the purchase of nine (9) Electronic Control Devices (ECDs)*

On a motion and seconded by Mr. Spies and Ms. Cohen, respectively, Ordinance No. 2275 for first reading was unanimously passed. Mr. Tilghman will incorporate several typographical errors into the Ordinance for amending at second reading.

- *Ordinance No. 2276 – 1st reading – amending Chapter 13, Public Services, of the City Code by adding Chapter 13.3 for the purpose of establishing a Stormwater Utility under the direction and supervision of the Public Works Department and further establishing a Stormwater Utility fee system*

Mr. Spies moved and Mrs. Mitchell seconded to approve Ordinance No. 2276 for first reading.

Ms. Cohen moved and Mr. Spies seconded to amend Ordinance No. 2276 by striking "Council" on Lines 170 and 193.

Two members of the public provided the following comments on Ordinance No. 2276:

- *Concerned about billing this along with the Water and Sewer bills*
- *There could be a lot of tenants not paying this utility and would the water be turned off?*
- *The fees could get enormous*
- *How would vacant buildings be billed?*
- *How would the City's parking lots be handled?*
- *Fairness was an objective*
- *Waivers would be a benefit*

The following amendments were discussed which will be inserted at the next reading:

- *Line 122 – strike the first “a”*
- *Line 213 – strike “next highest” and insert “nearest”*

Ordinance No. 2276 for first reading, as amended, was unanimously approved. The Ordinance will be returned for second reading on March 24, 2014 after Messrs. Moulds and Stevenson resolve the late fee and water cut-off questions raised by Council during discussion.

- *Ordinance No. 2277 – 1st reading - amending and supplementing Ordinance No. 2167, passed by the Council on August 22, 2011, approved by the Mayor on August 23, 2011 and effective on August 23, 2011, in order to (1) modify the description of the Water Quality Inlet project provided for in Ordinance No. 2167 and (2) reduce the aggregate principal amount of General Obligation Bonds and General Obligation Bond Anticipation Notes authorized to be issued pursuant to Ordinance No. 2167 from one million dollars (\$1,000,000.00) to five hundred thirty-one thousand dollars (\$531,000.00) each; providing that this title is a fair statement of the substance of this ordinance; and otherwise generally relating to the use of proceeds of the Bonds and the Bond Anticipation Notes authorized to be issued pursuant to Ordinance No. 2167*

On a motion and seconded by Mrs. Mitchell and Ms. Cohen, respectively, Ordinance No. 2277 for first reading was unanimously approved.

ADJOURNMENT

There being no further public comments, Council President Day adjourned the legislative session at 8:30 p.m.

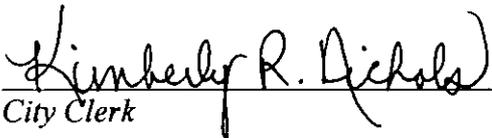
CITY OF SALISBURY, MARYLAND
CLOSED SESSION
FEBRUARY 3, 2014

TIME & PLACE: 4:34 p.m., Government Office Building – Council Chambers, Room 301
PURPOSE: To consult with counsel to obtain legal advice on a legal matter and to consult with staff, consultants, or other individuals about pending or potential litigation
VOTE TO CLOSE: Unanimous
CITATION: Annotated Code of Maryland Sections 10-508(a)(7)(8)
PRESENT: Council President Jacob R. Day, Council Vice President Laura Mitchell, Councilwoman Terry E. Cohen, Councilman Timothy K. Spies, City Clerk Kimberly R. Nichols, Acting City Administrator Tom Stevenson, Assistant City Administrator Terence Arrington, City Attorney Mark Tilghman
ABSENT: Mayor James Ireton, Jr., , Councilwoman Eugenie P. Shields

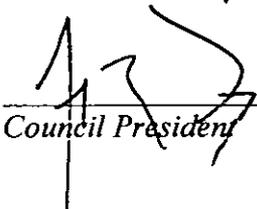
On February 3, 2014 Council convened in Work Session in Council Chambers (Room #301) of the Government Office Building. Mrs. Mitchell moved to convene in Closed Session to consult with counsel to obtain legal advice on a legal matter and to consult with staff, consultants, or other individuals about pending or potential litigation in accordance with the Annotated Code of Maryland § 10-508(a)(7)(8). (Council to receive an update on all City of Salisbury litigation.) Mr. Spies seconded and the vote was unanimous to close the meeting at 4:34 p.m.

After Council received the update, on a motion by Mrs. Mitchell, seconded by Mr. Spies, and approved by unanimous vote in favor, Council President Day adjourned the Closed Session at 5:32 p.m., returned to Open Work Session, and reported to the public that Council had received an update on all City of Salisbury litigation from City Attorney Mark Tilghman.

The Council then proceeded with the regularly scheduled Work Session. The Closed Session was held for informational purposes only and Council took no action.



City Clerk



Council President



Goal of Committee

To review existing processes between City and County offices and streamline ways to accomplish processes in the best interests of all parties, inclusive of new and existing entrepreneurs

Committee Members

Tony Nichols	Vice President-Business & Economic Development Division-SACC
Brad Gillis	President-SACC
Dr. Memo Diriker	President-Elect SACC
John T. Cannon	Vice President-Advocacy Division-SACC
Ernie Colburn	CEO-SACC, Committee Facilitator
Amanda Pollack	Deputy Director of Public Works, City of Salisbury
Lee Beauchamp	Director of Public Works, Wicomico County
Jack Lenox	Director of Planning, City of Salisbury & Wicomico County
Palmer Gillis	GGI Builders, Inc. T/A Gillis Gilkerson
Jeff Harman	Senior Associate, Becker Morgan Group
Matt Drew	Executive Vice President, AWB Engineers
Mike Moulds	Director of Public Works, City of Salisbury
Rochelle Outten	Asst. Regional Engineer-MD State Highway Administration
Laura Korzikowski	Business Development Specialist-City of Salisbury
Richard A. Hoppes	Fire Chief-City of Salisbury

Mission Statement

A Salisbury Area Chamber of Commerce driven action team to further enhance a positive attitude and culture with public and private stakeholders committed to forward thinking and effective processes to promote economic development

Development Specific Lists

Salisbury Property – Existing Building – Commercial/Industrial	County Property – Existing Building – Commercial/Industrial
Salisbury Property – New Construction – Commercial/Industrial	County Property – New Construction – Commercial/Industrial
Salisbury Property – New Construction – Mixed Use	County Property – New Construction – Mixed Use
Salisbury Property – New Construction – Multifamily	County Property – New Construction – Multifamily
Salisbury Property – New Construction – Subdivision	County Property – New Construction – Subdivision

Going Forward

Proposed quarterly meeting to create a larger scale project that encompasses all processes within each office on the checklist

Closing

Thank you to all E-DAT committee members and the City and County government for your collaboration on this project.

*Thank
You*