

**CITY OF SALISBURY, MARYLAND**

**REGULAR MEETING**

**SEPTEMBER 8, 2014**

**PUBLIC OFFICIALS PRESENT**

*Council President Jacob R. Day  
Mayor James Ireton, Jr.  
Councilman John "Jack" R. Heath*

*Council Vice President Laura Mitchell  
Councilwoman Eugenie P. Shields  
Councilman Timothy K. Spies*

**IN ATTENDANCE**

*City Clerk Kimberly R. Nichols, CMC, City Administrator M. Thomas Stevenson, City Attorney Mark Tilghman, and interested citizens and members of the press*

\*\*\*\*\*

**CITY INVOCATION – PLEDGE OF ALLEGIANCE**

*The City Council met in regular session at 6:04 p.m. in Council Chambers. Council President Day called the meeting to order and invited Imam Ashraf Ahmed from the Delmarva Muslim Community to the podium to deliver the invocation. Thereafter, the Pledge of Allegiance was recited.*

**PRESENTATIONS**

- **Certificates of Appreciation** – *Salisbury Youth Civics Council Members and Coordinator*

*Mayor James Ireton, Jr. and Council President Jacob Day presented Certificates of Appreciation to the members of the Youth Civics Council and Coordinator Brittany Goff. The program, supported by AmeriCorps and ShoreCorps, began this year to engage the area's young people in public service to analyze challenges in the community and to design solutions. The students also learned about the government in the City of Salisbury while presenting their proposals to Council over the past several months.*

*Mayor Ireton acknowledged Dr. George Whitehead as instrumental in Salisbury being named "All America City" and responsible for Wicomico County being named one of the "Top 100 Places in America to Raise a Child" over the last several years. Dr. Whitehead has generously served the area's young people in the community for many years.*

*Present to receive certificates were Brittany Goff, Isaiah Camper, Gail Rabasca, Cole Davis, Kieran Murphy, Aaron Davis, Stephanie Rimmer, Aubrey Davis-Lockart, Maddy*

*Sherwood, Ahmed Osman and Kelly Deehan.*

*Kambria Jones was not present, but also received a Certificate of Appreciation.*

- **Community Organization Presentation** – *United Way of Lower Eastern Shore, presented by Executive Director Kathleen Momme*

*Council was joined at the podium by Kathleen Momme, Executive Director of United Way of the Lower Eastern Shore. Ms. Momme reported on the 70<sup>th</sup> United Way of the Lower Eastern Shore campaign recently held at Salisbury University. She thanked the City for supporting the United Way for many years through payroll deduction and stated all donations to the United Way of the Lower Eastern Shore stay on the Eastern Shore. They raised \$1.6 million last year, and are keeping that goal for this year.*

*Council Vice President Mitchell challenged the City Council members to donate a portion of their paychecks to the United Way.*

#### **ADOPTION OF LEGISLATIVE AGENDA**

*Mrs. Mitchell moved and Mrs. Shields seconded to approve the Legislative Agenda.*

*Mr. Spies moved to remove Charter Amendment Resolution No. 2443 from the Legislative Agenda, but the motion died for lack of a second.*

*The Legislative Agenda, as presented, was approved by a 4-1 vote in favor. Mr. Spies cast the “nay” vote.*

#### **CONSENT AGENDA** – *presented by City Clerk Kim Nichols*

*The Consent Agenda was unanimously approved on a 5-0 vote in favor on a motion and seconded by Mrs. Shields and Mrs. Mitchell, respectively:*

- *August 11, 2014 regular meeting minutes*
- *August 18, 2014 work session minutes*

#### **RESOLUTIONS** – *presented by City Administrator Tom Stevenson*

- **PUBLIC HEARING/Charter Amendment Resolution No. 2443** *(Election Redistricting) – amending the City of Salisbury Charter Sections SC1-20 (Article I Incorporation and General Government); SC2-2 (Article II The Council); and SC6-15 (Article VI Elections) for the following reasons: to create five (5) new election districts to replace the existing*

two (2) election districts; and to provide that as of the General Election of November 2015 one (1) councilmember shall be elected from each district

Mrs. Shields moved and Mrs. Mitchell seconded to approve Charter Amendment Resolution No. 2443.

Mr. Stevenson reviewed the Charter Amendment Resolution and Planning & Zoning Technical Services Coordinator Frank McKenzie provided detail on the five (5) districts created by the resolution.

President Day opened the Public Hearing at 6:54 p.m. City Clerk Nichols swore in one member of the public.

Public comments included the following:

- Thanked everyone for the amount of work they put into the redistricting
- By splitting the districts up into five (5) areas, people are encouraged to get involved and elect representatives who will bring the issues to the forefront
- The City needs more citizen involvement
- If representatives are elected who represent the issues important to their neighborhood, they will be supported by the citizens

President Day closed the Public Hearing at 7:09 p.m.

Charter Amendment Resolution No. 2443 passed with a 4-1 vote. Mr. Spies cast the "nay" vote.

- **Resolution No. 2444** – to write off certain fees and liens for a property acquired by Salisbury Fire Company #2, Incorporated for the purpose and intent to gift the property to the City of Salisbury to build a new fire station

Mrs. Shields moved and Mrs. Mitchell seconded to approve Resolution No. 2444.

One member of the public provided the following public comments pertaining to Resolution No. 2444:

- When a property is deeded usually the seller pays for outstanding fees
- Why is the City paying Delmarva Homes (6) times the appraised amount?

(Administration would explain to the speaker in writing)

**ORDINANCES** – presented by City Attorney Mark Tilghman

- *Ordinance No. 2301 – 1<sup>st</sup> reading – to amend Section 2.32.050 by adding a Subsection D which establishes a Small Business, Veteran-Owned Small Business and Disabled-Veteran Owned Small preferences in the Award of City Contracts*

*Mrs. Shields moved and Mrs. Mitchell seconded to approve Ordinance No. 2301 for first reading*

*Mrs. Mitchell moved, Mrs. Shields seconded, and the vote was unanimous to amend Ordinance No. 2301 by striking the second word, "Businesses" on Line 48 and inserting "Business."*

*Ordinance No. 2301, as amended for first reading, was unanimously approved.*

### **ADJOURNMENT**

*There being no further comments from the public, Council President Day adjourned the Legislative Session at 7:30 p.m.*

CITY OF SALISBURY, MARYLAND  
CLOSED SESSION A  
AUGUST 25, 2014

*TIME & PLACE:* 1:01 p.m., Government Office Building – Conference Room #300  
*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 in accordance with the Annotated Code of Maryland §10-508(a)(1)  
*VOTE TO CLOSE:* Unanimous (4-0)  
*PRESENT:* Council President Jacob R. Day, Council Vice President Laura Mitchell, Councilwoman Eugenie P. Shields, Councilman Timothy K. Spies, City Clerk Kimberly R. Nichols and the following eleven (11) candidates for the City Council vacancy (interviewed separately in the following order): Tom Welsh, Muir Boda, Don Hughes, Kevin Lindsay, Sarah Halcott, Don Cathcart, Seth Mitchell, Jack Heath, Millicent Handy, Nathan Long, and Therese Hamilton  
*NOT PRESENT:* Mayor James Ireton, Jr.

---

*The City Council convened in Open Session in Conference Room #300 of the Government Office Building at 1:01 p.m. to interview candidates for the vacant Council position.*

*Mrs. Shields moved, Mrs. Mitchell seconded, and the vote was unanimous to convene in Closed Session 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 in accordance with the Annotated Code of Maryland §10-508(a)(1).*

*While in Closed Session, Council interviewed eleven (11) of the twelve (12) applicants and determined that City Clerk Nichols would attempt to contact the twelfth applicant, as he may not have received the message that Council was interviewing today.*

*At the conclusion of the interviews, at 4:08 p.m., on a motion and seconded by Mrs. Shields and Mrs. Mitchell, respectively, and by unanimous vote in favor, President Day adjourned the Closed Session, returned to Open Session, provided the statement to the public, and thereafter*

*adjourned the Open Session. No action was taken by Council at this time.*

*CITY OF SALISBURY, MARYLAND  
CLOSED SESSION B  
AUGUST 25, 2014*

*TIME & PLACE: 7:19 p.m., Government Office Building – Room 301 Council Chambers*  
*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 in accordance with the Annotated Code of Maryland §10-508(a)(1)*

*VOTE TO CLOSE: Unanimous (4-0)*  
*PRESENT: Council President Jacob R. Day, Council Vice President Laura Mitchell, Councilwoman Eugenie P. Shields, Councilman Timothy K. Spies, City Clerk Kimberly R. Nichols, Chad Pavlekovich (left at 7:37 p.m.)*  
*NOT PRESENT: Mayor James Ireton, Jr.*

---

*At 6:00 p.m., the City Council convened in Legislative Session in Council Chambers, Room #301 of the Government Office Building. Council President Day adjourned the Legislative Session at 6:40 p.m. and announced the Closed Session was scheduled 7:15 p.m. later that evening.*

*At 7:19 p.m. Council reconvened in Open Session. Mrs. Mitchell moved, Mrs. Shields seconded, and the vote was unanimous to convene in Closed Session 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 in accordance with the Annotated Code of Maryland §10-508(a)(1).*

*Council interviewed the final candidate for the vacant Council position, and dismissed him at 7:37 p.m. After deliberation. Council unanimously agreed upon a process for Wednesday's Special Meeting.*

*On a motion and seconded by Mrs. Mitchell and Mrs. Shields, respectively, and by unanimous vote in favor, President Day adjourned the Closed Session at 8:33 p.m.*

*Council reconvened in Open Session, President Day provided the statement to the public, and then adjourned the Open Session at 8:34 p.m.*

CITY OF SALISBURY, MARYLAND  
CLOSED SESSION  
SEPTEMBER 2, 2014

*TIME & PLACE:* 6:11 p.m., Government Office Building – Conference Room #306  
*PURPOSE:* To consult with staff, consultants, or other individuals about pending or potential litigation in accordance with the Annotated Code of Maryland §10-508(a)(8)  
*VOTE TO CLOSE:* Unanimous (5-0)  
*PRESENT:* Council President Jacob R. Day, Council Vice President Laura Mitchell, Councilwoman Eugenie P. Shields, Councilman John “Jack” R. Heath, Councilman Timothy K. Spies, City Clerk Kimberly R. Nichols, City Administrator Tom Stevenson, City Attorney Mark Tilghman  
*NOT PRESENT:* Mayor James Ireton, Jr.

---

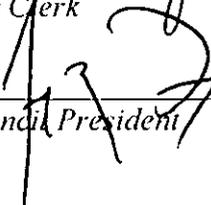
*The City Council convened in Work Session in Conference Room #306 at 4:30 p.m. At 6:11 p.m., Mrs. Shields moved, Mr. Heath seconded, and the vote was unanimous to convene in Closed Session to consult with staff, consultants, or other individuals about pending or potential litigation in accordance with the Annotated Code of Maryland §10-508(a)(8).*

*While in Closed Session, Council received updates on several litigation cases with Mr. Tilghman. The Closed Session was for Council informational purposes only, with no action taken at this time.*

*On a motion and seconded by Mr. Spies and Mrs. Shields, respectively, and by unanimous vote in favor, President Day adjourned the Closed Session at 6:33 p.m.*

*Council reconvened in Open Session, President Day provided the statement to the public that Council had received an update on pending/potential litigation and other legal matters, and then adjourned the Open Session.*

  
\_\_\_\_\_  
City Clerk

  
\_\_\_\_\_  
Council President