

CITY OF SALISBURY  
WORK SESSION  
FEBRUARY 3, 2014

Public Officials Present

Council President Jacob R. Day  
Councilwoman Terry E. Cohen

Council Vice President Laura Mitchell  
Councilman Timothy K. Spies

Public Officials Not Present

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

In Attendance

City Clerk Kimberly R. Nichols, CMC, Interim City Administrator M. Thomas (Tom) Stevenson, Jr., Assistant City Administrator Terence Arrington, City Attorney Mark Tilghman, Interim Director Neighborhood Services and Code Compliance Susan Phillips, Internal Services Director Keith Cordrey, Public Works Director Michael Moulds, interested citizens, and members of the press.

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On February 3, 2014 Salisbury City Council convened in Work Session at 4:30 p.m. in Council Chambers (Room #301) of the Government Office Building.

Mrs. Mitchell moved and Mr. Spies seconded to convene in Closed Session to consult with counsel and staff to obtain legal advice on pending or potential litigation. (to receive an update from counsel on pending litigation) as permitted under the Annotated Code of Maryland Section 10-508(a)(7)(8). The vote was unanimous (4-0) and the Closed Session began at 4:34 p.m.

At 5:32 p.m., upon a motion and seconded by Mrs. Mitchell and Mr. Spies, respectively, and by unanimous vote in favor, President Day adjourned the Closed Session and reported to the public that Council had received an update on all City of Salisbury pending litigation from City Attorney Mark Tilghman. The Council then proceeded with the regularly scheduled Work Session.

Quarterly Economic Development Update

Dave Ryan, Executive Director of Salisbury–Wicomico Economic Development, Inc. (SWED) and Bob Moore, CPA, owner of Moore & Company, P.A. and President of SWED, joined Council at the table to provide the quarterly economic development update for the public and Council's informational purposes.

Mr. Ryan reported on the following three projects/initiatives in Salisbury:

- 1- Jubilant Cadista Pharmaceuticals, Inc. plans to double the size of their facility with the addition of 100,000 square feet. This \$10 million capital investment project will provide 200 – 300 new very good paying jobs. Mr. Ryan reported this as being extraordinary for the local area as well as nationwide. The pharmaceutical company is not only expanding their manufacturing operations in Salisbury, but this will also become the location of their corporate headquarters. Mr. Ryan

added that Jubilant Cadista Pharmaceuticals, Inc. is the 8<sup>th</sup> fastest growing generic pharmaceutical firm in the world.

- 2- An industrial style 3-D printer has been acquired by AH Pharma, Inc. on Chestnut Street in Salisbury to create prototypes much more inexpensively. Mr. Ryan passed around a prototype created by 3-D.
- 3- Downtown progress – Mr. Ryan recalled shopping downtown as a child with his family when there used to be flourishing locally owned businesses, and he senses that same entrepreneur energy downtown now.

Mr. Moore concurred that downtown reflects an environment conducive for opportunities for businesses. Last year, SWED partnered with the City to bring the Start Up Maryland bus to the Chamber of Commerce for entrepreneurs to pitch their new businesses.

Mr. Ryan discussed the employment and job rates in Salisbury and Wicomico County. Many of the jobs in 2003 and 2004 in the County were related to the residential construction boom in the area. When the housing market dropped, the number of jobs diminished. Coming out of the recession the housing challenge remains, but the market is improving and house sales are on the rise. He predicted that due to the local diversity, the community would steer towards a more innovative, technology driven, entrepreneurial economy moving forward.

### **Changes to the Composition of the Housing Board of Adjustments & Appeals**

Acting Director of Neighborhood Services & Code Compliance Susan Phillips handed out a memo from Mayor James Ireton, Jr. (attached and included as part of the minutes) concerning the changes to the composition of the Housing Board of Adjustments & Appeals (HBAA) and then updated Council on the improvements made to the draft ordinance after the January 6, 2014 Work Session discussion.

Council reached consensus to change the ordinance as follows to reflect their consensus to only require that Board members be residents of the City of Salisbury:

- Line 34 – strike “regular” and “shall” and insert “or failure to complete required training may” after “board”
- Line 25 – strike “one realtor or landlord, three homeowners and one renter”
- Line 27 – strike “all of whom are”

In an attempt to ensure adequate training for all Board members, Council reached consensus to amend the code by striking “regular” and “shall” on Line 34 and inserting “or failure to complete required training may” after “board”.

Council reached unanimous consensus for the changes they discussed to be incorporated into the ordinance and returned with additional language pertaining to voting and residency requirements of the Board. The discussion will be scheduled for another Work Session.

### **Snow Plowing MOU**

Public Works director Mike Moulds joined Council at the table to discuss the Intergovernmental Agreement for Roadway Snow Removal, which designates snow removal responsibility between the City and County for plowing designated streets.

Council unanimously agreed to advance the resolution to the next Legislative Session.

### **Manufacturing Tax Exemption**

Internal Services Director Keith Cordrey joined Council, presented a sheet entitled "Impact of Decoupling on PP Tax Rates" (attached as part of these minutes) and proceeded to discuss the proposed exemption of all manufacturing equipment.

Discussion points included:

- This would impact the City's budget but in hopes of creating more jobs
- The exemption should be discussed with Wicomico County
- They should proceed with caution as this may be a more budgetary discussion
- This process could be a moving target that could be easily politicized

Council reached unanimous consensus to draft legislation that decouples the Personal Property Tax Rate from the Real Estate Tax Rate.

### **Diversity Initiative**

President Day initiated the discussion and provided the fact that the City of Salisbury's employee demographics are not representative of the City of Salisbury's population graphics pertaining to race. Mr. Day suggested reviewing what other communities have done and to discuss how the Council would like to move forward.

President Day shared two documents with Council via email (attached and included as part of the minutes). He referenced the Ohio City program in which an Equity Director served as an advisor to the City Manager on employment diversity issues, and the City of Springfield's task force developed to address the City's goals and objectives pertaining to diversity.

Council discussed the following points:

- 40% of the City's population is minority, and 16% of the City of Salisbury's employee composition is minority
- Why aren't more minorities applying?
- Why do people leave the City's employ?
- Appointments to City boards also reflect a lack of diversity
- The issue should be handled by developing a task force to make recommendations, the task force should be diverse

Councilwoman Cohen shared her concerns about the City's poverty issues and indicated that perhaps the public could be brought into the discussion for their thoughts.

President Day asked Mr. Stevenson to draft a resolution which would create a task force to study the issue and suggested the composition of the task force be a hybrid of City staff and outside members of the public.

## Council Rules of Order

President Day initiated discussion on the Council rules of order. He shared the following six (6) suggestions:

- Any council member may participate in Work Session meetings by any appropriate and available electronic means such as telephone or video conference
- Regular Council meetings and Work Sessions are to be broadcast live on PAC14
- The Clerk shall send out materials for the meeting by close of business Wednesday
- Council members shall be respectful to the public and staff members at all times
- Add Council comments to the end of the meeting
- Council President may accept comments at the end of the meeting or during Council consideration of an item

Mrs. Mitchell suggested attaching the Resolution 1513 (City Council Code of Conduct) to the Regulations and Rules of Order, and making note on page 5, Line 3 of the attachment.

Mr. Spies asked that the word “impertinent” be replaced with another more pertinent word, and President Day advised he would prepare a resolution incorporating the suggestions for discussion at the next Work Session.

## General Discussion

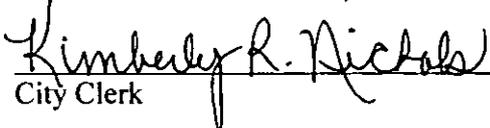
Council discussed possible dates for the next *Coffee With Your Council* and Mrs. Nichols will poll Council.

President Day announced the City of Salisbury was recently selected as recipient of the U.S. Environmental Protection Agency’s Building Blocks for Sustainable Communities program grant to participate in the organization’s 2014 free smart growth technical assistance program. Salisbury will receive a one or two day training session with an expert from Smart Growth on walkability.

President Day invited the public to share their ideas and comments to a Downtown Revitalization design workshop being held Saturday, February 8, 2014 at the old Firehouse at 200 South Division Street. Urban Design graduate students, Architecture students and professors will present their ideas and lead walking tours from 10 a.m. – 12:00 p.m., and will host a design workshop from 1 p.m. – 5:00 p.m.

Mrs. Mitchell asked that a discussion on how to assist citizens who have had high water bills due to frozen and burst water pipes this winter be added to the next Work Session agenda to. One possibility could be to allow “payment plans” for inordinantly high bills. Mrs. Mitchell requested other ideas from Council be presented and discussed at the March 3 work session as some of these bills will be due soon.

With no further discussion, President Day adjourned the Work Session at 9:03 p.m.

  
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City Clerk

  
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Council President

# Memo

**To:** City Council  
**From:** Mayor James Ireton, Jr.  
**Date:** January 27, 2014  
**Re:** Changes to Housing Board of Adjustments & Appeals

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## Council Members:

First let me thank you for the on-going discussion surrounding the Housing Board of Adjustments & Appeals (HBAA). I have listened to the prior council meetings on the proposed changes and I offer the following observations and suggestions regarding the board;

1. The board usurps the power of the city council. Rational: The HBAA is, in its charge, to determine whether or not the housing official properly interpreted the code, which is passed into law by the city council. Too many times, over the past three (3) decades, the HBAA ruling (for the property owner) was based on members not agreeing with the established law. HBAA members are not empowered to change existing law, though they can adjust compliance periods and timelines.

### Example # 1:

- a. The housing official condemns property and orders it demolished by date X.
  - b. The board can determine whether or not the housing official properly interpreted the law. The board cannot decide this case based on whether or not they agree or like the code being cited by the employee. The board can modify or extend compliance periods.
2. What our neighborhoods have suffered through for decades is a board with representatives of the industry leading the charge against laws (that yours and previous councils) have passed. That being said, my recommendation to you is to scrap the current requirements for the board and make the qualifications "residents only". The legal department must then do intensive training with members of the HBAA about what their responsibility is, and be clear as to when they are running afoul of their charge.

### Example # 2: Civic Avenue Rubble Pile

- a. The housing official deemed the pile to be rubbish.
- b. The HBAA ruled in favor by saying that if you had a "blight" definition they may have ruled in favor.

**Impact of decoupling on PP Tax Rates**

**Schedule A - includes sample assessments and the effect of the FY 14 .17 rate increase by not decoupling.**

Assessment	Tax based on	Tax based on FY 13	Tax	% Increase
	FY 14 .17 Increase	Rate 2.04	Total based on current rate 2.21	
1,000	1.70	20.40	22.10	7.69%
10,000	17.00	204.00	221.00	7.69%
50,000	85.00	1,020.00	1,105.00	7.69%
100,000	170.00	2,040.00	2,210.00	7.69%
500,000	850.00	10,200.00	11,050.00	7.69%
1,000,000	1,700.00	20,400.00	22,100.00	7.69%

**Schedule B - Total impact of rate increase based on FY 14 Estimated Assessments.**

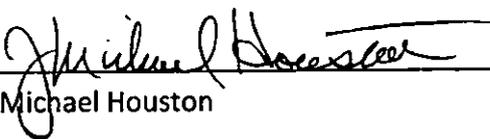
Assessment	Tax based on	Tax based on FY 13	Tax	% Increase
	FY 14 .17 Increase	Rate 2.04	Total based on current rate 2.21	
252,186,814	428,717.58	5,144,611	5,573,329	7.69%



## City of Springfield Diversity Initiative

A Message from Mike Houston, Mayor of Springfield:

As Mayor of Springfield, I continued a commitment to having the City's workforce better reflect the make-up of the community. The recently adopted Vision Statement formalizes that commitment, conveying dedication to "diversity of people and ideas". An understanding of the value diversity brings to city government is essential to meet the needs of an ever-changing community. My office and the City Council remain steadfast in our conviction that the value added from diverse thinking enhances the entire community and its citizens. By providing public leadership on diversity issues, we also provide a model for others reaching for the same goals. Becoming more welcoming and inclusive can only be accomplished through both our policies and how we interact every day – by remaining open, respectful and flexible. As we look to the future, embracing the values of diversity and inclusion is critical to the way the City provides services and conducts its employment practices. As we travel this path, we become more aware of how important it is for us to learn from each other. Please join us on this all-important journey.

  
\_\_\_\_\_  
J. Michael Houston

3/12/13  
Date

## **Diversity Statement**

As a leading municipal government in Illinois and home of Abraham Lincoln, the City of Springfield recognizes the importance of developing a diverse workforce that reflects the community's demographics. The City of Springfield is committed to establishing a workplace where each employee is valued and encouraged to maximize their potential, which will allow employees to better understand and respond to citizens' requests and concerns. The goal of the Diversity Initiative is to build a culture where differences are understood, diversity is recognized and appreciated and all employees and members of the community are treated with dignity and respect.

## **Diversity Summary**

The City of Springfield Diversity Initiative is an undertaking established to build on recent progress, engage in best practices, promote a work environment of respect and inclusion, and leave a legacy of cultural competence. The initiative shall be uniquely distinguished by developing and promoting a proactive and multi-pronged approach aimed at enduring cultural change.

### *Progress to Date:*

- Directors' and managers' participation in Crossroads Anti-Racism 2.5 day training
- Enhanced outreach efforts for Police and Fire testing
- Changes to various aspects of testing processes, which are open and representative
- Human Resources' direct and active involvement in every stage of the new employee selection process
- Increased minority and female hiring
- Development of benchmark metrics
- Creation of an Affirmative Action Plan
- Implementation of E-Prism business enterprise software to engage minority- and female-owned businesses

### *Legacy of Cultural Competence:*

- Long-term cultural change
- Accountability for results
- Codified commitment
- Constant feedback and communication
- Celebration of successes

## **Goals of the Diversity Initiative**

Collectively the City will continue to learn more about diversity's importance for business success and service to the community. City employees, members of boards and commissions

and other volunteers will promote accepting the differences of others within our workplace and our community as a whole. It is the diversity that each person brings to the workplace and the community that provides the foundation for the success of these efforts. In order for us to thrive as a workforce and a community, each of us must be aware and sensitive to all members of our work community and the community in which we live. When all segments of the population are respected, we become the grand beneficiaries of a wonderful future with a lasting value that is unimagined.

Our goal is to strengthen ...

- The City's work environment by active seeking and engaging employees and volunteers with diverse backgrounds.
- Our government by developing laws, policies and procedures governing our workforce and the City of Springfield that is mindful and inclusive of our diverse community.
- Our ability to serve our constituents by developing and maintaining a work environment that supports and nurtures all individuals throughout their tenure with the City.

# Diversity Initiative

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## Diversity Committee

In June 2012, the Iowa City City Council established the Diversity Committee which was formulated to serve as an ad-hoc council committee to review issues relating to diversity within the City organization. The committee reviewed the policies, practices, and procedures within the Iowa City Police Department and the Transportation Services Department with the intent to provide a set of recommendations to the City Council on diversity related matters. In March 2013, the Diversity Committee supplied the City Council and City staff with their recommendations. City staff developed an implementation form and reporting process designed to incorporate recommendations from both the Diversity Committee and City staff. The City Manager initiated a Diversity Taskforce and appointed an Equity Director to ensure the recommendations are implemented and in compliance with the goals of the City Council. The Council passed a resolution supporting various recommendations from City staff and the Diversity Committee.

[Council Resolution](#)

## Diversity Implementation Form

The [Diversity Implementation Form \(DIF\)](#) supplies the public with up-to-date information regarding the implementation of various recommendations made from both the Diversity Committee and City staff. The form will be updated and reposted to indicate the progress being made with each recommendation.

- [Diversity Implementation Form update 1/8/14](#)

## Equity Director

Appointed by the City Manager, the Equity Director serves as advisor to the City Manager on issues of equity and diversity, and coordinates the City's efforts and initiatives with regard to education, customer service, partnerships, and publishing an annual comprehensive equity report.

## Diversity Taskforce

Created by the City Manager, the Diversity Taskforce, an internal staff committee, provides oversight on the implementation of the recommendations approved by the Diversity Committee and City staff. The taskforce also assists in the creation of the Annual Equity/Diversity Report.

## Annual Equity/Diversity Report

The Annual Equity/Diversity report is a comprehensive report summarizing data and reports from various departments and divisions within the City organization. The report provides relevant statistical data on matters of diversity and equity and showcases progress made on the recommendations from the Diversity Committee and City Council.