

CITY OF SALISBURY, MARYLAND

REGULAR MEETING

AUGUST 24, 2015

PUBLIC OFFICIALS PRESENT

*Council President Jacob R. Day
Councilwoman Eugenie P. Shields*

*Council Vice President Laura Mitchell
Councilman John "Jack" R. Heath
Councilman Timothy K. Spies*

PUBLIC OFFICIALS NOT PRESENT

Mayor James Ireton, Jr.

IN ATTENDANCE

City Clerk Kimberly Nichols, Assistant City Administrator Julia Glanz, City Attorney Mark Tilghman, interested citizens, and members of the press

CITY INVOCATION – PLEDGE OF ALLEGIANCE

The City Council met in regular session at 6:02 p.m. in Council Chambers. Council President Jacob Day called the meeting to order and invited Pastor Julie Lewis from Rockawalkin United Methodist Church to the podium to deliver the City Invocation. Thereafter, the Pledge of Allegiance to the flag of the United States of America was recited.

COMMUNITY ORGANIZATION PRESENTATIONS

- **Eastern Shore International Mountain Biking Association (ESIMBA)**

Tres Denk and Michael Perry joined Council at the podium and thanked Council for considering the project on the agenda this evening (accepting the donation of mountain bike trail way finding signage for the City Park). By accepting the MOU and allowing ESIMBA to re-design and maintain the small trails, the Community will receive the opportunity of increased good health, wellness, education and the opportunity to exercise outside away from traffic, streetlights, and sidewalks. The new set of trails will connect the Ward Museum to the City Park. Plans discussed for the future included the connector from Salisbury to Pemberton, West Ocean City to Assateague and the possible Naylor Mill Road Expansion. Messrs. Denk and Perry also discussed bike safety for adults and children, Bike Rodeos, Safety Checks, and street biker safety.

- **Red, White & Boom Fireworks & Certificate of Appreciation**

Mike Dunn joined Council at the podium to report on the Red, White & Boom Fireworks display. He thanked the City of Salisbury for being the largest single sponsor of the event, and reported two major sponsors joined the event this year, John Robinson of Robinson's

Family of Businesses and Sandy Fitzgerald Angelo of Pohanka of Salisbury. Red, White & Boom raised \$40,000.00 this year and have a permanent endowment started last year at the Community Foundation. They have a GoFundMe account, which raised over \$2,000.00.

Council President Day presented the Certificate of Appreciation to Mr. Dunn and the Red, White & Boom Committee for another successful year of fireworks display for the community's enjoyment.

- *Awards to City of Salisbury Wellness Committee Members*

Mr. Day thanked Assistant Director of Internal Services – Procurement & Parking Jennifer Miller for leading the City of Salisbury Wellness Committee. Becoming a healthy eating, active living City has become a priority to the City of Salisbury as a HEAL City. The Committee was established to improve the wellness of the City employees through education of physical, intellectual, social, and occupational behaviors that impact a healthy lifestyle. Encouraging City employees to embrace a healthier lifestyle also helps reduce healthcare expenses to the City.

The following City of Salisbury employees received Certificates of Appreciation for serving on the Wellness Committee: Jennifer Miller, Ginny Hussey, Donna Haag, Pat Stewart, Julie English, Laura Kordzikowski, Sarah Webb, Diane Nelson, Chris Devoe. Chanita Lewis-Watson also received a certificate but was not in attendance.

ADOPTION OF LEGISLATIVE AGENDA

Mr. Spies moved and Mrs. Shields seconded to approve the legislative agenda.

Mrs. Mitchell moved to add Resolution No. 2537. 2537 – authorizing the capacity fee of the City's comprehensive connection charge to be waived for the development to be known as the Homes on Johnson Pond, an affordable housing development, and Resolution No. 2538 – supporting the redevelopment of Village of Hope with new affordable housing to be known as Homes on Johnsons Pond, and providing a payment in lieu of taxes (PILOT) to the development, to be placed on the agenda following the Consent Agenda.

The legislative agenda, as amended, was unanimously approved.

CONSENT AGENDA – presented by City Clerk Kim Nichols

The Consent Agenda was unanimously approved on a motion and seconded by Mr. Heath and Mrs. Shields, respectively:

- *July 13, 2015 closed session minutes*
- *July 20, 2015 closed session minutes*
- *July 20, 2015 work session minutes*
- *July 27, 2015 regular meeting minutes*

- *July 27, 2015 closed session minutes*
- *Resolution No. 2533 – accepting a donation of a portable stage and steps from Joey Gilkerson, resident and business owner from Salisbury, Maryland, for public event usage*
- *Resolution No. 2534 – accepting the donation of Mountain Bike Trail Way Finding signage for City Park*
- *Resolution No. 2535 – accepting funds awarded through a grant from Program Open Space for basketball court renovations at Waterside Park, Salisbury, Maryland*
- *Resolution No. 2536 - authorizing the Capacity Fee of the City's Comprehensive Connection Charge be waived for a development known as Pohanka Vehicle Storage at West Gordy Road and Windsor Drive*

RESOLUTIONS – presented by Assistant City Administrator Julia Glanz

- *Resolution No. 2537 - to authorize the capacity fee of the City's comprehensive connection charge to be waived for a development to be known as the Homes on Johnson Pond, an affordable housing development*

Mr. Spies moved, Mrs. Shields seconded, and the vote was unanimous to approve Resolution No. 2537.

- *Resolution No. 2538 – supporting the redevelopment of Village of Hope with new affordable housing to be known as Homes on Johnsons Pond, and providing a payment in lieu of taxes (PILOT) to the development*

Mrs. Shields moved and Mrs. Mitchell seconded to approve Resolution No. 2538.

Mrs. Mitchell moved, Mrs. Shields seconded and the vote was unanimous to amend Resolution No. 2538 by striking "14" and inserting "15" on Line 10.

Resolution No. 2538, as amended, was unanimously approved.

ORDINANCES – presented by City Attorney Mark Tilghman

- *Ordinance No. 2346 – 2nd reading- approving an amendment of the FY 2015 General Fund Budget to appropriate additional funding for Local Government Insurance Trust*

Mr. Spies moved, Mr. Heath seconded, and the vote was unanimous to approve Ordinance No. 2346 for second reading.

- *Ordinance No. 2352 – 2nd reading - to amend Chapter 6.04 Dogs, Fowl and other animals of the Salisbury City Code to add definitions related to Urban Chickens and enacting Chapter 6.05 to authorize the keeping of chickens subject to certain regulations*

Mr. Spies moved and Mr. Heath seconded to approve Ordinance No. 2352 for second reading. On a 3-2 vote, Ordinance No. 2352 for second reading was approved. (Messrs. Day, Heath and Spies cast aye votes; Mmes. Mitchell and Shields cast nay votes)

PUBLIC COMMENTS

The following comments were received from six (6) members of the public:

- *Homeless shelters should provide skills, medical help, and help the homeless set goals to become independent*
- *Children play in the streets on Church Street because there are no programs or basketball courts available to them*
- *The Salisbury community should create a coalition to sponsor the homeless people*
- *Salisbury doesn't have a lot of trails, so do not remove the ones on Naylor Mill Road*
- *Salisbury needs its quality water preserved*
- *Trails increase the value of nearby properties*
- *Trails make the community a more attractive place to live*
- *Trails provide a safe place to allow children to play outdoors*
- *Companies often relocate more employees to areas with trails and paths*
- *Trails promote health and transportation options in the community*
- *Has received 187 signatures in support of keeping the forest so water can filter through to the aquifer*
- *Invited Council to walk the trails (10:30 a.m. on August 25, 2015) with her and to become educated on the ground water*
- *Consider the Urban Tree Canopy*
- *Advertise the Public Hearing well in advance*
- *The Eastern Shore has lots of open land but not as many trees*
- *Softball and soccer tournaments come and go*

ADJOURNMENT

Mr. Day reported that the County Executive and City Administration need to hear from the public concerning this proposed donation and stated that the protection of the trails and Paleo Channel are most important. Mrs. Mitchell noted that the United States Specialty Sports Association (USSSA) would not sign a contract for more than a year at a time.

Council President Day adjourned the Legislative Session at 7:39 p.m.

CITY OF SALISBURY, MARYLAND
CLOSED SESSION
AUGUST 10, 2015

TIME & PLACE: 4:32 p.m., Government Office Building – Room 301
PURPOSE: To consult with staff, consultants, or other individuals about pending or potential litigation and before a contract is awarded or bids are opened, to discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process

VOTE TO CLOSE: Unanimous

CITATION: Annotated Code of Maryland §10-508(a)(8)(14)

PRESENT: Council President Jacob R. Day, Mayor James Ireton, Jr. (arrived 4:54 p.m.), Councilman John “Jack” R. Heath, Councilman Timothy K. Spies, City Clerk Kim Nichols, City Administrator Tom Stevenson, Assistant City Administrator Julia Glanz, Planning & Zoning Director Jack Lenox, Public Works Director Mike Moulds, and City Attorney Mark Tilghman

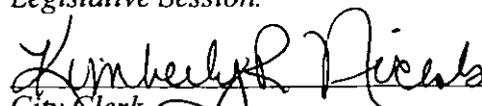
NOT PRESENT: Vice President Laura Mitchell, Councilwoman Eugenie P. Shields

The City Council convened in Open Session in Room #301 in the Government Office Building at 4:30 p.m. Mr. Spies moved, Mr. Heath seconded and the vote was unanimous (3-0) to convene in Closed Session to discuss the business terms for the sale of Parking Lots #1 & 11 and the litigation implications of pending legislation in accordance with the Annotated Code of Maryland §10-508(a)(8)(14).

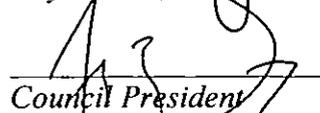
At 5:38 p.m., on a motion and second by Mr. Heath and Mr. Spies, respectively, and by unanimous vote in favor, the Closed Session was adjourned and Council reconvened in Legislative Session at 6:01 p.m.

President Day reported to the Public that while in Closed Session Council had discussed litigation implications of pending litigation with City Attorney Mark Tilghman and reached consensus on the business terms for the sale of Parking Lots 1 & 11.

Thereafter, President Day presided over the agenda of the regularly scheduled Legislative Session.



City Clerk



Council President