

**CITY OF SALISBURY, MARYLAND**

**REGULAR MEETING**

**SEPTEMBER 14, 2015**

**PUBLIC OFFICIALS PRESENT**

*Council President Jacob R. Day  
Council Vice President Laura Mitchell  
Councilman John "Jack" R. Heath*

*Mayor James Ireton, Jr.  
Councilwoman Eugenie P. Shields  
Councilman Timothy K. Spies*

**PUBLIC OFFICIALS NOT PRESENT**

**IN ATTENDANCE**

*City Clerk Kimberly R. Nichols, CMC, City Administrator Tom Stevenson, City Attorney Mark Tilghman, Assistant Director Internal Services – Procurement & Parking Jennifer L. Miller, interested citizens and members of the press*

\*\*\*\*\*  
**CITY INVOCATION – 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. Following the City Invocation provided by The Rev. David Michaud, Rector at St. Peter's Episcopal Church, those in attendance recited the Pledge of Allegiance to the flag of the United States of America.*

**PRESENTATION**

*Lights of Hope – Shoulder to Shoulder to Fight Heroin Addiction in Wicomico County - presented by Theresa Huffines*

*Ms. Huffines reported that Lights of Hope – Shoulder to Shoulder to Fight Heroin Addiction in Wicomico County is a local group formed to support those in active addiction, those in recovery, and remember those who have lost the battle with heroin. She invited the community to attend an event to be held on September 16, 2015 at Riverwalk next to the La Quinta Hotel at 6:00 p.m. to recognize those who need help. There will be speakers followed by a candle vigil.*

**ADOPTION OF LEGISLATIVE AGENDA**

*Mrs. Shields moved, Mrs. Mitchell seconded, and the vote was unanimous to approve the legislative agenda as presented.*

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

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

- August 3, 2015 work session minutes
- August 10, 2015 closed session minutes
- August 10, 2015 regular meeting minutes
- **Resolution No. 2539** - to accept State grant funds awarded through the Governor's Office of Crime Control and Prevention entitled "Safe Streets – MDSS", in the amount of \$208,000.00 under the Collaborative Supervision and Focused Enforcement Initiative
- **Resolution No. 2540** - accepting grant funding from the Governor's Office of Crime Control and Prevention under the "Stop Gun Violence Reduction Grant – Cease Fire Council" program which is specifically intended to reduce gun related crimes and target wanted offenders in the City of Salisbury
- **Resolution No. 2541** - allowing the Chief of Police to sign a memorandum of agreement between the Wicomico County Circuit Court Adult Drug Treatment Program and the Salisbury Police Department and to accept grant funds from the Office of Problem Solving Courts Discretionary Grant Adult Drug Court Program to provide overtime reimbursement to police officers conducting curfew and contract compliance checks on clients in the City of Salisbury
- **Resolution No. 2542** - declaring that Becker Morgan Group, Inc. is eligible to receive Enterprise Zone benefits for property located at 312 W. Main Street, Salisbury, Maryland
- **Resolution No. 2543** - authorizing the Mayor to enter into a memorandum of understanding with Maryland Broadband Cooperative, Inc., for the purpose of planning and constructing a fiber optic infrastructure in the City

**PUBLIC HEARING/RESOLUTION NO. 2544** – to declare as surplus and approve the gift of 62.74 acres adjacent to the Wicomico County Henry S. Parker Athletic Complex to Wicomico County – presented by City Administrator Tom Stevenson/oath administer by City Clerk Kim Nichols

*The following Public comments were received by 41 members of the public:*

- *The project has important economic impacts to the City*
- *There are very few places in the county where you can walk outside/loves doing things outside with his family/hiking and biking are free and everyone can participate*
- *Keep Naylor Mill forest intact for the residents who want to be healthy*
- *"If you build it somewhere else in Salisbury, they will still come"*
- *We need to see the value in this ancient forest and it protects our drinking water*
- *Possible oil leaks from cars will damage the Paleo*
- *Trails are used by the Running Clubs*
- *Local economy and jobs are dependent upon business from tourists*
- *These trails are not even noted on the City website*
- *Lobs are lacking in Salisbury which is above the National Unemployment average*
- *Sports activities bring in millions of dollars to the area*
- *The forest cannot be replaced so find another place for the ball fields*
- *This is a valuable small, wild, eco in Salisbury where parking is available*
- *Winterplace Park is the perfect location for the ball fields*

- *These trails are an added amenity for Salisbury*
- *Why level 35 acres of forest for softball fields when there are lots of fields in the County*
- *Once the water becomes contaminated it won't be the same*
- *The Country has had droughts and water is scarce much of the time but not in Salisbury where there is ample supply of fresh water*
- *The forest keeps the water safe and fresh*
- *The County has an invested interest in water quality for its citizens and will do minimal damage to the land; build the ball fields*
- *Pick someplace where there's already a field*
- *Habitat destruction kills plants and animals, so find an alternative solution*
- *The forest has rare trees that will not survive anywhere else and will be gone forever*
- *If the County sees this as an investment then why not buy land that can be expanded?*
- *The County will grow and the tournament will still happen whether or not the fields are expanded*
- *Wicomico County Council is very conscientious about the forest, Paleo Channel, streams bordering the forest, and stormwater management and is directly tied into the City's water and wastewater system*
- *MD Department of Environment has approved the project and committed \$1 million*
- *Delaware, New Jersey and Virginia wants this league and it is important to have all the fields in the same area*
- *The forest is irreplaceable and priceless*
- *Wants to see more focus on jobs that pay higher salaries*
- *Letter from Kate Patton, Executive Director of Lower Shore Land Trust is attached as part of these minutes*

*President Day closed the Public Hearing at 8:15 p.m.*

*Resolution No. 2544 died for lack of a motion to approve.*

*Council concluding comments included:*

- *Fields can be replicated elsewhere but the forest in its unspoiled state is irreplaceable*
- *This parcel should always be protected in its natural state and never be changed*
- *Wants the fields because they are an economic boost*
- *We need to attract the students who are graduating to stay here and raise their families*
- *There is a lot of cleared land already that can be used for sports*
- *This land needs to be placed in a trust*
- *Has a problem with tearing things down*
- *Received lots of emails in favor of keeping the forest intact*
- *When you have something this old, you don't destroy it*
- *Children can enjoy it for free and they need something to do outdoors*

*Council recessed at 8:32 p.m. and reconvened at 8:50 p.m.*

**AWARD OF BIDS** – presented by Assistant Director of Internal Services – Procurement &

*Parking Jennifer L. Miller*

*The Award of Bids, consisting of the following items, was unanimously approved on a motion by Mrs. Shields and seconded by Mrs. Mitchell:*

- *Contract A-22-16 Citywide Paving and Milling* *\$515,800.00*
- *RFP 04-15 Change Order #4 Main Street Masterplan: Water, Sewer, Stormwater and Streetscape Improvements* *\$ 12,250.00*
- *Declaration of Surplus – Salisbury Police Department: bicycles, wheelchair and fitness equipment* *\$ 00.0*

**RESOLUTION** – *presented by City Administrator Tom Stevenson*

- *Resolution No. 2545 - accepting a donation in the amount of \$10,000 from the Salisbury Skatepark Committee, Inc. to be utilized for the construction of Phase 1 of the Salisbury Skatepark*

*Mrs. Mitchell moved, Mrs. Shields seconded, and the vote was unanimous to approve Resolution No. 2545 as presented.*

- *Resolution No. 2546 - accepting the donation of labor and materials from Lowes for the beautification of Waterside Playground*

*Mr. Spies moved, Mr. Heath seconded, and the vote was unanimous to approve Resolution No. 2546 as presented.*

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

- *Ordinance No. 2353 - 1st reading – granting a utility easement to Delmarva Power & Light Company across City owned property on Marine Road in Salisbury, Maryland*

*Ordinance No. 2353 was unanimously approved for first reading on a motion and seconded by Mr. Heath and Mrs. Shields, respectively.*

**COUNCIL COMMENTS**

*President Day reported there were Maryland Sun flyers. Neighbors in Salisbury formed a coop in Salisbury to incorporate solar power. If anyone is interested, the website has more information at [mdsun.org/Salisbury](http://mdsun.org/Salisbury).*

**ADJOURNMENT**

*As there were no requests for public comments, Council President Day adjourned the Legislative Session at 9:10 p.m.*

CITY OF SALISBURY, MARYLAND  
CLOSED SESSION  
SEPTEMBER 8, 2015

*TIME & PLACE:* 4:00 p.m., Government Office Building – Council Chambers, Room 301  
*PURPOSE:* before a contract is awarded or bids or 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 (5-0)

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

*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, Assistant City Administrator Julia Glanz, City Attorney Mark Tilghman, Assistant Director of Internal Services – Procurement & Parking Jennifer Miller, and Energy Consultant Dick Anderson

*NOT PRESENT:* Mayor James Ireton, Jr.

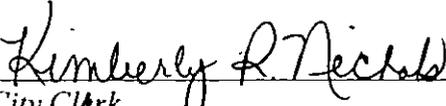
\*\*\*\*\*

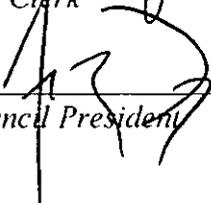
*The City Council convened in Open Session in Room #301 in the Government Office Building at 4:00 p.m. Mr. Spies moved, Mr. Heath seconded, and the vote was 5-0 to convene in Closed Session for the purpose of discussing a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process in accordance with the Annotated Code of Maryland §10-508(a)(14).*

*Council was updated on and provided input on the ongoing negotiations of a contract.*

*At 4:46 p.m., on a motion and seconded by Mrs. Mitchell and Mr. Spies, respectively, and by unanimous vote in favor (5-0), the Closed Session was adjourned and Council reconvened in Legislative Session.*

*President Day was unable to participate in and attend the Work Session immediately following the Closed Session, and Vice President Mitchell provided the report to the Public that while in Closed Session, Council had reached unanimous consensus to authorize Procurement to move forward with a contract while in Closed Session.*

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

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



**Board of Directors**

*Chair - Dave Nemazie*

*Vice Chair - Christie Taylor*

*Treasurer - Tom Wilson*

*Secretary - Maureen McNeill*

*Lora Bottinelli*

*Hugh Cropper, IV*

*Anthony DiPaolo*

*Josh Hastings*

*Steve Parker*

*Doug Stephens*

*Dr. Nhu Tran*

*Kim Zimmerman*

**Lower Shore Land Trust**

9931 Old Ocean City Blvd.

Berlin, Maryland 21811

410-641-4467

[www.lowershorelandtrust.org](http://www.lowershorelandtrust.org)

September 14, 2015

To: Mayor Ireton and Salisbury Council Members

**RE: Salisbury Forest**

The Lower Shore Land Trust staff and Stewardship Committee have reviewed the 35-acre forested parcel owned by the City of Salisbury and the proposed donation to the County for the expansion of the Parker Athletic Complex. A change in land use has been considered for the deforestation of mature forest for ball fields and parking. Based on our review, we recommend an alternative parcel for ball field expansion and leave forested parcel as low impact recreation, i.e. trails.

**Background and General Physical Description of the Property**

The \$3.7 million expansion would entail adding an additional four baseball fields and seven soccer fields to better accommodate the various amateur sports tournaments the county hosts each year and attract the Specialty Sports Association World Series to locate its headquarters to Salisbury.

To build on the momentum already established, Wicomico County officials are hoping to nearly double the size of Henry S. Parker Athletic Complex on Naylor Mill Road, where most of the events have been hosted. Already an extensive complex, the expansion would add 35 acres of baseball and soccer fields, as well as infrastructure upgrades. There are legitimate concerns, such as increased stormwater runoff impacts to already degraded headwaters of the Wicomico River, degradation of the Green Infrastructure hub, impacts to the main drinking water source for the City of Salisbury and reduced opportunities for low impact trails in the area.

- The forested parcel provides a buffer to Leonard Mill Branch and Little Burnt Branch and is situated over the paleochannel and the well heads which provide the City with drinking water.
- This 100 year old forest is an integral part of a highly ranked green infrastructure hub, including Palustrine wetlands, and it is within a MD DNR targeted ecological area.
- The 2013 Wicomico County Land Preservation Parks and Recreation Plan recognizes the Wicomico Green Infrastructure report and addresses landscape fragmentation. It also documents the hub containing this forested parcel as highly ranked for its ecological value.
- Public access currently provides low impact trails for walking and mountain biking
- Deforestation for parking may threaten the long term protection of Salisbury drinking water; gas and oil leaks from cars, increased runoff to creeks, and water quality degradation to headwaters of the Wicomico River would contribute to the further decline of the impaired Wicomico River.

- Recommendations from the 2014 Wicomico River Watershed Management plan include protecting agricultural and forested areas and work on long term protection and sustainable management practices (Table 2.9). The Plan identifies this GI hub as a high priority for conservation (Figure 4.30).

We have further reviewed other Maryland jurisdictions where a land trust has been involved in preserving a city-owned or county-owned parcel and would welcome the opportunity to assist the City of Salisbury with further protecting the forested parcel.

We also want to recognize the outpouring of concern we have received from citizens urging us to review the project. Thank you for your consideration to preserve this vital forest.

Respectfully,

A handwritten signature in black ink that reads "Kate Patton". The signature is written in a cursive, flowing style.

Kate Patton, Executive Director  
Lower Shore Land Trust