

**CITY OF SALISBURY, MARYLAND**

**REGULAR MEETING**

**OCTOBER 12, 2015**

**PUBLIC OFFICIALS PRESENT**

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

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

**PUBLIC OFFICIALS NOT PRESENT**

*Mayor James Ireton, Jr.*

**IN ATTENDANCE**

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

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**MEDITATION – PLEDGE OF ALLEGIANCE**

*The City Council met in regular session at 6:03 p.m. in Council Chambers. Council President Day called the meeting to order followed by a moment of silent mediation and the Pledge of Allegiance.*

**PRESENTATIONS**

• **HERO Day – presented by Event Coordinator Alison Pulcher**

*Alison Pulcher announced the 2<sup>nd</sup> Annual HERO Day was planned for November 7, 2015. Four (4) people with military affiliation who thought it would be an ideal way to bring the local military/veteran population and the civilian population together by focusing on physical fitness to bridge the two together started HERO Day. The 5K run/walk will be through Downtown Salisbury beginning at the south end of Parking Lot 1 at 9:00 a.m. Wicomico High School's Jr. ROTC will present their colors, an active duty local soldier will sing the National Anthem, and local vendors and food will be on-site. Representatives will attend from the Army, Marines, Sheriff Department, Police Department, Fire Department, and Boy Scouts. All those serving in the community are invited to attend the event.*

*The run/walk begins at 9:00 a.m. and the dog walk begins at 11:00 a.m. For more information visit [www.SbyHEROday.com](http://www.SbyHEROday.com) and Salisbury HERO Day on Facebook.*

• **Operation We Care**

*Mr. Jeff and Diana Merritt reported "Operation We Care" started packing care packages for U.S. troops in 2007 as a grassroots effort by the Eastern Shore Chapter Harley Owners Group to show support and appreciation for the brave men and women around the world protecting the freedom of the citizens of the United States. In seven years, Operation We*

Care grew into a 501(c) 3 non-profit organization and has shipped over 5,000 care packages. Last year the organization shipped 1,500 packages, spending \$21,000 in postage as each box costs \$14.85 to mail.

The top ten (10) needed items are Chef Boyardee canned pop-top pasta, granola bars, hot chocolate, instant oatmeal, microwave popcorn, Pop Tarts, instant tea bags, deodorant, shampoo/body wash and dental floss. The inside panels of the boxes are decorated by local students and is a community project for the children, teaching them patriotism. Items are collected from several different local businesses sponsoring drop off locations in Delmarva. The items collected across Delmarva are delivered to a central location where they are sorted and volunteers gather to fill several hundred care packages. Although items are collected year-round, there are only two packing party events per year: one in May to honor Armed Forces Day and one in November to honor Veteran's Day. Postal costs are the biggest challenge.

For more information: [www.operationwecare.org](http://www.operationwecare.org) , [operationwecare.org@gmail.com](mailto:operationwecare.org@gmail.com) , or call Jeff Merritt at 410-713-8940.

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

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

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

The Consent Agenda consisting of the following items was approved on a unanimous vote in favor on a motion by Mrs. Shields that was seconded by Mrs. Mitchell:

- April 29, 2015 budget session minutes
- May 4, 2015 budget session minutes
- May 5, 2015 budget session minutes
- May 6, 2015 budget session minutes
- May 13, 2015 budget session minutes
- September 8, 2015 work session minutes
- September 14, 2015 regular meeting minutes
- Resolution No. 2555 - approving the appointment of Laurie Andrews to Mayor's Council in Support of People with Disabilities for term ending 12/31/2016

#### **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 Mr. Heath:

- Contract 115-13, Change Order #1, Waverly Drive Water Quality Inlet Project - \$88,650.00

- RFP 03-14, Change Order #3, Skatepark Design Build - \$10,000.00
- Declaration of Surplus, SPD Vehicle Unit #1477- S 0.00

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

- **Resolution No. 2556** - accepting the donation of the real property located at 126 Delaware Avenue, Salisbury, Maryland 21801, from the estate of James W. Windsor

*Mrs. Mitchell moved and Mr. Heath seconded to approve Resolution No. 2556.*

*Mrs. Mitchell moved, Mrs. Shields seconded and the vote was unanimous to amend Resolution No. 2556 by striking "ESTATE OF JAMES W. WINDSOR" on Line 6 and inserting "OWNER, HONGKONG AND SHANGHAI BANKING CORPORATION BANK, USA NATIONAL ASSOCIATES TRUSTEE".*

*Mr. Spies moved, Mrs. Mitchell seconded and the vote was unanimous to amend Resolution No. 2556 by inserting "owned by the USA National Associates Trustee, contingent upon the City's Solicitor's determination of a clear title" before the period on Line 22.*

*Resolution No. 2556, as amended, was unanimously approved.*

- **Resolution No. 2557**- authorizing the Central System Line fees, Water Tap fee and Sewer Tap fee of the City's Comprehensive Connection Charges to be waived for 425 Coles Circle, a Habitat for Humanity project

*Mr. Heath moved, Mrs. Shields seconded, and the vote was unanimous to approve Resolution No. 2557 as presented.*

- **Resolution No. 2558** - accepting the submission of RFP 05-14 Re-Bid from DEVRECO, LLC for the redevelopment of Parking Lots 1 & 11

*Mr. Heath moved and Mrs. Shields seconded to approve Resolution No. 2558.*

*Mrs. Mitchell moved, Mr. Heath seconded, and the vote was unanimous to amend Resolution No. 2558 by striking the first "City" on Line 42 and inserting "Mayor".*

*Resolution No. 2558, as amended, was approved on a 4 to 1 vote. Mr. Spies voted "nay".*

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

- **Ordinance No. 2354** – 2<sup>nd</sup> reading – approving a budget amendment of the FY16 General Fund Budget to make changes to approved positions in the Zoo Division of the Department of Public Works as part of a reorganization plan

*Mrs. Shields moved, Mr. Spies seconded, and the vote was unanimous to approve Ordinance No. 2354 for second reading.*

- **Ordinance No. 2355** – 2<sup>nd</sup> reading- approving a budget amendment of the FY16 General

*Fund Budget to appropriate the funds returned on contract*

*Mrs. Mitchell moved and Mr. Heath seconded to approve Ordinance No. 2355 for second reading.*

*Mrs. Mitchell moved, Mr. Spies seconded, and the vote was unanimous to amend Ordinance No. 2355 by striking "2015" on Line 17 and inserting "2016".*

*Ordinance No. 2355, as amended for second reading, was approved by unanimous vote.*

- **Ordinance No. 2356 – 2<sup>nd</sup> reading - amending Title 12, Streets, Sidewalks and Public Places, Chapter 12.24 Wicomico River Regulations, of the City Code by adding Sections 12.24.040 and 12.24.050 for the purpose of establishing criteria for river access and standards for riverwalk construction under the direction and supervision of the Public Works Department**

*Mrs. Shields moved, Mr. Spies seconded, and the vote was unanimous to approve Ordinance No. 2356 for second reading.*

- **Ordinance No. 2357 – 2<sup>nd</sup> reading – to further authorize the issuance of bonds to fund projects listed in Schedule B of the FY16 Budget Ordinance which included the issuance of \$4,726,000 in bonds**

*Mrs. Shields moved, Mr. Heath seconded, and the vote was unanimous to approve Ordinance No. 2357 for second reading.*

- **Ordinance No. 2358 - 1st reading- approving an amendment of the FY16 General Fund budget to appropriate funds needed to administer an election in Districts 1 through 4 in case of a tie in the November 3, 2015 Elections**

*Mrs. Mitchell moved, Mr. Heath seconded, and the vote was unanimous to approve Ordinance No. 2358 for first reading.*

- **Ordinance No. 2359 – 1st reading - to amend Chapter 15.24 Housing Standards of the Salisbury City Code to provide additional life safety standards for non-conforming multi-unit structures**

*Mr. Spies moved and Mr. Heath seconded to approve Ordinance No. 2359 for first reading. After discussion, Ordinance No. 2359 was unanimously approved for first reading.*

*With no further business to discuss, President Day adjourned the Legislative Session at 7:14 p.m.*

*Kimberly R. Nichols*  
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City Clerk

*[Signature]*  
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Council President