

CITY OF SALISBURY, MARYLAND

REGULAR MEETING

DECEMBER 14, 2015

PUBLIC OFFICIALS PRESENT

*Council Vice-President Laura Mitchell
Councilwoman April Jackson
Councilman James Ireton, Jr.*

*Mayor Jacob R. Day (left 6:45 p.m.)
Councilman Muir Boda*

PUBLIC OFFICIALS NOT PRESENT

Council President John "Jack "R" Heath

IN ATTENDANCE

City Clerk Kimberly R. Nichols, CMC, City Administrator Tom Stevenson, City Attorney Mark Tilghman, Internal Services Director Keith Cordrey, Assistant Director Internal Services – Procurement & Parking Jennifer L. Miller, Community Development Director Debbie Stam, Pam Baker, Barbacane Thornton & Company, LLP, Police Colonel Dave Meienschein, interested citizens and members of the press

CITY INVOCATION – PLEDGE OF ALLEGIANCE

The City Council met in regular session at 6:05 p.m. in Council Chambers. Council Vice – President Laura Mitchell called the meeting to order and invited Pastor Caleb Craig of Remedy Church to the podium to deliver the invocation. Thereafter, the Pledge of Allegiance was recited.

COMMUNITY ORGANIZATION PRESENTATIONS

- Lower Shore Enterprises
Mr. Bill Turner, CEO, Lower Shore Enterprises (LSE) reported the former "Sheltered Workshop" began in 1967 and due to collaboration with local businesses in the community, they are no longer a wood working shop, but rather a manufacturing facility. Located on Owens Branch Road in Salisbury, LSE employs forty-five (45) staff members and provides services to one hundred-fifty (150) disabled individuals. They have a career development center where job skills are honed and employment placement takes place.

Last year, approximately \$1.9 million in wages went to people with disabilities. The LSE facility does mail production, shipping container assembly, wire assemblies, custodial work, NAID Certified document destruction, and sorts, counts, folds, and seals things. LSE provides services to PRMC, Peninsula Orthopedic, Perdue Farms, and others. For more information, or to request services, call 410-749-6183.

- Camden Community Garden
Pastor Martin Hutchison reported on the Camden Community Garden and showed

photos of the volunteers, vegetables, and herbs and announced Phase II included eight (8) additional beds. The free library books were a huge success. More information is available at www.growcamden.com and on Facebook (Camden Community Garden)

ADOPTION OF LEGISLATIVE AGENDA

Mr. Boda moved and Ms. Jackson seconded to adopt the agenda as presented.

Mr. Boda moved, Ms. Jackson seconded, and the vote was unanimous to move Resolution No. 2570 from the Consent Agenda to directly following the Consent Agenda because of the changes made to the resolution.

The amended Legislative Agenda was unanimously approved.

CONSENT AGENDA – presented by City Clerk Kim Nichols

The Consent Agenda was unanimously approved (4-0) on a motion and seconded by Mr. Boda and Mr. Ireton, respectively:

- *Manufacturing Exemption Request for PolyOne Designed Structures and Solutions LLC for equipment purchased in 2013 and 2014*

RESOLUTION NO. 2570 – *changing the Resident Agent to accept service of process of a government entity from John Pick to M. Thomas Stevenson and to designate a principle office - presented by City Administrator Tom Stevenson*

Mr. Ireton moved and Ms. Jackson seconded to approve Resolution No. 2570.

Mr. Boda moved and Mr. Ireton seconded to amend Resolution No. 2570 by inserting on Line 14 “a resident of Maryland and” after “is”, and on Line 19 “125” after “304,” .

Following a unanimous vote in favor of the amendment, Resolution No. 2570, as amended, was unanimously approved on a 4-0 vote.

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 Mr. Boda and seconded by Ms. Jackson:

- *Contract 116-15, West Isabella Street Water Main Replacement & Coty Cox Branch Drainage Improvements \$2,049,760.50*
- *Declaration of Surplus – Salisbury Police Department Vehicles #34 & 38 \$0.00*

Ms. Miller discussed Contract 107-15, Change Order #1 WWTP BNR/ENR Upgrade, which did not require action by Council (pursuant to Resolution No. 2506). This change order resulted in a

credit of \$97,071.00 to the contract pursuant to a value engineering study by the General Contractor, Ulliman Schutte. There will also be a time reduction of 90 days.

RESOLUTIONS – presented by City Administrator Tom Stevenson

- Resolution No. 2571 - accepting a private donation from Pohanka of Salisbury for New Year's Eve in Downtown Salisbury (NYESBY)

Mr. Ireton moved, Mr. Boda seconded and the vote was unanimous to approve Resolution No. 2571 as presented.

- Resolution No. 2572 - accepting grant funding from the Maryland Office of Highway Safety for four (4) separate traffic safety programs and funds to purchase equipment such as portable Breathalyzer tests, each with their own conditions and grant funding amounts

Mr. Boda moved, Mr. Ireton seconded and the vote was unanimous to approve Resolution No. 2572 as presented.

ORDINANCE

- Ordinance No. 2365 – 1st reading – approving an amendment of the FY2016 General Fund Budget to appropriate funding for the Traffic Division bucket truck

Mr. Boda moved, Ms. Jackson seconded, and the vote was unanimous to approve Ordinance No. 2365 for first reading.

PUBLIC HEARINGS /RESOLUTIONS - Malone/College Avenue & Snow Hill Road Annexation and Annexation Plan – presented by City Administrator Tom Stevenson

City Clerk Nichols administered the oath to the public and Council Vice-President Mitchell opened the Public Hearing at 6:45 p.m. There were no comments, and the Public Hearing was closed.

- Resolution No. 2565 – proposing the annexation to the City of Salisbury of certain area of land situate, contiguous to and binding upon the northerly and westerly corporate limit of the City of Salisbury, to be known as the “Malone – Snow Hill Road Annexation,” and the application of a City zoning classification to same area, being an area located on the northerly side of and binding upon E. College Avenue, in the northwest quadrant of the intersection of Snow Hill Road and E. College Avenue

Mr. Stevenson presented the resolution and Mr. Chris Jakubiak of Jakubiak and Associates, Inc. provided further explanation.

Mr. Boda moved, Ms. Jackson seconded, and the vote was unanimous to approve Resolution No. 2565.

- Resolution No. 2566 – approving the Malone/College & Snow Hill Road Annexation Plan

Mr. Boda moved, Ms. Jackson seconded, and the vote was unanimous to approve Resolution No. 2565.

PUBLIC HEARINGS /ORDINANCES - Fair Housing Language – presented by City Attorney Mark Tilghman

Council Vice-President Mitchell opened the Public Hearing at 7:00 p.m... There being no public comments, Mrs. Mitchell immediately closed the Public Hearing.

- *Ordinance No. 2366 – 1st reading - to amend Chapter 15.24.1620 Determination of Functional Family of the Salisbury City Code to amend the requirements of Functional Family*

Mr. Boda moved, Ms. Jackson seconded, and the vote was unanimous to approve Ordinance No. 2366 for first reading.

- *Ordinance No. 2367 – 1st reading - to amend Chapter 17.04.120 Zoning Definitions of the Salisbury City Code to amend the requirements of Functional Family*

Mr. Boda moved, Mr. Ireton seconded, and the vote was unanimous to approve Ordinance No. 2367 for first reading.

Community Development Director Deborah Stam explained that municipalities across the nation are adopting the Fair Housing Language, and one of the recommendations the consultant made was to expand the definition of a functional family as it pertains to disabled individuals so that the City would be in line with State and Federal law.

Council had more questions and would further discuss the Fair Housing language changes at the December 21, 2015 Work Session.

PRESENTATION OF AUDIT – presented by Pam Baker from Barbacane, Thornton & Company LLP

Pam Baker from the auditing firm of Barbacane, Thornton & Company LLP presented the final bound copies of the Audit Report and Single Audit Report to Council and summarized the results of the City's Audit Report as of June 30, 2015. The auditing firm rendered an unqualified or clean audit opinion.

ADJOURNMENT

Council Vice-President Mitchell adjourned the Legislative Session at 7:57 p.m.

Kimberly R. Nichols

City Clerk

John A. F. Teeter

Council President