

**CITY OF SALISBURY, MARYLAND**

**REGULAR MEETING**

**OCTOBER 24, 2016**

**PUBLIC OFFICIALS PRESENT**

*Council President John "Jack" R. Heath  
Councilman Muir Boda  
Councilwoman April Jackson*

*Mayor Jacob R. Day  
Councilman James Ireton, Jr.*

**IN ATTENDANCE**

*City Clerk Kimberly R. Nichols, City Attorney Mark Tilghman, NAACP Wicomico County Chapter President Mary Ashanti, Delegate Carl L. Anderton, Jr., Delmar Deputy Mayor Thomas "Bunky" Luffman, and Brittany Finmore, City Attorney Mark Tilghman*

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**CITY INVOCATION – PLEDGE OF ALLEGIANCE**

*The City Council met in regular session at 6:00 p.m. in Council Chambers. After calling the meeting to order, Council President Heath invited Pastor Chris Martin to the podium to deliver the City Invocation; thereafter, the Pledge of Allegiance was recited.*

**PROCLAMATION** – presented by Mayor Jacob R. Day

• **Municipal Government Works Month**

*Mayor Day presented the proclamation to proclaim the month of November 2016 as "Municipal Government Works Month" to promote awareness and interest of the citizens in the employees and what they do to help keep the City of Salisbury running smoothly.*

**ADOPTION OF LEGISLATIVE AGENDA**

*Mr. Boda moved and Mr. Ireton seconded to approve the legislative agenda as presented.*

*Mr. Boda moved to amend the legislative agenda by striking the words "Resolution No. 2687" from the last item on the consent agenda. Ms. Jackson seconded, the motion was unanimously approved, and the legislative agenda, as amended, was approved by unanimous vote in favor.*

**DISCUSSION OF VACANT COUNCIL POSITION**

*On a motion and seconded by Ms. Jackson and Mr. Ireton, respectively, and by unanimous consensus in favor, President Heath discussed the vacant Council position, Council's advertising of the vacancy and receipt of the three (3) qualified candidates, unanimous selection of the individual, and timeline in which the Council followed.*

### **ELECTION OF NEW COUNCIL MEMBER**

*President Heath called for a motion to nominate R. Hardy Rudasill to fill the vacant District 5 Council position. Ms. Jackson moved, Mr. Boda seconded, and the vote was unanimous to approve Mr. Rudasill for the position.*

### **ADMINISTRATION OF OATH OF OFFICE**

*President Heath invited Mr. Rudasill and Circuit Court Clerk Mark Bowen to the podium for the administration of Mr. Rudasill's Oath of Office. Mr. Heath then invited Mr. Rudasill to join Council at the table.*

*Ms. Jackson commented that it was history in the making to have the first African-American male on Salisbury City Council.*

### **ELECTION OF NEW COUNCIL VICE-PRESIDENT**

*President Heath read the following rules to adhere to in the election of the new Vice-President:*

- 1. Any Council member may be nominated for Vice-President (except Mr. Heath)*
- 2. A Council member may nominate himself or herself – no second is needed*
- 3. After nominations are received, nominations will be closed*
- 4. The vote will be called in order of nomination*
- 5. When voting, the first to receive three (3) votes will be elected Council Vice-President. Council members can only vote once and can vote for themselves*

*Mr. Ireton moved to accept the rules, Ms. Jackson seconded, and the motion was unanimously approved.*

*Mr. Heath called for nominations for Vice-President; Ms. Jackson nominated Mr. Boda; Mr. Ireton seconded the motion; and the vote was unanimous to approve Mr. Boda as the new Vice-President.*

*Mr. Ireton commented that it was remarkable that a Council representative was serving from the Decatur Avenue area.*

*President Heath asked Mr. Boda to exchange seats with Mr. Rudasill to sit on his left hand side.*

### **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 Mr. Ireton that was seconded by Ms. Jackson:*

- *September 19, 2016 Work Session Minutes*
- *September 26, 2016 Regular Meeting Minutes*
- *October 3, 2016 Work Session Minutes*
- **Resolution No. 2683** - *declaring that Paleramo, LLC is eligible to receive Enterprise Zone benefits for property located at 601 E Main Street, Salisbury, MD*
- **Resolution No. 2684** - *declaring that A & M Family Group, LLC is eligible to receive Enterprise Zone benefits for property located at 1135 S Salisbury Blvd, Salisbury, MD*
- **Resolution No. 2685** - *declaring that Farmers and Planters Company is eligible to receive Enterprise Zone benefits for property located at 210 Mill Street, Salisbury, MD*
- **Resolution No. 2686** - *to change the Employee Handbook Sections 0102 Equal Employment Opportunity, 0301 Wages and Hours, 0509 Military Leave for Training and Weekend Drill Obligations, 0610 Sexual Harassment*
- *Approving the Manufacturing Exemption request for Delmarva Printing and Design, Inc. for their equipment purchased in 2015*

**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:*

- *Award of Bid – Public Works Contract 109-17, HEIL Rear Loader*
- *Award of Bid – Parking Division Contract 108-17, Multi-space Pay-by-Plate Parking meters*
- *Declaration of Surplus – Salisbury Police Department – Duty Weapon*
- *Declaration of Surplus – Salisbury Police Department - Bicycles*

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

- **Resolution No. 2688** – *providing a Payment in Lieu of Taxes (PILOT) to the development of Gatehouse Market and Lofts located at 401 W. Main Street*

*Mr. Boda moved, Ms. Jackson seconded, and the vote was unanimous to approve Resolution No. 2688 as presented.*

- **Resolution No. 2689** – *granting a conservation easement to the Maryland Environmental Trust and Lower Shore Land Trust, Inc. across City owned property on Naylor Mill Road and Jersey Road in Salisbury, MD*

*Ms. Jackson moved, Mr. Boda seconded, and the vote was unanimous to approve Resolution No. 2689 as presented.*

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

- **Ordinance No. 2402** – 1<sup>st</sup> reading – approving an amendment of the FY17 Budget to appropriate funds for street maintenance

*On a motion and seconded by Mr. Boda and Ms. Jackson, respectively, and approved by unanimous vote in favor, Ordinance No. 2402 was approved for first reading.*

**PUBLIC COMMENTS**

*President Heath invited Delegate Carl L. Anderton, Jr. to the podium, and Delegate Anderton provided the following comments:*

- *Congratulated Councilman Rudasill and Council Vice-President Boda on their new positions and encouraged Mr. Rudasill to become active in Maryland Municipal League*
- *Introduced Brittany Finmore, who is replacing Delmar Deputy Mayor Thomas "Bunky" Luffman*
- *Delmar Deputy Mayor Thomas "Bunky" Luffman has been appointed by Governor Hogan to work with Intergovernmental Affairs*

*NAACP Wicomico County Chapter President Mary Ashanti was invited to the podium and spoke about the following:*

- *Pleased to see history being made in Salisbury*
- *Thanked the Council members for their service*

*With no further Public Comments or further business to discuss, President Heath adjourned the Legislative Session at 6:47 p.m.*

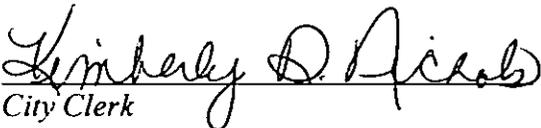
CITY OF SALISBURY, MARYLAND  
CLOSED SESSION  
OCTOBER 17, 2016

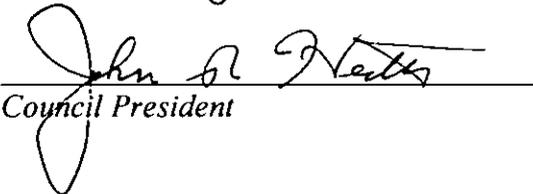
**TIME & PLACE:** 6:00 p.m., Government Office Building – Room 301  
**PURPOSE:** To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom the public body has jurisdiction; or any other personnel matter affecting one or more specific individuals  
**VOTE TO CLOSE:** Unanimous (4-0)  
**CITATION:** Annotated Code of Maryland §10-508(a)(1)  
**PRESENT:** Council President John “Jack” R. Heath, Mayor Jacob R. Day (arrived 6:11 p.m.), Councilman Muir Boda, Councilwoman April Jackson, Councilman James Ireton, Jr., Raymond Sander, Hsin Cheu, R. Hardy Rudasill, and City Clerk Kimberly Nichols

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The City Council convened in Work Session in Room 301 in the Government Office Building at 4:30 p.m.; at 6:00 p.m. President Heath called for a motion to convene in Closed Session to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom the public body has jurisdiction; or any other personnel matter affecting one or more specific individuals in accordance with the Annotated Code of Maryland §10-508(a)(1). Thereafter, Council convened in Closed Session on a motion by Mr. Boda, which was seconded by Ms. Jackson and approved on a 4-0 vote in favor.

At 7:27 p.m., the Closed Session adjourned on a motion by Mr. Ireton, which was seconded by Ms. Jackson and approved by a 4-0 vote in favor. Council immediately reconvened in Open Session in Council Chambers. President Heath then reported that while in Closed Session Council had discussed a personnel matter.

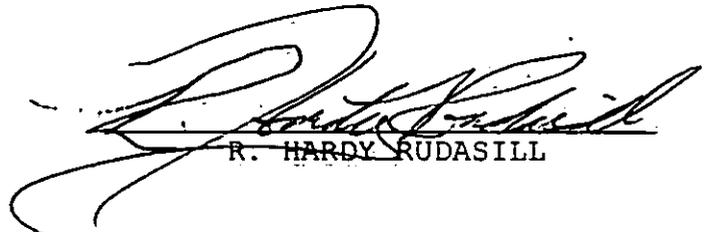
Thereafter, upon a motion to adjourn by Ms. Jackson and seconded by Mr. Boda, the Open Session was adjourned by unanimous vote in favor.

  
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City Clerk

  
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Council President

OATH OF OFFICE

I, R. HARDY RUDASILL, DO SWEAR OR AFFIRM THAT I WILL SUPPORT THE CONSTITUTION OF THE UNITED STATES, AND THAT I WILL BE FAITHFUL AND BEAR TRUE ALLEGIANCE TO THE STATE OF MARYLAND, AND SUPPORT THE CONSTITUTION AND LAWS THEREOF; AND THAT I WILL TO THE BEST OF MY SKILL AND JUDGMENT, DILIGENTLY AND FAITHFULLY, WITHOUT PARTIALITY OR PREJUDICE, EXECUTE THE OFFICE OF SALISBURY CITY COUNCIL MEMBER, ACCORDING TO THE CONSTITUTION AND LAWS OF THIS STATE.

  
R. HARDY RUDASILL

SUBSCRIBED AND SWORN TO BEFORE ME, CLERK OF THE CIRCUIT COURT FOR WICOMICO COUNTY, MARYLAND, THIS 21<sup>ST</sup> DAY OF OCTOBER, 2016.

  
MARK S. BOWEN  
CLERK OF CIRCUIT COURT