

CITY OF SALISBURY, MARYLAND

REGULAR MEETING (COUNCIL CHAMBERS AND ZOOM)

AUGUST 9, 2021

PUBLIC OFFICIALS PRESENT

*President John “Jack” R. Heath
Council Vice-President Muir Boda
Councilwoman Michele Gregory*

*Mayor Jacob R. Day
Councilwoman Angela M. Blake
Councilwoman April Jackson*

IN ATTENDANCE

City Administrator Julia Glanz, Deputy City Administrator Andy Kitzrow, Finance Director Keith Cordrey, Department of Infrastructure & Development Director Amanda Pollack, Fire Chief John Tull, Deputy Chief James Gladwell, Procurement Director Jennifer Miller, Assistant City Clerk Julie English, City Attorney Michael Sullivan, members of the press and Public

CITY INVOCATION – PLEDGE OF ALLEGIANCE

The City Council met in regular session at 6:00 p.m. in a hybrid meeting (in person and on Zoom Conferencing Video) following the 5:55 p.m. adjournment of the Closed Session. President John “Jack” R. Heath called the meeting to order and reported that while in Closed Session Council had discussed the appointment of an attorney to handle special projects or conflicts. Following announcements, he invited Pastor Bruce Glisson to the podium to provide the invocation, followed by the Pledge of Allegiance to the flag.

ADOPTION OF LEGISLATIVE AGENDA

Ms. Jackson moved, Mr. Boda seconded, and the vote was unanimous to approve the legislative agenda as presented.

CONSENT AGENDA- presented by Assistant City Clerk Julie English

The consent agenda, consisting of the following items, was unanimously approved on a motion and seconded by Ms. Blake and Ms. Gregory, respectively.

- *June 21, 2021 Work Session Minutes*
- *June 28, 2021 Council Meeting Minutes*
- *July 6, 2021 Work Session Minutes*
- *July 12, 2021 Council Meeting Minutes*
- *July 19, 2021 Work Session Minutes*
- *July 26, 2021 Council Meeting Minutes*

RESOLUTIONS- presented by City Administrator Julia Glanz

- **Resolution No. 3117**- to authorize the sale and issuance of general obligation bonds

Mr. Boda moved, Ms. Blake seconded, and the vote was unanimous to approve Resolution No. 3117.

ORDINANCES- presented by City Attorney Michael Sullivan

- **Ordinance No. 2676**- 1st reading- to amend Chapter 5.28- Fortune-telling of the Salisbury Municipal Code to amend the requirements for fortune-telling

Ms. Jackson moved and Ms. Gregory seconded to approve Ordinance No. 2676 for first reading.

Mr. Sullivan presented Ordinance No. 2676 for first reading, and noted that the underlined items denoted new language being added to the code, and the items struck were being deleted from the code. He requested that Council allow him to prepare an errata sheet to identify the amendments required for second reading, as the modifications to the existing section were not clear to the eye.

Ms. Gregory questioned the section stating it was unlawful to practice in City limits without a license. and asked if it pertained to those practicing in their own homes with their families.

Mr. Boda thought the text read that if a fortune-teller was ordained, they were not required to obtain a license. Some of the practices they were involved in, such as spiritualism, was no different than what churches offered. Mr. Sullivan said it was intended to mean that it was unlawful for any person to practice fortune-telling without being licensed. It was not unlawful for the individual to practice fortune-telling if they held some type of position recognized within religious bodies or served as an ordained minister.

Ms. Gregory noted that many people independently practiced spiritualism. Her concern was that people would object because it was a restriction to religious liberty. The way she read the text was that if someone practiced fortune-telling for their own benefit in their own home, they needed a license. President Heath indicated that as long as people were practicing inside their home with their immediate family, it should not be an issue.

Mayor Day cautioned Council against determining who was an ordained minister. It was up to the churches, not City government. Ms. Gregory suggested adding the words “for profit” or “as a business venture” to clarify it did not refer to those practicing in their own homes. Mr. Boda asked why have the law at all because it was encroaching on religious liberties territory. President Heath said that “for profit” was not the same as a church. Once it was determined it was “for profit” and one was making a living from it, it becomes not a church. Mr. Boda said that he had family members who were pastors and profited because it was how they earned a living. President Heath said it was not the same thing, and Mr. Boda thought they were encroaching on the First Amendment. President Heath was interested in how individuals going to non-licensed fortune-tellers would be protected.

President Heath asked Mr. Sullivan if adding “for profit” in the legislation would cover their discussion points. Mr. Sullivan thought that it would with edits to the language. The definition of fortune-telling was very clear and specific, and if addressed from the standpoint of it being operated as a “for profit” business operation, whether out of the home or in a commercial space, it should not matter because the operators should have to be licensed. He recommended that Council table the ordinance for first reading and schedule the discussion for another Work Session.

Ms. Glanz read 5.28.020 and thought that Mr. Sullivan’s recommendation and Council’s request to include it in the last piece of the legislation would ensure consistency and clarification. Mr. Boda thought they should remove everything referring to “ordained” and Council agreed that “less was more.” President Heath suggested voting on the first reading of the ordinance, and, if at second reading the verbiage was not satisfactory, it would be dealt with at that time.

The vote was unanimous to approve Ordinance No. 2676 for first reading.

PUBLIC COMMENTS

The following comments were received from three members of the public:

- Thanked Council for the thoughtfulness and respect given to the fortune-telling discussions.*
- Asked to confirm the requirement for the sign outside of the door of a fortune-telling practice. Mr. Sullivan said that no licensed fortune-teller could erect or post any sign advertising their business on the premises if such sign was in violation of the City’s Zoning Code. This was a negative way of phrasing it was legal to display signage provided it followed the City’s Zoning Code.*
- Asked if the paperwork needed to be filled out in person, or if the application could be completed ahead of time.*
- Mayor Day said the license was not created yet but would be once the legislation passed.*
- Asked, if the \$100 fee was paid at the time the license was applied for, and then the paperwork was sent to the Police Department, how long would the Police investigation take. If it was a three-month process, there would only be nine months left out of the year.*
- Mayor Day said it depended on the outcome of the investigation.*
- Ms. Glanz assured speaker that the license would be issued for a year.*
- Another speaker thanked first speaker and Council member Gregory for the education on the topic of fortune-telling and how it effected people.*
- Speaker was happy that Council discussed the topic in a respectful manner.*
- Another speaker said that real estate inventory was still bad and he heard rumors that the Council was considering some great options to encourage infill development.*
- President Heath responded that the Planning Commission was currently very busy with new home projects.*

ADMINISTRATION AND COUNCIL COMMENTS

Mayor Day said Administration would propose policy changes for Council to consider to address the housing shortage as quickly as possible. There were about 1,700 units in the approval pipeline, which would equate to an average of three times more residents. He said that not everything approved through the planning process would be built. The City was still behind in getting projects initiated and starting things, and was contacted daily by developers, property owners, planners, architects and people with clients who wanted to build and invest.

He informed Council that Stan Markowski, a local developer, was currently getting approval for about 200 homes both on Pemberton Drive and the Johnson Road area. His partner and cousin passed away today. The Mayor's office would share his contact information with Council.

Mayor Day thanked the Council members who volunteered to be considered for appointment to the MML's standing committees. Selected for participation included Councilwoman Gregory (Engagement Committee), Councilwoman Blake (Hometown Emergency Preparedness Committee), and Councilwoman Jackson (Legislative Committee).

Mr. Boda encouraged volunteering for the National Folk Festival.

Ms. Blake encouraged everyone to yield to First Responders and to be respectful of City workers who worked on the streets, picked up trash, etc. If healthy enough, she encouraged everyone to donate blood.

Ms. Jackson reminded everyone of the VFW #10159's 3rd Annual Unity Day to be held on Saturday from 11:00 a.m. to 5:00 p.m. The Wicomico County Health Department would be hosting a vaccination clinic that day from 11:00 a.m. to 2:00 p.m. She congratulated Calvin J. Mitchell, Sr. of the VFW #10159 for receiving the Purple Heart after 50 years on Saturday, presented by Charles County, MD. She implored everyone to get vaccinated.

Ms. Gregory said the Wicomico County Health Department was hosting clinics through October for school children to get all of their immunizations up to date.

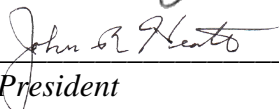
Mayor Day announced the Criminal Justice Reform Task Force would be meeting at the Truitt Street Community Center on Saturday from 2:00 p.m. to 4:00 p.m. for those wishing to express an observation or experience with police or the criminal justice system.

ADJOURNMENT

With no further business to discuss, the Legislative Session was adjourned at 6:48 p.m.



Assistant City Clerk



Council President