

CITY OF SALISBURY, MARYLAND

REGULAR MEETING (COUNCIL CHAMBERS AND ZOOM)

NOVEMBER 22, 2021

PUBLIC OFFICIALS PRESENT

*President John “Jack” R. Heath
Council Vice-President Muir Boda
Councilwoman April Jackson*

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

PUBLIC OFFICIALS ABSENT

Councilwoman Michele Gregory

IN ATTENDANCE

Deputy City Administrator Andy Kitzrow, Housing and Homelessness Manager Christine Chestnutt, Assistant City Clerk Julie English, Executive Administrative Assistant- Mayor’s Office Jessica Turner, Water Works Director Cori Cameron, Department of Infrastructure and Development Director Amanda Pollack, Procurement Director Jennifer Miller, City Attorneys Ashley Bosche and Michael Sullivan, City Clerk Kimberly Nichols, members of the 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) and Council President John R. “Jack” Heath called the meeting to order. After the recital of the pledge to the flag, he invited Rev. Norman Hancock of St. Thomas Anglican Church to the podium to provide the invocation.

PROCLAMATION- presented by Mayor Jacob R. Day

National Runaway Prevention Month

Mayor Day presented the National Runaway Prevention Month proclamation and urged all citizens to support the effort to increase public awareness to provide safe alternatives to runaway and homeless youth and their families. Each year approximately 4.2 million people ages 13 to 25 endure some form of homelessness, and are at an increased risk for falling into high risk situations, such as human trafficking. Fenix Youth Project in Salisbury, under the leadership of Executive Director Amber Green, supports marginalized youth through a variety of programs and a Drop-In Center for youth experiencing a housing crisis or homelessness, need food, personal items, laundry services or just love and acceptance. The program provides access to resources designed to build leadership skills and become engaged in community issues.

ADOPTION OF LEGISLATIVE AGENDA

Mr. Boda moved, Ms. Jackson seconded, and the vote was unanimous (4-0) to approve the legislative agenda as presented.

AWARD OF BIDS- presented by Procurement Director Jennifer Miller

The Award of Bids, consisting of the following items, was unanimously approved (4-0 vote) on a motion and seconded by Ms. Jackson and Mr. Boda, respectively.

- **Award of Contracts**
 - RFP 22-101 Disposition of Mitchell Landing \$1,381,806.00
 - ITB 22-114 Street Sweeper \$ 270,772.00

RESOLUTIONS- presented by Deputy City Administrator Andy Kitzrow

- **Resolution No. 3131-** proposing the annexation to the City of Salisbury of a certain area of land contiguous to and binding upon the Corporate Limits of the City of Salisbury to be known as “Beaver Run Drive - PennTex Annexation”, beginning at a point contiguous to and binding upon the existing Corporate Limits Line of the City of Salisbury, MD, being on the westerly right of way line of Walston Switch Road at its intersection with the northerly right of way line of U.S. Route 50, continuing around the perimeter of the affected property to the point of beginning, being all that real property identified as Map 39, Parcel 264, Block A, Lots 1 & 2, and a portion of the public road right-of-way known as “Walston Switch Road”, containing 3.08 acres more or less.

Ms. Jackson moved, Ms. Blake seconded, and the vote was unanimous (4-0) to approve Resolution No. 3131.

- **Resolution No. 3132-** approving the annexation plan for the Beaver Run Drive - PennTex Annexation

Mr. Boda moved, Ms. Jackson seconded, and the vote was 4-0 to approve Resolution No. 3132.

- **Resolution No. 3135-** to authorize the Mayor to enter into, on behalf of the City of Salisbury, an amended and restated annexation agreement with Vantage Point Salisbury Partners I, LLC, setting forth the terms and conditions governing the prior annexation and future development of that certain real property identified as part of Map 29, Parcel 219

Ms. Jackson moved, Ms. Blake seconded, and the vote was 4-0 to approve Resolution No. 3135.

- **Resolution No. 3136-** authorizing the Mayor to enter into a license agreement with Delmarva Power & Light Company to obtain a license for the purpose of installing and maintaining a new welcome gateway sign

Mr. Boda moved, Ms. Jackson seconded, and the vote was 4-0 to approve Resolution No. 3136.

- **Resolution No. 3137**- to authorize the Mayor to enter into, on behalf of the City of Salisbury, an amended and restated Land Disposition Agreement with Salisbury Development Group, LLC setting forth the terms and conditions governing the sale and redevelopment of the Port of Salisbury Marina

Mr. Boda moved, Ms. Blake seconded, and the vote was unanimous (4-0) to approve Resolution No. 3137.

ORDINANCES- presented by City Attorney Michael Sullivan

- **Ordinance No. 2694**- 2nd reading- authorizing the Mayor to enter into a memorandum of understanding with the Somerset County Health Department for the purpose of accepting Emergency Housing Program grant funds in the amount of \$34,000, and to approve a budget amendment to the grant fund to appropriate these funds for the 2021 Cold Weather Shelter

Ms. Jackson moved, Ms. Blake seconded, and the vote was unanimous (4-0) to approve Ordinance No. 2694 for second reading.

- **Ordinance No. 2695**- 1st reading- authorizing the mayor to enter into a contract with the Maryland Department of Transportation Transportation Alternatives Program for the purpose of accepting grant funds in the amount of \$597,024, and to approve a budget amendment to the Grant Fund to appropriate these funds for the Citywide Bike Network Design Project

Mr. Boda moved, Ms. Jackson seconded, and the vote was unanimous (4-0) to approve Ordinance No. 2695 for first reading.

- **Ordinance No. 2696**- 1st reading- authorizing the Mayor to enter into a contract with the United States Conference of Mayors for the purpose of accepting Police Reform and Racial Justice Grant Program funds in the amount of 75,000, and to approve a budget amendment to the Grant Fund to appropriate these funds so that they may be applied to the Salisbury Police Mental Health Collaborative Partnership

Ms. Jackson moved, Ms. Blake seconded, and the vote was unanimous (4-0) to approve Ordinance No. 2696 for first reading.

- **Ordinance No. 2697**- 1st reading- authorizing the Mayor to enter into a contract with the Somerset County Health Department for the purpose of accepting Emergency Solutions Grants – Cares Act (ESG-CV2) funds in the amount of 117,600, and to approve a budget amendment to the Grant Fund to appropriate these funds for a Homeless Services Case Specialist, Rapid Re-housing Rental Assistance, portable toilets and hand washing stations

Mr. Boda moved, Ms. Jackson seconded, and the vote was unanimous (4-0) to approve Ordinance No. 2697 for first reading.

- **Ordinance No. 2698**- 1st reading- approving an amendment of the FY2022 General Fund budget to adjust the Salisbury Police Department's pay plan for the purpose of recruiting and retaining experienced officers and to be competitive with area agencies

Ms. Blake moved, Ms. Jackson seconded, and the vote was unanimous (4-0) to approve Ordinance No. 2698 for first reading.

- **Ordinance No. 2699**- 1st reading- authorizing the Mayor to accept additional grant funding from the Maryland Department of the Environment (MDE) Bay Restoration Fund (BRF) and to approve a budget amendment to the FY 2022 General Fund budget to appropriate such MDE BRF funds for repair and maintenance projects to be completed at the Waste Water Treatment Plant

Ms. Jackson moved, Mr. Boda seconded, and the vote was 4-0 to approve Ordinance No. 2699 for first reading.

PUBLIC COMMENTS

The following comments were received from one member of the public via Zoom:

- *Speaker liked Ms. Jackson's comment regarding surplus land. Just because property was defined as surplus did not mean its value was zero. An example was that the City just declared Mitchell Landing as surplus and sold it for \$1,381,806. Speaker read the following: Resolution No. 3137 concerned the sale of 2.4 acres of land adjacent to the Port of Salisbury to a private developer for a project called Marina Landing. The proposal was to build two five story buildings with commercial space on the first floor and 28 units above for the sale price of \$1. The land was part of a 4.5-acre parcel that the City bought in 1988 for \$1,415,000. As part of the deal, the developer would take responsibility for operating the Marina, which would still be owned by the City. The lease on the Marina would be for 50 years with the developer having exclusive right to extend the lease for three consecutive 50 year periods. The operator would retain all profits from operations during the term of the lease. The City would make all capital improvements for up to the next 200 years, all to the benefit of a private developer. Since pilings, bulkheads, piers, etc. need constant replacement, the expenses will be paid by City residents and have zero revenue from it. The revenue would accrue to the developer. The developer would also receive a perpetual parking dedication for the 114 parking lot spaces located between the project and Brew River. It had to be in the hundreds of thousands of dollars for the City to pave parking lots, not counting the cost of land. The City would receive no compensation for giving away these parking rights, but would still be responsible for the maintenance and repair of this lot forever, because the City could never sell the land because it gave a perpetual right to the developer. Since the land was located in the Central Business District it should be eligible for HORIZONS Tax Abatement program, meaning zero property taxes for the first five years. The City would receive no revenue there, reduced taxes for the next fifteen years. It would not pay its fair share until the year 2042. There would be zero new property tax*

revenues but increased costs for Police, Fire, Public Works, etc. caused by this project. It made no sense to literally give City property away and increase the bottom line for only the developer. The citizens of Salisbury should be appalled that this was even considered by the elected officials. The City should reject this resolution and should sell land at a price that is reasonable.

ADMINISTRATION AND COUNCIL COMMENTS

President Heath said the reason they held Work Sessions was for the Public to have opportunity to comment on items before they were voted on. He said that the speaker did not mention the future tax income for the City. The position when this first came in terms of the housing availability was much different than it was today. Competition was good and it would certainly put more pressure on landlords if they had competition. He appreciated the speaker's stance but said it was misguided.

Mayor Day recapped the evening's two annexations; two major housing developments; a new gateway sign; emergency housing during cold weather; accepting state funds for designing the final bike lanes; accepting funding for providing mental health emergency services alongside our police officers; adding a third homelessness staffer; Rapid rehousing; increasing pay for police officers; and accepting a grant for our Wastewater Treatment Plant. He applauded the Council on all this.

Mr. Boda said that the City accepted over \$1 million in grants for various things from addressing homelessness, mental health issues, supporting the law enforcement officers, and the bike lanes. Past mistakes included governments trying to be landlords and acquire property. Governments were not good landlords and selling Mitchell Landing was one of the best real estate decisions the City has made.. By off-loading the Marina, even if it was for \$1, the City was getting out of that business. It was not something governments do. Parking lots generally are an expense and do not generate that much revenue. He said it was good to take these non-productive properties and make them productive. For the past six years, this was the direction Council had agreed to move towards.

Ms. Jackson thanked the following in regards to the Westside Mural Ribbon Cutting: City of Salisbury, Dept. of Housing and Community Development, Salisbury Arts & Entertainment, VFW # 10159, Artist Brick Flood, families of the persons represented on the mural, the community, and a host of dignitaries including City Administrator Julia Glanz. On December 8, 2021 at the VFW # 10159, there would be a blood drive from 10:00 a.m. to 5:00 p.m. and on December 11, 2021 there would be a Christmas Dinner and gift giving event at the Richard Hazel Youth Center.

Ms. Blake asked those healthy enough to please give blood.

President Heath asked for prayers for those in the Wisconsin parade tragedy. He wished everyone a happy thanksgiving and thanked Operation We Care for packing 500 boxes for the troops.

ADJOURNMENT

With no further business to discuss, the Legislative Agenda adjourned at 7:41 p.m.

CITY OF SALISBURY, MARYLAND
CLOSED SESSION
NOVEMBER 8, 2021

TIME & PLACE: 6:50 p.m., Council Chambers
PURPOSE: Before a contract is awarded or bids are 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 §3-305(b)(14)
PRESENT: Council President John “Jack” R. Heath, Mayor Jacob R. Day, Council Vice-President Muir Boda, Councilwoman April Jackson, Councilwoman Angela Blake, Councilwoman Michele Gregory, City Administrator Julia Glanz, Deputy City Administrator Andy Kitzrow, Procurement Director Jennifer Miller, City Attorney Michael Sullivan, City Clerk Kim Nichols

ABSENT:

The City Council convened in Legislative Session at 6:00 p.m. At 6:50 p.m. President Heath called for a motion to convene in Closed Session as permitted under the Annotated Code of Maryland §3-305(b)(14). Mr. Boda moved, Ms. Jackson seconded, and the vote was unanimous to convene in Closed Session.


Council was briefed by City Administrator Julie Glanz on the development proposals from two entities for Lot 10, and provided a recommendation.

After discussing the previous proposals for the lot, Council unanimously approved of the recommendation.

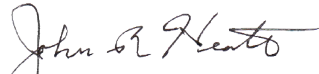
At 7:05 p.m., Ms. Jackson moved, Ms. Gregory seconded, and the vote was unanimous (5-0) to adjourn the Closed Session.

Council immediately convened in Open Session and President Heath reported that Council had met in Closed Session and discussed the negotiating strategy for a contract.

The Open Session was immediately adjourned.



City Clerk



Council President