

CITY OF SALISBURY  
WORK SESSION  
APRIL 18, 2022

Public Officials Present

Council 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, Fire Chief John Tull, Deputy Fire Chief Chris O’Barsky, Procurement Director Jennifer Miller, Police Chief Barbara Duncan, Officer Tucker, Special Assistant to the Mayor Nate Sansom, Executive Administrative Assistant Jessie Turner, City Clerk Kim Nichols, Attorney Ashley Bosche, and members of the public.

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On April 18, 2022 the Salisbury City Council convened at 4:30 p.m. in a hybrid Work Session in Council Chambers of the Government Office Building and on Zoom Conferencing Video.

**Amending purchasing thresholds**

Procurement Director Jennifer Miller said that Council raised the direct purchase threshold at which departments could procure items without first getting quotes from the small dollar amount of \$400 to \$2,000 some time ago. Her first request was for the above threshold to be moved to \$5,000 with anything below \$5,000 eligible for purchase with no competitive quotes. She also asked to raise the competitive formal bidding threshold to \$50,000 from \$25,000, and from \$5,000 to \$50,000 still requiring competitive quotes.

Her next request was to change the range for purchases between \$5,000 and \$25,000 to require (2) quotes and those from \$25,000 to \$49,999 to require (3) quotes. Currently, anything between \$2,000 and \$25,000 required (3) quotes.

The next request related to disposition of surplus supplies. The code referred to everything except vehicles, and she asked to add vehicles to the code, moving the threshold from its current \$2,000 to \$5,000. The director could decide what to do with anything below \$5,000, and anything above \$5,000 would go through Procurement.

Mr. Boda asked if the surplus of vehicles would be different if involved in an accident. Ms. Miller answered that if the historical cost of the vehicle was above \$5,000 it would come to Procurement to decide how to proceed.

President Heath thought the goal was to reduce the number of requests coming to Council and to save internal paperwork. Ms. Miller clarified that what came to Council would not change since competitive bidding items above \$100,000 already went to

Council. She said the Code did not require Council’s approval, but surplus items were taken through Procurement as a habit. President Heath thought it may be necessary to rethink it because from a surplus point of view it could have impact on the finances.

Council reached unanimous consensus to advance the legislation to legislative agenda.

**Ordinance to amend Chapter 5.52 to define “Food Service Facility”**

Deputy Fire Chief Chris O’Barsky and Fire Marshal Eric Cramer came before Council. Mr. Cramer presented the ordinance to define “Food Service Facility” in lieu of “Restaurant” and granting the authority to enforce the provisions of Chapter 5.52. Mr. Cramer’s office had numerous inquiries by local businesses trying to determine if they required a City restaurant license. As written, Chapter 5.52 of the municipal code was vague on the definition of a restaurant making it difficult to determine the requirement. Additionally, staff discovered a number of unlicensed establishments not knowing they needed a restaurant license, such as with carryout food. The ordinance would clear up the definition of “Food Service Facility” and authorize enforcement of the legislation.

Mr. Boda asked if they checked for Health Department licensing as they conducted inspection. Mr. Cramer said the City license prompted Health Department’s involvement, and vice-versa. He said it would increase the workload of his office very little.

Council reached unanimous consensus to advance the legislation to legislative agenda.

**Resolution to increase the Disability Advisory Committee membership from nine to twelve**

Executive Administrative Assistant Jessie Turner explained the Disability Advisory Committee last increased their membership in 2020 from seven to nine members. They were looking to increase the frequency of their meetings from nine to twelve because of their increased projects, and thought the increase in membership would be beneficial.

President Heath said the committee was special to him, as he chaired it before coming to Council. The members were very active and more people wanted to be involved.

Council reached unanimous consensus to advance the resolution to legislative agenda.

**Resolution to enter into an amended and restated land disposition agreement with Green Street Housing , LLC setting forth the terms and conditions governing the sale and redevelopment of Lot 30**

City Administrator Julia Glanz reported the majority of the agreement remained the same as the last time it was before Council with the exception that it put forth the option to lease the parking lot adjacent to the property at Lot 30 nearest Perdue Farms facility. Additionally, the project expanded to approximately 80 units from the original 60 units, but still had the same affordable housing units and market on the first floor.

Mr. Boda asked if it contained one or two buildings, and Tom Ayd from Green Street Housing answered two buildings were proposed. One building with the ground floor amenity space for the residential and the market. The other building would have parking.

Council reached unanimous consensus to advance the resolution to legislative agenda.

**Ordinance to require a permit to remove certain trees and require replacement or payment into a tree restoration fund**

Special Assistant to the Mayor Nathaniel Sansom explained the ordinance would create the tree removal permit requirement. Currently, City residents could remove trees from their property without permits. The City did not track the trees and had no requirements to replace removed trees. As a Tree City USA member, the City was trying to become more sustainable and foster stewardship. The permit would only be required for trees having a 12” measurement about 4 feet from the ground (DBH level). Permits would be issued by HCDD free of charge and would not be required for trees with a DBH less than 12” or for trees dying, with pests, dangerous, etc. The permit would enable the City to track the trees removed in the City to ensure they were being replaced as needed. Trees would be replaced on a one to one ratio anywhere on the same parcel they were removed from. If unable or not desired to replace, a fee could be paid by the permittee to the Tree Replacement Fund to be planted somewhere else in the City. Professional tree services would be responsible for obtaining the permits. Property owners not using a professional tree service would have to obtain the permit themselves. The permit would be free.

President Heath asked about enforcement. Mr. Sansom explained that if permits were obtained, HCDD could track progress and ensure the tree was replaced. If a permit was not acquired, reports to HCDD or through their normal patrols they would see activity indicating tree removal. Mr. Heath thought the permit cost should not be prohibitive to discourage people. The goal was to get trees replaced.

Ms. Blake asked how this impacted HOAs in the City that had not been replacing trees in the original footprint of the development. Mr. Sansom said action could not be taken on trees removed in the past, but enforcement would take place moving forward. Ms. Blake asked how HOA’s would be notified of the change, and Mr. Boda said they would need to be informed the legislation was passed so they would be aware.

Ms. Blake asked how much workload it would add to the City. Mr. Sansom said that HCDD voiced no concern to the added work but were confident they could track compliance. This would be added to their list of items to look for in their regular patrols. This would provide funds to plant more trees at an increased rate in Field Operations.

Ms. Blake asked if the model was taken from another Tree City and Mr. Sansom said it was from Deerborn, Michigan. He also discussed the many exemptions to the permit.

Ms. Jackson asked if a homeowner was removing a tree, they would have to have it replaced or replace it themselves. Mr. Sansom confirmed that would be the requirement. The fee amount was not set yet and would be established through the Fee Ordinance. If a

homeowner was exempt from obtaining the permit they would be exempt from the replacement requirement. Mr. Kitzrow said the \$125 was only an estimated fee amount and would be further discussed in the Budget session.

President Heath suggested sending the approved document to all of the City's HOAs. Ms. Glanz said Rachel Manning could reach out to them, and added that tree canopy added to healthier communities. They could also educate homeowners on the proper plantings for their lots and in proximity to their home to ensure trees lived a long time.

Council reached unanimous consensus to advance the ordinance to legislative agenda.

### **Ordinance to update Police Directed Towing**

Mr. Sansom reported that police directed tow companies declining three or more tow requests within a three-month period were removed from the tow list for six months. The proposed provisions would revise the penalty structure and create two new fees- an additional labor fee and a single use labor fee. Presently there was no mechanism by which the tow companies could receive compensation for tows requiring single use materials for clean-up nor to bill for added labor for tows taking more time to complete. He then detailed each of the changes to Chapter 5.64 that the ordinance would enact.

Mr. Boda asked if allowing increasing the tow fees had been discussed. Everything cost more and he did not expect the tow companies to be restricted to fees placed 10 years ago. Mr. Sansom answered the ordinance simply established new fees and changes as current practice. The fees were established in the Fee Ordinance and not within the scope of the ordinance. Mr. Kitzrow said Administration was looking at increasing some of the fees including accident tows.

President Heath said there were sometimes calls made that were not responded to. It could be due to the fees being so low or it was too cold and they did not want to go. They had to be fair and equitable, but there was also an obligation on the drivers.

Council reached unanimous consensus to advance the ordinance to legislative agenda.

### **Ordinance to amend "Vacant Buildings" to require registration of vacant lots and payment of annual fees**

Mr. Sansom informed Council that the City charged a flat rate of \$200/year to list a building on the vacant building registry. All buildings vacant for more than 180 consecutive days were required to file a form with HCDD to be included on the registry. Condemned buildings were also required to register within 30 days of condemnation.

The request was to amend Chapter 15.22 of the Code to require annual inspections of all buildings on HCDD's vacant building registry which were vacant over 180 consecutive days. Administration also requested to require the registration of vacant non-residential land upon which there was no ongoing, permitted construction. The inspection requirement would require for the public safety aspect as HCDD would be authorized

and required to perform the inspections to ensure they did not pose any threat to public safety. Non-residential lots would be required to register to encourage development.

He said that Administration intended to suggest related revisions to the annual fee schedule, which would be discussed in the upcoming budget sessions. As of April 14, 2022 there were 108 vacant properties on the registry and 36 condemned.

Council reached unanimous consensus to advance the ordinance to legislative agenda.

### **Charter Amendment to adjust Council district boundaries**

Ms. Glanz reported the Charter Amendment was prepared due to the 2020 Census and the redistricting exercise the City Council and Administration participated in.

President Heath said that the way the City conducted the location of the new boundaries was to hand it over to the GIS staff – the politicians kept out of the decisions. The result was logical, clean boundaries where the populations were even.

Council reached unanimous consensus to advance the legislation to legislative agenda.

### **Charter Amendment to reflect the City's contemporary legislative districts**

Ms. Glanz said the Charter Amendment was to update outdated language surrounding elections dates and years. The updated language would reflect what was currently being practiced with November elections.

Council reached unanimous consensus to advance the legislation to legislative agenda.

### **Charter Amendment to reflect the City's contemporary election of Mayor and Council**

Ms. Glanz said the dated language would be removed referring to April 11, different districts and added in the first Tuesday in November language and the Council's four-year terms. It would bring the charter up to date to what was currently being practiced.

Council reached unanimous consensus to advance the legislation to legislative agenda.

### **Public Comments**

Four members of the public provided the following comments:

- Passed out a packet of information (attached as part of the minutes) and thanked Council, Mayor, Administration, Chief Duncan, Officer Tucker, and the members that were present for the Work Session to help get things moving forward.
- Fuel, labor, insurance, vehicle, and maintenance costs have all increased.
- The ordinance was an improvement but not there yet.

- Wished the tow companies present had received a chance to have some input in it. Nobody would have known about it if he had not come to last week's meeting.
- Concurred with the first speaker that the costs of conducting business was rising.
- 50% of the cars they towed were abandoned at their lots. Need to fine the owners, otherwise they were left with garbage and no compensation.
- Needed adding dollies and skids to the fees for the cars if keys were unavailable.
- Had a call last evening on a 2002 Mercedes wrecked by a drunk driver who hit a tree. It took about 45 minutes to safely get it strapped down and towed to his lot. The owner only had liability insurance which would not pay for the car. He was stuck with the car along with the other 8 abandoned cars on his lot. He had to pay rent on the lot along with other costs associated with conducting the business. All for the allowed billing of \$230 for his call at almost midnight last evening.

### **Administration and Council Comments**

Ms. Glanz appreciated all of the comments and Administration would circle back to the companies and let them know what changes were made based on the comments today. She was looking forward to the Budget Sessions beginning tomorrow. Mayor Day was holding a press briefing with Delegate Anderton sharing the great news with the State Budget including \$500,000 for Rail Trail, \$250,000 for Zoo Andean Bear exhibit planning, additional funding including operating and capital funding for the Truitt Street Community Center in partnership with the Boys and Girls Club, funding for Junior Achievement, additional Police funds, and an increase to the Highway User Fund.

Mr. Boda asked the companies to report to Mr. Sansom the costs for dollies, skids and costs on abandoned vehicles. Third Friday was a nice event and good to be outside.

Ms. Jackson was happy the tow companies came and understood that costs were up. It was nice to be back with everyone. Thanked everyone who attended the Easter Egg hunt.


Ms. Blake thanked the tow companies for attending. She asked everyone to be aware and respectful of first responders and school buses on the roads. Earth Day was Saturday at the Zoo. She also asked those healthy enough to please donate blood.

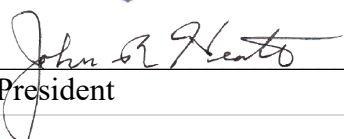
Ms. Gregory also thanked the tow companies for showing up.

President Heath was happy to see citizens present and thanked them for their input. He requested prayer for the people of Ukraine, and if healthy enough, please donate blood.

### **Adjournment of Work Session**

With no further business to discuss, President Heath adjourned the Work Session at 5:46 p.m.

  
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 City Clerk

  
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 Council President