

CITY OF SALISBURY, MARYLAND

REGULAR MEETING

MAY 23, 2022

PUBLIC OFFICIALS PRESENT

*Council President John “Jack” R. Heath
Councilwoman Angela M. Blake
Councilwoman April Jackson*

*Council Vice-President Muir Boda
Councilwoman Michele Gregory*

PUBLIC OFFICIALS ABSENT

Mayor Jacob R. Day

IN ATTENDANCE

City Administrator Julia Glanz, Procurement Contract Specialist Michael Lowe, Fire Chief John Tull, Deputy Fire Chief Darrin Scott, Water Works Director Cori Cameron, City Attorneys Ashley Bosche and Heather Konyar, City Clerk Kimberly Nichols, and members of the public

CITY INVOCATION – PLEDGE OF ALLEGIANCE

The City Council met in regular session at 6:00 p.m. via Zoom and in person and Council President John R. “Jack” Heath called the meeting to order. They recited the pledge to the flag followed by a moment of silent meditation or prayer.

PROCLAMATION- *presented by City Administrator Julia Glanz*

Gun Violence Awareness

Ms. Glanz presented the Gun Violence Awareness proclamation in which the City of Salisbury renewed its commitment to reduce gun violence and pledged to do all it could to keep firearms out of the wrong hands and encouraged responsible gun ownership in order to keep citizens safe.

AWARD PRESENTATIONS

Fire Chief John Tull presented the “Citizen’s Commendation” award to Elizabeth Day and Jason Lewis for their efforts to help save a life from a burning house fire on Hartford Road.

Chief Tull presented Salisbury Fire Department members Deputy Chief Darrin Scott, Lieutenant Aaron Colegrove, Sergeant Brandon Records, and Firefighter/Paramedic Brandon Hoppes the “Unit Citation” award for rescuing an occupant from the second floor of a burning home on North Division Street.

ADOPTION OF LEGISLATIVE AGENDA

Ms. Jackson moved, Ms. Gregory seconded, and the vote was unanimous (5-0) to approve the legislative agenda as presented.

CONSENT AGENDA- presented by City Clerk Kimberly Nichols

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

- April 25, 2022 Council Meeting Minutes
- May 2, 2022 Work Session Minutes
- May 2, 2022 Special Meeting Minutes
- May 9, 2022 Council Meeting Minutes
- May 16, 2022 Work Session Minutes

AWARD OF BIDS- presented by Procurement Contract Specialist Michael Lowe

The following item was unanimously approved on a motion and seconded by Ms. Jackson and Ms. Blake, respectively:

- ITB 22-126 Department of Field Operations Sanitation Truck \$ 211,285.00

RESOLUTION- presented by City Administrator Julia Glanz

- **Resolution No. 3170**- authorizing the Mayor to execute a “legal services agreement” with the law firms of Baron & Budd, P.C., Cossich, Sumich, Parsiola & Taylor LLC and Macleod Law Group, LLC for representation of the City of Salisbury in litigation arising from contamination of public drinking water, and possibly the Wastewater Treatment Plant, by products containing perfluoroalkyl substances (PFAS)

Mr. Boda moved, Ms. Jackson seconded, and the vote was unanimous (5-0) to approve Resolution No. 3170.

Ms. Jackson asked about the harmful effects of PFAS and City Attorney Heather Konyar and Water Works Director Cori Cameron joined Council at the table. Ms. Konyar answered that they did not know yet how harmful PFAS was yet, but the EPA fact sheet stated they caused cancers and other health issues on pregnant women and unborn babies. She provided an overview of the basics of the lawsuit. Ms. Cameron said there was a current treatment limit for tests with 70 parts per trillion, and the City’s test was 14 parts per trillion.

- **Resolution No. 3171**- accepting a vehicle forfeited by the Circuit Court for Wicomico County and adding such vehicle to the Salisbury Police Department vehicle fleet for use in various operations and police details

Ms. Jackson moved, Ms. Blake seconded, and the vote was unanimous to approve Resolution No. 3171.

PUBLIC HEARINGS- Mayor's Proposed FY23 Budget, Water & Sewer Rates, Fees, and Constant Yield Tax Rate- City Attorney Ashley Bosche

- **Ordinance No. 2721**- *appropriating the necessary funds for the operation of the government and administration of the City of Salisbury, Maryland for the period July 1, 2022 to June 30, 2023, establishing the levy for the General Fund for the same fiscal period and establishing the appropriation for the Water and Sewer, Parking Authority, City Marina, and Storm Water Funds*

Ms. Bosche presented Ordinance No. 2721.

President Heath opened the Public Hearing at 6:27 p.m. As there were no requests to speak, he closed the Public Hearing.

- **Ordinance No. 2722**- *increasing Water and Sewer rates by 6% and making said changes effective for all bills dated October 1, 2022 and thereafter, unless and until subsequently revised or changed*

Ms. Bosche presented Ordinance No. 2722.

President Heath opened the Public Hearing at 6:28 p.m. As there were no requests to speak, he closed the Public Hearing.

- **Ordinance No. 2723**- *to set fees for Fiscal Year 2023 and thereafter, unless and until subsequently revised or changed*

Ms. Bosche presented Ordinance No. 2723.

President Heath opened the Public Hearing at 6:29 p.m. As there were no requests to speak, he closed the Public Hearing.

- **Constant Yield Tax Rate**

Ms. Bosche presented the Constant Yield Tax Rate information.

President Heath opened the Public Hearing at 6:33 p.m. As there were no requests to speak, he closed the Public Hearing.

PUBLIC HEARING - Ordinance No. 2716- 2nd reading- *amending Section 17.04.040 of the code, entitled "Method of Regulation", to add confirmatory language exempting Federal, State and Local governments from Title 17 of the Salisbury City Code- City Attorney Ashley Bosche*

Ms. Bosche presented Ordinance No. 2716 for second reading.

President Heath opened the Public Hearing for Ordinance No. 2716 at 6:34 p.m. As there were no requests to speak, he closed the Public Hearing.

Ms. Jackson moved to approve Ordinance No. 2716, Mr. Boda seconded, and the vote was unanimously approved on a vote of 5-0.

ORDINANCES- presented by City Attorney Ashley Bosche

- **Ordinance No. 2725- 2nd reading-** authorizing the Mayor to accept Law Enforcement Body Camera Grant funds from the Local Government Insurance Trust in the amount of \$4,425 for the Salisbury Police body worn cameras project

Mr. Boda moved, Ms. Blake seconded, and the vote was 5-0 to approve Ordinance No. 2725 for second reading.

- **Ordinance No. 2726- 2nd reading-** authorizing the Mayor to accept donated funds in the amount of \$1,000 from the Community Foundation of the Eastern Shore, and to approve an amendment to the FY22 Budget to appropriate these funds to partially cover costs of the purchase and installation of a new water fountain at Ben's Red Swings Playground

Mr. Jackson moved, Ms. Blake seconded, and the vote was unanimous to approve Ordinance No. 2726 for second reading.

- **Ordinance No. 2727- 2nd reading-** authorizing the Mayor to enter into a memorandum of understanding with the Wicomico County Local Behavioral Health Authority for the purpose of accepting Community Mental Health Services (COVID relief) Block Grant Funds in the amount of \$12,562 and to approve a budget amendment to the Grant Fund to appropriate these funds for the Homeless Services Case Specialist position

Ms. Jackson moved, Mr. Boda seconded, and the vote was unanimous to approve Ordinance No. 2727 for second reading.

- **Ordinance No. 2728- 1st reading-** approving an amendment of the City's FY22 General Fund Budget and General Capital Project Fund Budget to provide funds for the "Poplar Hill Mansion ADA Ramp and Bathroom Project"

Mr. Boda moved, Ms. Gregory seconded, and the vote was unanimous to approve Ordinance No. 2728 for first reading.

- **Ordinance No. 2729- 1st reading-** amending Chapter 5.64 of the Salisbury City Code, entitled "Towing Companies", to update procedures for dispatching police directed towing, operation of a police directed tow on scene, and penalties for violations of the code

Ms. Jackson moved, Ms. Gregory seconded, and the vote was unanimous to approve Ordinance No. 2729 for first reading.

PUBLIC COMMENTS

Two members of the public provided the following comments:

- *Did not hear proposals about the multiple tow companies owned by the same owner, which needed to be addressed. It was not fair to the individual tow companies for the owners of the multiple companies getting three or four times the amount of calls. It was hard to meet all of the expenses when their company was getting one call versus another company getting three or four calls that had the same owner.*
- *President Heath read a letter to enter into the record from Don D'Aquila of D & C Sales Inc., dated May 23, 2022 stating the increase in fees were greatly appreciated.*
- *Ms. Glanz said previously in the Code there was a section about not having any financial interests in other companies. Mr. Sansom advised they added a section to include a book inspection to give the City tools to look at financial records. The issue should be tackled moving forward. Ms. Bosche said the language was found in 5.64.120 (F).*
- *Asked if Section C of the Tow Ordinance was say the tow companies had to release after hours. It was not clear that he couldn't shut his business down even on Christmas. It said they had to release cars 365 days per year.*
- *Speaker remarked about the section regarding fenced in lots versus inside storage having the same rates, and said they had to have an \$80,000 building versus a \$7,000 impound lot to both store a car in for \$50 per night.*
- *Council reminded the tow companies that this was only the first reading.*
- *Mr. Boda read the fee ordinance about releasing after normal business hours only at the tower's discretion. Normal business hours were defined as Monday through Friday, 9 a.m. to 6 p.m.*
- *Speaker and Council discussed the section about covering vehicles and tow company owners said there had to be different charges, but was dictated about how much he could charge.*
- *President Heath informed the audience they still had another Work Session between this meeting and the next meeting. He suggested coming back to the June 6th Work Session to share ideas.*
- *Mr. Sansom said that regarding the weekend, holiday or after-hours release, the amendment stated that if the tow company refused to release the vehicle during either of the mentioned events, then no storage fees would be permitted for each day the release was refused.*

ADMINISTRATION AND COUNCIL COMMENTS

Ms. Glanz thanked the City team for the Hops on the River, Movies on the River, Haitian Flag Day, and Third Friday. The beginning of summer events happened with the excellent help from Field Ops, SPD, Fire, and the new ABCD Team.

Mr. Boda said the weekend events were enjoyable. Visit NationalFolkFestival.com/volunteer to help out at the National Folk Festival this year.

Ms. Jackson asked everyone to be safe and social distance. There was a meeting held last week regarding the dirt bikes and there would likely be another one. They left with some good ideas.

Ms. Blake asked everyone to remember bus safety and to donate blood, if healthy enough.

Ms. Gregory said COVID was back in the news and numbers were almost 14% in Wicomico County. Please check on neighbors and friends and family with no air conditioner when it's hot out.

President Heath seconded Ms. Blake's request for blood, as the Eastern Shore was severely low on blood supply, and asked for everyone to continue to keep Ukraine in their prayers.

ADJOURNMENT

With no further business to discuss, the meeting adjourned at 7:28 p.m.

Kimberly R. Nichols

City Clerk



Council Vice President