

**CITY OF SALISBURY, MARYLAND**

**REGULAR MEETING**

**FEBRUARY 13, 2023**

**PUBLIC OFFICIALS PRESENT**

*Council President Muir W Boda  
Council Vice President April Jackson  
Councilwoman Michele Gregory*

*Mayor John R. Heath  
Councilwoman Angela M. Blake*

**IN ATTENDANCE**

*City Administrator Julia Glanz, Deputy City Administrator Andy Kitzrow, Procurement Director Jennifer Miller, City Attorney Ashley Bosche, City Clerk Kimberly Nichols, and members of the public*

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**CITY INVOCATION – PLEDGE OF ALLEGIANCE**

*The City Council met in regular session at 6:00 p.m. via Zoom and in person. Council Vice President April Jackson reported that Council had convened in Closed Session to discuss appending contract. The Closed Session adjourned at 5:58 p.m. upon a motion and seconded by Ms. Blake and Ms. Gregory, respectively and unanimously approved on a 3-0 vote.*

*Council President Muir W. Boda called the meeting to order. After the recital of the pledge to the flag, he invited Bishop J. Anthony Dickerson of the Greater Mt. Olive Full Gospel Baptist Church to the podium to provide the City Invocation.*

**PROCLAMATIONS-** presented by Mayor John R. Heath

***Tri-County Martin Luther King Day***

*Mayor Heath presented the Proclamation to declare January 26, 2023 as Tri-County Martin Luther King Day. He noted the first time he read it was at the 38<sup>th</sup> Annual Tri-County Rev. Dr. Martin Luther King Birthday Celebration that Council attended in January. Born January 15, 1929, Rev. Dr. Martin Luther King become a Baptist minister, Nobel Peace Prize winner, and civil rights leader who championed justice and equality through non-violent, civil actions on his strong Christian values. His eloquent “I have a dream” speech on the Lincoln Memorial on August 28, 1963 contained powerful words that still resonate more than fifty years later. Rev. Dr. Martin Luther King’s birthday was a day in which all Americans can observe his birthday as a day of service to others.*

***Black History Month***

*Mayor Heath presented the Proclamation to declare February 2023 as Black History Month in the City. Black History Month was recognized each February to celebrate the contributions people of Black descent have made to our country. The achievements of African Americans in the Arts, Civil Rights, education, entertainment, government, history, law, literature, medicine, military, music, politics, science, sports and other endeavors were noted. He encouraged all people to stand in the gap every opportunity to eliminate barriers with fearlessness and determination and to empower Black people to protect their health and wellness.*

**ADOPTION OF LEGISLATIVE AGENDA**

Ms. Jackson moved, Ms. Gregory seconded, and the vote was unanimous (4-0 vote) 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 (4-0 vote) on a motion and second by Ms. Gregory and Ms. Blake, respectively.

- January 3, 2023 Special Meeting Minutes
- January 3, 2023 Work Session Minutes
- January 9, 2023 Council Meeting Minutes
- January 9, 2023 Closed Session Minutes (separate email)
- January 17, 2023 Work Session Minutes
- January 17, 2023 Special Meeting Minutes
- January 17, 2023 Closed Session Minutes (separate email)
- January 23, 2023 Council Meeting Minutes
- January 23, 2023 Special Work Session Minutes
- January 23, 2023 Closed Session Minutes (separate email)
- **Resolution No. 3213-** to approve the re-appointment of Amy Crouse to the Disability Advisory Committee for term ending February 2026
- **Resolution No. 3214-** to approve the re-appointment of James Thomas to the Salisbury/Wicomico Planning Commission for term ending February 2028
- **Resolution No. 3215-** to approve the appointment of William Lowery to the Friends of Poplar Hill Board of Directors for term ending February 2026
- **Resolution No. 3216-** to approve the appointment of Timothy Stock to the Ethics Commission for term ending February 2027
- **Resolution No. 3217-** to approve the appointment of David Thompson to the Youth Development Advisory Committee for term ending February 2026

President Boda thanked those present for volunteering to serve on the City boards and committees.

**AWARD OF BIDS-** presented by Procurement Director Jennifer Miller

The following items were unanimously approved on a motion and seconded by Ms. Blake and Ms. Jackson, respectfully:

*Award of Bid(s)*

- |  |                           |
|--|---------------------------|
| 1. ITB 23-114 Refuse Truck (qty=2)           | \$797,369.60              |
| 2. ITB A-23-110 Citywide Electrical Services | \$225,000.00 (3 yr. est.) |

*Declaration of Surplus*

- |   |         |
|---|---------|
| 1. Salisbury Police Department- duty weapon | \$ 1.00 |
|---|---------|

**PUBLIC HEARINGS-** *Sharen Drive-Ocean Isle Annexation-* presented by City Administrator Julia Glanz

- **Resolution No. 3159-** *proposing the annexation to the City of Salisbury of a certain area of land situate contiguous to and binding upon the easterly corporate limit of the City of Salisbury, to be known as the “Sharen Drive Annexation”*

*Ms. Blake moved and Ms. Gregory seconded to approve Resolution No. 3159.*

*City Administrator Glanz presented the resolution.*

*President Boda opened the Public Hearing at 6:24 p.m., and as there were no requests to speak, immediately closed the Public Hearing.*

*Resolution No. 3159 was approved by unanimous vote in favor.*

- **Resolution No. 3160-** *proposing the annexation plan to the City of Salisbury of a certain area of land situate to be known as the “Sharen Drive Annexation”*

*Ms. Blake moved and Ms. Jackson seconded to approve Resolution No. 3160.*

*Ms. Glanz presented the resolution.*

*President Boda opened the Public Hearing at 6:27 p.m., and as there were no requests to speak, immediately closed the Public Hearing.*

*Resolution No. 3160 was approved by unanimous vote in favor.*

**RESOLUTIONS-** presented by City Administrator Julia Glanz

- **Resolution No. 3199-** *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 “John Deere Drive-Salisbury 50 Annex, LLC Annexation”*

*Ms. Jackson moved, Ms. Gregory seconded, and the vote was unanimous to approve Resolution No. 3199.*

- **Resolution No. 3200-** *proposing the annexation plan of a certain area of land contiguous to and binding upon the corporate limits of the City of Salisbury to be known as “John Deere Drive-Salisbury 50 Annex, LLC Annexation”*

*Ms. Jackson moved, Ms. Gregory seconded, and the vote was unanimous to approve Resolution No. 3200.*

- **Resolution No. 3218-** *to authorize the Mayor to enter into, on behalf of the City of Salisbury, a deed for the abandonment of an unimproved paper road*

*Ms. Blake moved, Ms. Gregory seconded, and the vote was unanimous to approve Resolution No. 3218.*

- **Resolution No. 3219-** *to authorize the Mayor to enter into, on behalf of the City of Salisbury, a deed for the abandonment of an unimproved paper road*

*Ms. Jackson moved, Ms. Gregory seconded, and the vote was unanimous to approve Resolution No. 3219.*

**PUBLIC HEARINGS-** *presented by City Attorney Ashley Bosché*

- **Ordinance No. 2758-** *2<sup>nd</sup> reading- pursuant to Chapters 17.108, 17.228 and 17.119.070 of Title 17, Zoning, of the Salisbury Municipal Code, and Title 4, Zoning of the Land Use Article of the Annotated Code of Maryland, for the purpose of amending Section 17.119.020 of the Salisbury City Code by adding to the area of Planned Development District No. 1- Robertson Farm (PDD No..1) two lots totaling 3.55 acres which together are on the North side of and binding on Sharen Drive, the South side of and binding on Old Ocean City Road-MD Route 346, the East side of and binding on the current corporate line of the City of Salisbury also being the current westerly line of PDD No. 1 and West of but not binding upon Phillip Morris Drive and more particularly described in Exhibit A*

*Ms. Gregory moved and Ms. Jackson seconded to approve Ordinance No. 2758.*

*City Attorney Bosché presented the ordinance.*

*President Boda opened the Public Hearing at 6:37 p.m., and as there were no requests to speak, immediately closed the Public Hearing.*

*Ordinance No. 2758 for second reading was approved by unanimous vote in favor.*

- **Ordinance No. 2769-** *2<sup>nd</sup> reading- to amend Salisbury City Code to combine the Housing Board of Adjustment and Appeals, the Building Board of Adjustment and Appeals, and the Board of Zoning Appeals into a new board known as “Board of Appeals”*

*Ms. Jackson moved and Ms. Gregory seconded to approve Ordinance No. 2769.*

*City Attorney Bosché presented the ordinance.*

*President Boda opened the Public Hearing at 6:39 p.m., and as there were no requests to speak, immediately closed the Public Hearing.*

*Ordinance No. 2769 for second reading was approved by unanimous vote in favor.*

**ORDINANCES-** *presented by City Attorney Ashley Bosché*

- **Ordinance No. 2773**- 2<sup>nd</sup> reading- to appropriate funds for the Restore Paleo Well Field project

*Ms. Jackson moved, Ms. Gregory seconded, and the vote was unanimous to approve Ordinance No. 2773 for second reading.*

- **Ordinance No. 2774**- 2<sup>nd</sup> reading- to appropriate funds for the Town Square project and for the purchase of vehicles

*Ms. Jackson moved, Ms. Gregory seconded, and the vote was unanimous to approve Ordinance No. 2774 for second reading.*

- **Ordinance No. 2775**- 2<sup>nd</sup> reading- to accept grant funds for the design of the Rail Trail, Phase 2 & 3, Construction of Armstrong Parkway Rail Trail Connector and a citywide pedestrian and bike counting program; and to approve a budget amendment to allocate said funds for purposes of implementation

*Ms. Jackson moved, Ms. Gregory seconded, and the vote was unanimous to approve Ordinance No. 2775 for second reading.*

- **Ordinance No. 2776**- 2<sup>nd</sup> reading- to accept Maryland State Board of Public Works funds in the amount of 350,000, and to approve a budget amendment to the grant fund to appropriate these funds for the construction of the Truitt Community Center Expansion project

*Ms. Gregory moved, Ms. Jackson seconded, and the vote was unanimous to approve Ordinance No. 2776 for second reading.*

- **Ordinance No. 2777**- 2<sup>nd</sup> reading- authorizing the Mayor to transfer from the Revolving Fund, transfer from the Water Sewer Fund, and appropriate funds for the Raw Water Line at Naylor Mill Project in the Water Sewer Capital Project Fund

*Ms. Blake moved, Ms. Jackson seconded, and the vote was unanimous to approve Ordinance No. 2777 for second reading.*

- **Ordinance No. 2778**- 1<sup>st</sup> reading- to rezone two properties located at 401 Snow Hill Road and 409 Snow Hill Road from R-10 Residential to General Commercial

- *Ms. Jackson moved, Ms. Gregory seconded, and the vote was unanimous to approve Ordinance No. 2778 for first reading.*

### **PUBLIC COMMENTS**

*There were no requests for public comments.*

### **ADMINISTRATION AND COUNCIL COMMENTS**

Mayor Heath announced that the City had 34 openings on the Boards and Commissions. He encouraged anyone having interests to please apply to serve on one of them. He also reminded everyone that there was a blood shortage on Delmarva, and the rules were changed. There were more eligible people now who could donate.

Ms. Blake asked those healthy enough to donate blood. One pint of blood could save three lives. She urged the public to adopt a pet and support the local Humane Society, as there were many needing love and a family. She noted that District 5 was one of the largest development areas and noted that the Sharen Drive annexation report indicated they were populating it with storage. She asked for a report for each annexation. The Fire, Police, Water & Sewer and other services were also charged to serve the area. She requested from Administration a map showing the recent developments.

Ms. Gregory reminded all to get their boosters or vaccination because as the weather warmed up people would be gathering more, and it was important to look out for your friends and loved ones.

Vice President Jackson wished a happy birthday to her granddaughter who was 10 years old today. She commented on Black history, saying there were many proponent people in Salisbury. Delegate Sheree Sample-Hughes, Speaker Pro Tempore, was the first African American woman on the Wicomico County Council and first African American woman from the Eastern Shore to be elected to serve as Delegate. Delegate Rudy Cane was the first African American to represent the Eastern Shore in the House of Delegates. Dr. Charles Chipman left the legacy of the Chipman Center, named after him, and appeared on the Rt. 13 mural and his wife was on the VFW Post #10159 mural. All of them were wonderful role models for our young people. Growing up, she recalled that Lake Street used to have many prominent African American owned businesses. She added that Governor Wes Moore and Vice President Kamala Harris were also part of Black history, and she wanted to keep the rich, Black history alive in the City of Salisbury and Wicomico County.

President Boda remarked that the MD Folk Festival would be held September 22-24, 2023. The festival could use all the help they could get, and volunteers could sign up at [MDFokFest.com](http://MDFokFest.com).

### **MOTION TO CONVENE IN CLOSED SESSION**

With no further business to discuss, at 6:56 p.m. President Boda called for a motion to convene in Closed Session. Ms. Blake moved, Ms. Jackson seconded, and the vote was unanimous (4-0).

### **MOTION TO CLOSE THE CLOSED SESSION / CONVENE IN OPEN SESSION**

At 9:41 p.m. upon a motion and seconded by Ms. Blake and Ms. Gregory, the Closed Session adjourned and Council immediately convened in Open Session whereby President Boda reported that Council had met in Closed Session and discussed an appointment of a staff member.

The Open Session was then immediately adjourned.

*CITY OF SALISBURY, MARYLAND  
CLOSED SESSION  
JANUARY 23, 2023*

*TIME & PLACE: 6:49 p.m., Council Chambers, Government Office Building & Zoom  
PURPOSE: to discuss a matter directly related to a negotiating strategy or proposal  
VOTE TO CLOSE: Unanimous (5-0)  
CITATION: Annotated Code of Maryland §3-305(b)(14)  
PRESENT: Council President Muir W. Boda, Mayor Jacob R. Day, Council Vice-President April Jackson, Councilman John R. Heath, Councilwoman Michele Gregory, Councilwoman Angela M. Blake (Zoom), City Administrator Julia Glanz, Deputy City Administrator Andy Kitzrow, Procurement Director Jennifer Miller, City Attorney Ashley Bosché, City Clerk Kimberly Nichols*

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*The City Council convened in Legislative Session at 6:00 p.m. in Council Chambers of the Government Office Building and via Zoom Video Conferencing. At 6:49 p.m. President Boda called for a motion to enter into Closed Session to discuss a matter directly related to a negotiating strategy in accordance with the Annotated Code of Maryland §3-305(b)(14).*

*Ms. Jackson moved, Ms. Gregory seconded, and the vote was unanimous (5-0) to convene in Closed Session.*

*Ms. Miller updated Council on the details regarding the proposal and negotiations involved in the sale of property. After discussion, Council reached unanimous consensus for Ms. Miller to include the contract as an Award of Contract in the Council’s agenda packet.*

*At 6:58 p.m. Mr. Heath moved, Ms. Jackson seconded, and the vote was unanimous (5-0) to adjourn the Closed Session.*

*Council immediately convened in Open Session and President Boda reported that Council had met in Closed Session and discussed a contract and award of bid for City-owned real estate.*

*The Open Session was then immediately adjourned.*

CITY OF SALISBURY, MARYLAND  
CLOSED SESSION  
FEBRUARY 6, 2023

*TIME & PLACE:* 4:30 p.m., Council Chambers, Government Office Building & Zoom  
*PURPOSE:* to consider the acquisition of real property for a public purpose  
*VOTE TO CLOSE:* Unanimous (4-0)  
*CITATION:* Annotated Code of Maryland §3-305(b)(3)  
*PRESENT:* Council President Muir W. Boda, Mayor John R. Heath, Council Vice-President April Jackson, Councilwoman Angela M. Blake, Councilwoman Michele Gregory, City Administrator Julia Glanz, Deputy City Administrator Andy Kitzrow, Procurement Director Jennifer Miller, City Attorney Ashley Bosché, City Clerk Kimberly Nichols

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*The City Council convened in Open Session at 4:30 p.m. in Council Chambers of the Government Office Building and via Zoom Video Conferencing. President Boda called for a motion to enter into Closed Session to consider the acquisition of real property for a public purpose and matters directly related thereto under the authority of the Maryland Open Meetings Law, Annotated Code of Maryland General Provisions Article § 3-305(b)(3).*

*Ms. Jackson moved, Ms. Blake seconded, and the vote was unanimous (4-0) to convene in Closed Session.*

*Ms. Miller discussed the details of a proposed lease agreement of a building. Deputy City Administrator Andy Kitzrow explained the reasons for the request to lease the property.*

*After discussing the lease's impact on the budget, Council reached unanimous consensus to convene in Closed Session again in a week to have their questions answered.*

*At 5:29 p.m. Ms. Blake moved, Ms. Gregory seconded, and the vote was unanimous (4-0) to adjourn the Closed Session.*

*At 5:38 p.m. Council convened in Work Session and President Boda reported that Council had met in Closed Session and discussed a lease agreement.*

*Council then proceeded with the regularly scheduled Work Session.*



CITY OF SALISBURY, MARYLAND  
CLOSED SESSION (A)  
FEBRUARY 13, 2023

*TIME & PLACE:* 5:00 p.m., Council Chambers, Government Office Building & Zoom  
*PURPOSE:* to consider the acquisition of real property for a public purpose  
*VOTE TO CLOSE:* Unanimous (3-0)  
*CITATION:* Annotated Code of Maryland §3-305(b)(3)  
*PRESENT:* Council Vice-President April Jackson, Mayor John R. Heath, Councilwoman Angela M. Blake, Councilwoman Michele Gregory, City Administrator Julia Glanz, Deputy City Administrator Andy Kitzrow, City Attorney Ashley Bosché, City Clerk Kimberly Nichols  
*ABSENT:* Council President Muir W. Boda

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*The City Council convened in Open Session at 5:00 p.m. in Council Chambers of the Government Office Building and via Zoom Video Conferencing. Vice President Jackson called for a motion to enter into Closed Session to consider the acquisition of real property for a public purpose and matters directly related thereto under the authority of the Maryland Open Meetings Law, Annotated Code of Maryland General Provisions Article § 3-305(b)(3).*

*Ms. Gregory moved, Ms. Blake seconded, and the vote was unanimous (3-0) to convene in Closed Session.*

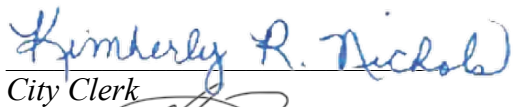
*City Administrator Julia Glanz and Deputy City Administrator Andy Kitzrow reviewed the options placed before Council and provided answers to the questions asked at the prior Closed Session regarding budgeting implications.*

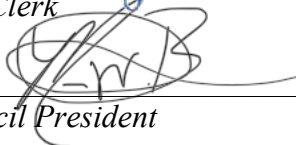
*After discussing the proposal, Council reached unanimous consensus to authorize Administration to move forward with the lease and to plan for Option A, as presented in the Closed Session.*

*At 5:58 p.m. Ms. Blake moved, Ms. Gregory seconded, and the vote was unanimous (3-0) to adjourn the Closed Session. President Boda entered the Council Chambers at that time.*

*At 6:00 p.m. Council convened in Legislative Session and Vice President Jackson reported that Council had met in Closed Session that Council had met in Closed Session to discuss an agreement and consider leasing property for a public purpose.*

*Council then proceeded with the regularly scheduled Legislative Session.*

  
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City Clerk

  
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Council President