

CITY OF SALISBURY, MARYLAND

REGULAR MEETING

JULY 10, 2023

PUBLIC OFFICIALS PRESENT

*Council President Muir W. Boda
Council Vice-President April Jackson
Councilmember Megan Outten*

*Mayor John R. Heath (Zoom)
Councilmember Angela M. Blake*

ABSENT

Councilmember Michele Gregory

IN ATTENDANCE

City Administrator Andy Kitzrow, Contract Specialist Michael Lowe, Infrastructure and Development Director Rick Baldwin, Chief John Tull, Col. Dave Meienschein, City Attorney Ashley Bosche, Assistant City Clerk Julie English, 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. Council President Muir W. Boda called the meeting to order. After the recital of the pledge to the flag, Pastor Greg Carlson of the Park Seventh-day Adventist Church came forward to provide the City Invocation.

PROCLAMATION

City Administrator Andy Kitzrow presented the Lt. Richard Kaiser Day proclamation. Mr. Kitzrow acknowledged Lt. Kaiser for his 26 years of dedicated public service to the community. He shared that Kaiser would be remembered for his “meticulous approach in all that he does, reliability, and dedication of service to the citizens of Salisbury and his fellow employees.”

ADOPTION OF LEGISLATIVE AGENDA

Ms. Jackson moved and Ms. Blake seconded to approve the legislative agenda. The vote was 4-0 to approve the legislative agenda.

CONSENT AGENDA- *presented by Assistant City Clerk Julie English*

The Consent Agenda, consisting of the following items, was unanimously approved on a motion and second by Ms. Blake and Ms. Jackson, respectively.

- *April 18, 2023 Budget Work Session Minutes*
- *April 20, 2023 Budget Work Session Minutes*
- *May 1, 2023 Work Session Minutes*
- *May 1, 2023 Special Meeting Minutes*
- **Resolution No. 3264-** *to approve the appointment of Hemalatha Bhaskaran to the Zoo*

Commission for term ending June 2026

- **Resolution No. 3265-** *to approve the appointment of Suzanne Peterson to the Human Rights Advisory Committee for term ending June 2025*

President Boda asked Ms. Peterson to stand and Council expressed their appreciation for her service.

AWARD OF BIDS- *presented by Contract Specialist Michael Lowe*

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

Award of Bids

- | | |
|--------------------------------------------------------|------------------------------------|
| 1. ITB 24-103 Salisbury Fire Department Rescue Truck | \$1,624,885.00 |
| 2. ITB A-23-102 Streetlight/Traffic Signal Maint. Svcs | \$150,000 - \$300,000 (3 yr. est.) |
| 3. RFP 23-108 Comprehensive Plan Updates | \$160,000.00 |

Declaration of Surplus

1. *Salisbury Police Department – Duty Weapons (qty. 3)*
2. *Salisbury Fire Department – Misc. apparatus and turnout gear*

Mr. Boda asked if there had been any consideration to donate the surplus vehicles to Vehicles for Change. Mr. Kitzrow responded that those particular vehicles would be auctioned to receive funds to be used to up fit other vehicles.

ORDINANCES- *presented by City Attorney Ashley Bosché*

- **Ordinance No. 2811-** *1st reading- approving a budget amendment of the FY2023 forfeited funds fund budget to appropriate funds to purchase a customizable and expandable storage system for the Salisbury Police Department*

Ms. Jackson moved, Ms. Blake seconded, and the vote was unanimous to approve Ordinance No. 2811 for first reading.

- **Ordinance No. 2812-** *1st reading- to amend Chapter 2.16 of the Salisbury City Code, entitled “Fire Department”, for granting the authority to enforce all laws and ordinances of the City of Salisbury and State of Maryland pertaining to fire, to implement fire safety programs, and to issue permits and licenses to the City Fire Marshal*

Ms. Jackson moved, Ms. Outten seconded, and the vote was unanimous to approve Ordinance No. 2812 for first reading.

- **Ordinance No. 2813-** *1st reading- to amend Chapter 8.11 of the Salisbury City Code, entitled “The Fire Prevention Code”, granting the authority to issue permits for the installation, modification, or removal from service of any private fire service water mains and their appurtenances, and prescribing penalties for specific violations*

Ms. Blake moved, Ms. Jackson seconded, and the vote was unanimous to approve Ordinance No. 2813 for first reading.

- **Ordinance No. 2814**- 1st reading- amending Section 17.76.020A. of the Salisbury City Code to add Service, Rental and Repair Establishments to the category of uses permitted in the Light Industrial Zoning District

Ms. Jackson moved, Ms. Outten seconded, and the vote was unanimous to approve Ordinance No. 2814 for first reading.

PUBLIC COMMENTS

In the interest of time, President Boda asked everyone to keep their comments to 4 minutes. He would use a timer and when the speaker had 30 seconds left he would tap the gavel to notify them. Once the 4 minutes had concluded he would signal by a firm hit of the gavel. The following is a synopsis of the comments made by the speakers:

- *Speaker #1 addressed rumors she had heard that a new apartment building would be going up downtown. Her understanding was that a new parking garage would be needed to accommodate that addition. She questioned who would be paying for the parking garage. Mr. Boda responded to the question by stating the garage would be bonded and the parking fees collected by the City would go back into paying for the garage. Speaker also addressed her concern regarding the citizens paying for services that the “for profit” projects did not have to pay. She wanted to know why the City is putting up buildings like the Ross and planning to add a hotel. Finally, she noted the lack of code enforcement on Isabella Street.*
- *Speaker #2 asked about future development of Monument Park/Circle. Mr. Kitzrow confirmed there were no current plans for development at this time. Speaker echoed the code enforcement comment of Speaker #1 with regard to weeds around his neighborhood. He mentioned Wicomico High School and the Civic Center recycling area. Mr. Boda clarified they were County locations and that we would pass the concerns along to them.*
- *Speaker #3 shared she had been a downtown business owner for 5 years. She shared her concern with having to go back out while she was working to pay for addition parking time. She recommended a yearly subscription, parking packages, or stickers. She clarified that she loved the area and would like to keep her business where it is.*
- *Speaker #4 addressed the new men’s recovery homes in his neighborhood. He understood the occupancy in those homes could be significantly higher than those in a rental property. After speaking with the proprietor, he learned that they do not allow sex offenders and they do background checks on Maryland residents. He was concerned that individuals coming from out of state would not have had the background check done. He believed having lowly regulated recovery homes would be problematic. He was told there was no restrictions as to how many homes could be turned into recovery homes in a particular area. He would like the Council to consider using buildings such as the Ross as recovery homes.*
- *Speaker #5 echoed Speaker #4’s concerns. She also shared her concerns about parking. She expressed concern, once again, about having the stop lights returned to South Boulevard*

and Camden Avenue. She would like to know why the lights were initially removed. Also, she would like follow-up on Mayor Heath's comment about reinstating the Traffic Committee.

- Speaker #6 referenced the Downtown Master Plan for lot's 11 and 15. He shared the original plans for those lots and what the plans are now. He questioned what the County would be paying the City for fire services. Finally, he expressed the desire to further discuss the Horizon Program.

ADMINISTRATION AND COUNCIL COMMENTS

Mr. Kitzrow shared that the terms were favorable for the City to continue to provide fire services to the County. However, there was not a signed document as of yet. Mr. Kitzrow also spoke to the adjustment made to the Master Plan Speaker #6 spoke of. The adjustment was the decision of the developer to determine what makes the most sense for the design and developer. He added that the City's Traffic Manager had just returned from active guard duty. There would be a discussion with him about the Transportation/Traffic Committee. Finally, Mr. Kitzrow offered the following updates on parking:

- one hour of free parking through the pay stations on Friday's through the Summer
- the parking garage would continue to provide 2 hours of free parking through Labor Day
- the on street pay station maximum would be going from 2 hours to 4 hours
- downloading the parking app on your phone allowed you to update your time without having to run out to your vehicle
- the City would be contracting with a security company to assist with security in the evenings
- Phase II Master Plan would be coming before Council August 7th

Mayor Heath asked that residents who drove be mindful of children outside playing. He acknowledged the increased rain everyone had been experiencing and asked residents to be careful. As always, he asked for those able to donate blood. Lastly, he shared his condolences to the families affected by the recent mass shootings. He encouraged the public to assist them in any way possible.

Ms. Jackson sent her deepest condolences to the Maddox family. She commented that we were losing our kids to death or prison. She shared that she was raising money for her non-profit to take the youth on a trip to have fun. Saturday she would also be doing a free Senior Citizens barbeque for anyone over 60 years of age.

Ms. Blake pleaded for those healthy enough to donate blood. One pint could save up to 3 lives.

Ms. Outten highlighted the Newton Community Center. She shared that is was a free resource for kids to have fun. She also encouraged people to continue to come out to the meetings and share their concerns.

Mr. Boda acknowledged that the weather was getting hot so people needed to take regular breaks.

ADJOURNMENT

With nothing further to discuss, the meeting adjourned at 7:10 p.m.

CITY OF SALISBURY, MARYLAND
CLOSED SESSION
JUNE 20, 2023

TIME & PLACE: 5:26 p.m., Conference Room 306, Government Office Building
PURPOSE: to consult with counsel to obtain legal advice on a legal matter
VOTE TO CLOSE: Unanimous (5-0)
CITATION: Annotated Code of Maryland §3-305(b)(7)
PRESENT: Council President Muir W. Boda, Mayor John R. Heath, Council Vice-President April Jackson, Councilmember Angela M. Blake, Councilmember Michele Gregory, Councilmember Megan Outten, City Administrator Andy Kitzrow, Procurement Director Jennifer Miller, Special Counsel Reena Patel, City Clerk Kimberly Nichols

The City Council convened in Work Session at 4:30 p.m. in Conference Room 306 of the Government Office Building and via Zoom Video Conferencing. At 5:26 p.m. Council President Muir Boda called for a motion to enter into Closed Session to consult with counsel to obtain legal advice on a legal matter as permitted under the authority of the Maryland Open Meetings Law, Annotated Code of Maryland General Provisions Article § 3-305(b)(7).

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

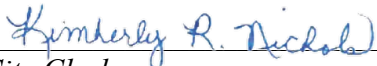
Reena Patel, the City’s Special Counsel, provided background information and recommendations on how to proceed with the settlement and LDA for Lots 1, 11, and 15. She and City Administrator Andy Kitzrow fielded questions from Council regarding payment, the City’s legal and developer’s responsibility and funding,

No votes were taken or consensus reached as the purpose of the discussion was to provide Council legal advice and answers to their questions and concerns.

At 5:56 p.m. Ms. Jackson moved, Ms. Gregory seconded, and the vote was unanimous (5-0) to adjourn the Closed Session.

Council immediately reconvened in the Work Session and President Boda reported that Council had met in Closed Session to obtain legal advice on a legal matter from Legal Counsel.

Council continued discussing the resolution to authorize the amended and restated land disposition agreement (LDA) for Lots 1, 11 and 15 and to set the terms for the sale and construction.



City Clerk



Council President