

CITY OF SALISBURY
WORK SESSION
AUGUST 21, 2023

Public Officials Present

Council President Muir Boda
Councilmember Angela M. Blake
Councilmember Megan Outten

Council Vice-President April Jackson
Councilmember Michele Gregory

Absent

Mayor Jack Heath

In Attendance

City Administrator Andy Kitzrow, Assistant City Administrator Tom Stevenson, Acting Police Chief Dave Meienschein, Department of Infrastructure and Development (DID) Director Rick Baldwin, City Planner Brian Soper, Procurement Director Jennifer Miller, Media Specialist Jordan Ray, Assistant City Clerk Julie English, City Attorney Ashley Bosché, and interested members of the public.

On August 21, 2023 the Salisbury City Council convened at 4:30 p.m. in Council Chambers, Room 301 in the Government Office Building. The following is a synopsis of the items discussed in Work Session.

Text Amendments to Sections 17.04.120 and 17.160.030

City Planner Brian Soper presented a text amendment at the request of Mr. Mark Cropper on behalf of TidalHealth. The text amendment would amend Sections 17.04.120 “Definitions” and 17.160.030 “Uses permitted by special exception” to include community clinics in the R-5A zoning district. The proposed site was the current site of Hotel Esther on Church Street.

If approved by Council, the amendment would allow TidalHealth to apply for an exception to the Board of Appeals and then to the Planning Commission.

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

Ordinance to convert Calvert Street to one-way traffic

DID Director Rick Baldwin requested permission from the Council to convert one block of Calvert Street to one-way westbound traffic. The request was made to help eliminate an area of frequent accidents. Mr. Baldwin shared a visual to show which area would be affected.

Mr. Kitzrow added that this change would line up with future plans for that location.

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

Budget amendment to appropriate funds for legal services and resolution to appoint Special Counsel

Director of Finance Keith Cordrey explained the City anticipated the need for special counsel with the adoption of the Labor Code. The proposed ordinance would appropriate \$50,000 from surplus.

Mr. Cordrey also presented a resolution to appoint the law firm of Saul Ewing, LLP to serve as special counsel for the City.

Ms. Blake questioned how that particular firm was chosen. Ms. Bosché responded it was at her request after having discussions with other attorneys and municipalities who had labor codes. Mr. Daniel Altchek, with Saul Ewing, LLP, came highly recommended.

Ms. Jackson questioned why the decision on a firm had been made prior to the situation being presented before Council. Mr. Kitzrow explained that if a professional service was needed the request for quote process was not required. Ms. Bosché added the number of attorneys having expertise in this area were limited.

Ms. Gregory asked if the other municipalities Mr. Altchek represented were similar to Salisbury. He stated he represented public employers with a wide variety of sizes. He practiced labor and employee law, almost exclusively, and spent a lot of time in this area and with public law. Additionally, he worked with the Town of Ocean City for collective bargaining with the FOP and the IAFF.

Ms. Blake asked how they came up with the amount of \$50,000 to appropriate. Mr. Kitzrow explained he and Ms. Bosché came up with that figure based on the firms hourly rate.

Council reached unanimous consensus to move this legislation forward to legislative session.

Budget amendment to accept funds for K-9 vests

Acting Chief Meienschein presented a budget amendment to Council to accept a donation from Blue Heron Agility Association out of Delaware in the amount of \$4,000 to outfit the K-9's with bullet proof vests. Chief Meienschein shared the company had a history with the Salisbury Police Department. In 2019 they donated funds in the amount of \$1,000 that went toward the purchase of police vests and equipment. He also explained that the K-9's were just as much in harms way as the officers. The vests would offer protection for them that they wouldn't normally have. The vests were just as expensive as the vests for the officers.

Council reached unanimous consensus to move this legislation forward to legislative session.

Cannabis zoning discussion

Mr. Kitzrow shared he was at a cannabis symposium last week that went over how cannabis zoning was being regulated at a state level. City Planner Brian Soper shared that the Planning Commission had heard discussions with the County and they were going through the same process as the City to explore their options.

Mr. Kitzrow listed the following things that could be taken into consideration:

- zoning jurisdictions
- buffering (distances from places such as churches, schools and daycare centers)
- density (number of locations within a certain area)
- operational characteristics (hours of operation, onsite consumption)

He added with cannabis there were three main sections: cultivation and growing, production, and dispensaries. The City was focused more on the dispensary side of it.

City Attorney Laura Ryan shared the County hadn't put anything out that was concrete. The hope was the City could look at what they put out and the restrictions they had in place then build off of that.

Mr. Boda added that the deadline for this was December 31st.

Mr. Kitzrow encouraged Council to let Administration know if they had any questions or additional things they wanted them to look into during this process.

Mr. Boda stated he wanted them to take into consideration the businesses that were dropoff locations for kids when addressing the buffering mentioned earlier. Mr. Kitzrow responded it could be addressed when determining the criteria for the zones.

The question was raised about businesses changing within a zone that already had a dispensary and how that would be addressed. It would be a topic of conversation when further discussion was had on the subject.

Mr. Kitzrow shared that the City is currently not in favor of having onsite consumption. Ms. Jackson related the topic to an alcohol dispensary. The public would not be able to consume the alcohol on the property so they shouldn't be able to consume the cannabis on the property where it was purchased. Ms. Outten added the City would be encouraging people to then drive home under the influence.

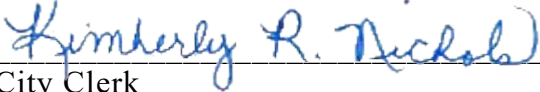
Mr. Kitzrow advised this would be brought back to Council in late September for further discussion. The plan was to get this wrapped up by the end of December.

Adjournment / Convene in Closed Session

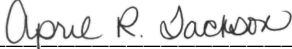
With no further business to discuss, President Boda adjourned the Work Session at 5:06 p.m. and Council immediately convened in the scheduled Closed Session.

Convene in Open Session/Report to Public/Adjournment

At 5:20 p.m. the Closed Session was adjourned upon a motion and seconded by Ms. Jackson and Ms. Gregory, respectively, and approved by unanimous vote in favor. Council convened in Open Session at 5:21 p.m. and President Boda reported to the public that Council met in Closed Session in accordance with the Annotated Code of Maryland § 3-305(b)(14) to discuss a utility easement agreement involving a cell phone tower. The reason for closing was due to expressed confidentiality of current and proposed vendor agreements as protected from disclosure under the Maryland Public Information Act of which public discussion at this juncture would adversely impact the ability of the City to participate in the proposal process.



City Clerk



Council President