

**CITY OF SALISBURY, MARYLAND**

**REGULAR MEETING**

**SEPTEMBER 25, 2023**

**PUBLIC OFFICIALS PRESENT**

*Council President April Jackson  
Councilmember Michele Gregory*

*Council Vice-President Angela Blake  
Councilmember Megan Outten*

**PUBLIC OFFICIALS ABSENT**

*Acting Mayor John R. Heath*

**IN ATTENDANCE**

*City Administrator Andy Kitzrow, Assistant City Administrator Tom Stevenson, Procurement Director Jennifer Miller, City Attorney Ashley Bosché, Assistant City Clerk Julie English, 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 President April Jackson called the meeting to order. After the recital of the pledge to the flag, President Jackson invited Pastor Greg Morris, Parkway Church of God, to the podium to provide the Invocation.*

**ADOPTION OF LEGISLATIVE AGENDA**

*Ms. Blake moved and Ms. Outten seconded to unanimously 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. Gregory and Ms. Outten, respectively.*

- *July 17, 2023 Closed Session Minutes*
- *August 7, 2023 Closed Session Minutes*
- *August 14, 2023 Council Meeting Minutes*
- *August 21, 2023 Work Session Minutes*
- *August 21, 2023 Closed Session Minutes*

**AWARD OF BID**

*The Award of Bid, consisting of the following item, was unanimously approved on a motion and seconded by Ms. Gregory and Ms. Blake, unanimously.*

- |  |                     |
|--|---------------------|
| 1. RFP A-23-108 Off-site Net Aggregate Metered Solar System<br>yr. term) | \$16,182,080.64 (20 |
| 2. ITB 24-108 SFD Portable Radios  | \$170,700.25        |

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

- **Ordinance No. 2821**- to amend section 17.04.120 of the Salisbury City Code to include a definition for “clinic-residential” and amending 17.160.030 of the Salisbury City Code to add clinic-residential to the category of uses permitted by special exception in the R-5A Zoning District

Ms. Blake moved and Ms. Gregory seconded to approve the resolution.

Two members of the public were sworn in by Assistant City Clerk Julie English. The Public Hearing was opened at 6:11 p.m. and the following public comments were provided:

- Speaker #1 announced he was there on behalf of TidalHealth and had the Becker Morgan team with him if there were any questions about Ordinance No. 2821.
- Speaker #2 commended TidalHealth for a phenomenal idea. She felt the more specific an ordinance was the better. She recommended the property referenced in Ordinance No. 2821 be identified more specifically as Hotel Esther so everyone was focused on that particular piece of the ordinance.

The Public Hearing closed at 6:13 p.m.

Ms. Blake posed the question whether or not there could be a consideration to identify the property as Hotel Esther in the ordinance, as requested. Legal Council for TidalHealth responded by clarifying that Ordinance No. 2821, if approved, would be applicable to any areas in the R-5A zone, not just Hotel Esther.

Ordinance No. 2821 was approved on a 4-0 vote in favor.

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

- **Ordinance No. 2824**- 2<sup>nd</sup> reading- approving a budget amendment of the FY2024 General Fund Budget to appropriate funds to the Department of Field Operations Budget for increased overtime

Ms. Outten moved and Ms. Gregory seconded to approve Ordinance No. 2824 for second reading.

- **Ordinance No. 2825**- 2<sup>nd</sup> reading- to authorize the Mayor to enter into a contract with the Maryland State Arts Council for the purpose of accepting grant funds in the amount of \$17,846 and to approve a budget amendment to the grant fund to

*appropriate these funds to be used for eligible expenses associated with a Public Art Fund for the Arts & Entertainment District*

*Ms. Blake moved, Ms. Gregory seconded and the vote was unanimous to approve Ordinance No. 2825 for second reading.*

- **Ordinance No. 2826**- 2<sup>nd</sup> reading- *approving the budget amendment of the FY2024 General Fund Budget to appropriate additional funds required for a Downtown Ambassador Program*

*Ms. Gregory moved, Ms. Outten seconded, and the vote was unanimous to approve Ordinance No. 2826 for second reading.*

- **Ordinance No. 2827**- 2<sup>nd</sup> reading- *amending Charter 5.69 of the Salisbury City Code to include exclusions from the Paper Carryout Bag Fee*

*Ms. Gregory moved, Ms. Blake seconded, and the vote was unanimous to approve Ordinance No. 2827 for second reading.*

- **Ordinance No. 2828**- 2<sup>nd</sup> reading- *to authorize the Mayor to enter into a contract with TidalHealth for the purpose of accepting sub-granted funds in the amount of \$85,012.00*

*Ms. Outten moved, Ms. Gregory seconded, and the vote was unanimous to approve Ordinance No. 2828 for second reading.*

- **Ordinance No. 2829**- 1<sup>st</sup> reading- *approving a budget amendment of the FY2024 General Fund Budget to update authorized position counts and grades*

*Ms. Blake moved, Ms. Gregory seconded and the vote was unanimous to approve Ordinance No. 2829 for first reading.*

- **Ordinance No. 2830**- 1<sup>st</sup> reading- *authorizing the Mayor to appropriate funds for the Raw Water Line Naylor Mill project*

*Ms. Blake commended the City of Salisbury for finding funds no longer needed in other areas to use for this project.*

*Ms. Outten wanted clarification that this project was being done to help meet permitting requirements from the Maryland Department of the Environment. Mr. Kitzrow explained that the project was also to update some of the infrastructure.*

*Ms. Gregory moved, Ms. Blake seconded, and the vote was unanimous to approve Ordinance No. 2830 for first reading.*

- **Ordinance No. 2831**- 1<sup>st</sup> reading- authorizing the Mayor to appropriate funds for the East Main Street Roundabout project and Lot 5 Compliance project

*Ms. Blake moved and Ms. Gregory seconded to approve Ordinance No. 2831 for first reading.*

*Ms. Bosché presented Ordinance No. 2831.*

*Ms. Blake and Ms. Gregory expressed their excitement and anticipation for this project.*

*Ms. Jackson questioned the funding of the projects with a focus on lines 18-20 of the ordinance, specifically naming North Prong Park. After discussion from the Council, it was decided that further discussion was needed at the next Work Session regarding the funding of the projects.*

*No vote was taken on Ordinance No. 2831 for first reading.*

- **Ordinance No. 2832**- 1<sup>st</sup> reading- to accept grant funds from the Maryland Department of Transportation – Maryland Transit Administration (MDOT-MTA) for the feasibility study of fixed and flex route transit services and approving an amendment of the FY24 budget to allocate said funds for purposes of implementation

*Ms. Blake stated the City's match for this grant would be taken from surplus. She then questioned where that would leave the City with surplus funds and also asked if this would affect our bond rate. Mr. Kitzrow responded that it would not affect either of those things a great deal. On any given day the City's surplus amount would be around 10-11 million dollars.*

*Ms. Outten added that most people knew transportation was one of the biggest hurdles they faced. She was happy to see the City working toward that by accepting these grant funds to find some avenues for the residents.*

*Ms. Blake moved, Ms. Gregory seconded, and the vote was unanimous to approve Ordinance No. 2832 for first reading.*

## **PUBLIC COMMENTS**

*The following comments were provided by nineteen members of the public:*

- *Speaker#1 spoke on behalf of those in recovery and as a mother of two in recovery. She shared the story of her children; her son in particular. She spoke in favor of the recovery homes as they were the reason her son was still here. She didn't believe in recovery until it hit her home fifteen years ago.*
- *Speaker #2 was in favor of recovery homes. He shared that he was a convicted felon. He spoke about the work Tish did and about the drugs in Salisbury. He warned that the absence*

*of recovery homes would result in more deaths in the city. Without the recovery homes he wouldn't be alive today.*

- *Speaker #3 shared that the majority of the residents on Middle Blvd were in favor of recovery. He shared a metaphor involving the driver of a bus to explain how the residents of Middle Blvd felt about the recovery homes. He explained that they had a right to ask about the rules for the recovery homes. He did not ask for people to be displaced, rather for an investigation into how the homes came to exist. During the course of the investigation, irregularities had been found. If the investigations end in people being displaced, he suggested a shared cost from the City to rehouse them. He expressed the importance of oversight over that industry.*
- *Speaker #4 was an addict and found Salisbury through an inpatient facility. He had watched the community grow and improve. When he came to Salisbury he felt welcomed by the recovery homes and the community. He could now give back locally. Without recovery homes and treatment programs in general, none of his accomplishments would have been possible.*
- *Speaker #5 worked in the community for over eight years. This area participated in overdose awareness yet they were speaking out against the stigma that this county stood up for. The discriminatory acts of a small group of people were harming one of our prevention acts. She called the actions of that small group disgusting and added the reactions of Council to those actions were disgusting as well. Homes 4 Hope had been functioning in the area for years without incidents that required that type of reaction. Recovery homes like Homes 4 Hope were at a success rate of 64%. These programs helped give back to the community as others had spoken about. She was sure everyone had experienced something that made them wish a program just like Homes 4 Hope was there for them.*
- *Speaker #6 asked Council to imagine being told they were not wanted or they couldn't live on a certain street because of a disability. They (Homes 4 Hope) had been operating since 2017 with the cooperation of the City the entire time. They had their blessing and were state certified. She believed a statement put out by Mr. Kitzrow wasn't conveyed properly. The statement verified that past requests by the Housing, Community and Development Department were "met with compliance." Since July, Homes 4 Hope had suffered discrimination from residents of Middle Blvd. and the City of Salisbury. She stated that one of the residents attempted to assault her during a meeting. Homes 4 Hope would no longer sit and listen to the nonsense. She noted that the recovery homes located a few blocks away had not received the negative treatment as those on Middle Blvd. She added that the City's unreasonable requests of them were only after fear or prejudice of community members arose. They would continue to operate and serve their clients.*
- *Speaker #7 spoke in favor of Homes 4 Hope. The first recovery house was started in 2017 and the staff were dedicated.*
- *Speaker #8 was a product of recovery houses and spoke in favor of recovery homes. If it weren't for the homes, he would have been put back in jail. After recovery, he went back to school and was a State certified trainer for recovery. He was the only trainer of this kind on the eastern shore.*
- *Speaker #9 worked at Homes 4 Hope. She worked daily with individuals who were broken and had seen lives changed. She believed the recovery houses were a necessity in Salisbury.*
- *Speaker #10 had concerns about how the City was spending their money. She didn't think the police department salaries needed to be decreased to fund an Ambassador Program. She*

*didn't feel we needed the program and felt it was a total waste. She also felt that the roundabout study was not needed and questioned how many accidents had happened there. In addition, she referenced Ordinance No. 2832 and spoke against bike paths. She would rather see money go into a bus system.*

- *Speaker #11 referenced the June 20, 2023 Council Meeting. She stated that Council members were disrespectful and dismissive. She pleaded with the Council to release the Closed Session minutes from that day. Next, she referenced a Closed Session held on July 17, 2023 and a discussion about the absence of Exhibit E.*
- *Speaker #12 spoke about the proposed parking garage. He believed it would only serve the "town center apartments." He estimated the City would be out 13 million dollars. The Horizon Program was also mentioned.*
- *Speaker #13 shared his concern about the crime in the City. He shared his negative experience and that of his roommate. He compared Salisbury to Baltimore. He asked that we stop fixing the things that didn't need to be fixed and fix those things that did.*
- *Speaker #14 spoke in favor of the recovery homes. She personally worked in connection with recovery homes and addicts in the past. She transitioned her focus to the Closed Session meeting minutes from June 20, 2023. She urged Council to release the minutes and stated it was a decision the Council needed to make.*
- *Speaker #15 spoke in support of Homes 4 Hope. She spoke about fear. She acknowledged there were Fair Housing rules they had to abide by. She encouraged people not to let their fear take away their hope. She also shared her son's journey through addiction. She ended with reflecting on the prayer Pastor Morris gave earlier.*
- *Speaker #16 spoke highly of Trish and Homes 4 Hope. She shared that the individuals placed in the recovery homes had already been through treatment. She was in favor of the recovery homes.*
- *Speaker #17 lived on Middle Boulevard. She spoke about her son who had autism and her concerns with the recovery homes.*
- *Speaker #18 spoke of two waves happening in the City. Crime was the first wave, secrecy wave was the second. He spoke in reference to the closed meetings and believed the Council was reluctant to share their reasoning for decisions they made. He questioned why the interview for police chief would be in closed session.*
- *Speaker #19 did not believe that people were attacking the recovery homes or the individuals in them, rather their concerns were with the unregulated aspects of them. He agreed that there should be a regulated, clarified, safe process. He shared that until it was regulated it would be an issue.*

### **ADMINISTRATION AND COUNCIL COMMENTS**

*Mr. Kitzrow shared his enjoyment at the Maryland Folk Festival and thanked the staff and volunteers who helped out.*

*Ms. Gregory asked folks to donate to the Maryland Folk Festival since it was canceled on Saturday. She sent a shout out to the NAACP for the blood drive they organized in conjunction with Wor-Wic. She also added that September was National Sickle Cell Awareness Month.*

*Ms. Blake thanked everyone for coming out. She mentioned that a lot of the information she was hearing was new to her or that she had not been looped in. Ms. Blake said she would be doing more research to find out what was happening. She was disheartened to hear that some felt council (she) was not sensitive enough about addiction. She addressed the topic of the Open Meetings Act and said no one on the Council had talked to her about their position on sharing the closed session minutes. She added that, to her recollection, closed session meetings had never been shared in the past. Ms. Blake spoke about a gentleman she met at the Maryland Folk Festival and who was a part of the Crossroads Amputee Support Group. As always she asked for blood donations if healthy enough.*

*Ms. Outten thanked everyone for coming out. She shared a quote from one of the speakers and appreciated those who were dedicated to bettering our residents. She looked forward to continuing the conversations with the public and seeing them again.*

*President Jackson did not remember the City ever being transparent. She believed they should be forthcoming. She wanted people to trust them. She related to the people who were there for Homes 4 Hope but asked where they could be housed if not on Middle Blvd. Ms. Jackson gave God the credit for getting her through recovery.*

#### **ADJOURNMENT / CONVENE IN CLOSED SESSION**

*With no further business to discuss, President Jackson adjourned the meeting at 8:13 p.m. and Council immediately convened in the scheduled Closed Session.*

#### **CONVENE IN OPEN SESSION/REPORT TO PUBLIC/ADJOURNMENT**

*At 8:58 p.m. the Closed Session was adjourned upon a motion and seconded by Ms. Gregory and Ms. Outten, respectively, and approved by unanimous consensus in favor. Council convened in Open Session at 9:00 p.m. and President Jackson reported to the public that Council met in Closed session in accordance with the Annotated Code of Maryland § 3-305(b)(1) to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; or any other personnel matter that affects one or more specific individuals. The reason for closing the session is to interview candidates for Salisbury City Police Chief and District 2 Council member.*

*Kimberly R. Nichols*  
City Clerk

*April R. Jackson*  
Council President

OATH OF OFFICE

I, MUIR BODA, DO SWEAR THAT I WILL SUPPORT THE CONSTITUTION OF THE UNITED STATES, AND THAT I WILL BE FAITHFUL AND BEAR TRUE ALLEGIANCE TO THE STATE OF MARYLAND, AND SUPPORT THE CONSTITUTION AND LAWS THEREOF; AND THAT I WILL TO THE BEST OF MY SKILL AND JUDGMENT, DILIGENTLY AND FAITHFULLY, WITHOUT PARTIALITY OR PREJUDICE, EXECUTE THE OFFICE OF DIRECTOR OF HOUSING AND COMMUNITY DEVELOPMENT FOR THE CITY OF SALISBURY ACCORDING TO THE CONSTITUTION AND LAWS OF THIS STATE.



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MUIR BODA

SUBSCRIBED AND SWORN TO BEFORE ME, CLERK OF THE CIRCUIT COURT FOR WICOMICO COUNTY, MARYLAND, THIS 22<sup>nd</sup> DAY OF SEPTEMBER, 2023.



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JAMES "BO" MCALLISTER,  
CLERK OF CIRCUIT COURT