



CITY OF SALISBURY

115 S. Division Street, Salisbury, MD, 21801

LEGISLATIVE SESSION

Government Office Building

125 N. Division Street, Room 301, Salisbury, MD, 21801

Monday, August 26, 2024, 6:10 p.m.

D'SHAWN M. DOUGHTY
Council President

ANGELA M. BLAKE
Council Vice President

APRIL R. JACKSON
Councilwoman

MICHELE R. GREGORY
Councilwoman

SHARON DASHIELL
Councilwoman

CALL TO ORDER

WELCOME/ANNOUNCEMENTS/PLEDGE

INVOCATION – Pastor Greg Morris, Parkway Church of God

PRESENTATION – Democracy Across the Disciplines by Sandy Pope

PRESENTATIONS – Council President D'Shawn M. Doughty

- Rising Star Award
- Wicomico Teacher of the Year

ADOPTION OF LEGISLATIVE AGENDA

CONSENT AGENDA – City Clerk Julie English

- **Resolution No. 3363** - Appointment of Susan Ferrell to the Human Rights Advisory Committee term ending August 2026

RESOLUTIONS – City Administrator Andy Kitzrow

- **Resolution No. 3364** – accepting the gift of the Heron Mural from the Salisbury Arts Alliance for relocation and revitalization

ORDINANCES – City Attorney Ashley Bosché

- **Ordinance No. 2882** – 2nd reading - approving a budget amendment of the FY25 General Fund Budget to appropriate the funds received from the recovery and recycling of scrap metal
- **Ordinance No. 2883** – 2nd reading – approving an amendment of the City's General Capital Project Fund Budget to provide additional funds for the Truitt Street Community Center Expansion
- **Ordinance No. 2884** – 1st reading - authorizing the Mayor to enter into a contract with Maryland Humanities for the purpose of accepting grant funds in the amount of \$431.14 and to approve a budget amendment to the grant fund to appropriate these funds for the Maryland Folk Festival Programming
- **Ordinance No. 2885** – 1st reading - approving a budget amendment of the City's FY25 Budget to accept and appropriate donated funds from the Community Foundation of the

Eastern Shore Winter Wonderland of Lights fund to support the cost of the annual holiday lighting displays at Salisbury's City Park

- **Ordinance No. 2886** – 1st reading – approving a budget amendment of the FY2025 General Fund Budget to appropriate funds to the Salisbury Fire Department
- **Ordinance No. 2887** – 1st reading – to accept funds received from Perdue Agribusiness, LLC for the City of Salisbury's Supplemental Environment Project
- **Ordinance No. 2888** – 1st reading – to amend Chapter 12.04 of the City Code by adding Subchapter 12.04.080, which shall address the removal, alteration, and maintenance of displays of public art and commemorative artwork on city streets, sidewalks, and public places

ADMINISTRATION UPDATES AND COMMENTS

COUNCIL COMMENTS

ADJOURNMENT / CONVENE IN CLOSED SESSION TO CONSULT WITH COUNSEL TO OBTAIN LEGAL ADVICE ON A LEGAL MATTER AND TO CONSULT WITH STAFF, CONSULTANTS, OR OTHER INDIVIDUALS ABOUT PENDING OR POTENTIAL LITIGATION AS AUTHORIZED BY THE STATE GOVERNMENT ARTICLE, § 3-305(B)(7) AND (8). THE PURPOSE OF THE MEETING IS TO RECEIVE AN UPDATE AND LEGAL ADVICE ON THE PFAS LAWSUIT

Join Zoom Meeting

<https://us02web.zoom.us/j/88163253286?pwd=K3RtZUhUMHNucDRPU2lHbnROQzZVUT09>

Meeting ID: 881 6325 3286

Passcode: 812389

Phone: 1.301.715.8592

<p>City Council Meetings are conducted in Open Session unless otherwise indicated. All or part of the Council's meetings can be held in Closed Session under the authority of the Maryland Open Meetings Law, Annotated Code of Maryland General Provisions Article § 3-305(b) by vote of the City Council.</p>

Institute for Public Affairs & Civic Engagement (PACE)

For information: salisbury.edu/pace

Democracy Across the Disciplines Lecture Series

MONDAYS • 7-8:30 p.m. • Perdue Hall 156

- **September 9** – *Effective Advocacy for Social and Political Issues*
- **September 16** – *Effective and Accountable Institutions: Governance in a Democracy*
- **September 23** – *Sustainable Communities: The Role of Government in Planning for the Environment*
- **September 30** – *Resilient Cities: The Role of Housing and Community Development*
- **October 7** – *Peace and Justice: Legislating for Reform*
- **October 14** – *Public Trust: Effective and Accountable Elections*
- **October 21** – *Public Freedom and Ballot Access: Elections and Those Who Run Them*
- **October 28** – *Responsive Decision-Making: Elections and Those Who Run in Them*
- **November 4** – *The Year of Democracy: Public Discussions about the 2024 General Election*
- **November 11** – *Representation in Leadership and Decision-Making: Experiences Advocating for Gender Equality and Reproductive Rights*
- **November 18** – *Safe and Responsible Movement: Migrant Rights in a Period of Increased Immigration*
- **November 25** – *Universal Inclusion: The Social, Economic and Political Impacts of LGBTQ+ Rights*
- **December 2** – *Student Loan Forgiveness: Should Higher Education in a Democracy Be Free?*
- **December 9** – *After the Year of Democracy: Productive Partnerships for 2025*





City of Salisbury

To: Randy Taylor, Mayor
From: Jessie Turner, Administrative Assistant
Subject: Appointment to the Human Rights Advisory Committee
Date: August 22, 2024

The following person has applied for appointment to the Human Rights Advisory Committee for the term ending as indicated:

<u>Name</u>	<u>Term Ending</u>
Susan Ferrell	August 2026

Attached is the applicant's information and the resolution necessary for this appointment. If this appointment is approved, it will be placed on the next City Council agenda for review.

Attachments

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RESOLUTION NO. 3363

BE IT RESOLVED, by the City of Salisbury, Maryland that the following individual is appointed to the Human Rights Advisory Committee for the term ending as indicated.

<u>Name</u>	<u>Term Ending</u>
Susan Ferrell	August 2026

THE ABOVE RESOLUTION was introduced and duly passed at a meeting of the Council of the City of Salisbury, Maryland held on August 26, 2024.

ATTEST:

_____ Julie A. English CITY CLERK	_____ D'Shawn M. Doughty PRESIDENT, City Council
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APPROVED BY ME THIS

_____ day of _____, 2024

Randolph J. Taylor, Mayor



City of Salisbury

MEMORANDUM

To: City Council

From: Allen Swiger, ABCD Director

Subject: Accept Donation of Heron Mural

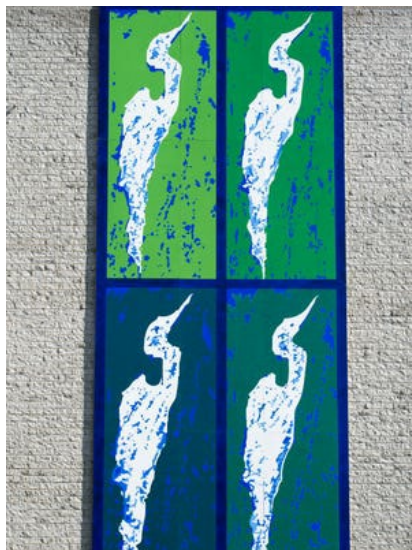
Date: 8/5/2024

The Salisbury Art Alliance would like to donate the Heron Mural to the City of Salisbury with commitment from the City of Salisbury to relocate and revitalize the artwork.

The Heron Mural, currently viewable at 213 West Main St. in Downtown Salisbury, was created by artist James Thatcher and installed in June of 2014.

The City of Salisbury will relocate the mural and work with Mr. Thatcher to refresh the piece as needed.

Thank you for your time and do not hesitate to contact me should you have any questions.



A RESOLUTION OF THE CITY OF SALISBURY ACCEPTING THE GIFT OF THE HERON MURAL FROM THE SALISBURY ARTS ALLIANCE FOR RELOCATION AND REVITALIZATION.

WHEREAS, the City of Salisbury will relocate and revitalize the piece; and

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND, as follows:

Section 2. It is the intention of the Mayor and Council of the City of Salisbury that each provision of this Resolution shall be deemed independent of all other provisions herein.

Section 3. It is further the intention of the Mayor and Council of the City of Salisbury that if any section, paragraph, subsection, clause or provision of this Resolution shall be adjudged invalid, unconstitutional or otherwise unenforceable under applicable Maryland or federal law, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged and all other provisions of this Resolution shall remain and shall be deemed valid and enforceable.

Section 4. The recitals set forth hereinabove are incorporated into this section of the Resolution as if such recitals were specifically set forth at length in this Section 4.

THE ABOVE RESOLUTION was introduced and read and passed at the regular meeting of the Council of the City of Salisbury held on this 26 day of August, 2024 and is to become effective immediately upon adoption.

ATTEST:

Julie A. English, City Clerk

D'Shawn M. Doughty, City Council President

APPROVED BY ME THIS day of , 2024.

Randolph J. Taylor, Mayor

ORDINANCE NO. 2882

AN ORDINANCE OF THE CITY OF SALISBURY APPROVING A BUDGET AMENDMENT OF THE FY25 GENERAL FUND BUDGET TO APPROPRIATE THE FUNDS RECEIVED FROM THE RECOVERY AND RECYCLING OF SCRAP METAL

WHEREAS, the Salisbury Police Department (SPD) has recycled metal and brass shell casings recovered as a result of firearms qualifications; and

WHEREAS, as the recycling of these metal and brass shell casings through Salisbury Scrap Metal Inc. has resulted in a payment to SPD in the amount of Six Thousand Six Hundred Eighty-One Dollars and Sixty-Four Cents (\$6,681.64); and

WHEREAS, funds recovered from Salisbury Scrap Metal Inc. in the amount of Six Thousand Six Hundred Eighty-One Dollars and Sixty-Four Cents (\$6,681.64) has been paid to the City of Salisbury and was deposited into the General Fund; and

WHEREAS, the Salisbury Police Department requests that these funds in the amount of Six Thousand Six Hundred Eighty-One Dollars and Sixty-Four Cents (\$6,681.64) be placed into the SPD Small Tools Account (21021-546009) which is used, in part, to purchase and service police officer equipment as well as firearms training supplies for SPD Police Officers; and

WHEREAS, the budget amendment as provided herein must be made upon the recommendation of the Mayor and the approval of four-fifths of the Council of the City of Salisbury.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SALISBURY, MARYLAND as follows:

Section 1. The City's Fiscal Year 2025 General Fund Budget be and is hereby is amended a follows:

- 1) Increase General Fund Revenue (Salisbury Scrap Metal Account) by Six Thousand Six Hundred Eighty-One Dollars and Sixty-Four Cents (\$6,681.64);
- 2) Increase the Police Department budget by Six Thousand Six Hundred Eighty-One Dollars and Sixty-Four Cents (\$6,681.64); and
- 3) Increase Police Department Small Tools Account (Account #21021-546009) by Six Thousand Six Hundred Eighty-One Dollars and Sixty-Four Cents (\$6,681.64).

BE IT FURTHER ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND, as follows:

Section 2. It is the intention of the Mayor and Council of the City of Salisbury that each provision of this Ordinance shall be deemed independent of all other provisions herein.

Section 3. It is further the intention of the Mayor and Council of the City of Salisbury that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged

invalid, unconstitutional or otherwise unenforceable under applicable Maryland or federal law, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged and all other provisions of this Ordinance shall remain and shall be deemed valid and enforceable.

Section 4. The recitals set forth hereinabove are incorporated into this section of the Ordinance as if such recitals were specifically set forth at length in this Section 4.

Section 5. This Ordinance shall take effect from and after the date of its final passage.

THIS ORDINANCE was introduced and read at a meeting of the Council of the City of Salisbury held on this 12 day of August, 2024, and thereafter, a statement of the substance of the Ordinance having been published as required by law, was finally passed by the Council on the 26 day of August, 2024.

ATTEST:

Julie A. English, City Clerk

D'Shawn M. Doughty, City Council President

Approved by me, this _____ day of _____, 2024.

Randolph J. Taylor, Mayor

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ORDINANCE NO. 2883

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**AN ORDINANCE OF THE CITY OF SALISBURY APPROVING AN AMENDMENT OF
THE CITY'S GENERAL CAPITAL PROJECT FUND BUDGET TO PROVIDE
ADDITIONAL FUNDS FOR THE TRUITT STREET COMMUNITY CENTER
EXPANSION.**

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WHEREAS, the City of Salisbury is committed to expanding the Truitt Street Community Center in order to serve more youth in the community; and

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WHEREAS, due to increase in material and labor costs, the project costs now exceed the original project allocation; and

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WHEREAS, the City has determined there are sufficient available Investment Interest funds in the FY2022 Bond Pool; and

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WHEREAS, the reallocation of the FY2022 Investment Interest to fund and execute the project is \$55,325, and

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WHEREAS, the reallocation, as provided herein, must be made upon the recommendation of the Mayor and the approval of four-fifths of the Council of the City of Salisbury.

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NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND, as follows:

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Section 1. The City of Salisbury's General Capital Project Fund Budget be and hereby is amended as follows:

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Increase Decrease	Account Type	Project Description	Account Description	Account	Amount
Increase	Revenue	TSCC Rehab	Interest	98022-456110-70067	\$55,325
Increase	Expense	TSCC Rehab	Construction	98122-513026-70067	\$55,325

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BE IT FURTHER ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND, as follows:

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Section 2. It is the intention of the Mayor and Council of the City of Salisbury that each provision of this Ordinance shall be deemed independent of all other provisions herein.

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Section 3. It is further the intention of the Mayor and Council of the City of Salisbury that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged invalid, unconstitutional or otherwise unenforceable under applicable Maryland or federal law, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged and all other provisions of this Ordinance shall remain and shall be deemed valid and enforceable.

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Section 4. The recitals set forth hereinabove are incorporated into this section of the Ordinance as if such recitals were specifically set forth at length in this Section 4.

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Section 5. This Ordinance shall take effect from and after the date of its final passage.

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THIS ORDINANCE was introduced and read at a Meeting of the Mayor and Council of the City of Salisbury held on the 19 day of August, 2024 and thereafter, a statement of the substance of the Ordinance having been published as required by law, in the meantime, was finally passed by the Council of the City of Salisbury on the 26 day of August, 2024.

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53 **Julie A. English, City Clerk**

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57 Approved by me, this _____ day of _____, 2024.

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62 **Randolph J. Taylor, Mayor**



City of Salisbury

To: City Council
From: Allen Swiger, ABCD Director, & Caroline O'Hare, Events and Culture Manager
Date: 8/1/24
Subject: Ordinance to Accept Grant Funds from Maryland Humanities

Attached you will find a Budget Ordinance requesting the approval of a budget amendment to the FY2025 grant fund for the purpose of accepting funds in the amount of \$431.14 from the Maryland Center for the Book at Maryland Humanities.

These grant funds have been awarded to aid in programming costs at the 2024 Maryland Folk Festival to highlight the 2024 Maryland One Maryland One Book selection, *What Storm, What Thunder*.

Thank you for your time and consideration for this request. Do not hesitate to contact me should you need additional information.

ORDINANCE NO. 2884

AN ORDINANCE OF THE CITY OF SALISBURY AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH MARYLAND HUMANITIES FOR THE PURPOSE OF ACCEPTING GRANT FUNDS IN THE AMOUNT OF \$431.14 AND TO APPROVE A BUDGET AMENDMENT TO THE GRANT FUND TO APPROPRIATE THESE FUNDS FOR MARYLAND FOLK FESTIVAL PROGRAMMING.

WHEREAS, Maryland Center for the Book through Maryland Humanities has grant funding for the One Maryland One Book (“OMOB”) community programming; and

WHEREAS, the purpose of this funding is to foster creative programming for OMOB around the state

WHEREAS, the City of Salisbury submitted a grant application to Maryland Humanities for funding to support the OMOB programming at the 2024 Maryland Folk Festival; and

WHEREAS, the City has been awarded funds in the amount of \$431.14; and

WHEREAS, the City of Salisbury must enter into a grant agreement with Maryland Humanities defining how these funds must be expended; and

WHEREAS, all funds shall be solely for the creative programming of the OMOB initiative; and

WHEREAS, § 7-29 of the Salisbury City Charter prohibits the City from entering into a contract that requires an expenditure not appropriated or authorized by the Council of the City of Salisbury; and

WHEREAS, appropriations necessary to execute the purpose of this grant must be made upon the recommendation of the Mayor and the approval of four-fifths of the Council of the City of Salisbury.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND, as follows:

Section 1. Mayor Randolph J. Taylor is hereby authorized to enter into a grant agreement with Maryland Humanities, on behalf of the City of Salisbury, for the City's acceptance of grant funds in the amount of \$431.14.

BE IT FURTHER ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND, as follows:

Section 2. The City of Salisbury's Grant Fund Budget be and hereby is amended as follows:

(a) Increase MD Humanities E&R Revenue Account No. 10500-XXXXX-XXXXX by \$431.14.

(b) Increase Operating Account No. 10500-546006-XXXXX by \$431.14.

BE IT FURTHER ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND, as follows:

Section 3. It is the intention of the Mayor and Council of the City of Salisbury that each provision of this Ordinance shall be deemed independent of all other provisions herein.

Section 4. It is further the intention of the Mayor and Council of the City of Salisbury that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged invalid,

unconstitutional or otherwise unenforceable under applicable Maryland or federal law, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged and all other provisions of this Ordinance shall remain and shall be deemed valid and enforceable.

Section 5. The recitals set forth hereinabove are incorporated into this section of the Ordinance as if such recitals were specifically set forth at length in this Section 5.

Section 6. This Ordinance shall take effect from and after the date of its final passage.

THIS ORDINANCE was introduced and read at a Meeting of the Mayor and Council of the City of Salisbury held on the 26 day of August, 2024 and thereafter, a statement of the substance of the Ordinance having been published as required by law, in the meantime, was finally passed by the Council of the City of Salisbury on the __ day of _____, 2024.

ATTEST:

Julie A. English, City Clerk

D'Shawn M. Doughty, City Council President

Approved by me, this _____ day of _____, 2024.

Randolph J. Taylor, Mayor



City of Salisbury

MEMORANDUM

To: City Council

From: Allen Swiger, ABCD Director

Subject: Accept Donation from Community Foundation of the Eastern Shore

Date: 07/29/2024

The City of Salisbury's Arts, Business and Culture Department has notified the Community Foundation of the Eastern Shore of its desire to obtain \$1,700.00 from the City of Salisbury-Winter Wonderland of Lights Committee Fund to:

- Support the cost of the annual holiday lighting display at Salisbury City Park
- Rehabilitate the existing light structures with fresh paint
- Purchase new light bulbs and control modules for light displays
- Purchase electrical supplies related to city park light installation
- Offset labor costs associated with the rehabilitation of displays

Thank you for your time and do not hesitate to contact me should you have any questions.

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ORDINANCE NO. 2885

**AN ORDINANCE OF THE CITY OF SALISBURY APPROVING A BUDGET
ADMENDMENT OF THE CITY'S FY25 BUDGET TO ACCEPT AND APPROPRIATE
DONATED FUNDS FROM THE COMMUNITY FOUNDATION OF THE EASTERN
SHORE WINTER WONDERLAND OF LIGHTS FUND TO SUPPORT THE COST OF
THE ANNUAL HOLIDAY LIGHTING DISPLAYS AT SALISBURY'S CITY PARK.**

WHEREAS, the City's Arts, Business and Culture Department is preparing to rehabilitate the city park
light displays; and

WHEREAS, The Community Foundation of the Eastern Shore administers a fund to support the cost of
the annual holiday lighting display at Salisbury's City Park; and

WHEREAS, The fund has an available balance of \$1,700.00; and

WHEREAS, The donated funds will be used to rehabilitate existing structures with fresh paint, purchase
light bulbs, control modules, and electrical supplies, and offset labor costs associated with the rehabilitation of the
displays; and

WHEREAS, appropriations necessary for this donation must be made upon the recommendation of the
Mayor and the approval of four-fifths of the Council of the City of Salisbury.

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF
SALISBURY, MARYLAND**, as follows:

Section 1. The City's FY25 General Fund be and hereby is amended as follows:

- 1) Increase Donations Revenue Account 01000-456415 by \$1,700.00
- 2) Increase Events Expense Account 11600-555513 by \$1,700.00

**BE IT FURTHER ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF
SALISBURY, MARYLAND**, as follows:

Section 2. It is the intention of the Mayor and Council of the City of Salisbury that each provision of this
Ordinance shall be deemed independent of all other provisions herein.

Section 3. It is further the intention of the Mayor and Council of the City of Salisbury that if any section,
paragraph, subsection, clause or provision of this Ordinance shall be adjudged invalid, unconstitutional or otherwise
unenforceable under applicable Maryland or federal law, such adjudication shall apply only to the section,
paragraph, subsection, clause or provision so adjudged and all other provisions of this Ordinance shall remain and
shall be deemed valid and enforceable.

Section 4. The recitals set forth hereinabove are incorporated into this section of the Ordinance as if such
recitals were specifically set forth at length in this Section 4.

Section 5. This Ordinance shall take effect from and after the date of its final passage.

THIS ORDINANCE was introduced and read at a meeting of the Council of the City of Salisbury held on
this 26 day of August, 2024, and thereafter, a statement of the substance of the Ordinance having been published as
required by law, was finally passed by the Council on the ____ day of August, 2024.

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ATTEST:

Julie A. English, City Clerk

D’Shawn M. Doughty, City Council President

APPROVED BY ME THIS _____ day of _____, 2024.

Randolph J. Taylor, Mayor



To: Andy Kitzrow, City Administrator

From: Rob Frampton, Fire Chief

Date: 7/15/2024

Re: Fire Station #1 Kitchen Remodel

In the Fall of 2023, the department conducted a vehicle surplus sale on GovDeals for the sale of Truck 2 and Brush 16. The sales closed and the City received a total of \$238,187.50 from the successful bidders. On January 3, 2024, Ordinance #2841 was passed that appropriated the funds from the sale of the vehicles to various projects and accounts that were much needed within the FD to allow for continued operations and facility repairs/upgrades. One of these projects was the renovation of the kitchen area at Fire Station 1 and \$142k was allotted for the design and build. The kitchen at Station 1, when re-designed in 2004, was not built for an engine and ambulance crew to be there 24/7/365. Therefore, residential grade cabinets, countertops, and appliances were installed at that time. With the exponential growth of the department since 2004, there is now a fire and EMS crew there with a minimum of five people, 24/7/365. The FD has a desperate need to upgrade this kitchen with commercial cabinets, countertops, and appliances and felt that using a portion of the funds collected from the sale of the apparatus was the fiscally responsible thing to do with those funds.

FD staff worked with Procurement in January 2024 to develop and issue an RFP for the kitchen renovation at Fire Station 1. RFP 24-103 was created and listed on the City's Procurement Portal in late January. Proposals were opened on February 28, 2024 and we only received one proposal that came in at \$90k. The initial proposal was missing some information, but we felt it was responsible to allow the contractor to provide the requested information after submittal. On March 13, 2024, Procurement and FD staff met with the contractor at Sta. 1 to review the project and discuss the missing information. On March 22, 2024, the contractor provided the additional information. After internal discussions, Procurement and FD Staff were not comfortable with awarding the bid to the contractor and the contractor was notified of such on April 1, 2024.

The project was then further delayed because of the on-going collective bargaining agreement negotiations and the outcome of them, financially, being unknown. This further delayed the re-bid of the kitchen renovation project. Due to time constraints and approaching the end of the Fiscal Year, Procurement and FD staff decided to reach out to two contractors that have been vetted and approved by Wicomico County, whose pricing we could piggyback on. One of the contractors failed to respond to our request; however, we were able to set up a

Salisbury Fire Department
325 Cypress St.
Salisbury, MD 21801
410-548-3120
www.salisbury.md



meeting with the second contractor in mid-May. This contractor provided us their quote on May 31st, which was more than double the first contractor's bid. At this point, FD staff felt that it was not fiscally responsible to proceed with this contractor, even though we would not be able to re-bid this project before the end of the Fiscal Year.

It was discussed internally, that we would allow for the funds to be returned to the General Surplus Fund at the end of FY24 per City Charter and come before Council in early FY25 to request the \$142k be returned to our Buildings account; so that we may re-bid the kitchen renovation project in FY25 and hopefully get a more fiscally responsible quote from a qualified contractor.

I am asking for the support of the Mayor, City Council, and yourself in allocating the funds that were given back to the City at the end of FY24 and allowing us to proceed with a more fiscally responsible approach to completing the long overdue kitchen renovation.

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ORDINANCE NO. 2886

**AN ORDINANCE OF THE CITY OF SALISBURY APPROVING A
BUDGET AMENDMENT OF THE FY2025 GENERAL FUND BUDGET TO
APPROPRIATE FUNDS TO THE SALISBURY FIRE DEPARTMENT.**

WHEREAS, the Salisbury Fire Department has a need to renovate the undersized and outdated kitchen at Fire Station #1; and

WHEREAS, there was sufficient funding in the FY2024 budget to complete the necessary kitchen renovation; and

WHEREAS, the Salisbury Fire Department and Department of Procurement solicited proposals from contractors and met with contractors to create a design and build project for the kitchen renovation during the FY2024 Fiscal Year; and

WHEREAS, the time constraints and Fiscal Year calendar requirements set forth in the City Charter precluded the Salisbury Fire Department from completing the successful project bid to a qualified contractor that was fiscally responsible and prudent and, consequently, these funds were returned to the City's Surplus Account at the end of FY2024; and

WHEREAS, the Salisbury Fire Department still has a need to complete the kitchen remodel at Fire Station #1 and needs the funding re-allocated for successful completion of the project; and

WHEREAS, the budget amendment as provided herein must be made upon the recommendation of the Mayor and the approval of four-fifths of the Council of the City of Salisbury.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND, as follows:

Section 1. The City of Salisbury's Fiscal Year 2025 General Fund Budget be and is hereby amended as follows:

(a) Increase the Current Year Surplus Account (01000-469810) by \$142,000; and

(b) Increase the Salisbury Fire Department's Buildings Account (24035-534301) by \$142,000.

BE IT FURTHER ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND, as follows:

Section 2. It is the intention of the Mayor and Council of the City of Salisbury that each provision of this Ordinance shall be deemed independent of all other provisions herein.

Section 3. It is further the intention of the Mayor and Council of the City of Salisbury that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged invalid, unconstitutional or otherwise unenforceable under applicable Maryland or federal law, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged and all other provisions of this Ordinance shall remain and shall be deemed valid and enforceable.

Section 4. The recitals set forth hereinabove are incorporated into this section of the Ordinance as if such recitals were specifically set forth at length in this Section 4.

Section 5. This Ordinance shall take effect from and after the date of its final passage.

THIS ORDINANCE was introduced and read at a Meeting of the Mayor and Council of the City of Salisbury held on the 19 day of August, 2024 and thereafter, a statement of the substance of the Ordinance having been published as required by law, in the meantime, was finally passed by the Council of the City of Salisbury on the 26 day of August, 2024.

ATTEST:

Julie A. English, City Clerk

D'Shawn M. Doughty, City Council President

Approved by me, this _____ day of _____, 2024.

Randolph J. Taylor, Mayor



City of Salisbury

To: Salisbury City Council
From: Nick Voitiuc, Director of Infrastructure and Development *NV*
Date: 8/23/24
Subject: Supplemental Environmental Project settlement payment

In July of 2024, the State of Maryland reached a settlement agreement with Perdue Agribusiness LLC regarding alleged violations of Maryland's environmental regulations and Perdue's operating permit.

As part of the State's settlement with Perdue, Perdue agreed to pay \$400,000 to the City of Salisbury for the purpose of implementing the City's FY 2025-2027 Terrascaping Action Plan (TAP). The money must be kept in a dedicated account.

Critical milestones and commitments in the agreement include planting 1,000 native, non-replacement trees per the TAP by June 30, 2026 and also spending the \$400,000 on TAP activities including tree plantings, non-necessary asphalt removal, and maintenance of such, by July 29, 2027.

Attached to this memo an ordinance to accept the funds from Perdue Agribusiness, LLC and put them in a dedicated account to be used for the purpose stated above.

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WHEREAS, Pursuant to a Memorandum of Understanding between the Maryland Department of the Environment and the City of Salisbury dated July 29, 2024, Perdue Agribusiness, LLC (“PAB”) was to pay \$400,000 to the City to support the implementation of a supplemental environmental project (SEP) designed to improve the environment and the otherwise serve the people in and around the City; and

WHEREAS, the City of Salisbury Department of Infrastructure & Development requests that the City accept the \$400,000 in funds from PAB and place those funds in the Environmental Perdue Settlement Revenue Account to provide funding for implementation of the SEP; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SALISBURY, MARYLAND. as follows:

1) Increase Special Revenue Fund, Environmental Perdue Settlement Revenue 10700-428505-XXXXX, by \$400,000.00
2) Increase the Construction Account Expense, 10700-513026-XXXXX, by \$400,000

Section 2. It is the intention of the Mayor and Council of the City of Salisbury that each provision of this Ordinance shall be deemed independent of all other provisions herein.

Section 4. The recitals set forth hereinabove are incorporated into this section of the Ordinance as if such recitals were specifically set forth at length in this Section 4.

THIS ORDINANCE was introduced and read at a Meeting of the Mayor and Council of the City of Salisbury held on the 26 day of August, 2024 and thereafter, a statement of the substance of the Ordinance having been published as required by law, in the meantime, was finally passed by the Council of the City of Salisbury on the XX day of XXXX, 2024.

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ATTEST:

Julie A. English, City Clerk

D'Shawn M. Doughty, City Council President

Approved by me, this _____ day of _____, 2024.

Randolph J. Taylor, Mayor

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AN ORDINANCE OF THE CITY OF SALISBURY TO AMEND CHAPTER 12.04 OF THE CITY CODE BY ADDING SUBCHAPTER 12.04.080, WHICH SHALL ADDRESS THE REMOVAL, ALTERATION, AND MAINTENANCE OF DISPLAYS OF PUBLIC ART AND COMMEMORATIVE ARTWORK ON CITY STREETS, SIDEWALKS, AND PUBLIC PLACES.

WHEREAS, Public Art has been an increasingly visible part of Salisbury’s life for more than twenty years – from thematic sculptures and colorfully painted utility boxes to murals downtown, in neighborhoods, and along major arteries to monumental sculptures in a gateway roundabout and a new downtown square; and

WHEREAS, increased community interest, resources, and an expanded palette of opportunity led the City to launch a Public Art Master Plan to prioritize opportunities, identify sustainable funding for Public Art, establish policies and procedures that provide for an equitable use of City resources leveraging private and community resources, and to provide a framework, based on best practices, for implementing and maintaining Public Art Projects; and

WHEREAS, in September 2023, the City completed a Public Art Masterplan, which lays out the footprint to achieve goals for expanding public, commemorative, and cultural art, and identifies development processes, planning tools, community insights, and key roles and responsibilities; and

WHEREAS, on September 14, 2023, the City of Salisbury adopted Resolution 3283, which established a Public Art Committee whose express purpose includes making recommendations about the installation of public art on City property; and

WHEREAS, Resolution 3283 establishes the Public Arts Committee and affords the Committee the authority to provide advice and to make recommendations to the City’s Public Art Technical Advisory Group and the City’s Director of Arts Business and Culture Department (“ABCD”) for the installation of “public art” only; and

WHEREAS, the City Council finds that amendments to Chapter 12.04 of the Salisbury City Code are desirable to address the removal, alteration, and maintenance of public art and commemorative artwork already existing or to be installed on City streets, sidewalks, and property, as those matters are not otherwise addressed by the Code or any City Resolution; and

WHEREAS, the City Council has determined that it is in the best interest of the City and in furtherance of the City's Public Art Masterplan to amend Chapter 12.04 of the Salisbury City Code as set forth below.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY COUNCIL OF THE

CITY OF SALISBURY, MARYLAND, that Chapter 12.04 of the Salisbury City Code is hereby amended by adding the bolded and underlined language as follows:

Section 1. Subchapter 12.04.080. shall be added to Chapter 12.04 as follows:

12.04.08. Removal, Alteration, and Maintenance of Public Art and Commemorative Artwork on City Streets, Sidewalks, and Public Places.

A. The following terms shall have the meanings ascribed below for purposes of this Chapter:

- a. **“Artwork” shall mean a work that is created under the direction of an artist or artists to be beautiful or express an important idea or feeling, produced in any form or media, of permanent or temporary duration, and existing in a single copy or limited edition.**
- b. **“Commemorative Artwork” shall mean an Artwork whose purpose is to commemorate an individual, group, event, or topic.**
- c. **“Public Art” shall mean an original site-specific Artwork in any media, existing in a single copy or in a limited edition, produced by an artist or by a team of artists, and conceived and executed with the intention of being staged in the physical public domain, usually outside and accessible to all. Public Art shall not include matters involving commercial and residential real estate development, including architecture.**

B. Once installed, no Public Art or Commemorative Artwork shall be removed, altered, maintained, or moved without the prior review of the City’s Arts, Business and Commerce Department, TAG, and the Public Arts Committee and the approval of Mayor and Council. The Director of ABCD and TAG shall first make a recommendation to the Public Art Committee, who shall review the recommendation in a public meeting. The Public Arts Committee’s final recommendation shall be made to Mayor and Council for final approval.

C. Removal, alteration, and maintenance of Public Art and Commemorative Artwork shall be done in consultation with the artist or artists whenever feasible.

BE IT FURTHER ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND, as follows:

Section 2. It is the intention of the Mayor and Council of the City of Salisbury that each provision of this Ordinance shall be deemed independent of all other provisions herein.

Section 3. It is further the intention of the Mayor and Council of the City of Salisbury that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged

invalid, unconstitutional or otherwise unenforceable under applicable Maryland or federal law, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged and all other provisions of this Ordinance shall remain and shall be deemed valid and enforceable.

Section 4. The recitals set forth hereinabove are incorporated into this section of the Ordinance as if such recitals were specifically set forth at length in this Section 4.

Section 5. This Ordinance shall take effect from and after the date of its final passage.

THIS ORDINANCE was introduced and read at a Meeting of the Mayor and Council of the City of Salisbury held on the 26 day of August, 2024 and thereafter, a statement of the substance of the Ordinance having been published as required by law, in the meantime, was finally passed by the Council of the City of Salisbury on the _____ day of _____, 2024.

ATTEST:

Julie A. English, City Clerk

D'Shawn M. Doughty, City Council President

Approved by me, this _____ day of _____, 2024.

Randolph J. Taylor, Mayor