

**CITY OF SALISBURY, MARYLAND**

**REGULAR MEETING**

**FEBRUARY 25, 2013**

**PUBLIC OFFICIALS PRESENT**

*Council President Terry E. Cohen  
Council Vice President Deborah S. Campbell*

*Councilwoman Eugenie P. Shields  
Councilman Timothy K. Spies*

**PUBLIC OFFICIALS NOT PRESENT**

*Mayor James Ireton, Jr.  
Councilwoman Laura Mitchell*

**IN ATTENDANCE**

*City Clerk Kimberly R. Nichols, CMC, City Administrator John Pick, ICMA-CM, City Attorney Mark Tilghman, Internal Services Director Keith Cordrey, Police Chief Barbara Duncan, interested citizens, and members of the press.*

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**MEDITATION – PLEDGE OF ALLEGIANCE**

*The City Council met in regular session at 6:00 p.m. in Council Chambers. Council President Cohen called the meeting to order and a moment of silent meditation was held followed by the Pledge of Allegiance.*

**ADOPTION OF LEGISLATIVE AGENDA**

*Mr. Spies moved and Mrs. Shields seconded to adopt the legislative agenda as presented. City Clerk Nichols was instructed to make the following corrections:*

- *February 11, 2013 Council meeting minutes, page two - beside Resolution No. 2255, the word "grant" is spelled incorrectly*
- *Ordinance No. 2230, page 3 – on Line 58, the word "city" should be capitalized*

*Council President divulged noted that Resolution Numbers 2254 and 2255 in the Consent Agenda were revised on February 22, 2013 to be renamed Resolution Numbers 2256 and 2257, respectively. Also, Resolution No. 2256 was renamed Resolution No. 2258 on the revision.*

*The legislative agenda was adopted by unanimous vote in favor.*

**CONSENT AGENDA** – *presented by City Clerk Kim Nichols*

*The Consent Agenda, as amended, and consisting of the following items, was unanimously approved on a motion by Mrs. Shields and a second by Mrs. Campbell:*

- *February 4, 2013 work session minutes*
- *February 4, 2013 special meeting minutes*
- *February 8, 2013 open session minutes*
- *February 8, 2013 closed session minutes*
- *February 11, 2013 regular meeting minutes*
- *Resolution No. 2256- appointing James D. Maybury to the Zoo Commission for a term ending 12/31/2015*
- *Resolution No. 2257- reappointing James W. Magill and Scott G. Rogers to the Planning & Zoning Commission for terms ending 12/31/2017*

**RESOLUTION NO. 2251** *-amending the Salisbury City Council Regulations and Rules of Order (presented by Council President Terry E. Cohen)*

*Mrs. Shields moved and Mrs. Campbell seconded to approve Resolution No. 2251.*

*Mr. Spies moved to amend Resolution No. 2251 by inserting "within thirty (30) days of written notification of the error by the City Clerk." following the last words (member) in letters B and C of Attachment A. Mrs. Shields seconded and the motion was passed by unanimous vote in favor.*

*Resolution No. 2251, as amended, was unanimously passed.*

**RESOLUTION NO. 2258** *- amending the Pay and Classification Plans to add a classification entitled Quartermaster and to reclassify the Property Custodian II position to Quartermaster (presented by City Administrator John R. Pick)*

*Mr. Spies moved and Mrs. Campbell seconded to approve Resolution No. 2258.*

*On a motion by Mr. Spies, seconded by Mrs. Shields and approved by unanimous vote in favor, Resolution No. 2258 was amended by striking Lines 27 and 28, and separating the word "paygrade" into two words ("pay grade") on Line 30.*

*Resolution No. 2258, as amended, was unanimously passed.*

**ORDINANCES** *- presented by City Attorney Mark Tilghman*

- *Ordinance No. 2230- 2nd reading- amending false alarm fees and designating certain reoccurring false alarms within the same calendar year at the same property location as municipal infractions*

*Mrs. Shields moved and Mrs. Campbell seconded to approve Ordinance No. 2230.*

*Mr. Spies moved, Mrs. Shields seconded, and the vote was unanimous to amend Ordinance No. 2230 by capitalizing the word "city" on Line 58.*

*Ordinance No. 2230, as amended, was unanimously passed.*

- *Ordinance No. 2233 – 1<sup>st</sup> reading – setting false alarm fees*

*Mrs. Shields moved and Mrs. Campbell seconded to approve Ordinance No. 2233 for first reading.*

*Mr. Spies moved, Mrs. Shields seconded, and the vote was unanimous to amend Ordinance No. 2233 by inserting 0.00 under "Fire" in the False Alarm Response Fee column of the False Alarm Fee Schedule.*

*Ordinance No. 2233 for first reading, as amended, was unanimously approved.*

- *Ordinance No. 2234 – 1<sup>st</sup> reading – approving a budget amendment of the FY13 General Fund to appropriate funds received from the Speed Camera Program for construction of a fence at the City's Police Range*

*Mrs. Campbell moved and Mr. Spies seconded to approve Ordinance No. 2234 for first reading.*

*On a motion by Mr. Spies, seconded by Mrs. Campbell, and approved by unanimous vote in favor, Ordinance No. 2234 was amended by striking "vender" on Line 21, and inserting "vendor", removing the second comma and inserting a semi-colon on Line 15, and removing the comma on Line 18.*

*Ordinance No. 2234 for first reading, as amended, was unanimously approved.*

### **PUBLIC COMMENTS**

*The following comments were received from seven (7) members of the public supporting the appointment of Acting Chief Rick Hoppes as the Fire Chief:*

- *Acting Chief Hoppes is honest, a good leader, and trusted by his colleagues*
- *Acting Chief Hoppes is dedicated to the City of Salisbury,*
- *Acting Chief Hoppes has not hesitated to step in and act as Fire Chief twice now*
- *there have been two expensive nationwide searches for a Fire Chief over the past three years, and no one will better serve the City of Salisbury than Acting Chief Hoppes*

*The following comment was received from one member of the public:*

- concern that everyone in Council Chambers expressing support for Acting Chief Hoppes was male and Caucasian

### **COUNCIL PRESIDENT COHEN'S COMMENTS**

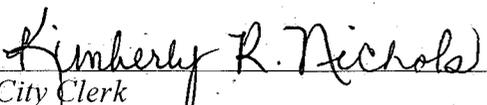
After the conclusion of the Public Comments, President Cohen passed the gavel to Vice President Campbell and explained why the City Council can't disclose the reasons for the decisions made on the Acting Fire Chief position. She stated if Acting Chief Hoppes would sign a waiver with the City allowing the discussion to be open then Council would move forward with the discussion. She explained that after a candidate is advanced by the Mayor for Advice and Consent sometimes the Council does not give Consent. Furthermore, she added that the Council acted in good faith and thought that the Mayor did also in bringing them another candidate to consider. She furthermore added that Council had abided by the law in accordance with the City Charter.

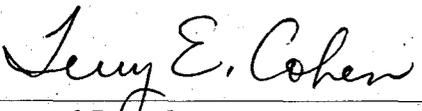
President Cohen then reminded the public of the March 4<sup>th</sup> work session at 4:30 p.m. and the Primary Elections to be held the next day, February 26, 2013 from 7:00 a.m. until 7:00 p.m. at the following polling places:

- District 1 – Fire Station 16 in Training Room (Cypress Street). This is a new polling location this year.
- District 2 – Wicomico Presbyterian Church (Broad & Chestnut Streets) and Harvest Baptist Church (corner of South Boulevard & Eastern Shore Drive)

### **ADJOURNMENT**

The legislative meeting adjourned at 7:15 p.m.

  
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City Clerk

  
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Council President