

CITY OF SALISBURY
WORK SESSION
APRIL 2, 2012

Present

Council President Terry Cohen
Councilman Tim Spies
Mayor James Ireton, Jr.

Council Vice President Deborah S. Campbell
Councilwoman Eugenie "Shanie" P. Shields
Councilwoman Laura Mitchell

In Attendance

City Clerk Kim Nichols, CMC; City Administrator John Pick, ICMA-CM; City Attorney Mark Tilghman; Public Works Director Teresa Gardner; Public Works Development Coordinator Gary Hales; Building, Permitting and Inspections Director Bill Holland; Neighborhood Services and Code Compliance Director Tom Stevenson, Planning and Zoning Director Jack Lenox, and members of the public and press.

The City Council convened in a work session at 4:35 p.m. in Conference Room 306 of the Government Office Building.

Capacity Fees – follow up discussion

Teresa Gardner explained the process in which Public Works calculated the capacity fees. This was done in accordance with the Code using the Capital Improvement Plan (CIP). This calculation is to be re-evaluated on an annual basis. The CIP is based on the 10-Year Plan. Once the CIP is adopted setting what projects are going to get done, that then drives these rates.

Gary Hales indicated some developers may be waiting on their projects because they want to see if the number goes down.

After discussion, Council reached unanimous consensus for administration to prepare an ordinance.

Housing Board of Adjustments and Appeals – further discussion

Tom Stevenson discussed the most recent changes made to the drafted ordinance, including Board member criteria and clarification of the process in which appeals are made.

Mr. Spies suggested added the word "solely" after the word "based" in 15.24.400, number two on page four, to read, "(2) An appeal shall be in writing and based solely on a claim that the decision, notice, or order of the housing official erroneously applied the code. The appellant shall pay an appeal application fee of \$100.00 at the time the appeal is filed."

Mrs. Shields noted she would like to see a tenant serve on the Board and have landlords removed from the Board, and it would be advantageous to have a realtor on the Board.

Mark Tilghman suggested the code specifically state the rules will be approved by the Council. Mrs. Campbell suggested adding language which restricts membership from someone who has a direct benefit. Ms. Cohen suggested a tenant could be an at-large member or any of the others because the purpose was to create diversity.

Mark Tilghman will incorporate the points discussed into the ordinance and send out in an email to Council members for their review and approval. Council reached unanimous consensus to insert “Mayor with advice and consent of Council” on page three, C. Removal, to reflect that members of the Board would be removed by recommendation of the Mayor and approval of the Council.

Council reached unanimous consensus for Mr. Tilghman to include the language changes discussed associated with hardship cases, and to insert rules very similar to the rules in the Board of Zoning Appeals ordinance. This is for the purpose of providing notice that all of the paperwork must be presented ahead of time for each case to prevent surprise at the hearings.

Discussion on 501 Camden Avenue (not on agenda)

Unanimous consensus was reached for Mr. Tilghman to examine the circumstances related to 501 Camden Avenue to determine whether or not the City was obligated to approve the request as submitted because Neighborhood Services and Code Compliance (NSCC) exceeded the 45 day requirement to hear the case (the property owner did not have the paperwork complete the first time he submitted the application). Mr. Stevenson explained that NSCC staff has created a mutual agreement document in case this situation occurs again. Mrs. Campbell asked Council members to support her position to uphold the position of the Board if it is determined that the City has grounds to do so, and Council unanimously agreed.

(Council took a 15 minute break at 6:52)

Election Redistricting

Mr. Spies suggested tabling the discussion until all Council members and Mr. Tilghman could review the material submitted by the American Civil Liberties Union (ACLU), which was just received the morning of this work session (April 2, 2012). Council unanimously agreed to discuss Election Redistricting at an additional work session to be held on April 9, 2012 at 11:30 a.m. (ACLU’s recommendation and alternative proposals are attached and made a part of these minutes.)

General discussion/Upcoming Agenda items

Council discussed the Assistant City Clerk position and advertisement. The words “records administrator” was removed from the job title, as records administration was a function of the Assistant City Clerk, but was not required to be included in the title. Mrs. Mitchell added that “EEOC” should be included in the job advertisement.

Mrs. Campbell suggested clarifying the essential functions of the position by removing “Maintains City’s website” and replacing with “Uploading records and posting to the City’s website.” She recommended changing “Communicates policies and procedures to employees and the general public” with “Communicates policies and procedures and provides referrals.” In the “Knowledge, Skills and Abilities” portion of the job description, Mrs. Campbell suggested removing the word “effective” from number 5, as it seemed redundant. In the “Education and Experience” portion, she suggested adding paralegal skills, as someone with this training would benefit the Clerk’s office.

Ms. Cohen agreed with Mrs. Mitchell that a Bachelor’s degree should not be required since it was not a requirement for the Clerk’s position. Council unanimously agreed for Human Resources to provide the initial screening of applicants and ads will be run in The Daily Times, Career Builders

and in several free on-line professional sites. Ms. Cohen will work with Mrs. Nichols to update the job ad. Mrs. Campbell and Mrs. Shields volunteered to assist with the selection process, and Council unanimously agreed.

The work session adjourned at 8:01 p.m.

City Clerk

Council President