

SALISBURY CITY COUNCIL
WORK SESSION
AUGUST 1, 2011

Present

Council President Terry E. Cohen
Councilwoman Laura Mitchell

Council Vice President Deborah S. Campbell
Councilman Timothy K. Spies

Absent

Councilwoman Eugenie P. Shields

In Attendance

City Clerk Brenda Colegrove, City Administrator John Pick, Assistant City Administrator Loré Chambers, City Attorney Paul Wilber, Major Dave Meienschein, Internal Services Director Pam Oland, Neighborhood Services and Code Compliance Director Tom Stevenson, and James Carroll (MDE) and Christopher Ralston (Oil Control Program of MDE) via teleconference

The City Council convened in a work session at 3:00 p.m. in Conference Room 306 of the Government Office Building.

Parking Permit Rates

Internal Services Director Pam Oland presented a request to set a permit rate of \$40 per month for medical permits in parking lot #9 and to set a permit rate of \$20 per month for parking lot #14 for fifteen spaces (copy of request attached and made a part of these minutes).

Mrs. Oland will confer with City Attorney Paul Wilber regarding parking lot #9 to address the concern of charging more for the medical permit than what other employees may pay for permit parking in other lots. There was unanimous consensus to move forward with the permit rate for parking lot #14 only.

Memorandum of Understanding between the Maryland State Police and Salisbury Police Department regarding license plate screening technology

Major Dave Meienschein addressed the request for a resolution authorizing Salisbury's Chief of Police to sign a memorandum of understanding between the Salisbury Police Department and the Maryland State Police in conjunction with the institution and utilization of a license plate screening technology. A copy of Chief Duncan's July 18, 2011 memo and supporting documentation is attached and made a part of these minutes.

Unanimous consensus was given to move forward with the resolution for the August 8 meeting (place on Consent Agenda).

Accepting funds awarded from the Maryland Historical Trust through a Certified Local Government grant

Tom Stevenson, Director of Neighborhood Services and Code Compliance, briefed the Council on accepting a \$1,000 grant from the Maryland Historical Trust (copy of Mr. Stevenson's July 9, 2011 memo attached and made a part of these minutes). Mr. Stevenson pointed out that the grant required a match which could be in-kind rather than cash.

There was a consensus (unanimous) to move forward with accepting the grant for the August 8 meeting (Consent Agenda). Mr. Stevenson was asked to modify the resolution by including an additional clause about the matching requirement.

Amending Section 15.24 Housing Standards, Article XXVI Accumulation of Rubbish Prohibited, of the Salisbury Municipal Code

Neighborhood Services and Code Compliance Director Tom Stevenson highlighted the proposed changes to Article XXVI Accumulation of Rubbish Prohibited (copy of Mr. Stevenson's June 6, 2011 memo attached and made a part of these minutes). Mr. Stevenson noted that the definition of rubbish in Section 8.16.010 of the Code would need to be consistent with this section.

Suggested modifications by Council included:

- 15.24.1330 (1st line) – change “shall” to “may” and insert “be” between “not” and “limited” and narrow down the list of examples
- 15.24.1330 (7th line) – insert “be” between “shall” and “considered”
- 15.24.1330 (8th line) – change “shall” to “may”
- 15.24.1360 (4th line) – change “if not sooner paid” to “within 30 days”
- 15.24.1380 (1st line) – change “21 (twenty one) days” to “twenty-one (21) days”
- include appeal fee
- include that the fee would be refunded if the appellant was successful after all appeals

The Council unanimously consented to move forward with an ordinance addressing the administrative fee only.

Follow-up discussion on Ordinance No. 2162 – amending Chapter 15 Housing of the Salisbury Municipal Code relating to the Housing Board of Adjustments and Appeals

A copy of Ordinance No. 2162 is attached and made a part of these minutes. Suggested modifications by Council included:

- 15.24.370 (3rd line) – replacing “realtor or landlord” with “public safety (including housing official, police or fire, not tied financially to the city)” Note: Mrs. Mitchell was not in favor of removing the realtor or landlord category.
- 15.24.370 – all members to be residents of the city except for the public safety designation
- 15.24.370 – use semi-colons instead of commas to separate the classification of members
- 15.24.370 (5th line) – insert “one of whom is a homeowner” after “residents of the city”

- 15.24.370 – (5th line) – change “No member at large shall have the same occupation as the members with designated occupations.” with “No member shall engage in the same occupation as any member with a designated occupation.”
- 15.24.380A – revise language to establish staggered terms for the current members and the one vacant position
- 15.24.380B (2nd line) – delete “regularly”
- 15.24.380C – delete “failing to disclose personal, professional, or financial interests in a matter to be heard by the board or for a boardmember’s failure to recuse himself when appropriate” and replace with “an alleged violation of Chapter 2.04 – Ethics”
- 15.24.380 – reverse order of B and C
- 15.24.400A – capitalize “housing board of adjustments and appeals”
- 15.24.400B (1st line) – insert “to the Housing Board of Adjustments and Appeals” between “appeal” and “must”
- 15.24.400B (4th line) – insert “calendar” between “(21)” and “days” and change “of” to “after”
- 15.24.400D (3rd line) – change “of” to “after” and insert “final appellant” between “the” and “decision”
- 15.24.410A(1) – Mr. Wilber to 1) restructure the language and 2) to ensure that the “decision of the housing official, the notice or the order” is reflected consistently throughout the Code
- 15.24.410B (1st line) – insert “calendar” before “days” and change “from” to “after”
- 15.24.410B (last line) – insert “calendar” before “days”
- 15.24.410C 3– include language concerning affidavits
- 15.24.410C5a (second sentence) – restructure sentence to read as follows: “If the appellant desires to call the compliance officer who issued the citation, he must request on the appeal form provided by the housing official that the officer be present at the hearing.”
- 15.24.410C6 (second line) – change “shall” to “may” and add “request to” after “may”
- 15.24.430 (second line) – insert “calendar” before “days”

Ordinance No. 2162 in its current form will “die” (will not come back for second reading).

Update on Linens of the Week property

A copy of Mrs. Chambers’ memo of July 26, 2011 is attached and made a part of these minutes. Mr. Jim Carroll and Mr. Chris Ralston from MDE joined Council for discussion via teleconference.

By unanimous consensus, the Council preferred seeing better cost numbers for the 25% removal of the building before making a decision.

Items to be rescheduled

The discussion on access to legal counsel and the continuing discussion on Council’s Rules of Order will be rescheduled to a future work session.

Update on Old Fire Station #16 Disposition Contract – held in closed session

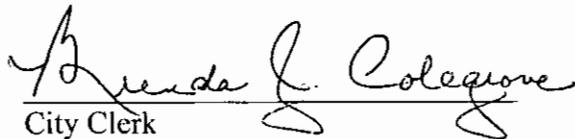
General discussion/upcoming agendas

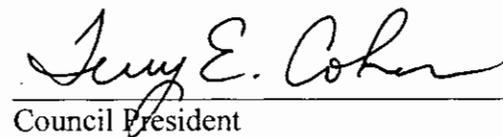
Safe Streets legislation – The Council, by unanimous consensus, agreed that the BZA portion of the Safe Streets legislation should be discussed next at a future work session.

Ethics Ordinance – Mr. Wilber to include additional language relating to disclosure of non-financial interest (i.e., personal and professional) and send to Council for review before submitting to the State.

Adjournment

The work session adjourned at 8:29 p.m.


City Clerk


Council President