

CITY OF SALISBURY
WORK SESSION
DECEMBER 5, 2011

Present

Council President Terry E. Cohen
Councilwoman Laura Mitchell

Council Vice President Deborah S. Campbell*
Councilwoman Eugenie P. Shields

Councilman Timothy K. Spies

*participated via phone until 7:03 p.m.

In Attendance

City Clerk Brenda Colegrove, Mayor James Ireton, Jr., City Administrator John Pick, Assistant City Administrator Loré Chambers, City Attorney Paul Wilber, Police Chief Barbara Duncan, Acting Internal Services Director Gerri Moore, Neighborhood Services and Code Compliance Director Tom Stevenson, Pam Baker, Michael Mood

The City Council convened in a work session at 4:30 p.m. in Conference Room 306 of the Government Office Building.

Review of audit/financial statements

Auditors Pam Baker and Michael Mood (Barbacane, Thornton and Company LLP), along with Acting Internal Services Director Gerri Moore, highlighted the draft audit report ending June 30, 2011 and the single audit report ending June 30, 2011 (copies attached and made a part of these minutes). Final copies will be available for the December 12, 2011 legislative meeting.

Transition for Charter Amendment on access to legal

City Attorney Paul Wilber's November 30, 2011 memo concerning protocols for the Legal Department is attached and made a part of these minutes. Mr. Wilber will have their billing reprogrammed (breakdown of issues) so the Council will have a better idea of how the legal monies are being spent. It was the unanimous consensus of Council that they did not have to be notified of claims/allegations that do not come to fruition.

Resolution to place a non-binding referendum question on the ballot at the next General Election

A copy of a proposed resolution to place a non-binding referendum question on the next General Election ballot relating to the City Attorney Charter Amendment is attached and made a part of these minutes. There was no consensus to move forward with the resolution. Mrs. Mitchell and Mrs. Shields were in favor.

Follow-up discussion on Board of Zoning procedures

City Attorney Paul Wilber reviewed his November 22, 2011 memo outlining a Building, Permitting and Inspections (BPI) procedure for processing zoning inquiries/complaints (copy attached and made a part of these minutes). It was the unanimous consensus of Council for a 90-day extension of the moratorium (Mayor was also agreeable); to proceed on the listing of

acceptable evidence; and looking at the proposed BPI procedure to see what the most appropriate application would be. Mr. Wilber to speak with Jack Lenox and Bill Holland to address Ms. Cohen's concern that zoning complaints of a more routine nature (i.e., fence, setback) do not become a 60-90 day ordeal.

Towing Ordinance

A copy of the Towing Ordinance from the work group was reviewed (attached and made a part of these minutes). Also attached is a copy of the City Attorney's December 5, 2011 e-mail listing two attorneys who have represented governmental entities and tow operators regarding towing legislation. Unanimous consensus was reached to make the following additional changes:

- Include definition for emergency relocation tow
- Fee for emergency relocation tow to be \$80.00 (to be added to the Fee Ordinance)
- Section 5.64.100 (item #4) to read: If a department or agency of the city, a public utility or similar entity requests the relocation of a vehicle from a work zone to a nearby street parking area, the police department shall follow the procedure set forth in Paragraph A above. The fee for emergency vehicle relocation shall be established by ordinance and shall be at the expense of the requesting city department or agency, public utility or similar entity.
- Section 5.64.100 B to read: No police directed towing company shall, in any way, solicit for towing business, nor shall any police directed towing company attempt to take any vehicle in tow unless he or it shall have been summoned by the owner/operator of the vehicle requiring the tow or the Police Department.
- Section 5.64.100 C to read: No towing company that is summoned by the owner/operator of the vehicle requiring the tow shall attempt to take a vehicle in tow unless the towing company possesses a current City of Salisbury Police Directed Tow License, and can respond within thirty (30) minutes.
- Section 5.64.120 (item #4) to read: A list of current towing and storage fees shall be given to the vehicle owner/operator, if available, at the scene of the tow by the tow truck operator. Should the vehicle owner/operator not be available at the scene, a list of current towing and storage fees shall be given to the officer in charge of the scene.
- Section 5.64.130 (paragraph A) – insert “has been made” at the end of the first sentence
- Section 5.64.130 B, third sentence to read: No abandoned vehicle shall be scrapped except in accordance with Maryland State Law.
- Section 5.64.140 (item #2) to read: Be permanently affixed on or applied to the towing vehicle.

The City Clerk was asked to make the changes and forward to the City Attorney for review.

2012 City Council meetings dates/times

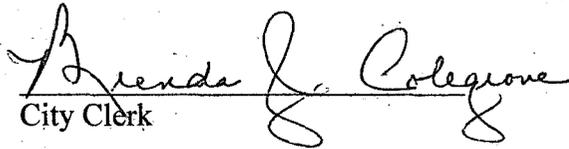
A copy of the proposed 2012 proposed meeting dates as presented by City Clerk Brenda Colegrove is attached and made a part of these minutes. There was unanimous consensus to not have a second meeting in December and to schedule the first work session of the month at 4:30 p.m. and the second work session of the month at 1:30 p.m. Unanimous consensus was also given to cancel the December 27, 2011 legislative meeting due to the holidays. A special meeting could be called, if necessary, in conjunction with the December 19 work session.

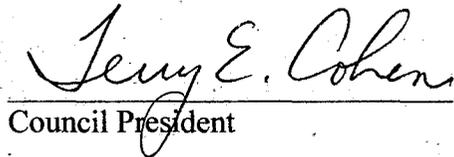
General discussion/upcoming agendas

December 12 Council meeting – possibility of adding a work session after the regular meeting

Election redistricting – Mrs. Shields requested 1) total number of people in each of the five proposed voting districts and 2) if the minority numbers given to her by the City Administrator included only African Americans.

The work session adjourned at 9:05 p.m.


City Clerk


Council President