

CITY OF SALISBURY, MARYLAND

REGULAR MEETING

FEBRUARY 13, 2012

PRESENT

*Council President Terry E. Cohen
Councilwoman Laura Mitchell
Councilman Timothy K. Spiès*

*Council Vice President Deborah S. Campbell
Councilwoman Eugenie P. Shields
Mayor James Ireton, Jr.*

IN ATTENDANCE

City Clerk Brenda Colegrove, MMC, City Administrator John Pick, ICMA-CM, City Attorney Mark Tilghman, Police Chief Barbara Duncan, Public Works Director Teresa Gardner, Acting Internal Services Director Gerri Moore, and interested Citizens and Members of the Press.

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. A moment of silent meditation was held followed by the Pledge of Allegiance. Council President Cohen welcomed Ms. Vreni Gust as the new curator for the Poplar Hill Mansion.

ADOPTION OF LEGISLATIVE AGENDA

Mrs. Mitchell moved and Mr. Spiès seconded to adopt the legislative agenda as presented. Mr. Spiès moved to amend the agenda by removing Resolution No. 2147, adoption of the FY2013 – FY2017 Capital Improvement Plan (at Mayor Ireton’s request). On a second by Mrs. Campbell, the amendment passed unanimously. At the request of Mrs. Campbell, the closed session minutes of January 30, 2012 (#1 and #2) and February 2, 2012 were removed from the Consent Agenda for discussion following Ordinance No. 2193. The legislative agenda, as amended, was unanimously adopted.

CONSENT AGENDA – presented by City Clerk Brenda Colegrove

The Consent Agenda, consisting of the following items, was unanimously approved on a motion by Mrs. Mitchell and seconded by Mrs. Shields:

- *January 13, 2012 work session minutes*
- *January 17, 2012 work session minutes*
- *January 23, 2012 regular meeting minutes*
- *January 23, 2012 closed session minutes*

- *January 30, 2012 work session minutes*
- *February 6, 2012 special meeting minutes*
- *Resolution No. 2142 - approving the appointments of Heather Calloway and Debbie Davis to the Friends of Poplar Hill Mansion Board of Directors for terms ending December 31, 2014*
- *Resolution No. 2143 - approving the appointment of R. Scott Saxman to the Historic District Commission for a term ending December 31, 2014*
- *Resolution No. 2144 - approving the reappointment of Jane Ellen Mengason to the Marina Committee for a term ending January 31, 2014*
- *Resolution No. 2145 - authorizing the mayor to sign a lease with the Tri-County Council for the Lower Shore of Maryland for the use of a grass strip on Calvert Street and fourteen parking spaces in lot #10 as a Shore Transit bus stop and transfer station*
- *Resolution No. 2146 - authorizing the mayor to sign a renewal lease with the Tri-County Council for the Lower Shore of Maryland for the use of a grass strip and the sidewalk parallel thereto on Circle Avenue between the corner of Division and the entrance to parking lot #1 as a Shore Transit bus stop*

ORDINANCES – presented by City Attorney Mark Tilghman

- *Ordinance No. 2188 - 2nd reading - to repeal Chapter 5.64 as amended by Ordinance No. 2185 – Towing Companies of the Salisbury Municipal Code in its entirety and to reenact Chapter 5.64 – Towing Companies to clarify ambiguity regarding licensing requirements; towing and storage lot operation requirements; authorizing fees for towing and storage; and penalties for violation of Chapter 5.64*

On a motion by Mrs. Mitchell and seconded by Mrs. Shields, Ordinance No. 2188 for second reading passed unanimously.

- *Ordinance No. 2189 - 2nd reading - to repeal Ordinance No. 2186 and to reestablish a schedule of fees and charges applicable to vehicles towed as dispatched by the Police Department and to clarify ambiguity*

Mrs. Mitchell moved and Mr. Spies seconded to approve Ordinance No. 2189 for second reading. Mrs. Campbell moved and Mr. Spies seconded to amend Ordinance No. 2189 by removing the \$30.00 Administrative Fee – Accidents & Impounds Only on page 2. The motion failed to pass with Mrs. Campbell voting aye and Ms. Cohen, Mrs. Mitchell, Mrs. Shields and Mr. Spies voting nay.

Mrs. Campbell moved to amend Ordinance No. 2189 with an editorial correction in the paragraph before line 20 by inserting a hyphen between 12 month period (4th and 5th lines of the paragraph). Mrs. Mitchell seconded and the amendment passed unanimously. Ordinance No. 2189, as amended on second reading, passed unanimously.

- Ordinance No. 2190 - 1st reading - FY12 budget amendment to appropriate funds (\$21,033.59) received from the Local Government Insurance Trust for damage incurred by a lightning strike to the police tower on Marine Road

Mrs. Shields moved and Mrs. Mitchell seconded to approve Ordinance No. 2190 for first reading. On the recommendation of City Administrator John Pick, Mrs. Mitchell moved to amend Ordinance No. 2190, line 24, to read as follows: Increase Insurance Proceeds (01000 456935) by \$21,033.59. Mr. Spies seconded and the amendment passed unanimously. Ordinance No. 2190, as amended on first reading, passed unanimously.

- Ordinance No. 2191 - 1st reading - FY12 budget amendment to appropriate the funds (\$1,200.00) received from the recovery and recycling of brass shell casings at the Salisbury Police Range to purchase service weapons

On a motion and a second by Mrs. Shields and Mrs. Mitchell, respectively, Ordinance No. 2191 for first reading passed unanimously.

- Ordinance No. 2192 - 1st reading - FY12 budget amendment to appropriate additional funds (\$17,500.00) to pay the projected cost of lighting facilities maintenance

Ordinance No. 2192 for first reading passed unanimously on a motion by Mr. Spies and seconded by Mrs. Shields.

- Ordinance No. 2193 - 1st reading - FY12 budget amendment to provide for the deposit of a Local Government Insurance Trust claims check (up to \$5,843.75) for the replacement of the traffic control cabinet for the traffic signal at S. Division and Milford Street intersection

On a motion by Mrs. Mitchell and seconded by Mrs. Campbell, Ordinance No. 2193 for first reading passed unanimously.

ADOPTION OF MINUTES

- January 30, 2012 closed session minutes #1 - Mrs. Campbell moved and Mrs. Mitchell seconded to approve the January 30, 2012 closed session minutes #1. After a brief discussion on the possibility of releasing these minutes to the public (City Attorney to look into this issue), the closed session minutes of January 30, 2012 #1 were unanimously approved.
- January 30, 2012 closed session minutes #2 - Mrs. Campbell moved and Mr. Spies seconded to approve the January 30, 2012 closed session minutes #2. Mrs. Campbell moved to amend the minutes by correcting a typo on line 26 (second word). Mrs.

- *Mitchell seconded and the amendment passed unanimously. The January 30, 2012 closed session minutes #2 were unanimously approved as amended.*
- *February 2, 2012 closed session minutes - Mrs. Campbell moved and Mrs. Mitchell seconded to approve the February 2, 2012 closed session minutes. After clarifying that minutes from the open portion of the meeting would be presented at the February 27, 2012 Council meeting, the closed session minutes of February 2, 2012 were unanimously approved.*

PUBLIC COMMENTS

Highlights of comments received from two citizens:

- *defibrillator in the Government Office Building (who has the key and who is trained to use it)*
- *members of public owe level of courtesy to Council – stick to issue and not make personal remarks*

ADJOURNMENT

The meeting adjourned at 7:39 p.m.

*CITY OF SALISBURY, MARYLAND
CLOSED SESSION
FEBRUARY 21, 2012*

TIME & PLACE: 1:41 p.m., Government Office Building – Conference Room 306
PURPOSE: Consulting with legal counsel and staff on pending litigation
VOTE TO CLOSE: Unanimous
CITATION: Annotated Code of Maryland Sections 10-508(a)(7)(8)
PRESENT: Council President Terry E. Cohen, Council Vice President Deborah S. Campbell, Councilwoman Eugenie P. Shields, Councilman Timothy K. Spies, Assistant City Clerk Kim Nichols, City Attorney Mark Tilghman, Attorneys Paul Wilber, Howard Goldberg and Chris Mason via teleconference
ABSENT: Councilwoman Laura Mitchell

At 1:41 p.m. during the Council's work session, Mr. Spies moved and Mrs. Campbell seconded to convene in closed session to consult with legal counsel and staff as permitted under the Annotated Code of Maryland Sections 10-508(a)(7)(8). The vote was unanimous to close.

The Council received a briefing on settlement negotiations relating to the wastewater treatment plant. No action was taken by Council. At 2:13 p.m., on a motion and a second by Mrs. Campbell and Mr. Spies, respectively, the vote was unanimous to adjourn the closed session and return to the work session.

Amanda J. Colegrove
City Clerk

Levy E. Cohen
Council President

