

CITY OF SALISBURY
WORK SESSION
MARCH 4, 2013

Public Officials Present

Council President Terry E. Cohen
Councilwoman Laura Mitchell (via teleconference)
Councilman Timothy K. Spies
Council Vice-President Deborah S. Campbell
Councilwoman Eugenie P. Shields (left at 7 p.m.)

Public Officials Not Present

Mayor James Ireton, Jr.

In Attendance

City Clerk Kim Nichols, CMC, City Administrator John Pick, ICMA-CM, City Attorney Mark Tilghman (arrived at 4:40 p.m.), Police Chief Barbara Duncan, Jeanne Loyd, interested citizens, and members of the press.

The City Council convened in work session at 4:30 p.m. in Conference Room 306 of the Government Office Building. The City Clerk called Mrs. Mitchell, who had requested earlier to teleconference in for the work session.

Business Disclosure Ordinance – Follow-up Discussion

During the discussion on the business disclosure ordinance, Council President Cohen stated that the vendors should probably file new disclosure forms each year and preferred this be applied to all vendors. City Administrator John Pick indicated he thought doing so on a fiscal yearly basis made sense but would check with Internal Services Director Keith Cordrey and Assistant Internal Services Director – Procurement Catrice Parsons as to whether they favored the forms be updated each calendar year or each fiscal year.

Council reached consensus to keep the business disclosure form a two-sided form, move the ordinance to the next legislation session for consideration, and to update the draft ordinance as follows:

- Line 38 – remove “agreement and insert “contract”
- Line 46 – insert “registration or to a” after “routine”
- Line 46 – insert “other similar” after “or”
- Line 48 – insert “registration, ” after “permit”
- Line 55 – insert “C.” as next paragraph letter

Ordinance No. - Creating a Multi-Use/Non-Residential Zoning District

Jack Lenox joined Council at the table to discuss the ordinance which creates a multi-use/non-residential zoning district in the Moore annexation properties. These properties are being annexed into the City with the agreed upon intention not to allow residential uses. The multi-use/non-residential zoning district has been approved and moved forward to the City by the Planning Commission. Mr. Lenox explained that the Moore family was represented at the hearing and there were no adverse comments regarding this ordinance.

City Attorney Mark Tilghman corrected the following in 17.46.020, Attachment 1: The Letter B needs the period replaced with a comma, and the same language that appears under sub-paragraphs A. and C. (except residential uses) needs to be added.

Council reached unanimous consensus to move the ordinance to March 11, 2013 for first reading.

After a fifteen minute break, Council reconvened in work session at 6:00 p.m.

Update on Fire Service Agreement

Ms. Cohen stated the current Fire Service Agreement expired on December 31, 2010. Mr. Pick exited the room during Council's discussion per Mayor Ireton's earlier orders, as Administration was not prepared to discuss the Fire Service Agreement.

The Council identified the following question to ask Mr. Pick: Does the City receive a lump sum for payment from the County, or does the City receive a payment to the Volunteer Fire Stations, or does the City receive a combination of both?

The Council also requested information on the negotiations around specific services that are provided including the HAZMAT, fireboat, etc.

No action or consensus was taken by Council as the topic was for discussion purposes only.

Lockout (Nuisance) Ordinance – further discussion

Police Chief Barbara Duncan joined Council at the table to discuss the Lockout Ordinance and explained that Baltimore City was dealing with much of the same problems as the City of Salisbury, and the model used to base the draft ordinance was from Baltimore City. Most of the ordinance deals with drugs, gambling, prostitution, violence, etc. She informed Council that Wicomico County Council currently has a very similar document to consider.

Chief Duncan referred to page 3, Letter L. Public Nuisance. Public nuisance is described as where there are two or more separate occasions within a 24-month period where prostitution, adult entertainment, people assembling for the purpose of administering controlled dangerous substances, gambling, stolen property, unregistered firearms, crimes of violence, gang offenses and selling alcohol to anyone under 21 years of age is taking place. The ordinance provides the Chief with the authority to hold a hearing once two events occur within a 24-month period at any given location. The business owner must attend the hearing to discuss the problem and the consequences. The Chief can either order the nuisance to stop or the business to close for up to 12 months. Chief Duncan explained there is an appeals process by which the owner can approach the Chief with additional evidence and request a shortened period of time for closing, and compliance will be at the Chief's discretion. Additionally, Chief Duncan stated this legislation gives the City another tool in which the industry with the problems could drill itself and offer another avenue for the law enforcement agency.

Mr. Tilghman noted changes which should be incorporated into the final draft. They included:

- Line 107 - "boarding" should replace "rooming" and "house" should replace "unit"
- Line 172 - "Wicomico County" should replace "the City of Salisbury"

- Lines 195 and 197 – remove the brackets in both lines

Mr. Spies suggested adding the word “to” at the beginning of Line 7.

Council unanimously agreed to move the ordinance forward to the legislative session on March 11, 2013 and that the filing only of the rules, regulations, and procedures with Council would be sufficient, as they did not consider it necessary to approve them.

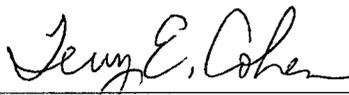
General Discussion/Upcoming Agenda Items

- Proposed Retirement Incentive Package
Mr. Pick requested Council’s approval before asking the thirty-six (36) City employees who meet the specific qualifications if they would be interested in either one of the retirement incentive options. After discussing both of the options, retraining and recruiting costs, and the goal to reduce City payroll, Council reached unanimous consensus and authorized Mr. Pick and Administration to poll the employees to find out many of them would retire if offered Option 1. Once the number of those interested in the retirement incentive was determined, the savings amount to the City could be calculated.
- Performance Review of City Attorney
Mrs. Mitchell requested a performance review of the City Attorney be scheduled.
- MPO Members Meeting
Ms. Cohen updated Council on the latest MPO meeting (Monday, February 25, 2013) she attended in which presentations were made from those who administer the Federal and State Bike Lane programs. There are about four (4) different programs at this time. Mr. Pick is going to ask Keith Hall to forward the information to the Clerk for Council distribution.
- Bike lane complaints on Rt. 13
Mrs. Campbell informed Council she believes the “shared lanes” have been improperly built by the State and the City should insist they be fixed. Storm water grates present a danger for bikers.
- City Park Committee update
Ms. Cohen updated Council on the City Park Committee news. The committee has been developing a vision statement about the City Park and trying to balance recreational demand and preservation of natural resources. There is possibly one more vacancy on the committee needing to be filled.

With no further discussion, the work session adjourned at 7:36 p.m.



City Clerk



Council President