

CITY OF SALISBURY
WORK SESSION
MARCH 5, 2012

Present

Council President Terry Cohen
Councilwoman Shanie Shields
Councilman Tim Spies

Council Vice President Deborah Campbell
Councilwoman Laura Mitchell

In Attendance

Mayor James Ireton, Jr., Assistant City Clerk Kimberly R. Nichols, CMC, City Administrator John Pick, ICMA-CM, Tom Stevenson, Neighborhood Services & Code Compliance Director, Bill Holland, Director of Building, Permits and Inspections, Teresa Gardner, Public Works Director, Dale Pusey, Acting Deputy Director of Public Works, Acting Internal Services Director Gerri Moore, Internal Services Assistant Director- Procurement Catrice Parsons, City Attorney Susan Tilghman and members of the public and press.

The City Council convened in a work session at 4:30 p.m. in Council Chambers.

Council President Cohen referenced a March 2, 2012 letter received from Mayor Ireton. After reviewing the record from the November 14, 2011 meeting, Ms. Cohen determined that Mrs. Campbell stated the public *had been lied to* and was not in violation of the Rules of Order. Another question in the letter asked about letting the Mayor know about the Fire Station #16 discussion/meeting. If Mayor Ireton was unaware, Ms. Cohen stated it was only due to the lack of communication. Ms. Cohen also clarified a statement she made concerning election redistricting being a legislative function, and also explained recent revisions to Council agendas.

Possible Charter Amendments

- Proposal for at-will status for the City Administrator and department heads

Mayor Ireton presented the possible charter amendment and requested the same status over City department heads that Council has over the City Clerk and City Attorney, or be permitted the same privilege over the City Attorney and Clerks offices as Council has. Council indicated they were not looking to oversee the rest of the department heads. After discussion, consensus was reached to not include the Mayor in hiring privileges over the City Attorney and City Clerk. Mrs. Mitchell was the only Council member agreeable to the change. Ms. Cohen agreed to consider bringing the topic back another time for discussion, but stated she would like to get through the city attorney transition period first.

- Discussion on breaking the Internal Services Department into its original two parts – Finance and Purchasing

Mayor Ireton stated his concern over finding a suitable department head experienced in Finance, Human Resources and Purchasing. None of the prior applicants for the Director of Internal Services have had expertise in all three departments. Mayor Ireton proposed

breaking Internal Services out into the original two parts and placing Human Resources under the purview of the Mayor's Office. Mrs. Campbell suggested the job descriptions be reviewed and updated, if needed. Council did not reach consensus to approve the split-out of the department, but would discuss the topic again if they were provided a cost-benefit analysis, job descriptions and more information.

Capacity Fees (comprehensive connection charges)

Teresa Gardner passed out updated information for the 2011 Capacity Fees discussion (attached and made part of these minutes) as the material provided in the agenda packet was outdated.

At 5:41 p.m., on a motion by Mrs. Campbell and seconded by Mr. Spies, the Council voted unanimously to convene on closed session in order to ask the City Attorney a question regarding capacity fees as permitted under the Annotated Code of Maryland Section 10-508(a)(7) .

Mr. Spies motioned to go out of closed session. Mrs. Shields seconded and the Council reconvened in work session at 5:55 p.m. Discussion was continued on capacity fees.

Dale Pusey explained the capacity fees are based on the code and the CIP. He used the CIP FY2013 - FY2017 for the planned improvements and stated all of the growth related planned projects had some maintenance aspect. He used a 50/50 split to determine the growth and maintenance. Mrs. Gardner asked Council to review the packet and forward questions to John Pick. Mrs. Campbell asked Mr. Pick to send Council members the Tischler-Bise Study to help them in their review.

Consensus was reached for Council to review the information provided to them, develop questions and allow time for the city attorney to review, and the topic will be scheduled back for discussion.

Amending garbage ordinance (Chapter 8.16)

Teresa Gardner provided an overview of the review Public Works did on Chapter 8.16, Garbage, Rubbish and Refuse. The word "rubbish" was addressed and how it was used in Public Works sanitation. The proposed procedure for bulk pick-up was discussed which allows payment before services are provided. The Recycling Coordinator, Harry White, was applauded for his dedication and efforts in providing 100 % of the City served multi-family facilities now have recycling available to them.

City Attorney Susan Tilghman has reviewed the proposed ordinance and consensus was reached for the Legal Department and Public Works to continue working on the changes and to email the updated ordinance to Council for review.

Portable storage containers

Bill Holland discussed portable storage containers and legislation passed by other towns concerning their regulation. There are no ordinances regulating temporary storage

containers in the City of Salisbury. Building, Permits and Inspections (BPI) has had numerous complaints concerning the placement of them. Mr. Holland explained the proposed ordinance addresses the placement of these containers in residential neighborhoods and the amount of time the containers are allowed to remain in place.

Mr. Ken Mills (owner of Top City in Fruitland, MD) completed a comment form (attached and made part of these minutes) and suggested rental companies could send a copy of the customer paperwork to BPI as notification of the location and date of placement.

Council reached consensus for the Legal Department and Bill Holland to work together on the legislation.

General Discussion/Upcoming Agenda items

Ms. Cohen informed Council of a budget transfer request for the Police Department due to maintenance issues with vehicles.

Ms. Cohen indicated there have been complaints about Historic fee applications being treated the same way as all other zoning applications. This requires people to come before the Historic District Commission, and in some cases, the repair costs less than the application fee, mainly due to advertising costs. Consensus was reached to begin with Jack Lenox's opinion concerning exclusions from a zoning standpoint.

The election redistricting public forum schedule was recapped by Ms. Cohen. Mrs. Shields received an email notification of an N.A.A.C.P. meeting on March 22, 2012 in which the A.C.L.U. will speak concerning the minority district and voting rights at 6 p.m. at First Baptist Church, 528 Booth Street, Salisbury, MD.

The agenda items workflow/workload discussion was continued from the last work session. The need for a tracking tool was discussed and an example will be forthcoming from Kim Nichols at the next work session.

Mr. Spies commented on Easton, Maryland's decision to begin mandatory recycling. He plans to visit Easton with Harry White and collect information on the concept.

The work session adjourned at 7: 40 p.m.

City Clerk

Council President