

SALISBURY CITY COUNCIL
WORK SESSION
MAY 2, 2011

Present

Council President Terry E. Cohen
Councilwoman Laura Mitchell

Council Vice President Deborah S. Campbell
Councilwoman Eugenie P. Shields*
Councilman Timothy K. Spies

*left 8:08 p.m.

In Attendance

Mayor James Ireton, Jr., City Clerk Brenda Colegrove, City Administrator John Pick, Assistant City Administrator Loré Chambers, City Attorney Paul Wilber, Public Works Director Teresa Gardner, Internal Services Director Pam Oland, Keith Hall, Clay Hall, Dallas Baker, Chris Jakubiak

The City Council convened in a work session at 5:00 p.m. in Council Chambers (Room 301) of the Government Office Building.

Lord's Prayer issue

A copy of the list of municipalities responding to the prayer/invocation survey question conducted by the City Clerk's Office is attached and made a part of these minutes. City Attorney Paul Wilber referenced a 2008 Fourth Circuit Opinion by Justice Sandra Day O'Connor regarding prayer at government meetings and Council President Cohen referred to the LaCrosse, Wisconsin city attorney's opinion and research on prayer. Copies of both documents are attached and made a part of these minutes.

For the next meeting, a moment of silence/silent meditation will be used and another work session will be held for further discussion, if needed, after review of all information.

Proposed easement abandonment and relocation (Walgreen Company – 917 Mt. Hermon Road)

Public Works Director Teresa Gardner and Dallas Baker reviewed the proposed easement abandonment and relocation of an existing public utility easement located on the Walgreen Company property at 917 Mt. Hermon Road (copy of information attached and made a part of these minutes).

There was unanimous consensus to move forward with the proposed ordinance (to be placed on the Consent Agenda).

Manufacturing Exemptions

Internal Services Director Pam Oland explained the process for a manufacturing exemption request. City Attorney Paul Wilber referred to Tax-Property Article Sections 7-110 and 7-225 relating to manufacturing exemptions (copy attached and made a part of these minutes). There was unanimous consensus to move forward with the Spartech Polycom and DiCarlo Precision Instrument requests (copies attached and made a part of these minutes) on the May 9 Council agenda (to be placed on the Consent Agenda).

Pemberton Café – Neighborhood BusinessWorks Program Application

A request for a resolution supporting Maryland Department of Housing and Community Development, Neighborhood BusinessWorks Program financing to Pemberton Café, LLC was brought forward by Council President Cohen (copy attached and made a part of these minutes).

A unanimous consensus was reached to place this item on the May 9 Council agenda.

Items for reconsideration:

“The Bricks”

Ms. Nancy Rase (Homes for America) provided a progress report on “The Bricks” project. A copy of the information disseminated to Council by Administration at the work session is attached and made a part of these minutes. Approximately \$75,000 in costs has been incurred to date. Mrs. Mitchell, Mrs. Shields, Mr. Spies and Ms. Cohen concurred to move forward.

The remaining items (Linens of the Week property, Onley Road/Bateman Street/S. Division Street project and Health care for elected officials will be placed on a future work session agenda.

U.S. 50E/Moore Annexation

Chris Jakubiak, along with Keith Hall (Planning & Zoning), Steve Marsh (George, Miles & Buhr) and Glenn Ains (representing Moore family), addressed the proposed U.S. 50E/Moore Annexation located between Hobbs Road and Walston Switch Road (copy attached and made a part of these minutes).

Mr. Jakubiak suggested changing item #4 on page 3 of the Annexation Agreement to be a Planned Development District (PDD) zoning district instead of a Light Business Institutional District (LBI) to make the intent clear for the concept plan. Mrs. Mitchell pointed out that paragraph H on page 6 (second line) of the Annexation Agreement should refer to paragraphs F and G instead of E and F.

After discussion, the unanimous consensus of Council was:

- remove the five parcels closest to Perdue Stadium from the annexation
- understanding that the Moore family is aware that a Planned Development District is not guaranteed
- LEED language – make intent clear
- requirement for traffic study
- receive updated information from the city attorney on the simultaneous concept of annexation and zoning (conversations between Mr. Wilber and Mr. Jakubiak)

Financial results quarterly report

A copy of the quarterly report is attached and made a part of these minutes. No discussion by Council. Council members with questions are to forward them to Mrs. Oland for a response.

Tenants' Bill of Rights

A copy of the proposed Tenants' Rights Information Sheet, proposed ordinance referencing the document and the written comments of Kris Adams (President of Salisbury Area Property Owners Association) are attached and made a part of these minutes.

Suggestions provided by Council:

- remove from the proposed ordinance (Section 15.26.110) the wording "upon enactment of this ordinance"
- include language that the applicant's money would be refunded if their appeal was successful
- include form in all new and renewing leases
- prohibition on repercussions to the tenant from the landlord
- include property address
- include City's web site for reference
- adding language to include that the maximum number of unrelated individuals for occupancy is "X" and can be verified through the City's web site or calling NSCC
- include property owner and/or designated leasing agent's signature
- in signature paragraph – should read "Tenants' Rights Information Sheet"
- include language to identify who the exemption doesn't apply to in the multi-family area or refer to the section of the Code

Council will have further discussion on this issue to finalize the document.

City Council Rules of Order

Council members discussed the following items/sections for potential changes to the rules:

- Council member being allowed to call in during a meeting if unable to be physically present
- reference to Lord's Prayer in 6B
- 7B – reference to "shall" and "if they so choose"
- 4E and 6B – removing items from Consent Agenda

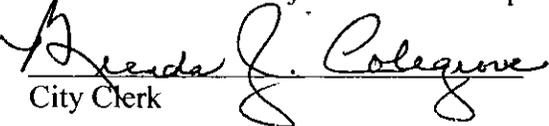
The Rules of Order will be discussed further at a future work session.

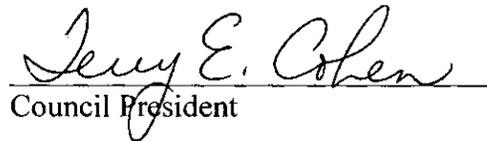
General Discussion

Parks and Recreation Committee – City Clerk Brenda Colegrove reported that Mrs. Shields could not serve on the committee due to a conflict with the meeting time.

Skate Park – At the request of Ms. Cohen, a unanimous consensus was given for her to speak with the mayor regarding the lack of discussion with Council or the City Park Committee concerning a skate park.

The work session adjourned at 11:05 p.m.


City Clerk


Council President