

CITY OF SALISBURY, MARYLAND

REGULAR MEETING

NOVEMBER 14, 2011

PRESENT

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

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

IN ATTENDANCE

Assistant City Clerk Kimberly Nichols, CMC, City Administrator John Pick, ICMA-CM, Assistant City Administrator Loré Chambers, City Attorney Paul Wilber, Police Chief Barbara Duncan, Acting Internal Services Director Gerri Moore, Public Works Director Teresa Gardner, Neighborhood Services and Code Compliance Director Tom Stevenson, 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.

CERTIFICATES OF RECOGNITION – presented by Mayor James Ireton, Jr.

Assistant Percussion Caption Head/ Instructor Kelly McNeil received the Certificates of Recognition for the following members of the James M. Bennett Sr. High Percussion for winning the Tournament of Bands Competition called Chapters:

<i>Scott Harris, Caption Head</i>	<i>Kelly McNeil, Asst. Instructor</i>	<i>Brandon Middleton-Senior</i>
<i>Renato Moore-Senior</i>	<i>Ricky Johnston-Junior</i>	<i>Cody Niblett-Junior</i>
<i>Thomas Taylor-Junior</i>	<i>Chessa Beebe-Sophomore</i>	<i>Josh Holland-Sophomore</i>
<i>Christian Frey-Freshman</i>	<i>Elijah Harmon-Freshman</i>	<i>Nick Pino-Senior</i>
<i>Trey Mason-Junior</i>	<i>Kaya Manizade-Sophomore</i>	<i>Gueja Park-Sophomore</i>
<i>Amy Antal-Freshman</i>	<i>Kaitlyn Briselli-Freshman</i>	<i>Catherine Skeeter-Freshman</i>

ADOPTION OF LEGISLATIVE AGENDA

Mr. Spies moved and Mrs. Mitchell seconded to adopt the legislative agenda as presented. Mrs. Mitchell moved to amend the agenda by adding Resolution No. 2118, authorizing the mayor to sign a "Law Enforcement Services Agreement" between Wal-Mart and the City of Salisbury.

Mrs. Campbell seconded the motion and the amendment was unanimously approved. The legislative agenda, as amended, was unanimously adopted.

DATA BRIEFING – *Frank McKenzie, from the Planning and Zoning Department, briefed Council on the data analysis pertaining to the election redistricting using the Geographic Information Systems (GIS) technology, explaining that after each census local jurisdictions go through the process of determining what impact, if any, the census figures reveal. This was an informational briefing only.*

CONSENT AGENDA – *presented by Assistant City Clerk Kimberly Nichols*

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

- *October 17, 2011 work session minutes*
- *October 17, 2011 closed session minutes*
- *October 24, 2011 closed session minutes*
- *October 24, 2011 regular meeting minutes*
- *October 24, 2011 work session minutes*
- *November 7, 2011 special meeting minutes*
- *Labinal Salisbury, Inc. (formerly Harvard Manufacturing Company) manufacturing exemption request for an exemption from personal property tax for equipment purchased in 2009 and 2010 – total savings of \$75,773 in personal property tax over the next five years*

INTRODUCTION/PUBLIC HEARING – *presented by City Administrator John Pick/oath administered by Assistant City Clerk Kimberly Nichols*

- *Resolution No. 2116 – approving the calculation of maximum permitted rates for limited basic service and regulated equipment rates and installation charges as set forth in Comcast's rate filing (Form 1240 and Form 1205) dated September 30, 2011*

City Administrator John Pick explained that as part of the City of Salisbury's franchise agreement obligation with Comcast, the City must review the calculations Comcast uses on the forms they are required to complete. This verifies that Comcast's proposed rates are justified by the information they have provided.

No public comments were received.

RESOLUTIONS – presented by City Administrator John Pick

- Resolution No. 2117 - approving a loan to Mojo Management, LTD from the City's Revolving Loan Fund to assist in the renovation of the building located at 213/215 E. Main Street

On a motion by Mr. Spies moved and seconded by Mrs. Mitchell, Resolution No. 2117 passed unanimously.

- Resolution No. 2118 – authorizing the mayor of the City of Salisbury to sign a “Law Enforcement Services Agreement” between Wal-Mart and the City of Salisbury

Mr. Spies moved and Mrs. Mitchell seconded to approve Resolution No. 2118. The following amendments were unanimously approved:

1. *Motion by Mr. Spies and seconded by Mrs. Campbell to amend the NOW, THEREFSORE, BE IT RESOLVED paragraph to read as follows:*

“NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF SALISBURY, MARYLAND, that the Mayor of the City of Salisbury is authorized to sign a “Law Enforcement Services Agreement” between Wal-Mart and the City of Salisbury, contingent upon written verification to the City of legal signing authority on the part of Owner.”

2. *Motion by Mr. Spies and seconded by Mrs. Campbell to amend the second WHEREAS paragraph to read as follows:*

“WHEREAS, the City of Salisbury shall provide law enforcement services to Wal-Mart at the Wal-Mart Supercenter Store located at 2702 N. Salisbury Blvd. subject to the terms and conditions set forth in the attached agreement; and”

Resolution No. 2118, as amended, passed unanimously.

ORDINANCES – presented by City Attorney Paul Wilber

- Ordinance No. 2177 - 2nd reading - approving an amendment of the FY12 General Fund Budget to appropriate additional funds for the lease/purchase of a front-end loader

Ordinance No. 2177 for second reading passed unanimously on a motion by Mr. Spies and seconded by Mrs. Mitchell.

- Ordinance No. 2178 - 1st reading - approving a budget amendment of the FY12 General Fund to appropriate the funds received from the Local Government Insurance Trust for two emergency police vehicles which were involved in accidents and deemed a total loss with the intention of arranging a lease/purchase of two new vehicles

On a motion by Mrs. Campbell and seconded by Mrs. Mitchell, Ordinance No. 2178 for first reading was unanimously approved.

- Ordinance No. 2179 - 1st reading - approving FY12 budget amendment to address an anticipated shortfall in the grass cutting and rubbish removal accounts

On a motion by Mrs. Mitchell and seconded by Mrs. Campbell, Ordinance No. 2179 for first reading was unanimously approved.

- Ordinance No. 2180 - 1st reading - approving FY12 budget amendment to accept and appropriate additional funds associated with providing medical/physical screening for the volunteer members of the Fire Department

On a motion by Mrs. Campbell and seconded by Mr. Spies, Ordinance No. 2180 for first reading was unanimously approved.

- Ordinance No. 2181 - 1st reading - authorizing the refunding of the 1994 Bonds, the 1999 Bond, the 2001 CDA Bonds and the 2003 CDA Bonds

On a motion by Mr. Spies and seconded by Mrs. Campbell, Ordinance No. 2181 for first reading was unanimously approved.

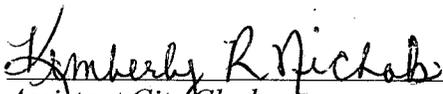
PUBLIC COMMENTS

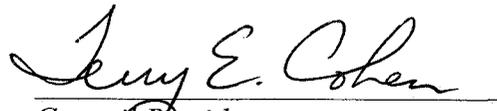
Two citizens commented on the following issues:

- recognizing the City Clerk's office for updating the Wicomico County Public Library's copy of the City Code
- abandoned wells and wells in use in the City
- towing issues and regulating rates

ADJOURNMENT

The meeting adjourned at 8:30 p.m.


Assistant City Clerk


Council President