

SALISBURY CITY COUNCIL  
WORK SESSION  
NOVEMBER 7, 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 7:25 p.m.

In Attendance

City Clerk Brenda Colegrove, City Administrator John Pick, Assistant City Administrator Loré Chambers, Acting Internal Services Director Gerri Moore, Major Dave Meienschein, Tom Worley (Comcast)

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The City Council convened in a work session at 4:45 p.m. in Conference Room 306 of the Government Office Building.

**Revolving Loan Fund application (Mojo Management, LTD)**

Assistant City Administrator Loré Chambers provided a briefing on Mojo Management, LTD's request for a \$50,000 loan from the Revolving Loan Fund (copy of Ms. Chamber's October 26, 2011 memo attached and made a part of these minutes). The loan will help finance the renovation of the restaurant located at 213/215 E. Main Street.

There was unanimous consensus to move forward with a resolution for the November 14 legislative agenda.

**Memorandum of Understanding with Wal-Mart (item added to agenda)**

Major Dave Meienschein and City Administrator John Pick addressed the request for hiring off duty police officers during "Black Friday" at Wal-Mart (copy of Chief Duncan's November 3, 2011 memo attached and made a part of these minutes). Council requested the following:

- memorandum of understanding to be reviewed by Mr. Wilber to make sure it is the same agreement approved for the Centre at Salisbury; and
- written documentation from the corporate offices of Wal-Mart as to who has the authority to sign the memorandum of understanding.

Major Meienschein and Mr. Pick will follow-up on the above noted items.

**Comcast rate filing**

Acting Internal Services Director Gerri Moore, along with Mr. Tom Worley from Comcast, briefed the Council on the Comcast rate filings (Form 1240 and 1205) which calculate the maximum permitted rate for limited basic service and maximum permitted rates for equipment

and installation of service (copy of material provided to Council attached and made a part of these minutes).

A public hearing is scheduled for the November 14 Council meeting with a vote on the resolution scheduled for November 28.

### **Comcast franchise negotiations**

City Administrator John Pick provided an overview on the process for renewal of the franchise agreement (copy of Mr. Pick's November 1, 2011 e-mail attached and made a part of these minutes). The City's cable franchise expires on January 15, 2013. Mr. Pick acknowledged that Mayor Ireton was not in support of obtaining a consultant. Suggestions from Council included reviewing other franchise agreements in Maryland, obtaining a consultant or an attorney who was well versed in cable franchise negotiations.

Council unanimously agreed that the Code (franchise ordinance) should be reviewed, as a first step (prior to advancing to level of an attorney), to see what terms and conditions are required in order to identify what the franchise agreement has to meet – evaluate to get some sense of whether or not our ordinance is asking for the things that Council deems are needed for the community. Community input would be needed to identify their experience with the cable franchiser to determine if the ordinance met its goal.

### **Audit of cable television franchise fee**

Copies of City Administrator John Pick's November 1, 2011 memos addressing the franchise fee audit are attached and made a part of these minutes. Mr. Pick related that Tom Worley had reviewed the city map to identify the areas which were not previously reflected as being in the city limits. There are still a few "gray areas" (i.e., Marquis Avenue) which still need to be reviewed. Mr. Worley reported:

- 10 of approximately 35 parcels have been identified as residential areas that were coded as in the county (believed that 3 had already been credited to the city);
- Hope to complete review of all the annexed properties by the end of the month;
- residents would not see much of a change because the fees are about the same for city and county; and
- very few communities have an audit performed – have only been involved in one or two.

For the first preliminary steps, the Council unanimously consented to the following course of action:

- receiving information on the additional revenue as a result of the annexations;
- city clerk to inquire if other Maryland municipalities have conducted an audit and, if so, what were the results; and
- ask PAC14 if they have copies of any franchise agreements with other communities.

### Upcoming agendas

Onley Road/Bateman – City Clerk was requested to check previous discussion to see what plan Council had agreed to support (matrix provided by Administration appeared to be inconsistent). When clarified, a work session date will be scheduled.

Towing Ordinance – Councilwoman Mitchell had forwarded the information from the work group; however, no legal input from Paul Wilber has been received to date. Suggestions from Council included:

- putting out an RFP and have one or two towing companies to take care of our needs and just have an ordinance for overseeing the industry generally
- putting out an RFP that includes police tows and city-initiated tows
- simplify the process so that it protects the consumers, but also meets the needs of the Police Department

There was unanimous consensus to get feedback from Chief Duncan on what she felt should be included in an RFP. If the Chief believed an RFP was the best way to proceed, Councilwoman Campbell offered to work with her, the City Administration and Councilwoman Mitchell on an outline so Council would have a starting point for discussion. Council was asked to look at the ordinance(s) from the work group and identify if expertise was needed on any issues.

### Buildings and Parcels

AIG – City Administrator John Pick will send an update to Council.

Old Firehouse – Council President Cohen referenced a letter that was received today from Mayor Ireton (copy attached and made a part of these minutes). Ms. Cohen pointed out that the Council did not vote to put out RFP's out as stated in his letter and the development of the building would depend on what the zoning code permitted. On the suggestion of Mrs. Mitchell, Council President Cohen and City Clerk Brenda Colegrove will contact Dave Ryan to set up a meeting to talk about economic development, particularly as it relates to buildings/properties such as the old firehouse, Linens of the Week and The Bricks.

The Bricks – City Administrator John Pick to follow-up with Paul Wilber concerning the contractual issue with Homes for America. Mrs. Campbell suggested that the building be utilized for NSCC which would give them more space and then sell their current building. Since the building is in a state historic district, Mr. Pick will follow-up to determine the guidelines for use of funds in renovating the building.

Remainder of Safe Streets – There was unanimous consensus of Council to discuss the three strikes ordinance next.

Redistricting – Council President Cohen requested a presentation from Frank McKenzie on how the proposed redistricting plans came to be and asked for a breakout of the demographics (i.e., density of White, Black, Latino, etc. throughout the city). Ms. Cohen believed it would be beneficial if Mr. McKenzie could provide a briefing at the November 14<sup>th</sup> meeting in order for

the public to understand what the plans say. Council members were asked to check their calendars for scheduling public hearings.

PlanMaryland – On unanimous consensus from Council, Council President Cohen will draft comments to be sent to MML indicating their inability to make commentary on this topic due to insufficient time.

### **General discussion**

James Otway inquiry – Council President Cohen reported that this issue was progressing.

Truck complaints – City Administrator John Pick will check on the regulations/prohibitions regarding large trucks traveling in front of Eric's Barber Shop on the west end of the Plaza.

Street light outages – Outages are to be reported to Public Works.

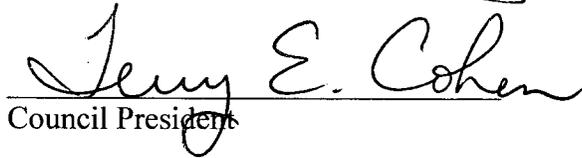
Meeting dates – Council was asked to think about next year's dates/times for work sessions and whether to have a legislation session between Christmas and New Year's.

Goal setting session – No date for a goal setting session was confirmed for this year.

### **Adjournment**

The work session adjourned at 7:55 p.m.

  
City Clerk

  
Council President