

SALISBURY CITY COUNCIL  
WORK SESSION  
OCTOBER 17, 2011

Present

Council President Terry E. Cohen  
Councilwoman Laura Mitchell

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

In Attendance

Mayor James Ireton, Jr., City Clerk Brenda Colegrove, City Administrator John Pick, Assistant City Administrator Loré Chambers, City Attorney Paul Wilber, Attorney Roscoe Leslie, Building, Permitting and Inspections Director Bill Holland, Acting Internal Services Director Gerri Moore, Assistant Internal Services-Procurement Director Catrice Parsons, Neighborhood Services and Code Compliance Director Tom Stevenson, Planning, Zoning and Community Development Director Jack Lenox

---

The City Council convened in a work session at 10:30 a.m. in Council Chambers (Room 301) of the Government Office Building.

**Bond refunding**

Acting Internal Services Director Gerri Moore, along with Mr. David Boyd of Davenport and Company, provided a briefing on the possible refunding of four currently outstanding bond issuances (1994, 1999, 2001 CDA and 2003 CDA). The refunding could save over \$330,000 through the remaining terms of the bonds. A copy of the September 27, 2011 memo explaining the refunding alternatives (including attachments) is attached and made a part of these minutes.

There was unanimous consensus to move forward with bond counsel and have an ordinance prepared for the October 24 Council meeting. Mrs. Mitchell voiced her preference for the first alternative – reflecting the savings being distributed throughout the life of the bonds. Mr. Boyd indicated that Council did not have to decide on an option at this point so there was unanimous consensus from Council to wait on deciding which alternative to select.

**Purchasing card system**

Assistant Internal Services-Procurement Director Catrice Parsons, along with Acting Internal Services Director Gerri Moore, presented the purchasing card (p-card) program to Council. The City would piggyback off of the Wicomico County RFP to partner with Bank of America as the p-card provider. A copy of Ms. Parsons' October 10, 2011 memo outlining the program is attached and made a part of these minutes.

Unanimous consensus was given to move forward with a pilot program to piggyback on Wicomico County's.

### **GASB#45 Trust By-laws**

A copy of the proposed resolution and Trust By-laws are attached and made a part of these minutes. The By-laws have already been approved by the Board of Education and Wicomico County.

Unanimous consensus was given to move forward with the resolution for the October 24 meeting (place on Consent Agenda).

For the preparation of ordinances and resolutions, the Council requested, by unanimous consensus, that the heading reflect "City of Salisbury" instead of "City Council" or "Mayor and City Council."

### **Follow-up discussion on amending Chapter 17.12 to change the Board of Zoning Appeals (BZA) procedures for appeals related to nonconforming uses**

City Attorney Paul Wilber reviewed the list of concerns/questions/suggestions from the previous work session discussion on October 3, 2011 (copy attached and made a part of these minutes). Resident Kay Gibson commented on three properties which came before the BZA – 110 E. Isabella Street, 205 Elizabeth Street and 507 Poplar Hill Avenue. Resident Sue Ellen Smith summarized her research involving the 507 Poplar Hill Avenue property (copy attached and made a part of these minutes).

Highlights of concerns/questions/suggestions:

- housing official conduct fact-finding public hearing as the first step
- property owners applying for certificate of legal nonconforming – require that property be posted and advertised
- questioned again how much weight the BZA gives to affidavits
- BZA should be looking at public resources for proof
- extending the time period for the property owner to gather proof
- using video testimony from a witness who was unable to physically attend the hearing
- posting of packets on city's web site
- property owner should ensure that property remains posted
- Board needs clear and concise rules to render a decision
- pass amortization ordinance

Further discussion on this issue will be scheduled at an upcoming work session.

### **Recess**

The Council recessed at 12:52 p.m. and reconvened at 1:25 p.m.

### **Vote to convene in closed session**

At 1:25 p.m., Mrs. Mitchell moved to convene in closed session to consult with legal counsel and staff on pending litigation involving the Wastewater Treatment Plant (WWTP), MDE and MTBE, and to consider whether or not the city should pursue litigation pursuant to a "privileged

and confidential” memo from the city attorney as permitted under the Annotated Code of Maryland Sections 10-508(a)(7)(8). Mr. Spies seconded and the vote was unanimous.

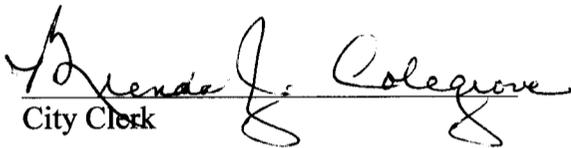
**General discussion/upcoming agendas**

Onley Road/Bateman – Council President Cohen reported that she was contacted by Dr. Fredericksen to determine if there was any interest in getting together to discuss a follow-up plan. City Administrator John Pick acknowledged that he believed he forwarded a listing of options to Council, but would resend it to everyone. Mrs. Shields suggested checking with the Police Department to determine the number of accidents and/or backups at that intersection. This issue will be placed on an upcoming work session once the information is received.

Towing – Mrs. Mitchell reported that the group should be ready in about a week. Council President Cohen requested that the draft be circulated to Council via e-mail.

**Adjournment**

The work session adjourned at 3:44 p.m.

  
City Clerk

  
Council President