

CITY OF SALISBURY
WORK SESSION
SEPTEMBER 16, 2013

Public Officials Present

Council President Jacob R. Day
Councilman Timothy K. Spies

Council Vice-President Laura Mitchell
Councilwoman Eugenie P. Shields (arrived 2:05 p.m.)

Public Officials Not Present
Councilwoman Terry E. Cohen

In Attendance

City Clerk Kimberly R. Nichols, CMC, Interim City Administrator M. Thomas (Tom) Stevenson, Jr., City Attorney Mark Tilghman, Internal Services Director Keith Cordrey, interested citizens, and members of the press.

The City Council convened in Work Session at 1:30 p.m. in Council Chambers of the Government Office Building.

Habitual Offenders Ordinance

Interim City Administrator Tom Stevenson joined Council to continue discussion on the proposed Habitual Offenders ordinance. Council agreed to change the title of the ordinance to *Chronic Nuisance* which more accurately defines the ordinance.

Mr. Stevenson suggested changing the Code so that the legislation pertains to all properties in the City of Salisbury, not just rental properties, and noted the following items in the drafted ordinance which needed further revisions based upon Council discussion in prior work sessions:

- Line 61 – strike “a dwelling unit” and insert “property in the City of Salisbury”
- Line 64 – insert “as defined” after the word “service”
- Line 65 – insert “calendar year”
- Line 78 – strike “dwelling unit” and insert “property” and the same throughout
- Line 82 – strike “fee to be set by ordinance ” and insert “fine”
- Insert language allowing for appeals and if successful, recovering the \$100 application fee

Council Vice President Mitchell proposed inserting on Line 96 “or tenancy” after “ownership” and suggested requiring copies of the most current lease of properties in question for occupancy proof.

The topic will be returned to the next Work Session for further discussion.

Charter Change – Advertising requirements

City Attorney Mark Tilghman recommended the following revisions to the draft Charter Amendment prepared by Assistant City Attorney Pete Golba:

- Line 22 – strike “interests” and insert “interest”
- Move the underlined new text on Line 36 and place at the end of the section on Line 45 immediately following, “In addition to the requirements set forth herein,” and strike the second “printed” in the phrase because there is no newspaper printed in the City of Salisbury
- Line 23 – strike “a statement of the substance of any charter changes” and insert “the public hearing

Council reached consensus (unanimous) to require public hearings be held prior to voting on all Charter Amendments. The newspaper ad will advertise only the subject matter, not the entire passage of the Charter Amendment. Council unanimously agreed that this charter amendment should be advertised prior to the voting.

Police Substation at 511 Decatur Avenue

Police Chief Barbara Duncan joined Council to discuss the proposed substation. She explained the memorandum of understanding (MOU), what the house would be used for, and indicated that the three year MOU was good because of complications associated with starting neighborhood watches. The substation should be operational by January 2014. Councilman Spies requested a bike rack be installed on the property and asked for consideration to be given to the creation of a community garden.

Council unanimously agreed to advance the resolution and MOU to an upcoming Legislative Session.

Purchase of Electronic Control Devices from Speed Camera Funds

Chief Duncan was not prepared to discuss the purchase of electronic control devices as the department was still assembling data for the presentation. President Day asked that the presentation include discussion of the results of the pilot program, and Vice-President Mitchell asked for input from Local Government Insurance Trust.

Cellebrite UFED Touch (Cellular Forensic Device)

Chief Duncan explained that the cellular forensic device called Cellebrite was purchased about two years ago and is used by the Police Department to download various data capturing devices such as cell phones, tablets, GPS units, etc. More than forty (40) search warrants have been obtained by using this device. Because of the rapid advancement in technology, the device requires periodic upgrading. Chief Duncan was asked to research whether an upgrade plan was available through the company.

Council unanimously agreed to advance the budget amendment to the next legislative agenda.

Veterans Preference Policy – Council discussion

Mr. Day discussed the Veteran-Owned and Disabled Veteran-Owned Small business procurement preference policy which was modeled after the State of Maryland Veterans Preference Policy. Low bid price would not be the only determining factor; if a non-preference business submits the lowest bid, certified Veteran-Owned Small Businesses would be awarded contract if its bid does not exceed the low bid by more than 7%.

Council unanimously agreed to advance the Veterans Preference Policy to legislative agenda.

City Attorney/City Clerk evaluations

Council discussed the draft survey for evaluating the City Attorney and City Clerk. Clerk Nichols offered to query the Maryland Clerks to examine other municipalities' methods for evaluating City Attorneys and Clerks. Council reached unanimous consensus to allow for comments after each question in the survey, and discussed the fact that Salisbury has a somewhat unique situation since the majority of City Attorneys and City Clerks are under the purview of the administration.

This topic will be scheduled for future discussion.

General Discussion

President Day discussed several options for dates for the *Coffee With Your Council*, which included October 1, October 2, or October 8, October 9, or October 10, at either 5 p.m. or 6 p.m., and indicated he would email the dates to Council members for consideration. Council discussed utilizing Poplar Hill Mansion, St. Francis de Sales, and the Chipman Center for these community meetings.

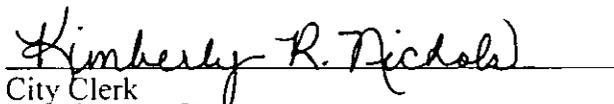
An environmental issues discussion will be placed on an upcoming Work Session agenda and the Goal Setting Session will be held in October at the Chipman Center. The Super Hero Run to benefit fire fighters, police officers and veterans will be held on October 20, 2013 on the Downtown Plaza.

President Day called for a brief recess. Council reconvened at 3:54 p.m.

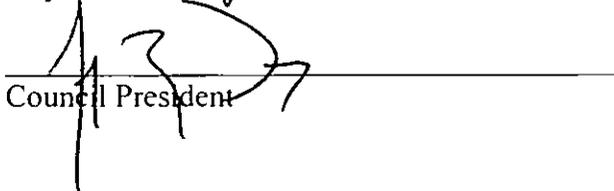
Mrs. Shields moved and Mrs. Mitchell seconded to convene in closed session to discuss performance evaluation procedures for the City Attorney and the City Clerk and the sale of property owned by the City, as permitted under the Annotated Code of Maryland Section 10-508(a)(1)(14). The vote was unanimous and the Closed Session began at 3:55 p.m.

After the Closed Session was adjourned at 4:38 p.m. on a motion and seconded by Mr. Spies and Mrs. Shields, respectively, and by unanimous vote in favor, President Day reported out in Open Session that a Special Meeting was scheduled for September 17, 2013 at 9:30 a.m. to discuss the Old Fire Station #16 property with the new owners, and that Council had discussed the City Attorney evaluation procedures.

President Day adjourned the Open Session at 4:39 p.m.



City Clerk



Council President