

CITY OF SALISBURY
WORK SESSION
NOVEMBER 18, 2013

Public Officials Present

Council President Jacob R. Day
Councilwoman Eugenie P. Shields
Councilwoman Terry E. Cohen (*arrived 3:05 p.m.*)

Council Vice-President Laura Mitchell
Councilman Timothy K. Spies

Public Officials Not Present

Mayor James Ireton, Jr.

In Attendance

Assistant City Clerk Diane C. Nelson, CMC, Interim City Administrator M. Thomas (Tom) Stevenson, Jr., City Attorney Mark Tilghman, Information Technology Director Bill Garrett, Deputy Director Internal Services – Procurement Jennifer Miller, Community Development Administrative Support Technician Virginia Hussey, Friends of Poplar Hill Mansion Chairperson Aleta Davis, interested citizens, and members of the press.

The City Council convened in work session at 1:33 p.m. in Council Chambers of the Government Office Building.

President Day announced that technical difficulties with equipment necessitated the temporary delay of the Community Organization presentation and proceeded to discussion of the next agenda item.

Enhanced Call Back Verification requirement

Interim City Administrator Tom Stevenson and Alarm Engineering President/CEO Ron Boltz joined Council for continued discussion of Enhanced Call Verification (ECV), a process which requires two phone calls from the Central Monitoring Station, one to the premise address and one to a contact person of record, rather than the standard one phone call prior to dispatching police to an alarm. Messrs. Stevenson and Boltz outlined the process which is becoming the industry standard nationwide, is expected to drastically reduce Police Department false alarm calls without compromising citizen safety. ECV applies only to intrusion alarms; fire, panic, and medical alarms would continue to immediately dispatch police prior to owner notification, due to the urgency of those types of alarms and the lower frequency of false alarms in these categories.

Discussion included the following proposed edits and requests for updated information:

- Line 6, insert “i” in “verification”
- Line 95, replace “will be” with “shall”
- Line 139, whether “intending” is needed
- Lines 159-166, Alarm companies to provide list of users to police/fire departments-do these City Departments actually need these lists
- Lines 220-223, Panic alarms prohibited – possible removal of the section

- Line 241, insert “selling” between “to” and “installing”
- Lines 256-259, Alarm system operating instructions-possible addition: installer must provide instructions; does police department or only fire department need instructions as stated?
- Quantity of contact phone numbers to be requested versus required by law
- Update prior calculations for *per call departmental response costs* for Fire and Police Departments
- Include an appeal process using standard appeal language directly from the City Code

After discussion, Council reached consensus for Mr. Stevenson to collaborate with Chiefs Duncan and Hoppes, and Mr. Tilghman in updating the ordinance to reflect today’s discussion in preparation for placement on an upcoming Work Session agenda.

Community Organization Presentation – HEAL Cities & Towns Campaign

Institute for Public Health Innovation Mid-Atlantic Region Assistant Program Manager Marisa C. Jones made a PowerPoint presentation that provided an overview of the *Healthy Eating Active Living (HEAL) Cities & Towns Campaign* partnership between the Institute for Public Health Innovation and the Maryland Municipal League that supports municipalities’ efforts in adopting policies that promote healthy and active lifestyles for citizens in their communities by relying on manpower and content expertise from HEAL Cities. There followed a question and answer period by Council.

After discussion, Council reached consensus to move forward with the campaign, requesting Ms. Jones provide the assessment tool and a sample resolution by mid-December that Council can incorporate into its upcoming goal setting session.

Storm Window Replacement Grant for Poplar Hill Mansion

Community Development Administrative Support Technician Virginia Hussey and Friends of Poplar Hill Mansion Chairperson Aleta Davis joined Council and presented a request for Council to accept by resolution, the Maryland Heritage Areas Authority grant funds awarded to the City of Salisbury in an amount not to exceed \$20,000.00 for window replacement at the Poplar Hill Mansion; there followed a question and answer period by Council.

After discussion, Council reached consensus to advance the resolution to the November 25, 2013 Council Legislative Session, inclusive of the correct spelling of “accepting” in Line 5 of the resolution.

Records Retention Policy

Messrs. Stevenson and Garrett joined Council for continued discussion of the Records Retention Policy, providing updates on questions raised during previous discussions and an overview of the digital repository software, Laserfiche, which most City departments currently use to scan documents into their respective departmental file repositories.

Discussion included the following topics:

- alert in ordinance and/or footnotes in retention policy pertaining to minutes, video and audio files to amend the current 1-yr. retention for video/audio files if they become the minutes of record as allowed by new legislation, when written minutes are no longer produced
- workload impact on Clerk’s Office to certify destruction of records

- scanned document functioning the same as the original document
- Department Heads to update their 2008 signoff of the Retention Policy

After discussion, Council reached consensus to advance the Records Retention Policy to an upcoming Legislative Session.

Charter Resolution No. 2348

President Day initiated discussion by providing background information regarding Council's decision at a recent Legislative Session to refer the Veterans and Small Business Preference Policy Charter Resolution back to Work Session.

Discussion included the following topics:

- Example from Cecil County
- Ascertain State of Maryland procurement processes, preference policies, disparity studies, certifications, and legal considerations - piggyback on same where applicable
- Line 29, "evaluated" – expand the concept which is picked up in Section C
- Broad charter change for enabling legislation; specifics of preference policies enacted by ordinances
- Address other preference policies in addition to Small Business and Veterans – Locally-owned, Women-owned and Minority-owned businesses – would require new advertisement and public hearing
- Priority and exclusivity of preference tiers/percentages when multiple preference policies apply
- Certification process to be designated a Small Business
- Preference Benefit Caps – specific dollar amount versus percentage
- Active pursuit of businesses eligible for preferential treatment versus uniform inclusion of preference policies in all Requests for Proposals (RFPs)
- Applicability or non-applicability of preference policies to all or some RFPs
- City RFPs-currently posted on website & *eMaryland Marketplace*-could expand to Veterans' sites and Small Business Development Center at Salisbury University (SU)
- Consequences, if any, if City appropriately piggybacks on other jurisdictions' contracts that do not offer preferences

After discussion, Council reached consensus for Mr. Tilghman to prepare a draft Charter Amendment, a draft legal advertisement, and a draft ordinance for each preference policy for discussion at the next Work Session.

General Discussion

Given the number of requests similar to the *HEAL Cities & Towns Campaign* that Council has and could expect to receive in the future, there was brief discussion regarding establishing a policy for evaluating these requests to ensure that a City alliance with any given organization would not be in conflict with any City policies or cost the City undue monies; it was suggested that the topic be placed on the agenda planning document.

President Day called for a short recess at 3:45 p.m.; the work session reconvened at 4:30 p.m.

Motion to convene in Closed Session to first discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; or any other personnel matter that affects one or more specific individuals and then to consult with Counsel to obtain legal advice on a legal matter as permitted under the Annotated Code of Maryland §10-508(a)(1)(7)

At 4:31 p.m., Mrs. Mitchell moved and Mrs. Shields seconded, to convene in Closed Session to discuss and meet with candidates for the open City Administrator position and to receive an update from Counsel on pending/ongoing litigation.

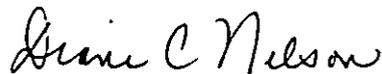
Council discussed the impact its concerns with all the circumstances, media attention, and Charter requirements surrounding the open City Administrator position had on the request this evening that Council meet with candidates; thereafter Council convened in Closed Session on a unanimous vote in favor.

On a motion by Mr. Spies, seconded by Mrs. Mitchell, and approved on a unanimous vote in favor, Council adjourned the Closed Session at 6:14 p.m., returned to Open Work Session, and reported that while in Closed Session Council had discussed personnel issues and candidates, but did not meet with any candidates; no action was taken. Council also received an update on pending litigation from Counsel.

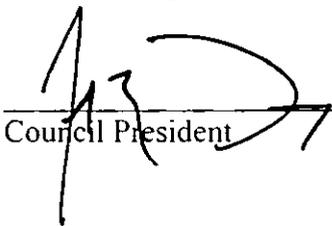
Council then discussed options for communicating its response to the Mayor after having met in Closed Session. Council reached unanimous consensus for Mr. Day to prepare a letter that would be reviewed by the City Attorney and copied to all councilmembers, prior to it being sent to the Mayor. The letter is to communicate the following:

- Council is not in a position at this time to provide consent on the forwarded candidates, but will provide advice
 - Due to the significance of the City Administrator position, Council would like to see a broader pool of applicants based on a national search; Council would be in a better position to consider candidates at that time
 - No candidate should be forwarded without the *full endorsement* of the Mayor

The Work Session adjourned at 6:20 p.m.



Assistant City Clerk



Council President