

**CITY OF SALISBURY, MARYLAND**

**#5 MEETING**

**MARCH 9, 2009**

**PRESENT**

*Council President Louise Smith  
Councilwoman Deborah S. Campbell  
Councilwoman Eugenie P. Shields*

*Council Vice President Gary A. Comegys  
Councilwoman Terry E. Cohen*

**IN ATTENDANCE**

*City Clerk Brenda Colegrove, MMC, City Administrator John Pick, ICMA-CM, Assistant City Administrator Loré Chambers, City Solicitor Paul Wilber, Public Works Director Jim Caldwell, Internal Services Director Pam Oland, Fire Chief David See, Police Chief Allan Webster, and Members of the Press.*

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**CONVENING - ADOPTION OF AGENDA**

*The City Council met in regular session at 6:00 p.m. in Council Chambers of the City/County Government Office Building. Council President Smith called the meeting to order. The Lord’s Prayer and the Pledge of Allegiance were recited.*

*Mr. Comegys moved and Mrs. Shields seconded to approve the agenda as presented. Mr. Comegys moved to amend the agenda by adding Ordinance No. 2075 for first reading – amendment of the FY09 City Marina fund budget and the FY09 General Fund budget to appropriate funds for the increased costs of managing the Marina. Mrs. Campbell seconded and the amendment passed unanimously.*

*Mrs. Campbell moved and Ms. Cohen seconded to delete item #1(declaration of surplus) from the Award of Bids and take it to a work session for discussion. The motion failed to pass with Mrs. Campbell and Ms. Cohen voting aye and Mrs. Shields, Mrs. Smith and Mr. Comegys voting nay.*

*The agenda, as amended, was unanimously approved.*

**CONSENT AGENDA** – presented by City Clerk Brenda Colegrove

*On a motion and a second by Mr. Comegys and Ms. Cohen, respectively, the Consent Agenda consisting of the following items was unanimously approved:*

- *February 23, 2009 minutes*
- *Resolution No. 1756 – accepting grant funds of \$5,000 in cooperation with the National Association of Drug Diversion Investigations to provide funds for training, equipment and overtime reimbursement for the Salisbury Police Department*
- *Resolution No. 1757 – accepting State grant funds of \$605 awarded through a Byrne*

*Memorial Grant from the Governor's Office of Crime Control and Prevention to fund training of a Crime Data Analyst and provide crime analysis information to the Salisbury Police Department*

- *Resolution No. 1758 – appointment of Dean Davis to the Friends of Poplar Hill Mansion Board of Directors for a term ending December 31, 2010*

**ORDINANCE** – presented by City Administrator John Pick

- *Ordinance No. 2075 – 1st reading – amendment of the FY09 City Marina Fund and the FY09 General Fund budget to appropriate funds for the increased costs of managing the Marina*

*Mr. Comegys moved and Mrs. Shields seconded to approve Ordinance No. 2075 for first reading. After discussion, Mr. Comegys moved to add appropriate language to Ordinance No. 2075 that would state the intention of Council to move \$14,562 out of the Legal Services budget and into the General Fund Debt Service and Other Uses budget and to include language that reversed the transfer from Current Surplus at the first available opportunity in April. Ms. Cohen seconded and the amendment passed unanimously. Ordinance No. 2075 for first reading, as amended, passed unanimously.*

**AWARD OF BIDS** – presented by Internal Services Director Pam Oland

*Mr. Comegys moved and Mrs. Shields seconded to approve the Award of Bids as follows:*

- |   |              |
|---|--------------|
| 1. Declaration of surplus equipment   | -0-          |
| 2. Change Order #1 Contract 102-09<br>Isabella Street Shoreline Rehabilitation<br>Acct. Nos. 86078-577023-55002, 82078-577022-50000<br>George and Lynch, Inc. | \$218,526.00 |
| 3. Change Order #2 Contract 102-09<br>Isabella Street Shoreline Rehabilitation<br>Acct. Nos. 86078-577023-55002, 82078-577022-50000<br>George and Lynch, Inc. | \$419,179.00 |

*Ms. Cohen moved to consider Truck #16 surplus equipment separately. Mrs. Campbell seconded and the vote was unanimous. Ms. Cohen moved and Mrs. Campbell seconded to also vote on the rest of the surplus equipment and the two Change Orders separately – would be four separate votes. The motion passed unanimously.*

- *Truck #16 surplus equipment – unanimously approved*
- *Other vehicles surplus equipment – 3-2 vote (Mrs. Shields, Mrs. Smith and Mr. Comegys voted aye; Mrs. Campbell and Ms. Cohen voted nay)*
- *Change Order #1 – unanimously approved*
- *Change Order #2 – unanimously approved*

## **PUBLIC COMMENTS**

*Three citizens commented on the following issues:*

- *Marina (copy of written comments attached to original minutes)*
- *amending Charter to have one election*
- *trash/litter around the City – clean-up program*
- *enforcement of multi-family recycling ordinance*
- *recycling cardboard*

## **CLOSED SESSION**

*At 7:03 p.m., Mr. Comegys moved to convene in closed session to consult with legal counsel on pending litigation as permitted under the Annotated Code of Maryland Sections 10-508(a)(7)(8). Mrs. Campbell seconded and the vote was unanimous.*

*The regular meeting adjourned at 7:04 p.m.*

### **CITY OF SALISBURY, MARYLAND CLOSED SESSION MARCH 9, 2009**

**TIME & PLACE:** 7:03 p.m. – vote to close taken in Council Chambers (Room 301); moved to Conference Room 305 for the closed session

**PURPOSE:** Consult with legal counsel/pending litigation

**VOTE TO CLOSE:** Unanimous

**CITATION:** Annotated Code of Maryland Sections 10-508(a)(7)(8)

**PRESENT:** Council President Louise Smith, Council Vice President Gary Comegys, Councilwoman Deborah Campbell, Councilwoman Terry Cohen, Councilwoman Eugenie Shields, City Clerk Brenda Colegrove, City Administrator John Pick, Assistant City Administrator Loré Chambers, City Attorney Paul Wilber, Police Chief Allan Webster, Major Jeff Livingston, Attorney Dan Karp via teleconference

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*At 7:03 p.m. in Council Chambers, Mr. Comegys moved to convene in closed session to consult with legal counsel on pending litigation as permitted under the Annotated Code of Maryland Sections 10-508(a)(7)(8). Mrs. Campbell seconded and the vote was unanimous. The Council moved to Conference Room 305 for the closed session discussion.*

*Via teleconference, Mr. Dan Karp (attorney hired by LGIT) provided a status report of the pending litigation issue. No action was taken by Council, but Mr. Wilber will advise when any court rulings are made.*

*At 7:31 p.m., on a motion and second by Mr. Comegys and Ms. Cohen, respectively, the closed session adjourned (unanimous vote).*

*CITY OF SALISBURY, MARYLAND  
CLOSED SESSION  
MARCH 16, 2009*

*TIME & PLACE: 4:36 p.m., Conference Room 305  
PURPOSE: Acquisition of property/consult with legal counsel  
VOTE TO CLOSE: Unanimous  
CITATION: Annotated Code of Maryland Sections 10-508(a)(3)(7)  
PRESENT: Council President Louise Smith, Council Vice President Gary Comegys,  
Councilwoman Deborah Campbell, Councilwoman Terry Cohen, City  
Clerk Brenda Colegrove, City Administrator John Pick, Assistant City  
Administrator Loré Chambers, Neighborhood Services and Code  
Compliance Director Tom Stevenson  
ABSENT: Councilwoman Eugenie Shields*

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*At 4:36 p.m. in Conference Room 305, Mr. Comegys moved to convene in closed session to discuss the acquisition of property/consult with legal counsel as permitted under the Annotated Code of Maryland Sections 10-508(a)(3)(7). Ms. Cohen seconded and the vote was unanimous.*

*City Administrator John Pick provided an update on the property being considered for acquisition. No action was taken at this time, but further research will be performed by Administration based on additional questions posed by the Council.*

*Mr. Comegys moved to adjourn the closed session at 4:58 p.m. Ms. Cohen seconded and the vote was unanimous.*

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*City Clerk*

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*Council President*