

# City of Salisbury



MARYLAND

## SALISBURY CITY COUNCIL WORK SESSION AGENDA

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**MARCH 17, 2014**

**COUNCIL CHAMBERS, ROOM 301  
GOVERNMENT OFFICE BUILDING**

- 1:30 p.m. EMS Billing Hardship policy presentation – Keith Cordrey
- 2:00 p.m. Charter Change for City Attorney – Tom Stevenson
- 2:30 p.m. Election Redistricting – Tom Stevenson/Frank McKenzie
- 3:15 p.m. HEAL Cities and Towns Campaign – draft resolution
- 3:45 p.m. Council Regulations and Rules of Order – Council discussion
- 4:15 p.m. General Discussion
- 4:20 p.m. Adjournment

*Times shown are approximate. Council reserves the right to adjust the agenda as circumstances warrant.  
The Council reserves the right to convene in Closed Session as permitted under the Annotated Code of Maryland 10-508(a).*

# City of Salisbury



MARYLAND

Salisbury



2010

125 NORTH DIVISION STREET  
SALISBURY, MARYLAND 21801  
Tel: 410-334-3028  
Fax: 410-548-3192

KEITH A. CORDREY  
DIRECTOR OF INTERNAL SERVICES

JAMES IRETON, JR.  
MAYOR

TOM STEVENSON  
INTERIM CITY ADMINISTRATOR

TERENCE ARRINGTON  
ASSISTANT CITY ADMINISTRATOR

To: Tom Stevenson, I City Administrator

From: Keith Cordrey, Director of Internal Services *KAC*

Date: March 12, 2014

Re: EMS Hardship Program

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After collaboration with the fire department and our EMS Billing Service, Lifequest Services (Lifequest), we have determined that it would be beneficial to participate in a Financial Hardship Program offered by Lifequest.

Their program affords us the following advantages:

- they provide this service to other local governments and thus their scale justifies adequate resources needed to manage the program
- a program which adopts best practices to document and validate the applicants income and expenses
- they use federal poverty guidelines to determine the discounts recommended
- they screen out applications and submit those who qualify
- they use Tax Return, Pay Stub last three months to determine income.
- they inquire to see if debtor has requested charity through local hospital
- after the 120 billing cycle participation in the program is no longer encouraged and it becomes more of a last resort
- if represented by attorney the program is not offered
- the City can modify the Hard Ship criteria used.
- qualified cases are submitted to the city for approval
- there is no cost for them to administrate the plan
- using Social Services as a third party partner has worked out well for the Water Sewer Hardship Program

Please find attached a resolution, a sample patient letter used by Lifequest, poverty level schedule, and a sample Hardship Application.

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RESOLUTION \_\_\_\_\_

**A RESOLUTION OF THE CITY OF SALISBURY, MARYLAND REPEALING  
RESOLUTION NO 1194 AND DESIGNATING LIFEQUEST TO ADMINISTRATE A  
HARDSHIP PROGRAM FOR EMS SERVICES.**

WHEREAS, the City of Salisbury provides emergency medical treatment and transport services; and

WHEREAS; the City bills patients for their use of emergency medical services; and

WHEREAS, the City realizes that some patents who utilize these services may be unable to provide payments for services rendered due to various hardships; and

WHEREAS, the City desires that specific guidelines be used to permit the write off for persons in these circumstance and to use Lifequest Services as the administrator of the hardship program.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SALISBURY, MARYLAND, designates the City's EMS billing service (i.e. Lifequest Services) to administer a hardship program, and use the criteria established by the program, to write off bills for emergency medical services provided to patients who may be unable to pay for said services due to personal hardships:

1. The Financial Hardship Policies for the Hardship program are included in the document titled "LIFEQUEST'S FINANCIAL HARDHIP POLICY"
2. Lifequest Services will submit a recommendation for each applicant to the City.
3. The City Administrator will make the final determination of the write off amount case-by-case based on the information provided by Lifequest Services.

This resolution was introduced, read and passed at the regular meeting of the Salisbury City Council held on the \_\_\_\_ day of \_\_\_\_\_ 2014.

**ATTEST:**

\_\_\_\_\_  
Kimberly R. Nichols, City Clerk

\_\_\_\_\_  
Jacob R. Day, City Council President

APPROVED BY ME THIS

\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
James Ireton, Jr., Mayor

## LIFEQUEST'S FINANCIAL HARDSHIP POLICY

This policy outlines LifeQuest's policies and procedures in relationship to the application and approval process for indigent patients. LifeQuest will take into account the overall financial circumstances of the applicant and apply this policy consistently.

If approved LifeQuest may elect to reduce or waive certain amounts which are due from patients who can successfully demonstrate that paying the ambulance fees would cause significant financial hardship.

### **FINANCIAL HARDSHIP CRITERIA:**

LifeQuest will take into account a range of factors when deciding whether the payment of the ambulance charges will cause the applicant financial hardship. In making the decision whether to waive the fee, LifeQuest will compare the amount earned, living expenses and debts. Written verification, when available, may be required to substantiate and verify information contained in the financial hardship application.

LifeQuest uses a combination of current year's federal poverty guidelines to help in determining if an applicant qualifies for a full or partial financial hardship.

In applying these guidelines, LifeQuest will also consider and take into account any other income and expenses including money earned in the entire household. Income and employment status verification may be required; including tax returns and bank statements, etc.

1. Whether payments of the ambulance charges will affect the applicants ability to pay for the following living expenses:
  - Food and clothing
  - Rent or mortgage payments
  - Any other basic needs
  - Any special needs (for a serious illness or disability)
2. Whether the applicant has any debts.

### **Application process for financial hardship**

Applicants can request and complete a Financial Hardship Application Form, regardless of account balance. The form can be obtained by calling our office, or sending in a written request.

### **Privacy of Information**

LifeQuest requires independent information to support claims of financial hardship including verification of expenses and income. The information submitted will be treated confidentially and will only be viewed by LifeQuest administrative staff involved in processing requests for waiver of ambulance charges.

Revised 1-7-2014

<F:\Operations\Collections\Hardships\hardship policy.docx>

Kay Foret

## **Time Frame**

After receiving the application and verification, LifeQuest will consider the overall financial situation of the applicant and forward the decision on to the Service for final approval. LifeQuest will render a decision within 10 business days from the date that all required information is received.

Applicants will receive a notification letter outlining whether or not the applicant had been approved or rejected.

## **Guidelines that will be Followed**

Income for household

0-150%	of federal poverty line	100% discount
151-200%	of federal poverty line	75% discount
201-250%	of federal poverty line	50% discount
251-300%	of federal poverty line	25% discount

Date: \_\_\_\_\_

Account Number:  
\_\_\_\_\_

Name of responsible party:

\_\_\_\_\_ Last First MI

Birth Date: \_\_\_\_\_

Name of Spouse:

\_\_\_\_\_ Last First MI

Birth Date: \_\_\_\_\_

Address:

\_\_\_\_\_ Street Address

\_\_\_\_\_ City State Zip Code

Phone Numbers:

Home: \_\_\_\_\_

Work: \_\_\_\_\_

Cell: \_\_\_\_\_

Marital Status (Please check one):

- Married     Single     Life Partner  
 Separated     Divorced

Number of dependent children living in your home under the age of 18: \_\_\_\_\_

If you have no source of income, how have you been supporting yourself? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Signature of person supporting you

\_\_\_\_\_  
Print Name

Relationship: \_\_\_\_\_

Can we discuss this application with the above?

- Yes     No

I certify that the above information is true and accurate to the best of my knowledge. Further, I will take action to apply for any assistance (Medicaid, Medicare, insurance, etc.), which may be applicable for payment of my ambulance/fire department/emergency services charges, and I will take any action reasonably necessary to obtain such assistance and will assign or pay to the service the amount recovered for charges. I authorize LifeQuest to verify any and all information presented in this application including but not limited to: employment verification and bank verification. I understand that any false or misleading information will void this application and exclude me from financial assistance. All documentation provided will be shredded upon completion of application.

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Date of Request



# HARDSHIP APPLICATION



## Verification Worksheet

## MONTHLY EXPENSE

LIST ALL MONTHLY EXPENSES FOR THE HOUSEHOLD

Mortgage/rent payment	\$	Childcare expenses	\$
Lot rent		Child support payment	
Federal withholding taxes # of exemptions		Clothing	
State withholding taxes		Insurance premiums:  • Health  • Auto  • Life	
401K/403B withholding			
Property taxes			
Utilities:		Credit cards (minimum payment)	
• Gas			
• Electric			
• Water		Other loan(s) payment	
Garbage Pickup		Entertainment and/or recreational activities  (List specifics)	
Cable TV			
Food			
Telephone		Meds/medical supplies	
Cell Phone		Other	
Auto loan payment			
Alimony paid			
<b>TOTAL MONTHLY HOUSEHOLD EXPENSES</b>			<b>\$</b>

## INCOME

	RESPONSIBLE PARTY	SPOUSE
Currently Employed	Y / N	Y / N
Employer Information	Employer: Start Date:	Employer: Start Date:
Monthly Gross Wages	\$	\$
Social Security Income		
Disability Income		
Pension Income		
Unemployment Benefits		
Alimony/Maintenance		
Child Support		
Rental Income		
Other Sources of Income		

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Billing Date: 5-8-2013  
Call Number: 000-000-000

Service Name

Patient Name:

Balance Due: \$721.20

#BWNKMRY  
Any Patient  
1133 Any Street  
Racine, WI 53403

Dear Any Patient,

The enclosed hardship form is a follow up from your phone call or letter to our office requesting consideration of a discount to your bill. The hardship application form is enclosed. You are required to provide us with the following documentation:

- 1. Please submit a copy of your previous year tax return.**
- 2. Please provide your pay stubs from the past three months. If married, please provide income for both you and your spouse.**
- 3. If you draw Social Security or SSDI, please include a copy of your Award Letter.**
- 4. Please submit written approval/denial response from Medical Assistance if any of the following apply:**
  - If you have children under the age of 18**
  - If you are currently pregnant**
  - If you have been determined disabled**
  - If you are over the age of 65**
- 5. Please submit approval/denial for a charity write off from the treating facility.**

**If this documentation is not provided with the hardship forms, your hardship request will be denied and you will be responsible for the entire bill.**

**Submission of the Hardship Discount form does not guarantee that there will be approval of the discount request.**

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The Hardship Discount program does not cover:

1. **Non Medically necessary services**
2. **Accounts greater than 120 days from the date of service listed with a collection Agency**
3. **Dates of Service that was paid directly to you by the insurance company.  
Amount paid by insurance \_\_\_\_\_**
4. **Dates of Service pending third party liability payment. (Represented by an attorney)**

If you have any questions or are having difficulty in completing this form please contact our office at 1-888-777-4911 ext: 500.

Sincerely,

*Kay F.*

Kay F.

Persons in family/household	Poverty guideline
1	\$11,490
2	15,510
3	19,530
4	23,550
5	27,570
6	31,590
7	35,610
8	39,630

150%	200%	250%	300%
100%	75%	50%	25%
17,235.00	22,980.00	28,725.00	34,470.00
23,265.00	31,020.00	38,775.00	46,530.00
29,295.00	39,060.00	48,825.00	58,590.00
35,325.00	47,100.00	58,875.00	70,650.00
41,355.00	55,140.00	68,925.00	82,710.00
47,385.00	63,180.00	78,975.00	94,770.00
53,415.00	71,220.00	89,025.00	106,830.00
59,445.00	79,260.00	99,075.00	118,890.00

For families/households with more than 8 persons, add \$4,020 for each additional person.

**Resolution No. 1194**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SALISBURY, MARYLAND ESTABLISHING SPECIFIC GUIDELINES TO BE USED TO PERMIT THE CITY TO WRITE OFF EMS PATIENT BILLS FOR HARDSHIP CASES.

WHEREAS, the City of Salisbury provides emergency medical treatment and transport services; and

WHEREAS, the City bills patients for their use of emergency medical services; and

WHEREAS, the City realizes that some patients who utilize these services may be unable provide payment for services rendered due to various hardships; and

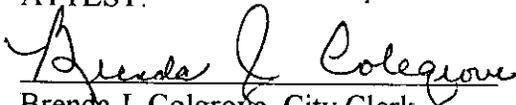
WHEREAS, the City desires to identify and adopt specific guidelines to be used to permit the City to write off bills for persons in these circumstances; and

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF SALISBURY, MARYLAND, adopts the following criteria as City Policy to write off bills for emergency medical services provided to patients who may be unable to pay for said services due to personal hardships:

1. City must receive correspondence from the patient or an authorized representative for the patient stating that the patient is:
  - a. Deceased with no estate
  - b. A nursing home resident with \$40.00 monthly allotment
  - c. An elderly or disabled patient with very limited income whereby payment would create extreme financial hardship (subjective determination based on documentation and with regard to income and assets)
2. Consideration will be given case-by-case based on account information for insurance and legal adjustments.

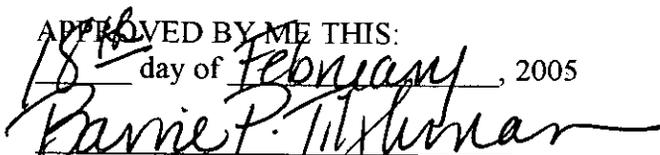
THIS RESOLUTION was duly passed at a meeting of the Council of the City of Salisbury, Maryland held on February 14, 2005, and is to become effective immediately upon adoption.

ATTEST:

  
Brenda J. Colgrove, City Clerk

  
Michael P. Dunn, President  
Salisbury City Council

APPROVED BY ME THIS:

  
18<sup>th</sup> day of February, 2005  
Barrie P. Tilghman, Mayor

## MEMORANDUM

TO: City Council  
Tom Stevenson, City Administrator

FROM: S. Mark Tilghman, City Solicitor

DATE: February 13, 2014

SUBJECT: Charter Amendment with Regard to City Solicitor Position

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It is my understanding that a majority of the members of the City Council wish to place control over who occupies the position of City Solicitor, which currently lies with Council, in the hands of the Mayor and the Council. Therefore, I have drafted the attached charter amendment to require agreement of the Mayor and a majority of the Council for appointment or removal of the City Solicitor and any Assistant City Solicitors. The attached draft charter amendment leaves the duties of the City Solicitor and the right of the Council to retain or authorize other legal counsel unchanged.

Like all charter amendments initiated by the Council, this amendment will need to be passed in the same manner as other Council resolutions. Once adopted, it must be posted for 40 days in the municipal building, and a summary of it must be published in a newspaper of general circulation in the City of Salisbury. With the posting and publication accomplished, the charter amendment will take effect on the fiftieth day after its adoption, unless a petition for referendum that meets the requirements of State law has been submitted on or before the fortieth day after adoption.

Let me know if you have any questions about or would like to make any changes to this draft charter amendment.



32 This Resolution was introduced, read, and passed at a meeting of the Salisbury City

33 Council held on the \_\_\_\_\_ day of \_\_\_\_\_, 2014.

34 .

35  
36 ATTEST:

37  
38 \_\_\_\_\_  
39 Kimberly R. Nichols, City Clerk

\_\_\_\_\_

Jacob R. Day, City Council President

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INTER

OFFICE

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# MEMO

## *OFFICE OF THE MAYOR*

**To:** City Council  
Mayor  
**From:** Tom Stevenson  
**Subject:** Redistricting  
**Date:** March 12, 2014

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Mayor Ireton has requested that the City Council initiate consideration of an amendment to Section SC1-20 of the City of Salisbury Charter, regarding Council election districts. This amendment would provide for five districts, with two encompassing a majority-minority population, and one Council member elected from each district.

As you will certainly recall, the City districts were initially established in 1987 pursuant to a Federal court order in which it was agreed that the at-large electoral system previously utilized in the City violated Section 2 of the Voting Rights Act. While the order contemplated the need for future changes in the electoral system if circumstances change, it required the approval of the Court to amend the number of Council members allocated to each district.

In June of 2012, the City Council voted to amend the Charter, anticipating certain changes to take effect with an election to be held in November of 2015. Under that amendment, District 1 would be enlarged in area and District 2 would be reduced. Two Council members would then be elected in District 1 and three Council members elected in District 2.

As of this date, the 2012 amendment has not yet been submitted to the court for the necessary concurrence. It is the position of the Administration that the five-district alternative furthers the purposes of the Voting Rights Act, and best represents the general interests of City residents.

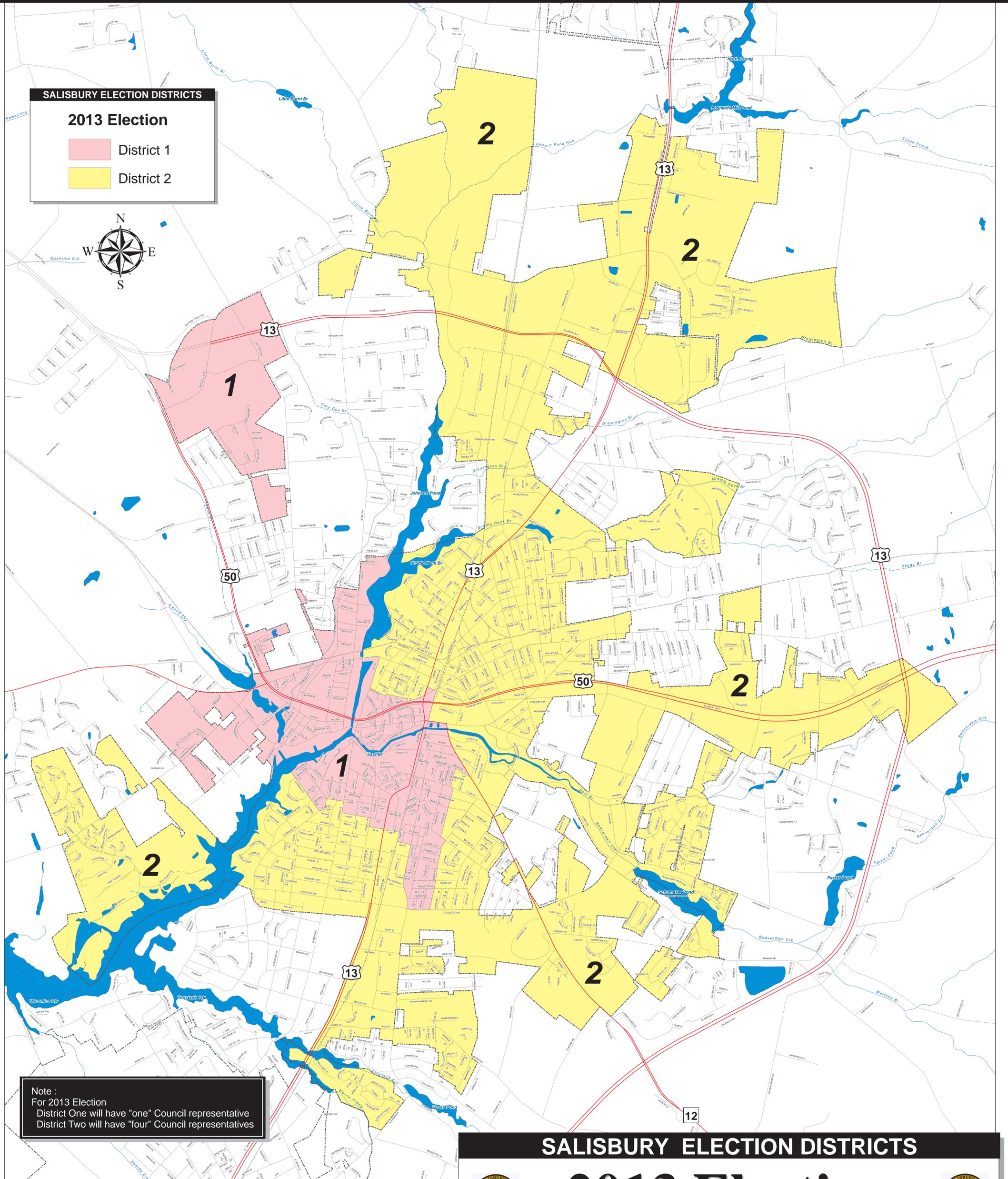
Your consideration is appreciated.

# CITY OF SALISBURY

## SALISBURY ELECTION DISTRICTS

### 2013 Election

- District 1
- District 2



Note:  
For 2013 Election  
District One will have "one" Council representative  
District Two will have "four" Council representatives

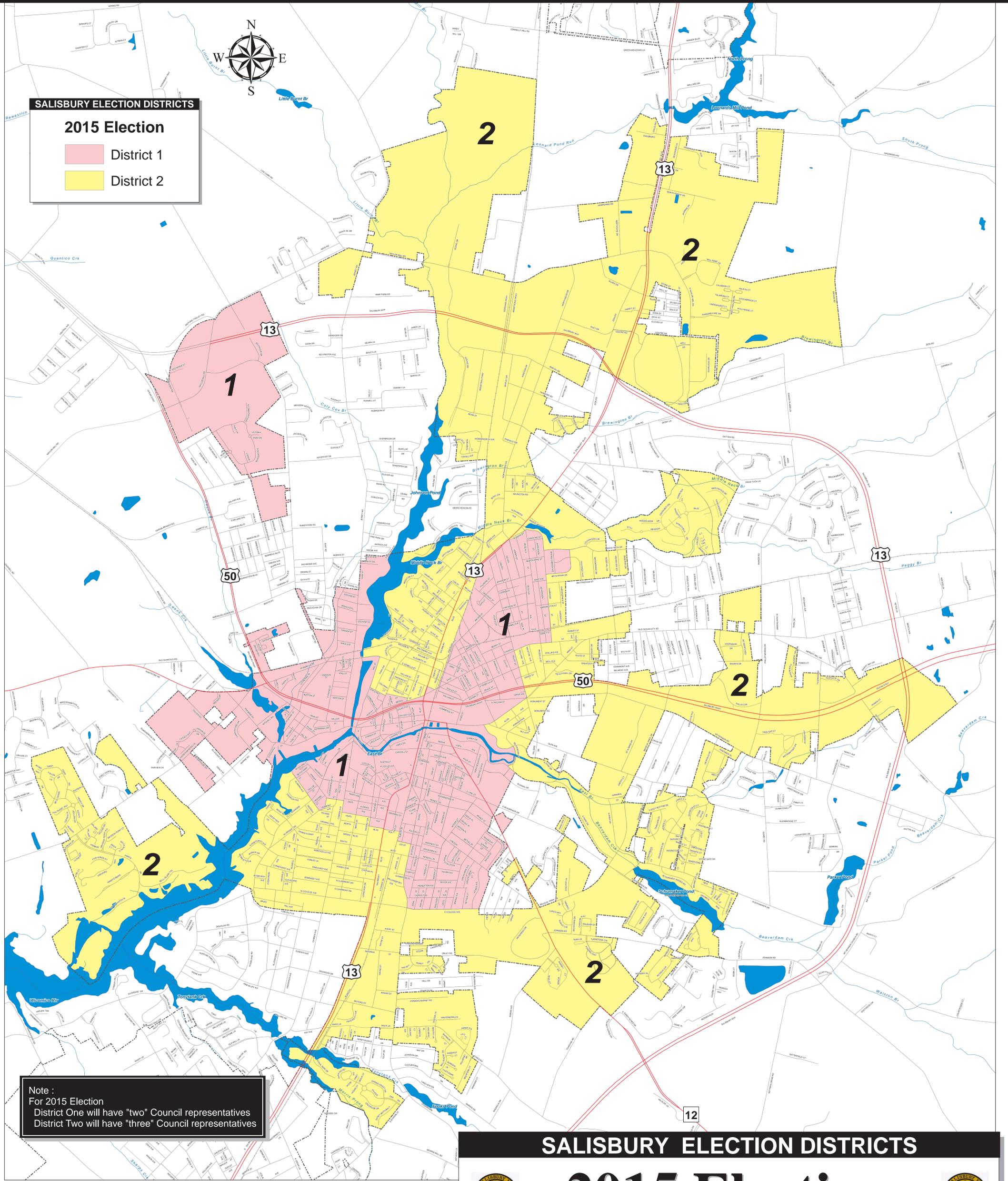
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## SALISBURY ELECTION DISTRICTS

# - 2013 Election -



# CITY OF SALISBURY



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## SALISBURY ELECTION DISTRICTS - 2015 Election -





## HEALTHY EATING ACTIVE LIVING CITY/TOWN RESOLUTION

### ABOUT THE CAMPAIGN

Municipalities and their residents face increased medical costs and diminished quality of life due to the epidemic of obesity and overweight. Municipal leaders across the Maryland are addressing the crisis by adopting local policies that encourage physical activity and nutritious eating.

The Healthy Eating Active Living (HEAL) Cities & Towns Campaign for the Mid-Atlantic is an initiative of the [Institute for Public Health Innovation](#) that began in 2012. Through a strategic partnership with the Maryland and Virginia Municipal Leagues and funding from Kaiser Permanente, the HEAL Cities & Towns Campaign provides free coaching and technical assistance to municipal leaders to adopt local policies that promote access to healthy, affordable foods, convenient access to opportunities for physical activity and recreation, and workplace wellness for municipal employees. These policies set the framework for healthy, prosperous communities where people live, work, and play.

### HOW TO USE THIS DRAFT RESOLUTION

The draft resolution provides a menu of policies that advance healthy eating and active living. Modify the resolution to the policy actions suitable for your locality at this time. Please choose **two to three** policy goals that your municipality can reasonably work on. The policy goals that your municipality sets in this resolution are those that the HEAL Cities & Towns Campaign will support you to adopt. HEAL Campaign Staff is available to assist you with this or review your draft.

All cities, towns, and counties that adopt this resolution are eligible for designation as a Healthy Eating Active Living City/Town. Upon review and approval of the resolution, become eligible for media relations and marketing resources including use of the HEAL Cities & Towns logo.

### QUICK TIPS FOR EDITING THIS DOCUMENT

- There is a Table of Contents explaining each section of the Resolution. You can navigate between different sections of the resolution by pressing Control + Click on the links in the table of contents (page 2)
- Anything **highlighted** must be edited by the municipality
- Before presenting to Council, delete pages 1 and 2, and policy goals you are not including
- When you are finished with this document it must contain: Preamble, Policy Goals you Resolve to work on, and Implementation, similar to this [Sample Resolution](#)

**Please contact the campaign and share your adopted resolution and supporting policies.**

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## TABLE OF CONTENTS

### **1. Preamble/Whereas Clauses .....Error! Bookmark not defined.**

*A resolution should include a preamble that contains “findings” of fact that support the need for the municipality to pass the resolution. The preamble contains information supporting the need for the resolution – in this case documenting the need for obesity prevention strategies. Some possible findings are listed as “Whereas” clauses below. Modify these clauses to fit your municipality. Feel free to change language, delete clauses, and to add clauses with pertinent local data.*

### **2. Physical Activity, Active Transportation, and Land UseError! Bookmark not defined.**

*People want to be healthy, but need physical environments that enable them to make healthy choices safely, conveniently, and affordably. The way communities are designed can either help or hinder residents ability to make healthy choices. Consider some of the following policy options that make it easier for your residents and municipal employees to be physically active as part of their day to day routines.*

*Keywords in this section: biking, walking, pedestrians, Complete Streets*

### **3. Access to Affordable, Nutritious Foods .....Error! Bookmark not defined.**

*People want to make healthy choices about what they eat, but sometimes that is not a viable option. Oftentimes nutritious foods are unavailable close to home or priced outside our food budgets. There are a number of strategies municipalities can employ to ensure that residents have a shot at making healthy choices about nutrition.*

*Keywords: community gardens, Farmers' Markets, Healthy Corner Stores*

### **4. Municipal Workplace Wellness .....Error! Bookmark not defined.**

*Trying to make healthy eating decisions in the workplace can be a challenge when you're up against the candy bowl, vending machine, and break room donuts. In addition to all of that temptation, it's hard to be physically active at work when your job requires sitting in front of your computer for eight hours and the elevator is the easiest way to get to your office. There are strategies that municipalities can adopt that make eating healthy and being physically active at work easier to do. These strategies have a positive impact on soaring health care premiums, attraction and retention of quality employees, and quality of life at work.*

*Keywords: nutrition standards, physical activity breaks*

### **5. Implementation.....Error! Bookmark not defined.**

*How will you work toward implementing the goals you set out in the previous three sections?*

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY OF SALISBURY, MARYLAND SETTING FORTH  
SALISBURY'S COMMITMENT TO OBESITY PREVENTION.

WHEREAS, in January 2013, the Maryland Municipal League entered into a memorandum of understanding with the Institute for Public Health Innovation to work collaboratively on the HEAL Cities & Towns Campaign; and

WHEREAS, the City of Salisbury has the ability to positively affect the health of its residents; and

WHEREAS, planning and constructing a built environment that encourages walking, biking, and other forms of physical activity can promote health; and

WHEREAS, high rates of costly chronic disease among both children and adults are correlated to environments with few or no options for healthy eating and active living; and

WHEREAS, more than half of Maryland's adults are overweight or obese and therefore at risk for many chronic conditions including Type 2 diabetes, heart disease, cancer, arthritis, non-chronic stroke, and, hypertension; and

WHEREAS, one in three youth in Maryland is overweight or obese; and

WHEREAS, more children are being diagnosed with diseases linked to overweight and obesity previously seen only in adults, such as Type 2 diabetes and heart disease; and

WHEREAS, the current generation of children are expected to have shorter lives than their parents due to the consequences of obesity; and

WHEREAS, obesity takes a tremendous toll on the health, productivity of all Marylanders;

WHEREAS, the annual cost to Maryland—in medical bills, workers compensation and lost productivity— for overweight, obesity, and physical inactivity exceeds \$3 billion;

WHEREAS, teens and adults who consume one or more sodas or sugar sweetened beverages per day are more likely to be overweight or obese;

WHEREAS, supporting the health of residents and the local workforce would decrease chronic disease and health care costs and increase productivity; and

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby recognized that obesity is a serious public health threat to the health and wellbeing of adults, children and families in Salisbury and a commitment is needed to put healthy choices within reach of all residents. While individual lifestyle changes are necessary, individual effort alone is insufficient to combat obesity's rising tide. Significant societal and environmental changes are needed to support individual efforts to make healthier choices. To that end, the City of Salisbury adopts this Healthy Eating Active Living resolution:

**Physical Activity, Active Transportation, and Land Use**

52 **BE IT FURTHER RESOLVED** that Salisbury planners, engineers, community economic and  
53 redevelopment personnel responsible for the design and construction of parks, neighborhoods,  
54 streets, and business areas should make every effort to:

- 55 • Update Comprehensive Plan to:
  - 56 ○ Create programs to finance and construct parks and recreation facilities
  - 57 ○ Incentivize Transit-Oriented and Mixed-Use Development
  - 58 ○ Incentivize Infill development over greenfield and suburban development
  - 59 ○ Incentivize and encourage compact development patterns with the adoption of an
  - 60 Interjurisdictional Transfer of Development Rights program
  - 61 ○ Design and articulate an implementation program for a complete Urban Greenway
  - 62 system
  - 63 ○ Ensure no home is more than ½ mile from a park or playground
  - 64 ○ Provide for citywide connectivity between recreational assets by trail, bike route and
  - 65 greenway.
  - 66 ○ Increase opportunities for physical activity wherever and whenever possible,
  - 67 including complete streets policies, compact, mixed-use and transit-oriented
  - 68 development;
  - 69 ○ Prioritize capital improvements projects to increase the opportunities for physical
  - 70 activity;
  - 71
- 72 • Design Streets/Roads to be safe for all users (motorists, bicycles, pedestrians, handicapped)
- 73 using the following strategy(ies):
  - 74 ○ Adopt a Complete Streets Policy
  - 75 ○ Develop a complete, connected, branded bike lane, bike share and bike storage
  - 76 system
  - 77 ○ Require connectivity between parcels, streets and pedestrian/bike infrastructure
  - 78 ○ Adopt LEED-ND (or portions thereof) as a standard for proposed developments
  - 79
- 80 • Use Development Tools to:
  - 81 ○ Adopt a Form Based Code Zoning Ordinance
  - 82 ○ Require developers to include usable space for physical activity and recreation or pay
  - 83 a fee
  - 84 ○ Institute a Complete Streets requirement for new development
  - 85 ○ Require all mandatory Open Space to be linked between parcels and accessible to the
  - 86 general public
  - 87 ○ Expand community access to indoor and outdoor public facilities through joint use
  - 88 agreements with schools and/or other partners;
  - 89

90 **Access to Affordable Nutritious Foods**

91 **BE IT FURTHER RESOLVED** that Salisbury planners, community and economic  
92 development personnel responsible for the planning of development, health programs, education  
93 and local economic development, should make every effort to:

94  
95

- 96 • Update Comprehensive Plan to:
- 97     ○ Include provisions that address access to affordable, nutritious foods, including
- 98     prioritizing healthy food retail in compact, mixed-use and transit-oriented
- 99     development policies, proposals and projects
- 100
- 101 • Create/Promote Farmers’ Markets using the following strategy/strategies:
- 102     ○ Institute guidelines and/or zoning controls that allow Farmers’ Markets,
- 103     especially in underserved communities
- 104
- 105 • Develop/Promote Community Gardens, Urban Agriculture, and/or Urban Farming using
- 106     the following strategy (ies):
- 107     ○ Adopt a Community Garden/Urban Agriculture Ordinance to promote and protect
- 108     community gardens and urban agriculture, especially in underserved areas
- 109
- 110 • Examine racial, ethnic, and socio-economic disparities in access to healthy foods and
- 111     adopt strategies to remedy these inequities.
- 112
- 113 • Map existing fast food outlets and draft an ordinance that will place limits on fast food
- around schools and in neighborhoods with over-concentrations of unhealthy food outlets.

114 **Implementation**

115 BE IT FURTHER RESOLVED that the head of each affected agency or department should report  
 116 back to the City Council annually regarding steps taken to implement the Resolution, additional steps  
 117 planned, and any desired actions that would need to be taken by the city council.

118

119 BE IT FURTHER RESOLVED that the City of Salisbury Staff shall work with HEAL Cities &  
 120 Towns Campaign Staff to explore HEAL policies and to identify those policies that are suitable for  
 121 the City’s unique local circumstances.

122

123 BE IT FURTHER RESOLVED Staff will report back to this Council with recommendations not later  
 124 than 90 days from the date of this Resolution.

125

126 The above resolution was introduced and read and passed at the regular meeting of the Salisbury City  
 127 Council on the \_\_\_\_ day of \_\_\_\_\_, 2014.

128

129

130 \_\_\_\_\_

131 Kimberly R. Nichols  
 132 City Clerk

130 \_\_\_\_\_

131 Jacob R. Day  
 132 PRESIDENT, City Council

133

134

135 APPROVED by me this  
 136 \_\_\_\_ day of \_\_\_\_\_, 2014.

137

138

139 \_\_\_\_\_

140 James Ireton, Jr.  
 141 MAYOR, City of Salisbury

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**MEMORANDUM**

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**TO:** ALL CITY COUNCIL MEMBERS  
**FROM:** JAKE DAY, COUNCIL PRESIDENT  
**SUBJECT:** COUNCIL REGULATIONS AND RULES OF ORDER  
**DATE:** MARCH 12, 2014  
**CC:** KIM NICHOLS, DIANE NELSON

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Per Council's discussion at its February 3, 2014 Work Session, a resolution is attached to amend the Regulations and Rules of Order. City Attorney Mark Tilghman made a few additional revisions to edit and correct grammar, typos, etc., none of which are substantive.

1 RESOLUTION NO. \_\_\_\_\_

2  
3 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
4 SALISBURY, MARYLAND AMENDING THE SALISBURY  
5 CITY COUNCIL REGULATIONS AND RULES OF ORDER  
6

7 WHEREAS, §SC2 - 6 of the Charter of the City of Salisbury provides that the City  
8 Council shall determine its own rules and order of business; and  
9

10 WHEREAS, the City Council of the City of Salisbury has previously adopted  
11 Regulations and Rules of Order by Resolution No. 737, and has amended those Regulations and  
12 Rules of Order by Resolution Nos. 806, 876, 972, 1043, 1335, 1386; 1451, 1476, 1577,  
13 1600, 1672, 2072, 2203, and 2251; and  
14

15 WHEREAS, the City Council has periodically amended its Regulations and Rules of  
16 Order.  
17

18 NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Salisbury,  
19 Maryland, that the Salisbury City Council Regulations and Rules of Order are hereby amended by  
20 the addition of a new section as shown on Attachment A, with deletions struck through and  
21 additions underlined.  
22

23 THE ABOVE RESOLUTION was introduced, read and passed at the regular meeting of  
24 the City Council of the City of Salisbury, Maryland held on this \_\_\_\_\_ day of \_\_\_\_\_,  
25 2014, and shall become effective immediately upon adoption.  
26

27  
28 ATTEST:  
29

30  
31 \_\_\_\_\_  
32 Kimberly R. Nichols  
33 City Clerk  
34

\_\_\_\_\_

Jacob R. Day  
PRESIDENT, City Council

SALISBURY CITY COUNCIL  
REGULATIONS AND RULES OF ORDER  
As Amended on \_\_\_\_\_, 2014  
As Amended on February 25, 2013

1. PREAMBLE

The City Council is the legislative and policy-setting ~~part-branch~~ of the City's ~~organization~~ government. The Mayor is responsible for carrying out the executive and administrative duties of the eCity, including administering the policies and enforcing the laws set by the eCouncil. The laws enacted by the Council are called ordinances. Usually, the policies established by the Council are enacted by resolution. The Council is made up of five (5) members, elected by the people to four (4) year ~~staggered~~ terms.

It is the ~~fixed~~ policy of the Salisbury City Council to facilitate the expression of views and the introduction of legislation by members of the Council; and to promote the orderly, open discussion of issues relevant to the government of the City. These Rules shall be construed to promote that policy and shall be in effect upon their adoption by a simple majority of the City Council present and voting until they are amended or new rules are adopted.

2. ATTENDANCE AND PARTICIPATION AT COUNCIL MEETINGS

Council members are expected to attend all meetings (regular, special, work sessions, closed sessions, and budget sessions) of the City Council. If a Council member cannot attend a meeting of the City Council because of illness, vacation, business travel or other unavoidable circumstance, the City Clerk shall be advised of such absence and shall notify the entire Council. Council members shall be physically present in legislative meetings in order to participate and/or vote. Any Council member may participate in work session meetings via any appropriate and available electronic means, such as telephone or video conference, provided that no more than one Council member is exercising this option at one meeting and that no one Council member ~~avails themselves~~ of ~~exercises~~ this option more than four (4) times a year, ~~based on~~ beginning with the start date of the Council member's term of office.

3. COUNCIL MEETINGS

- A. Regular open meetings of the Salisbury City Council will be held in Room 301 of the City/County Government Building, 125 N. Division Street, Salisbury, Maryland, unless notice to the contrary is given. Regular meetings are held on the second and fourth Mondays of each month at 6:00 p.m. except when Monday falls on a legal holiday. In the event that a City holiday falls on Monday, the meeting will be moved to the following Tuesday.
- B. Special open or closed meetings may be held at any time and place the City Council determines is appropriate.

- C. All meetings of the Salisbury City Council will be ~~tape~~electronically recorded by the City Clerk. A recording of an open session made by a member of the public, or any transcript derived from such a recording, may not be deemed a part of the record of any proceeding of the City Council of the City of Salisbury.
- D. Notice of open and closed meetings will be posted on the bulletin board in the lobby of the City/County Government Building, 125 N. Division Street, Salisbury, Maryland and on the City's web site, for a reasonable time in advance of the meeting.
- E. The City Clerk will notify the news media of regular and special open meetings, work sessions and closed sessions.
- F. A representative of the news media or any member of the public may record or photograph the proceedings of the City Council at an open session if:
  - 1. ~~If~~The equipment is operated from a fixed position that does not block the view of any other person. The equipment may be occasionally moved about the room, but only to the extent that the use of the recording device or camera does not become disruptive of the meeting. Artificial light may be used, but only reasonably and not for any extended period of time or ~~such as to become~~in any manner that is disruptive.
  - 2. ~~If~~The equipment or its operator does not create a noise or confusion that disturbs members of the City Council or other persons attending the session.
  - 3. ~~At an open session, representatives of the news media or any member of the public may~~Any place microphones placed on the City Council table ~~if they~~ are to be kept in a central location and ~~do~~ not interfere with or disturb the meeting.
  - 4. A representative of the news media or any member of the public who desires to arrangements for the use of a recording device or camera at an open session in a manner not consistent with the provisions of this section may request such special arrangements in advance by contacting the City Clerk's Office.
- G. ~~Regular~~ Council ~~M~~meetings and Work Sessions are broadcast live on PAC14. An individual Council member desiring to schedule a televised meeting, or ~~tape-record~~ a meeting for later broadcast, using the facilities in the Council Chambers, must receive a consensus of the City Council in advance.

#### 4. AGENDAS

- A. On the agenda for each work session shall be an opportunity for Council members to discuss the proposed agendas for upcoming regular Council meetings and work sessions.

- B. The preliminary agenda for each regular Council meeting shall be prepared by the City Clerk by 4:00 p.m. on the Thursday preceding the next regularly scheduled meeting by eleven (11) days. The Clerk shall distribute the preliminary agenda to the administrative staff and the Council as soon as it is prepared. If any Council member or a member of the administrative staff wishes to add or delete an item, they are to submit the request in writing, including a brief description, timeline, and any other pertinent information related to the item, to the Council President by noon on the Wednesday preceding the next regularly scheduled Council meeting by five (5) days.

The Clerk shall distribute supporting materials and details for items published on the Council agenda to Council no later than the close of business on the Wednesday preceding the Council meeting or Work Session.

- C. The Mayor, a member of the Council, or a member of the public may request that an item be placed upon the agenda for a Council meeting provided such request is made in writing prior to the established deadlines with a copy to the City Clerk who will acknowledge receipt to the requestor. Only matters of an emergency or urgent nature may be added to the agenda after those deadlines.

Any Council member wishing to present a Certificate of Appreciation or Certificate of Recognition must receive a consensus of the Council in advance before it is placed on an agenda.

- D. The Council President shall place upon the agenda of the Council meeting any item which is legal, constitutional and proper for the Council to consider, provided, however, that the Council President may reasonably defer a requested agenda item until a future meeting of the Council in order to secure full attendance by Council members, to afford the public ample opportunity to appear and observe the Council's consideration of such agenda item, or to secure the input of the City's staff.
- E. Items which are matters of a routine, non-controversial nature may be placed on the agenda under Consent Agenda. The purpose of the consent agenda is to provide a method for the expeditious handling of items which, in the opinion of the Council President, City Clerk and City Administrator, will not require discussion and will be approved unanimously by the Council. Items shall be removed from the Consent Agenda at the request of any individual Council member.
- F. Except in the case of an emergency or a matter of an urgent or time sensitive nature, no matter will be discussed in a Council meeting which was not reasonably described in the published agenda for such meeting in accordance with the City's Open Meeting rules.
- G. The Mayor, the Council President, the City Administrator, the City Clerk, and all persons involved in the process of creating meeting agendas, shall endeavor to provide all members of the Council and other relevant City personnel with as much

advance notice of agenda items as is feasible in the interest of fostering informed discussion of such agenda items at meetings.

5. CONDUCT OF REGULAR MEETINGS

- A. The Council President or Council Vice President shall call the meeting to order at the appointed hour. In the absence of both the Council President and Council Vice President, a President Pro Tem shall be selected to preside over the meeting.
- B. After calling the meeting to order, the Council President shall entertain a motion to adopt the agenda for the meeting as presented. After such motion has been made and seconded, any Councilmember may request the deletion of any item on the agenda, or change the order of any agenda item, or ~~the addition of~~ any urgent or emergency item. Such changes may be approved by consensus, or in the absence of a consensus, such changes shall be approved upon affirmative vote of a majority of the Council. Any member of the Council may also request that an item be removed from the consent agenda for discussion, for further information, or in order that there might be a separate vote on that item as described in 4.E.
- C. The Council President shall control discussion of the Council on each agenda item to assure full participation in accordance with the Rules of Order.
- D. Each agenda item shall be separately announced by the Council President for purposes of discussion and consideration. To place an agenda item on the floor, the Council President shall entertain a motion and a second to approve. All discussion shall be germane to the agenda item.
- E. A Council member shall speak only after being recognized by the Council President. A Council member recognized for a specific purpose shall limit remarks to that purpose. A Council member, after being recognized, shall not be interrupted except by the Council President to enforce these rules. The Council President, as a member of the Council, may enter into any discussion.
- F. In order to afford all Council members an opportunity to speak on an agenda item, a Council member may speak in debate twice on any debatable motion and may speak for up to five minutes each time. A Council member may not save time or transfer/yield their time to another Council member. The period of time allotted for Council debate may be modified by adopting a motion to extend or limit debate.
- G. After being recognized by the Council President, a member of the Council, during discussion of any agenda item, or during a public hearing, may request and receive information, explanations or opinions of the Mayor, City Administrator, City Solicitor, City Clerk or any City department head.
- H. Council members are encouraged to direct comments to agenda items and to conduct meetings in a professional manner as referenced in the adopted City Council Code of

Conduct (Resolution No.1513 – April 23, 2007). Council members shall be respectful to the public and City staff members at all times.

- I. For all required public hearings conducted by the City Council, citizens wishing to provide testimony will be administered an oath by the City Clerk, or in the City Clerk's absence, administered by the City Attorney.

## 6. PUBLIC INPUT

- A. Public comments should be directed to the agenda item under consideration. The Council President shall rule on the germaneness of the citizen comments.
- B. A citizen who has been recognized by the Council President to address the Council is requested to state his or her name, whether he or she is a resident within the corporate limits of Salisbury, and any organization affiliation he or she is representing.
- C. In order to afford all persons an opportunity to speak regarding an agenda item, the Council President may impose a reasonable limit upon comments made by members of the public, and/or may limit the number of times a member of the public may speak regarding an agenda item.
- D. Any person making personal, impertinent or slanderous remarks, or who becomes boisterous in any manner that disrupts the meeting while addressing the Council, may be requested by the Council President to leave the meeting immediately.
- E. No placards, banners, or signs will be permitted in the Council Chambers or in any other room in which the Council is meeting. Exhibits, displays and visual aids used in connection with presentations to the Council are permitted.
- F. The Council President, at his or her discretion, may accept public comments from citizens during Council consideration of an item, in addition to a discrete time to be set by Council President during the meeting. A time may be established for public comments for citizens to address the Council on any item which is not on the agenda for that meeting. ~~A time may be established for public comments for citizens to address the Council on any item which is not on the agenda for that meeting.~~ A time limit may be imposed and citizens are subject to the same rules of conduct as described above. If a prepared statement is available, a copy should be given to the City Clerk. Generally, members of the Council will not comment upon the comments made by a member of the public. If they are administrative issues, the Council President will refer them to the Mayor's Office for a response. Questions posed by a citizen during the public comments portion will be logged, and tracked, by the City Clerk. The City Clerk will forward the questions to the City Administrator for a response. All City Council members and the City Clerk will be provided a copy of the response from the City Administrator.
- G. Members of the public shall be courteous to their fellow citizens and the proceedings while the Council is in session by avoiding conversations within the Council Chambers and the entrance hallway into the Chambers.

- H. Signed communications shall be accepted by the Council, but are not to be read in their entirety during the meeting. Signed communications shall be submitted to the City Clerk to be attached to the minutes as part of the record.

7. VOTING AND THE MAKING OF MOTIONS

- A. Any member of the Council, except the Council President, may make or second a motion for the Council to take action regarding any agenda item, subject to the City Ethics Ordinance and State Ethics Law.
- B. Any member of the Council may vote regarding any agenda item, subject to the City Ethics Ordinance and State Ethics Law.
- C. The Council President may not make a motion, and may second a motion only when there are only three (3) members of the Council, including the President, present and voting.
- D. In the absence of the Council President, the Council Vice President shall be subject to the same limitations upon voting and the making of motions as the Council President.
- E. The City Clerk shall record the name of the Council member making each motion and the name of the Councilmember who seconded the motion.
- F. Discussion shall be closed on any item by the Council President with the concurrence of a majority of the Council. At the conclusion of debate, the Council President shall call for a vote.
- G. During the course of the meeting, if it becomes necessary to temporarily delay action on an agenda item because of more urgent business, a Council member may move to “lay the item on the table”. The motion requires a second, is not debatable and requires a majority vote for adoption.
- H. After an agenda item has been laid on the table, it can be taken from the table by a motion to “take the item from the table”. The motion requires a second, is not debatable and a majority vote is required. If a motion to “take from the table” is not received by the close of the meeting, the agenda item dies at the end of the session.
- I. If a Council member wishes to “kill” a motion on the floor, a motion to “postpone indefinitely” shall be used. The motion requires a second, is debatable and a majority vote is required for adoption.
- J. If a Council member wishes to defer an agenda item to another meeting, the motion to “postpone to a certain time” is used. The motion requires a second, is debatable and a majority vote is required for adoption.

K. In the absence of a rule to govern a point of procedure, the City Council shall follow the general practices of the latest published edition of Robert's Rules of Order.

8. WORK SESSION MEETINGS

A. The Council may conduct work session meetings on matters which are expected to come before the Council for formal action at a regular meeting or otherwise need study by the Council. Items to be considered will be placed on the agenda by the Council President. The agenda shall be distributed on the Wednesday preceding the work session meeting. Because work sessions are considered informal, items not appearing on the printed agenda may be considered for discussion by a consensus of the Council.

B. At work session meetings, the Council shall receive information and presentation of issues from the Mayor, City staff and/or invited resource persons. Council may ask questions and may request that certain information be provided or issues be addressed when items are considered further at another work session meeting or a regular meeting of Council. Council may direct that matters under consideration be brought forward for formal action at a regular meeting, that further study be conducted if appropriate, that matters under consideration not be pursued further (except for matters requiring a public hearing), or that modifications be made before a matter is considered further.

C. Final action on items is not taken at work session meetings. The Council may decide by consensus, or by a majority vote, on how to proceed on various items under consideration. However, no formal vote of the Council in favor or against any agenda item may be taken at a work session meeting.

D. Work sessions are considered public meetings under the terms of the open meetings law and the public can attend. Members of the public or an interested party may have the right to address the Council only on items under consideration in a work session. The Council President shall control the discussion of the Council and the public in accordance with the Rules of Order. Comment forms shall also be made available for any member of the public to submit written comments on any agenda item for consideration by the Council.

9. CLOSED SESSION MEETINGS

A. The Council may conduct Closed Session Meetings as permitted by State Law. Everything that is discussed during a closed session, and all materials which are reviewed during a closed session or are prepared in anticipation thereof, shall be considered confidential. No council member shall publicly disclose any such information or material. Public disclosure may be made in the event a majority of the council members vote to approve the public disclosure prior to its disclosure.

- B. No council member shall make any disclosures or release any information which would result in the waiver of the attorney/client privilege without first obtaining the approval of a majority of the council in open session.

#### 10. PROCEDURES FOR SECURITY AT CITY COUNCIL MEETINGS

- A. A Salisbury Police Department officer will report to the City Council Chambers at least one-half hour prior to the meeting and will have their radio. Prior to the meeting, a Salisbury Police Department officer will conduct a visual sweep of the Council Chambers, stairways, elevators and surrounding hallways for any suspicious items such as packages, letters, etc.
- B. The Salisbury Police Department officer must not leave the Council Chambers until the conclusion of the meeting unless an emergency occurs.
- C. If a problem or disturbance arises, the following procedure will be followed:
  - 1. The City Council President will ask the disruptive person to leave the meeting room. In the event of an arrest, the Council President may be summoned to court as a witness.
  - 2. Should the person leave, no further action will be taken.
  - 3. Should the disruptive person refuse to leave, the individual will be requested to leave by the Salisbury Police Department officer. If the person does not leave at that time, the individual will be arrested for trespassing and/or disorderly conduct. If a second member of the Salisbury Police Department is present for the meeting, that person will transport and place the appropriate charges on the arrestee. If a problem was not anticipated, and only a single member of the Salisbury Police Department is present, the member will contact communications to have a patrol officer respond to the meeting room and that officer will conduct the transport while the Salisbury Police Department officer remains in the meeting to ensure continued security. Once the meeting has concluded, and the Council members are safely out of the building, the Salisbury Police Department officer will then respond to headquarters and will charge and transport the arrested subject. If an arrest occurs during the City Council meeting, the Salisbury Police Department officer will notify the Salisbury Police Department Commander upon the conclusion of the meeting.
- D. If there is no problem, the Salisbury Police Department officer will remain at the meeting until its conclusion and will ensure that City personnel are safely out of the building.
- E. The City Council Chambers will be posted with a sign indicating the following:

“For the safety of all persons, all bags and boxes are subject to search. Any persons that refuse to submit to such search may be denied entry.”

If a threat is received or probable cause exists to indicate that there may be a problem with a bag or package, the Salisbury Police Department officer will request that the subject in possession of the bag submit to a search as described.

If the subject refuses to allow the search, the subject will be denied entry to the meeting room. If this causes further disturbance, the above policy regarding arrest will be followed.

- F. If information is received concerning a possible bomb threat, the Salisbury Police Department officer will use the proper procedure to notify the on duty squad commander who will then make the required notifications as outlined in the Salisbury Police Department Written Directives #46.1.5 (Bomb\_Threats/ Explosions).

#### 11. USE OF COUNCIL TRAVEL AND TRAINING BUDGET

- A. Council members shall comply with the City of Salisbury Employee Handbook’s policies on travel.
- B. Prior to incurring any travel expenses, a Council member shall obtain approval of the travel from the Council. Travel expenses incurred without the prior approval of Council shall not be reimbursed or, if mistakenly reimbursed, shall be refunded by the Council member within thirty (30) days of written notification of the error by the City Clerk.
- C. No member of Council shall use more than 1/5 of the appropriated total of the Council’s travel and training budget without prior approval of the Council. If the amount used by any Council member exceeds this amount, the excess shall not be reimbursed or, if mistakenly reimbursed, shall be refunded by the Council member within thirty (30) days of written notification of the error by the City Clerk.

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Adopted: 10/23/00 by Resolution No. 737  
Amended: 11/26/01 by Resolution No. 806  
Amended: 8/26/02 by Resolution No. 876  
Amended: 5/12/03 by Resolution No. 972  
Amended: 12/8/03 by Resolution No. 1043  
Amended: 11/28/05 by Resolution No. 1335  
Amended: 3/27/06 by Resolution No. 1386  
Amended: 10/23/06 by Resolution No. 1451  
Amended: 1/8/07 by Resolution No. 1476  
Amended: 10/8/07 by Resolution No. 1577  
Amended: 11/26/07 by Resolution No. 1600  
Amended: 7/14/08 by Resolution No. 1672

Amended: 7/11/11 by Resolution No. 2072  
Amended: 9/10/12 by Resolution No. 2203  
Amended: 2/25/13 by Resolution No. 2251