

CITY OF SALISBURY, MARYLAND

REGULAR MEETING

NOVEMBER 10, 2014

PUBLIC OFFICIALS PRESENT

*Council President Jacob R. Day
Council Vice President Laura Mitchell
Councilman John "Jack" R. Heath*

*Mayor James Ireton, Jr.
Councilwoman Eugenie P. Shields
Councilman Timothy K. Spies*

IN ATTENDANCE

City Clerk Kimberly R. Nichols, CMC, Assistant City Administrator Terence Arrington, City Attorney Mark Tilghman, Internal Services Director Keith Cordrey, Assistant Director Internal Services – Procurement Jennifer Miller, Public Works Director Mike Moulds. interested citizens and members of the press

CITY INVOCATION – PLEDGE OF ALLEGIANCE

The City Council met in regular session at 6:02 p.m. in Council Chambers. Council President Day called the meeting to order and invited The Reverend David Michaud, Rector at St. Peter's Episcopal Church to offer the City Invocation. Afterwards, those in attendance recited the Pledge of Allegiance to the flag of the United States of America.

PRESENTATIONS

Proclamation – Municipal Government Works Month – presented by Mayor James Ireton, Jr.

Mayor Ireton presented the proclamation to proclaim November as Municipal Government Works Month in an effort to educate citizens about municipal government and the importance of their participation.

Community Organization Presentations

- Wor-Wic Community College Driver Education Program – presented by Dean of Continuing Education and Workforce Development Ruth E. Baker and Director of Continuing Education and Workforce Development Lee Ann Gunning*

Ms. Ruth E. Baker and Ms. Lee Ann Gunning joined Council to present the new driver education program at Wor-Wic Community College, scheduled to begin December 1, 2014. Ms. Gunning provided an informative PowerPoint on the program, which will award scholarships for those unable to pay the entire tuition.

Pohanka Automotive Group of Salisbury donated two cars to be used in the behind-the-wheel class sessions after concern was expressed at a recent community leaders meeting that one of the economic development and job opportunity issues in our community is the number of local residents without driver's licenses. The course, required by the Motor Vehicle Administration, was developed to help local residents unable to pay for driver education and is the only local driver education school that offers financial aid.

The course will provide students with 30 hours of classroom instruction and six hours of behind-the-wheel training with an instructor. Students must have a valid Maryland learner's permit before starting class, and if under 18 years old, must have a parent/mentor attend the first class session. For more information, call Wor-Wic's continuing education division at (410) 334-2815.

- *Lower Shore Clinic – presented by Clinic Director Richard Bearman*

Richard Bearman joined Council at the podium to discuss Lower Shore Clinic's treatment services. Clients are welcomed daily at 7:50 a.m. on a first come, first served walk-in basis, and referrals are not necessary. The Clinic, located at 505 East Main Street in Salisbury, recently added integrated Primary Care to the services offered, which include Counseling, Group Therapy, Medication, Family Counseling, Physical Health Education, Disorder Treatment, Case Management, Crisis Intervention, Same Day Urgent Care, Mobile Treatment, and Discharge and Aftercare Planning. Lower Shore Clinic refuses no one, regardless of ability to pay, accepts Maryland Medical Assistance and Medicare, and offers a sliding fee scale based upon income.

Lower Shore Clinic is affiliated with Go-Getters, a psychiatric rehabilitation program offering support for all people recovering from severe mental illness and disorders on the Lower Eastern Shore of Maryland, and is open to all Lower Shore adult residents regardless of whether they are Go-Getters members or not. For more information, call the Clinic at 410-341-3420.

ADOPTION OF LEGISLATIVE AGENDA

Mrs. Mitchell moved and Mrs. Shields seconded to approve the Legislative Agenda.

Mrs. Mitchell moved to remove Resolution No. 2459 and Resolution No. 2460 from the Consent Agenda and to be placed before the Award of Bids. The motion was unanimously approved.

Mr. Heath moved, Mrs. Shields seconded, and the vote was unanimous to remove RFP 02 – 15 Engineering Construction and Inspection Services for Parkside HS Regional Lift Station and Mill Street Pump Station Improvements from the Award of Bids. Assistant Director Internal

Services – Procurement Jennifer Miller explained the Procurement Department had requested additional time to review the recommendation.

The Legislative Agenda, as amended, was unanimously approved.

CONSENT AGENDA – presented by City Clerk Kim Nichols

The amended Consent Agenda was unanimously approved on a motion and seconded by Mrs. Mitchell and Mrs. Shields, respectively:

- *October 20, 2014 work session minutes*
- *October 20, 2014 closed session minutes (separate envelope)*
- *October 27, 2014 regular meeting minutes*
- *Resolution No. 2458 - approving the appointment of Ursula Ehrhardt to the Historic District Commission for term ending 11/10/2017*

RESOLUTIONS NO. 2459 and 2460

- *Resolution No. 2459 - approving the appointment of Susan Jones to the Salisbury Zoo Commission for term ending 11/10/2017*

Mrs. Shields moved and Mrs. Mitchell seconded to approve Resolution No. 2459.

Mrs. Mitchell moved, Mr. Heath seconded, and the vote was unanimous to amend Resolution No. 2459 by striking the term ending date of 11/10/2017 on Line 8 and inserting 12/31/2015 to keep the expiration date in line with other expiration dates because they are staggered.

Resolution No. 2459, as amended, was unanimously approved.

- *Resolution No. 2460 - approving the appointment of Sarah Rayne to the Salisbury Zoo Commission for term ending 11/10/2017*

Mrs. Mitchell moved and Mr. Heath seconded to approve Resolution No. 2460.

Mrs. Mitchell moved, Mr. Spies seconded, and the vote was unanimous to amend Resolution No. 2460 by striking the term ending date of 11/10/2017 on Line 8 and inserting 12/31/2016 to keep the expiration date in line with other expiration dates because they are staggered.

Resolution No. 2460, as amended, was unanimously approved.

AWARD OF BIDS – presented by Assistant Director of Internal Services – Procurement Jennifer Miller

The amended Award of Bids, consisting of the following item, was unanimously approved on a motion by Mr. Spies that was seconded by Mrs. Mitchell:

- Declaration of Surplus – Parking Lot #30 \$ 0.00
- Declaration of Surplus – Glock Automatic Pistol – Salisbury Police Department - \$ 0.00
- Declaration of Surplus – Copier Machine – Salisbury Police Department - \$ 0.00

RESOLUTION – presented by Assistant City Administrator Terence Arrington

- Resolution No. 2461 – authorizing the capacity fee of the City's comprehensive connection charge to be waived for a development known as the Booth Street Apartments Phase I, an affordable housing development

On a motion and seconded by Mrs. Shields and Mrs. Mitchell, respectively, and by unanimous vote in favor, Resolution No. 2461 was unanimously approved as presented.

ORDINANCES – presented by City Attorney Mark Tilghman

- Ordinance No. 2305 – 2nd reading – approving an amendment of the FY15 Budget to appropriate funds for traffic equipment repairs and maintenance

On a motion and seconded by Mrs. Mitchell and Mr. Spies, respectively, and by unanimous vote in favor, Ordinance No. 2305 was passed for second reading.

- Ordinance No. 2306 – 1st reading – amending Chapter 13, Public Services, of the City Code by adding Chapter 13.30 for the purpose of establishing a Stormwater Utility under the direction and supervision of the Public Works Department and further establishing a Stormwater Utility Fee System

Mr. Spies moved and Mr. Heath seconded to approve Ordinance No. 2306 for first reading.

One member of the public commented the following in reference to Ordinance No. 2306:

- The Stormwater Utility is a rainwater tax and unnecessary since property taxes have been used in the past to remediate stormwater issues
- Carroll County has received State approval for creating a remediation fund (they have placed property tax money aside for this) and they can still qualify for grants
- If this is attached to the water bills or collected directly from the property owners,

the renters and their abilities to pay will be impacted

- *This is not required by Maryland and needs to be eliminated*

Mayor Ireton provided the following timeline in establishing the Stormwater Utility:

- *November 18, 2014 – Mayor’s Neighborhood Outreach session*
- *November 24, 2014 – Ordinance No. 2306 for second reading*
- *December 1, 2014 – Impervious area work from ESRGC will be complete*
- *January 16, 2015 – Public Works fee analysis will be presented*
- *February 2, 2015 – Informational brochure mailing*
- *February 2, 2015 – Council scheduled to set the fee*
- *March 9, 2015 – The Stormwater Utility Fee ordinance first reading is scheduled*
- *March 23, 2015 – The Stormwater Utility Fee ordinance for second reading*
- *April 20, 2015 – Sample bills mailed to all properties greater than one ERU*
- *May, 2015 – Billing information will be provided to Wicomico County*
- *June 30, 2015 – Implementation of Stormwater Utility will be complete*

Ordinance No 2306 for first reading was unanimously approved.

Mr. Spies reminded the public that there would be no trash or recycling pickup tomorrow due to Veterans Day. Normal Tuesday pickups will resume next Tuesday at which time there will be City e-cycling pickup. Call 410-548-3177 to schedule a pickup.

As there were no requests for public comments, Council President Day adjourned the Legislative Session at 7:12 p.m.

CITY OF SALISBURY, MARYLAND
CLOSED SESSION
NOVEMBER 3, 2014

TIME & PLACE: 6:39 p.m., Government Office Building – Council Chambers, Room 301
PURPOSE: To consult with counsel to obtain legal advice on a legal matter
VOTE TO CLOSE: Unanimous
CITATION: Annotated Code of Maryland Sections 10-508(a)(7)
PRESENT: Council President Jacob R. Day, Mayor James Ireton, Jr., Council Vice President Laura Mitchell, Councilwoman Eugenie P. Shields, Councilman John “Jack” R. Heath, Councilman Timothy K. Spies, City Clerk Kimberly R. Nichols, City Administrator Tom Stevenson, City Attorney Mark Tilghman and Fire Chief Rick Hoppes

On November 3, 2014, Council convened in Work Session in Council Chambers (Room #301) of the Government Office Building. At 6:26 p.m., Mrs. Shields moved, Mr. Spies seconded, and the vote was unanimous to convene in Closed Session to consult with counsel to obtain legal advice on a legal matter counsel. After a recess, the Closed Session began at 6:39 p.m.

While in Closed Session, Fire Chief Rick Hoppes and City Attorney Mark Tilghman updated Council on the Salisbury Fire Station #2 land transfer agreement, and no action was taken or consensus reached at this time.

Fire Chief Hoppes then discussed the Fire Service Agreement with Council and Mr. Tilghman. Council reached unanimous consensus on which option in which to move forward.

At 7:46 p.m., on a motion by Mrs. Shields, seconded by Mr. Spies, and approved by unanimous vote in favor, Council President Day adjourned the Closed Session, returned to Open Session, and provided the required statement to the public. Thereafter, the Open Session was adjourned.

CITY OF SALISBURY, MARYLAND
CLOSED SESSION
NOVEMBER 17, 2014

TIME & PLACE: 9:35 p.m., Government Office Building – Council Chambers, Room 301
PURPOSE: To consider the acquisition of real property for a public purpose and matters directly related thereto; to consult with counsel to obtain legal advice on a legal matter; and before a contract is awarded or bids are opened, to discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process

VOTE TO CLOSE: Unanimous

CITATION: Annotated Code of Maryland §10-508(a)(3)(7)(14).

PRESENT: Council President Jacob R. Day, Council Vice President Laura Mitchell, Councilman John “Jack” R. Heath, Councilwoman Eugenie P. Shields, Councilman Timothy K. Spies, Assistant City Clerk Diane C. Nelson, City Administrator M. Thomas Stevenson, Jr., City Attorney Mark Tilghman, Planning & Zoning Director Jack Lenox, and Assistant Director Internal Services – Procurement Jennifer Miller

NOT PRESENT: Mayor James Ireton, Jr.

The City Council convened in Work Session in Room #301 in the Government Office Building at 5:09 p.m. and at 9:35 p.m., President Day called for a motion to convene in Closed Session. Mr. Spies moved, Mrs. Mitchell seconded, and the vote was unanimous to convene in Closed Session for the purpose of considering the acquisition of real property for a public purpose and matters directly related thereto; consulting with counsel to obtain legal advice on a legal matter; and before a contract is awarded or bids are opened, discussing a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process in accordance with the Annotated Code of Maryland §10-508(a)(3)(7)(14).

At 10:23 p.m., on a motion and second by Mr. Spies and Mrs. Mitchell, respectively, and by unanimous vote in favor, the Closed Session was adjourned and Council reconvened in Open Work Session. President Day then reported that while in Closed Session Council had discussed two land agreement items, deciding to move forward with an agreement on one property and to not award a bid on the other property but to reconvene discussion on that property.

Thereafter, the Work Session adjourned.

Diane C Nelson

Assistant City Clerk

Kimberly R. Nichols

City Clerk

Jacob R. Day

Council President