CITY OF SALISBURY, MARYLAND

REGULAR MEETING *DECEMBER 8, 2014*

PUBLIC OFFICIALS PRESENT

Council President Jacob R. Day
Council Vice President Laura Mitchell
Mayor James Ireton, Jr.
Councilman John "Jack" R. Heath
Councilman Timothy K. Spies

PUBLIC OFFICIALS NOT PRESENT

Councilwoman Eugenie P. Shields

IN ATTENDANCE

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

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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 Pastor Brian Albert, Senior Pastor at Bethesda United Methodist Church to offer the City Invocation. Afterwards, those in attendance recited the Pledge of Allegiance to the flag of the United States of America.

PRESENTATION *– presented by Mayor James Ireton, Jr.*

- *United Way of Lower Eastern Shore*

  Mayor Ireton invited United Way of the Lower Eastern Shore Executive Director Kathleen Momme to the podium to accept the donation from the City of Salisbury employees. She reported that last year the employees donated $3,410 to the United Way, and this year they increased the donation by 106%, with the grand total of $7,019.

  Several City employees were present from the Police Department, Public Works, Clerks Office and Community Development to join in the presentation, and Ms. Momme thanked all of the employees for their donations to the United Way of the Lower Eastern Shore.

ADOPTION OF LEGISLATIVE AGENDA

Mrs. Mitchell moved and Mr. Heath seconded to approve the Legislative Agenda.

Mrs. Mitchell moved and Mr. Heath seconded to move the presentation of the FY14 audit report to the end of the agenda, after the presentation of the ordinances. The motion was unanimously approved by a 4-0 vote in favor.

The Legislative Agenda, as amended, was unanimously approved on a 4-0 vote.

CONSENT AGENDA *– presented by City Clerk Kim Nichols*

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

- *November 17, 2014 work session minutes*
- *November 17, 2014 closed session minutes (separate envelope)*
- *November 24, 2014 regular meeting minutes*
- *Resolution No. 2465 – authorizing the Capacity Fee of the City's Comprehensive Connection Charge be waived for a development known as Headquarters Live at 115 South Division Street*

ORDINANCES *– presented by Mayor James Ireton, Jr. and City Attorney Mark Tilghman*

- *Ordinance No. 2307 – 1st reading – approving an amendment of the FY2015 General Fund Budget to appropriate funding for additional Fire Department personnel*

  Mrs. Mitchell moved and Mr. Heath seconded to approve Ordinance No. 2307 for first reading.

  Mayor Ireton expounded on the budget amendment needed to increase surplus and the Fire Department budget by $160,611 in order to fund the four (4) positions in the Fire Department, and Mr. Tilghman presented the ordinance.

  Council received the following comments from one (1) member of the public:

  - *When the grant was accepted two years ago Council was skeptical, and were clear that when the grant ended the additional employees would not be kept*
  - *Additional Fire Fighters were hired and we do not need four (4) more*
  - *Fire trucks are seen at the Credit Union and area restaurants, which can deliver*
  - *Look at the structure of the administration and re-examine the organization*

  Council comments included:

  - *The grant was accepted knowing the City badly needed more EMT/Fire Fighters*

- *Expected FEMA to open the grant back up before it expired, but it did not*
- *Critical that the City hire the four (4) additional positions, but six (6) are really needed*
- *We knew there would be decisions to make at the end of the grant period*
- *If we don't re-hire, only three ambulances will be in full service, and the 4th and 5th ambulances will be outsources to the County because we won't have sufficient staff to run the other two (2) ambulances*
- *After we accepted the grant, we were able to reduce overtime by $300,000*
- *While there's $2.2 million that the City of Salisbury believes Wicomico County owes the City, this money likely will never be seen*
- *While we need to come to an agreement with the County to mitigate, moving forward with this amendment is for the right cause*
- *A compromise will be required between the City and the County*
- *Safety of firemen and citizens is most important, and four (4) on a truck is critical*

Ordinance No. 2307 for first reading was unanimously approved on a 4-0 vote in favor.

- *Ordinance No. 2308 – 1st reading – approving an amendment of the FY2015 General Fund Budget to appropriate funding for additional promotional fees to support the Shore Transit Circulator Program*

  Mrs. Mitchell moved and Mr. Spies seconded to approve Ordinance No. 2308 for first reading.

  Mr. Tilghman presented the ordinance, and after Council discussion, Ordinance No. 2308 for first reading was approved on a 3-0 vote. Mr. Heath abstained from the voting.

PRESENTATION OF AUDIT *– presented by Internal Services Director Keith Cordrey and Ms. Pam Baker*

Pam Baker from the auditing firm of Barbacane, Thornton & Company LLP presented the final bound copies of the Audit Report and Single Audit Report to Council and summarized the results of the City's Audit Report as of June 30, 2014. An unqualified or clean audit opinion was rendered by the auditing firm.

ADJOURNMENT

Council President Day adjourned the Legislative Session at 7:09 p.m.

CITY OF SALISBURY, MARYLAND
CLOSED SESSION
DECEMBER 1, 2014

TIME & PLACE:	*4:21 p.m., Government Office Building – Council Chambers, Room 301*
PURPOSE:	*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)(7)(14)*
PRESENT:	*Council President Jacob R. Day, Council Vice President Laura Mitchell, Councilwoman Eugenie P. Shields, Councilman Timothy K. Spies, City Clerk Kim Nichols, City Administrator M. Thomas Stevenson, Jr., City Attorney Mark Tilghman, and Fire Chief Rick Hoppes*
NOT PRESENT:	*Mayor James Ireton, Jr. and Councilman John "Jack" R. Heath*

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The City Council convened in Open Session in Room #301 in the Government Office Building at 4:18 p.m. Mrs. Shields moved, Mr. Spies seconded and the vote was unanimous to convene in Closed Session 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, in accordance with the Annotated Code of Maryland §10-508(a)(7)(14). The Closed Session began at 4:21 p.m.

Council discussed the Fire Service Agreement with counsel and the letter to be sent to the County Executive, and unanimously agreed to the language to be included in the letter.

At 4:32 p.m., upon a motion and seconded by Mrs. Shields and Mrs. Mitchell, respectively, and approved by unanimous vote in favor, the Closed Session was adjourned and Council convened in Open Session. The regularly scheduled Work Session began at 4:38 p.m.

Thereafter, Council President Day provided the statement out to the public (not immediately, but several minutes into the Work Session) that while in Closed Session Council had agreed to the language regarding the Fire Service Agreement letter to the County Executive.

Kimberly R. Nichols
City Clerk

Council President