



**SALISBURY CITY COUNCIL  
WORK SESSION AGENDA**

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**JANUARY 2, 2024 (TUESDAY)**

**Salisbury Headquarters at 115 S. Division Street and Zoom Video Conferencing**

PUBLIC COMMENTS WILL BE HEARD AFTER EACH OF THE FOLLOWING ITEMS:

- 4:30 p.m. Discussion on City trash collection delays and fleet issues- City Administrator Andy Kitzrow, Field Operations Director Mike Dryden
- 4:45 p.m. Budget amendment to accept funds from Bless Our Children for Santa's Workshop Program – Housing & Community Development Department Director Muir Boda
- 4:50 p.m. MS-4 Presentation – Infrastructure & Development Director Rick Baldwin
- 5:05 p.m. Briefing on Multi-use path on Armstrong Parkway – Transportation Manager Will White
- 5:20 p.m. Employee Child Care Services Discussion – City Administrator Andy Kitzrow and Councilwoman Michele Gregory
- 5:35 p.m. Council Rules of Order and Code of Conduct – Council Discussion
- 5:50 p.m. Administration and Council Comments
- 6:00 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 3-305(b).*

Join Zoom Meeting  
<https://us02web.zoom.us/j/88163253286?pwd=K3RtZUhUMHNucDRPU2IHbnROQzZVUT09>  
Meeting ID: 881 6325 3286  
Passcode: 812389  
Phone: 1.301.715.8592

Posted: 12/29/23  
Amended: 12/29/23



**To: Salisbury City Council**

**CC: Kim Nichols, Julie English,**

**From: Muir Boda, Director of Housing & Community Development**

**Subject: Budget Amendment Bless Our Children Donation for Santa's Winter Wonderland**

**Drive-Thru**

**Date: December 12, 2023**

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Council,

The Housing and Community Development Department hosts an annual event that has evolved from Santa's Workshop at the Truitt Street Community Center to Santa's Winter Wonderland on the Downtown Plaza. Once again Toys for Tots and Cloverland Dairy came through with donations of toys, milk, and books that were distributed through this drive-thru Santa event on the Plaza. This year we had 176 cars and we distributed over 430 gifts to children and over 300 books as well. We also would like to recognize departments that assisted with the logistics of this event including Field Operations, ABCD, our team here HCDD.

Once again, Draper Holdings Charitable Foundation through their Bless Our Children Program has made a financial contribution to this event. This year we applied for and received a check for \$1,000 which will be placed into our Santa's Workshop multi-year fund account. This account is used to purchase gifts, cookies, and other items needed to setup and enhance the experience and it also allows Santa and his Elves to continue working and preparing gifts for next year.

If Council has any questions or concerns, please feel free to reach out.

Muir Boda  
Director HCDD

1 **ORDINANCE NO. \_\_\_\_\_**

2 **AN ORDINANCE OF THE CITY OF SALISBURY APPROVING A BUDGET**  
3 **AMENDMENT OF THE CITY'S SPECIAL REVENUE FUND BUDGET AND TO**  
4 **ACCEPT AND APPROPRIATE DONATED FUNDS FROM THE BLESS OUR**  
5 **CHILDREN CAMPAIGN FOR THE SANTA'S WORKSHOP PROGRAM.**  
6

7 **WHEREAS**, the City of Salisbury's Housing and Community Development Department hosts a Santa  
8 Workshop program every year; and  
9

10 **WHEREAS**, Draper Holdings Charitable Foundation Inc.'s program Bless Our Children wishes to donate  
11 funds to help this annual program; and  
12

13 **WHEREAS**, the donation of funds will be used to purchase gifts, refreshments and equipment used to  
14 help Santa and his Elves to continue working on making and preparing gifts for next year; and  
15

16 **WHEREAS**, appropriations necessary for this donation must be made upon the recommendation of the  
17 Mayor and the approval of four-fifths of the Council of the City of Salisbury.  
18

19 **NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY**  
20 **OF SALISBURY, MARYLAND**, as follows:  
21

22 **Section 1.** The City of Salisbury's Special Revenue Fund be and hereby is amended as follows:

- 23 1) Increase Contribution Revenue 10700-456423-81001 by \$1,000.  
24 2) Increase Operating Expenses 10700-546006-81001 by \$1,000.

25 **BE IT FURTHER ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF**  
26 **SALISBURY, MARYLAND**, as follows:

27 **Section 2.** It is the intention of the Mayor and Council of the City of Salisbury that each provision of this  
28 Ordinance shall be deemed independent of all other provisions herein.

29 **Section 3.** It is further the intention of the Mayor and Council of the City of Salisbury that if any section,  
30 paragraph, subsection, clause or provision of this Ordinance shall be adjudged invalid, unconstitutional or  
31 otherwise unenforceable under applicable Maryland or federal law, such adjudication shall apply only to the  
32 section, paragraph, subsection, clause or provision so adjudged and all other provisions of this Ordinance shall  
33 remain and shall be deemed valid and enforceable.

34 **Section 4.** The recitals set forth hereinabove are incorporated into this section of the Ordinance as if such  
35 recitals were specifically set forth at length in this Section 4.

36 **Section 5.** This Ordinance shall take effect from and after the date of its final passage.  
37

38 **THIS ORDINANCE** was introduced and read at a Meeting of the Mayor and Council of the City of Salisbury  
39 held on the \_\_\_\_\_ day of \_\_\_\_\_, 2024 and thereafter, a statement of the substance of the Ordinance  
40 having been published as required by law, in the meantime, was finally passed by the Council of the City of  
41 Salisbury on the \_\_\_\_\_ day of \_\_\_\_\_, 2024.

42  
43 **ATTEST:**  
44  
45  
46

47 \_\_\_\_\_  
48 **Kimberly R. Nichols, City Clerk**

\_\_\_\_\_ **D'Shawn M. Doughty, City Council President**

49  
50 Approved by me, this \_\_\_\_\_ day of \_\_\_\_\_, 2024.  
51  
52

53 \_\_\_\_\_  
54 **Randolph J. Taylor, Mayor**

# MS4

Not a Street Gang.

# MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) BACKGROUND INFO.



**1972:** U.S. Congress: Enabled Clean Water Act (CWA)

**1999:** Environmental Protection Agency (EPA): Enforces CWA and promulgated the Phase II MS4 regulations to address pollution discharges from small MS4s in urbanized areas.

**1999:** Maryland Department of the Environment (MDE): EPA delegated the authority to regulate storm drains to MDE, which implements this regulation through a permit process called the Municipal Separate Storm Sewer System Permit Program (MS4 Permit Program)



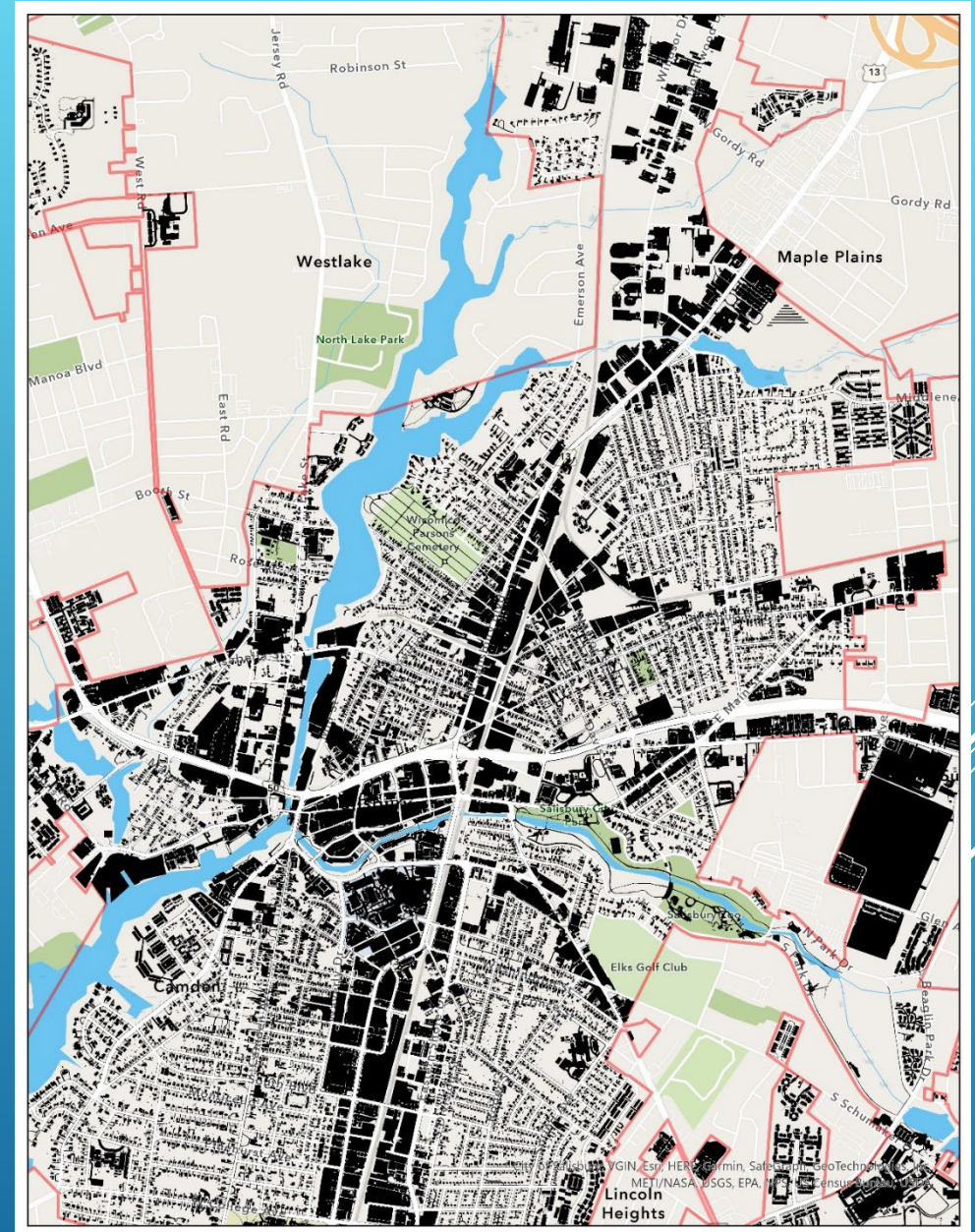
# MS4 REQUIREMENTS

**20% reduction** of our  
impervious surface

**By October 2025**

Strategies:

- Best Management Practices (BMP's) which treat run-off
  - Removal of Pavement
  - Alternative Practices



# REPORTING TO THE STATE



- **Impervious Area Restoration Work Plan (IARWP)**
  - **Annual Submission since 2018**
    - Redevelopments (50% Reduction)
    - Impervious surface removal
    - Tree planting & Conservation Landscaping
    - Street sweeping (Required Annually; Credit 250 Acres)
    - BMP Retrofits
    - Waterway restoration
- **Outreach**



# Minimum Control Measures (MCMs) = Outreach.



- Personnel Education and Outreach
- Public or Personnel Involvement and Participation
- Illicit Discharge Detection and Elimination
- Construction Site Stormwater Runoff Control
- Post Construction Stormwater Management
- Pollution Prevention and Good Housekeeping





# 173 PROJECTS COMPLETED TO DATE:

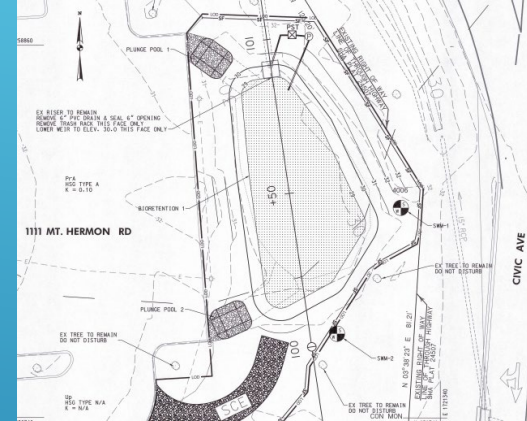
## 330 of 440 Required Acres



Street Sweeping: removes pollutants before they runoff.



Shoreline Restoration: Such as Mill Street Shoreline Restoration.



BMP Retrofit: Such as 1111 Mt Hermon Rd.

Salisbury Phase II MS4 Restoration Activity Schedule											
Impervious Acre Baseline (2,217.9); 20% Restoration Target (440.46 acres)											
Name of Project	Type of Restoration Project	BMP Code <sup>1</sup>	BMP ID (Optional)	Cost (\$K) <sup>2</sup>	Imperv Acres Treated	Imperv Acre Target and Balance	Project Status <sup>3</sup>	Year Complete or Projected Implementation Year (by 2025)	MD Grid Coordinates (Northing/Easting)		Notes
						<b>440.46</b>					
403 East Main Street	Underground Filter	FUND	SI12BMP000087	-	0.1	440.36	C	2006	78592.285	522843.389	
WBOC Newroom Addition	Micro Bio-Retention	MMBR	SI12BMP000060	-	0.18	440.18	C	2007	80634.155	524071.317	
Dunkin' Donuts - Hampshire Rd.	Rain Garden	MRNG	SI12BMP000267	-	0.304959	439.87504	C	2009	84104.367	525090.526	
Dairy Queen #42047 Sand Filter 4	Sand Filter	FSND	SI12BMP000127	-	0.07875	439.79623	C	2009	83583.254	525174.241	
Dairy Queen #42047 Sand Filter 3	Sand Filter	FSND	SI12BMP000126	-	0.07875	439.71754	C	2009	83586.752	525157.159	
Dairy Queen #42047 Sand Filter 2	Sand Filter	FSND	SI12BMP000125	-	0.07875	439.63879	C	2009	83617.005	83617.0045	
Dairy Queen #42047 Sand Filter 1	Sand Filter	FSND	SI12BMP000124	-	0.07875	439.56004	C	2009	83620.709	83620.7088	
Gateway Crossing SWM Renovations Pond 2	Micro-Bioretenion	MMBR	SI12BMP000284	-	0.4591	439.10094	C	2012	78375.91	527217.026	
Gateway Crossing SWM Renovations Pond 1	Micro-Bioretenion	MMBR	SI12BMP000283	-	0.4591	438.64184	C	2012	78296.999	526983.936	
CVS Pharmacy #8281 Infiltration Trench	Infiltration Trench	ITRN	SI12BMP000471	-	0.19666667	438.44517	C	2012	76703.115	522173.635	
CVS Pharmacy #8281 Bioretention B	Micro Bio-Retention	MMBR	SI12BMP000469	-	0.19666667	438.24851	C	2012	76677.933	522109.998	
CVS Pharmacy #8281 Bioretention A	Micro Bio-Retention	MMBR	SI12BMP000470	-	0.19666667	438.05184	C	2012	76701.887	522186.663	
BB&T Bank Pervious Pavement 3	Permeable Pavers	APPP	SI12BMP000355	-	0.0482	438.00364	C	2012	75847.716	521989.077	
BB&T Bank Pervious Pavement 2	Permeable Pavers	APPP	SI12BMP000354	-	0.0375	437.96614	C	2012	75866.342	521977.223	
BB&T Bank Pervious Pavement 1	Permeable Pavers	APPP	SI12BMP000353	-	0.0427	437.92344	C	2012	75873.962	521966.217	
BB&T Bank Impervious reduction	Impervious Urban to pervious	IMPP	SI12BMP000633	-	0.2775	437.64594	C	2012	75828.413	521978.093	

<sup>1</sup> See Appendix B, Tables B.1.a,b, and c, Urban BMP Database. BMP codes are identified under "MDE BMP Classification"  
<sup>2</sup> Provide cost at project completion  
<sup>3</sup> Project Status: Enter P for planning and design, UC for

Impervious area w/ exclusions	2217.9
Treated impervious area prior to 2006	15.6
Impervious area baseline	2202.3
20% Restoration requirement	440.46

# KEY PROJECTS IN THE PIPELINE

The City's restoration work plan includes anticipated redevelopments.

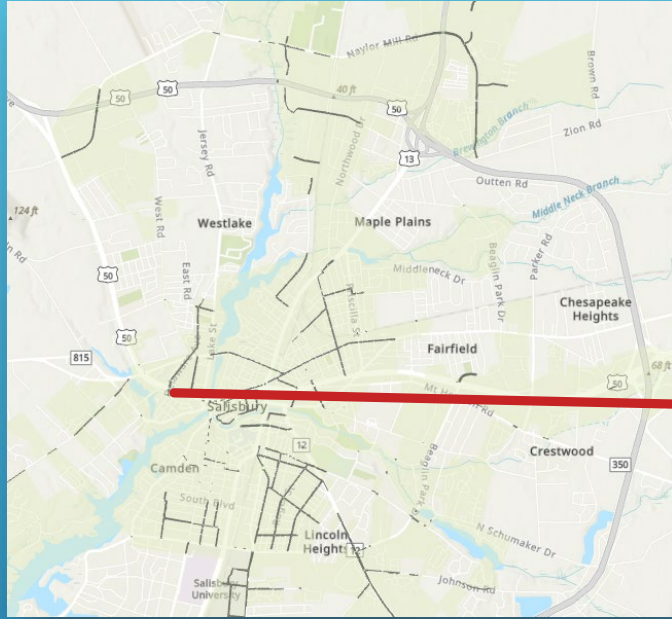
The majority of credit relies on several City green infrastructure projects.

- Street Terrascaping
- Water and Sewer Extension Policy (Septic conversion)
- Conservation Areas
- Conservation Landscaping
- BMP Retrofits





# STREET TERRASCAPING



Green lines indicate roadbed is wide enough for Terrascaping.



Delaware Ave is a high priority area.

- ▶ Low-tree canopy
- ▶ Disadvantaged community



-Vegetation

- Filters pollution
- Reduces heat
- Slows traffic
- Reduces flooding
- Beautifies
- Restores habitat



# CONSERVATION

City property may be placed under a preservation easement.

Key candidate: East Naylor Mill Forest

- 30+ acres of forest unprotected
- Will expand recreation, pollution filtration
- Will grant 15-20 acres of credit





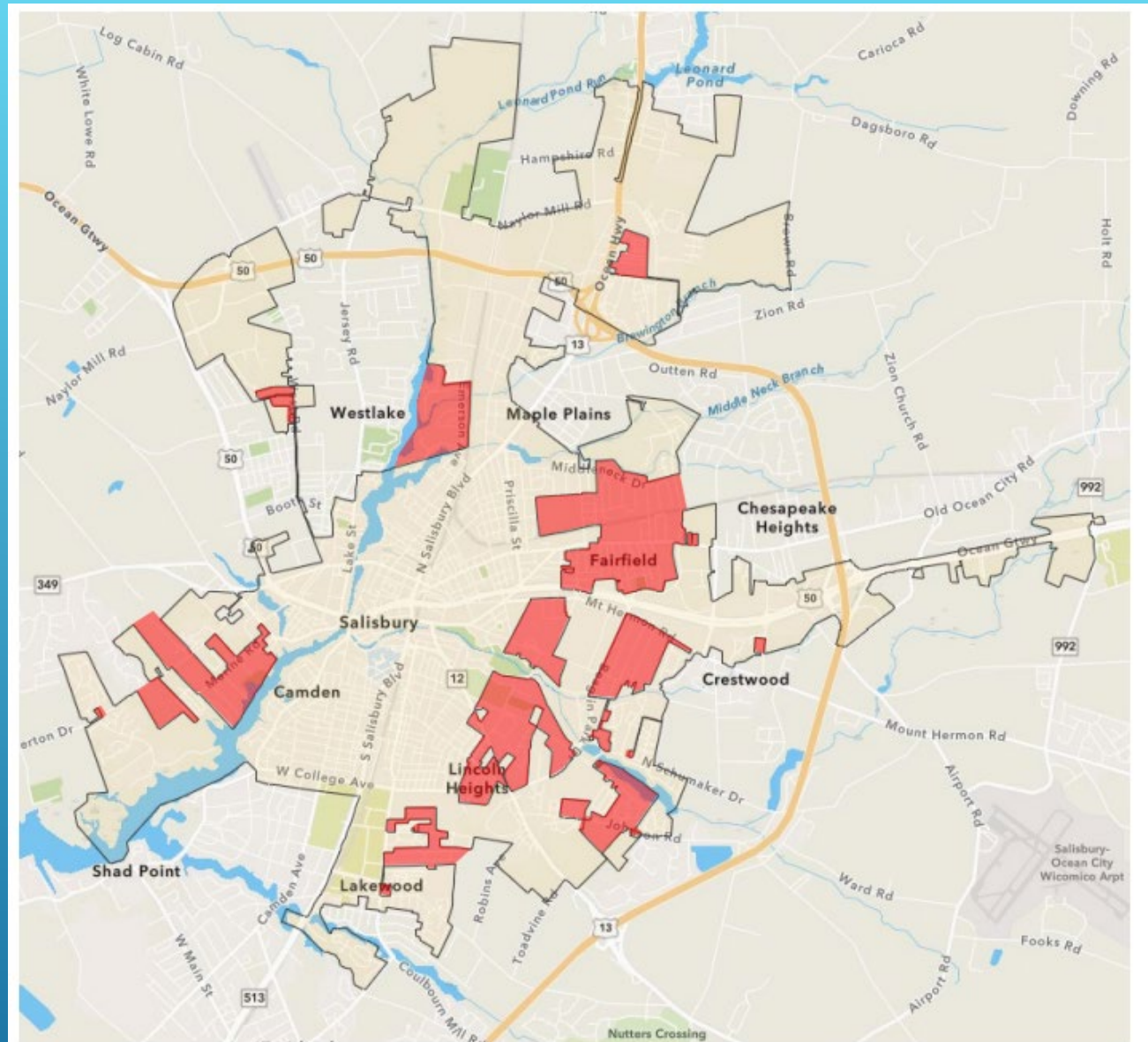
# CONSERVATION LANDSCAPING

- Open meadows
- Reforestation
- Riparian buffers



# WATER AND SEWER EXTENSION POLICY

A health emergency may require that County residents extend into Salisbury's sewer system. For every septic converted, 0.39 acres are granted in credit.



Legend:

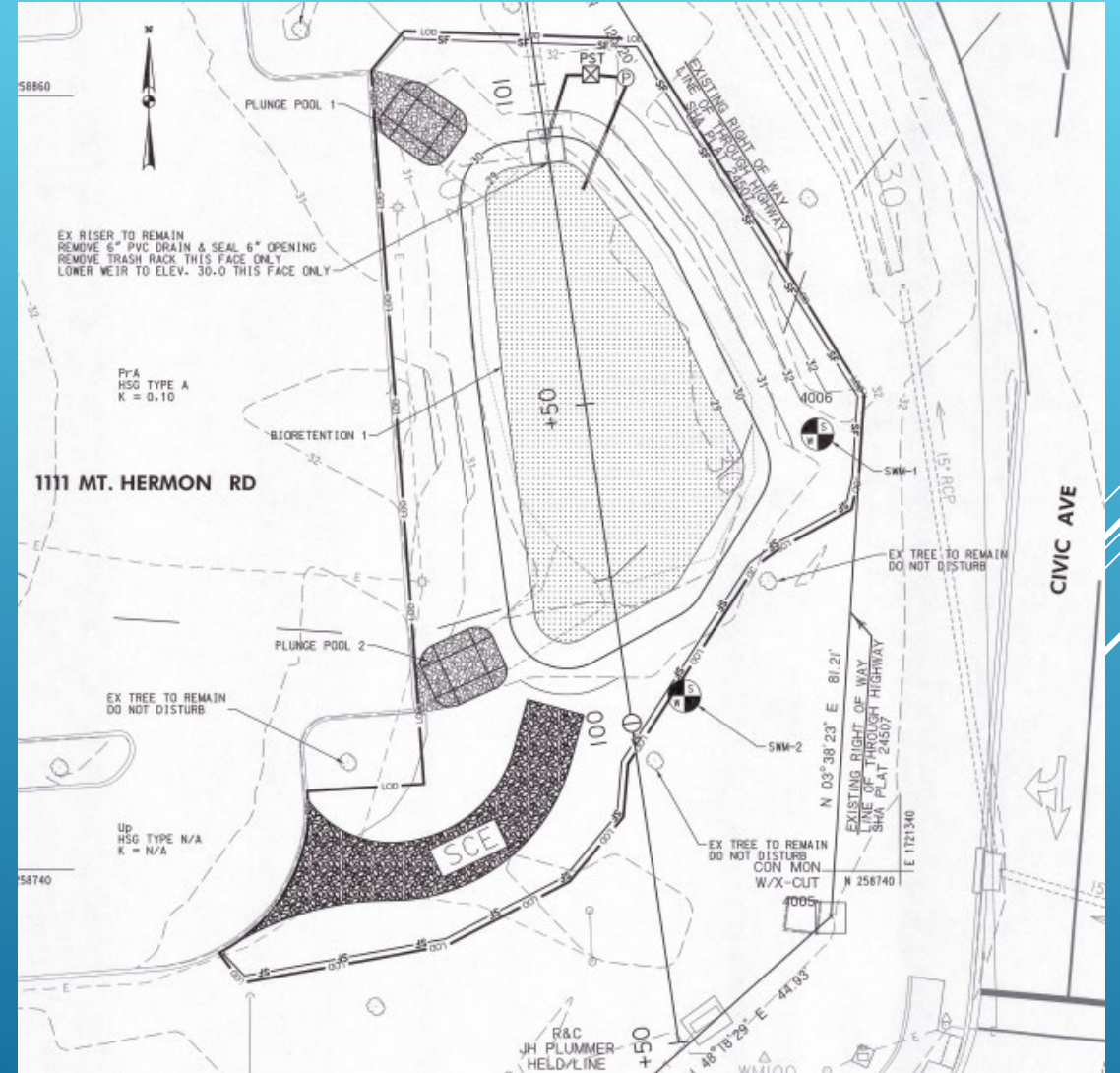


Areas partially or fully surrounded by Salisbury City Limits



# BMP RETROFITS

Identifying old water quantity structures, the City can work to add elements which filter the water quality.



# QUESTIONS?

Richard Baldwin, Director of the Department of Infrastructure and  
Development

Dylan Laconich, Sustainability Specialist of the Department of  
Infrastructure and Development





To: Andy Kitzrow, City Administrator  
From: William White, Transportation Manager  
Date: December 13, 2023  
Re: Informational Briefing for the construction of Grant Funded Multi-Use Path on Armstrong Parkway

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Salisbury Department of Infrastructure and Development previously explored the potential use of Armstrong Parkway in the City's industrial area as the initial phase of the Salisbury Rail Trail system. This trail system aims to connect Northwood Dr. with the future multi-use side path planned for Naylor Mill Rd. After a careful evaluation outlined in a technical feasibility memorandum (TFM) in January 2022, Armstrong was identified as the preferred alignment over Goddard. The choice of Armstrong, as opposed to the originally planned Scenic Drive, was due to its avoidance of the floodplain along the North Prong of the Wicomico River.

For a comprehensive analysis of conditions leading to the selection of Armstrong Parkway, please refer to the attached TFM from January 2022. Following administrative direction, the TFM was submitted with a grant package to the MD Department of Transportation's Bikeways Program, securing \$100,000 in funding for construction. The project is fully funded, and the allocated funds are ready for implementation.

### *Overview*

Armstrong Pkwy is a 40-foot-wide industrial access street mainly serving the Coca-Cola Distribution Center and the general industrial park. It is currently a paved street without pedestrian or bicycle facilities, with low traffic volumes (refer to Table 1). With only 560 vehicles and a 7.9% truck volume, Armstrong's traffic resembles that of a typical residential street. Consequently, it is a suitable candidate for a road diet aimed at enhancing safety for all users, including pedestrians, cyclists, and drivers, by providing dedicated facilities and limiting speeds.

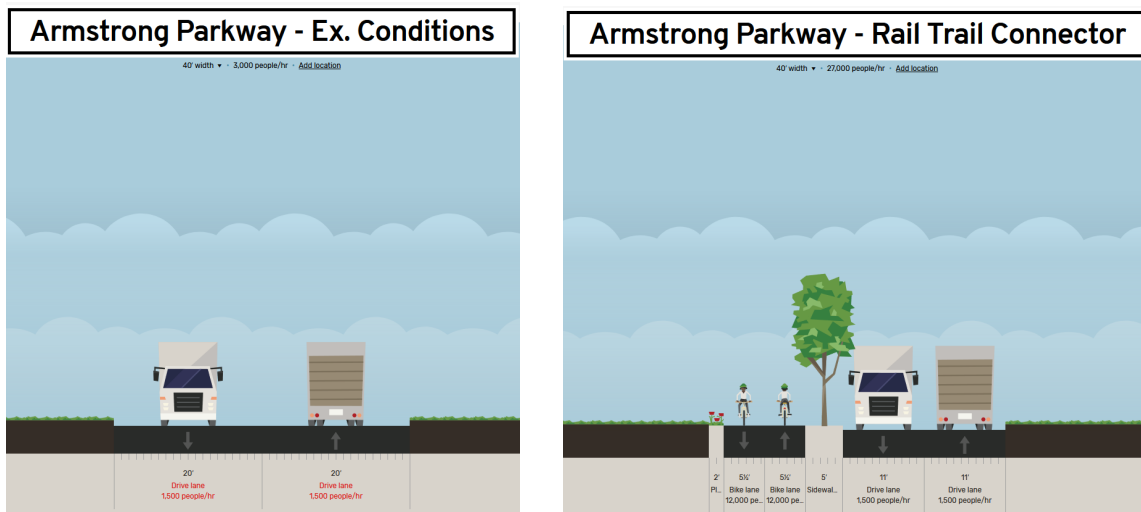
Anticipating increased non-motorized traffic due to its connection to major trail routes, the project calls for a minimum 10-foot-wide trail separated from automobiles by a 4-foot median planted with small, location-appropriate street trees. This not only offers shade for trail users but also aligns with the City's MS4 Permit requirements by reducing impervious surfaces. The project will remove approximately 8,554 square feet of impervious surface and add 53 trees. Adjacent to the new median, two 12-foot-wide automobile lanes will be provided, allowing ample space for large vehicles to pass side by side.



**Table 1 – Traffic Data – Data taken at the entrance to Coca-Cola Consolidated Distribution**

	Southbound		Westbound		Northbound		% Trucks	Total Volume
	Thru	Left	Right	left	Thru	Right	Int. Total	All Veh.
Daily Traffic Volume	115	81	92	28	215	28	7.9%	560
AM Peak Volume (7:45-8:45)	15	10	6	2	1	25	6.8%	59
PM Peak Volume (1:45-2:45)	13	12	16	3	20	4	7.4%	68

Immediately adjacent to the new median, two 12' wide automobile lanes will be provided – this width is equal to that of an interstate lane and provides ample space for two large tractor-trailers to pass side by side, as no vehicle is allowed to exceed approx. 8' in body width without a wide-load permit. In most cases in the City, 12' lanes would not be used as they encourage speeding in smaller vehicles and generally can place vulnerable users at risk. However, given the hardened separation of the path, the moderate levels of truck traffic and the fact that the vast majority of street users are in fact moving in and out of the Coca-Cola Distribution Center, 12' lanes were deemed appropriate.

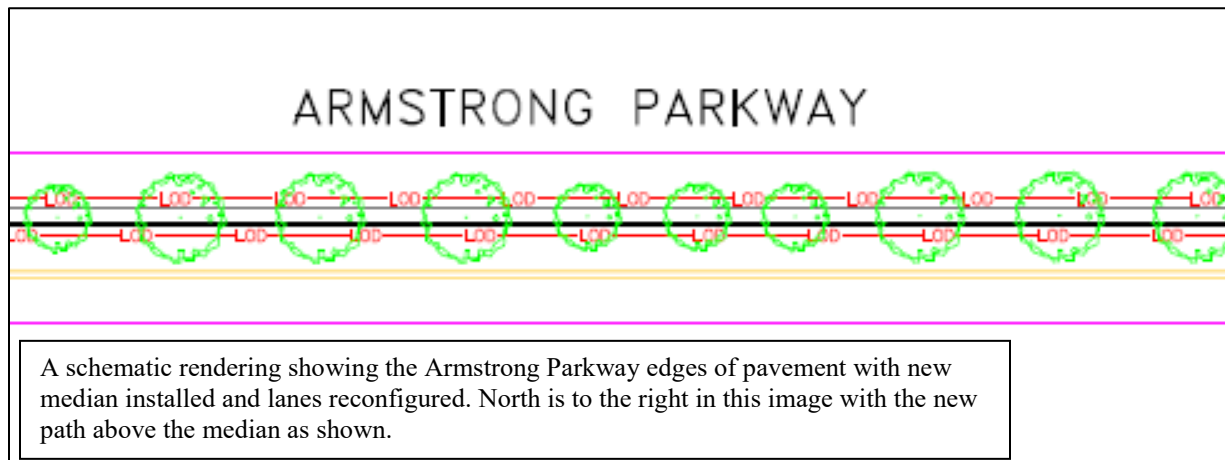


Early cross section renderings for Armstrong showing the changes looking north, toward Naylor Mill Rd

*Impact on Adjacent Properties*

Given the low traffic volumes and the presence of two interstate-width lanes, the impact on neighboring properties is minimal. Overnight semi-truck parking, though not officially endorsed, is currently tolerated in the industrial park area, and Armstrong can accommodate this to a limited extent. Notably, Goddard Parkway, located less than 100 feet away and parallel to Armstrong, is under consideration as a designated truck parking space. Of the three parcels with frontage along Armstrong, only two have access points to the street, and Transportation Staff has collaborated with Coca-Cola Distribution to mitigate any impact on their operations during and after construction.

City Transportation staff is on track to deliver this grant-funded project in late winter/early spring 2024, adhering to the schedule and budget.





# City of Salisbury

A schematic rendering of the new turn improvements at the driveway access of Coca-Cola Consolidated.







# City of Salisbury



A quick eye-level rendering of the new trail and median (to right) at the entrance to Coca-Cola Consolidated with scope of driveway widening shown. Proposed trees are not shown in this rendering.



City of  
**Salisbury**

To: City Council  
From: Kim Nichols, City Clerk  
Date: December 28, 2023  
Subject: Council Rules of Order and Code of Conduct

For discussion, the Council Rules of Order (last amended on April 28, 2014) and City Council Code of Conduct (passed on April 23, 2007) are attached.

SALISBURY CITY COUNCIL  
REGULATIONS AND RULES OF ORDER  
As Amended on April 28, 2014

1. PREAMBLE

The City Council is the legislative and policy-setting branch of the City's government. The Mayor is responsible for carrying out the executive and administrative duties of the City, including administering the policies and enforcing the laws set by the Council. 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 terms.

It is the 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 and budget 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 exercises this option more than four (4) times a year, 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 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. 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 in any manner that is disruptive.
  - 2. 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. Microphones placed on the City Council table are to be kept in a central location and may not interfere with or disturb the meeting.

A representative of the news media or any member of the public who desires to arrange 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. Council Meetings and Work Sessions are broadcast live on PAC14. An individual Council member desiring to schedule a televised meeting or 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, a change in 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 shall accept public comments from citizens during Council consideration of an item, in addition to a general public comments period. A time limit of three minutes per comment 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 remarks 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.
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- 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.
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- 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.
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- 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 (BombThreats/ Explosions).

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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  
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Amended: 7/11/11 by Resolution No. 2072  
Amended: 9/10/12 by Resolution No. 2203  
Amended: 2/25/13 by Resolution No. 2251  
Amended: 4/28/14 by Resolution No. 2396

RESOLUTION NO. 2396

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
SALISBURY, MARYLAND AMENDING THE SALISBURY  
CITY COUNCIL REGULATIONS AND RULES OF ORDER

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

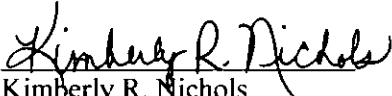
WHEREAS, the City Council of the City of Salisbury has previously adopted Regulations and Rules of Order by Resolution No. 737, and has amended those Regulations and Rules of Order by Resolution Nos. 806, 876, 972, 1043, 1335, 1386; 1451, 1476, 1577, 1600, 1672, 2072 and 2251; and


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

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

THE ABOVE RESOLUTION was introduced, read and passed at the regular meeting of the City Council of the City of Salisbury, Maryland held on this 28<sup>th</sup> day of April, 2014, and shall become effective immediately upon adoption.

ATTEST:

  
Kimberly R. Nichols  
City Clerk

  
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 and budget 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 place~~Microphones placed on the City Council table ~~if they are to be~~ kept in a central location and ~~may~~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, a ~~or~~ change in 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.
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Amended: 7/11/11 by Resolution No. 2072  
Amended: 9/10/12 by Resolution No. 2203  
Amended: 2/25/13 by Resolution No. 2251

**AS AMENDED ON APRIL 23, 2007**

RESOLUTION NO. 1513

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SALISBURY,  
MARYLAND ADOPTING A CITY COUNCIL CODE OF CONDUCT.

WHEREAS, City Council members are responsible for serving the best interests of all the citizens of Salisbury; and

WHEREAS, the Salisbury City Council strives to maintain the trust of the community and ensure high levels of professionalism; and

WHEREAS, the Council's decisions and behavior must be grounded in the ethical principles of mutual respect, trust, character, responsibility, honesty, credibility and truthfulness;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Salisbury, Maryland hereby adopts the following Code of Conduct principles:

1. **LAWS, CODES AND REGULATIONS - Honor and comply with all laws, codes and regulations**
  - Follow and comply with all laws, codes and regulations.
  
2. **MUTUAL RESPECT – Encourage open-minded exchange of ideas and opinions in a conscientious, courteous manner between fellow Council members and public attendees**
  - Value all opinions
  - Provide adequate time for expression of all opinions
  - Question for clarification and ask for additional information, if needed
  - Respect the right of others to disagree
  
3. **TRUST – Build relationships through open direct communication as part of the Council team and as leaders responsible to the community**
  - Establish relationships with citizens, community groups and businesses that encourage their input and support
  - Be factual in sharing information
  - Be consistent in communication with all groups
  - Be specific in sharing community feedback

**4. CHARACTER – Model integrity in the performance of Council duties and responsibilities**

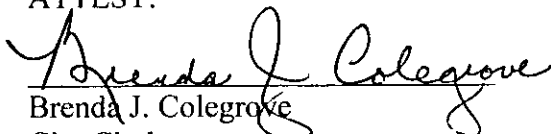
- Be a positive representative for the Salisbury City Council
- Address and promote genuine issues rather than personal agendas
- Abstain from using Council position for personal advantage

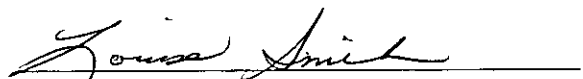
**5. RESPONSIBILITY – Guide and support the process of policy development and implementation**

- Arrive prepared for meetings
- Focus Council activity on policymaking, fiscal responsibility and carrying out the duties assigned to the Council by the Charter
- Actively participate in discussion and debate of issues before the Council
- Make decisions based on factual information
- Adhere to professional Council decorum

THE ABOVE RESOLUTION was introduced and duly passed at a meeting of the Council of the City of Salisbury, Maryland held on April 23, 2007 and is to become effective immediately upon adoption.


ATTEST:

  
Brenda J. Colegrove  
City Clerk

  
Louise Smith  
Council President

APPROVED BY ME THIS

24<sup>th</sup> day of April, 2007

  
Barrie P. Tilghman  
Mayor