



MARYLAND

**SALISBURY CITY COUNCIL  
WORK SESSION AGENDA**

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**JANUARY 6, 2014  
COUNCIL CHAMBERS, ROOM 301  
GOVERNMENT OFFICE BUILDING**

**Closed Session – 4:30 p.m.**

- Vote to convene in Closed Session for the purpose of discussing a personnel matter (City Attorney evaluation) in accordance with the Annotated Code of Maryland §10-508(a)(1).

**Work Session – following adjournment of the Closed Session**

- 5:00 p.m. 1301 West Road/Zenora Dutton Annexation – Keith Hall
- 5:20 p.m. Park Memorial Bench donation – Michael Moulds
- 5:35 p.m. Changes to the Composition of Housing Board of Adjustments & Appeals – Susan Phillips
- 6:05 p.m. Manufacturing Tax Exemption – Keith Cordrey
- 6:20 p.m. Electronic Control Devices (Tasers) – Barbara Duncan
- 6:45 p.m. SAFER Grant - 1 Year Performance Report – Rick Hoppes
- 7:05 p.m. Charter Resolution No. 2348 – Veterans Preference Policy
- 7:25 p.m. Pay for Elected Officials Ordinance – Council discussion
- 7:50 p.m. General Discussion
- 7:55 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).*

# Memo

To: Tom Stevenson, Acting City Administrator  
From: JaLeesa Tate, Long Range Planner  
cc: Keith Hall, Chief, Long Range and Transportation Planning  
Date: December 19, 2013  
Re: Annexation for 1301 West Road

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## **Request to be added to City Council work session**

Consistent with the annexation procedures for the City of Salisbury, the Department of Planning, Zoning, and Community Development requests to be added to the January 6, 2014, City Council work session to present the proposed annexation and address any questions.

The Petitioner has requested annexation of a 29,000 sf. ft. property located at 1301 West Road, which the site is developed with a single-family detached residential dwelling. The Petitioner has expressed no interest in redevelopment of the site. In accordance with City annexation policies and procedures, the Petitioner submitted a signed Annexation Petition and paid the \$500.00 annexation fee.

The parcel is contiguous to the incorporated City of Salisbury boundary and zoned R-8 Residential in the County. The request for annexation is resulting from the Petitioners desire to connect to City water. This petition is consistent with the policies of the 2010 *City of Salisbury Comprehensive Plan* and located within a designated future growth area as specified in the Municipal Growth Element. The future land use, as depicted in the Municipal Growth Element, is medium density residential. It is recommended the proposed City zoning for the property will be R-8 Residential.

Attached are the following annexation related documents for review:

- Annexation petition;
- Tax Description;
- Resolutions (Public Hearing and Annexation Plan);
- Exhibit B – Annexation Plan;
- Exhibit C – Annexation Agreement;
- Aerial Map;
- City Zoning Map; and
- County Zoning Map

If you have any questions please feel free to contact the Department of Planning, Zoning, and Community Development at (410) 548-4860.

**CITY OF SALISBURY**  
*PETITION FOR ANNEXATION*

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To the Mayor and Council of the City of Salisbury:

I/We request annexation of my/our land to the City of Salisbury.

Parcel(s)# 1301 West Rd.

Parcel 0442

Map # 0029

SIGNATURE(S)

Zenora M. Sale

6/21/2013  
Date

\_\_\_\_\_

\_\_\_\_\_

Date

\_\_\_\_\_

\_\_\_\_\_

Date



**RESOLUTION NO. ????**

A RESOLUTION of the Council of the City of Salisbury to adopt an annexation plan for a certain area of land situated, contiguous to and binding upon the northwesterly corporate limit of the City of Salisbury, to be known as the “1301 West Road – Gale Annexation,” being an area located on the east side of and binding upon West Road.

WHEREAS, the City of Salisbury is considering the annexation of a parcel of land located on the east side of West Road between Queen Avenue and Chippewa Boulevard; an improved City road; said parcel being contiguous to and binding upon the northwesterly corporate limit of the City of Salisbury;

WHEREAS, the City of Salisbury is required to adopt an annexation plan for the proposed area of annexation pursuant to Article 23(A) Section 19(O) of the *Maryland Annotated Code*.

WHEREAS, the public hearing is scheduled for ????, 2014 at ??? p.m.

SECTION 1. NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SALISBURY THAT an annexation plan for the “1301 West Road – Gale Annexation,” as set forth in Exhibit “B” attached hereto and made a part hereof, is adopted for that parcel of land located on the east side of West Road; said parcel being contiguous to and binding upon the northwesterly corporate limit of the City of Salisbury.

SECTION 2. AND BE IT FURTHER RESOLVED BY THE CITY OF SALISBURY, THAT the Council hold a public hearing on the annexation plan hereby proposed on ????, 2014, at ??? o'clock p.m. in the Council Chambers at the City-County Office Building and the Acting City Administrator shall cause a public notice of time and place of said hearing to be published not fewer than two (2) times at not less than weekly intervals, in a newspaper of

general circulation in the City of Salisbury, which said notice shall specify a time and place at which the Council of the City of Salisbury will hold a public hearing on the Resolution.

The above Resolution was introduced and read and passed at the regular meeting of the Council of the City of Salisbury held on the ??<sup>th</sup> day of ??? 2014, having been duly published as required by law in the meantime a public hearing and approval of the Council occurred on ???, 2014.

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Kimberly R. Nichols,  
City Clerk

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Jacob R. Day,  
Council President

APPROVED BY ME this \_\_\_\_\_ day of  
\_\_\_\_\_, 2014.

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James Ireton, Jr.,  
Mayor of the City of Salisbury

**RESOLUTION NO. ????**

A RESOLUTION of the Council of the City of Salisbury proposing the annexation to the City of Salisbury of a certain area of land situated contiguous to and binding upon the northwesterly corporate limit of the City of Salisbury, to be known as the “1301 West Road – Gale Annexation,” being an area located on the east side of and binding upon West Road.

WHEREAS, the City of Salisbury has received a petition to annex, signed by at least twenty-five percent (25%) of the persons who are resident registered voters and of the persons who are owners of at least twenty-five percent (25%) of the assessed valuation of the real property in the area sought to be annexed, and being located on the east side of West Road between Queen Avenue and Chippewa Boulevard, an improved City road, and parcels being contiguous to and binding upon the northwesterly corporate limit of the City of Salisbury.

WHEREAS, the City of Salisbury has caused to be made a certification of the signatures on said petition for annexation and has verified that the persons signing the petition represent at least twenty-five percent (25%) of the persons who are eligible voters and property owners owning twenty-five percent (25%) of the assessed valuation of real property in the area to be annexed, all as of ????, ??, 2014, as will more particularly appear by the certification of W. Clay Hall, Surveyor, of the City of Salisbury, attached hereto; and

WHEREAS, it appears that the petition meets all the requirements of the law.

WHEREAS, the public hearing is scheduled for ????, ??, 2014 at ??:?? p.m.

SECTION 1. NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SALISBURY THAT it is hereby proposed and recommended that the boundaries of

the City of Salisbury be changed so as to annex to and include within said City all that parcel of land together with the persons residing therein and their property, contiguous to and binding upon the easterly side of and binding upon West Road, and being more particularly described on Exhibit "A" attached hereto and made a part hereof.

SECTION 2. AND BE IT FURTHER RESOLVED BY THE CITY OF SALISBURY, THAT the annexation of the said area be made subject to the terms, conditions and agreements in Exhibit "B" and "C" attached hereto and made a part hereof.

SECTION 3. AND BE IT FURTHER RESOLVED BY THE CITY OF SALISBURY, that the Council hold a public hearing on the annexation hereby proposed on **???? ??**, 2014, at **?:??** o'clock p.m. in the Council Chambers at the City-County Office Building and the Acting City Administrator shall cause a public notice of time and place of said hearing to be published not fewer than two (2) times at not less than weekly intervals, in a newspaper of general circulation in the City of Salisbury, which said notice shall specify a time and place at which the Council of the City of Salisbury will hold a public hearing on the Resolution.

SECTION 4. AND BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF SALISBURY, THAT this resolution shall take effect upon the expiration of forty-five (45) days following its final passage, subject, however, to the right of referendum as contained in Article 23A of the Maryland Code.

The above Resolution was introduced and read and passed at the regular meeting of the Council of the City of Salisbury held on the ??<sup>th</sup> day of ????, 2014, having been duly published as required by law in the meantime a public hearing was held on the \_\_\_\_\_ day of \_\_\_\_\_, 2014, and was finally passed by the Council at its regular meeting held on the \_\_\_ day of \_\_\_\_\_, 2014.

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

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

APPROVED BY ME this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
James Ireton, Jr.,  
Mayor of the City of Salisbury

## **Exhibit”B”**

### **REPORT OF ANNEXATION PLAN**

*for the*

**1301 WEST ROAD - GALE ANNEXATION**

**TO THE CITY OF SALISBURY**

January 6, 2014

This Annexation Plan was prepared pursuant to the year 2006 changes to State law governing municipal annexation and planning (House Bill 1141)<sup>1</sup>. It is consistent with the Municipal Growth Element of the City of Salisbury comprehensive plan. The following are milestones in the public review and consideration of the proposed Annexation.

- At a work session on **????**, 2014, the Salisbury City Council reviewed the proposed annexation and draft annexation agreement.
- On **????**, 2014, the City of Salisbury / Wicomico County Planning Commission reviewed the proposed annexation and forwarded a favorable recommendation to the Salisbury City Council for zoning of the Property upon annexation.
- At a Salisbury City Council meeting on **????**, 2014, the City Council formally reviewed the annexation resolution, annexation agreement, and this Annexation Plan, The Council directed that a public hearing date be established. The Council also directed that the Annexation Plan be forwarded to the Maryland Department of Planning, Wicomico County Council, and the Wicomico County Executive for comment 30 days prior to the public hearing as provided for by State law.

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<sup>1</sup> HB 1141, passed by the 2006 General Assembly and made into law, revised sections of the Land Use Article and Article 23A of the Annotated Code of Maryland.

**1.0**

**GENERAL INFORMATION AND DESCRIPTION**

1.1 Petitioners

Zenora M. Gale  
1301 West Road  
Salisbury, Maryland 21801

1.2 Location

The Property is located on the easterly side of West Road, between Chippewa Boulevard and Queen Avenue.

The Annexation encompasses the following property: Tax Map #0029; Grid #0019; and Parcel #0442.

Prior to the Introduction of the Public Hearing and Annexation Plan Resolutions, the applicant is required to provide a survey. Upon receipt, the survey will be referred to as Attachment 1.

1.3 Property Description

The Property consists of 29,000 sq. ft. of land exclusive of the right-of-way for West Road. The property is developed with a single-family detached dwelling. Attachment 3 shows an aerial view of the property and surrounding environs.

1.4 Existing Zoning

The Property is zoned R-8 Residential. The existing zoning of the Property and zoning of surrounding properties is shown on Attachment A-1.

**2.0 LAND USE PATTERN PROPOSED FOR THE AREA TO BE ANNEXED**

2.1 Comprehensive Plan The City of Salisbury adopted its current Comprehensive Plan in July 2010 as required by the Land Use Article of the Annotated Code of Maryland. The Property is located within the designated Municipal Growth Element for the City of Salisbury, which designates the subject property as Medium Density Residential Use (up to eight dwelling units per acre). The areas designated as Medium Density Residential Land Use on the Growth Area Future Land Use Plan (Map 11-3) consist of growth areas containing existing single-family detached dwellings located adjacent to or in close proximity of the existing City boundary.

The proposed use and density are consistent with both the City’s Comprehensive Plan and the proposed City zoning of R-8 Residential.

2.2 Proposed Zoning Upon annexation, the Property is proposed to be zoned as R-8 Residential. The proposed zoning is consistent with the existing County zoning and land use plan. The R-8 Residential District requires an 8,000 sq. ft. lot and permits single-family detached dwellings, firehouses, parks and playgrounds, and schools.

2.3 Proposed Land Use The Property is developed with a single-family detached dwelling. The Petitioner has no plans to redevelop the Property.

**3.0 THE PUBLIC FACILITIES AND SERVICES NEEDED BY THE DEVELOPMENT AND THE METHODS TO PROVIDE SUCH FACILITIES AND SERVICES TO THE ANNEXED PARCEL**

3.1 Roads The Property is situated on the east side of West Road with an existing access point.

3.2 Wastewater Treatment and Water Supply The City’s water treatment system, which will serve the Property has adequate capacity.

The Property receives public sewer service as an out-of-city customer; therefore, the public sewer main connecting the Property exists.

The Petitioner’s extension of public water mains at sizes, locations, and depths, subject to City approval, will be required. The existing City public water lines currently run along the frontage of the property.

- 3.3 Schools No additional impacts are anticipated with this request for annexation because the property is developed.
- 3.4 Parks and Recreation No additional impacts are anticipated with this request for annexation because the property is developed.
- 3.5 Fire, E.M.S, and Rescue Services The Salisbury Fire Department provides fire suppression, technical rescue, special operations, and advanced life support (ALS-EMS) emergency medical treatment and transport services to residents and businesses of the Salisbury Fire District. It would provide services to the Property.
- 3.6 Police The City of Salisbury Police Department would provide services to the Property.
- 3.7 Stormwater Management Currently, there are no plans to redevelop the site. If the Petitioner should chose to develop the site a concept development plan will need to be submitted, which identifies the location of the proposed stormwater facilities on the site. Detailed plans and calculations will be required for review and approval by the Salisbury Public Works Department. The Developer will be required to design and construct all offsite storm drainage facilities required by development of the site and pipe sizes may be required to be oversized by SPW to accommodate future developments.
- 3.8 Waste Collection The City would provide for solid water pick-up.

**4.0**

**HOW DEVELOPMENT OF THE ANNEXED PARCEL WOULD RELATE TO EXISTING/PLANNED LAND USE DEVELOPMENT, STREETS, PUBLIC FACILITIES AND SERVICES, OPEN SPACES AND NATURAL AREAS.**

The Property is located in a designated growth area as identified in the Comprehensive Plan; therefore, the property is eligible for annexation. The proposed use of the annexation area is consistent with the Comprehensive Plan. There are no sensitive environmental resources on or immediately adjacent to the site.

List of Attachments

- A: Annexation Survey.  
Prior to the introduction of the Public Hearing and Annexation Plan Resolutions, the Petitioner will provide a survey plat of the property.
- A-1: Annexation - County Zoning.  
Showing the zoning of properties located beyond the corporate limits of Salisbury in Wicomico County in the vicinity of the Property.

A-2: Annexation - City Zoning.  
Showing the zoning of properties located in the City of  
Salisbury in the vicinity of the Property.

EXHIBIT "C"

ANNEXATION AGREEMENT

**1301 West Road - Gale Annexation**

**THIS AGREEMENT** is made this \_\_\_\_ day of \_\_\_\_\_, 2014, by and between the City of Salisbury, a municipal corporation of the State of Maryland (hereinafter, "the City"), and Zenora M. Gale (hereinafter, "the Owner") with its principal place of residence at 1301 West Road Salisbury, MD 21801.

**RECITALS**

**WHEREAS**, the Owner is the record owner of certain real property located in Wicomico County, Maryland, (hereinafter, "the Property"), and more particularly described in Attachment A attached hereto and made a part hereof; and

**WHEREAS**, the Property is located within Wicomico County and is therefore ineligible to receive certain municipal services, including municipal water service, that the Owner desires to obtain for the Property; and

**WHEREAS**, the Owner desires the City to annex the Property and the City desires to annex the Property, provided that certain conditions are satisfied; and

**WHEREAS**, pursuant to the authority contained in Article 23A of the Annotated Code of Maryland, Sections 19(b) and (n), the Owner and the City have agreed that the following conditions and circumstances will apply to the annexation proceedings and to the Property.

**WITNESSETH:**

**1. WARRANTIES AND REPRESENTATIONS OF CITY:**

- A. The parties understand and agree that the City's herein provided covenant of support is not intended, nor could it be construed, to legally prohibit the City from enacting such future ordinances or charter provisions or engineering standards or amendments deemed necessary to protect the public health, safety and welfare of the residents of the City, nor from applying such ordinances or charter provisions to the development of the Property, provided such application does not operate to divest prior approvals, nor interfere with the Owner's vested rights to any greater extent than the impact of such ordinances and charter resolutions upon other similarly-situated properties within the City's boundaries.

**2. WARRANTIES AND REPRESENTATIONS OF THE OWNER:**

- A. This Agreement constitutes the formal written consent to annexation by the Owner as required by Article 23A, Section 19(b). The Owner acknowledges that it will receive a benefit from annexation and agrees, as a bargained-for condition and circumstances applicable to the annexation, that it waives and completely relinquishes any right to withdraw its consent to annexation from the date of execution of this Agreement by all parties. The Owner further agrees that it will not petition the Annexation Resolution to referendum and that, in the event of a referendum in which it is permitted to vote, that it shall vote in favor of the Annexation Resolution.
- B. The Owner warrants and represents that it has full authority to sign this Agreement and that it is in fact the sole owner of the real property encompassed in the Property and more particularly described in Attachment A, and that there is no action pending against it involving it that would in any way affect its right and authority to execute this Agreement.
- C. The Owner warrants and represents that it has the full power and authority to sign this Agreement and Consent and is, in fact, collectively the sole owner and contract purchaser of not less than Twenty-five Percent (25%) of the assessed valuation of the real property within the Property.

**3. APPLICATION OF CITY CODE AND CHARTER**

From and after the effective date of the Annexation Resolution implementing this Agreement, all provisions of the Charter and Code of the City shall have full force and effect within the Property except as otherwise specifically provided herein.

4. **MUNICIPAL ZONING**

Upon the effective date of the Annexation Resolution implementing this Agreement, the Property will be zoned R-8 Residential as stated in the Annexation Resolution and described in the City Zoning Ordinance. The City Zoning Map will be revised accordingly.

5. **MUNICIPAL SERVICES**

Upon the effective date of the Annexation Resolution implementing this Agreement, the City will make the Property eligible to receive all applicable municipal services to the extent that the necessary public facilities exist to provide such services. Any allocation of capacity and/or services will be made by the City according to adopted allocation plans which may be in effect at the time the Owner makes request for such capacity and/or services.

6. **STANDARDS AND CRITERIA**

Should any environmental, engineering, or other similar standard or criteria specifically noted in this Agreement be exceeded by any local, State, or Federal standard, criteria or regulation, which may be adopted subsequent to the execution of this Agreement, the newer stricter standard, criteria or regulation shall apply.

7. **CITY BOUNDARY MARKERS**

The Owner will fund and install City Boundary Markers at the boundary lines to the newly enlarged City boundaries and will provide receipt of such work completed to the City within 90 days of expiration of the 45-day referendum period.

8. **DEVELOPMENT CONSIDERATIONS**

A. Costs and Fees: The Owner agrees it will pay the costs of annexation to the City, including but not limited to the City's costs for legal fees, planning, and other consulting fees in connection with the preparation of this Agreement and/or the necessary annexation resolution and related documents, for publication of any required notices, and for any other cost or expense reasonably related, in the City's sole judgment, to the annexation.

B. The parties acknowledge and agree that the obligations set forth herein on the part of both parties pertain to the Property, unless otherwise expressly stated herein.

C. Mortgage holders shall subordinate their lien interest in the property to the terms and conditions of this Agreement.

9. **MISCELLANEOUS:**

A. The obligations of the parties hereto set forth herein are contingent upon the adoption of an Annexation Plan Resolution effecting the annexation of the Property by the Mayor and City Council of the City of Salisbury and shall be void in the event the City fails to effect such annexation or such annexation is invalidated by referendum or otherwise.

B. The use of singular verb, noun and pronoun forms in this Agreement shall also include the plural forms where such usage is appropriate; the use of the pronoun "it" shall also include, where appropriate "he" or "she" and the possessive pronoun "its" shall also include, where appropriate, "his" "hers" and "theirs."

C. From time to time after the date of this Annexation Agreement, the parties, without charge to each other, will perform such other acts, and will execute, acknowledge and will furnish to the other such instruments, documents, materials and information which either party reasonably may request, in order to effect the consummation of the transactions provided for in this Agreement.

D. This Agreement, which includes all exhibits, schedules and addenda hereto, each of which is incorporated in this Agreement by this reference, shall be recorded among the Land Records of Wicomico County and shall run with the land and be binding upon and inure to the benefit of the parties, their heirs, successors and assigns, and embodies and constitutes the entire understanding, representations, and statements, whether oral or written, are merged in this Annexation Agreement. The parties may renegotiate the terms hereof by mutual agreement, subsequent to the effective date of any Annexation Resolution adopted by the City pursuant hereto, provided that neither this Agreement nor any provisions hereof may be waived, modified or amended unless such modification is in writing and is signed by the party against whom the enforcement of such waiver, modification or amendment is sought, and then only to the extent set forth in such instrument.

E. The parties hereto acknowledge that, in entering into this Agreement, neither party has been induced by, nor has relied upon, nor included as part of the basis of the bargain herein, any representations or statement, whether express or implied, made by any agent, representative or employee, which representation or statement is not expressly set forth in this Agreement.

F. This Agreement shall be construed according to its plain meaning without giving regard to any inference or implication arising from the fact that it may have been drafted in whole or in part by or for any one of the parties hereto.

G. This Agreement, its benefit and burden, shall be assignable, in whole or in part, by the Owner without the consent of the City or of its elected officials, employees or agents, to any purchasers or contract purchasers of the property or any party thereof. However, the Owner will not transfer or pledge as security for any debt or obligation, any interest in all or part of the Annexation Area, without first obtaining the written consent and acknowledgement of the transferee or pledgee to the Annexation Agreement and to the complete observance hereof. The Owner shall provide the City with copies of all documents of transfer or assignment, including exhibits when the documents are fully executed, regardless of recordation.

H. The captions in any Agreement are inserted for convenience only, and in no way define, describe or limit the scope of intent of this Agreement or any of the provisions hereof.

I. The laws of the State of Maryland shall govern the interpretation, validity, and construction of the terms and provisions of this Agreement. If any term or provision of this Agreement is declared illegal or invalid for any reason by a court of competent jurisdiction,

the remaining terms and provisions of this Agreement shall, nevertheless, remain in full force and effect. Any suit to enforce the terms hereof or for damages or other remedy for the breach or alleged breach hereof shall be brought exclusively in the Courts of the State of Maryland in Wicomico County and the parties expressly consent to the jurisdiction thereof and waive any right that they might otherwise have to bring such action in or transfer or remove such action to the courts of any other jurisdiction.

J. All notices and other communications under this Agreement shall be in writing and shall be sent either by first class mail, postage prepaid, or by personal delivery, addressed to the parties as provided below. Notice shall be deemed given on the date delivered or attempted to be delivered during normal working hours on business days.

**IF TO THE CITY:** Tom Stevenon, Acting City Administrator  
125 North Division Street  
Salisbury, Maryland 21801

**WITH A COPY TO:** S. Mark Tilghman, City Attorney  
Seidel, Baker & Tilghman  
110 N. Division Street  
Salisbury, Maryland 21803

**IF TO THE OWNER:** Zenora M. Gale  
1301 West Road  
Salisbury, Maryland 21801

**IN WITNESS WHEREOF**, the parties hereto have executed this Agreement as of the day and year first written above.

**WITNESS:** **THE CITY OF \_\_\_\_\_, MARYLAND**

\_\_\_\_\_ By: \_\_\_\_\_

**WITNESS/ATTEST:** **OWNER:** \_\_\_\_\_

\_\_\_\_\_ By: \_\_\_\_\_

APPROVED AS TO FORM:

\_\_\_\_\_  
\_\_\_\_\_, City Attorney

**STATE OF MARYLAND**  
**COUNTY OF \_\_\_\_\_, to wit:**

**I HEREBY CERTIFY**, that on this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, before me, a Notary Public in and for the State aforesaid, personally appeared \_\_\_\_\_, who has been satisfactorily proven to be the person whose name is subscribed to the within instrument, who acknowledged himself to be a duly elected official of the **City of Salisbury**, a municipal corporation of the State of Maryland, and that said official, being duly authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the municipal corporation as such official.

**WITNESS** my hand and notarial seal.

\_\_\_\_\_(SEAL)  
Notary Public

My Commission Expires:\_\_\_\_\_

**I HEREBY CERTIFY**, that on this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, before me, a Notary Public in and for the State aforesaid, personally appeared \_\_\_\_\_, who has been satisfactorily proven to be the person whose name is subscribed to the within instrument, who acknowledged himself to the Owner, and that, being duly authorized so to do, he executed the foregoing instrument for the purposes therein contained, by signing his name.

**WITNESS** my hand and notarial seal.

\_\_\_\_\_(SEAL)  
Notary Public

My Commission Expires:\_\_\_\_\_

**I HEREBY CERTIFY** that the foregoing instrument was prepared by or under the supervision of an attorney duly admitted to practice before the Court of Appeals of Maryland.

\_\_\_\_\_  
\_\_\_\_\_, City Attorney

# WICOMICO COUNTY ZONING MAP

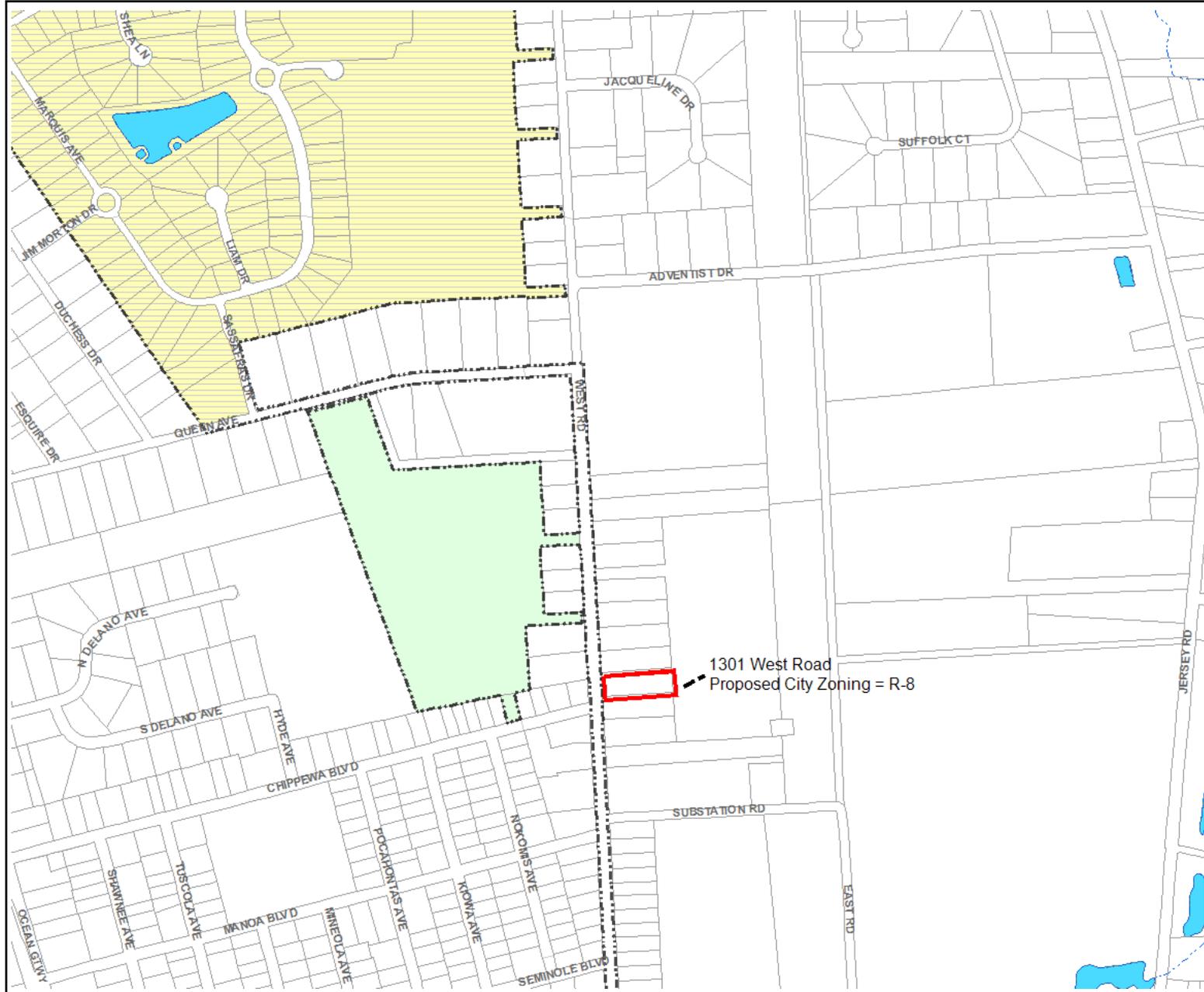


- Railroads
- Wicomico.SDE.Airfields\_Poly
- TYPE
- Runway
- Taxiway
- Bridges
- Chesapeake Bay Critical Area
- Historic Districts
- 8000 ft Turning Radius
- Airport Overlay District
- Neighborhood Preservation District
- Salisbury Critical Area
- WicomicoCounty Boundary
- Wicomico.SDE.Municipal\_Areas
- Parcels
- Municipal Names
- Street Centerlines
- Water Bodies

55 ft

## 1301 West Road - Aerial Map

# CITY OF SALISBURY



1301 West Road  
Proposed City Zoning = R-8

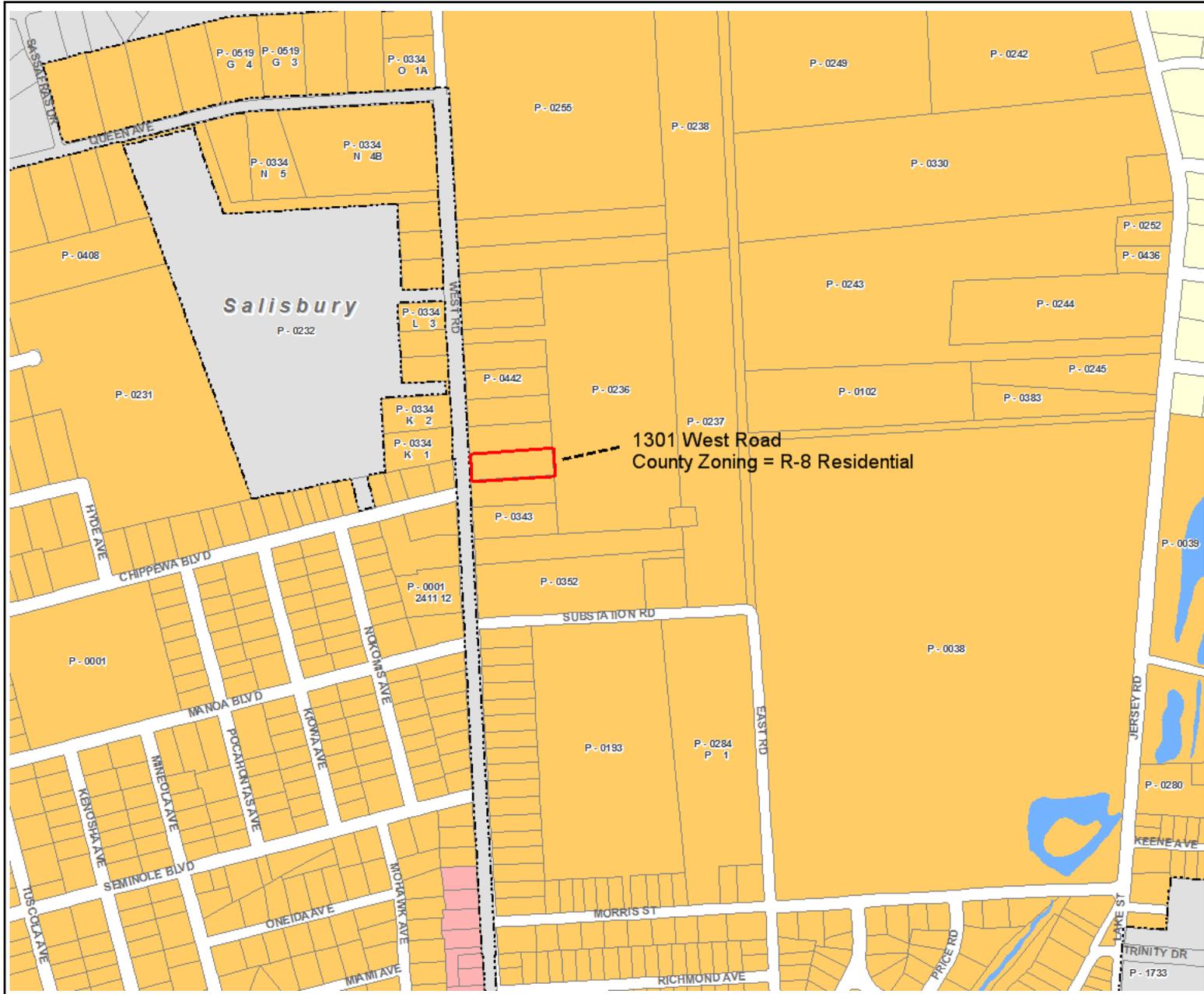
195 ft

## 1301 West Road - City Zoning Map

### Salisbury Zoning

- Paleochannel
- Wellhead Protection Area
- Streams
- Water Bodies
- Street Numbers
- Salisbury BZA Cases
- Municipal Areas
  - CAD
    - Delmar
    - Fruitland
    - Hebron
    - Mardela
    - Pittsville
    - Salisbury
    - Sharptown
    - Willards
  - Railroads
  - Parcels
  - Critical Area
  - Historic Districts
    - Dist\_Name
    - Camden Historic District
    - Downtown Historic District
    - Newtown Historic District
  - Salisbury Zoning
    - CITY\_ZON
      - College & University
      - Conservation
      - CBD
      - LBI
      - General Commercial
      - Reg Comm
      - MUNR
      - Select Commercial
      - Hospital
      - Ind
      - Ind Park
      - L Ind
      - Neighborhood Business
      - OSH
      - OSR
      - PDD
      - PRD
      - R - 5
      - R - 5 A
      - R - 8
      - R - 8 A
      - R - 10
      - R - 10 A
      - Riverfront Redevelopment
    - ROW
    - Street Centerlines

# WICOMICO COUNTY ZONING MAP



- Railroads
- Wicomico.SDE.Airfields\_Poly
  - TYPE
  - Runway
  - Taxiway
- Bridges
- Chesapeake Bay Critical Area
- Historic Districts
- 8000 ft Turning Radius
- Airport Overlay District
- Neighborhood Preservation District
- Salisbury Critical Area
- WicomicoCounty Boundary
- Wicomico.SDE.Municipal\_Areas
- Parcels
- Municipal Names
- Street Centerlines
- Water Bodies
- Wicomico.SDE.WicoZoning\_sept19\_2011
  - Zone\_Long
    - A - 1 Agricultural - Rural
    - Airport Business Park
    - C - 1 Select Commercial
    - C - 2 General Commercial
    - C - 3 Regional Commercial
    - CID Corporate Industrial District
    - I - 1 Light Industrial
    - I - 2 Heavy Industrial
    - LB - 1 Light Business & Institutional
    - LB - 2 Light Business & Residential
    - R - 8 Residential
    - R - 15 Residential
    - R - 20 Residential
    - R - 30 Residential
    - REC Residential, Educational & Cultural
    - TT Town Transitional
    - VC Village Conservation
    - Municipality

166 ft

## 1301 West Road - County Zoning Map

# City of Salisbury



MARYLAND



JAMES IRETON, JR.  
MAYOR

TOM STEVENSON  
ACTING CITY ADMINISTRATOR

125 NORTH DIVISION STREET  
SALISBURY, MARYLAND 21801  
Tel: 410-548-3170  
Fax: 410-548-3107

MICHAEL S. MOULDS, P.E.  
DIRECTOR OF PUBLIC WORKS

To: Tom Stevenson, Acting City Administrator  
From: Michael Moulds, Director of Public Works *MM*  
Date: December 13, 2013  
Re: Donation of a Memorial Park Bench for the Salisbury City Park

---

Public Works was contacted by Ms. Donna Faw regarding a donation of a memorial park bench. Ms. Faw and her friends are asking to donate a bench in memory of Cynthia Wingate Gore. Please see the attached letter and application. Resolution No. 2206 established a policy for the acceptance of donations to for the Salisbury City Park for benches and trees, and the application was made in accordance with the policy.

The donation will be for \$850, which includes:

- \$500 bench (includes engraving and freight)
- \$250 concrete foundation
- \$100 maintenance for the life of the bench

Ms. Faw has provided a deposit in the amount of \$100 with the application.

For your consideration, attached is a resolution to accept the donation and sign the agreement with Ms. Faw.

Unless you or the Mayor has further questions, please forward a copy of this memo to the City Council.

We would like to buy/install a bench in Salisbury's park in memory of Cynthia Wingate Gore.

We are ten good friends from Bennett High School (Class of '66 – the first class) who adored Cindy. She died of breast cancer this summer. Her oldest son and family live in Salisbury, and we feel this bench would be an appropriate gift in her honor. She grew up in Salisbury, taught in Salisbury many years, performed with the Community Players, and thrived on life in Salisbury.

City of Salisbury  
Public Works Department  
Attachment B

MEMORIAL TREE AND PARK BENCH DONATION APPLICATION

Name: Donna Faw Date: 12/3/13  
Address: 4920 N. Oaklane City: Wrightsville Bx,  
State: WI Zip Code: 53217  
Phone #: 414 232-7085 Fax #: \_\_\_\_\_  
Email: dfaw2001@yahoo.com

Please indicate if you are interested in donating a memorial tree or park bench.

Memorial Tree

Memorial Park Bench

Please indicate if you are interested in donating a memorial plaque.

Yes No

Please describe the location you wish to place a memorial tree or park bench. (Location is subject to City approval)

Where you would propose - we are open to that

If you wish to donate a memorial tree, please specify your preferred type from the City's approved list.

If donating a bench, please specify how you would like the bench engraved (limit 30 characters).

In Memory of  
Cynthia Wingate Gore

In making this donation, I understand that I must make a contribution for the maintenance of this item of \$ \_\_\_\_\_

Total cost will be \$850, including maintenance

Please enclose a non-refundable deposit of \$ 100. and return to the Public Works Department office. Prior to ~~the~~ purchase and for bench installation remaining balance must be paid in full. Receipt will be provided.

Please make checks payable to: City of Salisbury City Park Maintenance Fund

Please Note: All locations of memorial tree or park bench, type of tree, and plaque displayed must be pre-approved by the City.

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

A RESOLUTION OF THE CITY OF SALISBURY, MARYLAND ACCEPTING A DONATION FROM DONNA FAW FOR A MEMORIAL PARK BENCH.

WHEREAS, the Council of the City of Salisbury supports the acceptance of donations for the Salisbury City Park; and

WHEREAS, Resolution No. 2206 established a policy for the acceptance of donations to for the Salisbury City Park; and

WHEREAS, Donna Faw would like to donate a memorial park bench to the City in memory of Cynthia Wingate Gore; and

WHEREAS, Donna Faw has submitted the required application and deposit for the donation; and

WHEREAS, Donna Faw will donate a total of \$850 for the purchase, installation and maintenance of the memorial park bench for the Salisbury City Park.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Salisbury, Maryland does hereby accept the donation of a memorial park bench valued at a maximum of \$850, including installation and maintenance, and authorizes the Mayor to sign the attached City Park Amenity Donation Agreement.

THIS RESOLUTION was introduced and duly passed at a meeting of the Council of the City of Salisbury, Maryland held on \_\_\_\_\_, 2014 and is to become effective immediately upon adoption.

ATTEST:

\_\_\_\_\_  
Kimberly R. Nichols  
CITY CLERK

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

APPROVED by me this \_\_\_\_\_ day of \_\_\_\_\_, 2014

\_\_\_\_\_  
James Ireton, Jr.  
MAYOR, City of Salisbury

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**City of Salisbury**  
Public Works Department  
Attachment A

CITY PARK AMENITY DONATION AGREEMENT

THIS AGREEMENT, entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2014, is by and between the City of Salisbury (the "City"), a municipal corporation, and Donna Faw, (the "Donor"), 4820 N. Oakland, Whitefish Bay, WI 53217.

WHEREAS the Donor and the City recognize the importance of city park facilities and amenities;

WHEREAS the Donor has offered to donate a memorial park bench;

NOW, THEREFORE, the City and the Donor, for the consideration and under the described conditions and obligations, hereinafter set forth and agree as follows:

Section 1. The donation, known as Memorial Park Bench in memory of Cynthia Wingate Gore, as described below, is donated in its entirety to the citizens of Salisbury to be hereafter owned by the City of Salisbury and managed on behalf of the citizens by the Department of Public Works.

Section 2. Description and Location: The item is a six (6) foot long, surface mount bench with brown Trex slats and a green frame. The slats will be engraved with the text "In Memory Of Cynthia Wingate Gore." The bench will be installed on a concrete pad. The bench will be located in the Salisbury City Park.

Section 3. Maintenance: The City shall be responsible for maintenance of the item, including any reasonable repairs, and will have the discretion to not replace and/or repair the donation if it is deemed damaged beyond reasonable repair and/or replacement, suffers repeated vandalism, and/or expires. Maintenance or replacement of the item will be at the City's sole discretion.

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed by their duly authorized officials:

IN WITNESS whereof the parties have executed this Agreement on the date set forth above.

\_\_\_\_\_  
By, James Ireton, Jr.  
Mayor, City of Salisbury

\_\_\_\_\_  
By, Donna Faw  
4820 N. Oakland  
Whitefish Bay, WI 53217

ATTEST:  
City Clerk

\_\_\_\_\_  
City of Salisbury

Approved as to form: \_\_\_\_\_ City Attorney's Office

# Memo

**To:** Tom Stevenson  
**From:** Susan Phillips   
**Date:** December 16, 2013  
**Re:** Housing Board of Adjustments & Appeals Legislation

---

This memo is a follow up to the work session dated November 4, 2013. Attached, you will find improvements made to the legislation as discussed at that meeting.

As you will see, the drafted legislation is once again proposing all housing board members be at-large city residents.

I have surveyed other Maryland municipalities and found that the City of Salisbury is the only one who requires professional fields to be held as a member. I have attached a list of eight (8) municipalities with the explanation of their compositions.

It is also important to keep in mind that ultimately the Mayor and City Council will continue to make the final decision of who will be appointed to the board based on their letter of resume.

Unless you or the mayor has any questions please forward this information to the city council for review and consideration.

## **Appeal Board Composition Survey**

### Snow Hill, Maryland

The Mayor and Council shall appoint a Housing Review Board consisting of five (5) members who are adults and citizens of Snow Hill. Members shall be selected for their understanding and appreciation of housing principles, knowledge of conditions in the community, its housing objectives and policies, general civic interest as opposed to special or private interest and a fair and judicial approach.

### Princess Anne, Maryland

A Housing Board of Review is hereby created to conduct the hearings authorized by this chapter. Such Housing Board shall consist of five (5) members, to be appointed by the Town Manager and confirmed by the Council for overlapping terms of three (3) years each, except that the members of the first board shall be appointed two (2) for one (1) year, two (2) for two (2) years and one (1) for three (3) years, respectively. Each member of the board shall serve until a successor is appointed. All members of the board shall be citizens of the United States and residents of the Town of Princess Anne.

### Ocean City, Maryland

There is hereby created by the applicable governing body a board to be known as the "Housing Board of Adjustments and Appeals", which shall consist of not less than three (3) members and one (1) alternate member appointed by the governing body. The members shall be residents of the governed area. Members of the board shall be appointed for three (3) year terms, except that on the initial appointment, one shall be appointed for one (1) year, one (1) for two (2) years and one (1) for two (2) years and one (1) for three (3) years. Any one (1) or more members of said board shall be subject to removal or replacement by the appointing authority at any time for cause of stated charges after a public hearing before the appointing authority, and a vacancy on said board shall be filled by the appointing authority for the unexpired term of such vacancy. The members of said board shall serve without compensation.

### Pocomoke, Maryland

A Housing Board of Review is hereby created to conduct the hearings authorized by this chapter. Such Housing Board shall consist of five (5) members, to be appointed by the Town Manager and confirmed by the Council for overlapping terms of three (3) years each, except that the members of the first board shall be appointed two (2) for one (1) year, two (2) for two (2) years and one (1) for three (3) years,

respectively. Each member of the board shall serve until a successor is appointed. All members of the board shall be citizens of the United States and residents of Pocomoke City.

#### Cambridge, Maryland

A Housing Board of Review is hereby created to conduct the hearings authorized by this article. Such housing board of review shall consist of seven (7) members. Such members are to be appointed by the Mayor and confirmed by the City Council for overlapping terms of three (3) years each. Each member of the board shall serve until a successor is appointed. Members may be reappointed to succeed themselves. All members of the board shall be citizens of the United States, and a majority of the members shall be residents of the city.

#### Bowie, Maryland

The Council of the City of Bowie, Maryland may provide for the appointment of an Administrative Review Board composed of seven (7) members who are residents and registered voters of Bowie. Each member shall serve a term of two (2) years or until a successor is appointed. The Board may sit in three (3) member hearing panels which shall be designated by the Chairman. Vacancies shall be filled by the Council for the unexpired term of any member whose term becomes vacant. The members of the Administrative Review Board may be removed for cause by the Council of the City of Bowie upon written charges and after public hearing before the Council of the City of Bowie.

#### Laurel, Maryland

The board is made up of five (5) citizen members and an alternate appointed by the Mayor and confirmed by the City Council for three (3) year terms.

#### Kent County, Maryland

The Kent County Board of Housing Appeals, hereinafter referred to as "the Board", shall consist of three (3) members and two (2) alternates appointed by the County Commissioners of Kent County for terms of two (2) years, except that the initial members and alternates of the Board shall be appointed to the following terms: one (1) member for a term of three (3) years. Vacancies shall be filled by the County Commissioners for any unexpired portion of the term remaining.

1 CITY OF SALISBURY  
2 ORDINANCE NO. \_\_\_\_\_  
3

4 AN ORDINANCE OF THE CITY OF SALISBURY,  
5 MARYLAND, TO AMEND CHAPTER 15.24 HOUSING  
6 STANDARDS OF THE MUNICIPAL CODE TO CHANGE  
7 THE REQUIREMENTS FOR ELIGIBILITY OF BOARD  
8 MEMBERS FOR THE HOUSING BOARD OF  
9 ADJUSTMENTS AND APPEALS.  
10

11 WHEREAS, the Mayor and Council are concerned about the selection of  
12 members of the housing board of adjustments and appeals;

13 WHEREAS, the Mayor and Council desire to change the composition of  
14 the housing board of adjustments and appeals by requiring that all members be  
15 residents of the City of Salisbury;

16 WHEREAS, the Mayor and Council seek to amend certain language in  
17 Subsections 15.24.360 and 15.24.370 of Article X, Means of Appeal, of the  
18 Housing Standards to require all members to be residents of the City of Salisbury.

19 NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF  
20 THE CITY OF SALISBURY, MARYLAND, that the following sections be  
21 amended as follows:

22 **15.24.360 Establishment of board.**

23 There is established in the city a board to be called the housing board of  
24 adjustments and appeals, which shall consist of five members. Such board shall be  
25 composed of ~~one realtor or landlord, one physician, registered sanitarian or health~~  
26 ~~official, one architect, structural engineer or general contractor, and two members~~

27 at large ~~from the~~ residents of the city of Salisbury ~~who are homeowners~~. The  
28 board shall be appointed by the mayor and council.

29 *(Ord. 1665 Exh. A (part), 1997)*

30 **15.24.370 Terms of office.**

31 ~~Of the m~~Members ~~first appointed, two shall be appointed for terms of two~~  
32 ~~years, two for terms of three years and one~~ shall be appointed for a term of four  
33 ~~years, and thereafter they shall be appointed for terms of four years.~~ Any  
34 continued absence of any member from regular meetings of the board shall, at the  
35 discretion of the mayor and council, render any such member subject to immediate  
36 removal from office.

37 *(Ord. 1665 Exh. A (part), 1997)*

38 AND BE IT FURTHER ENACTED AND ORDAINED BY THE  
39 COUNCIL OF THE CITY OF SALISBURY, MARYLAND, that the Ordinance  
40 shall take effect upon final passage.

41 THIS ORDINANCE was introduced and read at a meeting of the Council  
42 of the City of Salisbury held on the \_\_\_\_\_ day of \_\_\_\_\_, 2013,  
43 and thereafter, a statement of the substance of the ordinance having been  
44 published as required by law, in the meantime, was finally passed by the Council  
45 on the \_\_\_\_\_ day of \_\_\_\_\_, 2013.

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

\_\_\_\_\_  
Jake Day, City Council President

Approved by me this  
day \_\_\_\_\_ of \_\_\_\_\_, 2013.

\_\_\_\_\_  
James Ireton, Jr.,  
Mayor of the City of Salisbury

# City of Salisbury



MARYLAND



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

JAMES IRETON, JR.  
MAYOR

TOM STEVENSON  
INTERIM CITY ADMINISTRATOR

KEITH A. CORDREY  
DIRECTOR OF INTERNAL SERVICES

To: Tom Stevenson, Interim City Administrator  
From: Keith Cordrey, Director of Internal Services  
Date: October 31, 2013  
Re: Manufacturing Exemption

---

The City has been granting Manufactures Exemptions to those who have filed the appropriate applications and meet the qualifications. The exemption credit for new equipment is extended over 5 years and declines 10% per year. See Chart 2 provided herein for an example.

Exempting 100% of all Manufactures equipment, based on Manufacturing Exemption granted by SDAT, would result in \$826,866 less PP Tax per year. See Chart 1 for calculations. Given the City has already significantly tightened its budget; further reductions to revenues could affect its ability to fund important projects and operating requirements. Therefore, the approach proposed here is to dedicate a portion of future increases in real property tax revenues to phase in the exemption of manufacturing equipment.

The model shown assumes an increase in city real property assessments of 2.5% per year and that 40% of the corresponding increase in tax revenue would be dedicated to phasing the manufacturing exemption. As the chart indicates, this would result in the ability to phase in 30% in year 3, 60% in year 6, and 100% in year 7. The City would defer the phases until revenues actually achieved the prescribed levels.

Currently, the Personal Property rate is automatically set to 2.5 times the city's real property tax rate. The City should consider decoupling the PP Tax rate from the real property tax rate. For example, when the city adjusted the real property rate to constant yield in FY 14, the PP Tax rate was automatically increased from 2.04 to 2.21 per 100 of assessable value.

Please let me know if you have any questions.

**Chart I – Manufacturing Exemption Phase In**

FY	Tax Rate	Net Assessment	Revenue	2010 Revenue	40 % Increase	Phase In %	Phase In Revenue Decrease	Year
11	0.819	1,901,981,631	15,577,230	15,577,230				
12	0.819	1,885,046,023	15,438,527	15,577,230				
13	0.819	1,829,149,426	14,980,734	15,577,230				
14	0.884	1,697,325,239	15,004,355	15,577,230				
15	0.884	1,739,758,370	15,379,464	15,577,230				1
16	0.884	1,783,252,329	15,763,951	15,577,230	74,688			2
17	0.884	1,827,833,637	16,158,049	15,577,230	232,328	30%	248,066	3
18	0.884	1,873,529,478	16,562,001	15,577,230	393,908		-	4
19	0.884	1,920,367,715	16,976,051	15,577,230	559,528	60%	496,132	5
20	0.884	1,968,376,908	17,400,452	15,577,230	729,289		-	6
21	0.884	2,017,586,331	17,835,463	15,577,230	903,293	100%	826,886	7
22	0.884	2,068,025,989	18,281,350	15,577,230	1,081,648			8
								9
					<b>Total</b>		<b>826,886.31</b>	10

<b>Total Assessed Value for MFG Equipment</b>	48,493,360.00
<b>Less: Existing Average Exemption Granted</b>	10,388,000.00
<b>Net Assessed Value for MFG Equipment</b>	38,105,360.00
<b>Revenue at 2.17</b>	826,886.31
<b>Assumed Assessment Growth Rate</b>	1.025

This chart assumes the city dedicated 40% of tax revenues increases due to rising assessments assumed to be 3% annually. The spreadsheet could be used to adjust the growth rate or the percentage of the tax increase to be dedicated to phasing in the manufacturing exemption.

**Chart 2 – Sample Worksheet**

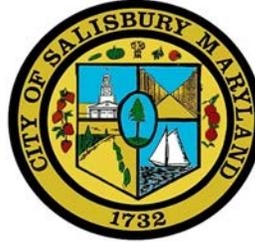
Company: Sample Company Inc.																																																																							
Due	Interest thru 6/2013	Billed Less Exempt	Principal	City Year	Date Billed	Credit	Exemption Total	2008	2009	2010																																																													
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6,516.08	1,130.89	5,385.19	5,385.19	2012	12/20/11																																																																		
6,966.36	746.40	6,219.96	6,219.96	2013	9/11/12		-																																																																
-				2014		6,577.06	322,405	166,810	50%	6,900	60%	148,695	70%																																																										
-				2015		2,771.50	135,858			5,750	50%	130,108	60%																																																										
-				2016		2,275.03	111,521					111,521	50%																																																										
<b>\$30,788.13</b>	<b>\$ 6,752.44</b>	<b>\$ 24,035.69</b>	<b>\$24,035.69</b>				<b>\$11,623.59</b>	<b>3,403</b>	<b>258</b>	<b>7,963</b>																																																													
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<table border="1"> <thead> <tr> <th colspan="2">Exemption Value</th> </tr> <tr> <th>Year</th> <th>%</th> </tr> </thead> <tbody> <tr><td>1</td><td>90%</td></tr> <tr><td>2</td><td>80%</td></tr> <tr><td>3</td><td>70%</td></tr> <tr><td>4</td><td>60%</td></tr> <tr><td>5</td><td>50%</td></tr> </tbody> </table>				Exemption Value		Year	%	1	90%	2	80%	3	70%	4	60%	5	50%	<table border="1"> <thead> <tr> <th>Yrs After Equip Yr</th> <th>Exempt yrs Granted</th> <th>Calculated Yrs based on equip Yr -&gt;</th> <th>2008</th> <th>2009</th> <th>2010</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td>1</td> <td>2009</td> <td>2010</td> <td>2011</td> </tr> <tr> <td>&lt; 2</td> <td>5</td> <td>2</td> <td>2010</td> <td>2011</td> <td>2012</td> </tr> <tr> <td>2-3</td> <td>3</td> <td>2-3</td> <td>2011</td> <td>2012</td> <td>2013</td> </tr> <tr> <td>3-4</td> <td>2</td> <td>3-4</td> <td>2012</td> <td>2013</td> <td></td> </tr> <tr> <td>4-5</td> <td>1</td> <td>4-5</td> <td>2013</td> <td></td> <td></td> </tr> <tr> <td colspan="3"># Years:</td> <td>4-5 Yrs= 1</td> <td>3-4 Yrs= 2</td> <td>2-3 = 3</td> </tr> <tr> <td colspan="3">Date Filed:</td> <td>02/27/13</td> <td>02/27/13</td> <td>02/27/13</td> </tr> </tbody> </table>			Yrs After Equip Yr	Exempt yrs Granted	Calculated Yrs based on equip Yr ->	2008	2009	2010			1	2009	2010	2011	< 2	5	2	2010	2011	2012	2-3	3	2-3	2011	2012	2013	3-4	2	3-4	2012	2013		4-5	1	4-5	2013			# Years:			4-5 Yrs= 1	3-4 Yrs= 2	2-3 = 3	Date Filed:			02/27/13	02/27/13	02/27/13			
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# City of Salisbury



JAMES IRETON JR.  
MAYOR

TOM STEVENSON  
ACTING CITY ADMINISTRATOR



Maryland

699 W. SALISBURY PARKWAY  
SALISBURY, MD 21801  
TEL: 410-548-3165



BARBARA DUNCAN  
CHIEF OF POLICE

December 18, 2013

TO: Mr. Tom Stevenson  
Acting City Administrator

FROM: Major David Meienschein

SUBJECT: Ordinance – Requesting Speed Camera Funds for Purchase of Electronic Control Devices, (ECD's) Pilot Program.

The Salisbury Police Department respectfully requests a transfer from the General Fund - Speed Camera sub-account, to the Police Services – operating account in the amount of \$12,500.00. This transfer is for the purchase of Electronic Control Devices, (ECD's). The cost also includes Video recording devices which will be attached to each unit and all necessary supplies for initial implementation.

This equipment will be deployed within the police departments patrol squads and become part of the use of force continuum as part of a less than deadly force option to subdue non-compliant or combative offenders.

The benefit of this technology is such that police officers will have a use of force tool to gain offender compliance without having to put hands on the offender which risks injury to the police officer as well as workman compensation claims.

Unless you or the Mayor has further questions, please forward this Ordinance to the Salisbury City Council.

Major David Meienschein  
Administrative Commander





*From the Office  
of the  
Fire Chief*

**To:** Mr. Tom Stevenson, Interim City Administrator      **Date:** 20 December 2013

A handwritten signature in blue ink, appearing to be "R. Hoppes", written over the "From:" line.

**From:** Richard A. Hoppes, Chief of the Department

**Subject:** Agenda Item – S.A.F.E.R. Annual Performance Report

Attached please find the presentation materials I would like to deliver to the City Council at their work session on 06 January 2014. What follows is an explanation of what the presentation will be and why I feel it is necessary to present for Council consideration.

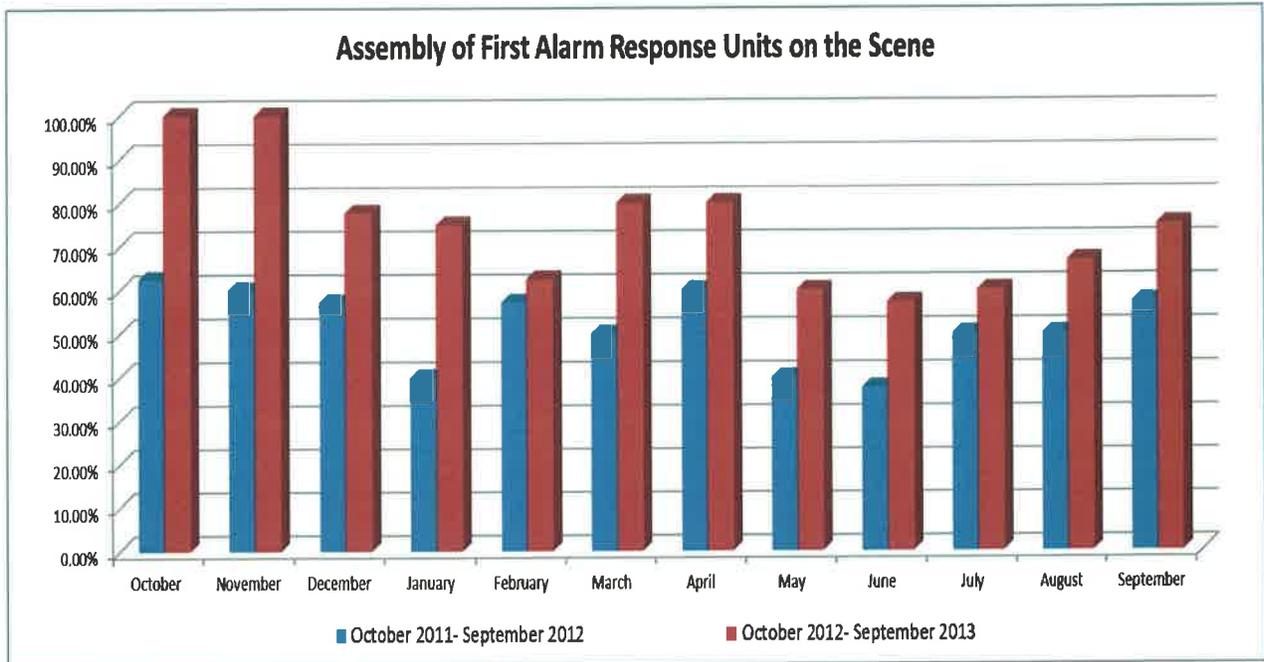
The Department of Homeland Security (DHS), through the Federal Emergency Management Agency (FEMA) provides the funding opportunities and administers the grant funds for the Staffing for Adequate Fire and Emergency Response (SAFER) grant. They established that the goal of the SAFER Grants is to assist local fire departments with staffing and deployment capabilities in order to respond to emergencies, assuring communities have adequate protection from fire and fire-related hazards.

The specified objectives of the SAFER program is to: 1.) augment or restore local fire departments' staffing and deployment capabilities so they may more effectively respond to emergencies, 2.) with the enhanced or restored staffing, a SAFER grantee's response time will be reduced sufficiently, and 3.) an appropriate number of trained personnel will be assembled at the incident scene.

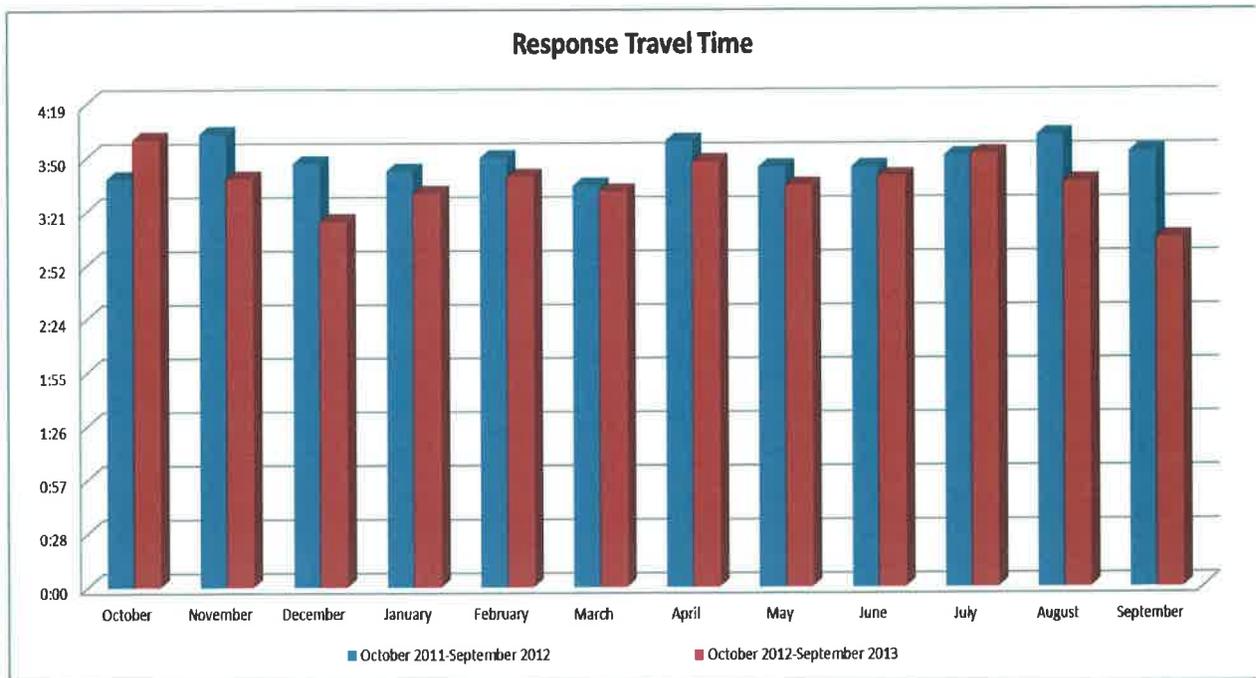
There are a total of five (5) graphs that are intended to demonstrate the achievement of the SAFER stated goals and objectives and to provide all stakeholders with the appropriate information to determine the efficacy of the additional staff supplied under the grant. Each graph will show a comparison between the year prior to adding the SAFER personnel and the past year with the additional personnel on staff.

For Objectives 1 and 3, the following graph illustrates that improvements have been made in the ability to deliver an effective response force to all structure fires within 10 minutes of dispatch 90% of the time to allow for the initiation of essential tasks to adequately control developing fires. In this case the columns in **RED** show a marked improvement in all areas over the same period prior to SAFER.

**This is a Department Specific Communication Intended for Internal Use Only  
Unauthorized Use is Strictly Prohibited**

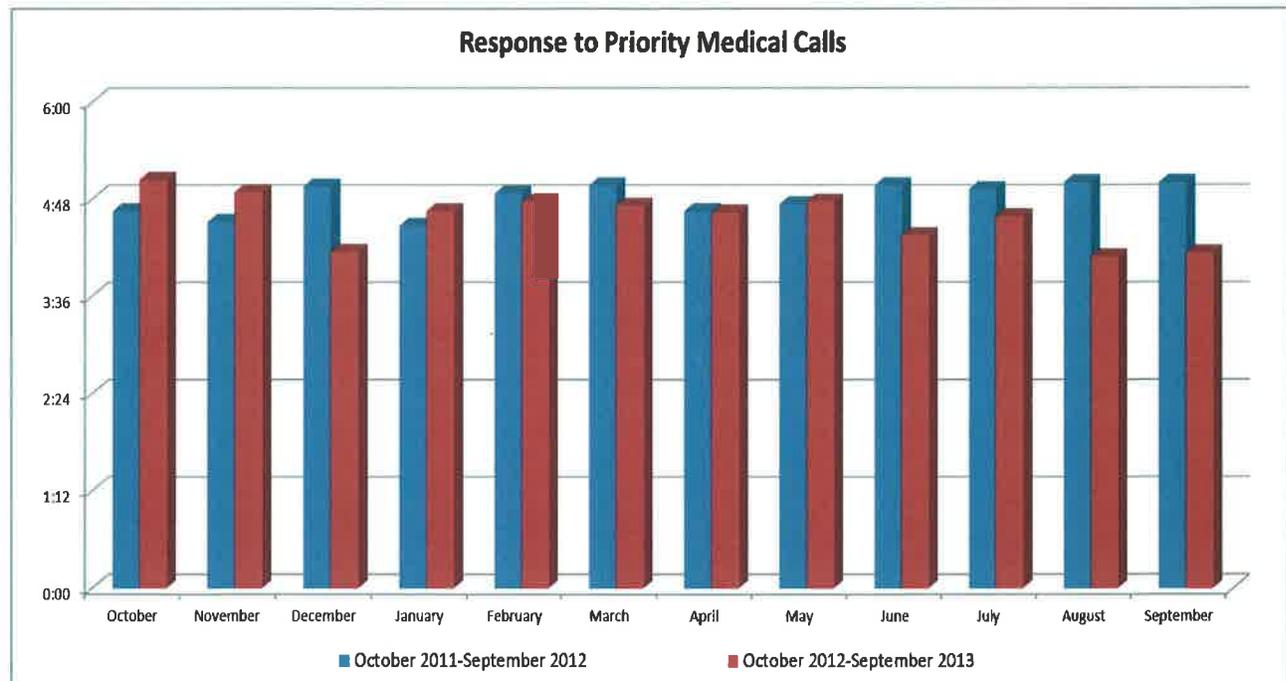


To meet Objective 2, the addition of the SAFER personnel allowed the SFD to re-open a closed station. The re-opening of this station had several positive effects but the most prominent one was to the reduction of travel times to the scenes of emergencies. As seen below the columns marked in **RED** indicate that response travel times decreased in almost every category. The improvement seems small. However the results were that units were genuinely more available because of the additional staffed unit/s which made geographic centered responses more readily available because units were able to stay in their first due districts.



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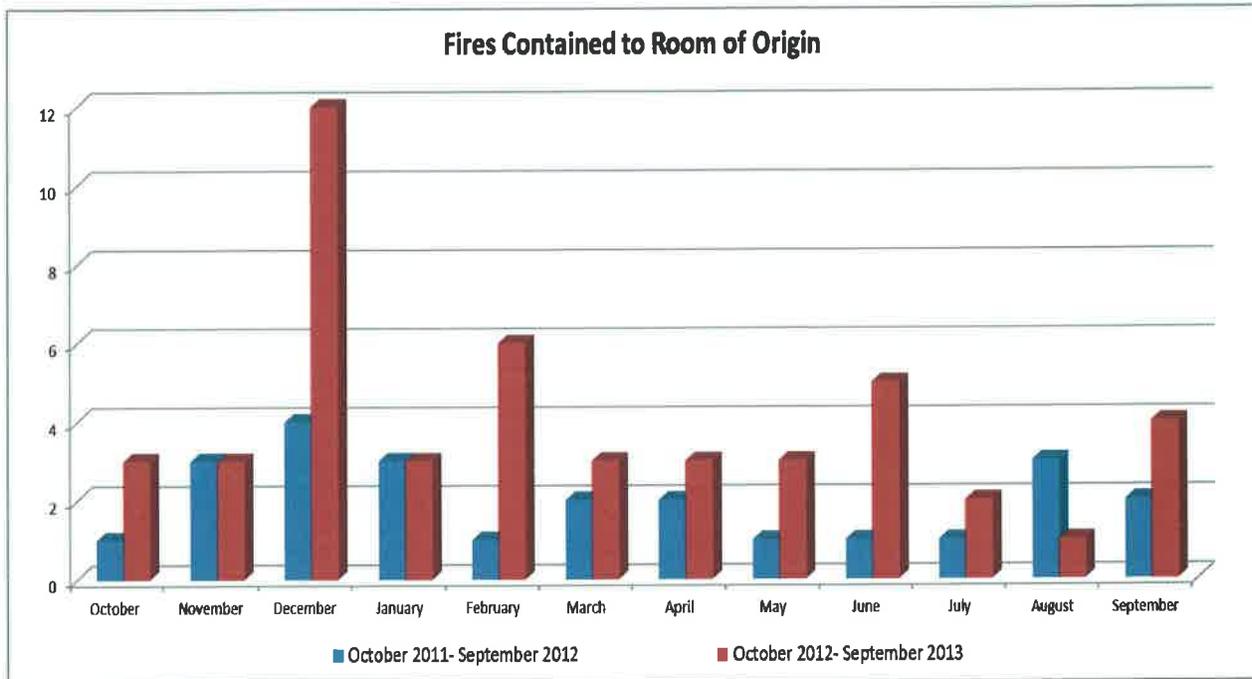
In addition to the reduction of response travel times, there was a clear improvement to the department's ability to respond to patients suffering from cardiac arrest by first due fire units that provide basic life support before the arrival of an ambulance. The graph below shows this improvement by viewing the items in **RED**. The graphic does not appear to show much of an improvement but the outcomes for those patients were dramatic. The national benchmark for effective pre-hospital cardiac arrest patients being delivered to a definitive care facility, with a pulse and respirations is 10% of the time. The SFD's average since employing the SAFER personnel is 11.34%. Considering the small percentage of patients surviving a pre-hospital cardiac arrest, the improvement is significant.



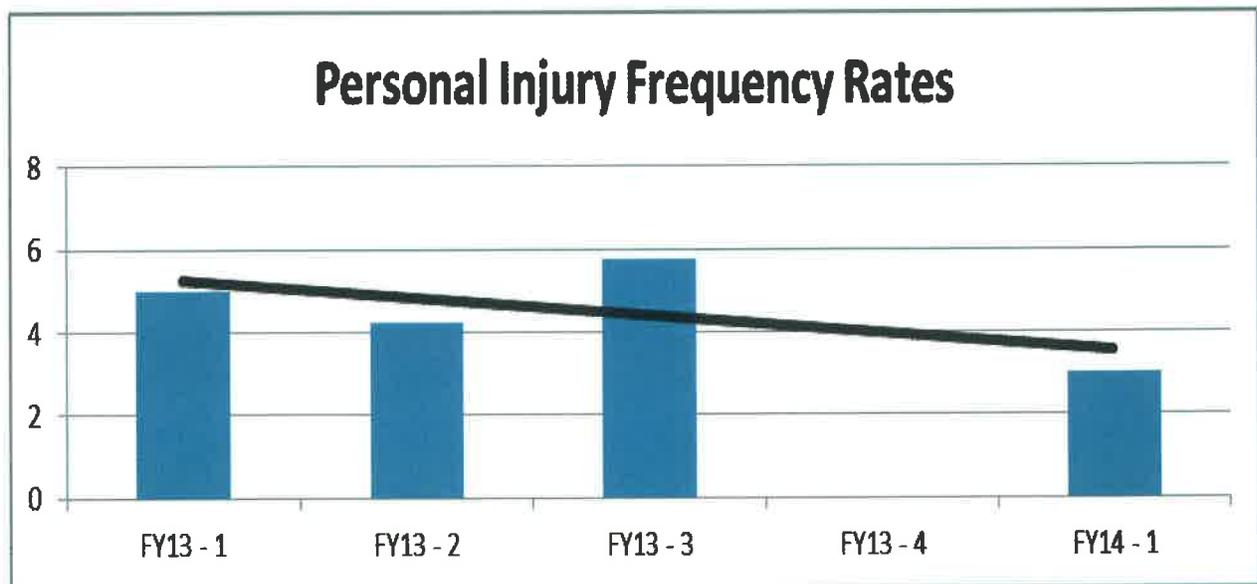
While not **required** as an objective for the SAFER grant, it is **preferable** that the enhanced or restored staffing levels of all SAFER grantees should improve the **safety of firefighters** by ensuring all first-arriving apparatus are staffed with a minimum of four qualified personnel (to meet OSHA standards (1910.134) who are **capable of initiating the suppression response**. Ultimately, SAFER grantees should be able to demonstrate that they have achieved more efficient responses and safer incident scenes; **thereby ensuring communities have improved protection from fire and fire-related hazards** (emphasis added).

The final graphs paint the picture of enabling the SFD to enhance firefighter safety and reduce the effects from losses from fire. This is accomplished by ensuring adequate staffing is available (minimum of four (4) firefighters per apparatus) thereby achieving efficiency during operations and increasing safety by having the proper amount of personnel assembled to complete required tasks. The first graph shows the dramatic increase in the ability of the department to rapidly deploy and assemble an adequate force to contain the fires to the room of origin thus preventing further damage and property loss. The columns in **RED** present a visually impactful reminder of what the increase in staffing has allowed the department to accomplish.

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Finally the graph presented below shows a reduction in personal injury frequency rates for the performance period. A trend line is added to the graph to emphasize the pattern and for ease of interpretation.



Overall the information provided validates that the goals and objectives outlined in the grant guidance have been met. More importantly however is the improvement to the SFD's ability to provide effective and efficient services while increasing the safety factors for our firefighting personnel. The department will continue to monitor the positive effects and outcomes available to us by having the SAFER personnel available for use in delivering a great

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service to the community. We look forward to presenting and advancing this information to the Council and are excited to engage in the sharing of information as it relates to this important topic. The need for further information or questions should be directed to me at 410-548-3120 X 103 or [rhoppes@ci.salisbury.md.us](mailto:rhoppes@ci.salisbury.md.us) .

# Memorandum

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**To:** Tom Stevenson  
**CC:** Keith Cordrey  
**From:** Jennifer Miller  
**Date:** 12/31/2013  
**Re:** Charter Amendment Resolution for Procurement Preferences

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The Procurement Department requests an amendment to the Charter of the City of Salisbury to permit the use of procurement preferences for certain types of business in accordance with the State under Maryland Law. Such an amendment would allow the Procurement Department, in conjunction with City Council, to determine which, if any, procurement preferences would be in the best interests of the City of Salisbury to pursue, and to set forth procedures and guidelines for various types of procurement preferences (i.e., Veteran-Owned Small Business; Locally-Owned; Women-Owned Small Business, Minority Business Enterprises, etc).

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**CITY OF SALISBURY**

**CHARTER AMENDMENT NO. \_\_\_\_\_**

**A RESOLUTION TO AMEND ARTICLE XVI, SECTION SC 16-3 OF THE  
CHARTER OF THE CITY OF SALISBURY, MARYLAND TO PERMIT  
PROCUREMENT PREFERENCES WHEN AUTHORIZED BY  
ORDINANCE.**

WHEREAS, the Charter of the City of Salisbury may be amended as outlined in § SC21-1 and § SC21-2, which refers to Local Government Article § 4-305 of the Maryland Annotated Code; and

WHEREAS, the State of Maryland has enacted certain procurement preferences pursuant to the State Finance and Procurement Article, Annotated Code of Maryland; and COMAR; and

WHEREAS, the City of Salisbury has concluded that it is in the best interests of City residents to permit the use of procurement preferences for certain types of businesses located in Salisbury, Maryland; and

WHEREAS, the City of Salisbury wishes to authorize the City Council to establish procurement preferences in the competitive bidding procedure.

NOW, THEREFORE, be it resolved by the City Council of the City of Salisbury, that Article XVI of the Charter be amended as follows:

**ARTICLE XVI Purchases and Sales; City Property Inventory**

**§ SC16-3. General policy of competitive bidding; exceptions.**

B. Contracts shall be let to the lowest evaluated and best bid in the case of purchases, or the highest and best bid in the case of sales, except that the city in every instance shall reserve the right to reject any or all bids, waive any irregularities and make the award in the best interests of the city.

C. In the evaluation of contracts for the construction of public works and the purchase of materials and supplies, the City may offer procurement preferences for

31 businesses located in Salisbury, Maryland and other businesses that qualify to receive  
32 preference in contracts with the State under Maryland Law.

33  
34 **AND BE IT FURTHER RESOLVED** by the City Council of the City of Salisbury that  
35 this Resolution take effect fifty (50) days from and after the date of its final passage, subject to  
36 the right of referendum, and that its provisions shall be implemented on the \_\_\_\_ day of  
37 \_\_\_\_\_, 2013. The City Clerk is hereby authorized to proceed with the posting and  
38 publication of this Resolution pursuant to the requirements of Local Government Article § 4-305  
39 of the Annotated Code of Maryland.

40 This Resolution was introduced, read, and passed at a meeting of the Salisbury City  
41 Council held on the \_\_\_\_ day of \_\_\_\_\_, 2014.

42 .

43  
44 ATTEST:

45  
46 \_\_\_\_\_  
47 Kimberly R. Nichols, City Clerk

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

48

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INTER

OFFICE

# MEMO

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## *OFFICE OF THE MAYOR*

**To:** City Council  
Mayor  
**From:** Tom Stevenson  
**Subject:** Salary Recommendations for Elected Officials  
**Date:** October 16, 2013

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During the October 7, 2013 council work session, the administration was asked to determine whether or not council members are considered “employees”.

The Human Resources Department investigated this question and determined that council members are **not** considered employees. They are described in a separate category called “Elected Officials”. Elected Officials are paid a stipend. This stipend is not based on hours, rather an annual compensation that is spread out over a 12 (twelve) month period.

Elected Officials are offered an opportunity to enroll in the City’s health care plan at the full group premium, which is deducted pre-tax from the monthly stipend.

The City is required to offer health insurance to those individuals with the status of Regular Full Time or Regular Part-Time employees. These employees work at least a minimum of 30 hours per week.

At your request, I have also attached another copy of the November 19, 2012 letter from the Salary Review Committee.

Please let me know if you require any additional information.

# City of Salisbury



MARYLAND

## SALISBURY CITY COUNCIL WORK SESSION AGENDA

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DECEMBER 17, 2012  
CONFERENCE ROOM 306  
GOVERNMENT OFFICE BUILDING

- 1:30 p.m. Salary Review Committee Report – John Pick
- 2:00 p.m. CIP Review – John Pick
- 3:00 p.m. Break
- 3:15 p.m. Draft - Business Disclosure for Entities with Relationships with City – Mark Tilghman
- 4:00 p.m. General Discussion/Upcoming agenda items
- Mountain Bike MOU
  - Follow up questions & answers – FY12 Audit
  - Other
- 4:30 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).*

Posted: 12/12/12

**City of Salisbury**  
**Salary Review Committee**  
**Recommendation to Mayor and City Council**  
**November 19, 2012**

The Salary Review Committee, having been duly appointed by the Mayor of Salisbury and under the direction and guidelines of the City Charter of Salisbury, Maryland, does hereby present these recommendations made herein to the Mayor and City Council.

This committee met on Thursday, November 1<sup>st</sup>, and Monday, November 19<sup>th</sup>, 2012. Committee members are Lauren R. Hill, Shirley Doane, Bill Press, Richard E. Widdowson, and Maarten Pereboom. The group was assisted by Linda Airey and Jeanne Loyd from the Human Resources Department, and received general guidance from City Administrator John Pick.

The committee took several factors into consideration when reviewing the current salaries of the Mayor and Council. These included, but were not limited to:

- A comparison of salaries for mayoral, council, and city employees of cities of similar size;
- The most recent increase in salaries recommended by the last Committee;
- The current state of the economy.

After review, the Committee determined that salaries for the Mayor of Salisbury and Council Members do correspond with their counterparts in cities of similar size from across Maryland as well as Dover, DE. Specific comparisons were made with Cumberland; Hagerstown; Laurel; MD; Dover, DE; Ocean City; and Cambridge. These numbers can be seen on the attached document.

However, the Committee recognizes that salaries have not risen since 2007, and the 2007 increase happened after a ten year stasis. The Committee also recognizes that an increase recommended and approved now will not take effect in 2015, reflecting another eight year stasis. The cost of living has increased by 11.6% since 2007, as calculated by the Consumer Price Index from the Bureau of Labor and Statistics (BLS). Living costs will continue to increase between now and 2015.

Additionally, and most urgently, the Committee recognizes that in order to continue to attract highly qualified candidates to the mayoral and council positions, and to reward the hard work and time dedication required of said positions, increases must be considered. As the roles, expectations, and regulations of these positions continue to expand, employees must be properly compensated for their time and energy.

Based on the above factors, the Committee recommends a 12% salary increase for each member: Mayor, City Council President, and City Council Members, totaling \$9,240.00 to the city budget. This number is based on BLS Consumer Price Index calculations reflecting an 11.6% increase in cost of living since 2007 and a very modest prediction of the BLS in 2015 (which could be a 17 or 18% difference in cost of living from 2007). 12% is appropriate, considering the eight year lag

that will have occurred. We would also like to very strongly recommend that the city consider a cost of living adjusted salary schedule to avoid large spikes in salaries in the future.

Finally, and of utmost importance, the Committee stresses concern and hope for city employees' salaries. City employees last received a salary increase in 2009 of 2%, but we would very strongly encourage City Council to consider and suggest further increases for city workers to reflect cost of living adjustments. Considering the BLS and the Consumer Price Index, city workers are being dramatically underpaid. We stress the importance of increasing all city workers' salaries to better reflect the demands of the changing economy.

As the representative and chairperson of the Salary Review Committee, I do hereby make these recommendations to the Mayor and Council of the City of Salisbury for their review and approval.



Lauren R. Hill

Chairperson, Salary Review Committee

Date: 12/13/2012

**Survey of Like Sized Cities**

Cities	Cumberland	Hagerstown	Laurel	Dover	Ocean City	Cambridge	Salisbury
City Population	21,518	39,662	21,000	34,900	10,000	12,326	30,434
Form MC or CM	M/C	M/C	M/C	C/M	C/M	M/C	M/C
Mayor	\$ 7,200.00	\$ 28,000.00	\$ 20,000.00	\$ 45,000.00 -1998	\$ 30,000.00	\$ 12,000.00	\$ 25,000.00
City Council President	n/a	na	\$ 7,500.00	\$ 8,652.00	\$ 11,000.00	\$ 10,000.00	\$ 12,000.00
City Council Member	\$ 4,800.00	\$ 8,000.00	\$ 7,500.00	\$ 4,716.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00
Last Increase for M/C	FY82	1996	2006	7/1/2002	Unavailable	7/1/2000	7/1/2007
Last Increase for Ees	FY10	2009	FY13 (steps)	7/1/2010	2009	7/1/2009	7/1/2009
Same as Ees	No	No	No	No non-bargaining unit Unions other Mayor FT	No	No	No
Full time Part Time	PT	PT	PT	Council PT Mayor All Benefits No sick/vac/or pension Expense Alltmnt	PT	PT	PT
Benefits	None	Health, Dental Vision Same Rate as ee Flex Spending	HealthIns SameRate as ee Flu Shots CU Member	Council None	Health Ins - Same cost as employee - Life Insurance Pd up to 200% of Salary Blood Bank 457 Deferred	MSRP HealthIns,Life Same cost as ee	MSRP Health Ins Full Cost Flu Shots