

CITY OF SALISBURY
WORK SESSION
DECEMBER 16, 2013

Public Officials Present

Council President Jacob R. Day Council Vice-President Laura Mitchell
Councilwoman Terry E. Cohen (left 4:45 p.m.) Councilwoman Eugenie P. Shields
Councilman Timothy K. Spies

Public Officials Not Present

Mayor James P. Ireton

In Attendance

City Clerk Kimberly R. Nichols, CMC, Interim City Administrator M. Thomas (Tom) Stevenson, Jr., City Attorney Mark Tilghman, Salisbury Neighborhood Housing Services Executive Director Cheryl Meadows, Public Works Director Mike Moulds, Public Works Deputy Director Amanda Pollack, interested citizens, members of the press.

The City Council convened in Work Session at 2:45 p.m. in Council Chambers of the Government Office Building following the conclusion of the Special Meeting.

Establishing a StormWater Utility

Council was joined by Public Works Director and Deputy Director Mike Moulds and Amanda Pollack, respectively, to discuss the establishment of the StormWater Utility.

Mr. Moulds presented a PowerPoint on creating the utility (copy of PowerPoint included as part of the minutes) which addressed the following subjects:

- The City's aging infrastructure
- Phase 2 Permit and regulations under the National Pollution Discharge Elimination System (NPDES)
- Structuring the StormWater Utility and fees (residential fee - \$20 fee based on the average impervious area per residential lot within the City (amount determined to be 3,344 square feet to create an Equivalent Residential Unit (ERU) ; nonresidential fee structure based on the impervious area divided by 3,344 square feet to determine number of equivalent ERU's)
- Related ordinance

The discussion was for informational purposes and this topic will be scheduled for future discussion.

Foreclosure Task Force resolution

Council was joined by Salisbury Neighborhood Housing Services Executive Director Cheryl Meadows and Tom Stevenson to discuss the Foreclosure Task Force resolution. The task force will evaluate and review the City's responses to foreclosures and provide recommendation on policy and legislation to address the impact of foreclosures in Salisbury.

Council reached consensus (unanimous) to the following, and to place the resolution on the January 13, 2014 Legislative Session:

- Mr. Tilghman will incorporate changes he identified prior to the meeting
- Change “presentation” of the report to “acceptance”
- Change the appointment of the Chair to allow for self organization
- Change the “ex-officio” language to “non-voting”
- Reduce the number of bank or mortgage company representatives to two
- Increase the number of resident representatives to two, adding the note “not otherwise qualified”
- Task force members will be appointed by the Mayor

Records Retention Policy

Mr. Stevenson restated Council’s concerns from the last Records Retention Policy discussion that the State of Maryland now allows the option to use streaming audio or video in lieu of preparing actual written minutes. He reported the Records Retention Policy has been revised at the very last two lines with the added sentence, “All minutes of the City Council of the City of Salisbury must be captured in written format and maintained in accordance with the Records Retention Schedule.”

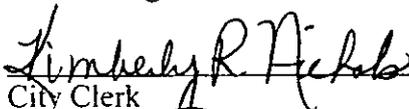
Even though the State of Maryland now accepts the audio or video, the City’s policy states the higher standard. Council unanimously agreed to approve the Records Retention with the addition of the last sentence (stated above).

Pay for Elected Officials

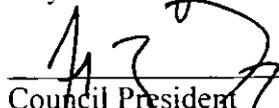
President Day reported the discussion has taken place several times recently, and the recommendation of the Salary Review Committee in November, 2012 was for each City Council member and Mayor to receive a 12% increase, which would increase the City Budget by \$9,240. The number was based on BLS Consumer Price Index calculations reflecting an 11.6% increase in cost of living since 2007 and a very modest prediction of the BLS in 2015.

Mr. Stevenson will contact MML to learn where the initial base pay salary for Mayor and Council originated and report back to Council. Mr. Spies suggested exploring a formula using perhaps the municipality population or annual budget to determine base salary to reflect responsibility. Mrs. Mitchell suggested implementing automatic annual pay adjustments during future Council terms to keep pace with inflation, as sitting members may not increase their own salaries.

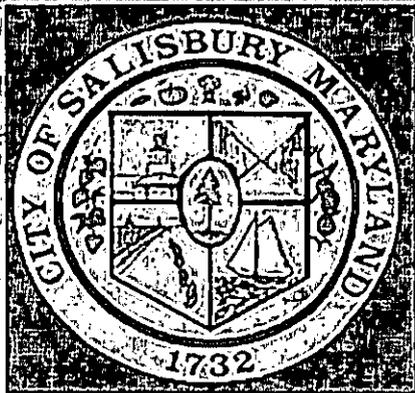
There being no further discussion, President Day adjourned the Work Session at 4:57 p.m.



City Clerk



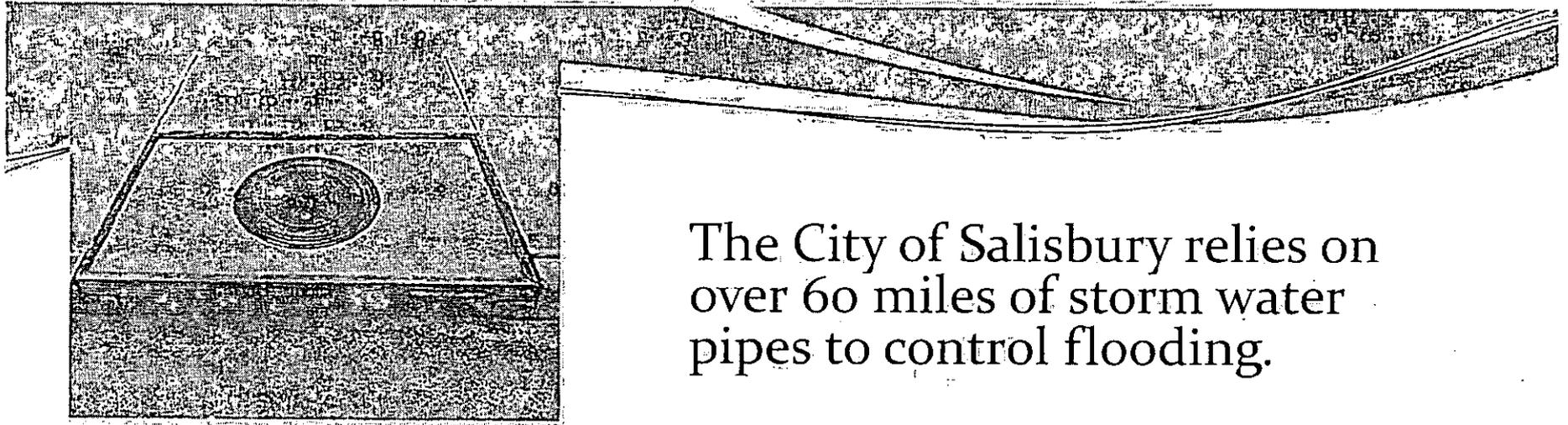
Council President



City of Salisbury

STORMWATER UTILITY PRESENTATION

December 2013

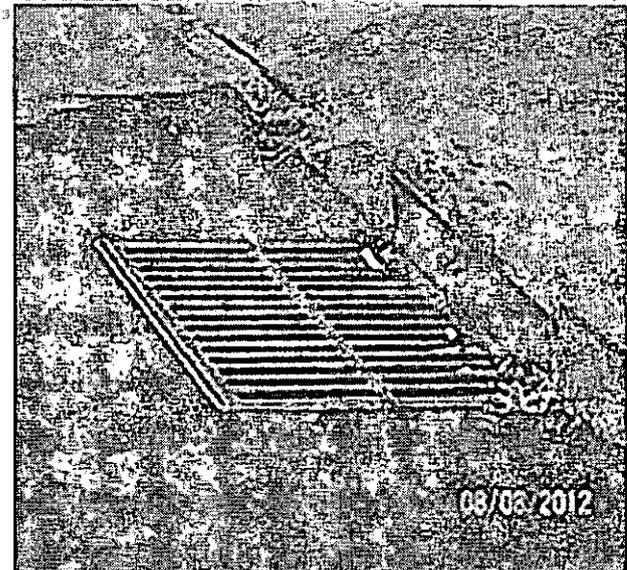


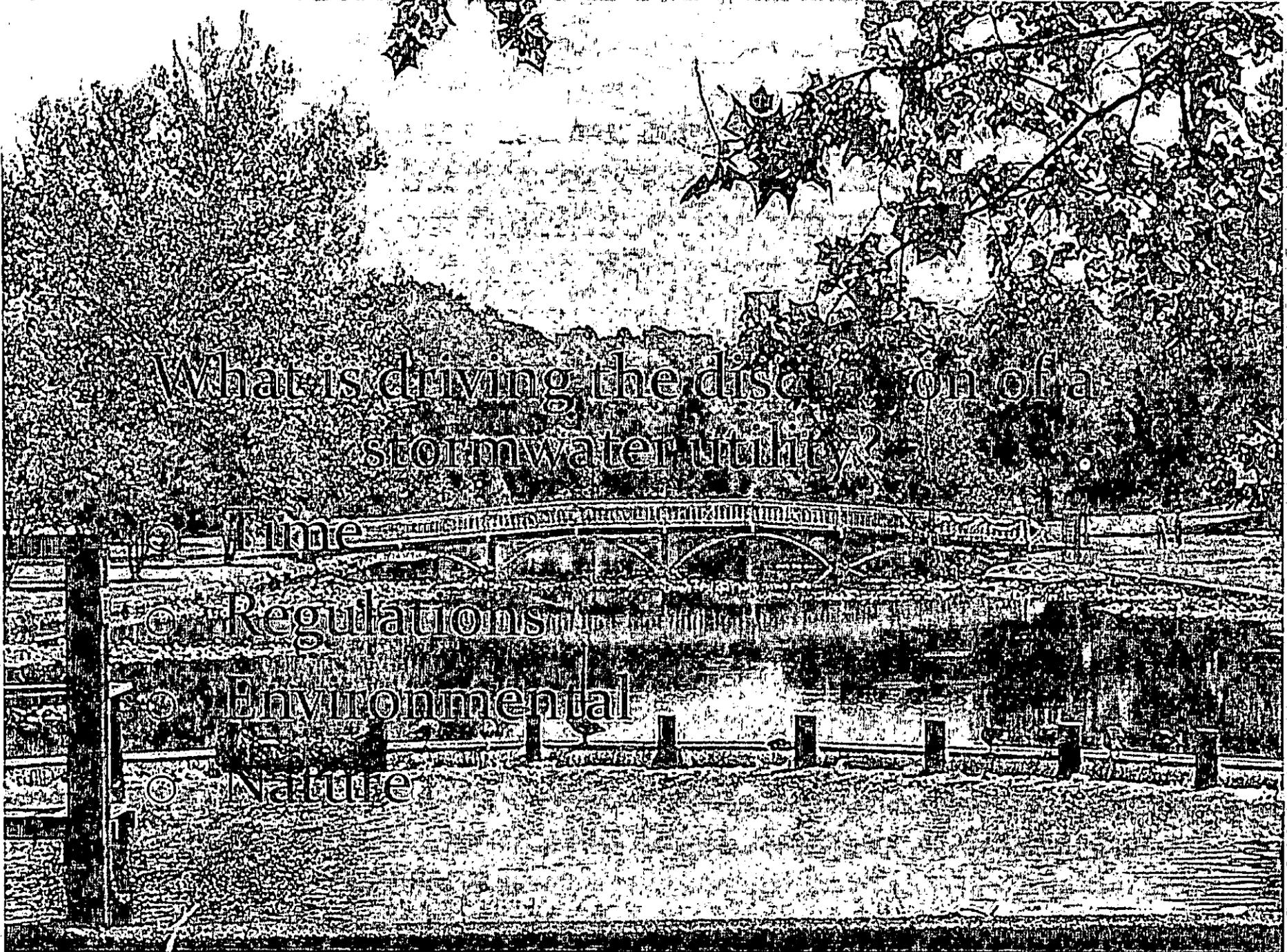
The City of Salisbury relies on over 60 miles of storm water pipes to control flooding.

There are more than 1,800 stormwater inlets that collect stormwater from City streets. Impervious rooftops, parking lots, sidewalks generate storm water runoff.

There are also several dam impoundments which provide stormwater retention as part of the City system.

Stormwater management is provided for an estimated 8,000 residential and 2,464 non-residential properties.





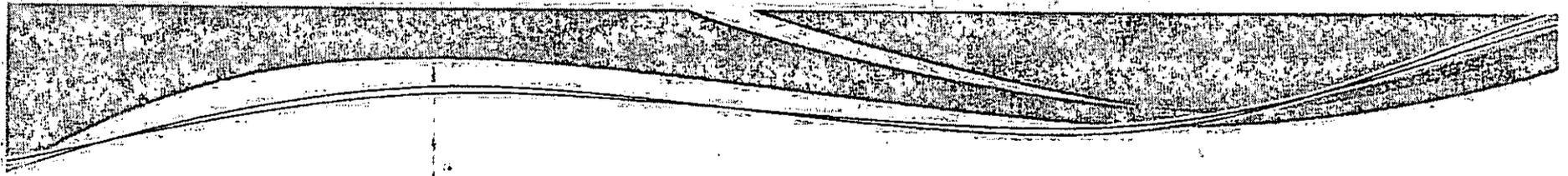
What is driving the discussion of a
stormwater utility?

Time

Regulations

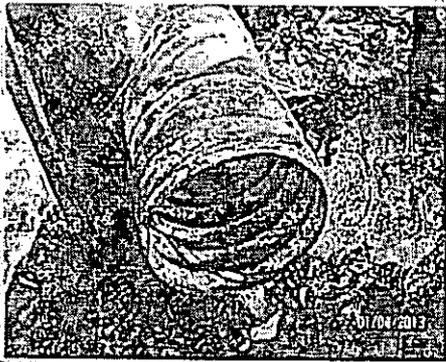
Environmental

Nature



Time: In essence our infrastructure is aging and is in need of repair and replacement.

For example the storm drains in East Main Street are 80 years old and have reached the end of their useful life. The cost for replacement of storm sewer from Division Street to Route 13 is estimated at \$340,000.

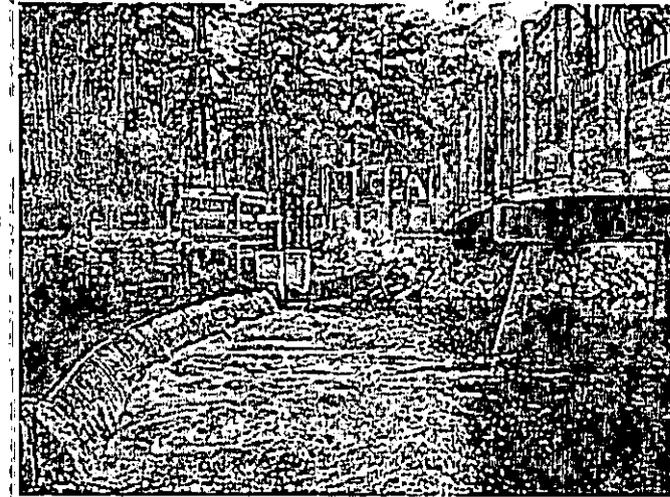


The recent Cody Cox flooding in 2012 identified significant structural deterioration of the storm water piping. The project costs associated with this repair and replacement project will exceed \$1.3M.

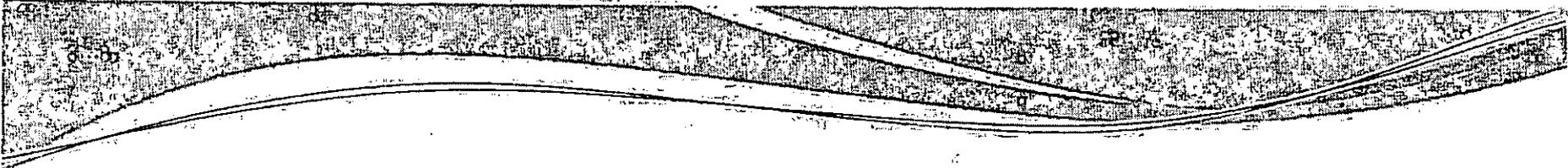


In addition to stormwater piping and collection infrastructure , the network of dams in the City will require investment to function properly and maintain safety.

- Beaverdam Creek Dams
- Johnson Lake Dam
- Beaglin Park Dam
- Mitchell Pond Dams
- Schumaker Pond
- Tonytank Creek



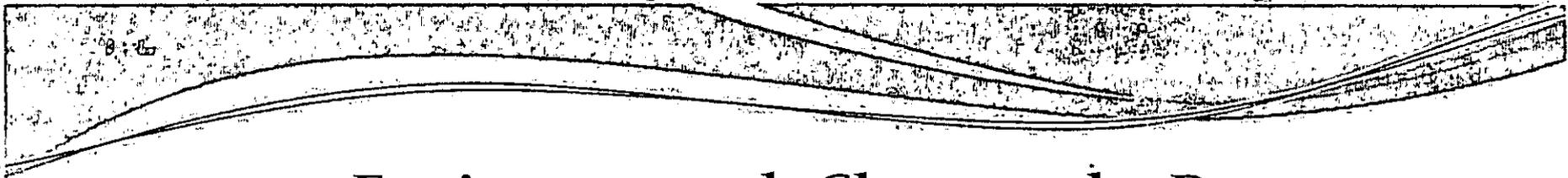
The proposed FY 2015-2019 City Capital Improvement Plan estimates \$1.57M in costs for dam maintenance and repair.



Regulations: Municipal Separate Storm Sewer System (MS4)

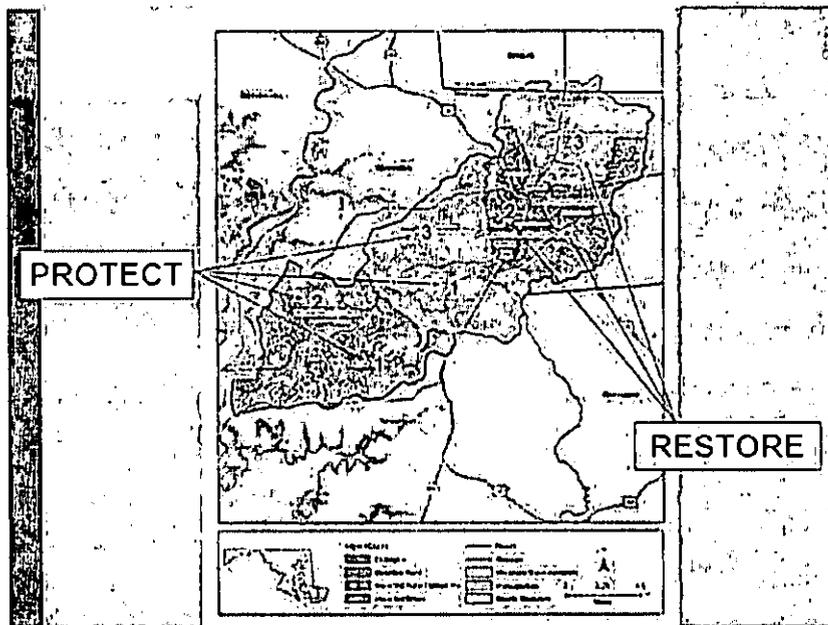
The City of Salisbury is unique on Maryland's the Eastern Shore. Because of our population density the City must have its stormwater outfalls permitted under the National Pollution Discharge Elimination System (NPDES). The City, as a condition of its permission to discharge stormwater to State and Federal Waters, must take steps to inventory, monitor and eliminate sources of stormwater pollution.

The City has a Phase 2 permit. These permits are renewed every 5 years. It is expected that with renewal in 2014, the City will need to take additional efforts to reduce pollution from its stormwater system. The Phase 1 permit holders in Maryland were required to implement a Stormwater Utility by July 2013.

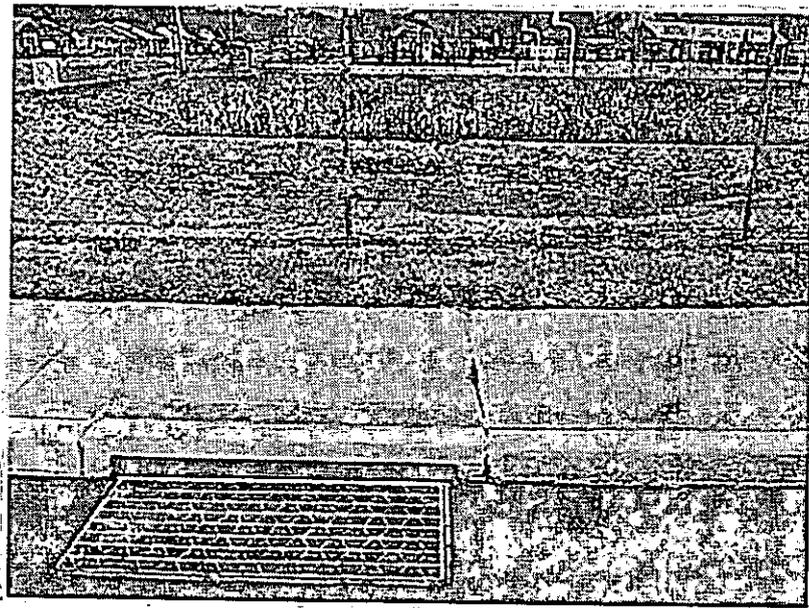


Environmental: Chesapeake Bay Total Maximum Daily Load (TMDL)

Watershed Implementation Plan targets to reduce nutrient pollution loads.

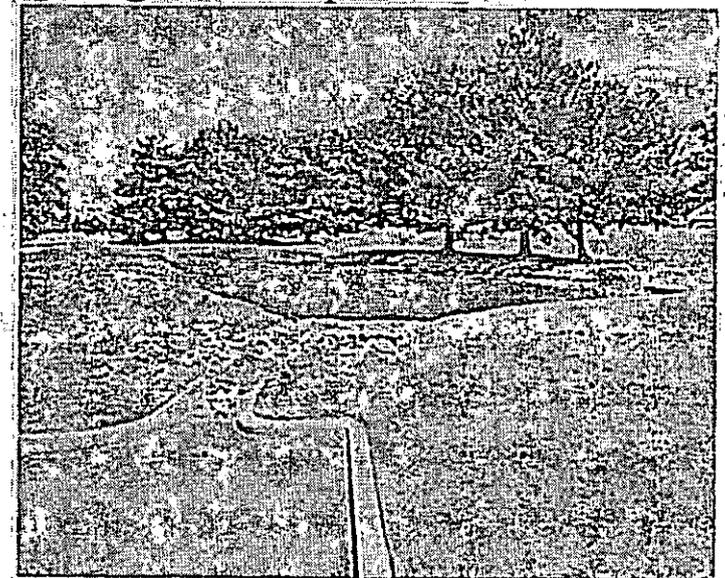


City of Salisbury has a target TMDL reduction of 15,587 lbs. of nitrogen and 1,461 lbs. of phosphorus annually from stormwater runoff. This represents a 24% reduction in nitrogen and 39.7% reduction in phosphorus loads by 2025.



Stormwater pollution reduction from a cost per pound of nutrient removed is the most expensive as compared to agricultural, wastewater, and septic nutrient reduction.

- We are taking infrastructure in the ground that was originally designed for the purpose of water quantity control and adapting it to improve water quality.
- Stormwater management infrastructure is both public and privately owned and maintained.



Nature: Climate Change

No matter how it is being caused there is agreement that climate change is occurring.

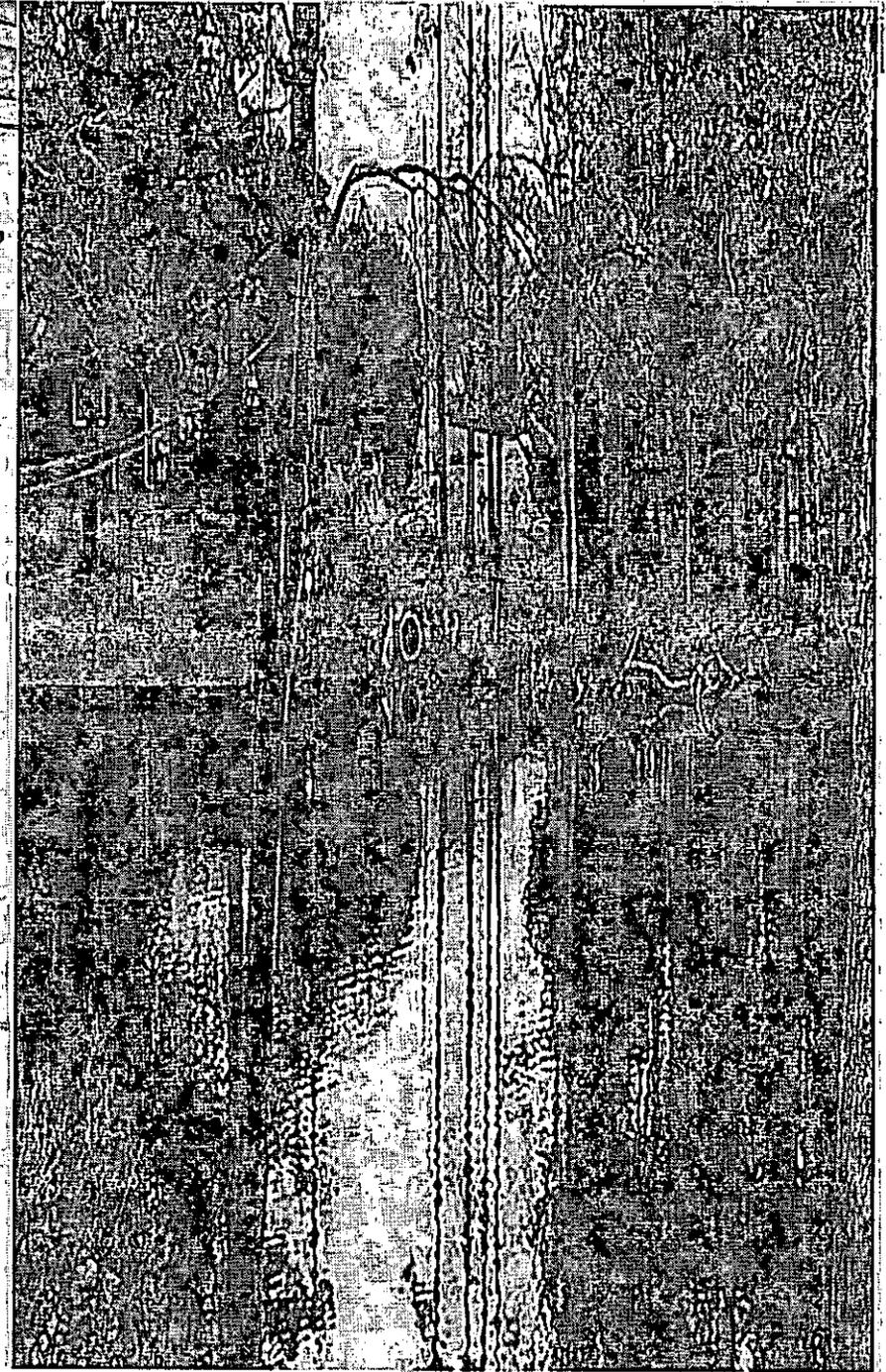
Isabel, Floyd, Katrina, Flooding of 2006, Winter of 2010, Sandy illustrate a growing trend of increasing extreme weather events.

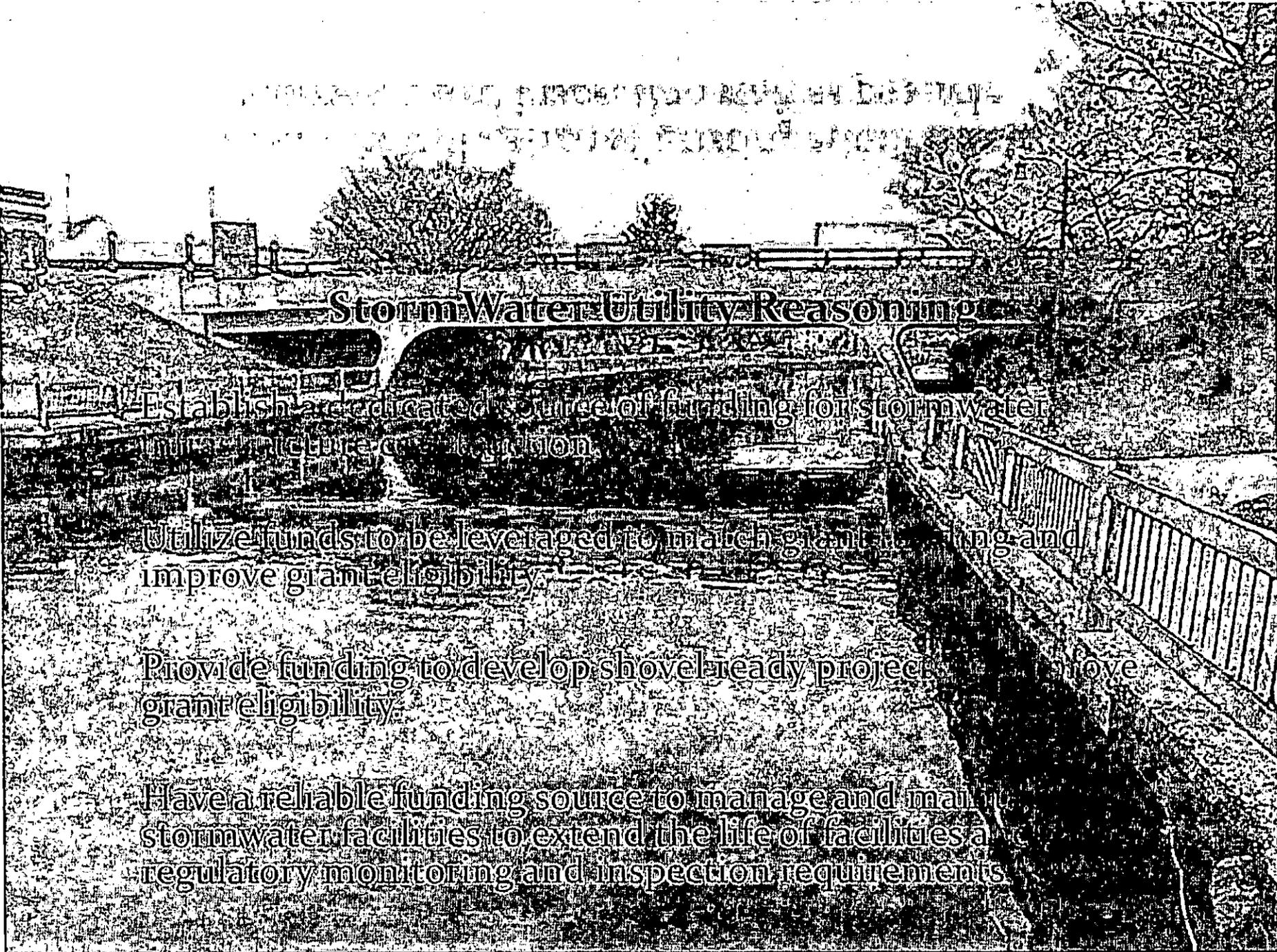
The rainfall from these storms is changing the basis for design of stormwater facilities to protect property and life from flooding. The 2, 10 and 100 year storm of the past are not the storms of the future.

We will need to invest in improving our existing stormwater facilities to be able to function safely.

Cost

- The costs of repair, replacement, clean-up, improvement and maintenance of our stormwater facilities is significant.
- Estimates developed for the Maryland Environmental Finance Center 2013 Financing Feasibility Study for Stormwater Management in Salisbury, Maryland estimated needs of \$23.2M over the next 10 years.
- Additional costs are anticipated to meet nutrient reduction targets above what can be obtained from State and Federal grants.





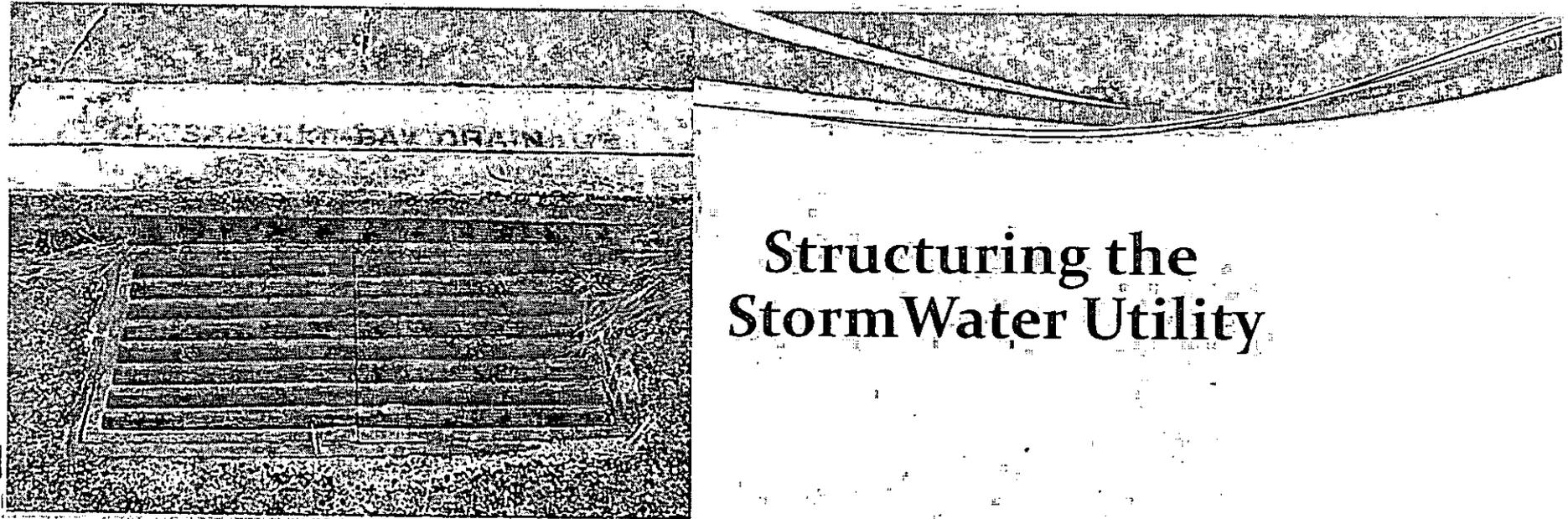
Storm Water Utility Reasoning

Establish a dedicated source of funding for storm water infrastructure construction.

Utilize funds to be leveraged to match grants and improve grant eligibility.

Provide funding to develop shovel ready projects to improve grant eligibility.

Have a reliable funding source to manage and maintain stormwater facilities to extend the life of facilities and regulatory monitoring and inspection requirements.



Structuring the Storm Water Utility

The Storm Water Utility would be organized under the Department of Public Works.

- Avoids creating an additional organizational structure.
- Allows the utilization of existing administration, engineering and inspection staff as possible.

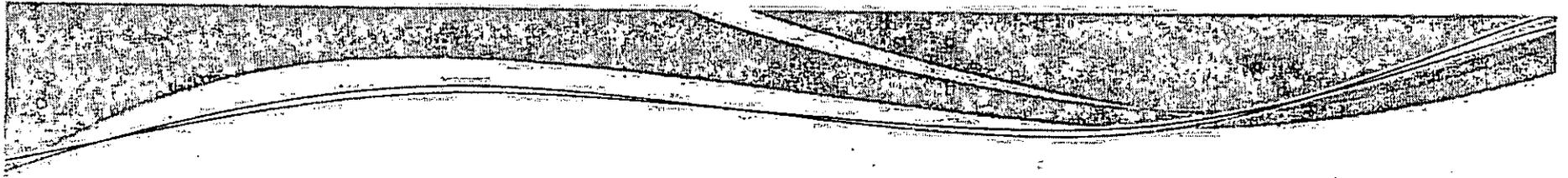


Storm Water Utility Fees

Basis: Utility fees would be established for two categories. Residential and Non-residential.

“Residential Property” means a property which serves the primary purpose, or is zoned to provide the primary purpose, of providing a permanent dwelling unit and which is classified as residential in the state assessment rolls. Townhouses, single-family dwellings, semidetached dwellings, and single-family attached dwelling are included in this definition.

“Non-Residential Property” means property other than Residential Property. Such property shall include but not be limited to, apartments, care homes, hotels, motels, mixed-use buildings, mobile homes parks, commercial property, industrial property, parking lots, hospitals, schools, recreational and cultural facilities, offices and churches.



Storm Water Utility Fees

The Residential fee structure would be a uniform rate based on the average impervious area per residential lot within the City. This amount was determined to be 3,344 square feet to establish an Equivalent Residential Unit (ERU).

The Nonresidential fee structure would be based on the impervious area of the parcel divided by 3,344 square feet to determine the number of equivalent ERU's.



Storm Water Utility Fee

The ERU fee is proposed to be \$20/Year.

The fee is proposed to be implemented in January 2015 to allow time for the City to determine impervious areas for the different nonresidential properties.

Billing is proposed to be included in the City utility billing as a separate line item. "



Storm Water Utility Ordinance

The ordinance provides for an assessment notice prior to instituting the fee to notify property owners of the fee determination and provide an opportunity for requests for corrections.

In order to encourage private property owners to implement stormwater reduction measures and treatment, a provision to allow credits is proposed to be developed.

There is no exemption program proposed.



Thank You!

Salisbury Department of Public
Works

Michael Moulds, PE Director

Amanda Pollack, PE Deputy Director

100 Year, 24 Hour Rainfall
Intensity Map

