



# City of Salisbury



## CITY COUNCIL AGENDA

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December 14, 2015  
Government Office Building

6:00 p.m.  
Room 301

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Times shown for agenda items are estimates only.

6:00 p.m. CALL TO ORDER

6:01 p.m. WELCOME/ANNOUNCEMENTS

6:03 p.m. CITY INVOCATION/ MEDITATION

6:05 p.m. PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES

6:07 p.m. COMMUNITY ORGANIZATION PRESENTATION

- Lower Shore Enterprises, Inc. – presented by Bill Turner, CEO

6:25 p.m. ADOPTION OF LEGISLATIVE AGENDA

6:27 p.m. CONSENT AGENDA – City Clerk Kimberly Nichols

- **Resolution No. 2570** - changing the Resident Agent to accept service of process of a government entity from John Pick to M. Thomas Stevenson and to designate a principle office
- **Manufacturing Exemption Request** for PolyOne Designed Structures and Solutions LLC for equipment purchased in 2013 and 2014

6:30 p.m. AWARD OF BIDS – Assistant Director of Internal Services – Procurement & Parking  
Jennifer L. Miller

- Contract 116-15, West Isabella Street Water Main Replacement & Coty Cox Branch Drainage Improvements
- Declaration of Surplus – Salisbury Police Department Vehicles #34 & 38

6:40 p.m. RESOLUTIONS – City Administrator Tom Stevenson

- **Resolution No. 2571** - accepting a private donation from Pohanka of Salisbury for New Year's Eve in Downtown Salisbury (NYESBY)
- **Resolution No. 2572** - accepting grant funding from the Maryland Office of Highway Safety for four (4) separate traffic safety programs and funds to purchase equipment such as portable breathalyzer tests, each with their own conditions and grant funding amounts

6:45 p.m. ORDINANCE – City Attorney Mark Tilghman

- **Ordinance No. 2365** - 1<sup>st</sup> reading - approving an amendment of the FY 2016 General Fund Budget to appropriate funding for the Traffic Division bucket truck

6:50 p.m. **PUBLIC HEARINGS /Resolutions - Malone/College Avenue & Snow Hill Road Annexation and Annexation Plan – City Administrator Tom Stevenson**

- **Resolution No. 2565** - proposing the annexation to the City of Salisbury of certain area of land situate, contiguous to and binding upon the northerly and westerly corporate limit of the City of Salisbury, to be known as the “Malone - Snow Hill Road Annexation,” and the application of a City zoning classification to same area, being an area located on the northerly side of and binding upon E. College Avenue, in the northwest quadrant of the intersection of Snow Hill Road and E. College Avenue.
- **Resolution No. 2566** - approving the Malone/College Avenue & Snow Hill Road Annexation Plan

7:15 p.m. **PUBLIC HEARINGS / Ordinances - Fair Housing Language – City Attorney Mark Tilghman**

- **Ordinance No. 2366 – 1<sup>st</sup> reading** - to amend Chapter 15.24.1620 Determination of Functional Family of the Salisbury City Code to amend the requirements of Functional Family
- **Ordinance No. 2367 – 1<sup>st</sup> reading** - to amend Chapter 17.04.120 Zoning Definitions of the Salisbury City Code to amend the requirements of Functional Family

7:45 p.m. **PRESENTATION OF AUDIT** – Internal Services Director Keith Cordrey /Ms. Pam Baker (Barbacane, Thornton & Company, LLP)

- FY15 audit and financial statements

8:25 p.m. PUBLIC COMMENTS

8:30 p.m. ADJOURNMENT

**Copies of the agenda items are available for review in the City Clerk’s Office, Room 305 - City/County Government Office Building, 410-548-3140 or on the City’s website**

[www.ci.salisbury.md.us](http://www.ci.salisbury.md.us)

**City Council meetings are conducted in open session unless otherwise indicated. All or part of the Council’s meetings can be held in closed session under the authority of the Maryland Open Meetings Law, Annotated Code of Maryland 10-508(a), by vote of the City Council.**

**Proposed agenda items for December 28, 2015 Meeting**

- Resolution No. \_\_\_\_ -Body Camera Resolution
- Resolution No. \_\_\_\_ -Community Garden Lease- Chipman Cultural Center Property
- Ordinance No. \_\_\_\_ -1<sup>st</sup> reading- Budget Amendment- FD Building Account
- Ordinance No. 2366 – 2<sup>nd</sup> reading - to amend Chapter 15.24.1620 Determination of Functional Family of the Salisbury City Code to amend the requirements of Functional Family
- Ordinance No. 2367 – 2<sup>nd</sup> reading - to amend Chapter 17.04.120 Zoning Definitions of the Salisbury City Code to amend the requirements of Functional Family
- Ordinance No. 2365 – 2<sup>nd</sup> reading - approving an amendment of the FY 2016 General Fund Budget to appropriate funding for the Traffic Division bucket truck

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INTER

OFFICE

# MEMO

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## *OFFICE OF THE MAYOR*

**To:** City Council  
**From:** Theo Williams  
**Subject:** Changing the City of Salisbury's Resident Agent to Tom Stevenson  
**Date:** 12/8/15

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In order for the City to be in compliance with Local Government Article, §1-1301, MD Annotated Code, the City must designate a Resident Agent to accept service of process, i.e., designate someone to be served. The resident agent must be a resident of the state, a Maryland Corporation, or an officer of the governmental entity. As John Pick is no longer any of these, and Tom Stevenson is the City Administrator, Mr. Stevenson should be designated the resident agent. The form making such change (included in the packet) must be accompanied by a resolution of the governing entity of the corporation. Thank you and I am happy to answer any questions.

# CORPORATE CHARTER APPROVAL SHEET

**\*\* KEEP WITH DOCUMENT \*\***

DOCUMENT CODE 290 BUSINESS CODE 24

# \_\_\_\_\_

Close \_\_\_\_\_ Stock \_\_\_\_\_ Nonstock \_\_\_\_\_

P.A. \_\_\_\_\_ Religious \_\_\_\_\_

Merging (Transferor) \_\_\_\_\_

Surviving (Transferee) \_\_\_\_\_



1000361986144396

ID # U06465819 ACK # 1000361986144396  
LIBER: B00294 FOLIO: 0757 PAGES: 0003  
CITY OF SALISBURY

09/19/2001 AT 03:59 P WO # 0000497424

New Name \_\_\_\_\_

### FEES REMITTED

Base Fee: NC  
Org. & Cap. Fee: \_\_\_\_\_  
Expedite Fee: \_\_\_\_\_  
Penalty: \_\_\_\_\_  
State Recordation Tax: \_\_\_\_\_  
State Transfer Tax: \_\_\_\_\_  
Certified Copies \_\_\_\_\_  
Copy Fee: \_\_\_\_\_  
Certificates \_\_\_\_\_  
Certificate of Status Fee: \_\_\_\_\_  
Personal Property Filings: \_\_\_\_\_  
Other: \_\_\_\_\_  
TOTAL FEES: NC

\_\_\_\_\_ Change of Name  
\_\_\_\_\_ Change of Principal Office  
\_\_\_\_\_ Change of Resident Agent  
\_\_\_\_\_ Change of Resident Agent Address  
\_\_\_\_\_ Resignation of Resident Agent  
\_\_\_\_\_ Designation of Resident Agent  
and Resident Agent's Address  
\_\_\_\_\_ Change of Business Code  
\_\_\_\_\_ Adoption of Assumed Name  
\_\_\_\_\_  
\_\_\_\_\_ Other Change(s)  
\_\_\_\_\_

Code \_\_\_\_\_

Attention: \_\_\_\_\_

Mail to Address: \_\_\_\_\_

John Pick  
P.O. Box 4118 Room 304  
Salisbury, MD. 21803-4118

Credit Card \_\_\_\_\_ Check 6 Cash \_\_\_\_\_

Documents on 6 Checks

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

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

COMMENT(S):

Stamp Work Order and Customer Number HERE

STATE OF MARYLAND  
DEPT. OF ASSESSMENTS AND TAXATION  
CUST ID: 0000719719  
WORK ORDER: 0000497424  
DATE: 09-19-2001 03:59 PM  
AMT.: PAID: \$0.00

This Form Is Used by Government Entities

**FORM TO DESIGNATE OR CHANGE A RESIDENT AGENT  
FOR SERVICE OF PROCESS BY A GOVERNMENT ENTITY**

The Local Entity or State Agency (1) City of Salisbury  
(Government Entity)

designates (2) John Pick, Executive Officer  
(Name of Resident Agent)

who is a citizen and resident of the State of Maryland, or a Maryland corporation, as its resident agent for service of process, and the address for the resident agent is:

(3) 125 N. Division Street, Room 304, Salisbury, MD 21801 (or)

P.O. Box 4118, Room 304, Salisbury, MD 21803-4118

Attached is: [Check One Box] (4)

- 1. A copy of the portion of the charter of the local entity which authorizes the person to accept service of process for the local entity; or
- 2. A certified copy of a resolution of the local entity's governing body that authorizes the designation where the charter does not designate a person for service; or
- 3. A certified copy of a resolution by the governing body of a State agency not represented by Maryland Attorney General that authorizes the designation.

I, (5) Mary Virginia Church, Records Admin./Asst. City Clerk, certify under the  
(Name and Title of an Officer of the Government Entity)

penalties of perjury that the contents of this paper are true to the best of my knowledge, information and belief.

Sep. 13, 2001  
Date

Mary Virginia Church  
Signature of Officer of the Government Entity

I, John R. Pick, consent to my designation in this document as  
(Name of Resident Agent)  
resident agent for this entity.

(6) John R. Pick  
(Signature of Resident Agent)

Mail to: State Department of Assessments and Taxation  
301 West Preston Street, Room 808  
Baltimore, Maryland 21201

State of Maryland  
County of Wicomico

On this 13<sup>th</sup> day of September, 2001, I hereby certify that the attached document is a true copy made by me from a record in my fair register of official acts.

In witness whereof I hereunto set my hand and official seal.



Mary Virginia Church  
Signature of notary public

MARY VIRGINIA CHURCH  
Printed Name of notary public

Notary Public  
My commission expires on APRIL 16, 2005

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RESOLUTION NO. 790

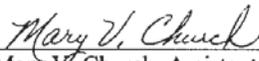
A RESOLUTION OF THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND DESIGNATING JOHN PICK AS RESIDENT AGENT TO ACCEPT SERVICE OF PROCESS BY A GOVERNMENT ENTITY

WHEREAS, Section 1-110 of Article 24 of the Annotated Code of Maryland requires all cities to designate a resident agent to accept service of process by government agencies;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Salisbury, Maryland that John R. Pick, Executive Officer, is hereby designated as resident agent for the service of process for the City of Salisbury.

BE IT FURTHER RESOLVED that the City Clerk is directed to cause a certified copy of this resolution to be filed with the State Department of Assessments and Taxation in accordance with Section 1-110 of Article 24 of the Annotated Code of Maryland. .

The above resolution was introduced and read and duly passed at the regular meeting of the Salisbury City Council held on the 10<sup>th</sup> day of September, 2001, and is to become effective immediately.

  
Mary V. Church, Assistant City Clerk

  
William F. Stacey, President  
Salisbury City Council

Approved by me this 11<sup>th</sup> day of September,  
2001

  
Barrie P. Tilghman, Mayor

SEP 11 2001

**RESOLUTION TO CHANGE PRINCIPAL OFFICE OR RESIDENT AGENT**

The directors/stockholders/general partner/authorized person of

\_\_\_\_\_  
(Name of Entity)

organized under the laws of \_\_\_\_\_ passed the following resolution:

(State)

(Check applicable boxes)

**The principal office is changed from: (old address)**

\_\_\_\_\_  
\_\_\_\_\_  
**to: (new address)**

**The name and address of the resident agent is changed from:**

\_\_\_\_\_  
\_\_\_\_\_  
**to:**

I certify under penalties of perjury the foregoing is true.

Signed \_\_\_\_\_

Secretary or Assistant Secretary  
General Partner  
Authorized Person

I hereby consent to my designation in this document as resident agent for this entity.

Signed \_\_\_\_\_

Resident Agent

## CHANGING THE PRINCIPAL OFFICE OR RESIDENT AGENT OF A CORPORATION, LIMITED PARTNERSHIP, LIMITED LIABILITY COMPANY OR LIMITED LIABILITY PARTNERSHIP IN MARYLAND

**Following the instructions on this page will not change the address to which your Personal Property Annual Report form will be mailed. To change that address, send a letter including your new and old addresses and Department ID number to: Personal Property Division, SDAT, 301 W. Preston St, Room 801, Baltimore, MD 21201.**

### I. Maryland and Foreign Corporations

#### (A) Notice by corporation of designation or change of principal office or resident agent

1. A corporation may designate or change its resident agent or principal office by filing for record with the Department a certified copy of a resolution of its board of directors which authorizes the designation or change.
2. A corporation may change the address of its resident agent by filing for record with the Department a statement of the change signed by its president or one of its vice presidents.
3. A designation or change of a corporation's principal office or its resident agent or his address is effective when the Department accepts the resolution or statement for record.

A SAMPLE RESOLUTION IS AS FOLLOWS:

"The Board of Directors of **(NAME OF CORPORATION)**, a corporation organized in **(NAME OF STATE WHERE ORGANIZED)** on **(DATE)** duly approved a resolution as follows:

**RESOLVED:** That the (principal office or resident agent - **INSERT WHICHEVER APPLICABLE**) of the corporation is changed to \_\_\_\_\_.

I, (name and title of an officer) certify under the penalties of perjury that to the best of my knowledge, information, and belief the foregoing resolution is true in all material respects.

I hereby consent to my designation in this document as resident agent for this corporation.

SIGNED \_\_\_\_\_ Resident Agent"

**NOTE:** For close corporations which have made an election to have no board of directors, the word "stockholders" should be inserted in the foregoing resolution in place of the word "directors."

#### (B) Notice by resident agent of change of address

1. A resident agent who changes his address in Maryland should notify the Department of the change by filing for record with the Department a statement of the change signed by him or on his behalf.
2. The statement shall include:

1. The names of the corporations for which the change is effective;
  2. His old and new addresses; and
  3. The date on which the change is effective.
3. If the old and new addresses of the resident agent are the same as the old and new addresses of the principal office of the corporation, the statement should include a change of address for the principal office if:
1. The resident agent notifies the corporation in writing; and
  2. The statement recites that he has done so.
4. The change of address of the resident agent or principal office is effective when the Department accepts the statement for record.

### **(C) Resignation of resident agent**

1. A resident agent may resign by filing with the Department a counterpart or photocopy of the signed resignation.
2. Unless a later time is specified in the resignation, it is effective:
  1. At the time it is filed with the Department, if the corporation has more than one resident agent; or
  2. Ten days after it is filed with the Department if the corporation has only one resident agent.

## **II. Maryland and Foreign Limited Partnerships, Limited Liability Companies and Limited Liability**

**Partnerships (A)** A limited partnership, limited liability company or limited liability partnership may change its resident agent or principal office by filing for record with the Department a statement signed by one of its general partners or authorized person for a limited liability company which authorizes the designation or change. The new resident agent must also sign. **(B)** A limited partnership, limited liability company or limited liability partnership may change the address of its resident agent by filing for record with the Department a statement of the change signed by one of its general partners or authorized person for a limited liability company. **(C)** A change of a principal office or resident agent or address of the resident agent for a limited partnership, limited liability company or limited liability partnership is effective when the Department accepts the statement for record. **(D)** A resident agent who changes his address in the State should notify the Department of the change by filing for record with the Department a statement of the change signed by him or on his behalf. The statement shall include:

1. The name of the limited partnership, limited liability company or limited liability partnership for which the change is effective;
2. The old and new address of the resident agent; and
3. The date on which the change is effective.

**(E)** If the old and new addresses of the resident agent are the same as the old and new addresses of the principal office of the limited partnership, the statement should include a change of address for the principal office if:

1. The resident agent notifies the limited partnership, limited liability company or limited liability partnership in writing; and
2. The statement recites that he or she has done so.

**(F)** The change of address of the resident agent or principal office is effective when the Department accepts the statement for record. **(G)** A resident agent may resign by filing with the Department a counterpart or photocopy of his or her signed resignation. Unless a later time is specified in the resignation, it is effective:

1. At the time it is filed with the Department, if the limited partnership has more than one resident agent; or
2. Ten days after it is filed with the Department if the corporation has only one resident agent.

### III. Other Information

**(A)** A resident agent of a foreign or domestic corporation, limited partnership, limited liability company or limited liability partnership shall be either:

1. A citizen of Maryland who resides in Maryland; or
2. An active Maryland corporation.

**(B) Fees** The fee to file a notice of change of principal office, resident agent, or resident agent's address is \$25.00 per corporation, limited partnership, limited liability company or limited liability partnership. There is no fee for a resident agent to resign.

**(C)** If legal questions arise regarding the change of principal office, resident agent or resident agent's address, you should consult an attorney and/or Corporations and Associations Article of the Annotated Code of Maryland. The Annotated Code of Maryland can be found in most public libraries in Maryland. Section 2-108 of the Code is relevant to changing the principal office, resident agent and resident agent's address.

**(D)** Walk-in processing of documents is done only upon payment of an expedited fee: \$50.00 to file a document, \$20.00 to receive a certificate of status, \$20.00 to receive copies of a document. These fees are in addition to the normal fees charged. Expedited service requests may also be made by mail. In bold print on both a cover letter and on the envelope state "EXPEDITED SERVICE REQUESTED" and include the expedited fee. Documents may be faxed if billed to a Visa or Mastercard; faxed documents are charged expedited service fees.

Revised 2/11

\* \* \*

**How long will it take to process my documents?** Regular processing time for submitted documents is about 8 weeks or more; Expedited processing request will be responded to within 10 business days.

\*Documents hand-delivered in limited quantities receive same day service between 8:30 am and 4:30 pm.

Hand-delivered transactions are to be paid by check only. There is an expedited fee for same day service for document processing.

The expedited service fee is an additional \$50.00 for this document; other fees may also apply. Check the Fee Schedule web page for a list of all service fees, <http://www.dat.maryland.gov/sdatweb/fees.pdf>

Mail completed forms to: State Department of Assessments and Taxation, Charter Division, 301 W. Preston Street; 8th Floor, Baltimore, MD 21201-2395. Fax completed forms with Mastercard or Visa credit card payment information to 410-333-7097. Fax request will be charged the additional expedited service fee.

**NOTE:** Due to the fact that the laws governing the formation and operation of business entities and the effectiveness of a UCC Financing Statement involves more than filing documents with our office, we suggest you consult an attorney, accountant or other professional. State Department of Assessments & Taxation staff can not offer business counseling or legal advice.

**Notice regarding annual documents to be filed with the Department of Assessments & Taxation:** All domestic and foreign legal entities must submit a Personal Property Return to the Department. Failure to file a Personal Property Return will result in forfeiture of your right to conduct business in Maryland. Copies of the return are available on the SDAT website. **The returns are due April 15th of each year.**

**\* You must be in line no later than 4:15 p.m. in order to receive service that same day.**

Revised 6/19/15

1 RESOLUTION NO. 2570

2 A RESOLUTION OF THE CITY OF SALISBURY, MARYLAND CHANGING THE  
3 RESIDENT AGENT TO ACCEPT SERVICE OF PROCESS OF A GOVERNMENT ENTITY  
4 FROM JOHN PICK TO M. THOMAS STEVENSON AND TO DESIGNATE A PRINCIPLE  
5 OFFICE.

6 WHEREAS, Section 1-1301, Local Government Article, of the Annotated Code of  
7 Maryland requires that municipalities to designate a resident agent to accept service of process of  
8 a government entity; and

9 WHEREAS, the resident agent must be an officer of the governmental entity; and

10 WHEREAS, John Pick was designated the resident agent of the City of Salisbury on 11  
11 September, 2001 by Resolution No. 790; and

12 WHEREAS, John Pick is no longer an officer of the City of Salisbury or a resident of  
13 Maryland; and

14 WHEREAS, M. Thomas Stevenson is the executive officer of the City of Salisbury; and

15 WHEREAS, no principle office has been designated for the City of Salisbury;

16 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Salisbury,  
17 Maryland that M. Thomas Stevenson, executive officer, is hereby designated as resident agent  
18 for the service of process for the City of Salisbury and its principle office is Room 304, N.  
19 Division St., Salisbury, MD 21801.

20 BE IT FURTHER RESOLVED that the City Clerk is directed to cause a certified copy of  
21 this resolution to be filed with the State Department of Assessments and Taxation in accordance  
22 with Section 1-1301, Local Government Article, of the Annotated Code of Maryland.

23 The above resolution was introduced and read and duly passed at the regular meeting of  
24 the Salisbury City Council held on the \_\_\_ day of December, 2015, and is to become effective  
25 immediately.

26  
27 ATTEST:

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

\_\_\_\_\_   
John R. Heath, President  
Salisbury City Council

30  
31  
32 APPROVED BY ME THIS \_\_\_\_\_ day of \_\_\_\_\_, 2015

33  
34 \_\_\_\_\_  
35 Jacob R. Day, Mayor

# City of Salisbury



MARYLAND



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

JACOB R. DAY  
MAYOR

TOM STEVENSON  
CITY ADMINISTRATOR

JULIA GLANZ  
ASSISTANT CITY ADMINISTRATOR

KEITH A. CORDREY  
DIRECTOR OF INTERNAL SERVICES

**To:** Tom Stevenson, City Administrator  
**From:** Keith Cordrey, Director of Internal Services *OK*  
**Date:** November 20, 2015  
**Re:** Manufacturing Exemption for equipment purchased 2013 and 2014 – PolyOne Designed Structures and Solutions LLC

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I am recommending that PolyOne Designed Structures and Solutions LLC be granted exemption from Personal Property Tax for their equipment purchased in 2013 and 2014 as requested by the company. Since the requests came within 2 years of the purchase of the equipment in 2013 and 2014 they are eligible for up to 5 years exemptions. The 2013 application amended which will result in the reversal of \$13,458.97 credits issue previously to tax year 2015.

Over the next five years they will benefit from this exemption by a total savings of \$ 982,585 in personal property tax for 2013 equipment purchases and \$81,878. The exemptions will be applied to City Property Tax years as shown in the schedules provided herein.

# City of Salisbury



KEITH CORDREY  
DIRECTOR INTERNAL SERVICES

MARYLAND

FINANCE DEPARTMENT

125 N. Division Street  
Salisbury, MD 21801-4940  
410) 548-3110  
(410) 860-5154 (Fax)

## Exemption Application For Machinery and Equipment Used for Manufacturing/Research & Development

Business Name: PolyOne Designed Structures & Solutions LLC MD Department ID#: Z15461130

Mailing Address: 33587 Walker Raod, Avon lake, OH 44012

Contact Name: Jessica Fisher Phone No.: 440.930.1656

1. In order to qualify for an exemption you must meet one of the following requirements: Equipment is owned and operated by a facility that (1) locates in Salisbury (2) expands operations in Salisbury, or (3) develops a new product or industrial process in Salisbury. If you meet one of these requirements please explain in detail how you meet these requirements including raw materials used and products produced or R & D activity being conducted. Please include number of employees used in Manufacturing/ R&D and number of administrative employees.

**68 MFG/R&D Employees; 6 Admin Employees; See Attached Process/Activities Detail**

2. Exemption is requested for tools, machinery & equipment used in Manufacturing / Research & Development acquired in calendar year 2014.
3. Address of Manufacturing / R & D operation. 601 Marvel Road, Salisbury, MD 21801
4. Date Manufacturing / R & D operation began in Salisbury. 03/13/2013
5. Attach a description of each asset claimed under this exemption. The schedule must include a description, original cost, and date of acquisition for each item. General descriptions such as Equipment, Various, or Miscellaneous are not acceptable.
6. Attach a copy of the State of Maryland Personal Property Return for the year of acquisition.

### Additional information and requirements

All exemptions require approval by the City of Salisbury Council and receipt of exemption from Wicomico County does not mean you will automatically be granted an exemption by the City of Salisbury. The exemption that is granted is for a specific year in which equipment was purchased and can be for a term up to a maximum of 5 years. Once an exemption has been granted, a copy of the personal property tax return must be sent in for each year of the exemption. To be eligible to receive the maximum exemption term of 5 years, the application must be received within two (2) years from December 31<sup>st</sup> of the calendar year in which the equipment was purchased. A separate request must be made for each year. The application can be mailed to Finance Department, 125 North Division St., Salisbury, MD 21801-4940 or faxed to (410) 860-5154.

Preparer's Signature Randy Blaink Date 11/11/15

Email address ray.blaink@ryan.com

**City of Salisbury  
Finance Department  
Exemption Recommendation to City Council**

Company: PolyONE Designed Structures & Solutions LLC  
Address: 601 Marvel RD, Salisbury MD

Requested By: Ray Blutnik  
Date of Request: 11/11/2015

Description of Mfg.: Conversion of PVC Vinyl and covered films

Equipment Year 2014

New Equipment \$ 1,058,538

**Total \$ 1,058,538**

<u>Exemption Value</u>	<u>City Property Tax Year</u>	<u>State Return</u>	<u>Year of Exemption</u>	<u>Deprec. Value</u>	<u>Am't of Exemption</u>
	2016	2015	1	952,684	21,054
	2017	2016	2	846,830	18,715
	2018	2017	3	740,977	16,376
	2019	2018	4	635,123	14,036
	2020	2019	5	529,269	11,697
<b>Total Value of Exemption:</b>					<b>\$ <u>81,878</u></b>

*(1) The exemption credit value shown above is using rate of 2.21 per hundreded . The acutal credit to be issued will be based on rates in effect for the City Tax Year the credit is issued to.*

*(2) A Personal Property Tax return is required to be submitted to the City of Salisbury each year in order for issuance of credits related to any exemptions awarded.*

PolyOne Designed Structures Solutions LLC  
 City of Salisbury, MD  
 ID: Z15461130  
 Fixed Asset Detail

January 1, 2015

Asset #	State Class	Asset Description	Acq Date (O)	Cost (O)
1711026840-0	Mfg M&E	KVA Drive Isolation Transformer for Pres	12/30/2014	11,035
1711026784-0	Mfg M&E	Servo Drives for Press 2	12/05/2014	41,773
1711024995-0	Mfg M&E	Plant compressed air dryer	11/18/2014	18,673
1711024993-0	Mfg M&E	Boiler water softener	10/24/2014	8,758
1711024996-0	Mfg M&E	Calender 1 Ribbon Blenders Replacement	10/16/2014	328,576
1711024994-0	Mfg M&E	C2 Enclosure	07/14/2014	11,535
1711024759-0	Mfg M&E	Banbury Batch Scale Controller	01/06/2014	8,162
1711024776-0	Mfg M&E	2368 Re-engrave 6318 Breccia cylinders	01/01/2014	20,175
1711024778-0	Mfg M&E	Machine guarding and walking/work surfac	01/01/2014	50,313
1711024779-0	Mfg M&E	Calender 1 roll refurbishment project	01/01/2014	316,461

**Total Mfg M&E 815,452**

**Items Transferred In\***

1711024992-0	Mfg M&E	Banbury body rebuild	10/31/2013	225,386
1711024840-0	Mfg M&E	INJECTION MOLDER MR	03/13/2013	12,800
1711024890-0	Mfg M&E	FT-IR	03/13/2013	4,900

**Total Move-Ins 243,086**

\* These are items that were purchased in 2013 but moved to Salisbury in 2014.

**Grand Total 1,058,538**



## State Of Maryland Exemption Application for Manufacturing and Research & Development

### Attachment – Question # 3

PolyOne Maryland is a manufacturing facility that calendars and converts PVC Vinyl and converted films , specializing in the printing, coating embossing and laminating of films and papers.

The manufacturing process Major processing steps are as follows:

#### Calendaring

##### Raw Materials (primary)

- 1) PVC resin
- 2) TiO<sub>2</sub>
- 3) Calcium Carbonate

##### Process Steps

- 1) Raw materials are blended for use.
- 2) Materials are fluxed, calendaring form for raw materials.
- 3) Materials are calendared to customer specifications, sheeted to exacting gage and width.
- 4) Calendared materials are master rolled to the customer specification.

#### Converting

##### Raw Materials (primary)

- 1) PVC (rigid and flexible)
- 2) Acrylic Film
- 3) Printing Inks suspended in Isopropyl Alcohol and Isopropyl Acetate.

##### Process Steps

- 1) Blend standard ink components into customer specified colors
- 2) Rotogravure print patterns with mixed ink in customer specified patterns.
- 3) Printed materials are master rolled to the customer specification.

#### Transportation

Raw material (Inputs ) and Customer products are transported as follows:

- 1) All raw materials and finished product are shipped via truck.
- 2) A small percentage of raw and finished materials are shipped Intermodal.

#### R & D

Research and development is conducted on the above processes for - New product development, customer inquiries and Manufacturing Improvements.

- 1) Some new product development is performed in a lab situation to define desired appearance and property.
- 2) All new product development, customer inquiries and manufacturing improvements must be piloted on the main manufacturing line for scale up processing parameter development.

## Personal Property Return As of January 1, 2015 Due April 15, 2015

STATE OF MARYLAND, DEPARTMENT OF ASSESSMENTS AND TAXATION, PERSONAL PROPERTY DIVISION  
 301 West Preston Street, Room 801, Baltimore, Maryland 21201-2395 \* www.dat.maryland.gov \* (410) 767-1170 \* (888) 248-5941 within Maryland

# 2015

## Form 1

### Page 1 of 4

Date Received  
by Department

	Type of Business	ID # Prefix	Filing Fee		Type of Business	ID # Prefix	Filing Fee
CHECK ONE	<input type="checkbox"/> Domestic Stock Corporation	(D)	\$300		<input type="checkbox"/> Domestic Limited Liability Company	(W)	\$300
	<input type="checkbox"/> Foreign Stock Corporation	(F)	\$300		<input checked="" type="checkbox"/> Foreign Limited Liability Company	(Z)	\$300
	<input type="checkbox"/> Domestic Non-Stock Corporation	(D)	- 0 -		<input type="checkbox"/> Domestic Limited Partnership	(M)	\$300
	<input type="checkbox"/> Foreign Non-Stock Corporation	(F)	- 0 -		<input type="checkbox"/> Foreign Limited Partnership	(P)	\$300
	<input type="checkbox"/> Foreign Insurance Corporation	(F)	\$300		<input type="checkbox"/> Domestic Limited Liability Partnership	(A)	\$300
	<input type="checkbox"/> Foreign Interstate Corporation	(F)	- 0 -		<input type="checkbox"/> Foreign Limited Liability Partnership	(E)	\$300
	<input type="checkbox"/> SDAT Certified Family Farm	(A,D,M,W)	\$100		<input type="checkbox"/> Domestic Statutory Trust	(B)	\$300
	<input type="checkbox"/> Real Estate Investment Trust	(D)	\$300		<input type="checkbox"/> Foreign Statutory Trust	(S)	\$300

Name of Business: **PolyOne Designed Structures & Solutions**  
 Mailing Address: **33587 Walker Road  
 Avon Lake, OH 44012**

Make Address Corrections Here →

Check here if this is a change of address.

DEPARTMENT ID NUMBER ID # PREFIX <b>Z</b> <b>15461130</b>		FEDERAL EMPLOYER IDENTIFICATION NUMBER <b>4 6 - 1 9 8 6 7 9 2</b>	
DATE OF INCORPORATION OR FORMATION <b>9/20/2013</b>	STATE OF INCORPORATION OR FORMATION <b>DE</b>	FEDERAL PRINCIPAL BUSINESS CODE	
TRADING AS NAME		<input type="checkbox"/> Please check here if you do not want personal property forms mailed to you next year.	

ID # PREFIX **Z 1 5 4 6 1 1 3 0**  
Type or Print Department ID Number Here

INCLUDE DEPARTMENT ID NUMBER ON CHECK PLEASE STAPLE CHECK HERE

### SECTION I

- A. Is any business conducted in Maryland? Yes Date began: 9/20/2013  
(Yes or No)
- B. Nature of business conducted in Maryland: Manufacturing
- C. Does the business own, lease or use personal property located in Maryland? Yes If No, skip SECTION II.  
(Yes or No)

### ONLY CORPORATIONS COMPLETE ITEM D

D. Names and addresses of officers and names of directors (type or print):

OFFICERS	
Names	Addresses
President <u>Julie McAlindon</u>	_____
Vice-President <u>Craig Nikrant</u>	_____
Secretary <u>Woodrow W. Ban</u>	_____
Treasurer <u>James Sloan</u>	_____

DIRECTORS	
Names	Names
_____	_____
_____	_____
_____	_____

7019, DSS Salisbury  
601 Marvel Road, Salisbury, MD 21801

⑤ **Tools, machinery and equipment used for manufacturing or research and development:** State the original cost of the property by year of acquisition. Include all fully depreciated property and property expensed under IRS rules. If this business is engaged in manufacturing/R&D, and is claiming such an exemption for the first time, a **manufacturing / R&D exemption application must be submitted on or before September 1, 2016** before an exemption can be granted. See instruction 11 for exception. Contact the Department or visit [www.dat.maryland.gov](http://www.dat.maryland.gov) for an application.

If the property is located in a taxable jurisdiction, a detailed schedule by depreciation category should be included to take advantage of higher depreciation allowances.

ORIGINAL COST BY YEAR OF ACQUISITION			
2014	861,546	2010	
2013	12,900,098	2009	
2012		2008	
2011		2007 and prior	

TOTAL COST \$ 13,761,644

⑥ **Vehicles with Interchangeable Registration** (dealer, recycler, finance company, special mobile equipment, and transporter plates) and unregistered vehicles should be reported here. See specific instructions.

ORIGINAL COST BY YEAR OF ACQUISITION			
2014		2012	
2013		2011 and prior	

TOTAL COST \$ None

⑦ **Non-farming livestock** \$ None (Book Value) \$ \_\_\_\_\_ (Market Value)

⑧ **Other personal property** ..... Total Cost \$ None  
File separate schedule giving a description of property, original cost and the date of acquisition.

⑨ **Property owned by others and used or held by the business** as lessee or otherwise. . . Total Cost \$ None  
File separate schedule showing names and addresses of owners, lease number, description of property, installation date and separate cost in each case.

⑩ **Property owned by the business but used or held by others** as lessee or otherwise. . . Total Cost \$ None  
File separate schedule showing names and addresses of lessees, lease number, description of property, installation date and original cost by year of acquisition for each location. Schedule should group leases by county where the property is located. Manufacturer lessors should submit the retail selling price of the property not the manufacturing cost.

# Depreciation Schedule

2015

Form 4B & 4C

PROPERTY IN MARYLAND AS OF 12 / 31 / 2014

	TOTAL COST	DEPRECIATION THIS YEAR	ACCUMULATED DEPRECIATION	BOOK VALUE
1. Land	1,770,000			1,770,000
2. Building	2,969,854	339,017	606,083	2,363,771
3. Leasehold Improvements				
4. Transportation Equipment (Registered) <sup>A</sup>				
5. Transportation Equipment (Not Registered and Interchangeable Registrations)				
6. Furniture & Fixtures				
7. Machinery & Equipment	13,761,645	1,349,597	2,390,502	11,371,143
8. Other (Specify)	105,848	19,268	27,769	78,079
9. Totals: <sup>B</sup>	18,607,347	1,707,882	3,024,354	15,582,993
10. Expensed Property (Not Reported on Depreciation Schedule) <sup>C</sup>				
11. Exempt Personal Property <sup>D</sup> (Included in line 9 above and not reported on the return.)				

Type of Organization		EXEMPTION CLAIMED	Type of Property	
<input type="checkbox"/> Charitable	<input type="checkbox"/> Religious		<input type="checkbox"/> Vehicles (Registered)	<input type="checkbox"/> Vessels (under 100 ft.)
<input type="checkbox"/> Educational	<input type="checkbox"/> Veterans		<input type="checkbox"/> Aircraft	<input type="checkbox"/> Farming Implements (Farmers Only)
<input type="checkbox"/> Other			<input type="checkbox"/> Rental Heavy Equipment <sup>E</sup>	<input type="checkbox"/> Other
SPECIFY			SPECIFY	

- A. Vehicles with Interchangeable Registrations (dealer, recycler, finance company, special mobile equipment, and transporter plates) are to be reported on line 5.
- B. Total line must equal Line 10 on the Balance Sheet Form 4A.
- C. Include all expensed property located in Maryland not reported on the Depreciation Schedule Form 4B.
- D. If exempt property is owned check the appropriate boxes under line 11. Exempt organizations need to provide written justification for the claimed exemption with the return. Organizations required to file IRS form 990 should also submit a copy of the latest available filing.
- E. For Rental Heavy Equipment Only - An entity must meet all of the following provisions: 1) largest segment of its total receipts is from the short-term lease or rental of heavy equipment at retail without operators; 2) it must be defined under Code 532412 of the North American Industry Classification System; 3) the property must meet the definition of heavy equipment property in § 9-609(D)(5) of the Political Subdivisions Article and 4) the lease or rental of the heavy equipment property is for a period of 365 days or less.

## DISPOSAL AND TRANSFER RECONCILIATION

	BALANCE 1/1/2014	TRANSFERS IN DURING 2014	2014 ACQUISITIONS	TRANSFERS OUT & DISPOSALS*	BALANCE 1/1/2016
1. Furniture, Fixtures, Tools Machinery and Equipment	107,440		7,908	9,500	105,848
2. Motor Vehicles					
3. Manufacturing/R&D Equip.	12,703,107	243,086	815,452		13,761,645
4. Leased Property					
5. Totals	12,810,547	243,086	823,360	9,500	13,867,493

This section must be completed by those businesses which transferred or disposed of personal property located in Maryland during 2014. Property "Transferred In" from locations outside Maryland, property acquired and property "Disposed Of" or "Transferred Out" during 2014 must be reported above and reconciled with the totals from last year's return.  
 \* If transfers out and disposals made during 2014 are more than \$200,000 or greater than 50% of the total property reported as of 1/1/2014, complete the information below.

TRANSFERS	Date of transfer:	Location where transferred?	
		City: N/A	State:
DISPOSALS	Date of disposal:	Manner of disposal? (sale, junked, donation, etc.)	Name of buyer? (For Sales Only)

# City of Salisbury



KEITH CORDREY  
DIRECTOR INTERNAL SERVICES

MARYLAND

FINANCE DEPARTMENT  
125 N. Division Street  
Salisbury, MD 21801-4940  
410) 548-3110  
(410) 860-5154 (Fax)

## AMENDED

### Exemption Application For Machinery and Equipment Used for Manufacturing/Research & Development

Business Name: PolyOne Designed Structures & Solutions LLC MD Department ID#: Z15461130

Mailing Address: 33587 Walker Raod, Avon lake, OH 44012

Contact Name: Jessica Fisher Phone No.: 440.930.1656

1. In order to qualify for an exemption you must meet one of the following requirements: Equipment is owned and operated by a facility that (1) locates in Salisbury (2) expands operations in Salisbury, or (3) develops a new product or industrial process in Salisbury. If you meet one of these requirements please explain in detail how you meet these requirements including raw materials used and products produced or R & D activity being conducted. Please include number of employees used in Manufacturing/ R&D and number of administrative employees.  
**69 MFG/R&D Employees; 8 Admin Employees; See Attached Process/Activities Detail**
2. Exemption is requested for tools, machinery & equipment used in Manufacturing / Research & Development acquired in calendar year 2013.
3. Address of Manufacturing / R & D operation. 601 Marvel Road, Salisbury, MD 21801
4. Date Manufacturing / R & D operation began in Salisbury. 03/13/2013
5. Attach a description of each asset claimed under this exemption. The schedule must include a description, original cost, and date of acquisition for each item. General descriptions such as Equipment, Various, or Miscellaneous are not acceptable.
6. Attach a copy of the State of Maryland Personal Property Return for the year of acquisition.

#### Additional information and requirements

All exemptions require approval by the City of Salisbury Council and receipt of exemption from Wicomico County does not mean you will automatically be granted an exemption by the City of Salisbury. The exemption that is granted is for a specific year in which equipment was purchased and can be for a term up to a maximum of 5 years. Once an exemption has been granted, a copy of the personal property tax return must be sent in for each year of the exemption. To be eligible to receive the maximum exemption term of 5 years, the application must be received within two (2) years from December 31<sup>st</sup> of the calendar year in which the equipment was purchased. A separate request must be made for each year. The application can be mailed to Finance Department, 125 North Division St., Salisbury, MD 21801-4940 or faxed to (410) 860-5154.

Preparer's Signature Ray Blatnik Date 11/11/15

Email address ray.blatnik@ryan.com

**City of Salisbury  
Finance Department  
Exemption Recommendation to City Council**

Company: PolyONE Designed Structures & Solutions LLC  
Address: 601 Marvel RD, Salisbury MD

Requested By: Ray Blutnik  
Date of Request: 11/11/2015

Description of Mfg.: Conversion of PVC Vinyl and covered films

Equipment Year 2013

New Equipment \$ 12,703,107

**Total \$ 12,703,107**

<u>Exemption Value</u>	<u>City Property Tax Year</u>	<u>State Return</u>	<u>Year of Exemption</u>	<u>Deprec. Value</u>	<u>Am't of Exemption</u>
	2015	2014	1	11,432,796	252,665
	2016	2015	2	10,162,486	224,591
	2017	2016	3	8,892,175	196,517
	2018	2017	4	7,621,864	168,443
	2019	2018	5	6,351,554	140,369
<b>Total Value of Exemption:</b>					<b>\$ <u>982,585</u></b>

*(1) The exemption credit value shown above is using rate of 2.21 per hundreded . The acutal credit to be issued will be based on rates in effect for the City Tax Year the credit is issued to.*

*(2) A Personal Property Tax return is required to be submitted to the City of Salisbury each year in order for issuance of credits related to any exemptions awarded.*

PolyOne Designed Structures Solutions LLC  
 City of Salisbury, MD  
 ID: Z15461130  
 Fixed Asset Detail

January 1, 2014

Asset #	State Class	Asset Description	Acq Date (O)	Cost (O)
1711021064-0	Mfg M&E	Explosion-proof HEPA filtered vacuum cle	12/31/2013	17,096
1711021065-0	Mfg M&E	Kneader MDS die replacement	12/31/2013	29,000
1711020193-0	Mfg M&E	CAR 2950 - SCBA Equipment for Calendring	07/01/2013	8,212
1711014585-0	Mfg M&E	CAR 2636 - Safety upgrades for HSMS certification	03/17/2013	37,800
1711014605-0	Mfg M&E	CAR 2854 - Press 1 Center Wind Motor Drive Upgrade	03/17/2013	34,900
1711014542-0	Mfg M&E	PRODUCT LAYOUT REVIEW FIXTURES	03/13/2013	1,600
1711014544-0	Mfg M&E	System Migration -VPI to Spartech (phone system,	03/13/2013	16,500
1711014563-0	Mfg M&E	Lanoptics Starmux Repeaters (3)	03/13/2013	300
1711014564-0	Mfg M&E	Replacement Server	03/13/2013	300
1711014566-0	Mfg M&E	PowerEdge 2600 Network Server	03/13/2013	200
1711014569-0	Mfg M&E	Honeywell Beta Gage	03/13/2013	92,100
1711014570-0	Mfg M&E	CAR 2209 - Color Spectrophotometer	03/13/2013	24,400
1711014571-0	Mfg M&E	CAR 2209 - Color Spectrophotometer	03/13/2013	14,900
1711014572-0	Mfg M&E	CAR 2209 - Color Spectrophotometer	03/13/2013	12,500
1711014573-0	Mfg M&E	Misc. Assets <50,000-Lab	03/13/2013	5,600
1711014574-0	Mfg M&E	CAR 2491 - New Micrometer	03/13/2013	3,300
1711014575-0	Mfg M&E	Cal #2 Camera/Monitoring System	03/13/2013	3,000
1711014576-0	Mfg M&E	CAR 2209 - Color Spectrophotometers for Calende	03/13/2013	3,000
1711014577-0	Mfg M&E	INSTRON MODEL 4411	03/13/2013	2,900
1711014578-0	Mfg M&E	Model 4444 Mat'l Testing System	03/13/2013	2,700
1711014579-0	Mfg M&E	Silo Monitoring System-Safely Improvement	03/13/2013	2,100
1711014580-0	Mfg M&E	CAR 2209 - Color Spectrophotometer	03/13/2013	2,100
1711014581-0	Mfg M&E	Peel Tester for Label/Decal	03/13/2013	1,300
1711014582-0	Mfg M&E	Honeywell Repair	03/13/2013	1,100
1711014583-0	Mfg M&E	MOLD/DENSOMETER(Lab)	03/13/2013	900
1711014584-0	Mfg M&E	Heat Sensor for C2 Hydraulic Tank	03/13/2013	400
1711014586-0	Mfg M&E	CAR 7008 - Walking and Work Surfaces	03/13/2013	34,900
1711014587-0	Mfg M&E	CAR 2477 - Calendar 1 Machine Guarding Barrier F	03/13/2013	32,700
1711014588-0	Mfg M&E	Dust Collection System-Color Room	03/13/2013	23,800
1711014589-0	Mfg M&E	DUST COLLECTORS 791	03/13/2013	13,000
1711014590-0	Mfg M&E	CAR 7007 - Machine Guarding	03/13/2013	7,700
1711014591-0	Mfg M&E	Cal #2 Embossing Roll Holst System	03/13/2013	7,200
1711014592-0	Mfg M&E	Dust Collection Hood-3rd Floor	03/13/2013	6,000
1711014593-0	Mfg M&E	Dust Collection Hood-2nd Floor	03/13/2013	6,000
1711014594-0	Mfg M&E	Misc. Assets <50,000-Whse	03/13/2013	3,200
1711014595-0	Mfg M&E	Inkroom Scale	03/13/2013	3,000
1711014596-0	Mfg M&E	FORK TRUCK UPGRADES	03/13/2013	5,400
1711014597-0	Mfg M&E	CAR 2215 - Roto Lift Drum Handler	03/13/2013	4,900
1711014598-0	Mfg M&E	Clark Walkie Lift	03/13/2013	2,100
1711014599-0	Mfg M&E	Fork Lift-Printing Area	03/13/2013	300
1711014600-0	Mfg M&E	Fork Lift-Maint Area	03/13/2013	100
1711014601-0	Mfg M&E	C2 Mill Bearing Replacement - CAR 7006	03/13/2013	62,900
1711014602-0	Mfg M&E	Calender 2 Rubber Roll Water Pan	03/13/2013	62,600
1711014603-0	Mfg M&E	C #1 New 40 Chiller	03/13/2013	40,900
1711014604-0	Mfg M&E	CAR 2757 - Oil/Water Evaporator	03/13/2013	36,600
1711014607-0	Mfg M&E	80 Ton 20 Degree Water Chiller-Converting	03/13/2013	24,000
1711014608-0	Mfg M&E	Cal #2 Exhaust Hood System	03/13/2013	20,400
1711014609-0	Mfg M&E	Cal #2 Heating/Cooling Station	03/13/2013	17,200
1711014610-0	Mfg M&E	Cal #2 Heating/Cooling Station	03/13/2013	17,200
1711014611-0	Mfg M&E	Cal #2 Heating/Cooling Station	03/13/2013	17,200
1711014612-0	Mfg M&E	Cal #2 Heating/Cooling Station	03/13/2013	17,200
1711014613-0	Mfg M&E	Cal #2 Heating/Cooling Station	03/13/2013	17,200
1711014614-0	Mfg M&E	Cal #2 Heating/Cooling Station	03/13/2013	17,200
1711014615-0	Mfg M&E	Cal #2 Heating/Cooling Station	03/13/2013	17,200
1711014616-0	Mfg M&E	Cal #2 Heating/Cooling Station	03/13/2013	17,200
1711014617-0	Mfg M&E	Cal #2 Heating/Cooling Station	03/13/2013	17,200
1711014618-0	Mfg M&E	Cal #2 Heating/Cooling Station	03/13/2013	17,200

PolyOne Designed Structures Solutions LLC  
 City of Salisbury, MD  
 ID: Z15461130  
 Fixed Asset Detail

January 1, 2014

Asset #	State Class	Asset Description	Acq Date (O)	Cost (O)
1711014619-0	Mfg M&E	Cal #2 Heating/Cooling Station	03/13/2013	17,200
1711014620-0	Mfg M&E	Cal #2 Heating/Cooling Station	03/13/2013	17,200
1711014621-0	Mfg M&E	Cal #2 Heating/Cooling Station	03/13/2013	17,200
1711014622-0	Mfg M&E	Repair C1 electric vault A/C	03/13/2013	16,100
1711014623-0	Mfg M&E	Fire Pump Motor Starter Replacement	03/13/2013	15,700
1711014624-0	Mfg M&E	air compressor canopy	03/13/2013	15,600
1711014625-0	Mfg M&E	Plugging Motor Cal #2 Mill	03/13/2013	15,300
1711014626-0	Mfg M&E	#4 Roll screw-down replacement motor	03/13/2013	15,200
1711014627-0	Mfg M&E	Rebuild #3 IR Air Compressor	03/13/2013	8,200
1711014628-0	Mfg M&E	Plant Power Capacitor Contactor	03/13/2013	7,900
1711014629-0	Mfg M&E	Tank Farm	03/13/2013	7,400
1711014630-0	Mfg M&E	Air Separator	03/13/2013	7,300
1711014631-0	Mfg M&E	Emergency Repair C2 Chiller	03/13/2013	6,100
1711014632-0	Mfg M&E	GL PROJ LABOR 791	03/13/2013	5,900
1711014633-0	Mfg M&E	C1 Rubber roll motor replacement	03/13/2013	5,000
1711014634-0	Mfg M&E	replace IS motor/hopper gearbox	03/13/2013	4,300
1711014635-0	Mfg M&E	Power Factor Correction Capacitors	03/13/2013	4,200
1711014636-0	Mfg M&E	Cooling Coll Replacement	03/13/2013	4,200
1711014637-0	Mfg M&E	Misc. Assets <60,000-Maint	03/13/2013	4,100
1711014638-0	Mfg M&E	Drive Shaft Coupling	03/13/2013	4,000
1711014639-0	Mfg M&E	C2 Kneader Motor Repair	03/13/2013	3,700
1711014640-0	Mfg M&E	Motor-North Hockmeyer/Ink Room	03/13/2013	3,400
1711014641-0	Mfg M&E	Relative Humidity Meter Oil Tank #4	03/13/2013	3,200
1711014642-0	Mfg M&E	Misc. assets <60,000ea. Yard	03/13/2013	2,800
1711014643-0	Mfg M&E	Press Cart Replacement Wheels	03/13/2013	2,800
1711014644-0	Mfg M&E	Misc. Assets <50,000 ea.	03/13/2013	2,700
1711014645-0	Mfg M&E	NEW 40 HP AIR COMPRESSOR	03/13/2013	2,600
1711014646-0	Mfg M&E	Hockmeyer Motor Replacement	03/13/2013	1,300
1711014647-0	Mfg M&E	Cal #2 Mixing & Blending System	03/13/2013	1,109,700
1711014648-0	Mfg M&E	Cal #2 - 4 Roll Calender	03/13/2013	970,200
1711014649-0	Mfg M&E	CALENDER LINE 1	03/13/2013	874,000
1711014650-0	Mfg M&E	Cal #2 Weigh/Mix Fluxing	03/13/2013	810,400
1711014651-0	Mfg M&E	Cal #2 Calendering Piping & Utilities	03/13/2013	736,000
1711014652-0	Mfg M&E	Cal #2 Calendering System	03/13/2013	731,200
1711014653-0	Mfg M&E	Cal #2 Calender Controls	03/13/2013	593,600
1711014654-0	Mfg M&E	Calender #2 Auto Winder	03/13/2013	531,500
1711014655-0	Mfg M&E	Cal #2 Post Calender Group	03/13/2013	480,000
1711014656-0	Mfg M&E	Cal #2 Calendering Electrical	03/13/2013	440,600
1711014657-0	Mfg M&E	Cal #2 Utilities & Piping	03/13/2013	392,200
1711014658-0	Mfg M&E	Calender #2 Capitalized Interest M&E	03/13/2013	290,100
1711014659-0	Mfg M&E	Cal #2 Weigh/Mix Electrical	03/13/2013	201,900
1711014660-0	Mfg M&E	Banbury Body Rebuild - 2010	03/13/2013	177,400
1711014661-0	Mfg M&E	Cal #2 Roll Quick Change System	03/13/2013	161,600
1711014662-0	Mfg M&E	Regenerative Thermal Oxidizer	03/13/2013	132,900
1711014663-0	Mfg M&E	Cal #2 Two Roll Plastic Mill	03/13/2013	131,400
1711014664-0	Mfg M&E	RECONDITION CURRENT ROLLS	03/13/2013	122,400
1711014665-0	Mfg M&E	Cal #2 Weigh/Mix Engineering	03/13/2013	101,500
1711014666-0	Mfg M&E	Banbury Body Refurbishment	03/13/2013	85,900
1711014667-0	Mfg M&E	Cal#2 Rodolfo Start-Up	03/13/2013	83,400
1711014668-0	Mfg M&E	Cal #2 Add'l Cal Roll & Bearings	03/13/2013	70,700
1711014669-0	Mfg M&E	Cal #2 Add'l Cal Roll & Bearings	03/13/2013	70,700
1711014670-0	Mfg M&E	Cal #2 Add'l Cal Roll & Bearings	03/13/2013	70,700
1711014671-0	Mfg M&E	Cal #2 Add'l Cal Roll & Bearings	03/13/2013	70,700
1711014672-0	Mfg M&E	"Laminator, 72" W, 2-ply"	03/13/2013	68,700
1711014673-0	Mfg M&E	Cal #2 Calendering Engineering	03/13/2013	68,100
1711014674-0	Mfg M&E	re-chrome c2 calender roll	03/13/2013	66,900
1711014675-0	Mfg M&E	Calender #2 Misc Start-up Costs	03/13/2013	57,200

PolyOne Designed Structures Solutions LLC  
City of Salisbury, MD  
ID: Z15461130  
Fixed Asset Detail

January 1, 2014

Asset #	State Class	Asset Description	Acq Date (O)	Cost (O)
1711014676-0	Mfg M&E	Calender #2 Roll 3 & 4 Resurfacing	03/13/2013	56,300
1711014677-0	Mfg M&E	C2 Kneader Refurbishment	03/13/2013	54,600
1711014678-0	Mfg M&E	Cal #2 Mill Heat/Cool Station	03/13/2013	53,900
1711014679-0	Mfg M&E	C2 Corona Treating System	03/13/2013	51,800
1711014680-0	Mfg M&E	Cal#2 Miscellaneous Costs	03/13/2013	50,500
1711014681-0	Mfg M&E	RECONDITION SPARE ROLLS	03/13/2013	43,500
1711014682-0	Mfg M&E	C1 Roll Replacement 3 & 4 Replacements	03/13/2013	40,000
1711014683-0	Mfg M&E	CAR 2651 - Ross Mixer Rebuild	03/13/2013	38,100
1711014684-0	Mfg M&E	profiling calender rolls	03/13/2013	37,800
1711014685-0	Mfg M&E	Cal #2 Post Startup Additions	03/13/2013	37,500
1711014686-0	Mfg M&E	CAR 2288 - New Salisbury Boiler	03/13/2013	36,500
1711014687-0	Mfg M&E	DataColor Mother System & Workstation	03/13/2013	35,800
1711014688-0	Mfg M&E	Cal #2 Rolls 3 & 4 Repair	03/13/2013	34,800
1711014689-0	Mfg M&E	Emergency Alarm System	03/13/2013	33,700
1711014690-0	Mfg M&E	Spare Parts for Calender 2	03/13/2013	33,000
1711014691-0	Mfg M&E	C2 Roll Profile/Hardware	03/13/2013	30,200
1711014692-0	Mfg M&E	C1 Gear Box Repair	03/13/2013	30,100
1711014693-0	Mfg M&E	C2 Roll Profile	03/13/2013	29,700
1711014694-0	Mfg M&E	UST Upgrade	03/13/2013	29,000
1711014695-0	Mfg M&E	Winder 3 Ton Bridge Crane-Cal#2	03/13/2013	28,600
1711014696-0	Mfg M&E	Calender #2 Quick Color Change	03/13/2013	25,800
1711014697-0	Mfg M&E	Profiling of C1 #4 roll	03/13/2013	24,500
1711014698-0	Mfg M&E	Cal#2 Weigh/Mix Miscellaneous Costs	03/13/2013	21,900
1711014699-0	Mfg M&E	Calender 1 Strainer Repair	03/13/2013	21,800
1711014700-0	Mfg M&E	Cradle Assembly	03/13/2013	21,700
1711014701-0	Mfg M&E	Kneader Repairs	03/13/2013	21,400
1711014702-0	Mfg M&E	Cal#2 Miscellaneous Winder Costs	03/13/2013	21,300
1711014703-0	Mfg M&E	Calender 2 disconnects	03/13/2013	21,000
1711014704-0	Mfg M&E	Profile Matte Calender Roll	03/13/2013	19,500
1711014705-0	Mfg M&E	Installation of our Rebuilt Banbury	03/13/2013	19,000
1711014706-0	Mfg M&E	Mixer HD Model F80	03/13/2013	17,100
1711014707-0	Mfg M&E	UST Upgrade	03/13/2013	16,300
1711014708-0	Mfg M&E	Profile matte roll (s)	03/13/2013	15,100
1711014709-0	Mfg M&E	CAR 2158 - Replacement Connecting Gears for Dro	03/13/2013	13,100
1711014710-0	Mfg M&E	STEAM UTILITY UPGRADE	03/13/2013	12,700
1711014711-0	Mfg M&E	Burner Mgmt Control Panel-B&W Boiler	03/13/2013	12,500
1711014712-0	Mfg M&E	banbury rotor repair	03/13/2013	12,300
1711014713-0	Mfg M&E	CAR 2722 - Roll Cart Power Pusher	03/13/2013	12,200
1711014714-0	Mfg M&E	Boiler #2 Back door	03/13/2013	12,000
1711014715-0	Mfg M&E	CAR 2132 - Replacement P1 Switchgear - Square D	03/13/2013	11,000
1711014716-0	Mfg M&E	CAR 2132 - Replacement P1 Switchgear - Square D	03/13/2013	11,000
1711014717-0	Mfg M&E	CAR 2132 - Replacement P1 Switchgear - Square D	03/13/2013	11,000
1711014718-0	Mfg M&E	CAR 2132 - Replacement P1 Switchgear - Square D	03/13/2013	11,000
1711014719-0	Mfg M&E	CAR 2132 - Replacement P1 Switchgear - Square D	03/13/2013	11,000
1711014720-0	Mfg M&E	CAR 2132 - Replacement P1 Switchgear - Square D	03/13/2013	11,000
1711014721-0	Mfg M&E	Misc. Assets <50,000-Laminating	03/13/2013	10,400
1711014722-0	Mfg M&E	UST Upgrade	03/13/2013	10,200
1711014723-0	Mfg M&E	Calender Battery Charge Area	03/13/2013	10,100
1711014724-0	Mfg M&E	banbury contactor repair	03/13/2013	10,000
1711014725-0	Mfg M&E	Pit Modifications in Ink Room	03/13/2013	9,900
1711014726-0	Mfg M&E	C1 & C2 Blaster Traverse Reesign/Rebuild	03/13/2013	9,700
1711014727-0	Mfg M&E	Misc. Assets <50,000-Mixing Area	03/13/2013	9,200
1711014728-0	Mfg M&E	Cal #2 Pickoff Rolls Cleaning Group	03/13/2013	8,800
1711014729-0	Mfg M&E	Safety Cover for Post MIXER	03/13/2013	8,700
1711014730-0	Mfg M&E	"STEEL ROLL 72""X11.554""	03/13/2013	8,000
1711014731-0	Mfg M&E	Cal #2 Additional Stretching Roll	03/13/2013	6,900
1711014732-0	Mfg M&E	Cal #2 Additional Stretching Roll	03/13/2013	6,900

PolyOne Designed Structures Solutions LLC  
 City of Salisbury, MD  
 ID: Z15461130  
 Fixed Asset Detail

January 1, 2014

Asset #	State Class	Asset Description	Acq Date (O)	Cost (O)
1711014733-0	Mfg M&E	Cal #2 Additional Stretching Roll	03/13/2013	6,900
1711014734-0	Mfg M&E	Rebulld CA Blasting Traverse	03/13/2013	6,800
1711014735-0	Mfg M&E	Alrtek Alr Dryer	03/13/2013	6,700
1711014736-0	Mfg M&E	CAR 2307 - C2 Roll Cart Engonomic Upgrade	03/13/2013	6,500
1711014737-0	Mfg M&E	Boiler Repair	03/13/2013	6,100
1711014738-0	Mfg M&E	Ceramic Roll Maintenance	03/13/2013	6,100
1711014739-0	Mfg M&E	Calender Heating Unit replacement	03/13/2013	6,000
1711014740-0	Mfg M&E	Oil/Water Separator-Boiler Rm	03/13/2013	5,600
1711014741-0	Mfg M&E	Suede Roll 64-07	03/13/2013	5,400
1711014742-0	Mfg M&E	replace hopper liner	03/13/2013	5,200
1711014743-0	Mfg M&E	Cal#2 Chilled Rubber Roll (Spare)	03/13/2013	5,100
1711014744-0	Mfg M&E	C1 Plasticizer valve alarm system	03/13/2013	4,000
1711014745-0	Mfg M&E	HEAT EXCHANGER TUBES-SPARE	03/13/2013	3,800
1711014746-0	Mfg M&E	GRINDER(WH)	03/13/2013	3,600
1711014747-0	Mfg M&E	GRINDER(WH)	03/13/2013	3,400
1711014748-0	Mfg M&E	Boiler Feedwater Pump #1	03/13/2013	3,400
1711014749-0	Mfg M&E	DESIGN OVEN	03/13/2013	3,100
1711014750-0	Mfg M&E	Ink Mixer Safety Cover	03/13/2013	2,700
1711014751-0	Mfg M&E	Production Terminals (18)	03/13/2013	2,400
1711014752-0	Mfg M&E	Calender 1 Roll Grinding and Chrome Finishing (2n	03/13/2013	1,800
1711014753-0	Mfg M&E	Cal #2 Weighing/Mixing Conveyors	03/13/2013	37,200
1711014754-0	Mfg M&E	Press #2 6-Color (DKR Asset)	03/13/2013	126,200
1711014755-0	Mfg M&E	Print Cylinder Chinese Elm	03/13/2013	32,400
1711014756-0	Mfg M&E	Cherry Print Cylinder	03/13/2013	25,000
1711014757-0	Mfg M&E	Press #3 4-Color	03/13/2013	22,500
1711014758-0	Mfg M&E	Granite Cylinder Set and Plates	03/13/2013	21,700
1711014759-0	Mfg M&E	""Tile"" Print Cylinder"	03/13/2013	21,600
1711014760-0	Mfg M&E	Print Cylinders/Engraved/Biscayne/Bombay	03/13/2013	14,500
1711014761-0	Mfg M&E	Press #1 5-Color	03/13/2013	13,900
1711014762-0	Mfg M&E	Atlantis Cylinders	03/13/2013	11,700
1711014763-0	Mfg M&E	Print Cylinder Homerwood	03/13/2013	11,400
1711014764-0	Mfg M&E	Print cylinder	03/13/2013	9,500
1711014765-0	Mfg M&E	Celestial Gold Cylinder	03/13/2013	9,500
1711014766-0	Mfg M&E	Parthenon Marble print cylinder	03/13/2013	7,900
1711014767-0	Mfg M&E	Travertine Cylinders	03/13/2013	6,700
1711014768-0	Mfg M&E	brush yecture priny cylinder	03/13/2013	5,800
1711014769-0	Mfg M&E	Embossing Roll	03/13/2013	5,500
1711014770-0	Mfg M&E	NEW CYLINDERS	03/13/2013	5,100
1711014771-0	Mfg M&E	CYLINDER DESIGN SET TW-111	03/13/2013	4,300
1711014772-0	Mfg M&E	CYLINDER DESIGN SET YS-0113	03/13/2013	4,100
1711014773-0	Mfg M&E	Ceramic Embossing Roll	03/13/2013	4,100
1711014774-0	Mfg M&E	Print Cylinder	03/13/2013	4,000
1711014775-0	Mfg M&E	B01B OAK PRINT CYLINDERS	03/13/2013	3,500
1711014776-0	Mfg M&E	Bella Marble Cylinder	03/13/2013	3,400
1711014777-0	Mfg M&E	CYLINDER DESIGN SET TW-184	03/13/2013	3,300
1711014778-0	Mfg M&E	CYLINDER DESIGN SET TW-301	03/13/2013	3,300
1711014779-0	Mfg M&E	CYLINDER DESIGN SET YS-0065-9	03/13/2013	3,300
1711014780-0	Mfg M&E	Domco Cylinder-Gold Parchment	03/13/2013	3,000
1711014781-0	Mfg M&E	Domco Cylinder-Gold Parchment	03/13/2013	3,000
1711014782-0	Mfg M&E	Domco Cylinder-Gold Parchment	03/13/2013	3,000
1711014783-0	Mfg M&E	Domco Cylinder-Gold Parchment	03/13/2013	3,000
1711014784-0	Mfg M&E	NEW PRINT CYLINDERS	03/13/2013	2,800
1711014785-0	Mfg M&E	Calender 1 Embossing Unit Modification (VyCal)	03/13/2013	2,600
1711014786-0	Mfg M&E	Brushed aluminum cylinder	03/13/2013	2,600
1711014787-0	Mfg M&E	Print Rolls	03/13/2013	2,500
1711014788-0	Mfg M&E	modify embossing roll	03/13/2013	2,300
1711014789-0	Mfg M&E	Striation Texture Cylinders (Flexco)	03/13/2013	2,200

PolyOne Designed Structures Solutions LLC  
 City of Salisbury, MD  
 ID: Z15461130  
 Fixed Asset Detail

January 1, 2014

Asset #	State Class	Asset Description	Acq Date (O)	Cost (O)
1711014790-0	Mfg M&E	Cal #2 Embossing Roll Cooling Station	03/13/2013	2,000
1711014791-0	Mfg M&E	15.280x66 Print Cylinder & Plate	03/13/2013	1,800
1711014792-0	Mfg M&E	15.280x66 Print Cylinder & Plate	03/13/2013	1,800
1711014793-0	Mfg M&E	15.280x66 Print Cylinder & Plate	03/13/2013	1,800
1711014794-0	Mfg M&E	Print Cylinder & Plate	03/13/2013	1,700
1711014795-0	Mfg M&E	Print Cylinder & Plate	03/13/2013	1,700
1711014796-0	Mfg M&E	Pine Cylinder	03/13/2013	1,700
1711014797-0	Mfg M&E	Pine Cylinder	03/13/2013	1,700
1711014798-0	Mfg M&E	Pine Cylinder	03/13/2013	1,700
1711014799-0	Mfg M&E	Pine Cylinder	03/13/2013	1,700
1711014800-0	Mfg M&E	Print Cylinder & Plate	03/13/2013	1,700
1711014801-0	Mfg M&E	Print Cylinder & Plate	03/13/2013	1,700
1711014802-0	Mfg M&E	Print Cylinder & Plate	03/13/2013	1,700
1711014803-0	Mfg M&E	Print Cylinder & Plate	03/13/2013	1,700
1711014804-0	Mfg M&E	Print Cylinder & Plate	03/13/2013	1,700
1711014805-0	Mfg M&E	Print Cylinder & Plate	03/13/2013	1,700
1711014806-0	Mfg M&E	Print Cylinder & Plate	03/13/2013	1,700
1711014807-0	Mfg M&E	15.280x66 Print Cylinder	03/13/2013	1,400
1711014808-0	Mfg M&E	PRINT CYLINDER	03/13/2013	1,400
1711014809-0	Mfg M&E	PRINT CYLINDER	03/13/2013	1,400
1711014810-0	Mfg M&E	PRINT CYLINDER	03/13/2013	1,400
1711014811-0	Mfg M&E	Print Cylinder & Plate #8042-A	03/13/2013	1,200
1711014812-0	Mfg M&E	Print Cylinder & Plate #8042-B	03/13/2013	1,200
1711014813-0	Mfg M&E	Print Cylinder & Plate #8042-C	03/13/2013	1,200
1711014814-0	Mfg M&E	Print Cylinder #3829-A Maple	03/13/2013	1,100
1711014815-0	Mfg M&E	Print Cylinder #3829-B Maple	03/13/2013	1,100
1711014816-0	Mfg M&E	Print Cylinder #3829-C Maple	03/13/2013	1,100
1711014817-0	Mfg M&E	Engrave Cyl w/3889-D Design	03/13/2013	1,100
1711014818-0	Mfg M&E	BO18 CYLINDER 15.280X66	03/13/2013	1,000
1711014819-0	Mfg M&E	BO18 CYLINDER 15.280X66	03/13/2013	1,000
1711014820-0	Mfg M&E	BO18 CYLINDER 15.280X66	03/13/2013	1,000
1711014821-0	Mfg M&E	Print Cylinder #3889-A Maple	03/13/2013	900
1711014822-0	Mfg M&E	Print Cylinder #3889-B Maple	03/13/2013	900
1711014823-0	Mfg M&E	Print Cylinder #3889-C Maple	03/13/2013	900

Total Mfg M&E 12,703,107

## State Of Maryland Exemption Application for Manufacturing and Research & Development

PolyOne Maryland is a manufacturing facility that calendars and converts PVC Vinyl and converted films , specializing in the printing, coating embossing and laminating of films and papers. The manufacturing process Major processing steps are as follows:

### Calendaring

#### **Raw Materials (primary)**

- 1) PVC resin
- 2)TiO2
- 3) Calcium Carbonate

#### **Process Steps**

- 1) Raw materials are blended for use.
- 2) Materials are fluxed, calendaring form for raw materials.
- 3) Materials are calendared to customer specifications, sheeted to exacting gage and width.
- 4) Calendared materials are master rolled to the customer specification.

### Converting

#### **Raw Materials (primary)**

- 1) PVC (rigid and flexible)
- 2) Acrylic Film
- 3) Printing inks suspended in Isopropyl Alcohol and Isopropyl Acetate.

#### **Process Steps**

- 1) Blend standard ink components into customer specified colors
- 2) Rotogravure print patterns with mixed ink in customer specified patterns.
- 3) Printed materials are master rolled to the customer specification.

### Transportation

Raw material (inputs ) and Customer products are transported as follows:

- 1) All raw materials and finished product are shipped via truck.
- 2 ) A small percentage of raw and finished materials are shipped intermodal.

### R & D

Research and development is conducted on the above processes for - New product development, customer inquiries and Manufacturing improvements.

- 1) Some new product development is performed in a lab situation to define desired appearance and property.
- 2 ) All new product development, customer inquiries and manufacturing improvements must be piloted on the main manufacturing line for scale up processing parameter development.

**Personal Property Return As of January 1, 2014 Due April 15, 2014**

STATE OF MARYLAND, DEPARTMENT OF ASSESSMENTS AND TAXATION, PERSONAL PROPERTY DIVISION  
 301 West Preston Street, Room 801, Baltimore, Maryland 21201-2385 \* www.dat.maryland.gov \* (410) 767-1170 \* (888) 246-5941 within Maryland

# 2014

## Form 1

### Page 1 of 4

Date Received  
by Department

CHECK ONE

Type of Business	ID # Prefix	Filing Fee	Type of Business	ID # Prefix	Filing Fee
<input type="checkbox"/> Domestic Stock Corporation	(D)	\$300	<input type="checkbox"/> Domestic Limited Liability Company	(W)	\$300
<input type="checkbox"/> Foreign Stock Corporation	(F)	\$300	<input checked="" type="checkbox"/> Foreign Limited Liability Company	(Z)	\$300
<input type="checkbox"/> Domestic Non-Stock Corporation	(D)	- 0 -	<input type="checkbox"/> Domestic Limited Partnership	(M)	\$300
<input type="checkbox"/> Foreign Non-Stock Corporation	(F)	- 0 -	<input type="checkbox"/> Foreign Limited Partnership	(P)	\$300
<input type="checkbox"/> Foreign Insurance Corporation	(F)	\$300	<input type="checkbox"/> Domestic Limited Liability Partnership	(A)	\$300
<input type="checkbox"/> Foreign Interstate Corporation	(F)	- 0 -	<input type="checkbox"/> Foreign Limited Liability Partnership	(E)	\$300
<input type="checkbox"/> SDAT Certified Family Farm	(A,D,M,W)	\$100	<input type="checkbox"/> Domestic Statutory Trust	(B)	\$300
<input type="checkbox"/> Real Estate Investment Trust	(D)	\$300	<input type="checkbox"/> Foreign Statutory Trust	(S)	\$300

AMENDED

Name of Business: **PolyOne Designed Structures & Solutions**  
 Mailing Address: **33587 Walker Road  
 Avon Lake, OH 44012**

Make Address Corrections Here →

Check here if this is a change of address

DEPARTMENT ID NUMBER ID # PREFIX <u>Z</u> <u>15461130</u>		FEDERAL EMPLOYER IDENTIFICATION NUMBER <u>4 6 - 1 9 8 6 7 9 2</u>	
DATE OF INCORPORATION OR FORMATION <u>03/13/2013</u>	STATE OF INCORPORATION OR FORMATION <u>DE</u>	FEDERAL PRINCIPAL BUSINESS CODE _____	
TRADING AS NAME _____		<input type="checkbox"/> Please check here if you do not want personal property forms mailed to you next year.	

ID # PREFIX  
Type or Print Department ID Number Here

INCLUDE DEPARTMENT ID NUMBER ON CHECK PLEASE STAPLE CHECK HERE

**SECTION I**

- A. Is any business conducted in Maryland? Yes Date began: 03/13/2013  
(Yes or No)
- B. Nature of business conducted in Maryland: Manufacturing
- C. Does the business own, lease or use personal property located in Maryland? Yes If No, skip SECTION II.  
(Yes or No)

**ONLY CORPORATIONS COMPLETE ITEM D**

D. Names and addresses of officers and names of directors (type or print):

OFFICERS	
Names	Addresses
President <u>Julie Mcalindon</u>	_____
Vice-President <u>Craig Nikrant</u>	_____
Secretary <u>Woodrow W Ban</u>	_____
Treasurer <u>James Sloan</u>	_____

DIRECTORS	
Names	Names
_____	_____
_____	_____
_____	_____

7019, DSS Salisbury  
601 Marvel Road, Salisbury, MD 21801

**2014**  
Form 1  
continued  
Page 3 of 4

- ⑤ **Tools, machinery and equipment used for manufacturing or research and development:** State the original cost of the property by year of acquisition. Include all fully depreciated property and property expensed under IRS rules. If this business is engaged in manufacturing/R&D, and is claiming such an exemption for the first time, **a manufacturing / R&D exemption application must be submitted on or before September 1, 2014** before an exemption can be granted. **See instruction 11 for exception.** Contact the Department or visit [www.dat.maryland.gov](http://www.dat.maryland.gov) for an application.

If the property is located in a taxable jurisdiction, a detailed schedule by depreciation category should be included to take advantage of higher depreciation allowances.

ORIGINAL COST BY YEAR OF ACQUISITION			
2013	12,703,107	2009	
2012		2008	
2011		2007	
2010		2006 and prior	

TOTAL COST \$ 12,703,107

- ⑥ **Vehicles with Interchangeable Registration** (dealer, recycler, finance company, **special mobile equipment**, and transporter plates) and unregistered vehicles should be reported here. See specific instructions.

ORIGINAL COST BY YEAR OF ACQUISITION			
2013		2011	
2012		2010 and prior	

TOTAL COST \$ None

- ⑦ **Non-farming livestock** \$ None (Book Value) \$ \_\_\_\_\_ (Market Value)

- ⑧ **Other personal property** . . . . . Total Cost \$ None  
File separate schedule giving a description of property, original cost and the date of acquisition.

- ⑨ **Property owned by others and used or held by the business** as lessee or otherwise. . . Total Cost \$ None  
File separate schedule showing names and addresses of owners, lease number, description of property, installation date and separate cost in each case.

- ⑩ **Property owned by the business but used or held by others** as lessee or otherwise. . . Total Cost \$ None  
File separate schedule showing names and addresses of lessees, lease number, description of property, installation date and original cost by year of acquisition for each location. Schedule should group leases by county where the property is located. Manufacturer lessors should submit the retail selling price of the property not the manufacturing cost.

# City of Salisbury



MARYLAND



125 NORTH DIVISION STREET  
SALISBURY, MARYLAND 21801  
Tel: 410-548-3190  
Fax: 410-548-3192

KEITH A. CORDREY  
DIRECTOR OF INTERNAL SERVICES  
PROCUREMENT DIVISION

JACOB R. DAY  
MAYOR

M. THOMAS STEVENSON, JR.  
CITY ADMINISTRATOR

JULIA GLANZ  
ASSISTANT CITY ADMINISTRATOR

## COUNCIL AGENDA – Award of Bids

December 14, 2015

- |                                                                                                              |                |
|--------------------------------------------------------------------------------------------------------------|----------------|
| 1. Contract 116-15<br>West Isabella Street Water Main Replacement &<br>Coty Cox Branch Drainage Improvements | \$2,049,760.50 |
| 2. Declaration of Surplus<br>Salisbury PD Vehicles #34 & 38                                                  | \$ 0.00        |

**The following item is INFORMATION ONLY and does not require  
Council Approval per Resolution 2506**

- |                                                               |                |
|---------------------------------------------------------------|----------------|
| 3. Contract 107-15<br>Change Order #1<br>WWTP BNR/ENR Upgrade | (\$ 97,071.00) |
|---------------------------------------------------------------|----------------|

# City of Salisbury



MARYLAND



125 NORTH DIVISION STREET  
SALISBURY, MARYLAND 21801  
Tel: 410-548-3190 Procurement  
Fax: 410-548-3192 Procurement

KEITH A. CORDREY  
DIRECTOR OF INTERNAL SERVICES

JENNIFER MILLER  
ASST. DIRECTOR OF INTERNAL  
SERVICES

JACOB R. DAY  
MAYOR

M. THOMAS STEVENSON, JR.  
CITY ADMINISTRATOR

JULIA GLANZ  
ASSISTANT CITY ADMINISTRATOR

## Council Agenda

December 14, 2015

TO: Mayor and City Council

SUBJECT: Award of Bid – Contract 116-15  
West Isabella Street Water Main Replacement & Coty Cox Branch Drainage  
Improvements

The City of Salisbury Internal Services Department, Procurement Division, received a request from the Salisbury Public Works Department to solicit bids for Contract 116-15 2014 West Isabella Street Water Main Replacement & Coty Cox Brand Drainage Improvements. This contract called for qualified contractors to furnish all labor, materials and equipment necessary for the installation of a 12” water main on West Isabella Street and for the rehabilitation of approximately 520 feet of 48” diameter storm drain pipe crossing West Isabella Street and West Road. The work for these projects is in the same area, and is thus more efficient and cost effective to have both completed by the same vendor.

The Procurement Department followed standard competitive bidding practices by advertising in the Daily Times, on the City of Salisbury’s website, utilizing the City’s vendor list, and advertising on the State of Maryland’s website, eMaryland Marketplace. A total of two (2) vendors submitted a bid by the due date and time of November 10, 2015 at 2:30 p.m.:

<u>Vendor</u>	<u>W. Isabella Street bid:</u>	<u>Coty Cox Branch bid:</u>	<u>Total:</u>
Chesapeake Turf, LLC	\$2,025,799.39	\$970,319.21	\$2,996,118.60
Corrado Construction Company, LLC	\$1,247,355.95	\$993,200.20	\$2,240,556.15

These bid amounts included a 10% Contingency for miscellaneous work; however, the Department of Public Works has requested that this particular item be removed. The bid amounts less this line item are as follows:

<u>Vendor</u>	<u>W. Isabella Street bid:</u>	<u>Coty Cox Branch bid:</u>	<u>Total:</u>
Chesapeake Turf, LLC	\$1,856,031.00	\$884,514.95	\$2,740,545.90
Corrado Construction Company, LLC	\$1,144,348.50	\$905,412.00	\$2,049,760.50

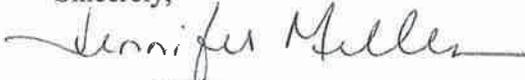
Corrado Construction Company, LLC, was the apparent low bidder. The bid documents were reviewed by the Procurement Department and the Salisbury Public Works Department, and Corrado Construction was determined to be the lowest responsible and responsive bidder. If an award of bid is approved by the Salisbury City Council, the official award to the vendor is contingent upon approval from the Maryland Department of the Environment (MDE), since a portion of the work is funded by an EPA grant.

Funds are available in the noted accounts:

<b>West Isabella Street Water Main Replacement</b>		
EPA Grant	\$485,000.00	10500-513026-55016
FY12 Bond	\$409,684.50	30200-513026-50008
FY12 Bond	\$ 66,000.00	30200-513026-55010
FY07 Bond	\$ 35,352.00	30100-513026-48300
FY07 Bond	\$148,312.00	30200-513026-48300
<b>Coty Cox Branch Drainage Improvements</b>		
FY14 Bond	\$905,412.00	98114-513026-70041
<b>TOTAL:</b>	<b>\$2,049,760.50</b>	

Since Corrado Construction Company, LLC, was the lowest responsive and responsible bidder, reference checks yielded favorable replies, and the funds have been confirmed as available, the Procurement Department requests Council's approval to award Contract 116-15 to Corrado Construction Company, LLC, in the amount of \$2,049,760.50.

Sincerely,



Jennifer Miller

Assistant Director of Internal Services – Procurement and Parking

# City of Salisbury



MARYLAND



JACOB R. DAY  
MAYOR

M. THOMAS STEVENSON, JR.  
CITY ADMINISTRATOR

JULIA GLANZ  
ASSISTANT 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: Jennifer L. Miller, Assistant Director of Internal Services – Procurement & Parking  
From: Michael S. Moulds, P.E., Director of Public Works  
Paul B. Mauser, P.E., Project Engineer  
Date: November 23, 2015  
Re: Contract No. 116-15 West Isabella Street Water Main Replacement & Coty Cox Branch Drainage Improvements

Salisbury Public Works (SPW) recently advertised the construction contract for the West Isabella Street Water Main Replacement & Coty Cox Drainage Improvements projects. The contract includes providing construction services to install over 2,100' of 12" water main on West Isabella Street, install 520' of 48" RCP stormwater pipe along the Coty Cox Branch, and upgrade 270' of 24" sewer on West Road. The projects were combined into one bid since the work will be performed in the same area. This will provide coordination for traffic control and finished paving. Repaving for this project will be provided per Resolution No. 2298 and installation of bike lanes will be provided per Resolution No. 2431. The projects will be constructed as defined in the approved Plans and Specifications.

Bids were opened on Tuesday, November 10 at 2:30 p.m. from two different contractors. The attached bid tabulation offers a breakdown of the bid totals provided from each contractor. Bidders responded as follows:

Bidder:	West Isabella Street:	Coty Cox Branch:	Total:
Chesapeake Turf, LLC	\$2,025,799.39	\$970,319.21	\$2,996,118.60
Corrado Construction Company, LLC	\$1,247,355.95	\$993,200.20	\$2,240,556.15

SPW reviewed all bid packages. Corrado Construction Company, LLC was the lowest, responsive, responsible bidder with a bid of \$2,240,556.15. SPW called references provided by Corrado and all references contacted provided great recommendations.

A line item for "10% Contingency: For miscellaneous construction" was included in the Form of Proposal for both projects. Line item C-13A from West Isabella Street resulted in the amount of \$103,007.45 and Line Item C-3B from Coty Cox resulted in \$87,788.20, for a total of \$190,795.65. SPW recommends that the \$190,795.65 total for the "10% Contingency: For miscellaneous

construction" line items be removed from the contract award. As a result, SPW recommends Salisbury City Council award the construction contract to Corrado Construction Company, LLC in the amount of \$1,144,348.50 for West Isabella Street and \$905,412.00 for Coty Cox Branch, for a grand total of \$2,049,760.50.

The award is contingent upon funding agency approval since there is an EPA grant for a portion of the Isabella Street water main. The bids and bidding procedures are under review of the Maryland Department of the Environment (MDE). MDE is administering the EPA grant. Funding for this construction contract is available in the following accounts:

Account:	Funding Available:	Account No.:
<b>West Isabella Street Water Main Replacement</b>		
EPA Grant	\$ 485,000.00	10500-513026-55016
FY12 Bond	\$ 409,684.50	30200-513026-50008
FY12 Bond	\$ 66,000.00	30200-513026-55010
FY07 Bond	\$ 35,352.00	30100-513026-48300
FY07 Bond	\$ 148,312.00	30200-513026-48300
Subtotal	\$ 1,169,664.00	
<b>Coty Cox Branch Drainage Improvements</b>		
FY14 Bond	\$ 905,412.00	98114-513026-70041
<b>Total for Contract 116-15</b>	<b>\$ 2,049,760.50</b>	



Paul B. Mauser, P.E.  
Project Engineer



Michael S. Moulds, P.E.  
Director of Public Works

# City of Salisbury



MARYLAND



125 NORTH DIVISION STREET  
SALISBURY, MARYLAND 21801  
Tel: 410-548-3190  
Fax: 410-548-3192

KEITH A. CORDREY  
DIRECTOR OF INTERNAL SERVICES  
PROCUREMENT DIVISION

JACOB R. DAY  
MAYOR

M. THOMAS STEVENSON, JR.  
CITY ADMINISTRATOR

JULIA GLANZ  
ASSISTANT CITY ADMINISTRATOR

## COUNCIL AGENDA

December 14, 2015

To: Mayor and City Council

Subject: Declaration of Surplus – Police Vehicles Unit #34 & 38

The Procurement Division received a request from the Salisbury Police Department to declare two vehicles, Unit #34 & #38, as surplus. Both vehicles are over 10 years old, have high mileage and are need of repairs that would exceed the value of each vehicle. Additional details regarding the needed repairs are noted in the departmental memos, attached.

Unit #34	2002 Ford Crown Victoria	VIN 2FAP71W52X113857
Unit #38	2005 Ford Crown Victoria	VIN 2FAP71W05X128836

Upon declaration of surplus, as approved by Council, the Salisbury PD and/or the Procurement Department will attempt to sell the vehicles at auction. If unsellable through an auction service, the vehicles will be sold locally as salvage.

Thank you,

Jennifer Miller  
Assistant Director of Internal Services-Procurement & Parking



JACOB R. DAY  
 MAYOR  
 TOM STEVENSON  
 CITY ADMINISTRATOR

**MARYLAND**  
 699 W. SALISBURY PARKWAY  
 SALISBURY, MD 21801  
 TEL: 410-548-3165  
 November 23, 2015

BARBARA DUNCAN  
 CHIEF OF POLICE

TO: Jennifer Miller  
 Assistant Director Internal Services-Procurement Department

FROM: Kenneth D. Wilson  
 Salisbury Police Department – Quartermaster’s Office

VIA: Colonel Meienschein

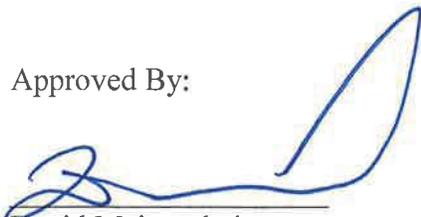
SUBJECT: Vehicle Surplus- CID vehicle 34

On November 23, 2015, Detective Popovich was operating the below listed city owned vehicle when the interior compartment filled with smoke. Detective Popovich was able to was drop off vehicle 34 at Peninsula Total Car Care to have it evaluated for repair. The technician found the engine to be covered in oil and to have several oil leaks around the head gaskets, oil pan, valve cover and rear seals. The technicians suggested repair would require engine replacement. Peninsula Total Car Care gave me a verbal estimate at approximately \$4,200-\$4,500 for engine replacement.

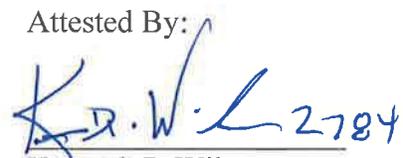
The vehicle is described as a 2002 Ford Crown Vic that had been driven approximately 188,751 miles at the time of this request. The VIN is #2FAFP71W52X113857.

Based off the cost of repairs, year of the vehicle and high mileage, I request that this vehicle be considered by the City Council for surplus.

Approved By:

  
 David Meienschein  
 Colonel

Attested By:

  
 Kenneth D Wilson  
 Quartermaster’s Office

# City of Salisbury



JAMES IRETON JR.  
MAYOR  
TOM STEVENSON  
CITY ADMINISTRATOR



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



BARBARA DUNCAN  
CHIEF OF POLICE

October 12, 2015

TO: Jennifer Miller  
Assistant Director Internal Services-Procurement Department

FROM: Kenneth D. Wilson  
Salisbury Police Department – Quartermaster’s Office

VIA: Colonel Meienschein

SUBJECT: Vehicle Surplus- CID vehicle 38

On September 30, 2015 the below listed city owned vehicle was dropped off at Salisbury Transmission to have the transmission evaluated for repair. It was determined by the technicians that the slipping transmission would need to be replaced. Three quotes were collected to replace the transmission and the most cost effective quote was \$2282.70, which was given by Salisbury Transmission.

The vehicle is described as a 2005 Ford Crown Vic that had been driven approximately 170,400 miles at the time of this request. The VIN is #2FAFP71W05X128836.

Based off the cost of repairs, year of the vehicle and high mileage, I request that this vehicle be considered by the City Council for surplus.

Approved By:

A blue ink signature of David Meienschein, consisting of a large, stylized loop and a horizontal line.

David Meienschein  
Colonel

Attested By:

A blue ink signature of Kenneth D. Wilson, featuring a stylized "K" and "W" followed by the number "2784".

Kenneth D Wilson  
Quartermaster’s Office

# City of Salisbury



MARYLAND

JACOB R. DAY  
MAYOR

M. THOMAS STEVENSON, JR.  
CITY ADMINISTRATOR

JULIA GLANZ  
ASSISTANT CITY ADMINISTRATOR



125 NORTH DIVISION STREET  
SALISBURY, MARYLAND 21801  
Tel: 410-548-3190 Procurement  
Fax: 410-548-3192 Procurement

KEITH A. CORDREY  
DIRECTOR OF INTERNAL SERVICES

JENNIFER MILLER  
ASST. DIRECTOR OF INTERNAL  
SERVICES

## Council Agenda

December 14, 2015

TO: Mayor and City Council

SUBJECT: Change Order #1  
Contract 107-15 WWTP BNR/ENR Upgrade

Per Resolution 2506, which is specific to Contract 107-15, change orders in the amount of \$50,000 or less are authorized to be approved by the Assistant Director of Internal Services – Procurement & Parking. Once approved, the City Council shall be notified in writing within two business days following the approval of the Change Order. Lastly, all Change Orders shall be placed on the agenda of the next legislative meeting.

The City of Salisbury Internal Services Department, Procurement Division, received a request from the Salisbury Public Works Department on November 25 to review and process Change Order #1 for Contract 107-15 WWTP BNR/ENR Upgrade (BNR = Biological Nutrient Removal/ ENR = Enriched Nutrient Removal ). This Change Order reduces the overall project costs by \$97,071.00 and will reduce the time to Substantial Completion by 90 days. Substantial Completion is defined as the point at which the project is 95% complete and is usable or serviceable, but the final punch list has not been completed. This is also the point at which the warranty period begins. Additional details regarding the Change Order are included in the attached departmental memo.

Change Order #1 was approved on December 4, and notification of the approval was sent to the Administrative Office the same day, requesting that such be forwarded to the City Council. The inclusion of this Change Order at tonight's legislative meeting is informational in nature, with no further approval required, and will serve to fulfill the requirement of Public Notification as defined in Resolution 2506.

Sincerely,

Jennifer Miller  
Assistant Director of Internal Services – Procurement and Parking

# City of Salisbury



MARYLAND



JACOB R. DAY  
MAYOR

M. THOMAS STEVENSON, JR.  
CITY ADMINISTRATOR

JULIA GLANZ  
ASSISTANT 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: Jennifer L. Miller, Assistant Director of Internal Services – Procurement  
From: Michael S. Moulds, P.E., Director of Public Works *M.S.M.*  
Date: November 24, 2015  
Re: Contract 107-15 WWTP BNR/ENR Upgrade  
Change Order No. 1 – Augered Pressure Grouted Piles and Dutchland tank

For Contract 107-15, the WWTP BNR/ENR Upgrade, the General Contractor, Ulliman Schutte, prepared a value engineering proposal to reduce the overall project costs and the contract duration. The proposal included replacing H-Piles with Augered Pressure Grouted Piles, coupled with changing the Aeration Basin construction from poured in place concrete to a Dutchland precast concrete tank. The Dutchland tank option was allowed in the form of proposal and had been fully evaluated during the design phase. The City has a Dutchland tank at the Paleo Water Treatment Plant and is supportive of this change. The pile change has been thoroughly reviewed by the Brown and Caldwell team, including their Geotechnical Engineers, and is recommended for approval. The recommendation for approval from GHD, the Construction Manager, and the full proposal is attached.

The contract time is a critical factor for the City since we are under a Consent Order. Change Order No. 1 decreases the contract time by 90 days to a revised Substantial Completion date of September 7, 2017. This will assist the City in achieving the milestones established in the Consent Order.

Please process Change Order No. 1 which results in a net deduct of \$97,071 and a reduction in time of 90 days. The specific project accounts for this change order are as follows:

Account Number	Original Contract Amount	Change Order No. 1	Revised Contract Amount
Loan 97020-513026-29031	\$ 29,244,970.00	\$ (41,109.57)	\$ 29,203,860.43
BNR Grant 97020-513026-29026	\$ 11,780,236.00	\$ (31,693.68)	\$ 11,748,542.32
BRF/ENR Grant 97020-513026-29027	\$ 9,124,794.00	\$ (24,267.75)	\$ 9,100,526.25
Total	\$ 50,150,000.00	\$ (97,071.00)	\$ 50,052,929.00

Per Resolution No. 2506, this change order falls under Tier 1 for change orders of \$50,000 or less. The approval process is by the Assistant Director of Internal Service, Procurement & Parking. Once approved, please place this on the next legislative agenda for the City Council for public informational purposes.

# Memo

**To:** Tom Stevenson  
**From:** Jennifer Miller  
**Re:** Change Order #1  
Contract 107-15  
**Date:** December 4, 2015  
**cc:** Julia Glanz, Keith Cordrey

Urgent     For Review & Signature     For Review     Please Reply     No Reply Necessary

Tom –

The following information is for your review and advancement to the City Council.

Per Resolution 2506, item #6 & 7, I am providing notification to the City Council regarding approval of Change Order #1 of Contract 107-15 WWTP BNR/ENR Upgrade. The Change Order will be placed on the December 14, 2015 legislative agenda for informational purposes only. This Change Order resulted in a credit of \$97,071.00 to the contract pursuant to a value engineering study by the General Contractor, Ulliman Schutte. There will also be a time reduction of 90 days. Additional details will be included in the Council Packet for the noted legislative meeting.

A copy of the Resolution is attached for your reference.

RESOLUTION NO. 2506

A RESOLUTION OF THE CITY OF SALISBURY, MARYLAND APPROVING THE TEMPORARY INCREASE OF THE APPROVAL LIMITS OF THE CHANGE ORDERS FOR THE UPGRADE OF THE CITY'S WASTEWATER TREATMENT PLANT.

WHEREAS, the City of Salisbury is performing a complex and challenging upgrade of the Wastewater Treatment Plant; and

WHEREAS, despite very detailed engineering and review, there is a high probability of needing to make changes to the construction documents due to numerous variables and unforeseen site conditions; and

WHEREAS, the "Change Order" is the financial and contractual authorization and management control document used by the City to make modifications to a contract in time, financial, or other consideration; and

WHEREAS, since this project's scope is large and requires considerable amount of expensive equipment, numerous sub-contractors, and specialized materials requiring long lead-times, change orders need to be approved quickly or the City risks delay claims by the contractor if their workforce is idle during an unanticipated time period; and

WHEREAS, depending on when an idle period could occur in the construction schedule and how it impacts the project's critical path, the idle period could impact the overall construction completion date; and

WHEREAS, the City is under an Amended Consent Order with the State of Maryland to start up the upgraded Wastewater Treatment Plant by December 31, 2017; and

WHEREAS, implementing a temporary increase to the change order limit will minimize the potential liability of the City by causing time delay of the General Construction Contractor in approving Change Orders to the upgrade of the Wastewater Treatment Plant contract.

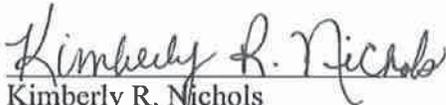
NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Salisbury, Maryland does hereby authorize temporary increase in Change Orders authorizations in accordance with the following provisions:

1. Project Specific: These Change Order limit changes are only applicable to the City of Salisbury Contract No. 107-15 Wastewater Treatment Plant Upgrade.
2. Time Period: These Change Order limit changes are only authorized during the period of June 1, 2015 to December 31, 2017 unless otherwise adjusted by authorized change order.
3. All change orders shall be initiated by the Department of Public Works and submitted to the Procurement Department for review and processing.
4. Tiered Authority: Three tiers of authority are proposed to be established, which are:
  - a. Change Orders of \$50,000 or less shall be approved by the Assistant Director of Internal Services – Procurement & Parking;

- b. Change Orders of \$50,000 to \$100,000 shall be approved by the Mayor; and
  - c. Change Orders of \$100,000 to \$150,000 shall be approved by the Mayor and a City Council member selected by the President of the City Council.
5. Budget Authority: Regardless of amount, Change Orders shall only be approved within the City Council and Maryland Department of the Environment allocated funds for the project. Any change order exceeding funds available for the project shall be approved by the City Council and Maryland Department of the Environment.
  6. Timely Notification: The City Council shall be informed in writing on the Change Order and justification within two business days following the approval of the Change Order as defined in the tiered authority in paragraph 3, above.
  7. Public Meeting: All Change Orders valued at less than \$150,000 shall be placed on the Agenda of the next legislative City Council meeting after the Change Order was issued for public informational purposes. All Change Orders valued at more than \$150,000 shall be placed on an Agenda of a legislative City Council meeting for ratification.

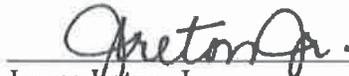
THE ABOVE RESOLUTION was introduced and read and passed at the regular meeting of the Council of the City of Salisbury held on this 26 day of May, 2015 and is to become effective immediately upon adoption.

ATTEST:

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

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

APPROVED by me this 28<sup>th</sup> day of May, 2015

  
\_\_\_\_\_  
James I. Heston, Jr.  
MAYOR, City of Salisbury

---

**INTER**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
**OFFICE**

**MEMO**

---

*OFFICE OF THE MAYOR*

**To:** Tom Stevenson, City Administrator  
**From:** Julia Glanz, Assistant City Administrator JG  
**Subject:** Accepting a Donation from Pohanka of Salisbury for New Year's Eve  
**Date:** December 9, 2015

---

Attached please find a resolution accepting a donation from Pohanka of Salisbury in the amount of \$5,000 in support of New Year's Eve Salisbury (NYESBY). This is the third annual NYESBY and this year the City of Salisbury is organizing the event. The previous years have seen estimated attendance numbers of 1500 and 2500 at the event. This donation will help with the costs of the band, party favors, portable restrooms facilities, and staff and support. NYESBY is a key event to continuing the renaissance of Downtown Salisbury. This year's event will be BIGGER. BRIGHTER. SPARKLIER. LOUDER.

Unless you or the Mayor have additional questions, please advance this memorandum and resolution of support to the City Council for approval.

Attachment: Resolution Accepting a Donation from Pohanka of Salisbury in Support of NYESBY

1 RESOLUTION NO. 2571

2  
3 A RESOLUTION OF THE CITY OF SALISBURY, MARYLAND ACCEPTING A  
4 PRIVATE DONATION FROM POHANKA OF SALISBURY FOR NEW YEAR’S EVE  
5 IN DOWNTOWN SALISBURY (NYESBY)

6  
7 WHEREAS, this is the third annual NYESBY in Downtown Salisbury; and

8  
9 WHEREAS, this year the City of Salisbury is organizing the event with the support  
10 of Headquarters Live; and

11  
12 WHEREAS, the past two years of the event saw attendance numbers of 1500 and  
13 2500; and

14  
15 WHEREAS, NYESBY is a key event to continuing the renaissance of Downtown  
16 Salisbury; and

17  
18 WHEREAS, the Council of the City of Salisbury supports the acceptance of  
19 donations for the NYESBY; and

20  
21 WHEREAS, donations assist with the cost of the band, party favors and other  
22 assorted handouts, portable restroom facilities, and staff and support; and

23  
24 WHEREAS, Pohanka of Salisbury has offered to make a donation to the NYESBY  
25 in the amount of \$5,000.00.

26  
27 WHEREAS, this is the second year Pohanka of Salisbury has made a generous  
28 donation to this event; and

29  
30 NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Salisbury,  
31 Maryland does hereby accept the donation of \$5,000.00 for the NYESBY.

32  
33 THIS RESOLUTION was introduced and duly passed at a meeting of the Council  
34 of the City of Salisbury, Maryland held on December 14, 2015 and is to become effective  
35 immediately upon adoption.

36  
37 ATTEST:

38  
39 \_\_\_\_\_  
40 Kimberly R. Nichols  
41 CITY CLERK

\_\_\_\_\_

John R. Heath  
PRESIDENT, City Council

42  
43  
44 APPROVED by me this \_\_\_\_\_ day of \_\_\_\_\_, 2015

45  
46 \_\_\_\_\_  
47 Jacob R. Day  
48 MAYOR, City of Salisbury

# City of Salisbury



JAMES IRETON JR.  
MAYOR  
TOM STEVENSON  
CITY ADMINISTRATOR



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



BARBARA DUNCAN  
CHIEF OF POLICE

October 6, 2015

TO: Tom Stevenson  
City Administrator

FROM: Colonel David Meienschein

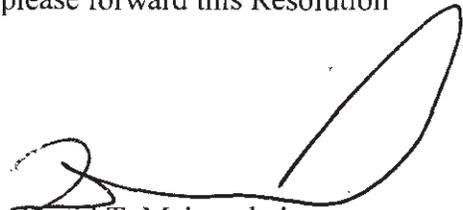
SUBJECT: Resolution – Maryland Office of Highway Safety

Attached, please find a Resolution to accept grant funding in the amount of \$14,500.00 awarded through the Maryland Highway Safety Office for the following Traffic Safety Programs and equipment such as Portable Breathalyzer Tests.

- Impaired Driving
- Aggressive Driving
- Distracted Driving
- Seat Belt Enforcement
- Portable Breathalyzer Test

Each Resolution has slightly different terms (i.e. impaired driving, aggressive driving, distracted driving and seat belt enforcement. Each grant having different funding amounts.

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

  
David T. Meienschein  
Assistant Chief of Police

Attachment

1 RESOLUTION NO. 2572

2  
3 A RESOLUTION OF THE CITY OF SALISBURY, MARYLAND ACCEPTING  
4 GRANT FUNDING FROM THE MARYLAND OFFICE OF HIGHWAY SAFETY FOR  
5 FOUR (4) SEPARATE TRAFFIC SAFETY PROGRAMS AND FUNDS TO PURCHASE  
6 EQUIPMENT SUCH AS PORTABLE BREATHALYZER TESTS, EACH WITH THEIR OWN  
7 CONDITIONS AND GRANT FUNDING AMOUNTS.

8  
9 WHEREAS, the Maryland Office of Highway Safety and the Salisbury Police  
10 Department will enter into an agreement to cooperate successfully in serving the people of  
11 Salisbury, Wicomico County; and

12  
13 WHEREAS, this FUNDING will include four traffic enforcement programs including:  
14 Impaired Driving, Aggressive Driving, Distracted Driving, Seat Belt Enforcement each having  
15 clear procedures and different funding amounts and funds to purchase Portable Breathalyzer  
16 Test; and

17  
18 WHEREAS, this funding will provide reimbursement for police officers working  
19 overtime to enforce traffic violations for each of the listed programs; and

20  
21 WHEREAS, officers will prepare and submit activity and performance reports to track  
22 the number of citations issued for each program resulting in safer streets and highways for the  
23 citizens of Salisbury/Wicomico County.

24  
25 NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY  
26 OF SALISBURY, MARYLAND, that Maryland Highway Safety funds in the amount of  
27 \$14,500.00 be accepted and utilized for Impaired Driving (\$6,000.00), Aggressive Driving  
28 (\$4,000), Distracted Driving (\$1,500.00), Seat Belt Enforcement (\$1,000.00) and (\$2,000.00) for  
29 Portable Breathalyzer test for a total of \$14,500.00.

30  
31 THIS RESOLUTION was duly passed at a meeting of the Council of the City of  
32 Salisbury held on \_\_\_\_\_, 2015, and is to become effective immediately upon  
33 adoption.

34  
35 ATTEST:

36  
37 \_\_\_\_\_  
38 Kimberly R. Nichols, City Clerk

39 \_\_\_\_\_  
40 John R. Heath, President  
41 Salisbury City Council

42 APPROVED BY ME THIS:

43 \_\_\_\_\_ day of \_\_\_\_\_, 2015

44 \_\_\_\_\_  
45 Jacob R. Day, Mayor



JACOB R. DAY  
MAYOR

M. THOMAS STEVENSON, JR.  
CITY ADMINISTRATOR

JULIA GLANZ  
ASSISTANT CITY ADMINISTRATOR

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

**MARYLAND**

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

To: Thomas Stevenson, Jr., City Administrator  
From: Michael Moulds, Director of Public Works *M.M.*  
Date: November 30, 2015  
Re: Budget Amendment – Bucket Truck replacement

---

The Public Works Department is requesting consideration for a budget amendment to address a vehicle purchase using savings in the DPW General Fund Capital budget. There is a shortfall in the funding needed to replace the Traffic Divisions Bucket Truck. The original budget was \$190,000. This was based on purchase of a truck body, which would be shipped to a truck chassis vendor to complete the bucket truck. Procurement expressed concerns about warranties in dealing with two vendors and requested quotes for the bucket truck from a single vendor. The vendor quote is \$199,892.00.

The proposed budget amendment would transfer savings from the purchase of the Sanitation Branch Refuse Truck, which was purchased in FY16 for less than the budgeted amount. The side loader refuse truck was budgeted at \$272,950.00 and was purchased for \$262,236.00. Therefore, there is a savings of \$10,714.00 in account 32061-577025

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

ORDINANCE NO. 2365

AN ORDINANCE OF THE CITY OF SALISBURY APPROVING AN AMENDMENT OF THE FY 2016 GENERAL FUND BUDGET TO APPROPRIATE FUNDING FOR THE TRAFFIC DIVISION BUCKET TRUCK.

WHEREAS, the actual cost for the replacement Bucket Truck for the Traffic Division exceeds the budgeted amount in the City's FY 2016 budget; and

WHEREAS, the actual cost for the Sanitation Division Refuse Truck was less than the budgeted amount in the City's FY 2016 budget.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SALISBURY, MARYLAND THAT THE City's Fiscal Year 2016 General Fund Budget be and hereby is amended as follows:

- 1) Decrease Public Works Sanitation by \$10,700
- 2) Increase Public Works Traffic by \$10,700

THIS ORDINANCE was introduced and read at a meeting of the Council of the City of Salisbury held on this \_\_\_\_ day of \_\_\_\_\_ 2015, and thereafter, a statement of the substance of the Ordinance having been published as required by law, was finally passed by the Council on the \_\_\_\_ day of \_\_\_\_\_, 2015.

**ATTEST:**

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

\_\_\_\_\_  
John R. Heath, President  
Salisbury City Council

APPROVED BY ME THIS \_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Jacob R. Day, Mayor

# Memorandum

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**To:** Tom Stevenson, City Administrator  
**CC:** Julia Glanz, Assistant City Administrator  
**From:** William T. Holland  
**Date:** 10/14/2015  
**Re:** Malone Annexation

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Attached are the materials for the Malone Annexation which is scheduled for the October 28<sup>th</sup> City Council meeting. The purpose of this annexation to be on the agenda is to introduce the annexation and set a date for the public hearing. Please contact me if anyone has any questions.



William T. Holland

## MEMORANDUM

To: Thomas Stevenson, City Administrator  
From: Christopher Jakubiak, AICP  
Date: October 13, 2015  
Re: Fiscal Impact, Malone – Snow Hill Road Annexation

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The Malone – Snow Hill Road Annexation would add 2.71 developable acres to the City. The annexation is expected to have an overall net positive fiscal impact to the City estimated to be \$4,970 annually. This memorandum summarizes the costs and revenues associated with the Malone – Snow Hill Road Annexation.

### **Cost**

Cost projections are based on a snapshot marginal cost approach. The current level of service (derived from the approved FY 2016 Budget) is used to project new costs, using demand unit multipliers, which reflect how responsive a cost is to demand—that is, how much the City’s cost of providing a service is likely to vary with each additional household or job and in the present case, solely jobs since the project is entirely commercial. Some portion of all City services is fixed and therefore will remain constant in light of new development; this portion of the cost therefore is not assigned to new development<sup>1</sup>. The estimated annual cost to the City is \$18,090.

### **Revenues**

When land is annexed into Salisbury it is subject to the municipal real property tax. The property tax rate is applied to the value of land and improvements (structures) thereon. The rate is \$0.937 per \$100 of assessed value. Since the assessed value of the proposed units is unknown, this study estimates assessed values by computing the average assessed value of multiple comparable properties in the City of Salisbury. The source for the assessed values is the Maryland Department of Assessments and Taxation.

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<sup>1</sup> It is worth noting however that for the purpose of erring on the side of a conservative estimate of net impact for this Annexation, a full per employment unit cost for the police, fire, permits and inspections, and neighborhood services is assigned to each proposed unit of the commercial development, which has the effect of overstating the per unit cost and therefore understating the size of the positive fiscal impact.

Under the proposed concept development plan, the Annexation Property would be divided into two parcels. Parcel A would comprise 1.69 acres and feature 9,100 square feet of commercial retail/service/office space. Parcel B would comprise 1.02 acres and feature a fast food restaurant. The total expected revenue from full development on the annexation parcel is \$23,060.

It is difficult to make reliable projections about the activities of future businesses that may occupy new development projects. For this reason, the personal property tax receipts likely to accrue from future businesses in the Annexation Area are also not included in this analysis. Therefore, in this respect, the study undercounts revenue potential from the Annexation Area.

It is also important to note that upon annexation of a property, the City of Salisbury would begin receiving some property tax revenues from the parcel. These revenues, which typically would occur prior to actual development (and hence, the provision of standard municipal services, i.e. costs) are not included.

Lastly, the City collects user fees, license fees, and permitting fees. These are charged to applicants for permits and/or users of certain city services. These revenues are small relative to the property tax revenue and are not included in this study.

## **Conclusion**

The Malone – Snow Hill Road Annexation with its proposed development in place will have a positive fiscal impact to the City of \$4,970 per year in constant 2013 dollars<sup>2</sup>.

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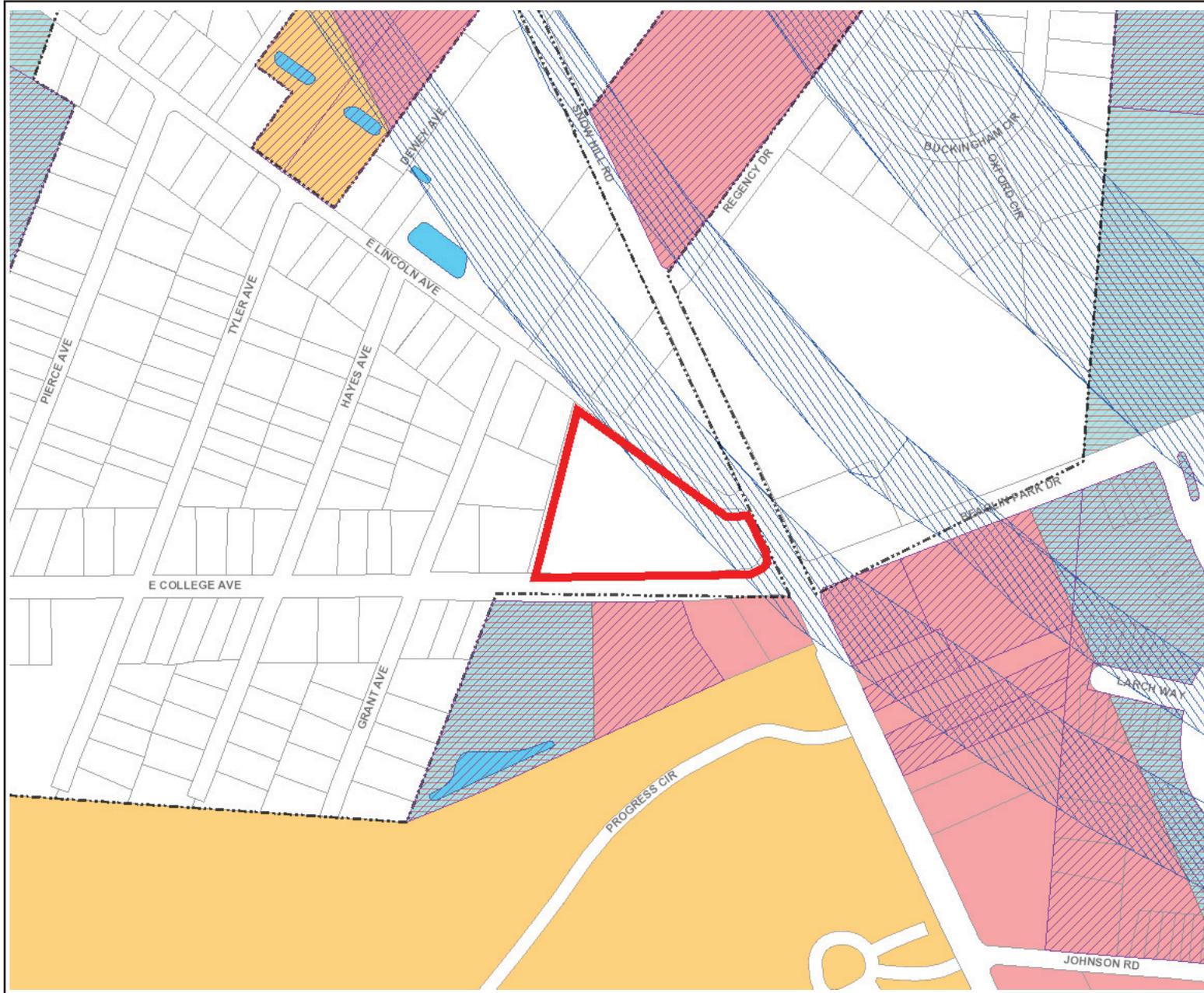
<sup>2</sup> This study takes into account only “direct” costs and revenues that can be tied directly to each household. “Indirect” costs and revenues, which arise from increased demand for local commercial and industrial uses, are not considered in this model.





# CITY OF SALISBURY

## 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
  - 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
- Street Centerlines

100 ft

## Malone Annexation Petition - City Zoning Map



Salisbury Wicomico GIS

**RESOLUTION NO. 2565**

1  
2  
3  
4 A RESOLUTION of the City of Salisbury proposing the annexation to  
5 the City of Salisbury of certain area of land situate, contiguous to and  
6 binding upon the northerly and westerly corporate limit of the City  
7 of Salisbury, to be known as the "Malone - Snow Hill Road  
8 Annexation," and the application of a City zoning classification to  
9 same area, being an area located on the northerly side of and binding  
10 upon E. College Avenue, in the northwest quadrant of the  
11 intersection of Snow Hill Road and E. College Avenue.  
12  
13  
14

15 WHEREAS the City of Salisbury has received a petition to annex dated December 18, 2014,  
16 signed by at least twenty-five percent (25%) of the persons who are resident registered voters and  
17 of the persons who are owners of at least twenty-five percent (25%) of the assessed valuation of  
18 the real property in the area sought to be annexed, and being located on the northerly side of and  
19 binding upon E. College Avenue, in the northwest quadrant of the intersection of Snow Hill Road  
20 and E. College Avenue; said parcel being contiguous to and binding upon the northerly and westerly  
21 corporate limit of the City of Salisbury; and

22 WHEREAS the City of Salisbury has caused to be made a certification of the signatures on  
23 said petition for annexation and has verified that the persons signing the petition represent at least  
24 twenty-five percent (25%) of the persons who are eligible voters and property owners owning  
25 twenty-five percent (25%) of the assessed valuation of real property in the area to be annexed, all  
26 as of September 17, 2015, and, as will more particularly appear by the certification of Leslie C.  
27 Sherrill, Surveyor, of the City of Salisbury, attached hereto; and

28 WHEREAS it appears that the petition dated December 18, 2014 meets all the  
29 requirements of the law; and

30 WHEREAS the public hearing is scheduled for December 14, 2015 at 6:00 p.m.

31 NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SALISBURY THAT  
32 it is hereby proposed and recommended that the boundaries of the City of Salisbury be changed so

33 as to annex to and include within said City all that parcel of land together with the persons residing  
34 therein and their property, contiguous to and binding upon the northerly side of E. College Avenue,  
35 and being more particularly described on Exhibit "A" attached hereto and made a part hereof.

36 AND BE IT FURTHER RESOLVED BY THE CITY OF SALISBURY, THAT the annexation of the  
37 said area be made subject to the terms, conditions and agreements in Exhibits A-C attached hereto  
38 and made a part hereof.

39 AND BE IT FURTHER RESOLVED BY THE CITY OF SALISBURY, that the Zoning Map of the  
40 City of Salisbury shall be amended to include this newly annexed property in the General  
41 Commercial Zoning District. Said property is presently classified as Select Commercial under the  
42 zoning laws of Wicomico County.

43 AND BE IT FURTHER RESOLVED BY THE CITY OF SALISBURY, that the Council hold a public  
44 hearing on the annexation hereby proposed on December 14, 2015, at 6:00 p.m. in the Council  
45 Chambers at the City-County Office Building and the City Administrator shall cause a public notice  
46 of time and place of said hearing to be published not fewer than four (4) times at not less than  
47 weekly intervals, in at least one newspaper of general circulation in the City of Salisbury, which said  
48 notice shall specify a time and place at which the Council of the City of Salisbury will hold a public  
49 hearing on the Resolution, which date shall be no sooner than 15 days after the final required date  
50 of publication specified above.

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

55

56 The above Resolution was introduced, read and passed at the regular meeting of the Council  
57 of the City of Salisbury held on the 26 day of October, 2015, having been duly published as required

58 by law in the meantime a public hearing was held on the 14 day of December, 2015, and was finally  
59 passed by the Council at its regular meeting held on the 14 day of December, 2015.

60

61

62 \_\_\_\_\_  
63 Kimberly R. Nichols,  
64 City Clerk

\_\_\_\_\_   
John R. Heath,  
Council President

65

66

67 APPROVED BY ME this \_\_\_\_ day of \_\_\_\_\_, 2015.

68

69

70

71

72 \_\_\_\_\_  
73 Jacob R. Day,  
Mayor

# CITY OF SALISBURY

## PETITION FOR ANNEXATION

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) # 253

\_\_\_\_\_

\_\_\_\_\_

Map # 48

SIGNATURE (S)

David Malone

Dec 18, 2014

Date

Fatih K. Malae

12/22/14

Date

\_\_\_\_\_

Date

\_\_\_\_\_

Date

JAMES IRETON, JR.  
MAYOR

M. THOMAS STEVENSON, JR.  
CITY ADMINISTRATOR

JULIA GLANZ  
ASSISTANT CITY ADMINISTRATOR

# City of Salisbury



MARYLAND



125 NORTH DIVISION STREET  
SALISBURY, MARYLAND 21801

Tel: 410-548-3170

Fax: 410-548-3107

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

## CERTIFICATION

### MALONE PROPERTY – SNOW HILL ROAD ANNEXATION

This is to certify that I have verified the petitions for the annexation and that to the best of my knowledge the persons having signed the petition represent at least 25% of the registered voters residing in the area to be annexed and are the owners of at least 25% of the assessed valuation of real property located in the area to be annexed.

Leslie C. Sherrill  
Surveyor

Date: 9/17/15

Malone – Snow Hill Road Certif.

## EXHIBIT "A"

### MALONE – SNOW HILL ROAD ANNEXATION

A CERTAIN AREA OF LAND, contiguous to and binding upon the northerly and westerly Corporate Limit of the City of Salisbury to be known as "Malone – Snow Hill Road Annexation" beginning for the same at a point on the Corporate Limit, said point lying where the southerly side of East College Avenue intersects the westerly side of MD Route 12, Snow Hill Road X 1,206,514.01, Y 190,446.26; thence running by and with the westerly side of said Snow Hill Road North twenty-five degrees zero minutes zero seconds West (N 25° 00' 00" W) one hundred eighty-four decimal six, zero (184.60) feet to a point X 1,206,436.00, Y 190,613.56; thence South sixty-five degrees zero minutes zero seconds West (S 65° 00' 00" W) eighteen decimal three, zero (18.30) feet to a point where the westerly right of way line of Snow Hill Road intersect the southerly right of way line of East Lincoln Avenue X 1,206,419.41, Y 190,605.83; thence by and with the said line of East Lincoln Avenue the following three courses: (1) with a curve to the left, having a radius of one hundred sixty (R = 160.00) feet and a length of twenty-nine decimal five, five (29.55) feet, a chord bearing of North sixty-seven degrees zero minutes fifty-three seconds West (N 67° 00' 53" W) a chord distance of twenty-nine decimal five, one (29.51) feet to a point X 1,206,392.25, Y 190,617.35; (2) with a curve to the right, having a radius of two hundred forty-five decimal zero, zero (R = 245.00) feet and a length of eighty-two decimal eight, four (82.84) feet, a chord bearing of North sixty-two degrees thirty-seven minutes ten seconds West (N 62° 37' 10" W) a chord distance of eighty-two decimal four, five (82.45) feet to a point X 1,206,319.04, Y 190,655.27; (3) North fifty-two degrees fifty-five minutes fifty-eight seconds West (N 52° 55' 58" W) three hundred sixty decimal three, one (360.31) feet to a point at the northwesterly corner of the lands of Patricia & Dana Malone X 1,206,031.54, Y 190,872.45; thence running with the westerly boundary line of said property South twenty-one degrees fifty-one minutes fifty-three seconds West (S 21° 51' 53" W) four hundred four decimal zero, zero (404.00) feet to a point on the northerly right of way line of East College Avenue X 1,205,881.08, Y 190,497.51; thence crossing the said road South twenty degrees fifty-six minutes six seconds West (S 20° 56' 06" W) forty-six decimal two, one (46.21) feet to a point on the Corporate Limit X 1,205,864.57, Y 190,454.35; thence running with the Corporate Limit South eighty-nine degrees seventeen minutes eleven seconds East (S 89° 17' 11" E) six hundred forty-nine decimal four, nine (649.49) feet to the point of beginning and containing 3.502 acres, being the lands of Patrick & Dana Malone, Parcel 253 shown on Tax Map 39, and a portion of East College Avenue and Snow Hill Road . All bearings and coordinates are referenced to the Maryland State Coordinate System, 1927 datum.

# REPORT OF ANNEXATION PLAN

*for the*

## E. COLLEGE AVENUE – MALONE ANNEXATION TO THE CITY OF SALISBURY

### Exhibit B

*September 22, 2015*

This Annexation Plan is consistent with the Municipal Growth Element of the City of Salisbury's adopted Comprehensive Plan. The following are milestones in the public review and consideration of the proposed Annexation.

- At a work session on April 6, 2015, the Salisbury City Council reviewed the proposed annexation.
- On May 21, 2015, the Salisbury – Wicomico County Planning Commission reviewed the proposed annexation and forwarded a favorable recommendation to the Salisbury City Council for General Commercial zoning of the Property upon annexation.
- At a Salisbury City Council work session on October 5, 2015, the City Council formally reviewed the draft annexation agreement and the draft version of this Annexation Plan and directed an Annexation resolution be drafted for review.
- A City Council ~~County~~ meeting held on October 26, 2015, the City Council formally reviewed this Annexation Plan and the Annexation Resolution and directed a date for a public hearing be established. The Council further directed that the Annexation Plan be forwarded to the Maryland Department of Planning and the Wicomico County Council and Executive for comment within 30 days of the public hearing as provided for by State law.

**1.0**

**GENERAL INFORMATION AND DESCRIPTION**

1.1 Petitioners

The petitioners are Patrick K. and Dana G. Malone at 8 Shavannah Drive East, in Bear, Delaware 19701.

1.2 Location

The Property is located at the intersection of E. College Avenue and Snow Hill Road (MD Route 12). E. College Avenue borders it on the south, E. Lincoln Avenue on the north, and Snow Hill Road (MD 12) on the east. The image below is an aerial photograph of the immediate vicinity. The right-of-way of E. College Avenue along the Property's frontage will also be annexed since the City's current limits run along the south side of E. College Avenue.

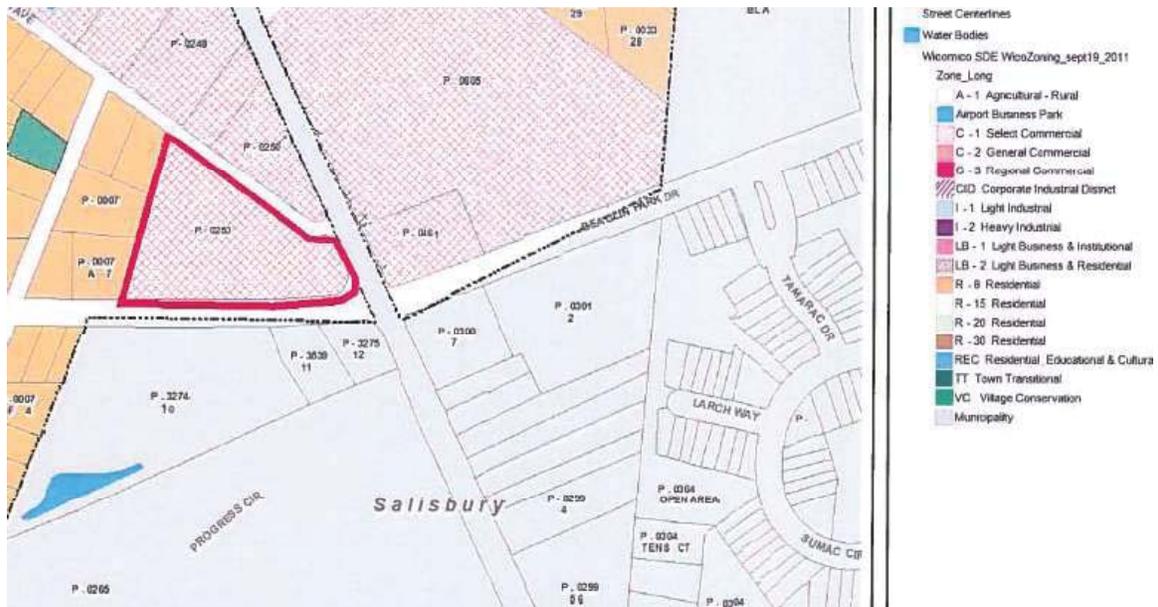


### 1.3 Property Description

Attachment “1” shows the survey of the Property and Exhibit “A” provides a metes and bounds description of the Property. The Malone Property is 2.71 acres of land and is improved with a house and detached garage. The entire annexation area, which includes the right-of-way of College Avenue, approximates to 3.3 acres.

### 1.4 Existing Zoning

The Property is zoned C-1, Select Commercial. The existing zoning is shown in the excerpt from the Wicomico County Zoning Map below. The Property adjoins an R-8 (Residential) zone on its western side.



## 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 2010. The Property is located within the City’s designated municipal growth area with a recommended land use of “Commercial”.

The Comprehensive Plan’s goal as it pertains to annexations is as follows: “To encourage the orderly growth and expansion of the City of Salisbury by annexing selected areas and by providing public services to newly developing areas without overburdening these facilities while continuing to maintain a high level of services to existing developments and residents of the City”.

## 2.2 Proposed Zoning

Upon annexation, the Property is proposed to be zoned General Commercial. Per Section 17.36.010 of the City Zoning Ordinance, the purpose of the District is “to provide a wide range of functional and attractive regional retail, office, service, wholesale, storage, distributing and light manufacturing activities.” In a letter to the Mayor and City Council dated May 22, 2015 recommending the annexation, the Planning Commission noted that the City’s General Commercial District is substantially consistent with the existing County zoning of C-1, Select Commercial because of the types of uses permitted.

## 2.3 Proposed Land Use

The petitioners prepared a conceptual development plan for the Property. They propose to subdivide the Property into two commercial lots and develop each: Parcel A with a 9,100 square foot commercial / retail building and Parcel B with a 4,760 square foot fast food restaurant. Parcel B, which is programed for the more intensive commercial use is located further away from the existing residential properties. See Attachment “2”, Concept Development Plan.

## 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

E. College Avenue and E. Lincoln Avenue would provide access to the Property via proposed commercial driveways. As proposed, the curb line along westbound E. College Avenue would be relocated in order to construct a deceleration lane into the commercial site and a short acceleration lane out of the site. The City Department of Public Works will ultimately evaluate and make a determination about this proposed access configuration upon the developer’s submittal of the project for City development plan review to be undertaken by the Salisbury-Wicomico County Planning Commission.

A sidewalk would be built along the full road frontage around the perimeter of the site. The Annexation Agreement between the City and the Petitioner provides that the developer will install crosswalks over Snow Hill Road and E. College Avenue and other pedestrian improvements at the intersection of E. College Avenue and Snow Hill Road at the direction of the City Department of Public Works and State Highway Administration. The State Highway Administration will require a traffic study when a development plan is eventually submitted to the City.

#### 3.2 Water and Wastewater Treatment

Development of Property in keeping with its conceptual development plan would create a demand of 2,400 gallons per



traffic impacts (such as turning movements into and out of the site) do not degrade roadway or intersection capacity or function.

The development of the site would provide commercial services that could meet the needs of motorists traveling the adjoining roads. The thoughtful use of landscape design should add to the quality of the streetscape and the installation of pedestrian improvements should improve overall safety and mobility in the area.

The site is partially wooded and a provision in the annexation agreement would ensure that a forested buffer is retained between the commercial uses and the adjoining residences to the west of the Property. There are no significant or sensitive environmental features on the site though a wellhead protection area does intersect with the easternmost edge of the Property but this does not constrain the site's development or use as proposed.

The Property is in the City's designated municipal growth area and it is eligible for annexation. The proposed uses are compatible with the land use pattern in the neighborhood and the Comprehensive Plan.

Attachment 1: Annexation Survey Plat  
Attachment 2: Concept Development Plan  
Exhibit A: Metes and Bounds Description

E. College Avenue - Malone Annexation

ANNEXATION AGREEMENT

Exhibit C

**THIS AGREEMENT** is made this \_\_\_ day of \_\_\_\_\_, 2015, by and between the City of Salisbury, a municipal corporation of the State of Maryland (hereinafter, “the City”), and Patrick K. and Dana G. Malone (hereinafter, “the Owner”) with the principal address of 8 Shavannah Drive East, Bear, Delaware 19701.

RECITALS

**WHEREAS**, the Owner is the record owner of certain real property, of 2.71 acres in size, located in Wicomico County, Maryland, (hereinafter, “the Property”), and more particularly described in Attachment “1 - Annexation Survey Plat” and Exhibit “A - Metes and Bounds Description” attached hereto and made a part hereof; and

**WHEREAS**, the Owner desires to construct upon the Property two commercial buildings and associated site improvements and/or to facilitate the sale and/or development of the Property for commercial use;

**WHEREAS**, the Property is not presently within the corporate boundaries of the City and is therefore ineligible to receive certain municipal services, including the municipal water and wastewater services, that the Owner desires to obtain for the Property; and

**WHEREAS**, the Owner desires that the City 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 the Local Government Article, Division II, Title 4, Subtitle 4 (Annexation) of the Annotated Code of Maryland, 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 City of Salisbury, the Salisbury-Wicomico County Planning Commission and Staff will be guided by this Agreement throughout the review of any development plans submitted for the Property to ensure that the provisions of this Agreement are specifically implemented. Any approval granted to a development plan by any commission, board, body, or agent of the City shall be in substantial compliance with the terms and conditions of this Agreement.

B. 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 general 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 the Local Government Article of the Maryland Code, Section 4-403 (b)(1) and (2). The Owner acknowledges it will receive a benefit from annexation and agrees, as a bargained-for condition and circumstances applicable to the annexation, and 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 have the full authority to sign this Agreement and is in fact the sole owner of the real property encompassed in the annexation area and more particularly described in Attachment "1" and Exhibit "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 of not less than Twenty-five Percent (25%) of the assessed valuation of the real property within the annexation area.

**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 and Approval by the Mayor and City Council, the Property will be zoned General Commercial.

**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 resulting from this annexation and will provide receipt of such work completed to the City within 90 days of expiration of the 45-day referendum period. The Owner agrees that failure to comply with this provision will subject the Owner to payment of a fee to the City of Salisbury made payable at end of the 90-day period in amount of \$10,000.00 or the cost for the City's surveyor to complete the work, whichever is more.

## 8. DEVELOPMENT CONSIDERATIONS

A. Costs and Fees: The Owner agrees that 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 Owner and City agree that the Property will be developed consistent with the regulations of the zoning district classification referenced in the Annexation Resolution and in substantial conformance with the concept development plan, shown as Attachment B in the Annexation Plan.

C. Contribution to Area Improvement: In order that the Annexation Property is connected with and contributes to the improvement of the neighborhood sidewalk system and pedestrian accessibility generally, the Owner agrees to install pedestrian crosswalks on MD Route 12 at its intersection with E. College Avenue along with any related improvement required by the City Department of Public Works and/or the State Highway Administration which may include among other things, pedestrian signalization devices, ADA compliant sidewalks and crosswalks, and appropriate pavement markings.

D. Contributions to the Re-investment in Existing Neighborhoods and Housing Affordability: The Owner agrees to pay a development assessment to the City in the amount of \$13,000.00 for each of the proposed two buildings prior to the issuance of the first building permit. Such development assessment is understood by the parties to be intended for use by the City in its sole discretion for beautification, restoration, and revitalization improvements to existing neighborhoods in the City and which development assessment is understood by the parties to be in addition to and independent of the City's water and sewer comprehensive connection charges, any impact fees imposed by Wicomico County or the City, and any assessments that may be required to be paid elsewhere in this Agreement.

E. Escalation of Development Assessment: The lot assessment set forth in paragraph D above, is subject to adjustment to reflect inflation. Beginning January 1, 2016 the assessment shall be adjusted for inflation and this adjustment shall take place annually thereafter on the first day of January, for any assessment that remains unpaid. The assessment shall be adjusted by the percent change in the CPI during the previous 12-month period. The CPI to be used is the Consumer Price Index-U, All City Average, Unadjusted, published by the Bureau of Labor Statistics.

F. Community / Environmental Design: The Owner agrees to preserve a forested buffer along the western edge of the property and to transition that forest buffer into a landscaped planted area which may, at the approach to E. College Avenue, transition into an arrangement of tree plantings which will not screen the proposed building but instead allow for filtered views of the building and site from E. College Ave. The Owners agrees to plat sufficient pedestrian access easements along the perimeter of the Property and within such easements construct sidewalks to City design specifications at time of site development in locations shown on the Concept Plan, to install or extend sidewalk connections to the main entrances of each building as indicated on the Concept Plan, and to install a bike rack near each building entrance or in a location determined by the Planning Commission to most optimally meet the needs of cyclists.

The Owner further agrees to achieve LEED credit points in collaboration with the City for any development using the rating system established by the United States Green Building Council's LEED Standards for Building Design New Construction, as updated from time to time. The City and Owner/Assignee acknowledge that certain points under the rating system are unattainable because of the project's location and existing available services. Understanding this, and in order to establish a baseline, the City and Owner/Assignee will first agree to the total sum of LEED points unattainable due to these factors that are beyond the control of the Owner. The sum of these points will then be deducted from the total points possible; the difference then divided by the total points possible to arrive at a baseline quotient. Prior to development approval and / or issuance of building permit, the Owner shall submit specific findings to the City demonstrating the project has achieved, or would achieve upon development, the credit points needed for LEED Silver Certification when multiplied by the baseline quotient, to the satisfaction of the City. In keeping with this provision, the Owner/Assignee agrees specifically to adhere to the following energy and environmental performance standards:

- Site lighting fixtures shall be energy efficient and, where possible, shall utilize LED lamps for energy efficiency and long lamp life. Streetlights if used shall also be selected for highest efficiency but recognizing that streetlights may ultimately be owned and maintained by the City of Salisbury, the selection of streetlights shall be made in conjunction with the City of Salisbury Department of Public Works.
- Roadway and parking lot construction shall be accomplished mainly using recycled aggregates and base materials in addition to conventional aggregates and paving materials when acceptable recycled materials meeting the required physical properties of the design engineer are locally available.
- The HVAC systems in all building(s) on the Property shall be high-efficiency units. Air conditioning compressors will be 17 SEER, minimum unless and until higher federal, state, or local standards are required.
- Water-saving plumbing fixtures shall be used in all buildings on the Property.
- Building roofing materials on the Property shall be selected for energy efficiency and to minimize the heat island effect of dark roof coverings.
- Building finish materials that have high-recycled content shall be selected where possible. Low VOC (Volatile Organic Compound) paints and finishes shall be used.

G. The Owner, at its sole expense, agrees to extend public water and sewer services to the Property governed by the alignment, specification, sizing, and area wide coordination and system requirements and guidance provided by the City Department of Public Works recognizing that such facilities shall be sized larger than that required by the Property alone; such work to undertaken though a Public Works Agreement approved by the City.

H. 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.

9. **RECORD PLAT:**

The Owner will provide the City with a copy of the final record plat for any development of the Property.

10. **MISCELLANEOUS:**

A. The obligations of the parties hereto set forth herein are contingent upon the adoption of an Annexation 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.

K.

**IF TO THE CITY:** Thomas Stevenson, City Administrator  
125 North Division Street, Room 304  
Salisbury, Maryland 21801

**WITH A COPY TO:** S. Mark Tilghman, City Attorney  
Seidel, Baker and Tilghman, P.A.  
110 North Division Street  
Salisbury, Maryland 21801

**IF TO THE OWNER:** Patrick K. and Dana G. Malone  
8 Shavannah Drive East  
Bear, Delaware 19701

**WITH A COPY TO:** Brock Parker, P.E.  
Parker & Associates, Inc.  
528 Riverside Drive  
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 SALSIBURY, MARYLAND**

\_\_\_\_\_

\_\_\_\_\_

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

**WITNESS/ATTEST:**

**OWNER:**

\_\_\_\_\_

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

APPROVED AS TO FORM:

\_\_\_\_\_

S. Mark Tilghman, 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 have been satisfactorily proven to be the persons whose names are subscribed to the within instrument, and that, being duly authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing their names.

**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

1 **AS AMENDED ON OCTOBER 26, 2015**

2  
3 **RESOLUTION NO. 2566**

4  
5 A RESOLUTION of the City of Salisbury proposing the annexation to  
6 the City of Salisbury of certain area of land situate, contiguous to and  
7 binding upon the northerly and westerly corporate limit of the City  
8 of Salisbury, to be known as the "Malone - Snow Hill Road  
9 Annexation," and the application of a City zoning classification to  
10 same area, being an area located on the northerly side of and binding  
11 upon E. College Avenue, in the northwest quadrant of the  
12 intersection of Snow Hill Road and E. College Avenue.

13  
14 WHEREAS the City of Salisbury is considering the annexation of a parcel of land located on  
15 the northerly side of E. College Avenue, an improved County road; said parcel being contiguous to  
16 and binding upon the northerly and westerly corporate limit of the City of Salisbury and being more  
17 particularly described on Exhibit "A" attached hereto and made a part hereof; and

18 WHEREAS the City of Salisbury is required to adopt an annexation plan for the proposed  
19 area of annexation pursuant to the Local Government Article (formerly Article 23(A) Section 19(O))  
20 of the *Maryland Annotated Code*; and

21 WHEREAS the public hearing is scheduled for December 14, 2015 at 6:00 p.m.

22 NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SALISBURY THAT  
23 an annexation plan for the "Malone - Snow Hill Road Annexation," as set forth in Exhibit "B"  
24 attached hereto and made a part hereof, is adopted for that area of land located on the northerly  
25 side of E. College Avenue; said parcel being contiguous to and binding upon the northerly and  
26 westerly corporate limit of the City of Salisbury.

27 AND BE IT FURTHER RESOLVED BY THE CITY OF SALISBURY, THAT the Council hold a  
28 public hearing on the annexation plan hereby proposed on December 14, 2015 at 6:00 p.m.. in the  
29 Council Chambers at the City-County Office Building and the City Administrator shall cause a public

30 notice of time and place of said hearing to be published not fewer than two (2) times at not less  
31 than weekly intervals, in a newspaper of general circulation in the City of Salisbury, which said  
32 notice shall specify a time and place at which the Council of the City of Salisbury will hold a public  
33 hearing on the Resolution.

34 The above Resolution was introduced and read and passed at the regular meeting of the  
35 Council of the City of Salisbury held on the 26 day of October 2015, having been duly published as  
36 required by law in the meantime a public hearing was held on December 14, 2015, and was finally  
37 passed by the Council at its regular meeting held on the 14 day of December 2015.

38

39

40 \_\_\_\_\_  
41 Kimberly R. Nichols,  
42 City Clerk  
43

\_\_\_\_\_   
John R. Heath,  
Council President

44 APPROVED BY ME this \_\_\_\_ day of \_\_\_\_\_, 2015.

45

46 \_\_\_\_\_  
47 Jacob R. Day,  
48 Mayor

## EXHIBIT "A"

### MALONE – SNOW HILL ROAD ANNEXATION

A CERTAIN AREA OF LAND, contiguous to and binding upon the northerly and westerly Corporate Limit of the City of Salisbury to be known as "Malone – Snow Hill Road Annexation" beginning for the same at a point on the Corporate Limit, said point lying where the southerly side of East College Avenue intersects the westerly side of MD Route 12, Snow Hill Road X 1,206,514.01, Y 190,446.26; thence running by and with the westerly side of said Snow Hill Road North twenty-five degrees zero minutes zero seconds West (N 25° 00' 00" W) one hundred eighty-four decimal six, zero (184.60) feet to a point X 1,206,436.00, Y 190,613.56; thence South sixty-five degrees zero minutes zero seconds West (S 65° 00' 00" W) eighteen decimal three, zero (18.30) feet to a point where the westerly right of way line of Snow Hill Road intersect the southerly right of way line of East Lincoln Avenue X 1,206,419.41, Y 190,605.83; thence by and with the said line of East Lincoln Avenue the following three courses: (1) with a curve to the left, having a radius of one hundred sixty (R = 160.00) feet and a length of twenty-nine decimal five, five (29.55) feet, a chord bearing of North sixty-seven degrees zero minutes fifty-three seconds West (N 67° 00' 53" W) a chord distance of twenty-nine decimal five, one (29.51) feet to a point X 1,206,392.25, Y 190,617.35; (2) with a curve to the right, having a radius of two hundred forty-five decimal zero, zero (R = 245.00) feet and a length of eighty-two decimal eight, four (82.84) feet, a chord bearing of North sixty-two degrees thirty-seven minutes ten seconds West (N 62° 37' 10" W) a chord distance of eighty-two decimal four, five (82.45) feet to a point X 1,206,319.04, Y 190,655.27; (3) North fifty-two degrees fifty-five minutes fifty-eight seconds West (N 52° 55' 58" W) three hundred sixty decimal three, one (360.31) feet to a point at the northwesterly corner of the lands of Patricia & Dana Malone X 1,206,031.54, Y 190,872.45; thence running with the westerly boundary line of said property South twenty-one degrees fifty-one minutes fifty-three seconds West (S 21° 51' 53" W) four hundred four decimal zero, zero (404.00) feet to a point on the northerly right of way line of East College Avenue X 1,205,881.08, Y 190,497.51; thence crossing the said road South twenty degrees fifty-six minutes six seconds West (S 20° 56' 06" W) forty-six decimal two, one (46.21) feet to a point on the Corporate Limit X 1,205,864.57, Y 190,454.35; thence running with the Corporate Limit South eighty-nine degrees seventeen minutes eleven seconds East (S 89° 17' 11" E) six hundred forty-nine decimal four, nine (649.49) feet to the point of beginning and containing 3.502 acres, being the lands of Patrick & Dana Malone, Parcel 253 shown on Tax Map 39, and a portion of East College Avenue and Snow Hill Road . All bearings and coordinates are referenced to the Maryland State Coordinate System, 1927 datum.

# REPORT OF ANNEXATION PLAN

*for the*

## E. COLLEGE AVENUE – MALONE ANNEXATION TO THE CITY OF SALISBURY

### Exhibit B

*September 22, 2015*

This Annexation Plan is consistent with the Municipal Growth Element of the City of Salisbury's adopted Comprehensive Plan. The following are milestones in the public review and consideration of the proposed Annexation.

- At a work session on April 6, 2015, the Salisbury City Council reviewed the proposed annexation.
- On May 21, 2015, the Salisbury – Wicomico County Planning Commission reviewed the proposed annexation and forwarded a favorable recommendation to the Salisbury City Council for General Commercial zoning of the Property upon annexation.
- At a Salisbury City Council work session on October 5, 2015, the City Council formally reviewed the draft annexation agreement and the draft version of this Annexation Plan and directed an Annexation resolution be drafted for review.
- A City Council ~~County~~ meeting held on October 26, 2015, the City Council formally reviewed this Annexation Plan and the Annexation Resolution and directed a date for a public hearing be established. The Council further directed that the Annexation Plan be forwarded to the Maryland Department of Planning and the Wicomico County Council and Executive for comment within 30 days of the public hearing as provided for by State law.

**1.0**

**GENERAL INFORMATION AND DESCRIPTION**

1.1 Petitioners

The petitioners are Patrick K. and Dana G. Malone at 8 Shavannah Drive East, in Bear, Delaware 19701.

1.2 Location

The Property is located at the intersection of E. College Avenue and Snow Hill Road (MD Route 12). E. College Avenue borders it on the south, E. Lincoln Avenue on the north, and Snow Hill Road (MD 12) on the east. The image below is an aerial photograph of the immediate vicinity. The right-of-way of E. College Avenue along the Property's frontage will also be annexed since the City's current limits run along the south side of E. College Avenue.





## 2.2 Proposed Zoning

Upon annexation, the Property is proposed to be zoned General Commercial. Per Section 17.36.010 of the City Zoning Ordinance, the purpose of the District is “to provide a wide range of functional and attractive regional retail, office, service, wholesale, storage, distributing and light manufacturing activities.” In a letter to the Mayor and City Council dated May 22, 2015 recommending the annexation, the Planning Commission noted that the City’s General Commercial District is substantially consistent with the existing County zoning of C-1, Select Commercial because of the types of uses permitted.

## 2.3 Proposed Land Use

The petitioners prepared a conceptual development plan for the Property. They propose to subdivide the Property into two commercial lots and develop each: Parcel A with a 9,100 square foot commercial / retail building and Parcel B with a 4,760 square foot fast food restaurant. Parcel B, which is programed for the more intensive commercial use is located further away from the existing residential properties. See Attachment “2”, Concept Development Plan.

## 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

E. College Avenue and E. Lincoln Avenue would provide access to the Property via proposed commercial driveways. As proposed, the curb line along westbound E. College Avenue would be relocated in order to construct a deceleration lane into the commercial site and a short acceleration lane out of the site. The City Department of Public Works will ultimately evaluate and make a determination about this proposed access configuration upon the developer’s submittal of the project for City development plan review to be undertaken by the Salisbury-Wicomico County Planning Commission.

A sidewalk would be built along the full road frontage around the perimeter of the site. The Annexation Agreement between the City and the Petitioner provides that the developer will install crosswalks over Snow Hill Road and E. College Avenue and other pedestrian improvements at the intersection of E. College Avenue and Snow Hill Road at the direction of the City Department of Public Works and State Highway Administration. The State Highway Administration will require a traffic study when a development plan is eventually submitted to the City.

#### 3.2 Water and Wastewater Treatment

Development of Property in keeping with its conceptual development plan would create a demand of 2,400 gallons per

day. The developer would connect, at its expense, to existing public water and sewerage facilities in the area at the direction of the City Department of Public Work and there are no Public Works concerns about the feasibility or capacity to serve this Property upon its development. There is adequate capacity to serve the Property. The City's allocation of water and sewer taps will be dictated by the City's allocation plan.

3.3 Schools

As a non-residential use, the Property would not generate pupil enrollment and have no impact of school capacity.

3.4 Parks and Rec.

As a non-residential use in this case, the Property would have no impact on park and recreational facilities or generate a demand for them.

3.5 Fire, E.M., 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 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:

Stormwater management is governed by the Maryland Stormwater Management regulations administered locally.

3.8 Waste Collection

Commercial development in the City is served by independent waste haulers.

**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 at a heavily traveled major City intersection with commercial automobile service uses on both its north and south sides. Snow Hill Road (MD Route 12), a major commercial route and a classified Principal Arterial roadway, is developed with a variety of commercial uses oriented to the highway. E. College Avenue / Beaglin Park Drive is also a road of citywide significance. It is Minor Arterial roadway and connects U.S. Route 50 to Business U.S. Route 13 and many activity centers between them and beyond. Commercial development of this parcel is not incompatible with these road functions; however, care will need to be taken to ensure that the

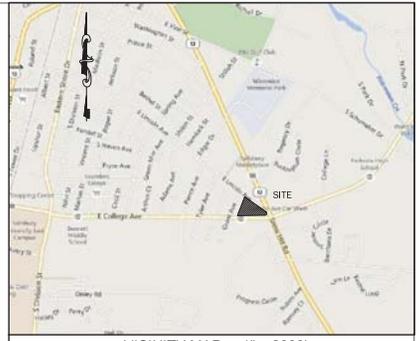
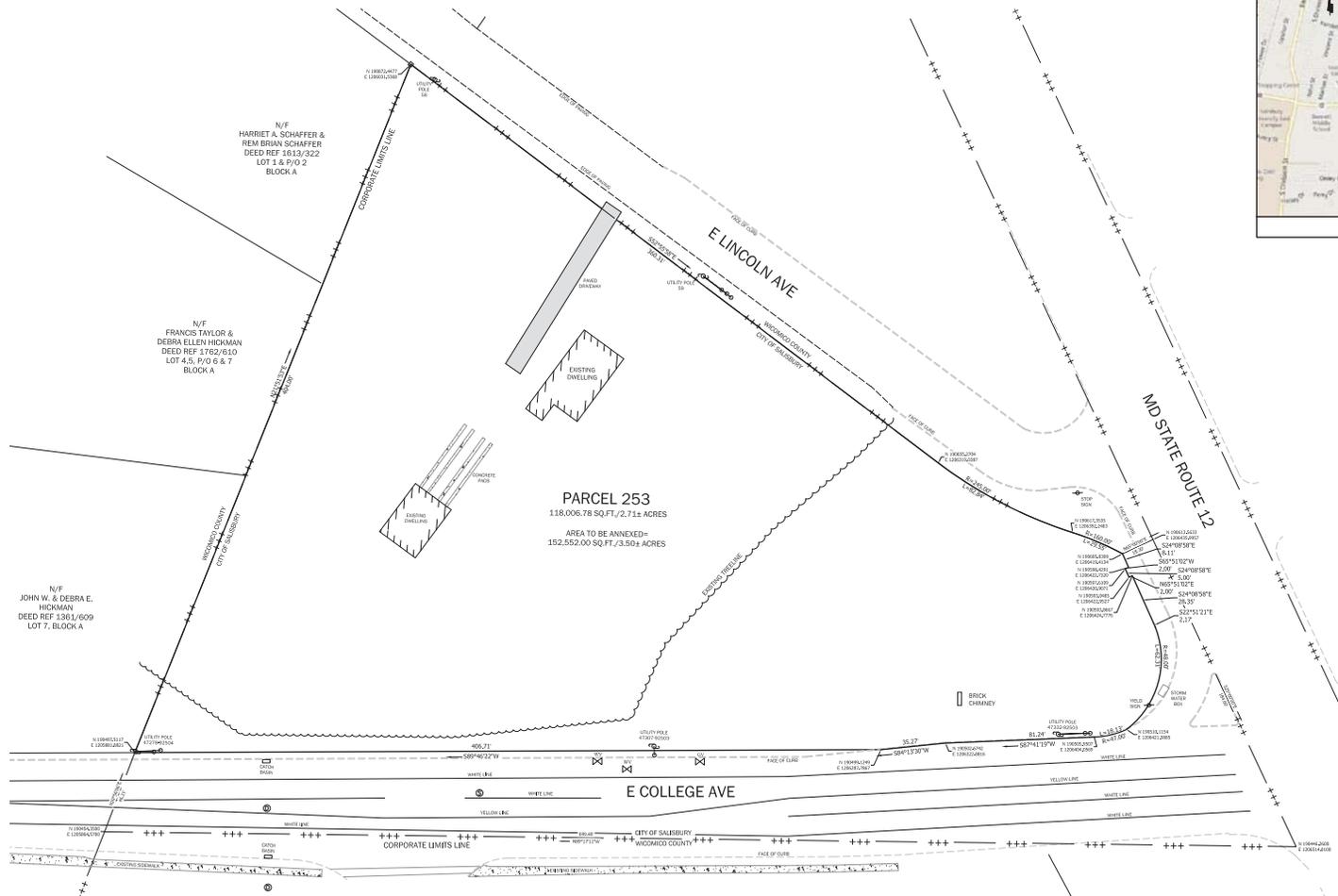
traffic impacts (such as turning movements into and out of the site) do not degrade roadway or intersection capacity or function.

The development of the site would provide commercial services that could meet the needs of motorists traveling the adjoining roads. The thoughtful use of landscape design should add to the quality of the streetscape and the installation of pedestrian improvements should improve overall safety and mobility in the area.

The site is partially wooded and a provision in the annexation agreement would ensure that a forested buffer is retained between the commercial uses and the adjoining residences to the west of the Property. There are no significant or sensitive environmental features on the site though a wellhead protection area does intersect with the easternmost edge of the Property but this does not constrain the site's development or use as proposed.

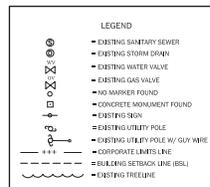
The Property is in the City's designated municipal growth area and it is eligible for annexation. The proposed uses are compatible with the land use pattern in the neighborhood and the Comprehensive Plan.

Attachment 1: Annexation Survey Plat  
Attachment 2: Concept Development Plan  
Exhibit A: Metes and Bounds Description



VICINITY MAP 1" = 2000'

- GENERAL NOTES**
1. THE PROPERTY SHOWN HEREON IS OWNED BY: PATRICK P. & DANA G. MALONE 8 SHAWANAW DRIVE EAST BEGS. 28 1970S.
  2. DEED REFERENCE: 3648-374.
  3. TOTAL AREA OF PROPERTY = 2.71± ACRES.
  4. TOTAL AREA TO BE ANNEXED = 3.50± ACRES.
  5. THE CURRENT WICOMCO COUNTY WATER/SEWER SERVICE CATEGORY: W1/S1.
  6. THE PROPOSED ZONING OF THIS PROPERTY IS: GENERAL COMMERCIAL.
  7. THE CURRENT ZONING OF THIS PROPERTY IS: C-1 SELECT COMMERCIAL.
  8. THE PROPERTY IS LOCATED IN G.U.M. MANAGEMENT ZONE B-1.
  9. THE PROPERTY IS SHOWN ON F.A.R.M. COMMUNITY PANEL #240078 0028 (PANEL 28 OF 55, DATED 9/28/84, AS BEING IN FLOOD ZONE C. AREA OF MINIMAL FLOODING.
  10. ALL FUTURE CONSTRUCTION SHALL CONFORM TO THE CITY OF SALISBURY CODES IN EFFECT AT THE TIME OF CONSTRUCTION.
  11. TRASH COLLECTION SHALL BE PRIVATE. WATER AND SEWER SHALL BE PUBLIC.



PROFESSIONAL CERTIFICATION: I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME AND THAT I AM A QUALIFIED LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MARYLAND LICENSE NUMBER 10713, EXPIRATION DATE 03/31/24.

PHILIP A. PARKER, L.C. #10713 DATE

<b>REVISIONS</b> DATE: 07/10/15 BY: EDR DATE: 10/17/15 BY: EDR		<b>ANNEXATION PLAT FOR PARCEL 253</b> PATRICK AND DANA MALONE		SURVEYING  FORESTRY CIVIL ENGINEERING SITE PLANNING
LOCATION: CAMDEN ELECTION DISTRICT, WICOMCO COUNTY, MARYLAND				
SCALE: 1" = 30'	DATE: 12/09/14	TAX MAP: 48		
PROJECT: S2079_ANNEX	PARCEL: S2079	PARCEL: 253		



# Office of Community Development

## MEMO

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**To: Tom Stevenson**

**From: Deborah Stam**

**Subject: Ordinances to Amend the Salisbury City Code to Amend the Definition and Requirements of Functional Family in Consideration of Disabled Individuals.**

**Date: December 2, 2015**

---

During the completion of the City's 2014 Analysis of Impediments to Fair Housing (AI), it was determined by the consultant that it would be beneficial for us to make some minor changes to the City's Zoning Ordinance / Zoning Code in order to clarify our commitment to fair housing. These changes involve additional language that should be added to the "Definitions" section of the Zoning Code. It is my understanding that the Mayor's Office will be sponsoring this legislation.

These proposed changes have been reviewed by Jack Lenox, Director of Planning, Zoning & Community Development, and Mark Tilghman, City Attorney. Mr. Tilghman has created the attached ordinances to amend Chapter 15.24.1620 and Chapter 17.04.120 of the Salisbury City Code to amend the definition and requirements of 'Functional Family'.

As these Ordinances represent a change to the City's Zoning Code, they were required to be approved by the Salisbury - Wicomico County Planning and Zoning Commission. At the Planning and Zoning Commission meeting conducted on November 19, 2015, the ordinances were discussed and a Public Hearing for the text amendment was held. No objections were received during the public hearing, and the text amendment was approved by the Commission.

Please forward these documents to the City Council so that this item may be placed on the agenda for first reading at the Council meeting on December 14, 2015, and for second reading and passage at the Council meeting on December 28, 2015.

  
Deborah J. Stam  
Community Development Director

Attachments

CC: Julia Glanz  
Ginny Hussey  
Jack Lenox  
Gloria Smith



26 a “functional family” exists. Each of the following criteria shall be met:

- 27 A. Share a permanent personal bond and commitment to one another;
- 28 B. Not dependent upon or supported by someone who does not maintain legal  
29 domicile at the particular dwelling unit and reside therein (not including  
30 any alimony or child support payments made to or for the benefit of any  
31 members of the group);
- 32 C. Maintain legal domicile at the particular dwelling unit;
- 33 D. Share a single household budget;
- 34 E. Share in the repair and maintenance of the dwelling unit and its grounds, if  
35 any;
- 36 F. Prepare and eat meals together on a regular basis;
- 37 G. Share in legal ownership or tenancy of the dwelling unit, as evidenced on a  
38 deed or lease.

39 2. In the case of an application by persons who are disabled pursuant to the terms of  
40 the Americans with Disability Act, the Department of Neighborhood Services and Code  
41 Compliance shall make a determination of whether a “functional family” exists under  
42 15.24.1620(1). When making that determination, the Department of Neighborhood  
43 Services and Code Compliance shall make any necessary and reasonable  
44 accommodations, including the modification of conditions required by subsection (1) of  
45 this section and the allowance of more than four unrelated individuals in the same  
46 household, when necessary to comply with applicable federal and state laws regarding  
47 fair housing and persons with disabilities.

48

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

52

53

54 THIS ORDINANCE was introduced and read at a meeting of the Council of the City of

55 Salisbury held on the \_\_\_\_\_ day of \_\_\_\_\_, 2015 and thereafter, a statement of the

56 substance of the ordinance having been published as required by law, in the meantime,

57 was finally passed by the Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2015.

58

59 ATTEST:

60

61

62 \_\_\_\_\_

63 \_\_\_\_\_

64 Kimberly R. Nichols, City Clerk

65

66

67

68 Approved by me, this \_\_\_\_\_

69

70 day of \_\_\_\_\_, 2015.

71

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74 \_\_\_\_\_

75 Jacob R. Dayames Ireton, Jr., Mayor

76

\_\_\_\_\_  
-John R. Heath~~acob R. Day~~, City  
Council President



26 15.24.1620(1) as a “functional family.” and  
27 2. A group of four or more disabled persons (as defined by the Americans  
28 with Disability Act), who are approved by the Department of Neighborhood Services and  
29 Code Compliance pursuant to Section 15.24.1620(2).

30

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

34

35

36 THIS ORDINANCE was introduced and read at a meeting of the Council of the City of  
37 Salisbury held on the \_\_\_\_\_ day of \_\_\_\_\_, 2015 and thereafter, a statement of  
38 the substance of the ordinance having been published as required by law, in the  
39 meantime, was finally passed by the Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2015.

40

41 ATTEST:

42

43

44

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

\_\_\_\_\_   
John R. Heath, City Council President

47

48

49 Approved by me, this \_\_\_\_\_

50

51 day of \_\_\_\_\_, 2015.

52

53

54

55

56 \_\_\_\_\_  
Jacob R. Day, Mayor

# City of Salisbury



MARYLAND



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

KEITH A. CORDREY  
DIRECTOR OF INTERNAL SERVICES

JACOB R. DAY  
MAYOR

TOM STEVENSON  
CITY ADMINISTRATOR

JULIA GLANZ  
ASSISTANT CITY ADMINISTRATOR

December 8, 2015

To Tom Stevenson, City Administrator

From Keith Cordrey Director Internal Services *KAC*

Re: FY15 Audit Report

---

Pam Baker of Barbacane, Thornton & Company (BTC) is scheduled to attend the council meeting on December 14, 2015 in order to present the Final Audit Report for the fiscal year ended June 30, 2015. An electronic copy of the draft report has been previously distributed to the Administrator, Mayor, and Council Members with the understanding (and as per instruction from BTC) that this draft is a discussion only document under review by the auditor and must not be distributed (or its content disclosed) to others until BTC has completed their review and a "final" report issued.