



City of Salisbury

CITY COUNCIL AGENDA



January 26, 2015
Government Office Building

6:00 p.m.
Room 301

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 – Stephen Hause, Pastor of the Deaf at Cross Pointe Church of the Nazarene

6:06 p.m. PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES

6:08 p.m. COMMUNITY ORGANIZATION PRESENTATION

- Salisbury/Wicomico Youth Civics Council Swearing-In – Mark S. Bowen, Clerk of Circuit Court, presented by Assistant City Administrator Terence Arrington and Program Coordinator Thelonious Williams
- Blood Bank of Delmarva

6:25 p.m. ADOPTION OF LEGISLATIVE AGENDA

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

- December 22, 2014 regular meeting minutes
- January 5, 2015 work session minutes
- Resolution No. 2469 - declaring that Two Farms, Inc is eligible to receive Enterprise Zone benefits for property located at 1150 Pemberton Drive
- Approving the Manufacturing Exemption request for Jubilant Cadista Pharmaceuticals for equipment purchased in 2013

6:32 p.m. AWARD OF BIDS – Assistant Director of Internal Services – Procurement & Parking Jennifer L. Miller

- Change Order #2 – RFP 04-14 Main Street Masterplan
- Change Order #3 – RFP 04-14 Main Street Masterplan
- Declaration of Surplus – Turnout Gear - Salisbury Fire Department

6:45 p.m. RESOLUTION – City Administrator Tom Stevenson

- Resolution No. 2470 - authorizing the Mayor to sign the grant agreement and accept a grant of \$50,000.00 from Maryland Department of Transportation Maryland Bikeways Program for the provision of the design of a pavement marking plan for 3 bicycle routes (Orange Route, Red Route, and Salisbury Urban Greenway); the installation of bicycle pavement markings for the three bicycle routes; the installation of 3 bicycle racks (Downtown Plaza, Salisbury Zoological Park, and Salisbury Park); and the design, construction, and

installation of 4 informational kiosks (Downtown, Peninsula Regional Medical Center, Salisbury University, and Salisbury Park)

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

- Ordinance No. 2310 – 2nd reading – amending Title 17, The Zoning Code, to allow Bed and Breakfast Inns in the Newtown Historic District
- Ordinance No. 2311 – 2nd reading – to abandon an area of land being the improved roadbed of Wayne Street between Power Street and Bateman Street
- Ordinance No. 2312 – 2nd reading – to eliminate eleven parking spaces and provide for a total of two bus parking spaces on Wayne Street and two vehicle parking spaces on Power Street adjacent to the Salisbury University Stadium
- Ordinance No. 2313 – 1st reading – amending Sections 15.24.280 General, 15.24.1640 Violation of occupancy provisions, and 15.26.110 Denial, nonrenewal, revocation or suspension of license or registration of the Salisbury Municipal Code
- Ordinance No. 2314 – 1st reading- changing the rates for Emergency Medical Services (EMS)

7:15 p.m. PUBLIC COMMENTS

7:20 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 web site
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 February 9, 2015 (subject to change)

- Ordinance No. 2313 – 2nd reading – amending Sections 15.24.280 General, 15.24.1640 Violation of occupancy provisions, and 15.26.110 Denial, nonrenewal, revocation or suspension of license or registration of the Salisbury Municipal Code
- Ordinance No. 2314 – 2nd reading- Establishing Rates for Emergency Medical Service: (EMS)
- Resolution No. ___ - authorizing the Mayor to sign a MOU accepting a grant of \$40,000 from Maryland State Highway Administration recreational trails program for the Salisbury Rowing and Kayak Water Access project
- Resolution No. ___ - reappointment of Scott Saxman to the Historic District Commission
- Resolution No. ___ - reappointment of Carol Scissons to the Zoo Commission
- Resolution No. ___ - appointing Michael Perry to the City Park Committee
- Resolution No. ___ - appointing Marion Keenan to the Bicycle Pedestrian Committee
- Resolution No. ___ - reappointment of James Youngk to the Marina Committee

1 **CITY OF SALISBURY, MARYLAND**

2
3 **REGULAR MEETING**

DECEMBER 22, 2014

4
5 **PUBLIC OFFICIALS PRESENT**

6
7 *Council President Jacob R. Day* *Council Vice President Laura Mitchell*
8 *Councilwoman Eugenie P. Shields* *Councilman John “Jack” R. Heath*
9 *Councilman Timothy K. Spies*

10
11 **PUBLIC OFFICIALS NOT PRESENT**

12
13 *Mayor James Ireton, Jr.*

14
15 **IN ATTENDANCE**

16
17 *City Clerk Kimberly R. Nichols, CMC, City Administrator Tom Stevenson, City Attorney Mark*
18 *Tilghman, Assistant Director Internal Services – Procurement & Parking Jennifer L. Miller,*
19 *Deputy Director Public Works Amanda Pollack, interested citizens and members of the press*
20 *******

21 **CITY INVOCATION – PLEDGE OF ALLEGIANCE**

22
23 *The City Council met in regular session at 6:00 p.m. in Council Chambers. Council President*
24 *Day called the meeting to order. Following a moment of silent meditation, those in attendance*
25 *recited the Pledge of Allegiance to the flag of the United States of America.*

26
27 **COMMUNITY ORGANIZATION PRESENTATION**

- 28
29
 - *First Saturday – presented by Sarah Rayne and Sarah Halcott*

30
31 *Sarah Rayne and Sarah Halcott, Co-Chair and Vice-Chair, respectively, joined Council*
32 *at the podium to speak about First Saturday.*

33
34 *First Saturday, an extension of Third Friday, is a project of the Salisbury Arts &*
35 *Entertainment District Committee and will focus on performing arts rather than visual*
36 *arts. The First Saturday Committee has met monthly since October 2014 to plan the free,*
37 *family-friendly monthly event for Salisbury's downtown, which will be sponsored by local*
38 *businesses, restaurants, business partners, local music acts, volunteers, and more.*

39
40 *Each event will feature a local band, which will be paid for their services. In an attempt*
41 *to attract a wider audience, a small venue space will be created for 10 – 15 fine artists to*
42 *display and sell their art.*

43
44 *For more information, email 1stsaturdaysby@gmail.com or contact them on Facebook*
45 *(1st Saturday).*

47 **ADOPTION OF LEGISLATIVE AGENDA**

48

49 *Mrs. Shields moved, Mr. Spies seconded, and the vote was unanimous to approve the Legislative*
50 *Agenda as presented.*

51

52 **CONSENT AGENDA** – presented by City Clerk Kim Nichols

53

54 *The Consent Agenda was unanimously approved on a motion and seconded by Mr. Spies and*
55 *Mrs. Shields, respectively:*

56

- 57 • *December 1, 2014 work session minutes*
- 58 • *December 8, 2014 regular meeting minutes*
- 59 • *Manufacturing Exemption Request for Perdue Foods, LLC*
- 60 • *Resolution No. 2466 – authorizing the Chief of Police of the City of Salisbury to sign a*
61 *Memorandum of Understanding between the Salisbury Police Department and the*
62 *Maryland Office of Highway Safety and to accept grant funding for four (4) separate*
63 *traffic safety programs each with their own conditions and grant funding amounts*

64

65 **AWARD OF BIDS** – presented by Assistant Director of Internal Services – Procurement & Parking
66 *Jennifer L. Miller*

67

68 *The Award of Bids, consisting of the following items, was unanimously approved on a motion by*
69 *Mrs. Shields and seconded by Mr. Heath:*

70

- 71 • *Award of Bid, Contract 111-15 – Design/Build for Salisbury Fire*
72 *Department, New Station #2* \$3,616,220.00
- 73 • *Award of Bid, Contract 106-13 – Parkside HS Regional Lift Station*
74 *Re-bid Contract 101-14 Mill Street Pumping Station Improvements* \$1,782,000.00
- 75 • *Declaration of Surplus – Bicycles – Salisbury Police Department* \$00.00

76

77 **RESOLUTION** – presented by City Administrator Tom Stevenson

78

- 79 • *Resolution No. 2467 – declaring December 26, 2014 as an additional 2014 Holiday for*
80 *City employees*

81

82 *Mr. Spies moved, Mrs. Shields seconded, and the vote was unanimous to approve*
83 *Resolution No. 2467 as presented.*

84

85 **ORDINANCES** – presented by City Attorney Mark Tilghman

86

- 87 • *Ordinance No. 2307 – 2nd reading – approving an amendment of the FY 2015 General*
88 *Fund Budget to appropriate funding for additional Fire Department personnel*

89

90 *Mrs. Shields moved and Mrs. Mitchell seconded to approve Ordinance No. 2307 for*
91 *second reading.*

92

93 *Mr. Tilghman presented Ordinance No. 2307 for second reading.*

94
95 *One member of the public provided the following comments:*

- 96
- 97 ○ *When the Safe Grant was received two years ago it was considered more than*
- 98 *what Salisbury needed, perhaps like the million dollar fire boat*
- 99 ○ *Eleven of the fire personnel from that grant are now part time employees*
- 100 ○ *The City hired more fire personnel and now want four more*
- 101 ○ *This is excessive even though population has and structures are two years older*
- 102 ○ *Appropriate scheduling and utilizing staff is needed, not to provide for overtime*
- 103 ○ *New personnel requires budgeting and the City has eleven more part time people*
- 104 ○ *This should be accomplished within the current budget; don't increase the City*
- 105 *property taxes next year to fund this as most people can't pay the extra money*
- 106

107 *Ordinance No. 2308 for second reading was unanimously passed.*

- 108
- 109 • *Ordinance No. 2308 – 2nd reading – approving an amendment of the funding for*
- 110 *additional promotional fees to support the Shore Transit Circulator Program*
- 111

112 *Mrs. Shields moved and Mrs. Mitchell seconded to approve Ordinance No. 2308 for*

113 *second reading.*

114

115 *Council comments included the following:*

- 116
- 117 ○ *Council received the hourly numbers from Mr. Bellacicco but haven't received*
- 118 *anything from the downtown businesses (Mr. Stevenson will discuss with Ms.*
- 119 *Kordzikowski)*
- 120 ○ *Requested to see the revenue from the Advertising on the trolley*
- 121 ○ *Would like to see the program at least partially self-sufficient, if not entirely self-*
- 122 *sufficient*
- 123 ○ *Willing to say this is worth the citizens' money to improve Downtown Salisbury*
- 124 *but would like to know if this budget amendment will be necessary every quarter*
- 125 ○ *The trolley should pay for itself and be supported by the merchants and vendors*
- 126 *who benefit from it*
- 127 ○ *Discussion held on eliminating Saturdays*
- 128 ○ *Determined there was a return on the City's investment since most people spend*
- 129 *\$20 - \$30 per downtown visit, but would like to see the actual numbers from the*
- 130 *merchants*
- 131

132 *Ordinance No. 2308 for second reading was unanimously passed.*

- 133
- 134 • *Ordinance No. 2309 – 1st reading – to designate Riverside Drive, from West College*
- 135 *Avenue to Mill Street, as a “NO PARKING” zone*

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Mr. Spies moved and Mrs. Mitchell seconded to approve Ordinance No. 2309 for first reading.

After Mr. Tilghman presented the ordinance for first reading, one member of the public provided the following comments:

- o You would assume anytime a bike lane is designated on a City street it would automatically be designated as a NO PARKING zone, but that's not the case*
- o This a an important part of the Bike Plan – Phase II (re-striping the bike lanes on Riverside Drive)*
- o There already is a twenty year existing bike lane on Riverside Drive*
- o The places where people have been parking are already causing obstruction for people who are trying to use the bike lane*
- o Ordinance No. 2309 is key for making Salisbury a bicycle-friendly community*

Ms. Pollack reported that Public Works will initially install three extra signs in each direction, and the Police will alert Public Works if more signs are needed. The variable message boards will be placed for public information on the area streets to alert the residents about the NO PARKING zone.

Ordinance No. 2309 for first reading was unanimously approved.

ADJOURNMENT

Council President Day adjourned the Legislative Session at 7:05 p.m.

City Clerk

Council President

1 CITY OF SALISBURY
2 WORK SESSION
3 JANUARY 5, 2015

4
5 Public Officials Present
6

Council President Jacob R. Day
Mayor James Ireton, Jr. (arrived 5:00 p.m., left 6:00 p.m.)
7 Councilman John “Jack” R. Heath

Vice President Laura Mitchell
Councilwoman Eugenie P. Shields
Councilman Timothy K. Spies

8 In Attendance
9

10 City Clerk Kimberly R. Nichols, City Administrator Tom Stevenson, Neighborhood Services &
11 Code Compliance Director Susan Phillips, Public Works Director Mike Moulds, Deputy Director
12 Public Works Amanda Pollack, City Attorney Mark Tilghman, and interested citizens and
13 members of the press.

14 -----
15 On January 5, 2015, Salisbury City Council convened in Work Session at 4:31 p.m. in Council
16 Chambers, Room 301 of the Government Office Building.

17
18 **Abandonment of a section of Wayne Street between Power and Bateman Streets for**
19 **roadbed improvements/modifications by Salisbury University**

20
21 Council was joined by Public Works Director Mike Moulds and Deputy Director Amanda
22 Pollack to discuss the plans for the Salisbury University stadium project and the associated
23 ordinance necessary for the City’s abandonment of a section of Wayne Street.

24
25 The following is a synopsis of Council discussion:

- 26
27
 - How to best exit Power Street to get southbound on Rt. 13
 - Salisbury University would maintain the street after taking ownership
 - Traffic control and University Police have a heavy presence during games

29
30

31 Council reached unanimous consensus to advance the abandonment of a section of Wayne Street
32 between Power and Bateman Streets for roadbed improvements/modifications by Salisbury
33 University to the next legislative session.

34
35 **Wayne & Power Streets – Parking Modifications for Salisbury Stadium**

36
37 Ms. Pollack reviewed the parking modifications with Council and reported all associated costs
38 will be the responsibility of the University and all work will be performed according to Public
39 Works standards.

40
41 Council reached unanimous consensus to advance the legislation to the next legislation session.

42
43 **Over Occupancy of Rental Property Ordinance**
44

45 Neighborhood Services & Code Compliance (NSCC) Director Susan Phillips joined Council to
46 discuss the Over Occupancy of Rental Properties ordinance.

47
48 Ms. Phillips discussed several corrections listed below to the policy outline included in the
49 packet:

- 50 • Allowing NSCC to issue a citation at the time an over occupied property is identified
51 (this was not in the original policy outline)
- 52 • In 15.24.280, it removes “two unrelated” since not all zoning districts permit a minimum
53 occupancy of two unrelated.
- 54 • In 15.26, Denial, Nonrenewal or Suspension of License and/or Registration
55

56 Ms. Phillips indicated it was very important to be able to issue a citation at the time an over
57 occupied property is identified. Since the change in legislation has first been addressed by
58 Council, four (4) additional over occupied properties have been identified in the Druid Hill area
59 since September 2014, totaling forty-eight (48) in only one year.

60
61 Below are comments received from two members of the public on the topic:

- 62
- 63 • The value of homes in the SU area has declined due to student rentals
- 64 • Many houses have been reported and the landlords re-rent to the same number of
65 students
- 66 • Landlords know what they are doing and the rental amounts prove they are aiming for
67 students, not families
- 68 • SAPOA is doing what they are supposed to do and is not the problem
- 69 • “Out of towners” have purchased many of the homes for their children (who are
70 students) and other friends and students to live in while at SU
- 71 • Parties are getting larger and louder
- 72 • Neighborhoods are going down consistently
- 73 • Druid Hill has had (4) homes in the past year converted and are over occupied
- 74 • They should be given a shorter period of time
- 75 • Has rented homes and had landlords pull out the zoning maps and explain the occupancy
76 requirements and limitations
- 77 • Has had landlords explain that it is his responsibility as a tenant to comply with the law
78

79 After discussion, Council reached unanimous consensus to advance the legislation to the next
80 Council meeting.

81
82 Council recessed at 6:15 p.m. and reconvened at 6:24 p.m.

83
84 **Adult Entertainment Provisions**

85
86 Mr. Tilghman explained Administration had asked him to look into the Adult Entertainment
87 Provisions and felt there is clearly room for people to take advantage of the current law, and this
88 is being done. The goal is to lower the number of displays in the stores to an acceptable number
89 and to include the vertical display areas along with the floor area to capture what is being sold. If

90 15% of adult material is being sold, the establishments shall fall under the Adult Entertainment
91 Provisions.

92
93 Mr. Tilghman said that there is nothing specific in the State code authorizing search warrants for
94 the zoning law, but the State code does give powers to the local governments to pass laws to
95 enforce local issues, and zoning has always been a local issue. City Council has the legislative
96 power to pass a law to get an administrative search warrant issued. In 2008, Planning & Zoning
97 created a report and a map showing areas in the City where such establishments would be
98 permitted, and not near churches, schools, and homes. The map shows these areas mostly in the
99 Westwood Commerce Park and Northwood Industrial Park. He recommended asking Planning &
100 Zoning to check the numbers again. The two businesses on Rt. 13 were established before the
101 initial adult entertainment law was passed, so at that point such businesses could be operated in
102 any commercial area.

103
104 Mr. Tilghman indicated other jurisdictions in Maryland limit adult stores to industrial districts
105 for the same reasons and all of the provisions in the ordinances have been upheld in Maryland.

106
107 After discussion, Mr. Day re-stated the following:

- 108
109 1. This would change the determination that there are three (3) businesses in Salisbury
110 within City limits that are considered adult entertainment.
111 2. These zoning changes to Chapter 17 would enable the City to inspect the
112 establishments.
113 3. The zoning change would lower the standard to what determines an adult
114 entertainment business.
115 4. The change would allow the existing businesses to operate for two (2) years before
116 they are measured by the new standards.

117
118 Mrs. Shields felt the legislation could harm the established businesses, and although undesirable,
119 it was inappropriate to put them out of business because of what was inside the store for sale.
120 She indicated the trolley was encouraging underage drinking and negative activities in the
121 neighborhoods, and compared the same to the adult establishments.

122
123 Mr. Day stated the trolley has a positive impact on our economy and relationship with SU and
124 the City's young people, and has no comparison with adult entertainment stores, which do seem
125 to have a negative impact on communities across the Nation. He referenced the 1980 RUDAT
126 Report, 1996 Comprehensive Plan, 2004 Comprehensive Plan, Salisbury Wicomico Metropolitan
127 Organization Consolidated Plan, and the 2010 Comprehensive Plan which states Salisbury will
128 create a trolley between SU and Downtown.

129
130 Mr. Heath agreed that the Constitution was clear concerning the right to operate a business, but
131 location was something the Council had influence on, and referenced a shooting range as an
132 example of an establishment where people would drive out of their way to use, and agreed that
133 the current location of the retail stores is inappropriate.

134

135 After further discussion, Council reached consensus to bring the topic back to Work Session with
136 an updated map from Planning & Zoning.

137

138 **EMS Billing Rates Review and Recommendation**

139

140 Fire Chief Rick Hoppes joined Council at the table to discuss the EMS billing rates based upon
141 the EMS billing company's recommendation. At the last discussion, Mr. Hoppes indicated
142 Council had the following two questions:

143

- 144 1. How does this change relate to our standing Mutual Aid Agreement with the Fire
145 Companies? (The Mutual Aid Agreement does not have any applicability to billing rates)
- 146 2. What were the graphic or associated profiles of the communities that were compared to
147 Salisbury by the billing company? (They were similar in size, shape and complexity in
148 the amount of calls received)

149

150 After discussion, Council reached unanimous consensus to advance the ordinance to the next
151 Legislative Session with the tables incorporated into the ordinance.

152

153 **Council discussion**

154

155 Mrs. Shields indicated she was still interested in a Goal Setting Session, and Mr. Day reported
156 Michele Ennis Benn would be sending a poll to select dates, and she would be the facilitator.

157

158 Mrs. Mitchell discussed Council service on Boards & Commissions, and Mr. Day indicated there
159 were no vacancies.

160

161 With no further business to discuss, the Work Session was adjourned at 7:16 p.m.

162

163

164 _____
City Clerk

165

166

167 _____
Council President

INTER

OFFICE

MEMO

Office of the Mayor

To: City Council
From: Laura Kordzikowski
Subject: Enterprise Zone Eligibility – Two Farms, Inc– 1150 Pemberton Drive
Date: January 21, 2015

Attached is a copy of the application requesting Enterprise Zone designation for Two Farms, Inc from James Burgess. I have reviewed this application and, to the best of my knowledge, this establishment meets all of the qualifications to be so designated. This property is located within the boundaries of the City's Enterprise Zone, and this company has invested more than \$50,000 in the property and/or has hired two or more full time employees since locating in the Enterprise Zone.

I recommend that the City Council adopt the attached resolution designating Two Farms, Inc located at 1150 Pemberton Drive, eligible to receive the benefits of the Enterprise Zone.

The Mayor concurs with this recommendation.

As a reminder, companies that are declared eligible for enterprise zone benefits are able to receive both income tax and property tax benefits for ten years. The purpose of this program is to encourage industries to locate in areas identified as enterprise zones and to reinvest in such properties.

cc: Mayor Ireton
Tom Stevenson
Kim Nichols

Attachments

RESOLUTION NO. 2469

A RESOLUTION OF THE CITY OF SALISBURY, MARYLAND DECLARING THAT TWO FARMS, INC IS ELIGIBLE TO RECEIVE ENTERPRISE ZONE BENEFITS FOR PROPERTY LOCATED AT 1150 PEMBERTON DRIVE, SALISBURY MD.

WHEREAS the City of Salisbury, Maryland and Wicomico County created an Enterprise Zone on June 6, 1983 for the purpose of encouraging economic development of the area encompassed within the boundaries of such zone; and

WHEREAS the Enterprise Zone was created under authority granted by the State of Maryland; and

WHEREAS the State Code permits certain benefits to be extended to businesses that locate or expand in the Enterprise Zone provided that they meet certain standards; and

WHEREAS, the City of Salisbury and Wicomico County have also established certain standards, which must be met in order for a business to be deemed eligible to receive Enterprise Zone benefits; and

WHEREAS, Two Farms, Inc meets the standards set forth in the State Code and in local regulations to be eligible to receive Enterprise Zone benefits; and

WHEREAS, James Burgess, representing Two Farms, Inc has requested that the company be designated as eligible for Enterprise Zone benefits because of its investment of more than \$50,000 at their property located in the zone at 1150 Pemberton Drive;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Salisbury, Maryland that Two Farms, Inc be designated as eligible to receive the benefits of the Enterprise Zone effective upon the adoption of this resolution.

The above Resolution was introduced and read and passed at the regular meeting of the Salisbury City Council on the _____ day of _____, 2015.

Kimberly R. Nichols
CITY CLERK

Jacob R. Day
PRESIDENT, City Council

APPROVED by me this
_____ day of _____ 2015.

James Ireton, Jr.
MAYOR, City of Salisbury



City of Salisbury
Enterprise Zone Program Information And Qualification Application

Describe the Company's primary and secondary products or services that are, or will be, produced at the facility in the Enterprise Zone:

The Royal Farms is a convenience store that also provides fuel products.

Business NAICS Code (if available): 447110

Proposed Project – Real Property Tax Credit

Proposed Project Is: New Construction Rehabilitation

Project Starting Date: 08/01/2014

Anticipated Completion Date: February 2015

Description of Project:

The Royal Farms built a 4,000 square foot brand new structure on a vacant lot.

Cost of Project: \$ 2,800,000

Proposed Project – State Income Tax Credit

Current Number of Employees in the Zone:

Total: 17 Full Time: 5 Part Time: 12

New Jobs Created In the Zone:

Total: 9 Full Time: 3 Part Time: 6

Creation Date: February 2015

Hourly Wage for Typical New Job (without benefits): \$ 9.00 /hour

Additional Cost of Benefits Provided (Per New Employee): \$ 12.00 /hour

Please include a list of all hired employees, the date of hire, how many hours a week they work, and what their wages are.

Signatures

Signature of Person Completing This Form: _____

Typed Name: ROBERT LANGRISH

Title: MEMBER

Date: 12-19-14

How did you hear about this opportunity: _____

Submit Application to:
 Business Development Specialist – City of Salisbury
 125 North Division Street, Room 104
 Salisbury, MD 21801
 410-677-1915 | info@citylivingsallsbury.com

Department of Public Works

Inter Office Memorandum

To: Mike Moulds, Director of Public Works
From: Rick Baldwin
Subject: Enterprise Zone Qualifications – Two Farms, Inc.
Date: January 9, 2015

Review of Public Works criteria for Enterprise Zone designation of Two Farms, Inc. located at 1150 Pemberton Drive, Salisbury, Maryland.

- The Two Farms, Inc. property located at 1150 Pemberton Drive is in compliance with the City's sewer use requirements specifically Chapter 13.12 of the City of Salisbury Code of Ordinances.
- The Two Farms, Inc. property located at 1150 Pemberton Drive is in compliance with State and local storm water management codes and regulations for the date built.



City of Salisbury – Wicomico County

DEPARTMENT OF PLANNING, ZONING AND COMMUNITY DEVELOPMENT

P.O. BOX 870

125 NORTH DIVISION STREET, ROOMS 203 & 201

SALISBURY, MARYLAND 21803-4860

410-548-4860

FAX: 410-548-4955



JAMES IRETON, JR.
MAYOR

TOM STEVENSON
CITY ADMINISTRATOR

BOB CULVER
COUNTY EXECUTIVE

R. WAYNE STRAUSBURG
DIRECTOR OF ADMINISTRATION

December 31, 2014

TO: Tom Stevenson, City Administrator

FROM: John F. Lenox, AICP, Director of Planning and Zoning 

SUBJECT: Enterprise Zone Qualifications – Two Farms, Inc. – 1150 Pemberton Dr.

At your request, this department has reviewed the Two Farms, Inc. site. The subject site is located on City Tax Map #106, Parcel #1120 on the northeasterly corner of Pemberton Drive and Parsons Road in the Neighborhood Business District.

The Neighborhood Business District permits a number of uses including convenience stores, drive-in banks, and restaurants including fast-food carryout restaurants.

A minimum lot size of 10,000-sq. ft. is required in Neighborhood Business District. Parcel #1120 totals 2.72 acres of land.

In 2005, the Salisbury Planning Commission approved a Comprehensive Site Plan for construction of a Royal Farm store on this site.

If any additional information is needed, please do not hesitate to call.

INTER

OFFICE

MEMO

Office of Business Development

To: Mike Moulds, Jack Lenox and **Bill Holland**
From: Laura Kordzikowski
Subject: Enterprise Zone Qualifications – Two Farms, Inc
Date: December 29, 2014

I have received a request from Two Farms, Inc located at 1150 Pemberton Drive, that they be deemed qualified to receive Enterprise Zone benefits. In order to receive such designation, it is necessary that they meet certain criteria. I am requesting that your departments help me in processing their application by helping me to determine if they meet the necessary criteria.

Public Works

Does this business meet the limitations of the City's Sewer Use Ordinance?

Does this business meet State and local storm water management codes and regulations?

Planning & Zoning

Does this business meet the zoning code?

Does this business comply with subdivision regulations?

Building, Permits & Inspections

Does this business meet the building code (or did it at the time of construction)? *YES*

Does this business meet all permit requirements? *YES when complete*

Please answer the questions above under the heading for your department and return to my office by **1/5/2015**. Your assistance is appreciated. If you have any questions, please let me know.

cc: Mayor Ireton

Search Result for WICOMICO COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
** DELETED **		
Account Identifier:		District - 09 Account Number - 077960
Owner Information		
Owner Name:	PEMBERTON LLC	Use: COMMERCIAL Principal Residence: NO
Mailing Address:	C/O ROBERT P CANNON 106 WEST CIRCLE AVE SALISBURY MD 21801	Deed Reference: /01948/ 00432
Location & Structure Information		
Premises Address:		Legal Description:
PEMBERTON DR SALISBURY 21801-0000		PAR 1 23,017 SQFT PEMBERTON DR CABELL & TAWES SUBD
Map:	Grid:	Parcel:
0106	0007	1120
Sub District:	Subdivision:	Section:
	0000	
Block:	Lot:	Assessment Year:
	PAR 1	2015
Plat No:	Plat Ref:	
Special Tax Areas:		Town: SALISBURY
		Ad Valorem:
		Tax Class:
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area
		Property Land Area 23,017 SF
County Use		
Stories	Basement	Type
		Exterior
		Full/Half Bath
		Garage
		Last Major Renovation
Value Information		
	Base Value	Value
		As of
		01/01/2012
Land:	126,500	126,500
Improvements	0	0
Total:	126,500	126,500
Preferential Land:	0	
		Phase-in Assessments
		As of
		07/01/2014
		As of
		07/01/2015
Transfer Information		
Seller: PENINSULA BANK	Date: 07/30/2002	Price: \$140,000
Type: ARMS LENGTH VACANT	Deed1: /01948/ 00432	Deed2:
Seller: CABELL, H LANDON III ETAL	Date: 08/28/1990	Price: \$140,000
Type: ARMS LENGTH IMPROVED	Deed1: /01228/ 00125	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	07/01/2014
County:	000	0.00
State:	000	0.00
Municipal:	000	0.00
07/01/2015		0.00
Tax Exempt:	Special Tax Recapture:	
Exempt Class:	NONE	
Homestead Application Information		
Homestead Application Status: No Application		

INTER

OFFICE

MEMO

Office of Business Development

To: Mike Moulds, Jack Lenox and Bill Holland
From: Laura Kordzikowski
Subject: Enterprise Zone Qualifications – Two Farms, Inc
Date: December 29, 2014

I have received a request from Two Farms, Inc located at 1150 Pemberton Drive, that they be deemed qualified to receive Enterprise Zone benefits. In order to receive such designation, it is necessary that they meet certain criteria. I am requesting that your departments help me in processing their application by helping me to determine if they meet the necessary criteria.

Public Works

Does this business meet the limitations of the City's Sewer Use Ordinance?

Does this business meet State and local storm water management codes and regulations?

Planning & Zoning

Does this business meet the zoning code?

Does this business comply with subdivision regulations?

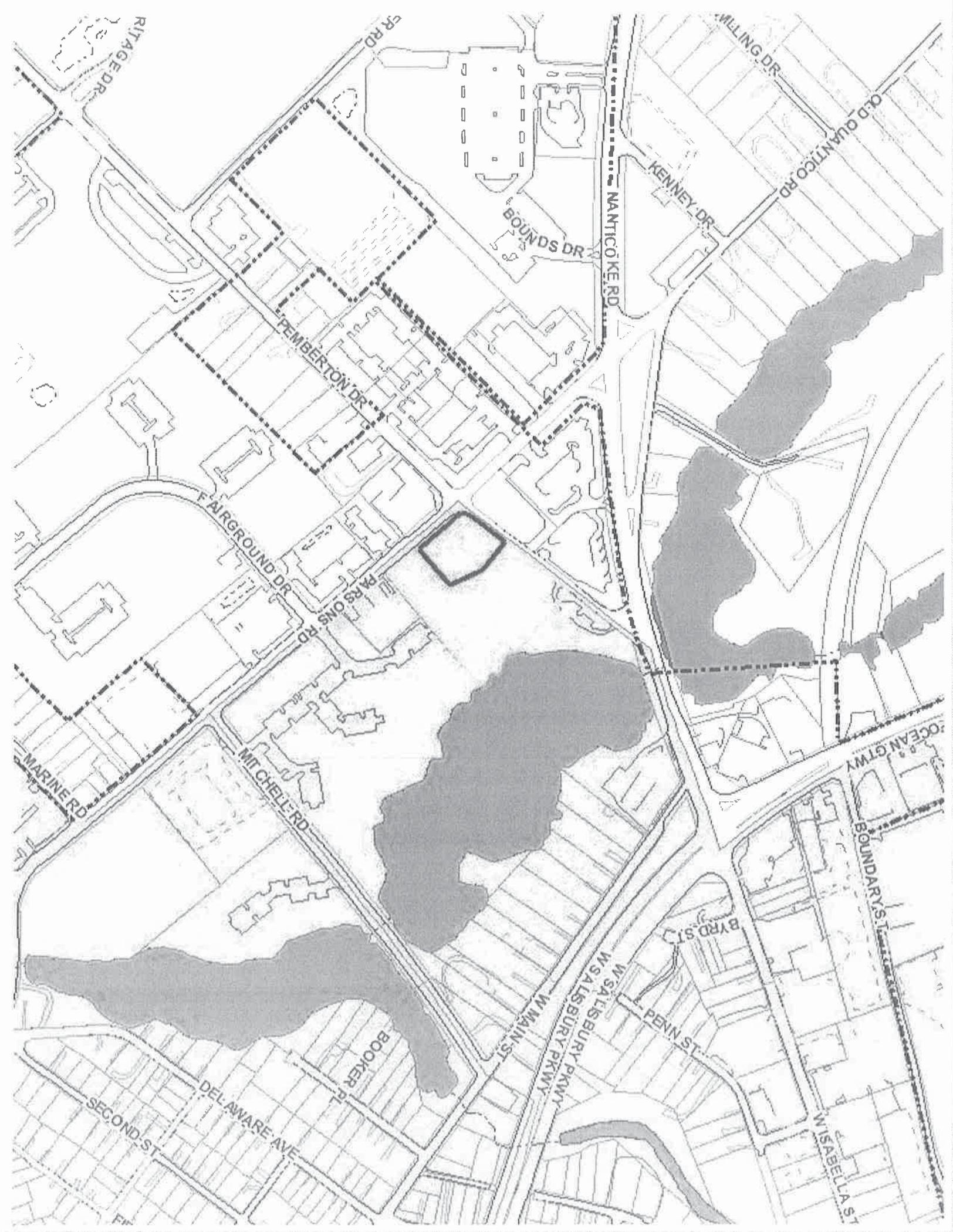
Building, Permits & Inspections

Does this business meet the building code (or did it at the time of construction)?

Does this business meet all permit requirements?

Please answer the questions above under the heading for your department and return to my office by 1/5/2015. Your assistance is appreciated. If you have any questions, please let me know.

cc: Mayor Ireton



RITAGE DR

SR RD

WILLING DR

OLD QUANTICO RD

BOUNDS DR

NANTICOKE RD

KENNEY DR

PEMBERTON DR

FAIRGROUND DR

PARSONS RD

MARINE RD

MITCHELL RD

OCEAN GTWY

BOUNDARY ST

BYRD ST

PENN ST

W MAIN ST

W SALSBURY PKWY

W ISABELLA ST

BOOKER

SECOND ST

DELAWARE AVE

City of Salisbury



MARYLAND



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

JAMES IRETON, JR.
MAYOR

TOM STEVENSON
CITY ADMINISTRATOR

TERENCE ARRINGTON
ASSISTANT CITY ADMINISTRATOR

KEITH A. CORDREY
DIRECTOR OF INTERNAL SERVICES

To: Tom Stevenson, City Administrator
From: Keith Cordrey, Director of Internal Services *kc*
Date: January 2, 2015
Re: Manufacturing Exemption for equipment purchased 2013 - Jubilant Cadista Pharmaceuticals Inc.

I am recommending that Jubilant Cadista Pharmaceuticals Inc. (Cadista) be granted exemption from Personal Property Tax for their equipment purchased in 2013 as requested by the company. Since the request came within 2 years of the purchase of the equipment for purchases in all three years they are eligible for up to 5 years' exemptions for each year.

Over the next five years they will benefit from this exemption by a total savings of \$ 73,162 in personal property tax for 2013 equipment purchases. The exemptions will be applied to City Property Tax years as shown in the schedule provided herein.

Jubilant Cadista Pharmaceuticals Inc. (Cadista) has previously been granted exemptions for equipment purchased in 1997, 1998, and 2003 thru 2012.

City of Salisbury
Manufacturing Exemption Worksheet

Jubilant Cadista Pharmaceuticals Inc.

Rate	City Year	2009	2010	2011	2012	2013
Exemption Amt:		440,315	1,985,516	1,994,964	2,361,052	945,855
2.04	2012	352,252 80%	1,786,964 90%			
2.04	2013	308,221 70%	1,588,413 80%	1,795,468 90%		
2.21	2014	264,189 60%	1,389,861 70%	1,595,971 80%	2,124,947 90%	-
2.21	2015	220,158 50%	1,191,310 60%	1,396,475 70%	1,888,842 80%	851,270 90%
2.21	2016		992,758 50%	1,196,978 60%	1,652,736 70%	756,684 80%
2.21	2017			997,482 50%	1,416,631 60%	662,099 70%
2.21	2018				1,180,526 50%	567,513 60%
2.21	2019					472,928 50%
Total		24,178 0	147,842 0	151,258 0	182,627 0	73,162

City of Salisbury



MARYLAND

PAMELA B. OLAND
DIRECTOR INTERNAL SERVICES

GERRI L. MOORE
ASSISTANT DIRECTOR INTERNAL SERVICES



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: Jubilant Cadista Pharmaceuticals, Inc. MD Department ID#: F-04890174
Mailing Address: 207 Kiley Drive, Salisbury, MD - 21801
Contact Name: KAMAL MANDAN Phone No.: 410-912-3705

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.
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. same as above
4. Date Manufacturing / R & D operation began in Salisbury. 1996
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 31st 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 Mandan Date 12/31/2014

Email address kamal.mandan@cadista.com

Jubilant Cadista Pharmaceuticals Inc.

Details of Asset Wise Additions in 2013

Plant & Machinery

Date	Description	Cost
3/28/2013	IMA ECO STAR BLISTER	205,201.87
3/31/2013	COLD ROOM FOR CHILSONATOR	127,076.54
1/31/2013	MECLIZINE TOOLINGS	27,576.61
2/28/2013	TOOLINGS FOR ALENDRONATE-Change Parts	45,450.00
3/31/2013	Losartan HCTZ Slats	1,572.13
5/1/2013	LIGHTININ MIXER FOR COATING TANK	23,905.23
5/31/2013	Stainless steel Bases (Tables) on the shifters	8,726.44
5/31/2013	ROLAND EGX-350 ENGRAVER / TAGGING MACHINE	5,703.57
5/31/2013	Nilfisk Vacuum for 70F	11,315.92
5/15/2013	FLUKE CORP CALIBRATION EQUIP	3,810.00
5/15/2013	ELECTRON CORP CALIBRATION EQUIPTS	5,455.00
5/15/2013	THERMO WORKS CALIBRATION EQUIP	5,958.01
8/31/2013	USED FORKLIFT 2X REACH (EASTERN TRUCK CO)	16,900.00
7/1/2013	AIR COND. SYSTEM AND INSTL. IN PRD ROOMS	27,170.00
9/23/2013	2 REFRIDGERATORS FOR QC LAB	26,178.38
9/26/2013	Microwave Spl Prep (CEM)	29,595.10
8/8/2013	Hood For Lab 1	47,074.23
10/17/2013	ICP-7700 series- (Agilent) for Lab Analysis	131,955.20
11/7/2013	HPLC-Agilent #3 HPLC 1260Series	142,246.23
4/15/2013	LOSARTAN POTASSIUM TOOLINGS	24,867.33
5/31/2013	Tooling for Cyclo 10mg	4,150.67
7/1/2013	Losartan Blank Slats- 25mg-50mg-100mg Slats	4,290.00
7/1/2013	PCP 5mg Blank Slats	1,460.80
7/1/2013	PCP 10mg Blank Slats	1,460.79
7/1/2013	Cyclo 10mg Blank Slats	6,600.00
11/15/2013	CHANGE PARTS FOR ECO BLISTER-ANYPRYL	10,185.00
		945,885.05

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.state.md.us 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.

Table with 4 columns: Year, Cost, Year, Cost. Rows for years 2013-2010 and 2009-2006 and prior.

TOTAL COST \$ 12156028

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.

Table with 4 columns: Year, Cost, Year, Cost. Rows for years 2013, 2012, 2011, 2010 and prior.

TOTAL COST \$ 18000

7 Non-farming livestock \$ (Book Value) \$ (Market Value)

8 Other personal property Total Cost \$ 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 \$ 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 \$ 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.

SECTION III This Section must be completed.

A. Total Gross Sales, or amount of business transacted during 2013 in Maryland: \$ 3,332,276 If the business has sales in Maryland and does not report any personal property, explain how the business is conducted without personal property. If the business is using the personal property of another business, provide the name and address of that business.

B. If the business operates on a fiscal year, state beginning and ending dates: APRIL 2013 TO MARCH 2014

C. If this is the business' first Maryland personal property return, state whether or not it succeeds an established business and give name: NA

D. Does the business own any fully depreciated and/or expensed personal property located in Maryland? [X] yes [] no If yes, is that property reported on this return? [X] yes [] no

E. Does the submitted balance sheet or depreciation schedule reflect personal property located outside of Maryland? [] yes [X] no If yes, reconcile it with this return.

F. Has the business disposed of assets or transferred assets in or out of Maryland during 2013? [] yes [X] no If yes, complete Form 4C (Disposal and Transfer Reconciliation).

PLEASE READ "IMPORTANT REMINDERS" ON PAGE 4 BEFORE SIGNING

I declare under the penalties of perjury, pursuant to Tax-Property Article 1-201 of the Annotated Code of Maryland, that this return, including any accompanying schedules and statements, has been examined by me and to the best of my knowledge and belief is a true, correct and complete return.

JOSEPH C. SANSONE COMPANY NAME OF FIRM, OTHER THAN TAXPAYER, PREPARING THIS RETURN

KAMAL MANDAN CFO PRINT OR TYPE NAME OF CORPORATE OFFICER OR PRINCIPAL OF OTHER ENTITY TITLE

X Joyce E. Sansone 6/3/14 SIGNATURE OF PREPARER DATE

X Kamal Mandan 6/09/14 SIGNATURE OF CORPORATE OFFICER OR PRINCIPAL DATE

636) 537-2700 X5460 JESANSONE@JCSCO.COM PREPARER'S PHONE NUMBER E-MAIL ADDRESS

(410) 860-8500 kamal.mandan@cadisG.com BUSINESS PHONE NUMBER E-MAIL ADDRESS

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

JAMES IRETON, JR.
MAYOR

M. THOMAS STEVENSON, JR.
CITY ADMINISTRATOR

TERENCE ARRINGTON
ASSISTANT CITY ADMINISTRATOR

Council Agenda – Award of Bids

January 26, 2015

- | | |
|---|--------------|
| 1. Change Order #2 – RFP 04-14
Main Street Masterplan | \$ 48,160.00 |
| 2. Change Order #3 – RFP 04-14
Main Street Masterplan | \$ 12,130.00 |
| 3. Declaration of Surplus – Turnout Gear
Salisbury Fire Department | \$ 0.00 |

City of Salisbury



MARYLAND



125 NORTH DIVISION STREET
SALISBURY, MARYLAND 21801
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SERVICES

JAMES IRETON, JR.
MAYOR

M. THOMAS STEVENSON, JR.
CITY ADMINISTRATOR

TERENCE ARRINGTON
ASSISTANT CITY ADMINISTRATOR

Council Agenda

January 26, 2015

TO: Mayor and City Council

SUBJECT: Change Order #2 to RFP 04-14
Main Street Masterplan: Water, Sewer, Stormwater and Streetscape Improvements

The City of Salisbury Internal Services Department, Procurement Division, received a request from Salisbury Public Works (SPW) to process Change Order #2 in the amount of \$48,160.00 for RFP 04-14 Main Street Masterplan: Water, Sewer, Stormwater and Streetscape Improvements. This Change Order would provide for the design of the water, sewer and stormwater utilities on West Main Street, since this service was not included in the original Scope of Work in the bid solicitation. A recent utility inspection of East Main Street, which has the same infrastructure as that on West Main Street, concluded that the existing utilities should be replaced due to structural defects, root intrusion and several other variables. It is suspected that the utilities on West Main Street are in the same poor, unusable condition as those on East Main Street.

Funds are available in the following project account:

30100-513020-33170 Main Street Masterplan	\$48,160.00
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The Department of Internal Services, Procurement Division, requests Council's approval to process Change Order #2 as noted above to A. Morton Thomas & Association, Inc., in the amount of \$48,160.00.

Sincerely,

Jennifer Miller
Asst. Director of Internal Services – Procurement and Parking

City of Salisbury



MARYLAND



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

JAMES IRETON, JR.
MAYOR

M. THOMAS STEVENSON, JR.
CITY ADMINISTRATOR

TERENCE ARRINGTON
ASSISTANT CITY ADMINISTRATOR

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

TO: Jennifer Miller, Assistant Director of Internal Services-Procurement
FROM: Michael S. Moulds, P.E., Director of Public Works
Paul B. Mauser, E.I., Project Engineer
DATE: January 5, 2015
SUBJECT: Change Order No. 2
Contract No. RFP 04-14
Main Street Masterplan: Water, Sewer, Stormwater and Streetscape Improvements

Please process Change Order No. 2 for the Main Street Masterplan project. This change order will authorize design services for the consultant engineer, A. Morton Thomas & Associates, Inc. (AMT), to extend the design of water, sewer, and stormwater infrastructure to include West Main Street, from Division Street to Mill Street, as outlined in the attached AMT proposal, dated December 3, 2014.

Throughout the design of the Main Street Masterplan project, it has become apparent that the replacement of water, sewer, and stormwater utilities will need to extend to West Main Street (the original RFP included only replacement on East Main Street). AMT released the "Pipe Inspection and Recommendations Report" in November 2014 for the inspection that was performed for the utilities on East Main Street. Of 1,182' of sewer pipe and 2,023' of stormwater pipe included in the utilities inspection on East Main Street, only 50' of stormwater pipe is eligible for reuse, and 0' of sewer pipe, resulting in necessary replacement of 98% of the existing pipe. The necessary replacement of the existing utility pipe is primarily due to structural defects, as well as root intrusion, excessive tapping, excessive I&I (inflow and infiltration), and improper slopes. The West Main Street utility pipes were not included in the inspection but they were constructed in the same manner and general timeframe of the 1940's (70+ years old) and are suspected to be in similar condition.

Furthermore, the heavy construction that will be taking place on West Main Street will present significantly higher loading scenarios on the existing utilities than the predominant pedestrian usage has imposed over the years. If the existing utilities are not designed to be replaced, they will likely have to be replaced as change orders during construction or even replaced shortly after completion of construction.

SPW Utilities has been consulted regarding the age of the infrastructure and maintenance concerns and is in complete agreement with replacing all water, sewer, and stormwater infrastructure on West Main Street.

The utility design on West Main Street will be performed by AMT concurrently with the existing 12 month contract timeline. We recommend award of this change order in the amount of \$48,160.00. Funding is available in account number 30100-513020-33170.

Paul B. Mauser, E.I.
Project Engineer

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



December 3, 2014

Mr. Paul Mauser
City of Salisbury Public Works
Bureau of Engineering
125 N. Division Street, Room 202
Salisbury, MD 21801

Re: Professional Engineering Services – Extra Work Order
Water and Sewer Design – Division Street to Mill Street
Salisbury, Maryland
AMT File No. 114-030.001

Dear Mr. Mauser:

The City requested that, as part of the Main Street Improvements, AMT extend the design of water line and sanitary sewer line replacement to include the sections from Division Street to Mill Street.

The design will include the removal and replacement of existing water mains, water service lines, water valves and meter vaults, sanitary sewer mains, laterals and manholes and storm sewer mains, inlets and manholes along approximately 1,000 feet of Main Street from Division Street to Mill Street.

SCOPE OF WORK

AMT will provide the following services:

1. Review information the City has available related to the existing water, sanitary sewer and storm sewer pipes and structures.
2. Prepare sanitary sewer design computations.
3. Provide drainage analysis and storm sewer design computations.
4. Prepare plans and profiles for the proposed water, sewer and storm drain replacements. Indicate location of existing lines and proposed locations of valves, fire hydrants, meters, manholes, and inlets.
5. Provide submittals at 65%, 95% and 100% design completion.
6. Attend two (2) additional meetings.

FEE

We will provide the services listed for a fee as detailed in the attached worksheet.

If you have any questions or wish to discuss this proposal, please do not hesitate to contact me or Kathy Walsh.
Sincerely,

A. MORTON THOMAS AND ASSOCIATES, INC.

Max Kantzer, P.E.
Principal

Task Description	Project Manager	Senior Engineer	Engineer	CAD	Prof Land Surveyor	Survey Crew (2)	Hours	Fee
Rate	150	140	115	85	120	140		
Engineering Drainage Study								
Review Available Information		4					4	\$560
Site Visit / Field Investigation		8					8	\$1,120
Sanitary sewer design computations		16					16	\$2,240
Drainage analysis and storm sewer design computations		24					24	\$3,360
65% water, sanitary sewer and storm drain plans	4	40	80	80			204	\$22,200
95% water, sanitary sewer and storm drain plans	2	24	40	40			106	\$11,660
Final water, sanitary sewer and storm drain plans	2	8	16	16			42	\$4,620
Attend two progress meetings	16						16	\$2,400
							0	\$0
							0	\$0
Hours	24	124	136	136	0	0	420	
Fee	\$3,600.00	\$17,360.00	\$15,640.00	\$11,560.00	\$0.00	\$0.00		\$48,160

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

JAMES IRETON, JR.
MAYOR

M. THOMAS STEVENSON, JR.
CITY ADMINISTRATOR

TERENCE ARRINGTON
ASSISTANT CITY ADMINISTRATOR

Council Agenda

January 26, 2015

TO: Mayor and City Council

SUBJECT: Change Order #3 to RFP 04-14
Main Street Masterplan: Water, Sewer, Stormwater and Streetscape Improvements

The City of Salisbury Internal Services Department, Procurement Division, received a request from Salisbury Public Works (SPW) to process Change Order #3 in the amount of \$12,130.00 for RFP 04-14 Main Street Masterplan: Water, Sewer, Stormwater and Streetscape Improvements. This Change Order would provide for additional streetscape design to extend the project limits by approximately 100' on N. Division Street up to Church Street, plus a design which would reduce the number of northbound travel lanes on N. Division (from 3 to 2).

Funds are available in the following project account:

30100-513020-33170 Main Street Masterplan	\$12,130.00
---	-------------

The Department of Internal Services, Procurement Division, requests Council's approval to process Change Order #3 as noted above to A. Morton Thomas & Association, Inc., in the amount of \$12,130.00.

Sincerely,

Jennifer Miller
Asst. Director of Internal Services – Procurement and Parking

City of Salisbury



MARYLAND



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

JAMES IRETON, JR.
MAYOR

M. THOMAS STEVENSON, JR.
CITY ADMINISTRATOR

TERENCE ARRINGTON
ASSISTANT CITY ADMINISTRATOR

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

TO: Jennifer Miller, Assistant Director of Internal Services-Procurement
FROM: Michael S. Moulds, P.E., Director of Public Works
Paul B. Mauser, E.I., Project Engineer
DATE: January 5, 2015
SUBJECT: Change Order No. 3
Contract No. RFP 04-14
Main Street Masterplan: Water, Sewer, Stormwater and Streetscape Improvements

Please process Change Order No. 3 for the Main Street Masterplan project. This change order will authorize design services for the consultant engineer, A. Morton Thomas & Associates, Inc. (AMT), to extend the streetscape design on N Division Street approximately 100 feet to the north, to the intersection of Church Street, as outlined in the attached AMT proposal, dated December 15, 2014.

At the November 17, 2014 Council Work Session, direction was provided from Council for SPW to begin efforts to extend the project limits on N Division Street to the intersection of Church Street. The existing project limits are defined in the April 2009 Concept Study that was performed by Urban Salisbury, Inc. and terminate parallel with the southern face of the front brick wall of the Government Office Building. Proposed Change Order #3 will extend the project limits approximately 100 feet to the north to the southern curb line of the intersection of Church Street. This will ensure that the buildings currently occupied by Cake Art and the Law Offices of George G. Strott, Jr. Attorney at Law, are also included in the streetscape design.

Extending the project limits to the intersection of Church Street will entail a road diet to reduce the number of traffic lanes. N Division Street currently has 4 traffic lanes at this intersection, with 1 southbound lane and 3 northbound turning lanes (left turn, straight, right turn). The new design will reduce the total number of traffic lanes to 3. The new lane configuration will likely be 1 southbound lane and 2 northbound turn lanes (left turn combined with straight, right turn). Since the SHA Right-of-Way (ROW) extends south of the intersection of Church Street and N Division Street, SPW has been in communication with them to ensure this lane reconfiguration is acceptable.

The streetscape design extension on N Division Street will be performed by AMT concurrently with the existing 12 month contract timeline. We recommend award of this change order in the amount of \$12,130.00. Funding is available in account number 30100-513020-33170.

Paul B. Mauser, E.I.
Project Engineer

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



December 15, 2014

Mr. Paul Mauser
City of Salisbury Public Works
Bureau of Engineering
125 N. Division Street, Room 202
Salisbury, MD 21801

Re: Professional Engineering Services – Extra Work Order
Extend Limit of Work Division Street
Salisbury Main Street
AMT: 114-030.001

Dear Mr. Mauser:

The City has requested an Extra Work Order from AMT to extend the design plans and improvements on Division Street to Church Street. This extends our design limits by 100 feet. Currently, Division Street accommodates 4 lanes of traffic through the intersection with Church Street. AMT will investigate and design modifications to Division Street to narrow the road and provide traffic calming features. Our limits of work will extend only to the curb line on the south edge of Church Street.

SCOPE OF WORK

AMT will provide the following services:

1. Review existing information the City has available
2. Survey extended project limits and 80 ft along each leg of the intersection
3. Modify the previously prepared Geometric sheet to include the extended project limits
4. Modify previously prepared plan to include the new project limits on Division St.
5. Extend the limits on the signing striping plan
6. Review the existing storm drain conditions and provide additional details for the extended project limits
7. Extend the limits on the streetscape / landscape plans
8. Extend the limits of the lighting plans
9. Provide MOT plans for the intersection of Division Street and Church Street.
10. Modify the quantities and cost estimate to include the extended limits
11. Plans will include review / changes to the existing cross walk at Division Street / Church Street.

ASSUMPTIONS

1. AMT will not provide traffic analysis of the intersection
2. AMT will modify only the Division Street leg of the intersection, south of Church Street.
3. AMT will not modify the existing traffic signal

SCHEDULE

There will be no extension or change to project submittal dates due to this request for additional services.

FEE

We will provide the services listed for the fee noted below and detailed on the attached worksheet:

Survey, Design and Construction Plans = \$12,130

If you have any questions, please call me.

Sincerely,
A. MORTON THOMAS AND ASSOCIATES, INC.



Kathleen Walsh, P.E.
Associate

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

JAMES IRETON, JR.
MAYOR

M. THOMAS STEVENSON, JR.
CITY ADMINISTRATOR

TERENCE ARRINGTON
ASSISTANT CITY ADMINISTRATOR

Council Agenda

January 26, 2015

TO: Mayor and City Council
RE: Declaration of Surplus Turnout Gear
Salisbury Fire Department

The City of Salisbury Internal Services Department – Procurement Division received a request from the Salisbury Fire Department to declare 61 pieces of turnout gear (29 coats and 32 pairs of pants) as surplus. These items have surpassed their usable life and must be disposed of in accordance with the NFPA 1851 so they are not utilized for further service.

The Procurement Division requests Council's approval to declare the noted items "surplus" and to allow the City of Fire Department to dispose of the gear.

Sincerely,

Jennifer Miller
Asst. Director of Internal Services – Procurement and Parking



*From the Office of the
Fire Chief*

To: Jennifer Miller, Assistant Director of Procurement

Date: 5 January 2015

 **From:** Richard A. Hoppes, Fire Chief

Subject: Surplus of Personal Protective Equipment

The Maintenance and Supply Section officer, Lt. Hoppes, has notified me that we have a number of pieces of turn out gear that according to NFPA 1851, "Standard on the Selection, Care, and Maintenance of Protective Structural Fire Fighting and Proximity Fire Fighting – 2011 Edition", has reached or surpassed their usable life as an interior structural firefighting ensemble. The following is a list of those items and their associated (new/replacement) costs:

• Turnout Coats:	29 ea. X \$910.00 = \$26,390.00
• Turnout Pants:	32 ea. X \$674.00 = <u>\$21,568.00</u>
	Total \$47,958.00

In accordance with NFPA 1851 Section 10.1.2, "Structural fire fighting ensembles and ensemble elements shall (emphasis added) be retired in accordance with 10.2.1, no more than 10 years (emphasis added) from the date the ensembles or ensemble elements were manufactured." This is further explained in Annex 'A' of the standard in Section A.10.1.2 where it states, "After discussion of the concept of mandatory retirement for protective elements, the consensus of the technical committee, led by the fire service segment, is that the life of a turnout suit is generally less than 10 years."

The standard also provides guidance on the proper method of disposing of the retired articles. According to Section 10.2.1, "Retired structural fire fighting ensembles and ensemble elements and proximity fire fighting ensembles and ensemble elements shall (emphasis added) be destroyed or disposed of in a manner ensuring that they will not be used in any fire fighting or emergency activities, including live fire training."

I have directed Lt. Hoppes to remove these items from service and box them up to prevent them from inadvertently being placed in service. By virtue of this memorandum I am asking to have these items declared surplus with the intent to dispose of them in accordance with the NFPA 1851 standard by destroying them to prevent them from being utilized as structural firefighting gear, thus avoiding a potential litigious situation for the department and the City. Should you have need of further information please do not hesitate to call on me.

cc: File

C:\Users\jtull.CITYLIVINGSALIS\Dropbox\Surplus of Turnout Gear_01-01-15.doc

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

City of Salisbury



JAMES IRETON, JR.
MAYOR

M. THOMAS STEVENSON, JR.
CITY ADMINISTRATOR

TERENCE ARRINGTON
ASSISTANT CITY ADMINISTRATOR

125 NORTH DIVISION ST., RM 202
SALISBURY, MARYLAND 21801
Tel: 410-548-3170
Fax: 410-548-3107

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

MARYLAND

To: Tom Stevenson, City Administrator
From: Mike Moulds, Director of Public Works
Paul Mauser, Project Engineer
Date: December 8, 2014
Re: Salisbury Bike Route – Wayfinding and Safety Enhancements Project

In 2014, Salisbury Public Works (SPW) applied for a grant from the Maryland Bikeways Program. The Maryland Department of Transportation (MDOT) / Office of Planning approved this grant worth \$50,000 for the Salisbury Bike Route – Wayfinding and Safety Enhancements Project. The Office of Planning and Capital Programming of the Maryland Department of Transportation prepared the attached Grant Agreement.

The Scope of Work (SOW) identified within this Grant Agreement includes the design of a pavement marking plan for 3 Bike Routes (Orange Route, Red Route, and Salisbury Urban Greenway); the installation of bicycle pavement markings for the three bicycle routes; the installation of 3 bicycle racks (Downtown Plaza, Salisbury Zoological Park, and Salisbury Park); and the design, construction, and installation of 4 informational kiosks (Downtown, Peninsula Regional Medical Center, Salisbury University, and Salisbury Park). The result of this project will be enhanced bicycle circulation to and from Downtown Salisbury.

Please find attached a Resolution to sign the Grant Agreement with MDOT and to accept the Maryland Bikeways Program Grant in the amount of \$50,000.00. SPW recommends approval of the grant agreement to provide for the expansion of Salisbury's bike lane network.

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

Paul B. Mauser, E.I.
Project Engineer

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

1 RESOLUTION NO. 2470

2
3 A RESOLUTION OF THE CITY OF SALISBURY AUTHORIZING THE MAYOR TO SIGN
4 THE GRANT AGREEMENT AND ACCEPT A GRANT OF \$50,000.00 FROM MARYLAND
5 DEPARTMENT OF TRANSPORTATION (MDOT) MARYLAND BIKEWAYS PROGRAM
6 FOR THE PROVISION OF THE DESIGN OF A PAVEMENT MARKING PLAN FOR 3
7 BICYCLE ROUTES (ORANGE ROUTE, RED ROUTE, AND SALISBURY URBAN
8 GREENWAY); THE INSTALLATION OF BICYCLE PAVEMENT MARKINGS FOR THE
9 THREE BICYCLE ROUTES; THE INSTALLATION OF 3 BICYCLE RACKS (DOWNTOWN
10 PLAZA, SALISBURY ZOOLOGICAL PARK, AND SALISBURY PARK); AND THE
11 DESIGN, CONSTRUCTION, AND INSTALLATION OF 4 INFORMATIONAL KIOSKS
12 (DOWNTOWN, PENINSULA REGIONAL MEDICAL CENTER, SALISBURY
13 UNIVERSITY, AND SALISBURY PARK).

14
15 WHEREAS, the Maryland Department of Transportation has a Maryland Bikeways
16 Program for making pedestrian-and-bicycle-facilities improvements;

17
18 WHEREAS, the Maryland Department of Transportation Maryland Bikeways Program
19 provides grant funds to the City of Salisbury for use in specific areas;

20
21 WHEREAS, Maryland Department of Transportation and the City of Salisbury have been
22 working together to improve bicycle connectivity between the Downtown Central Business
23 District and Salisbury University;

24
25 WHEREAS, the City of Salisbury will coordinate the installation of pavement markings,
26 signage, bike racks, and kiosks for the Bike Routes;

27
28 WHEREAS, Maryland Bikeways Program has awarded a grant in the amount of
29 \$50,000.00 to provide for the design and installation of pavement markings and signage for the 3
30 Bike Routes identified above, installation of 3 bicycle racks, and installation of 4 informational
31 kiosks; and

32
33 WHEREAS, the Project will enhance bicycle safety and access to the Maryland Blue
34 Crab Scenic Byway and will improve bicycle circulation in downtown Salisbury and the vicinity
35 of Salisbury University.

36
37 NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Salisbury,
38 Maryland does hereby authorize the Mayor to sign the attached Grant Agreement dated
39 _____, 2015 accepting the project term and definition of matching funds, for the betterment
40 of the City and its residents, and accepts the grant of \$50,000.00 from Maryland Bikeways
41 Program to add pavement markings, signage, bike racks, and kiosks for the Bike Routes.

42
43 THE ABOVE RESOLUTION was introduced and read and passed at the regular meeting
44 of the Council of the City of Salisbury held on this ____ day of _____, 2015 and is to
45 become effective immediately upon adoption.
46

47 ATTEST:

48

49

50

51 _____
Kimberly R. Nichols

52 CITY CLERK

53

Jacob R. Day
PRESIDENT, City Council

54 APPROVED by me this _____ day of _____, 2015

55

56

57

58 _____
James Ireton, Jr.

59 MAYOR, City of Salisbury

GRANT AGREEMENT

BY AND BETWEEN

THE MARYLAND DEPARTMENT OF TRANSPORTATION

AND

THE CITY OF SALISBURY, MARYLAND

THIS GRANT AGREEMENT executed in triplicate and entered into this _____ day of _____, 2015, by and between the Maryland Department of Transportation (“Department”) and the City of Salisbury (“Grantee”), Maryland.

WITNESSETH:

WHEREAS, the Department has programmed in the FY 2015-2020 Consolidated Transportation Program-2014 State Report on Transportation a total of Fifteen Million One-Hundred Eighty-Seven Thousand Dollars (\$15,187,000) for the Maryland Bikeways Program (“Program”);

WHEREAS, the Department budgeted within the Program Fifty Thousand Dollars (\$50,000) to design pavement marking plan for three bicycle routes (the Orange Route, Red Route, and Salisbury Urban Greenway), install bicycle pavement markings for three bicycle routes, install three bicycle racks in Downtown Plaza, Salisbury Zoological Park and Salisbury Park, and design, construct, and install informational kiosks in Downtown, Peninsula Regional medical Center, Salisbury University and Salisbury Park to support the use of the bicycle infrastructure in Salisbury, Maryland (the “Project”);

WHEREAS, pursuant to Section 2-602 of the Transportation Article of the Annotated Code of Maryland, it is in the public interest for the State of Maryland to include enhanced transportation facilities for pedestrians and bicycle riders as an essential component of the State’s transportation system;

WHEREAS, the Maryland Bikeways Program was established and approved by the General Assembly to provide state transportation funding to support and expedite projects that improve bicycle transportation in the State;

WHEREAS, the Project will enhance bicyclist safety and access for both residents and visitors throughout Salisbury and connect to major commercial and employment clusters, Salisbury University, transit stops and residential neighborhoods;

WHEREAS, the Project is consistent with the County’s Bike Plan and includes opportunities for public input;

WHEREAS, the Grantee will assume all maintenance and operating costs associated with the Project when it is completed;

WHEREAS, the Project is a valuable component of Maryland's transportation system;

WHEREAS, the Department has supported similar projects in various locations in the State;

WHEREAS, the Department and the Grantee agree that the Project will benefit the parties to this Agreement and will promote the safety, health, and general welfare of the citizens of the State of Maryland; and

WHEREAS, Section 2-103(i) of the Transportation Article of the Annotated Code of Maryland (2008 Replacement Volume, 2011 Cum. Supp.) authorizes the Secretary of Transportation, to the extent permitted by the State budget, to make grants-in-aid to any person, including political subdivisions of the State of Maryland, for any transportation related purpose.

NOW, THEREFORE, THIS AGREEMENT WITNESSETH: That for and in consideration of the mutual covenants contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

1. The above recitals are re-affirmed and incorporated herein by reference.
2. The Department hereby grants to the Grantee a sum not to exceed Fifty Thousand Dollars (\$50,000) ("Grant") to be used by the Grantee for the completion of the Project. The Grantee shall be responsible for all work in connection with the Project, including the following:
 - a. Completion of pavement marking design plans;
 - b. Purchase or fabrication of materials for pavement markings;
 - c. Installation of pavement markings;
 - d. Purchase and installation of bicycle racks;
 - e. Purchase and installation of safety, educational and promotional kiosks to support use of the infrastructure improvements ~~not to exceed \$1,500 of the Grant funds~~;
 - f. Preparation of quarterly status reports and final reports, as requested by the Department; and
 - g. Monitor and supervise the compliance ~~of~~with all provisions in this Agreement.
3. The Project shall be consistent with relevant design standards and guidelines, including 2012 American Association of State Highway and Transportation Officials (AASHTO) Bicycle Design Guidelines, the Association of Pedestrian and Bicycle Professionals Bicycle Parking Guidelines, the Maryland Manual of Uniform Traffic Control Devices, and the Access

Board Advance Notice of Proposed Rulemaking (ANPRM) on Accessibility Guideline for Shared Use Paths.

4. The Grantee shall engage a professional engineer, registered in the State of Maryland, for design services on the Project. The Grantee shall provide to the Department draft design plans for review and comment and final design plans for the Project record. Notwithstanding anything to the contrary herein, the Grantee shall have final rights of approval.

5. The Grantee shall require all contractors and subcontractors, prior to commencement of work on the Project, to secure and keep in force during the term of this Agreement, from insurance companies, government self-insurance pools or government self-retention funds, authorized to do business in Maryland, the following insurance coverages:

- a. commercial general liability, including premises or operations, contractual, and products or completed operations coverages (if applicable), with minimum liability limits of \$250,000 per person and \$1,000,000 per occurrence;
- b. automobile liability, including Owned (if any), Hired, and Non-Owned automobiles, with minimum liability limits of \$250,000 per person and \$1,000,000 per occurrence;
- c. workers compensation coverage meeting all statutory requirements.

This insurance may be in a policy or policies of insurance, primary and excess, including the so-called umbrella or catastrophe form and must be placed with insurers rated “A-” or better by A.M. Best Company, Inc., provided any excess policy follows form for coverage. The Grantee shall evidence limits of insurability for general liability coverage in an amount of \$500,000 aggregate and \$200,000 each occurrence, and \$30,000 per person, \$60,000 per accident for bodily injury and \$15,000 for property damage for automobile liability and State of Maryland statutory limits for workman’s compensation. The Grantee shall have the right to self-insure.

The Department and its agencies, officers, and employees shall be endorsed on the commercial general liability policies, including any excess policies (to the extent applicable), as an additional insured. Coverage will be primary and noncontributory with any other insurance and self-insurance. There will be no cancellation, material change, potential exhaustion of aggregate limits or non-renewal of insurance coverage(s) without thirty (30) days written notice to the Department. Certificates of insurance shall be provided to the Department upon request. All endorsements shall be provided as soon as practicable. Failure to provide insurance as required in this Agreement is a material breach of contract entitling the Department to terminate this Agreement.

6. The Grant represents the maximum financial liability of the Department under this Agreement subject to, limited by and contingent upon the appropriation and availability of funds, as well as the types of liabilities, damage caps, and notice requirements stated in the Maryland Torts Claims Act, currently found at Maryland Annotated Code, State Government, Section 12-101 (“MTCA”).

7. The parties agree that the Grantee will utilize the Grant for the Project in conjunction with other funds it has obtained from other funding sources other than the Maryland Bikeways Program to complete the Project, provided that no federal funds or state general funds may be used as Cash Match.

8. The Grantee may use funds only for costs incurred in connection with the Project. Payment of the Grant by the Department shall be made on a reimbursable basis upon the Grantee's submission of invoices for such payment, subject to the following conditions.

All invoices for payment shall include:

- (a) actual expenditures incurred by the Grantee in connection with the Project;
- (b) a certification by the Grantee that all costs charged to the Project are in connection therewith and supported by properly executed records, vouchers, invoices or contracts evidencing the nature and propriety of the charges.

Invoices/requests for reimbursement will be submitted not more frequently than once per month (30 days). Invoices/requests for reimbursement will be reviewed by MDOT to determine (a) that the indicated costs are allowable hereunder and (b) that the invoiced work contributes directly to the accomplishment of the Project. Failure to meet these conditions will result in disallowed costs that will be deducted from the authorized appropriated amount. Payment shall be made by the Department to the Grantee within thirty (30) days of the Department's receipt and approval of the invoice and accompanying certifications. The final invoice must be submitted with a Final Report as stipulated by the Department. The final invoice will not be paid until the Final Report is submitted. No Project costs incurred prior to the execution of this Agreement will be reimbursed.

9. The Grantee shall comply with all applicable Federal, State and local laws in expending Grant funds and in carrying out the Project, including compliance with the Americans with Disabilities Act of 1990, particularly as it relates to public meetings held in connection with the Project.

10. The term of this Agreement shall commence upon the date first set forth above and shall terminate when all payments of the Grant have been made or [in 24 months on September 3, 2016](#), whichever is sooner.

11. The Department reserves the right to suspend or terminate all or part of the financial assistance herein provided and to terminate this Agreement, in whole or in part, if:

- (a) the Grantee breaches or fails to fulfill any of the terms of this Agreement;
- (b) funds are not appropriated by the General Assembly of Maryland to fund this Grant.

The Grantee acknowledges and agrees that funding under this Agreement is expressly dependent upon the availability to the Department of funds appropriated by the General

Assembly and that, except as otherwise provided for herein, the Department shall not be liable for any breach of this Agreement due to the absence of an appropriation. Termination of this Agreement will not invalidate obligations properly incurred by the Grantee prior to the date of termination if such obligations are unable to be canceled. The acceptance of a remittance from the Department of any or all funds, or the closing out of the Department's financial participation under this Agreement, shall not constitute a waiver of any claim which the Department may otherwise have against the Grantee arising out of this Agreement. If, upon termination of this Agreement, it is determined by the Department that funds are due to the Department, the Grantee shall promptly remit such amount to the Department within forty-five (45) days following written notification to the Grantee from the Department. The Grantee's agreement to remit any excess Grant funds to the Department shall survive the termination of this Agreement.

In addition to the Department's remedies under this Section, the Department may proceed to protect and enforce all rights available to it, by suit in equity, action in law or by any other appropriate proceedings, any or all of which may be exercised contemporaneously with each other and all of which rights and remedies shall survive the termination of this Agreement.

12. The Grantee shall maintain separate and complete accounting records which are consistent with generally accepted accounting procedures and accurately reflect all income and expenditures of Grant funds for the Project. Grantee accounting records shall be maintained for a period of three (3) years after the termination of this Agreement. The records of the Grantee must be in sufficient detail to determine the nature of the costs incurred and/or expenditures made by the Grantee for the Project.

13. The Department reserves the right to perform interim and final audits of the Grant provided for under this Agreement. Any final audit shall commence within three (3) years of the expiration or earlier termination of this Agreement. In connection with any audit undertaken hereunder, the Grantee shall provide access to all records with respect to the Project. Following the completion of any audit undertaken hereunder, the Grantee shall refund to the Department within forty-five (45) days following notification by the Department any Grant payments that are found to be unsupported by acceptable accounting records or not expended in accordance with the terms of this Agreement. The Grantee's covenant to repay any excess Grant payments shall survive the expiration or earlier termination of this Agreement.

14. This Agreement may be modified only by written instrument, executed by the Department and the Grantee.

15. The Grantee shall, to the extent permitted by law, defend, indemnify, and hold harmless the Department, its officers, agents, and employees, from any and all claims, demands, suits, causes of action, liability, damages, losses, costs and expenses (including reasonable attorneys' fees) of whatsoever nature, including, without limitation, those arising on account of any injury or death of persons or damage to property, caused by, arising out of, or resulting from any and all services and activities performed by the Grantee or its employees, agents, subcontractors, or consultants relating to the Project and this Agreement.

16. It is understood and agreed that the sole obligation of the Department is the payment to the Grantee of the sum of money specified in Section 2 of this Agreement.

17. All payments hereunder by the Department to the Grantee are subject to the budgetary and appropriation requirements of Section 3-216(d)(2) of the Transportation Article of the Annotated Code of Maryland, as amended and supplemented.

18. No right, benefit or advantage inuring to the Grantee under this Agreement may be assigned and no burden imposed on the Grantee hereunder may be delegated or assigned without the prior written approval of the Department.

19. The parties hereby agree that this Agreement shall be construed in accordance with the law of the State of Maryland.

20. As an inducement to the Department to make the Grant, the Grantee hereby certifies to the Department that:

- (a) any resolution, ordinance or other action which may be required by local law has been introduced and adopted, passed, enacted or taken as an official act of the Grantee's governing body, authorizing the execution and delivery of this Agreement by the Grantee in such manner and form as to comply with all applicable laws to make this Agreement the valid and legally binding act and agreement of the Grantee;
- (b) no officer or employee of the Grantee, or its designees or agents, no consultants, no member of the Grantee's governing body, and no other public official of the Grantee, who exercises any functions or responsibilities over the Project or the Grant shall have or obtain a personal or financial interest or benefit from any activity in connection with the Project or Grant or have an interest in any contract, subcontract or agreement with respect therewith;
- (c) the Grantee is not in arrears with respect to the payment of any moneys due and owing the State of Maryland, or any department or unit thereof, including, but not limited to, the payment of taxes and employee benefits, and that it shall not become so in arrears during the term of this Agreement.

21. The Department and the Grantee certify that they prohibit, and covenant that they will continue to prohibit, discrimination on the basis of:

- (a) age, ancestry, color, creed, marital status, national origin, race or religious or political affiliation, belief or opinion, or sexual orientation;
- (b) sex or age, except when age or sex constitutes a bona fide occupational qualification; or
- (c) the physical or mental disability of a qualified individual with a disability.

Upon the request of the other party, the Department and the Grantee will submit to the other party information relating to its operating policies and procedures with regard to age,

ancestry, color, creed, marital status, mental or physical disability, national origin, race, religious or political affiliation, belief or opinion or sex or sexual orientation.

22. The Department and the Grantee shall comply with the State's policy concerning drug and alcohol free workplaces, as set forth in COMAR 01.01.1989.18 and 21.11.08, and must remain in compliance throughout the term of this Agreement.

23. It is specifically agreed between the Department and the Grantee that it is not intended by any of the provisions of this Agreement to create in any public entity, or any member thereof, or in any private entity third party beneficiary status in connection with the performance of the obligations herein.

24. If any provisions of this Agreement is held to be illegal, invalid or unenforceable by a court of competent jurisdiction:

- (a) such provision shall be fully severable;
- (b) this Agreement shall be construed and enforced as if such illegal, invalid or unenforceable provision had never comprised a part of this Agreement; and
- (c) the remaining provisions of this Agreement shall remain in full force and effect and shall not be affected by the illegal, invalid or unenforceable provision or by its severance from this Agreement.

25. This Agreement may be executed in a number of identical counterparts, each of which shall constitute an original and all of which shall constitute, collectively, one agreement.

26. This Agreement shall inure to and be binding upon the parties hereto, their agents, successors and, to the extent an assignment has been approved pursuant to Section 18 of this Agreement, their assigns.

27. Each notice, invoice, demand, request, consent, approval, disapproval, designation or other communications between the parties, to the extent required to be in writing shall be made by United States Mail to the following addressees:

In the case of MDOT:

Ms. Kate Sylvester
7201 Corporate Center Drive
P.O. Box 548
Hanover, MD 21076

In the case of the Grantee:

Mr. Paul Mauser
Project Engineer
125 N. Division Street
Salisbury, MD 21801

The next page is the signature page.

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

WITNESS:

**MARYLAND DEPARTMENT OF
TRANSPORTATION**

By: _____
Leif A. Dormsjo
Deputy Secretary

FUNDS AVAILABLE:

David L. Fleming, Chief Financial Officer
Office of Finance

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:**

Assistant Attorney General
Maryland Department of Transportation

WITNESS:

CITY OF SALISBURY, MARYLAND

By: _____

1 AS AMENDED ON JANUARY 12, 2015
2 ORDINANCE NO. 2310
3
4

5 AN ORDINANCE OF THE CITY OF SALISBURY, MARYLAND,
6 PURSUANT TO CHAPTER 17.228 OF TITLE 17, ZONING OF THE
7 SALISBURY MUNICIPAL CODE AND SECTION 4.04 OF ARTICLE 66B
8 OF THE ANNOTATED CODE OF MARYLAND FOR THE PURPOSE OF
9 AMENDING SECTION 17.04.120, DEFINITIONS, SECTION 17.64.040,
10 USES AND DEVELOPMENT STANDARDS IN THE NEWTOWN
11 HISTORIC DISTRICT, AND SECTION 17.196.030, PARKING
12 STANDARDS, TO ADD BED AND BREAKFAST INNS.
13

14 WHEREAS, the ongoing application, administration and enforcement of Title 17,
15 Zoning of the Salisbury Municipal Code, demonstrates a need for periodic review, evaluation,
16 and amendments that will keep Title 17 current; and

17 WHEREAS, the Mayor and City Council may amend Title 17, Zoning, of the Salisbury
18 Municipal Code, pursuant to the authority granted by Article 66B of the Maryland Annotated
19 Code and in accordance with specific provisions of Chapter 17.228, Amendments and Rezoning,
20 of Title 17, Zoning; and

21 WHEREAS, the Mayor and City Council requested that the Salisbury Planning and
22 Zoning Commission periodically review Title 17 in light of existing procedural practices and
23 input from the City Council and members of the public; and

24 WHEREAS, the Newtown Neighborhood Association has expressed its desire to allow
25 bed and breakfast establishments within its neighborhood; and

26 WHEREAS, the Newtown Historic District is one of Salisbury's oldest and most
27 treasured neighborhoods containing structures with architectural and historical significance and
28 historical value to the community; the homes in the district are among the largest in Salisbury,
29 and their size has contributed to their lack of viability as private single-family residences and use
30 as group housing or rental homes; and

31 **WHEREAS**, bed and breakfast facilities contribute to the stability and vitality of a
32 neighborhood and to the inherent charm of well-maintained historic districts; and

33 **WHEREAS**, the City Council has proposed amendments to the Salisbury Municipal
34 Code to allow bed and breakfast inns in the Newtown Historic District; and

35 **WHEREAS**, a Public Hearing on the proposed amendments was held by the Planning
36 Commission in accordance with the provisions of Chapter 17.228, of Title 17, Zoning, of the
37 Salisbury Municipal Code on December 18, 2014; and

38 **WHEREAS**, the Planning Commission did recommend approval of the proposed text
39 amendments to Sections 17.04.120, 17.64.040, and 17.196.030.

40 **NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE CITY OF**
41 **SALISBURY, MARYLAND**, that Title 17, Zoning, of the Salisbury Municipal Code is hereby
42 amended as follows:

43 **AMEND** section 17.04.120 by adding the following definition:

44
45 **“BED AND BREAKFAST INN” MEANS THE RENTING OF NOT MORE THAN**
46 **THREE (3) ROOMS IN AN OWNER-OCCUPIED DWELLING FOR LODGING**
47 **AND SERVING OF BREAKFAST TO NOT MORE THAN SIX (6) CASUAL AND**
48 **TRANSIENT ADULT ROOMERS (AND THE CHILDREN OF THOSE SIX**
49 **ADULTS), PROVIDED THAT:**

50 **A. THE RENTING OF SUCH ROOMS FOR SUCH PURPOSE IS INDICENTAL**
51 **AND SUBORDINATE TO THE PRINCIPLE USE OF THE DWELLING;**

52 **B. NO ROOMER’S STAY SHALL EXCEED FOURTEEN (14) DAYS IN ANY**
53 **SIX MONTH PERIOD;**

54 **C. ALL MEALS AND ALL AMENITIES CONNECTED WITH THE GUEST**
55 **ROOMS SHALL BE SOLELY FOR USE BY THE OWNER, THE OWNER’S**
56 **FAMILY AND THE OWNER’S REGISTERED GUESTS;**

57 **D. THERE SHALL BE ONLY ONE KITCHEN AND NO GUEST ROOM SHALL**
58 **INCLUDE COOKING FACILITIES;**

59 **E. THE OWNER SHALL MAINTAIN A GUEST REGISTER, SHALL**
60 **PRESERVE ALL REGISTRATION RECORDS FOR NO LESS THAN**
61 **THREE (3) YEARS, AND SHALL CONSENT TO AND THEREAFTER**

62 MAKE SUCH RECORDS AVAILABLE IMMEDIATELY TO THE HOUSING
63 INSPECTOR UPON REQUEST;

64 F. THE OWNER MAY DISPLAY A SINGLE EXTERIOR SIGN, AS PROVIDED
65 FOR UNDER SECTION 17.216.060, “SIGN STANDARDS”; AND

66 G. THE OWNER HAS BEEN ISSUED A PERMIT FOR THE USE AND
67 OPERATION OF THE OWNER OCCUPIED DWELLING AS A BED AND
68 BREAKFAST INN BY THE HOUSING INSPECTOR PURSUANT TO THE
69 REQUIREMENTS ESTABLISHED BY ORDINANCE.

70
71 **AMEND** section 17.64.040, uses and development standards by lettering the current
72 sentence of that section as paragraph A and adding the following paragraph B:

73
74 B. IN ADDITION TO THOSE USES PERMITTED IN THE UNDERLYING
75 ZONING DISTRICT, BED AND BREAKFAST INNS ARE PERMITTED IN
76 THE NEWTOWN HISTORIC DISTRICT BY SPECIAL EXCEPTION.

77
78 **AMEND** section 17.196.030 parking space requirements, by adding the following:

79
80 **BED AND BREAKFAST INN: TWO SPACES FOR THE PRINCIPLE USE, PLUS**
81 **ONE ADDITIONAL SPACE FOR EACH GUEST**
82 **ROOM AND EACH EMPLOYEE. REQUIRED**
83 **SPACES TO BE PROVIDED ON SITE OR**
84 **PROXIMATE TO THE SITE AS ALLOWED BY**
85 **SPECIAL EXCEPTION. IN RESIDENTIAL**
86 **ZONES, THE MINIMUM PARKING SETBACK**
87 **SHALL BE FIVE FEET AND, WHEN MORE**
88 **THAN FOUR GUEST OR EMPLOYEE SPACES**
89 **ARE REQUIRED, THE PARKING AREA SHALL**
90 **BE SCREENED FROM DIRECT VIEW OF ANY**
91 **NEARBY RESIDENTIAL USE BY A PLANTED**
92 **VISUAL BARRIER CONSISTING OF**
93 **EVERGREENS WITH A MINIMUM HEIGHT OF**
94 **SIX FEET AND PLACED WITH TRUNKS NO**
95 **MORE THAN EIGHT FEET APART. PARKING**
96 **SHALL NOT BE LOCATED IN THE FRONT**
97 **YARD AREA OF THE RESIDENCE.**

98
99 **AND BE IT FURTHER ORDAINED BY THE CITY OF SALISBURY,**
100 **MARYLAND,** that this Ordinance shall take effect from and after the date of its final passage,
101 but in no event until ten (10) days after the date of the Council’s Public Hearing, and

102 **THE ABOVE ORDINANCE** was introduced at a meeting of the Council on the 12 day
103 of January 2015, and thereafter, a statement of the substance of the ordinance having been
104 published as required by law, in the meantime, was finally passed by the Council on the ____
105 day of _____, 2015.

106
107 ATTEST:

108
109
110 _____
111 Kimberly R. Nichols
112 City Clerk

Jacob R. Day, President
Salisbury City Council

113
114
115 Approved by me this
116
117 day of _____, 2015.

118
119
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121 James Ireton, Jr.
122 Mayor of the City of Salisbury

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BE IT FURTHER ORDAINED that this ordinance shall take effect immediately.

THIS ORDINANCE was introduced and read at a meeting of the Council of the City of Salisbury held on the ___ 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

Jacob R. Day
PRESIDENT, City Council

Approved by me this ___ day of _____, 2014

James Ireton, Jr. Mayor

EXHIBIT B

THIS QUITCLAIM DEED, made this ____ day of _____, in the year Two Thousand and Fourteen, by the CITY OF SALISBURY, a municipal corporation of the State of Maryland, Grantor, and the STATE OF MARYLAND for the use of the UNIVERSITY SYSTEM OF MARYLAND on behalf of its constituent institution, SALISBURY UNIVERSITY, Grantee.

WHEREAS, by Ordinance No. ____ passed at a meeting of the Council of the City of Salisbury, on the ____ day of _____, 20__, the City of Salisbury closed and vacated a portion of a public street known as Wayne Street, being shown as a hatched area on a plat, entitled "Utility Easement Survey for City of Salisbury" dated June 13, 2012 and recorded among the Land Records of Wicomico County, Maryland, in Plat Cabinet 16, Folio 426, attached hereto; and

WHEREAS, the City of Salisbury was, by Ordinance No. ____, authorized to convey to the STATE OF MARYLAND for the use of the UNIVERSITY SYSTEM OF MARYLAND on behalf of its constituent institution, SALISBURY UNIVERSITY, all of its right, title and interest, in and to that portion of Wayne Street, as shown in the hatched area on the plat attached hereto.

NOW, THEREFORE, THIS QUITCLAIM DEED WITNESSETH, that for and in consideration of the sum of Zero Dollars (\$0.00) and other good, valuable and sufficient considerations, receipt of which is hereby acknowledged, the said CITY OF SALISBURY does hereby grant, convey, release, assign and quitclaim unto the STATE OF MARYLAND for the use of the UNIVERSITY SYSTEM OF MARYLAND on behalf of its constituent institution, SALISBURY UNIVERSITY, its successors and assigns, the following described property: ALL

that lot or piece of ground situate, lying and being in Camden Election District, City of Salisbury, Wicomico County, State of Maryland, and being more particularly described as follows:

BEING all that portion of Wayne Street between Bateman Street and Power Street, containing 1.50 acres more or less, and being the hatched area shown on the plat attached hereto and made a part hereof.

REFERENCE to the aforesaid deed and plat and all prior deeds to and plats of the above property is hereby made for a more definite description of the property hereby granted and conveyed, or for any other purpose, to the same extent as though herein more fully set forth.

TOGETHER WITH the buildings and improvements thereon and all the rights, ways, alleys, waters, roads, privileges, appurtenances and advantages to the same belonging or in anywise appertaining.

TO HAVE AND TO HOLD the above described property unto the said STATE OF MARYLAND for the use of the UNIVERSITY SYSTEM OF MARYLAND on behalf of its constituent institution, SALISBURY UNIVERSITY, its successors and assigns, forever in fee simple. HOWEVER, the City of Salisbury reserves unto itself, its successors and assigns, a utility easement for the entire street bed, including, but not limited to the rights to install, maintain, continue, terminate or in any way deal with sewer lines, water lines, storm water lines, gas, electric, cable lines and other such utilities as the City may desire or may elect to permit to be assigned; and Grantor retains all air rights above the easement area.

AS WITNESS the hand and seal of the said City of Salisbury the day and year first above written.

TEST

CITY OF SALISBURY

Kimberly R. Nichols, Clerk

By: James P. Ireton, Jr., Mayor

STATE OF MARYLAND, COUNTY OF WICOMICO, TO WIT:

I HEREBY CERTIFY that on this ____ day of _____, 20__, before me, the subscriber, a Notary Public for the state and county aforesaid, personally appeared James P. Ireton, Jr., Mayor of the City of Salisbury, who acknowledged the foregoing deed to be its act and deed.

AS WITNESS my hand and Notarial Seal.

Notary Public

My Commission Expires: _____

I HEREBY CERTIFY that I am an attorney admitted to practice before the Court of Appeals of Maryland, and the foregoing instrument was prepared under my supervision.

S. Mark Tilghman, City Solicitor

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3 **ORDINANCE NO. 2312**

4 AN ORDINANCE OF THE CITY OF SALISBURY TO ELIMINATE ELEVEN PARKING SPACES
5 AND PROVIDE FOR A TOTAL OF TWO BUS PARKING SPACES ON WAYNE STREET AND
6 TWO VEHICLE PARKING SPACES ON POWER STREET ADJACENT TO THE SALISBURY
7 UNIVERSITY STADIUM.

8 WHEREAS, parking is permitted on the east and west sides of Wayne Street and the north and
9 south sides of Power Street; and

10
11 WHEREAS, Salisbury University desires to eliminate nine (9) car parking spaces on Wayne
12 Street, as shown on Exhibit A entitled Existing Conditions Plan, and add two (2) bus parking spaces on
13 Wayne Street as shown on Exhibit B entitled Site Plan, to accommodate visiting team buses; and

14
15 WHEREAS, Salisbury University desires to eliminate two (2) car parking spaces on Power
16 Street, as shown on Exhibit A, to accommodate an entrance to a proposed parking lot on Power Street and
17 add two (2) car parking spaces on Power Street, as shown on Exhibit B; and

18
19 WHEREAS, parking on Wayne Street near Power Street and on Power Street between Wayne
20 Street and South Division Street primarily serves the Salisbury University athletic facilities; and

21
22 WHEREAS, parking is permitted in other locations on Wayne Street and Power Street; and

23
24 WHEREAS, the Director of Public Works provided the City Council with a recommendation of
25 the proposed parking modifications on Wayne Street and Power Street at the January 5, 2015 City
26 Council work session.

27
28 NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
29 SALISBURY, MARYLAND that the elimination of eleven (11) parking spaces and creation of two (2)
30 bus spaces on Wayne Street and two (2) car parking spaces on Power Street adjacent to the Salisbury
31 University stadium is approved.

32
33 BE IT FURTHER ORDAINED that this ordinance shall take effect immediately.

34
35 THIS ORDINANCE was introduced and read at a meeting of the Council of the City of Salisbury
36 held on the 12 day of January, 2015, and thereafter, a statement of the substance of the Ordinance having
37 been published as required by law, was finally passed by the Council on the ____ day of _____,
38 2015.

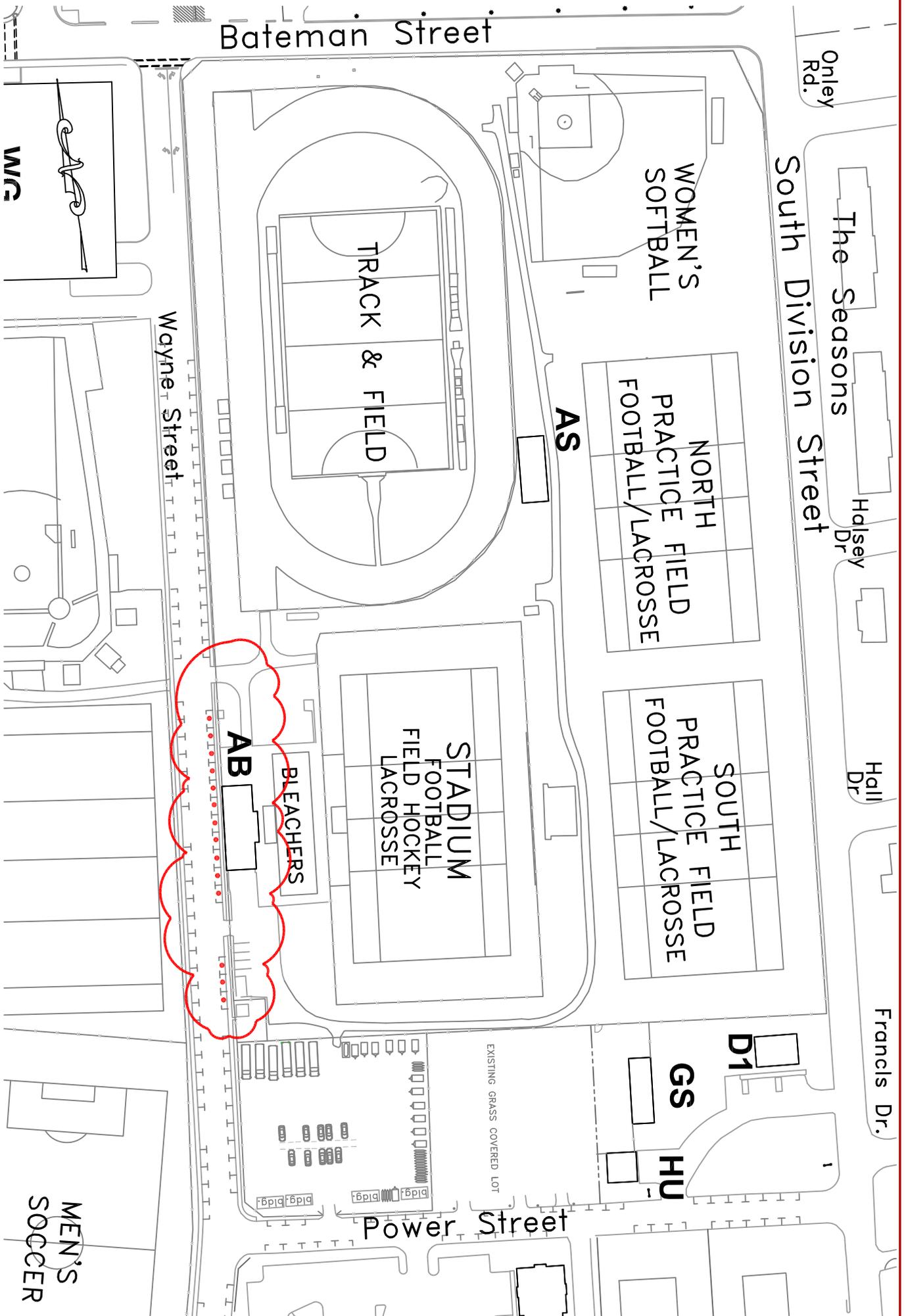
39
40 ATTEST

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44 _____
45 Kimberly R. Nichols
46 CITY CLERK

47 _____
48 Jacob R. Day
49 PRESIDENT, City Council

50 Approved by me this ____ day of _____, 2015

51 _____
James Ireton, Jr. Mayor



Bateman Street

Orley Rd.

The Seasons
South Division Street

Halsey Dr

Hall Dr

Francis Dr.

WOMEN'S
SOFTBALL

NORTH
PRACTICE FIELD
FOOTBALL/LACROSSE

SOUTH
PRACTICE FIELD
FOOTBALL/LACROSSE

TRACK & FIELD

AS

STADIUM
FOOTBALL
FIELD HOCKEY
LACROSSE

AB

BLEACHERS

EXISTING GRASS COVERED LOT

GS

HU

D1

Power Street

W/C

Wayne Street

MEN'S
SOCCER

SALISBURY UNIVERSITY
FACILITIES PLANNING & CAPITAL PROJECTS
ARCHITECTURAL AND ENGINEERING SERVICES
1101 CAMDEN AVENUE
SALISBURY, MARYLAND 21801
410-543-6215

**REMOVAL OF 14
PARKING SPACES
ON WAYNE STREET**

SCALE: NTS
DATE: 06-20-2012
DRAWN BY: PLA/JCD
DRAWING NAME: SK-1

STADIUM
FOOTBALL
FIELD HOCKEY
LACROSSE

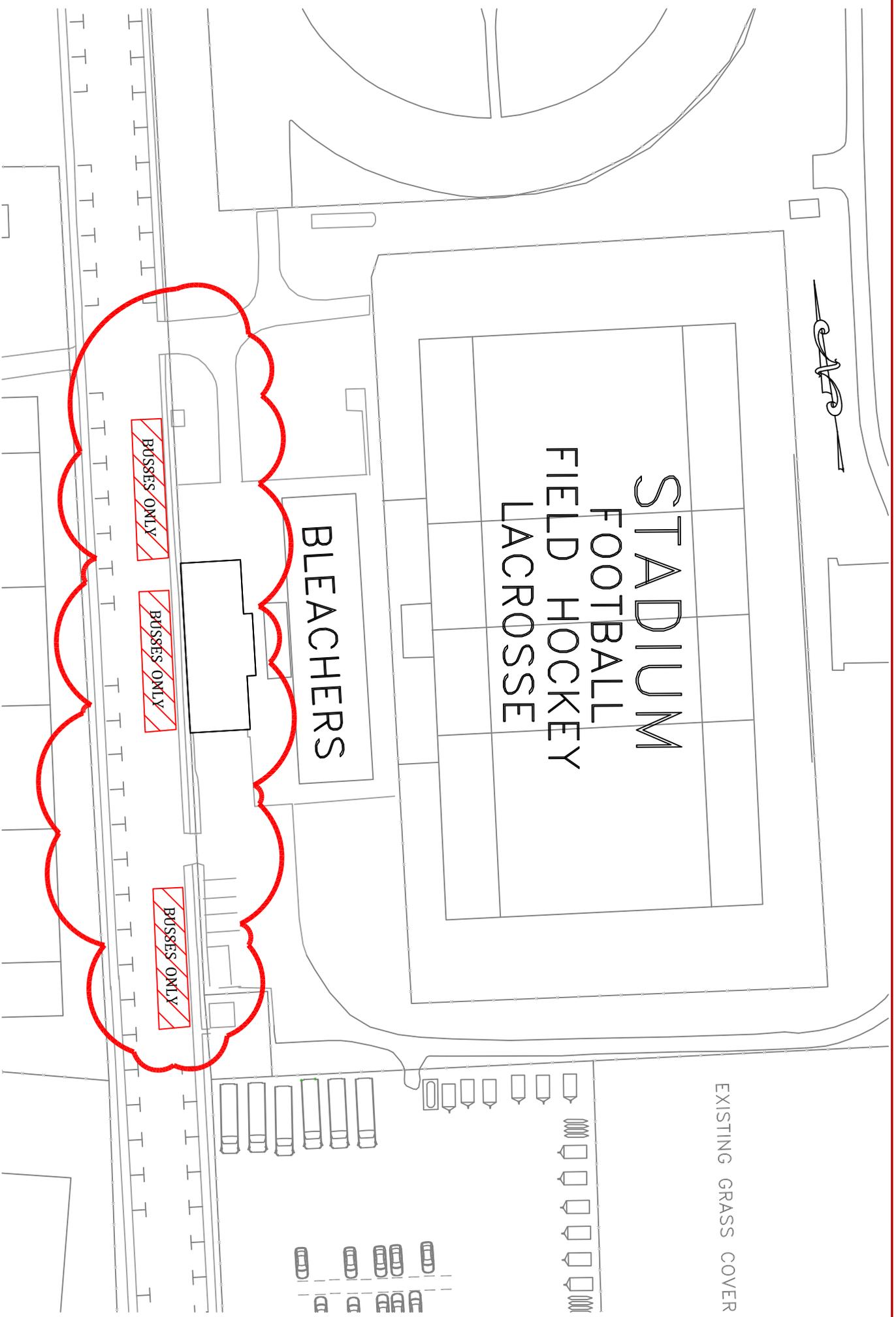
BLEACHERS

BUSSES ONLY

BUSSES ONLY

BUSSES ONLY

EXISTING GRASS COVER



SALISBURY UNIVERSITY
FACILITIES PLANNING & CAPITAL PROJECTS
ARCHITECTURAL AND ENGINEERING SERVICES
1101 CAMDEN AVENUE
SALISBURY, MARYLAND 21801
410-543-6215

**PAINT DEMARCATION
FOR BUS PARKING ON
WAYNE STREET**

SCALE: NTS
DATE: 06-20-2012
DRAWN BY: PJA/JCD
DRAWING NAME: SK-2

Memo

To: Tom Stevenson
From: Susan Phillips
Date: December 22, 2014
Re: Occupancy Enforcement Policy Outline

Per our request, the below information outlines the occupancy enforcement that would take place if the proposed over-occupancy legislation goes into effect. This content will be placed in the NSCC Directives.

1. If an over-occupancy violation is identified, a citation for a municipal infraction is issued.
2. At the same time, an Investigation of Excessive Occupancy letter is issued requiring the property owner to contact the City Department of Neighborhood Services & Code Compliance regarding this matter within ten (10) days.
3. Immediately following the ten-day time period, if the structure remains over-occupied and the landlord has not taken action to evict the persons who over-occupy the property, the following will occur:
 - An Order to Vacate the unit will be issued and sixty (60) days will be given for occupants to vacate the premises. This notice must be mailed via certified mail to both the current owner of record as identified by the State of Maryland and the listed property agent as required in the City of Salisbury Housing Code Rental Registration requirements. This notice will also be posted on the subject property.
 - Rental unit registration will be suspended once an inspection has confirmed that the unit has been vacated.
 - 1st offense will be a three (3) month suspension
 - 2nd offense will be a six (6) month suspension
 - 3rd offense will be a twelve (12) month suspension
 - Neighborhood Services & Code Compliance reserves the right to issue continuing municipal infractions during this time.
 - Additionally, if an exemption for 3 or 4 unrelated was granted, this non-conforming use will be lost permanently.
4. Following the suspension of the rental unit registration, a comprehensive inspection will be completed. If the unit is found to be in compliance, a certificate of occupancy will be issued and the unit may resume as a rental use.

In addition to the above the directives, the proposed changes made to Chapter 15.24 & 15.26 are as follows:

15.24.280 E. Removing “two (2) unrelated” since not all zoning districts permit a minimum occupancy of two unrelated. This change will cause more consistency and accuracy throughout the code.

15.24.1640 Similar language as stated above in 15.24.280 will be added to 15.24.1640. to maintain consistency.

15.26 Denial, Nonrenewal or Suspension of License and/or Registration – If the occupancy limitations are violated and if the requirements of the licensing and registration standards of this code are not satisfied, the license and registration may be denied, not renewed or suspended.

Please let me know if you have any questions.

46 C. Structures Unfit for Human Occupancy. A structure is unfit for human occupancy
47 whenever the building official finds that such structure is unsafe, unlawful or, is in disrepair or
48 lacks required maintenance, is unsanitary, vermin or rat infested, contains filth and
49 contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential
50 equipment required by this code.

51
52 D. Unlawful Structure. An unlawful structure is one found in whole or in part to be
53 occupied by more persons than permitted under this code, or was erected, altered or occupied
54 contrary to law.

55
56 E. An unlawful structure which is ordered to be “vacated or condemned” shall, ~~in the~~
57 ~~appropriate zones~~ in the case of a dwelling, be permanently reduced to ~~an~~ the maximum
58 ~~occupancy of two unrelated persons, not including the children of either of them~~ allowed for the
59 applicable conforming use, with no additional occupants permitted pursuant to the dwelling’s
60 status as a nonconforming use.

61 62 **15.24.1640 Violation of occupancy provisions.**

63
64 If the department of neighborhood services and code compliance determines that the
65 number of unrelated occupants in a dwelling violates the occupancy provisions established by
66 this code, ~~then~~ the number of unrelated occupants, not including the children of either of them,
67 shall be permanently reduced to ~~comply with city code~~ the maximum allowed for the applicable
68 conforming use, with no additional occupants permitted pursuant to the dwelling’s status as a
69 nonconforming use.

70 71 **15.26.110 Denial, nonrenewal, revocation or suspension of license or registration.**

72
73 If after any period for compliance with this chapter has expired, the NSCC determines that a
74 rental dwelling unit or a rental dwelling unit owner fails to comply with any of the licensing or
75 registration standards set forth herein or with the occupancy provisions of this code, ~~and the~~
76 NSCC ~~has~~ shall initiated an action to deny, revoke, suspend, or not renew a registration or
77 license, ~~NSCC shall~~ and mail the owner a notice of denial, nonrenewal, revocation, or suspension
78 of the license or registration. The notice shall state:

79 A. That NSCC has determined that the rental dwelling unit fails to comply with the
80 ~~registration~~ standards for rental dwelling units in this chapter, and/or the owner has failed to
81 comply with the Maryland Department of Environment lead abatement reporting
82 requirements;

83 B. The specific reasons why the rental dwelling unit fails to meet ~~licensing or~~
84 ~~registration~~ the required standards, including copies of applicable inspection reports, or
85 notices sent to a licensee about the rental dwelling unit;

86 C. That the director will deny, refuse to renew, revoke, or suspend the license or
87 registration unless the owner appeals the determination within twenty-one (21) days after
88 receipt of the notice, in the manner provided in Section 15.26.120 of this chapter;

89 D. That after denial, nonrenewal, revocation or suspension, the rental dwelling unit
90 shall be vacated within sixty (60) days, and shall not be reoccupied until all violations are
91 corrected and a license and/or registration is granted by NSCC pursuant to provisions of
92 Annotated Code of Maryland, Real Property Article, Title 8;

93 E. The notice shall describe how an appeal may be filed under Section 15.26.120 of
94 this chapter;

95 F. The director shall cause a notice to tenants to be mailed or delivered to each
96 registered rental dwelling unit and prominently posted on the building. The notice shall
97 indicate that the rental dwelling unit registration or owner license for the rental dwelling unit
98 has been denied, revoked, not renewed or suspended, whichever is applicable; that the action
99 will become final on a specific date unless the rental dwelling unit owner appeals and
100 requests a hearing; that tenants may be required to vacate the building when the action
101 becomes final; that further information can be obtained from NSCC.

102
103 AND BE IT FURTHER ENACTED AND ORDAINED BY THE CITY OF
104 SALISBURY, MARYLAND, that the Ordinance shall take effect upon final passage.

105
106 THIS ORDINANCE was introduced and read at a meeting of the Council of the City of
107 Salisbury held on the ____ day of _____, 2015 and thereafter, a statement of the
108 substance of the ordinance having been published as required by law, in the meantime, was
109 finally passed by the Council on the ___ day of _____, 2015, and shall take effect
110 _____.

111
112
113 ATTEST:

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115 _____
116 Kimberly R. Nichols, City Clerk

115 _____
116 Jacob R. Day, City Council President

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120 Approved by me, this _____ day of _____, 2015.

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123 _____
124 James Ireton, Jr.,
125 Mayor

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*From the Office
of the
Fire Chief*

To: Tom Stevenson, City Administrator

Date: 07 January 2015

From: Richard A. Hoppes, Chief of the Department

Subject: EMS Billing Rates Review and Recommendation Ordinance Change

Pursuant to the City Council's requests for revising the EMS Billing Rates Revision Ordinance I have made the appropriate changes based on their input and request that the ordinance be presented at the legislative meeting on January 26 2015. The ordinance is attached should you look kindly on this request. Unless the Mayor has further questions, please advance this memorandum to the City Council. As always, feel free to contact me with any questions you may have at 410-548-3120 X 103 or at rhoppes@ci.salisbury.md.us .

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ORDINANCE NO. 2314

AN ORDINANCE OF THE CITY OF SALISBURY, MARYLAND CHANGING THE RATES FOR EMERGENCY MEDICAL SERVICES.

WHEREAS, the City of Salisbury provides emergency medical treatment and transport Services, including Basic Life Support (BLS) and Advanced Life Support (ALS); and

WHEREAS, the City bills patients for their use of emergency medical services; and

WHEREAS, the City desires to increase the rates for emergency medical services as is permitted by Medicare and all other insurance providers.

NOW, THEREFORE IT BE ORDAINED that the City of Salisbury hereby adopts rates for the provision of emergency medical services as follows:

Fee / Charge	Resident / Non-resident	Current Rates	Proposed Rates
BLS Base Rate	Resident	431.00	500.00
	Non-Resident	431.00	575.00
ALS 1 Emergency Rates	Resident	546.00	650.00
	Non-resident	546.00	750.00
ALS 2 Emergency Rates	Resident	741.00	775.00
	Non-resident	741.00	875.00
Mileage	Resident	11.80	13.00
	Non-resident	11.80	13.50
Oxygen		0.00	60.00
Spinal immobilization		0.00	120.00
BLS On-scene Care		0.00	175.00
ALS On-scene Care	Resident	0.00	450.00
	Non-resident	0.00	550.00

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BE IT FURTHER ORDAINED THAT THE CITY OF SALISBURY, MARYLAND adopts this EMS billing fee schedule for use by its third party billing vendor to bill for services rendered by the Salisbury Fire Department.

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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.

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29

ATTEST:

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Kimberly R. Nichols
CITY CLERK

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31
32

Jacob R. Day
PRESIDENT, CITY COUNCIL

33
34
35

James Ireton, Jr.
MAYOR, CITY OF SALISBURY

36

Approved this ____th day of _____ 2015.