



# City of Salisbury



## CITY COUNCIL AGENDA

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**March 9, 2015**  
**Government Office Building**

**6:00 p.m.**  
**Room 301**

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Times shown for agenda items are estimates only.

- 6:00 p.m. CALL TO ORDER
- 6:01 p.m. WELCOME/ANNOUNCEMENTS
- 6:03 p.m. CITY INVOCATION – Rev. Ryan Weaver, Remedy Church
- 6:06 p.m. PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES
- 6:08 p.m. COMMUNITY ORGANIZATION PRESENTATION
- Salisbury Jaycees - presented by President Joel Maher
- 6:20 p.m. ADOPTION OF LEGISLATIVE AGENDA
- 6:22 p.m. CONSENT AGENDA – City Clerk Kimberly Nichols
- February 9, 2015 closed session minutes (separate envelope)
  - February 23, 2015 regular meeting minutes
  - Resolution No. 2481 - accepting funds awarded through a grant from the Community Foundation of the Eastern Shore – Small Grants Program
  - Resolution No. 2482- appointing Maureen McNeill to the Ethics Commission for the term ending 3/1/2019
  - Resolution No. 2483- accepting overtime reimbursement funding from the United States Marshals Service for the Salisbury Police Department’s officers assigned to the Capital Area Regional Fugitive Task Force
  - Resolution No. 2484 - to define, preserve and maintain the Stormwater Conservation Area for the Salisbury Skatepark.
  - Resolution No. 2485 - accepting funds awarded through a grant from the Department of Housing & Community Development – Emergency Solutions Grant Program
- 6:28 p.m. ORDINANCES – presented by City Attorney Mark Tilghman
- Ordinance No. 2313 – 2<sup>nd</sup> 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. 2315 - 1<sup>st</sup> reading - setting the Stormwater Utility fee in accordance with Chapter 13.30 of the City Code
  - Ordinance No. 2316 – 2<sup>nd</sup> reading – authorizing an amendment of the FY 15

General Fund Budget authorizing Salisbury Police Department to purchase services provided by the Predictive Policing Company, PREDPOLE. The terms of the contract are (1) one year at a cost of \$15,000.00. An additional one-time \$3,500.00 setup fee is required for a total cost of \$18,500.00. The contract is automatically renewable annually; however, either party with 30 days notice may cancel at anytime

- Ordinance No. 2317 – 1<sup>st</sup> reading – to reallocate 2003 CDA Bond funds, specified in Ordinance No. 1870 and adopted on January 27, 2003 issuing \$5,525,000.00 in Infrastructure Bonds, 2003 Series A. to include the following projects listed as additional use of the bond proceeds: City Park Tennis Court Lighting Improvements and Marina Signage and Fence Improvements

6:50 p.m. RESOLUTION – presented by City Administrator Tom Stevenson

- Resolution No. 2486 - approving a policy on Enforcement of Over-Occupancy Provisions Chapter 15.24

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

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

**Proposed agenda items for March 23, 2015 (subject to change)**

- Resolution No. \_\_\_\_ - Adoption of the CIP
- Ordinance No. 2315 - 2<sup>nd</sup> reading - setting the Stormwater Utility fee in accordance with Chapter 13.30 of the City Code
- Ordinance No. \_\_\_\_ - 1st Reading - Adult Entertainment revisions
- Ordinance No. 2317 - 2nd reading – reallocation of 2003 CDA Bonds funds specified in Ordinance No. 1870 adopted on January 27, 2003 issuing \$5,525,000.00 in Infrastructure Bonds, 2003 Series A. to include the following projects listed as additional use of the bond proceeds: City Park Tennis Court Lighting Improvements (\$25,000) and Marina Signage and Fence Improvements (\$50,000)
- Ordinance No. 2315 – 2<sup>nd</sup> reading – proposed Stormwater Utility Fee Structure
- Public Hearing/Charter Amendment – eliminating Primary Elections
- Ordinance No. \_\_\_\_ - 1st reading - amending Sections 1.08.020 Duties of the Election Board, 1.12.030 Campaign Contributions, and 1.12.040 Financial Disclosure Statements to be Filed by the Candidate or Treasurer, of the Salisbury Municipal Code to eliminate primary elections
- Ordinance No. \_\_\_\_ - 1st reading - amending Chapter 1.08.300 of the Salisbury Municipal Code to change the number of Councilmanic Districts in the City to correspond with the Charter

1 **CITY OF SALISBURY, MARYLAND**

2  
3 **REGULAR MEETING**

**FEBRUARY 23, 2015**

4  
5 **PUBLIC OFFICIALS PRESENT**

6  
7 *Council President Jacob R. Day* *Mayor James Ireton, Jr.*  
8 *Council Vice President Laura Mitchell* *Councilwoman Eugenie P. Shields*  
9 *Councilman John "Jack" R. Heath*

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11 **PUBLIC OFFICIALS NOT PRESENT**

12  
13 *Councilman Timothy K. Spies*

14  
15 **IN ATTENDANCE**

16  
17 *City Clerk Kimberly R. Nichols, CMC, City Administrator Tom Stevenson, City Attorney Mark*  
18 *Tilghman, Internal Services Director Keith Cordrey, interested citizens and members of the press*  
19 *\*\*\*\*\**

20 **CITY INVOCATION – PLEDGE OF ALLEGIANCE**

21  
22 *The City Council met in regular session at 6:10 p.m. in Council Chambers. Council President*  
23 *Day called the meeting to order. Following the City Invocation provided by Mr. Sean McCarthy,*  
24 *Lead Minister at Community Christian Church, those in attendance recited the Pledge of*  
25 *Allegiance to the flag of the United States of America.*

26  
27 *President Day extended sympathy on behalf of the Mayor, Council and City of Salisbury to*  
28 *Councilwoman Shields on the recent loss of her cousin, Mary Black Pinkett, past City of*  
29 *Salisbury Councilwoman, who was 101 years old.*

30  
31 *Following a respectful moment of silence in honor of Mrs. Pinkett, Mayor Ireton joined Council*  
32 *at the podium to honor Mrs. Pinkett's many achievements and service to the City of Salisbury.*

33  
34 **COMMUNITY ORGANIZATION PRESENTATION**

- 35  
36
  - Blood Bank of Delmarva – presented by Account Executive Suzanne Murray*

37  
38 *Suzanne Murray joined Council at the podium to provide information about the Blood*  
39 *Bank of Delmarva.*

40  
41 *Established in 1954, the Blood Bank of Delmarva currently serves 1.6 million people in*  
42 *Delaware, Cecil County, and the Eastern Shore of Maryland and Virginia, providing*  
43 *much needed blood for accident victims, cancer patients and those experiencing the loss*  
44 *of blood in surgeries.*

45  
46 *Donation centers are located in Newark, Wilmington, and Dover in the Delaware region,*

47           *Salisbury, Maryland (1309 Mt. Herman Road), and Concord, Pennsylvania, and the*  
48           *blood bank offers more than 30 convenient mobile donor sites throughout Delmarva.*  
49           *Please call 1 888 8-BLOOD-8 for an appointment or make an appointment online.*

50  
51    **ADOPTION OF LEGISLATIVE AGENDA**

52  
53    *Mrs. Mitchell moved and Mrs. Shields seconded to approve the legislative agenda.*

54  
55    *Mr. Heath moved to amend the legislative agenda by moving the Public Hearing/Resolution No.*  
56    *2480 - authorizing an application to the Maryland State Arts Council of the Maryland*  
57    *Department of Business and Economic Development to expand the boundaries of the existing*  
58    *Arts and Entertainment District to immediately follow the Consent Agenda. Mrs. Shields*  
59    *seconded and the vote to amend the agenda was unanimous.*

60  
61    *Mr. Heath moved to further amend the agenda by removing the Ordinance No. 2315 for first*  
62    *reading – setting the Stormwater Utility Fee in accordance with Chapter 13.30 of the City Code*  
63    *from the agenda Mrs. Shields seconded, and the vote was unanimous to approve the Legislative*  
64    *Agenda as presented.*

65  
66    *The amended legislative agenda was passed by unanimous vote in favor.*

67  
68    **CONSENT AGENDA** – *presented by City Clerk Kim Nichols*

69  
70    *The Consent Agenda was unanimously approved on a motion and seconded by Mrs. Shields and*  
71    *Mrs. Mitchell, respectively:*

- 72  
73
  - 74       • *January 12, 2015 closed session minutes*
  - 75       • *February 2, 2015 work session minutes*
  - 76       • *February 9, 2015 regular meeting minutes*

77    **PUBLIC HEARING/RESOLUTION NO. 2480** - *authorizing an application to the Maryland*  
78    *State Arts Council of the Maryland Department of Business and Economic Development to*  
79    *expand the boundaries of the existing Arts and Entertainment District (A & E District) –*  
80    *presented by City Administrator Tom Stevenson*

81  
82    *Mrs. Shields moved and Mr. Heath seconded to approve Resolution No. 2480.*

83  
84    *The following public comments in support of Resolution No. 2480 were provided by twelve*  
85    *members of the public, after being sworn in by City Clerk Kim Nichols:*

- 86  
87
  - 88       • *Downtown is on an upswing and expansion of A & E is needed*
  - 89       • *Huge interest in creating art downtown*
  - 90       • *Outdoor activities are increasing*
  - 91       • *Downtown needs to be a mixture of restaurants, retail and housing*
  - 92       • *There will be almost 100 new beds located in Rivers Edge so why not expand A & E to*  
          *include the new housing complex*

- 93 • *Easton and Berlin are much smaller and look how Art has enhanced their downtown*
- 94 • *A & E doing great things downtown*
- 95 • *Expand and bring more businesses downtown*
- 96 • *Arts enrich lives*
- 97 • *This A & E District expansion is essential to enhance the cultural aspect of the community*
- 98 • *Vibrant downtowns help bring home buyers to the area*
- 99 • *The recent progress is nothing short of amazing*
- 100 • *Chipman Center has a history of being an Arts venue*
- 101 • *Will add affordable places to live and help retain young professionals in the City*
- 102 • *Continue the progress, do not halt it*
- 103 • *Has a large stage space available and meeting rooms/studio to meet a need in the*
- 104 *community (handicapped accessible) and available for conferences and dinners*
- 105 • *Asked City Council to vote in favor of expansion of the A & E District*

106

107 *City Administrator Tom Stevenson presented Resolution No. 2480, which would increase the size*  
108 *of the Arts & Entertainment District in the City of Salisbury by 12.92 acres. Resolution No. 2480*  
109 *passed by unanimous vote in favor.*

110

111 **PUBLIC HEARING/CHARTER AMENDMENTS** – *presented by City Administrator Tom*  
112 *Stevenson*

113

- 114 • **Charter Amendment Resolution No. 2015-1** – *amending City of Salisbury Charter*  
115 *Section SC7-48 – Decoupling the Enterprise Fund debt from the General Fund*

116

117 *Mrs. Mitchell moved and Mr. Heath seconded to approve Charter Amendment Resolution*  
118 *No. 2015-1.*

119

120 *Mr. Stevenson presented and Mr. Cordrey further explained the Charter Amendment*  
121 *Resolution No. 2015-1, which will amend the City of Salisbury Charter in order to*  
122 *accomplish the following:*

123

- 124 1. *To exclude from the calculations of the debt limit any outstanding general*  
125 *obligation debt that is from an Enterprise Fund*
- 126 2. *To reduce the percentages of superfluous valuation of Real and Personal property*  
127 *against what the debt limit calculation should be applied*
- 128 3. *Qualify the debt that is subject to the debt limit*
- 129 4. *Clarify that conditionally repayable grants, compensated absences and capital*  
130 *police obligations shall not count against the debt limit*

131

132 *After being sworn in, one member of the public provided the following comments:*

133

- 134 ○ *Concerned that every year the City's revenues go down, but the tax rates are*  
135 *increased*
- 136 ○ *Properties are declining in value, and are selling less than their appraisals*

- 137                   ○ *This year when her house is appraised, the speaker will appeal and take about*  
138                   *\$40,000 worth of appraised value off her house; others are doing the same*  
139                   ○ *The City's revenue on property taxes will probably be declining unless you*  
140                   *increase the property rate*  
141                   ○ *At the end, you are increasing by approximately (2), your ability to borrow*  
142                   ○ *If you increase borrowing, we will increase our debt service, and with our*  
143                   *falling property values, how are you going to repay this debt service? With*  
144                   *increased property taxes? City citizens are already paying a higher rate than*  
145                   *Annapolis and most towns in the State of Maryland.*  
146                   ○ *This looks like an attempt to increase the amount of money the City can*  
147                   *borrow, and if so, we should be very concerned*  
148

149                   *Mr. Stevenson explained the last report he received indicated rising property values.*  
150                   *Mr. Cordrey explained that the current restriction of the debt policy would be the*  
151                   *area that this amendment affected. This will enable the City to complete the*  
152                   *construction of the Wastewater Treatment Plant (WWTP). The repayment on that*  
153                   *construction debt requires a payment \$150,000 per year for the first 8 years, and*  
154                   *thereafter, the balance that remains will be divided and repaid over the next twelve*  
155                   *years. The City will pay no interest on the entirety of the \$38 million debt. MDE has*  
156                   *given the City of Salisbury a great amount of relief with this loan, and it levels the*  
157                   *debt service for the entire Water Sewer Fund.*  
158

159                   *Charter Amendment Resolution No. 2015-1 passed by unanimous vote in favor.*  
160

- 161                   • **Charter Amendment Resolution No. 2015-2** – *amending the City of Salisbury Charter*  
162                   *Section SC5-1 (Article V General Powers) for the following reasons: to allow for*  
163                   *contracts for the lighting of the City by means deemed proper and for contracts for*  
164                   *water use for periods no longer than twenty (20) years instead of three (3) years*  
165

166                   *Mrs. Mitchell moved and Mrs. Shields seconded to approve Charter Amendment*  
167                   *Resolution No. 2015-2.*  
168

169                   *Mr. Stevenson presented the Charter Amendment Resolution No. 2015-2 which will allow*  
170                   *for contracts for the lighting of the City and for water use for periods no longer than*  
171                   *twenty (20) years instead of three (3) years.*  
172

173                   *There were no public comments during the Public Hearing and Charter Amendment*  
174                   *Resolution No. 2015-2 was passed by unanimous vote in favor.*  
175

176                   **ORDINANCE NO. 2316** – *1<sup>st</sup> reading – authorizing an amendment of the FY15 General Fund*  
177                   *budget authorizing Salisbury Police Department to purchase services provided by the Predictive*  
178                   *Policing Company (PREDPOLE). Terms of the contract are (1) year at a cost of \$15,000. An*  
179                   *additional one-time \$3,500 setup fee is required for a total cost of \$18,500. The contract is*

180 *automatically renewable annually; however, either party with 30 days notice may cancel at any*  
181 *time – presented by City Attorney Mark Tilghman*

182  
183 *Mr. Heath moved, Mrs. Mitchell seconded, and the vote was unanimous to approve Ordinance*  
184 *No. 2316 for first reading.*

185  
186 **ADJOURNMENT**

187 *Council President Day adjourned the Legislative Session at 7:40 p.m.*

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189 \_\_\_\_\_  
190 *City Clerk*

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192 \_\_\_\_\_  
193 *Council President*

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**Officers**

Melody S. Nelson

Chair

John J. Allen

Vice Chair

James R. Thomas, Jr.

Secretary

David A. Vorhis

Treasurer

**Directors**

James W. Almand

John P. Barrett

Todd E. Burbage

Thomas K. Coates

Jane R. Corcoran

Charles G. Goslee

Dr. Carolyn S. Johnston

Andy Kim

Dwight W. Marshall, Jr.

Kathleen G. McLain

James F. Morris

Susan K. Purnell

Ernest R. Satchell

Gregory D. Tawes

Donald K. Taylor

Lauren C. Taylor

Louis H. Taylor

Michael P. Truitt

Gayle W. Widdowson

Stephanie T. Willey

Dr. Julius D. Zant

**President**

Erica N. Joseph

February 10, 2015

Honorable James P. Ireton Jr., Mayor  
City of Salisbury  
125 N Division St Rm 304  
Salisbury, MD 21801-4940

Dear Honorable Ireton:

On behalf of the Directors of the Community Foundation of the Eastern Shore, Inc., I am pleased to advise you that a grant in the amount of \$2,000.00 has been awarded from our *Small Grants Program*. This grant is to support the Salisbury/Wicomico Youth Civics Council.

Enclosed are two copies of our Foundation's Grant Agreement for your review and signature. Please retain one copy for your records, and **sign and return the second to the Community Foundation**. Upon receipt of the signed Grant Agreement, we will arrange to provide a grant check in the amount cited above.

We are pleased to be able to help support this worthwhile program. Please identify the Community Foundation as a sponsor in publicity/promotional materials. A copy of the Community Foundation's logo will be made available upon request for use in publications. If you have any questions, please contact me at 410-742-9911.

Sincerely,

Heather Towers  
Program Officer

Enclosures



Confirmed in Compliance with  
National Standards for  
U.S. Community Foundations

Please visit us on the web at [www.cfes.org](http://www.cfes.org)

1324 Belmont Avenue • Suite 401 • Salisbury, MD 21804  
Phone: 410-742-9911 • Fax: 410-742-6638 • Email: [cfes@cfes.org](mailto:cfes@cfes.org) • [www.cfes.org](http://www.cfes.org)

**ID Code: 3624**

**Grant Number: 20150156**

**COMMUNITY FOUNDATION OF THE EASTERN SHORE, INC.**

1324 Belmont Avenue  
Salisbury, Maryland 21804  
(410) 742-9911

**SMALL GRANT AGREEMENT**

The grant awarded to your organization by the Community Foundation of the Eastern Shore is for the explicit purpose(s) described below and is subject to your acceptance of the conditions cited in this Agreement. To acknowledge this agreement, to accept the grant and to be eligible to receive the funds when needed, **RETURN A SIGNED COPY OF THIS AGREEMENT TO THE COMMUNITY FOUNDATION.**

1. **Grantee:** City of Salisbury
2. **Amount of grant:** \$2,000.00
4. **Purpose of grant:** to support the Salisbury/Wicomico Youth Civics Council
5. **Grant period begins:** February 15, 2015
6. **Interim grant report due:** August 15, 2015
7. **Grant period ends:** February 15, 2016
8. **Grant Payment Schedule:** Immediately upon receipt of signed grant agreement
9. **Special conditions of grant, if any:**

**GRANTEE PUBLICITY STANDARDS**

**By accepting this grant, the Grantee agrees to:**

- **Acknowledge funding support by the Community Foundation of the Eastern Shore (CFES);**
- **Include the CFES logo in publication and electronic media;**
- **Link to the CFES website;**
- **Abide by all other CFES Grantee Publicity Standards (Review Page 3).**

Grants approved by the Board of Directors, Community Foundation of the Eastern Shore, are reported to the community through media releases and in the Foundation's newsletter and annual report.

Grantees are encouraged to contact CFES with questions about use of the CFES logo or language specific to the Foundation. Draft copy submitted to the Foundation will be reviewed promptly.

Two copies of each press release, and of published references to the grant, should be sent to the Foundation for its records.

**EXPENDITURE OF FUNDS**

This grant is to be used only for the purpose described above and in accordance with the approved budget. **The program is subject to modification only with the Foundation's prior written approval.**

The grantee shall return to the Foundation any unexpended funds, including accrued interest:

- a) At the end of the grant period, or
- b) If the Foundation determines that the grantee has not performed in accordance with this agreement and approved program/budget, or
- c) If the grantee loses its exemption from Federal income taxes under Section 501(c)(3) of the Internal Revenue Code.

No funds provided by the Foundation may be used for any political campaign, or to support attempts to influence legislation by any governmental body, other than through making available the results of nonpartisan analysis, study, and research.

All grants are made in accordance with current and applicable laws and pursuant to the Internal Revenue Code, as amended, and the regulations issued there under.

By accepting this grant, your organization certifies to the Community Foundation that no tangible benefit, goods, or services are received by any individual or entities connected with the Community Foundation.

Expenses charged against this grant may not be incurred prior to the effective date of the grant or subsequent to the termination date, and may be incurred only as necessary to carry out the purposes and activities of the approved program.

The grantee organization is responsible for the expenditure of funds and for maintaining adequate supporting records consistent with generally accepted accounting practices.

### **REPORTS TO THE FOUNDATION**

Completion of a Grantee Performance Report and a financial accounting expenditure of this money are required as a condition of this grant. An interim and final report may be required. The 6-month interim performance report will be due as noted on the cover sheet.

As part of the Foundation's ongoing efforts to ensure the most efficient and effective use of grant dollars, the Foundation reserves the right to request additional information on the status and success of the program. In addition to responding to such requests for written documentation, the Grantee also agrees to respond to Foundation requests for a follow-up site visit, if deemed appropriate by the Foundation, to assess the impact of the grant.

### **LIMIT OF COMMITMENT**

Unless otherwise stipulated in writing, this grant is made with the understanding that the Foundation has no obligation to provide additional support to the grantee.

For the Grantee:

  
\_\_\_\_\_  
President of the Board (Signature)

\_\_\_\_\_  
President of the Board (Printed Name)

\_\_\_\_\_  
Date

### Grantee Publicity Standards

The Community Foundation of the Eastern Shore is pleased to have provided funding to your organization. Acknowledgement of Community Foundation of the Eastern Shore's funding must be included in all press releases, newsletters, brochures, annual reports and other promotional materials. By doing so, you will help the community understand how the Community Foundation of the Eastern Shore supports outstanding organizations in the Lower Eastern Shore.

The following standards apply to your grant:

- **Acknowledgement of the grant (this information must be included):** You must acknowledge that The Community Foundation of the Eastern Shore funded your organization.

Example: *Funding provided by the Community Foundation of the Eastern Shore.*

- **Use of Community Foundation Logo** – Brochures, flyers, announcements or other printed/electronic materials supporting your project must bear the CFES logo. The logo must be used in its entirety and shall always be large enough to be legible and readily recognizable. The logo may be used in black and white, or the official CFES colors. To request an electronic copy of the logo, please contact the Community Foundation's Program Director or Marketing Officer or visit <http://www.cfes.org/grant-publicity-standards> to download.

*Funding provided by the*



- **Link to us on your website**  
Work with us to help boost the presence of local nonprofits on the web. We can help you link to us and are happy to include you under the nonprofit links on the CFES site.
- **Send us copies of photos illustrating your organization and program**  
We would appreciate copies (electronic preferably) for use in our annual report, newsletters, and other publications throughout the year. If possible, please identify individuals in the photo as well as the event/location and date.
- **Put us on your PR mailing list, invite us to your events, show off your work!**  
We would appreciate receiving copies of news releases and newsletter articles that mention the Community Foundation of the Eastern Shore, as well as any newspaper articles that mention that you have received funding from us. Please send copies to CFES, 1324 Belmont Avenue, Suite 401, Salisbury, Maryland 21804.

If you have any questions about these guidelines, please contact us at (410) 742-9911.

1 RESOLUTION NO. 2481

2  
3 A RESOLUTION OF THE CITY OF SALISBURY, MARYLAND ACCEPTING  
4 FUNDS AWARDED THROUGH A GRANT FROM THE COMMUNITY FOUNDATION OF  
5 THE EASTERN SHORE – SMALL GRANTS PROGRAM.

6 WHEREAS, the City of Salisbury applied for grant funding through the Small Grants  
7 Program application submitted to the Community Foundation of the Eastern Shore (CFES); and

8 WHEREAS, the City of Salisbury applied for funding in order to support the Salisbury-  
9 Wicomico Youth Civics Council, a joint initiative of the City of Salisbury and Wicomico  
10 County; and

11 WHEREAS, a grant in the amount of \$2,000 was awarded to the City of Salisbury.

12 NOW, THEREFORE, BE IT RESOLVED THAT, the Council of the City of Salisbury,  
13 Maryland does hereby accept the funds awarded from the CFES in the amount outlined above;  
14 and

15 BE IT FURTHER RESOLVED THAT, Mayor James Ireton, Jr. is authorized and  
16 empowered to execute any and all documents required for receipt of said funds.

17 THE ABOVE RESOLUTION was introduced and duly passed at a meeting of the  
18 Council of the City of Salisbury, Maryland held on March 9, 2015, and is to become effective  
19 immediately.

20  
21  
22 \_\_\_\_\_  
23 Kimberly R. Nichols  
24 CITY CLERK

\_\_\_\_\_

Jacob R. Day  
COUNCIL PRESIDENT

25  
26 APPROVED BY ME THIS

27 \_\_\_\_\_ day of March 2015.

28  
29  
30 \_\_\_\_\_  
31 James Ireton, Jr.  
32 MAYOR

---

INTER

OFFICE

# MEMO

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*OFFICE OF THE MAYOR*

**To:** Tom Stevenson  
**From:** Sherrell McBride  
**Subject:** Appointment to the Ethics Commission  
**Date:** March 2, 2015

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Mayor Ireton would like to appoint the following person to the Ethics Commission:

<u>Name</u>	<u>Term Ending</u>
Maureen McNeill	3/1/2019

Attached you will find Ms. McNeill's letter of interest and the Resolution necessary for her appointment. Please forward this information to the City Council so it may be placed on the agenda for the next meeting. Please let me know if you have any questions.

Attachments

cc: Dr. Francis Kane  
Tom Stevenson

**RESOLUTION NO. 2482**

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BE IT RESOLVED by the City of Salisbury, Maryland that the following individual is appointed to the Ethics Commission for the term ending as indicated:

<u>Name</u>	<u>Term Ending</u>
Maureen McNeill	3/1/2019

The above resolution was introduced, read and passed at the regular meeting of the Council of the City of Salisbury held on the \_\_\_\_\_ day of March 2015.

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

\_\_\_\_\_  
Jacob R. Day  
COUNCIL PRESIDENT

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

\_\_\_\_\_  
James Ireton, Jr.  
MAYOR

**Maureen McNeill**

507C South Boulevard  
Salisbury, Maryland 21801

410.603.0384  
[m e mcneill@hotmail.com](mailto:m_e_mcneill@hotmail.com)

February 10, 2015

Mr. James Ireton, Mayor  
City of Salisbury  
125 North Division Street, Room 304  
Salisbury, Maryland 21801-4940

Dear Mayor Ireton:

Timing is a wonderful thing.

Lately, I've been thinking about a way to serve Salisbury and the community in a way that is nonpartisan and impartial. And then Fran Kane called, offering to nominate me for the City of Salisbury Ethics Commission.

At his suggestion, I have attached my résumé in hopes it includes the information you need to know about me as you consider that nomination. I was surprised by Fran's call and feel humbled by his offer. I hereby leap at this chance.

It would be a privilege and an honor to serve. Please contact me if I can be helpful in any way.

Sincerely,

A handwritten signature in blue ink that reads "Maureen McNeill". The signature is written in a cursive style with a large initial "M" and "M".

## Maureen McNeill

507C South Boulevard  
Salisbury, Maryland 21801

410.603.0384  
[m\\_e\\_mcneill@hotmail.com](mailto:m_e_mcneill@hotmail.com)

### **MANAGEMENT PROFILE**

#### **Writer:**

- Accomplished writer of books, campaign case statements, grant proposals promotional brochures and award-winning news and feature articles for television and print media
- Agile and effective public speaker with a talent for developing relationships with participants
- Experienced negotiator and facilitator of panel discussions and workshops

#### **Development Professional:**

- Fundraiser, successful with local and regional donors in vibrant and depressed economies, trained and experienced in securing major individual and corporate gifts, foundation grants and planned gifts
- Director of Development Program for \$9 million nonprofit organization, managing Development and Community Relations programs, an annual department budget of \$225,000 and an array of fundraising programs that produces \$1 million in annual revenue
- Innovator and coordinator of a university outreach team that raised a \$1.6 million endowment

#### **Team Leader:**

- Educator and author in leadership, mission-based culture and organizational communications
- Leading a team of development and public relations professionals and volunteers, maximizing social, broadcast and print media for successful fundraising and community relations
- Consensus builder among diverse teams to develop and deliver successful proposals and programs

### **EXPERIENCE**

#### **Director of Development 2007 to present**

Coastal Hospice & Palliative Care, Salisbury, MD *Named Non-Profit of the Year in 2013 by 3 regional organizations*

#### **Achievements still in progress:**

- Empowered Board to launch Coastal Hospice at the Ocean capital campaign without external consultant or additional FTEs; \$3 million of \$5 million goal raised to date
- Introduced successful innovations to long-standing fundraising and community relations program, including streamlining of Raiser's Edge database, updating outreach programs, from web site and social media to Speakers Bureau and advertising
- Developed reporting structure that measures and has improved effectiveness of events and appeals

#### **Writer 2004 to present**

Collaborated with Mark Sasscer, CEO, Leadquest Consulting, LLC, on two books, the third is in progress

- *Accountability Now!* published in 2010
- *The Change Agent* (as ghost writer) published in 2007

#### **Owner/Writer/Nonprofit Consultant 2004 to 2007**

m<sup>2</sup>power Salisbury, MD

- Wrote grant proposals and articles for Advancement team at the University of Maryland Eastern Shore
- Led four different nonprofit Boards of Directors in board development, creating and initially implementing strategic plans.

#### **Lecturer: Communication Arts 2002; 2004 to 2007**

Feature Writing, Writing for Broadcast, Advanced Public Speaking  
Salisbury University (SU) Salisbury, MD

## Maureen McNeill

507C South Boulevard  
Salisbury, Maryland 21801

410.603.0384  
[m\\_e\\_mcneill@hotmail.com](mailto:m_e_mcneill@hotmail.com)

### **Director, Corporate and Foundation Relations** 1998 to 2004

Salisbury University (SU) Salisbury, MD

- Wrote successful grant proposals and negotiated roughly \$2.4 million in endowment and capital gifts and an estimated \$1 million in operating funds for programs and scholarships.
- Led teams of faculty, staff, board members, community leaders and students to develop proposals – from budget development to measurable outcomes
- Created and led partnership of outreach organizations in creating a \$1.6 million endowment.

### **Free-lance Writer/Producer** 1990 to 1998

- Eastern Shore Correspondent for the Baltimore *Sun* and Maryland Public Television (MPT)
- Emmy nomination: "Poverty in Maryland: Breaking the Cycle" for MPT. June 1996.
- Finalist: Outstanding Achievement in the International Competition for Television, Film and Video Communication. "Poverty in Maryland." New York Festivals. 1995.
- Part-time member of Public Relations team at Salisbury University, producing Admissions view-book and Career Services brochure and contributing to annual reports, newsletters and other publications.

**Managing Editor, Assignment Editor** 1988 to 1990, 1985 to 1988, respectively  
WBOC-TV Salisbury, MD

**Editor** 1983 to 1985

*The Salisbury News & Advertiser* (No longer in publication) Salisbury, MD

### **EDUCATION**

**Bachelor of Arts, cum laude**, The Catholic University of America. English Literature 1979

### **COMMUNITY SERVICE**

**Secretary**, Lower Shore Land Trust, present

**Secretary**, Wicomico County Commission for Women, 2013, 2014

**Secretary**, Women's Fund, Community Foundation of the Eastern Shore, 2012 to present

**Editorial Board Member**, The Daily Times, 2014

**Board Member**, Kids of Honor 2004 to 2009, 2013 to present

**Legislative Committee**, Hospice & Palliative Care Network of Maryland 2012 to present

**Member, Board of Directors**, Center for Conflict Resolution, Salisbury University 2004

**Secretary, School Board**, St. Francis de Sales School. Three-year term 2002 to 2005

**President, Home School Association**, (equivalent of PTA), St. Francis de Sales School 2002

**Secretary, Home School Association**, St. Francis de Sales School 1997 to 2002

**Board Member**, Life Crisis Center Mid to late 1980s

### **REFERENCES**

"She embodies a 'here to serve' attitude. Maureen is a role model to others in her professionalism and demeanor. She fosters good relationships on behalf of Coastal Hospice." Alane K. Capen, President, Coastal Hospice & Palliative Care, 410.742.8732

"I couldn't ask for a better collaborator and communicator than Maureen McNeill. I value her clear thinking and analysis and her creative flair as a writer." Mark Sasscer, CEO at Leadquest Consulting, LLC, 443.664.2474

"Maureen's excellent communication and interpersonal skills allowed her to build and nourish community relationships with confidence and ease." Sonya M. Sperry, Legislative Assistant, Rep. William R. Keating (D-MA), 202.731.1374

# City of Salisbury



JAMES IRETON JR.  
MAYOR

TOM STEVENSON  
CITY ADMINISTRATOR



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



BARBARA DUNCAN  
CHIEF OF POLICE

February 3, 2015

TO: Tom Stevenson  
City Administrator

FROM: Colonel David Meienschein

SUBJECT: Resolution

Attached, please find a Resolution to authorize the Chief of Police to sign an MOU and accept funds from the United States Marshals Service for the reimbursement of overtime salary costs for two SPD Warrant Squad Officers to conduct joint law enforcement operations investigating, arresting and prosecuting persons who have active state and federal warrants for their arrest. These operations are in support of the Safe Streets mission. Grant funding will not exceed \$30,000.00.

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

A handwritten signature in black ink, appearing to read "David Meienschein". The signature is fluid and cursive, with a long, sweeping underline.

David Meienschein  
Assistant Chief of Police

Attachment

1 RESOLUTION NO. 2483

2  
3 A RESOLUTION OF THE CITY OF SALISBURY, MARYLAND  
4 ACCEPTING OVERTIME REIMBURSEMENT FUNDING FROM THE UNITED  
5 STATES MARSHALS SERVICE (USMS) FOR THE SALISBURY POLICE  
6 DEPARTMENT’S OFFICERS ASSIGNED TO THE CAPITAL AREA REGIONAL  
7 FUGITIVE TASK FORCE.

8  
9 WHEREAS, the United States Marshals Service has funding available for the  
10 purpose of reimbursement of overtime salary costs for two Salisbury Police Officers  
11 conducting joint law enforcement operations for the investigation and arrest of persons  
12 with active warrants; and

13  
14 WHEREAS, the intent of the joint effort is to investigate and apprehend local,  
15 state and federal fugitives primarily wanted for but not limited to: violent crimes against  
16 persons, weapons offenses, felony drug offenses and failure to register as a sex offender.  
17 The participate in the effort improves public safety and reduces violent crime in the City  
18 of Salisbury and Wicomico County in support of the Safe Streets mission; and

19  
20 WHEREAS, the Chief of Police is authorized to sign an MOU and enter into a  
21 cooperative effort between the United States Marshals Service and the Salisbury Police  
22 Department that will provide a safer environment and improve the quality of life for the  
23 citizens of the City of Salisbury and Wicomico County.

24  
25 NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE  
26 CITY OF SALISBURY, MARYLAND that this funding, not to exceed \$30,000.00  
27 (thirty thousand dollars), be accepted and used for the reimbursement of overtime salary  
28 costs related to the investigation, arrest and prosecution of persons who are wanted on  
29 outstanding warrants.

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

34  
35 ATTEST:

36  
37  
38 \_\_\_\_\_  
39 Kimberly R. Nichols  
40 City Clerk

\_\_\_\_\_

Jacob R. Day  
Salisbury City Council

41  
42 APPROVED BY ME THIS:

43  
44 \_\_\_\_\_ Day of \_\_\_\_\_, 2015

45  
46  
47 \_\_\_\_\_  
48 James Ireton Jr, Mayor

# Office of Community Development

## MEMO

---

**To: Tom Stevenson**

**From: Deborah Stam**

**Subject: Resolution to Define, Preserve and Maintain the Stormwater Conservation Area for the Salisbury Skatepark**

**Date: February 5, 2015**

---

As required by State of Maryland regulations, a Stormwater Management Plan has been developed for the Salisbury Skatepark. This plan includes a conservation area as shown on the attached map, which is to be preserved and maintained to deal with any stormwater runoff that may be generated by the Skatepark.

Maryland Stormwater regulations require that an enduring agreement be created to safeguard this Stormwater Conservation Area in order to ensure that it is protected and maintained in perpetuity for the life of the Skatepark.

Attached is a Resolution to define, preserve and maintain the Stormwater Conservation Area for the Salisbury Skatepark. Please forward this Resolution to the City Council so that it may be placed on their agenda for the meeting on March 9, 2015.



Deborah J. Stam  
Community Development Director

Attachments

CC: Amanda Pollack  
Rick Baldwin  
Ginny Hussey



1  
2 **RESOLUTION NO. 2484**  
3  
4

5 A RESOLUTION OF THE CITY OF SALISBURY, MARYLAND, TO DEFINE,  
6 PRESERVE AND MAINTAIN THE STORMWATER CONSERVATION AREA FOR THE  
7 SALISBURY SKATEPARK.  
8

9 WHEREAS, the Council of the City of Salisbury recognizes the important role that our  
10 local parks, playgrounds and recreational areas play in maintaining a healthy, pleasant, attractive  
11 environment for the enjoyment of our local residents; and,  
12

13 WHEREAS, the Council wishes to rehabilitate, improve and expand the parks,  
14 playgrounds and recreational areas within the City of Salisbury in order to improve the quality of  
15 life for all citizens; and,  
16

17 WHEREAS, the Maryland Department of Natural Resources has awarded a Community  
18 Parks and Playgrounds (CP&P) grant to the City for Phase 1 of the Salisbury Skatepark; and,  
19

20 WHEREAS, a Stormwater Management Plan has been developed for the Salisbury  
21 Skatepark, which includes a conservation area as shown on the attached map, to be preserved  
22 and maintained for any stormwater runoff which may be generated by the Skatepark; and,  
23

24 WHEREAS, Maryland Stormwater regulations require an enduring agreement to  
25 safeguard this Stormwater Conservation Area to ensure that it is protected and maintained in  
26 perpetuity for the life of the Skatepark.  
27

28 NOW, THEREFORE, BE IT RESOLVED, on this 9<sup>th</sup> day of March, 2015, that the City  
29 of Salisbury, Maryland, does hereby decree that the Stormwater Conservation Area for the  
30 Salisbury Skatepark will be designated on all necessary plans, marked by signs, and protected  
31 and perpetually maintained for the life of the Skatepark.  
32

33 THE ABOVE RESOLUTION, was introduced and duly passed at a meeting of the  
34 Council of the City of Salisbury held on March 9, 2015, and is to become effective immediately.  
35  
36  
37

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

\_\_\_\_\_   
Jacob R. Day  
COUNCIL PRESIDENT

42  
43 APPROVED BY ME THIS  
44

45 \_\_\_\_\_ day of March 2015.  
46  
47  
48

49 \_\_\_\_\_  
50 James Ireton, Jr.  
51 MAYOR

# Office of Community Development

## MEMO

---

**To: Tom Stevenson**

**From: Deborah Stam**

**Subject: Resolution To Accept FFY 2014 Emergency Solutions Grants (ESG) Program Funds for Homeless Service Providers from the Maryland Department of Housing and Community Development (DHCD)**

**Date: February 20, 2015**

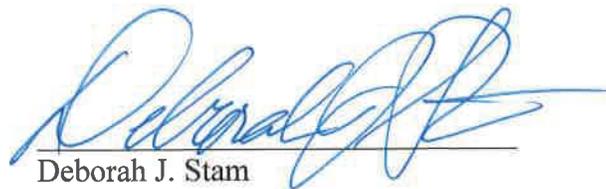
---

Attached is a copy of the cover letter from the Maryland Department of Housing and Community Development (DHCD) for the FFY 2014 Emergency Solutions Grants Program (ESG) grant agreements. We have been awarded \$131,813 in ESG funding for the following homeless service providers / programs:

<u>Service Provider</u>	<u>ESG Funding Amount</u>
Diakonia	\$83,250
Village of Hope	\$22,313
Samaritan Ministries	\$26,250

This funding will be utilized to support the homeless assistance programs being provided by the agencies listed above. I have also attached the "Exhibit A" form for each agency which shows the activity categories for which they have received ESG funding. The City does not have any funding match requirements.

Also attached is a Resolution accepting these ESG funds which have been awarded to the City of Salisbury. Please forward this Resolution to the City Council so that it may be placed on their agenda for the meeting on March 9, 2015.



Deborah J. Stam  
Community Development Director

Attachments  
CC: Ginny Hussey



Lawrence J. Hogan Jr.  
GOVERNOR

Boyd K. Rutherford  
LT. GOVERNOR

February 4, 2015

Ms. Deborah Stam  
Director of Community Development  
City of Salisbury  
125 N. Division Street  
Salisbury, MD 21801

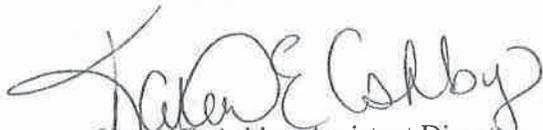
Dear Ms. Stam:

Enclosed is the fully executed FFY 2014 Grant Agreement for the U.S. Department of Housing and Community Development (HUD) Emergency Solutions Grants Program (ESG), under which the City of Salisbury has been awarded \$131,813 by the Department of Housing and Community Development (DHCD). The grantee number is 15ESG-17-2014. The CDFA Number is 14.231. This funding will support homeless assistance administered by the following service providers. This agreement includes funding provided by the State of Maryland, under the State's ESG:

<u>Service Provider</u>	<u>ESG Funding</u>
Village of Hope	\$22,313
Samaritan Ministries, Inc.	\$26,250
Diakonia	\$83,250

Please contact me at (410) 514-7289 or via email at [karen.ashby@maryland.gov](mailto:karen.ashby@maryland.gov) if you have any questions about the grant agreement, or other aspects of the Program.

Sincerely,

  
Karen E. Ashby, Assistant Director  
Office of Community Programs

Enclosure



EXHIBIT A - FFY 14  
 Grantee: Salisbury, City of  
 Provider: Diakonia, Inc.

Total ESG Award: 83,250  
 ESG State Award: \$54,112.50  
 ESG Federal Award: \$29,137.50

ESG Activity	Project Award - Federal	Project Award - State	Total Federal and State
Client Services			
Essential Services	\$13,687.50	\$21,112.50	\$34,800.00
HMIS	\$0.00	\$1,000.00	\$1,000.00
Homeless Prevention	\$0.00	\$20,000.00	\$20,000.00
Maintenance and Operations	\$15,450.00	\$0.00	\$15,450.00
Outreach	\$0.00	\$0.00	\$0.00
Rapid ReHousing	\$0.00	\$12,000.00	\$12,000.00
Shared Administrative Costs	\$0.00	\$0.00	\$0.00
<b>TOTAL</b>	<b>\$29,137.50</b>	<b>\$54,112.50</b>	<b>\$83,250.00</b>

**Project Description: To provide general maintenance and operating costs; transition to permanent housing funds, wages and benefits for case management staff costs, funding for homeless prevention and rapid rehousing; and administrative costs.**

**EXHIBIT A - FFY 14**

**Grantee: Salisbury, City of**

**Provider: Samaritan Ministries, Inc.**

ESG Total Award: \$26,250

ESG State Award: \$17,062.50

ESG Federal Award: \$9,187.50

<b>ESG Activity</b>	<b>Project Award - Federal</b>	<b>Project Award - State</b>	<b>Total Federal and State</b>
Client Services			
Essential Services	\$1,000.00	\$1,000.00	\$2,000.00
HMIS	\$0.00	\$0.00	\$0.00
Homeless Prevention	\$0.00	\$0.00	\$0.00
Maintenance and Operations	\$8,187.50	\$16,062.50	\$24,250.00
Outreach	\$0.00	\$0.00	\$0.00
Rapid ReHousing	\$0.00	\$0.00	\$0.00
Shared Administrative Costs	\$0.00	\$0.00	\$0.00
<b>TOTAL</b>	<b>\$9,187.50</b>	<b>\$17,062.50</b>	<b>\$26,250.00</b>

**Project Description: To provide general maintenance and operating costs; transition to permanent housing funds, wages and benefits for case management staff costs, funding for homeless prevention and rapid rehousing; and administrative costs.**

EXHIBIT A - FFY 14  
 Grantee: Salisbury, City of  
 Provider: Village of Hope

Total ESG Award: \$22,313.00  
 ESG State Award: \$14,503.45  
 ESG Federal Award: \$7,809.55

ESG Activity	Project Award - Federal	Project Award - State	Total Federal and State
Client Services			
Essential Services	\$0.00	\$0.00	\$0.00
HMIS	\$0.00	\$0.00	\$0.00
Homeless Prevention	\$0.00	\$0.00	\$0.00
Maintenance and Operations	\$7,809.55	\$14,503.45	\$22,313.00
Outreach	\$0.00	\$0.00	\$0.00
Rapid ReHousing	\$0.00	\$0.00	\$0.00
Shared Administrative Costs	\$0.00	\$0.00	\$0.00
<b>TOTAL</b>	<b>\$7,809.55</b>	<b>\$14,503.45</b>	<b>\$22,313.00</b>

**Project Description:** To provide general maintenance and operating costs; transition to permanent housing funds, wages and benefits for case management staff costs, funding for homeless prevention and rapid rehousing; and administrative costs.

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**RESOLUTION NO. 2485**

A RESOLUTION OF THE CITY OF SALISBURY, MARYLAND ACCEPTING FUNDS AWARDED THROUGH A GRANT FROM THE DEPARTMENT OF HOUSING & COMMUNITY DEVELOPMENT – EMERGENCY SOLUTIONS GRANT PROGRAM.

WHEREAS, the City of Salisbury applied for FFY 2014 grant funding through the Emergency Solutions Grant (ESG) Program application submitted to the Maryland Department of Housing and Community Development (DHCD); and

WHEREAS, the City of Salisbury applied for ESG funding on behalf of three providers of services to homeless residents of the City of Salisbury; and

WHEREAS, a grant in the amount of **\$131,813** was awarded to the City of Salisbury for the following providers / programs;

<u>Service Provider</u>	<u>ESG Funding Amount</u>
Diakonia	\$83,250
Village of Hope	\$22,313
Samaritan Ministries	\$26,250

NOW, THEREFORE, BE IT RESOLVED THAT, the Council of the City of Salisbury, Maryland does hereby accept the ESG funds awarded from DHCD in the amount outlined above; and

BE IT FURTHER RESOLVED THAT, Mayor James Ireton, Jr. is authorized and empowered to execute any and all documents required for receipt of said funds.

THE ABOVE RESOLUTION was introduced and duly passed at a meeting of the Council of the City of Salisbury, Maryland held on March 9, 2015, and is to become effective immediately.

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

\_\_\_\_\_  
Jacob R. Day  
COUNCIL PRESIDENT

APPROVED BY ME THIS

\_\_\_\_\_ day of March, 2015

\_\_\_\_\_  
James Ireton, Jr.  
Mayor



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 ~~d~~ 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:

114  
115 \_\_\_\_\_  
116 Kimberly R. Nichols, City Clerk

115 \_\_\_\_\_  
116 Jacob R. Day, City Council President

117  
118  
119  
120 Approved by me, this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

121  
122  
123 \_\_\_\_\_  
124 James Ireton, Jr.,  
125 Mayor

126  
127

# City of Salisbury



**MARYLAND**



JAMES IRETON, JR.  
MAYOR

M. THOMAS STEVENSON, JR.  
CITY ADMINISTRATOR

TERENCE ARRINGTON  
ASSISTANT CITY ADMINISTRATOR

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

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

To: Tom Stevenson, City Administrator  
From: Mike Moulds, Director of Public Works  
Date: January 9, 2015  
Re: Stormwater Utility Fee Structure

---

The Stormwater Utility has been created, effective July 1, 2015. The City needs to establish the fee structure for the utility. Once the fee has been established, sample invoices will be sent to all properties prior to the actual invoice being issued.

The City of Salisbury is comprised of 12,093 parcels, of which 7,094 are single family residential and 4,999 are non-single family residential. Public Works contracted with the University of Maryland Environmental Finance Center (EFC) to perform a Feasibility Study for the Stormwater Utility. As part of that study, EFC determined that the average impervious area on a single family residential parcel is 3,344 square feet. This value is the basis for establishing equivalent residential unit rates.

Additionally, Public Works contracted with the Eastern Shore Regional GIS Cooperative (ESRGC) at Salisbury University to develop the impervious area calculations for each non-single family residential parcel for the basis of the individual property fee assessment. ESRGC found that of the 4,999 non-single family residential parcels, 3,635 had less than 3,344 square feet of impervious surface, and therefore will be billed for one Equivalent Residential Unit (ERU). The other 1,364 parcels have ERU values ranging from 2 to 628. The total number of ERU from those 1,364 parcels is 19,196 ERU.

The EFC report recommended a fee of \$40/ERU with a standalone Stormwater Department. Since the Stormwater Utility has been created as part of Public Works, the fee recommendation has been reduced to \$20/ERU.

The attached table shows the projects from the Capital Improvements Plan from FY16 thru FY20. The table also identifies other Stormwater Utility expenditures, such as the Street Sweeping

program and replacement of aging stormwater mains and inlets. The analysis factors in using bond monies for large infrastructure projects as noted in the CIP, as well as assumptions for grant funding. With those funding sources accounted for, the average annual fee per ERU to be able to complete the CIP is projected to be \$23.45. This is in line with the proposed \$20/ERU fee.

At a rate of \$20/ERU, the revenue projections are as follows:

	# of Parcels	# of ERU	Annual Revenue
Residential (Single Family) Parcels	7,094	7,094	\$ 141,880.00
Non-Single Family Parcels at 1 ERU	3,635	3,635	\$ 72,700.00
Non-Single Family Parcels at >1 ERU	1,364	19,196	\$ 383,920.00
<b>TOTAL</b>	<b>12,093</b>	<b>29,925</b>	<b>\$ 598,500.00</b>

The revenue projections do not account for possible credits due to stormwater best management practices. The credits will be evaluated based on applications over the course of the first year (FY16) and will be factored in to the fee recommendation for FY17.

The bills for non-single family parcels with greater than 1 ERU range from \$40 to \$12,560, with the average bill being \$281.

In summary, Public Works recommends setting the FY16 Stormwater Utility fee at \$20/ERU. This will allow us to accomplish CIP projects, as well as fund the street sweeping program. Unless you or the Mayor have further questions, please forward a copy of this memo to the City Council.

**ORDINANCE NO. 2315**

AN ORDINANCE OF THE CITY OF SALISBURY SETTING THE STORMWATER UTILITY FEE IN ACCORDANCE WITH CHAPTER 13.30 OF THE CITY CODE.

WHEREAS, the City established the Stormwater Utility in Chapter 13.30 of the City Code by passage of Ordinance No. 2306 on November 26, 2014; and

WHEREAS, the Code defines the Stormwater Utility Fee to fund the cost of operating, maintaining and improving the Stormwater System in the City; and

WHEREAS, the Stormwater Utility Fee is charged on an Equivalent Residential Unit (ERU) Rate; and

WHEREAS, Chapter 13.30.050 requires the City to establish the annual Equivalent Residential Unit Rate; and

WHEREAS, the Director of Public Works provided the City Council with a recommendation of the proposed annual Equivalent Residential Unit Rate at the February 2, 2015 City Council meeting; and

WHEREAS, the Director of Public Works has made a diligent effort to notify as many individuals and organizations as practicable that may be potentially impacted by the fee.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SALISBURY, MARYLAND that the annual Equivalent Residential Unit Rate of \$20 per Equivalent Residential Unit calculated pursuant to the attached memorandum from the Director of Public Works, dated January 9, 2015, and its attachments, is approved as of July 1, 2015.

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  
Salisbury City Council

Approved by me this \_\_\_ day of \_\_\_\_\_, 2015

\_\_\_\_\_  
James Ireton, Jr. Mayor

**Stormwater Utility Calculation - Fee Analysis**

<b>Total Parcels within City Boundary:</b>	<b>12,093</b>
Total Single Family Residential Parcels:	7,094
Total Non-Single Family Parcels	4,999

ERU (sq ft)	3,344
Annual Fee per ERU	\$ 20.00

	# of Parcels	# of ERU	Annual Revenue	Revenue (\$/parcel)
Residential (Single Family) Parcels	7,094	7,094	\$ 141,880.00	\$ 20.00
Non-Single Family Parcels at 1 ERU	3,635	3,635	\$ 72,700.00	\$ 20.00
Non-Single Family Parcels at >1 ERU	1,364	19,196	\$ 383,920.00	\$ 281.47
<b>TOTAL</b>	<b>12,093</b>	<b>29,925</b>	<b>\$ 598,500.00</b>	

Stormwater Utility Calculation - Fee Analysis

Total Number of ERU 29,925

<b>Fund CIP in total (no grants or bonded debt)</b>							
<b>Capital Improvements Plan</b>	<b>CIP #</b>	<b>FY16</b>	<b>FY17</b>	<b>FY18</b>	<b>FY19</b>	<b>FY20</b>	<b>Total</b>
East Main St Storm Drain	PW0020	\$ 350,200	\$ -	\$ -	\$ -	\$ -	\$ 350,200
Beaverdam Creek Tidal Dam Repair	PW0026	\$ 1,236,000	\$ -	\$ -	\$ -	\$ -	\$ 1,236,000
Germania Circle Regional Storm Drain	PW0032	\$ 875,000	\$ 200,000	\$ -	\$ -	\$ -	\$ 1,075,000
Main Street Storm Drain Burnett-White	PW0035	\$ -	\$ 36,050	\$ 123,600	\$ -	\$ -	\$ 159,650
Citywide Inlet Hoods	PW0036	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 50,000
Total Maximum Daily Load Compliance Schedule	PW0051	\$ 400,000	\$ 500,000	\$ 500,000	\$ 500,000	\$ 500,000	\$ 2,400,000
Johnson Lake Dam Improvements	PW0052	\$ 206,000	\$ -	\$ -	\$ -	\$ -	\$ 206,000
Beaglin Park Dam Improvements	PW0054	\$ -	\$ 20,600	\$ 154,500	\$ -	\$ -	\$ 175,100
Comprehensive ESD at City Yard	PW0055	\$ 68,000	\$ -	\$ -	\$ -	\$ -	\$ 68,000
Street Sweeping	n/a	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 1,000,000
Replace existing pipes and inlets	n/a	\$ 75,000	\$ 75,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 450,000
<b>Fiscal Year Total</b>		<b>\$ 3,420,200</b>	<b>\$ 1,041,650</b>	<b>\$ 1,088,100</b>	<b>\$ 810,000</b>	<b>\$ 810,000</b>	<b>\$ 7,169,950</b>
Annual Fee per ERU		\$ 114.29	\$ 34.81	\$ 36.36	\$ 27.07	\$ 27.07	\$ 47.92

Average

<b>Fund CIP (deduct grant assumptions only)</b>							
<b>Capital Improvements Plan</b>	<b>CIP #</b>	<b>FY16</b>	<b>FY17</b>	<b>FY18</b>	<b>FY19</b>	<b>FY20</b>	<b>Total</b>
East Main St Storm Drain	PW0020	\$ 350,200	\$ -	\$ -	\$ -	\$ -	\$ 350,200
Beaverdam Creek Tidal Dam Repair	PW0026	\$ 1,136,000	\$ -	\$ -	\$ -	\$ -	\$ 1,136,000
Germania Circle Regional Storm Drain	PW0032	\$ 218,750	\$ 200,000	\$ -	\$ -	\$ -	\$ 418,750
Main Street Storm Drain Burnett-White	PW0035	\$ -	\$ 36,050	\$ 123,600	\$ -	\$ -	\$ 159,650
Citywide Inlet Hoods	PW0036	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 50,000
Total Maximum Daily Load Compliance Schedule	PW0051	\$ 200,000	\$ 250,000	\$ 250,000	\$ 250,000	\$ 250,000	\$ 1,200,000
Johnson Lake Dam Improvements	PW0052	\$ 206,000	\$ -	\$ -	\$ -	\$ -	\$ 206,000
Beaglin Park Dam Improvements	PW0054	\$ -	\$ 20,600	\$ 154,500	\$ -	\$ -	\$ 175,100
Comprehensive ESD at City Yard	PW0055	\$ 68,000	\$ -	\$ -	\$ -	\$ -	\$ 68,000
Street Sweeping	n/a	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 1,000,000
Replace existing pipes and inlets	n/a	\$ 75,000	\$ 75,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 450,000
<b>Fiscal Year Total</b>		<b>\$ 2,463,950</b>	<b>\$ 791,650</b>	<b>\$ 838,100</b>	<b>\$ 560,000</b>	<b>\$ 560,000</b>	<b>\$ 5,213,700</b>
Annual Fee per ERU		\$ 82.34	\$ 26.45	\$ 28.01	\$ 18.71	\$ 18.71	\$ 34.85

Average

<b>Fund CIP (deduct bonded debt and grant assumptions)</b>							
<b>Capital Improvements Plan</b>	<b>CIP #</b>	<b>FY16</b>	<b>FY17</b>	<b>FY18</b>	<b>FY19</b>	<b>FY20</b>	<b>Total</b>
East Main St Storm Drain	PW0020	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Beaverdam Creek Tidal Dam Repair	PW0026	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Germania Circle Regional Storm Drain	PW0032	\$ -	\$ 200,000	\$ -	\$ -	\$ -	\$ 200,000
Main Street Storm Drain Burnett-White	PW0035	\$ -	\$ 36,050	\$ 123,600	\$ -	\$ -	\$ 159,650
Citywide Inlet Hoods	PW0036	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 50,000
Total Maximum Daily Load Compliance Schedule	PW0051	\$ 200,000	\$ 250,000	\$ 250,000	\$ 250,000	\$ 250,000	\$ 1,200,000
Johnson Lake Dam Improvements	PW0052	\$ 206,000	\$ -	\$ -	\$ -	\$ -	\$ 206,000
Beaglin Park Dam Improvements	PW0054	\$ -	\$ 20,600	\$ 154,500	\$ -	\$ -	\$ 175,100
Comprehensive ESD at City Yard	PW0055	\$ 68,000	\$ -	\$ -	\$ -	\$ -	\$ 68,000
Street Sweeping	n/a	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 1,000,000
Replace existing pipes and inlets	n/a	\$ 75,000	\$ 75,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 450,000
<b>Fiscal Year Total</b>		<b>\$ 759,000</b>	<b>\$ 791,650</b>	<b>\$ 838,100</b>	<b>\$ 560,000</b>	<b>\$ 560,000</b>	<b>\$ 3,508,750</b>
<b>Annual Fee per ERU</b>		<b>\$ 25.36</b>	<b>\$ 26.45</b>	<b>\$ 28.01</b>	<b>\$ 18.71</b>	<b>\$ 18.71</b>	<b>\$ 23.45</b>

Average

ORDINANCE NO. 2316

AN ORDINANCE OF THE CITY OF SALISBURY, MARYLAND AUTHORIZING AN AMENDMENT OF THE FY 15 GENERAL FUND BUDGET TO AUTHORIZE SALISBURY POLICE DEPARTMENT TO PURCHASE SERVICES PROVIDED BY THE PREDICTIVE POLICING COMPANY, PREDPOLE. THE TERMS OF THE CONTRACT ARE (1) ONE YEAR AT A COST OF \$15,000.00. AN ADDITIONAL ONE TIME \$3,500.00 SETUP FEE IS REQUIRED FOR A TOTAL COST OF \$18,500.00. THE CONTRACT IS AUTOMATICALLY RENEWABLE ANNUALLY; HOWEVER, EITHER PARTY WITH 30 DAYS NOTICE MAY CANCEL IT ANYTIME.

WHEREAS, PREDPOLE occupies a unique place in the field of predictive policing as it complements our combination of multiple deployment strategies, and analytical tools and has an established track record of successful deployments in cities large and small; and

WHEREAS, PREDPOLE will utilize crime data provided through Computer Aided Dispatch, CAD, and Uniform Crime Reporting, UCR, Algorithm development to calculate data into a reliable predictor of the probable location of criminal activity; and

WHEREAS, data can be analyzed and pushed to police officers in the field as an electronic or written report or map in order to get real time crime predictive information; and

WHEREAS, PREDPOLE provides enhanced information to direct police officers to those areas for which criminal activity is predicted to occur with the hope of reducing criminal activity, reducing the psychological costs of victimization, and reducing monetary cost to private, and public sectors. Agencies currently utilizing this technology have experienced a 5%-15% reduction in criminal activity.

WHEREAS, cost for the first year of service will be \$15,000.00 with a \$3,500.00 setup fee. Total cost \$18,500.00.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SALISBURY, MARYLAND, that the City's Fiscal Year 2015 General Fund Budget, Speed Camera sub-account be amended as follows:

- 1) Increase General Fund Revenue by \$18,500.00
- 2) Increase the Police Department budget by \$18,500.00

THIS ORDINANCE was introduced and read at a meeting of the Council of the City of Salisbury held on this 23 day of February, 2015, and therefore, 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.

48 ATTEST:

49

50

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

53

54

55 APPROVED BY ME THIS:

56

57 \_\_\_\_\_ Day of \_\_\_\_\_, 2015

58

59

60 \_\_\_\_\_

James Ireton Jr, Mayor

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

# City of Salisbury



MARYLAND

Salisbury



2010

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

KEITH A. CORDREY  
DIRECTOR OF INTERNAL SERVICES

JAMES IRETON, JR.  
MAYOR

TOM STEVENSON  
CITY ADMINISTRATOR

**To:** Tom Stevenson, City Administrator  
**From:** Keith Cordrey, Director of Internal Services  
**Date:** Feb 24 2015  
**Re:** 2003 CDA Bond Reallocation

---

Please find attached an Ordinance which reallocates proceeds from the 2003 CDA Bond proceeds for the purpose of the following projects: (i) City Park Tennis Lighting Improvements and (ii) Marina Signage and Fence Improvements.

If you have no additional questions, please forward this ordinance to Council.

Ordinance No. 2317

1  
2  
3 AN ORDINANCE OF THE COUNCIL OF THE CITY OF SALISBURY (THE "COUNCIL")  
4 ENTITLED AN ORDINANCE AMENDING AND SUPPLEMENTING ORDINANCE NO. 1870,  
5 PASSED BY THE COUNCIL ON JANUARY 27, 2003, APPROVED BY THE MAYOR ON  
6 FEBRUARY 3, 2003 AND EFFECTIVE ON FEBRUARY 3, 2003, AS AMENDED BY  
7 ORDINANCE NO. 1888, PASSED BY THE COUNCIL ON DECEMBER 22, 2003, APPROVED  
8 BY THE MAYOR ON JANUARY 5, 2004 AND EFFECTIVE ON JANUARY 5, 2004, AND AS  
9 FURTHER AMENDED BY ORDINANCE NO. 2081, PASSED BY THE COUNCIL ON  
10 AUGUST 10, 2009, APPROVED BY THE MAYOR ON AUGUST 10, 2009 AND EFFECTIVE  
11 ON AUGUST 10, 2009, IN ORDER TO AUTHORIZE AND EMPOWER CITY OF SALISBURY  
12 (THE "CITY") TO USE AND APPLY A PORTION OF THE PROCEEDS OF THE \$5,614,000  
13 THE CITY OF SALISBURY INFRASTRUCTURE BOND, 2003 SERIES A ISSUED ON JUNE  
14 18, 2003 (THE "2003 BOND") AND HELD BY THE TRUSTEE FOR CERTAIN BONDS OF  
15 THE COMMUNITY DEVELOPMENT ADMINISTRATION IDENTIFIED HEREIN FOR THE  
16 PUBLIC PURPOSE OF FUNDING COSTS OF CERTAIN PROJECTS IDENTIFIED AS  
17 FOLLOWS: (I) CITY PARK TENNIS COURT LIGHTING IMPROVEMENTS AND (II)  
18 MARINA SIGNAGE AND FENCE IMPROVEMENTS, IN ADDITION TO THE PROJECTS  
19 IDENTIFIED IN ORDINANCE NO. 1870, AS AMENDED BY ORDINANCE NO. 1888 AND  
20 ORDINANCE NO. 2081; AUTHORIZING AND DIRECTING OFFICIALS OF THE CITY TO  
21 APPROVE, EXECUTE AND DELIVER AMENDMENTS, MODIFICATIONS OR  
22 SUPPLEMENTS TO CERTAIN DOCUMENTS, AGREEMENTS, CERTIFICATES AND  
23 INSTRUMENTS EXECUTED AND DELIVERED IN CONNECTION WITH THE ISSUANCE  
24 OF THE 2003 BOND OR THE \$4,828,000 CITY OF SALISBURY PUBLIC IMPROVEMENTS  
25 REFUNDING BOND, SERIES 2011B BOND (THE "2011B BOND"), PROCEEDS OF WHICH  
26 WERE APPLIED TO REFUND AND REDEEM THE 2003 BOND, AND SUCH ADDITIONAL  
27 DOCUMENTS, AGREEMENTS, CERTIFICATES OR INSTRUMENTS AS MAY BE  
28 NECESSARY OR DESIRABLE IN ORDER TO REFLECT OR EFFECTUATE MATTERS  
29 PROVIDED FOR IN THIS ORDINANCE; PROVIDING THAT THE PROVISIONS OF THIS  
30 ORDINANCE SHALL BE LIBERALLY CONSTRUED; PROVIDING THAT THIS TITLE IS A  
31 FAIR STATEMENT OF THE SUBSTANCE OF THIS ORDINANCE; AND OTHERWISE  
32 GENERALLY RELATING TO THE USE OF PROCEEDS OF THE 2003 BOND AND THE  
33 2011B BOND.

34  
35 RECITALS

36 WHEREAS, City of Salisbury (the "Issuer" or the "City") is a municipal corporation of the  
37 State of Maryland organized and operating under a charter (the "Charter") adopted in accordance  
38 with Article XI-E of the Constitution of Maryland and Article 23A of the Annotated Code of  
39 Maryland, as amended (now codified in the Local Government Article of the Annotated Code of  
40 Maryland, as amended); and

41  
42 WHEREAS, pursuant to Ordinance No. 1870, passed by the Council of the Issuer (the  
43 "Council") on January 27, 2003, approved by the Mayor of the Issuer (the "Mayor") on February 3,  
44 2003 and effective on February 3, 2003 ("Ordinance No. 1870") and the authority of Subtitle 2 of  
45 Title 2 of Article 83B of the Annotated Code of Maryland (now codified at Subtitle 2 of Title 4 of

46 the Housing and Community Development Article of the Maryland Code, and as amended, the  
47 “Act”), the Issuer on June 18, 2003 issued its The City of Salisbury Infrastructure Bond, 2003 Series  
48 A in the aggregate principal amount of \$5,614,000 (the “2003 Bond”) in order to provide a portion  
49 of funds needed for costs of certain projects identified in Ordinance No. 1870, issuance costs, bond  
50 insurance premiums and other related costs (collectively, the “Original Project”); and  
51

52 WHEREAS, the 2003 Bond constitutes the “Bonds” as identified in Ordinance No. 1870  
53 and was sold to the Community Development Administration, an agency in the Division of  
54 Development Finance of the Department of Housing and Community Development, a principal  
55 department of the government of the State of Maryland (the “Administration”), in connection with  
56 the Local Government Infrastructure Financing Program of the Administration (the “Program”) in  
57 order to evidence a loan from the Administration to the Issuer to finance Development Costs of the  
58 Original Project (which is referred to in the Original Repayment Agreement identified below as the  
59 “Project”); and  
60

61 WHEREAS, the 2003 Bond, together with certain obligations of other borrowers issued to  
62 the Administration pursuant to the Program, secures the repayment of the \$14,560,000 Community  
63 Development Administration Local Government Infrastructure Bonds (Ambac Insured), 2003  
64 Series A (the “2003 Administration Bonds”); and  
65

66 WHEREAS, in connection with the issuance of the 2003 Bond to the Administration, (i) the  
67 Issuer and the Administration entered into a Repayment Agreement dated as of March 1, 2003 (the  
68 “Original Repayment Agreement”) and a Pledge Agreement dated as of March 1, 2003 (the  
69 “Original Pledge Agreement”), and (ii) the Issuer executed and delivered certain additional  
70 documents, agreements, certificates or instruments (collectively with the Original Pledge  
71 Agreement and the Original Repayment Agreement, the “Original Program Documents”),  
72 including, without limitation, a Local Government General Certificate dated June 18, 2003 (the  
73 “Original General Certificate”), which Original General Certificate, among other matters, contains  
74 certain representations and covenants of the Issuer as to the use of the proceeds of the 2003 Bond  
75 and the Original Project and as to compliance with the provisions of the Internal Revenue Code of  
76 1986, as amended and the Income Tax Regulations promulgated thereunder (collectively, the  
77 “Code”); and  
78

79 WHEREAS, pursuant to Ordinance No. 1888, passed by the Council on December 22,  
80 2003, approved by the Mayor on January 5, 2004 and effective on January 5, 2004 (“Ordinance No.  
81 1888” and, together with Ordinance No. 1870, the “2004 Amended Ordinance”), the Issuer  
82 amended Ordinance No. 1870 in order to allow proceeds of the 2003 Bond to be applied to an  
83 additional project described in Ordinance No. 1888 as the Northeast Collector Road Project (the  
84 “2004 Additional Project” and, together with the Original Project, the “2004 Modified Project”);  
85 and  
86

87 WHEREAS, although the Issuer enacted Ordinance No. 1888 to modify the definition of the  
88 Project as set forth in Ordinance No. 1870 to include the 2004 Additional Project, and proceeds of  
89 the 2003 Bond were subsequently applied to fund Development Costs of the 2004 Additional  
90 Project, the Issuer and the Administration, as applicable, did not execute and deliver amendments,

91 modifications or supplements to the 2003 Bond or the Original Program Documents in 2004 to  
92 reflect use of the 2003 Bond for such purpose; and  
93

94 WHEREAS, due to achieved costs savings with respect to 2004 Modified Project, pursuant  
95 to Ordinance No. 2081, passed by the Council on August 10, 2009, approved by the Mayor on  
96 August 10, 2009 and effective on August 10, 2009 (“Ordinance No. 2081” and, together with the  
97 2004 Amended Ordinance, the “Existing Ordinance”), the Issuer amended the 2004 Amended  
98 Ordinance in order to allow proceeds of the 2003 Bond to be applied to additional projects  
99 identified in Ordinance No. 2081 as (i) Mill Street Storm Drain Upgrade Engineering, (ii) South  
100 Baptist Street Storm Drain Construction, (iii) Northeast Collector Road Hike and Bike Trail, (iv)  
101 Circle Avenue Bridge Repair, and (v) Springfield Circle Storm Drain Repair Construction  
102 (collectively, the “2009 Additional Project” and, together with the 2004 Modified Project, the “2009  
103 Modified Project”); and  
104

105 WHEREAS, in order to allow for application of proceeds of the 2003 Bond to the 2009  
106 Additional Project, the Issuer (i) executed and delivered a Supplemental Local Government General  
107 Certificate dated August 20, 2009, supplementing the Original General Certificate (the “2009  
108 Supplemental General Certificate” and, together with the Original General Certificate, the “2009  
109 Modified General Certificate”), (ii) entered into a First Amendment and Supplement to Repayment  
110 Agreement dated as of August 1, 2009 with the Administration, amending and supplementing the  
111 Original Repayment Agreement (the “2009 Repayment Agreement Amendment” and, together with  
112 the Original Repayment Agreement, the “2009 Modified Repayment Agreement”), and (iii) entered  
113 into an Agreement to Amend The City of Salisbury Infrastructure Bond, 2003 Series A dated as of  
114 August 1, 2009 with the Administration in order to add the 2004 Additional Project and the 2009  
115 Additional Project to the list of projects set forth in the third paragraph of the bond certificate for the  
116 2003 Bond; and  
117

118 WHEREAS, the 2009 Supplemental General Certificate and the 2009 Repayment  
119 Agreement Amendment contain certain covenants, representations, certifications and agreements of  
120 the Issuer with respect to the 2004 Additional Project in addition to the 2009 Additional Project; and  
121

122 WHEREAS, on December 13, 2011, the Issuer issued its \$4,828,000 City of Salisbury  
123 Public Improvements Refunding Bond, Series 2011B (the “2011B Bond”), proceeds of which were  
124 applied, in part, to advance refund the then-outstanding principal amount of the 2003 Bond; and  
125

126 WHEREAS, as of the date of issuance of the 2011B Bond, the Issuer expected to have fully  
127 expended proceeds of the 2003 Bond prior to June 1, 2013; and  
128

129 WHEREAS, the 2003 Bond was fully redeemed and retired as of June 1, 2013 in  
130 accordance with the provisions thereof, but due to unforeseen circumstances, certain proceeds of the  
131 2003 Bond remain unexpended and are held by the trustee for the 2003 Administration Bonds (the  
132 “2003 Trustee”); and  
133

134 WHEREAS, pursuant to the provisions of the Code, the unexpended proceeds of the 2003  
135 Bond are considered “transferred proceeds” of the 2011B Bond; and  
136

137 WHEREAS, notwithstanding the prior redemption and retirement of the 2003 Bond, the  
138 Issuer has not satisfied all the Local Government Requirements as provided for and defined in the  
139 2009 Modified Repayment Agreement, and, accordingly, the Issuer must obtain the  
140 Administration’s consent and approval with regard to application of the unexpended proceeds of the  
141 2003 Bond; and  
142

143 WHEREAS, the Issuer desires to amend and supplement the Existing Ordinance in order to  
144 allow unexpended proceeds of the 2003 Bond to be applied to fund costs of certain additional  
145 projects identified as follows: (i) City Park Tennis Lighting Improvements and (ii) Marina Signage  
146 and Fence Improvements; and  
147

148 WHEREAS, accordingly, the Issuer desires to revise the description of the 2009 Modified  
149 Project as set forth in the Existing Ordinance and certain other documents, agreements, certificates  
150 and instruments executed and delivered by the Issuer in connection with the 2003 Bond or the  
151 2011B Bond and to make or ratify certain covenants, agreements and representations with respect to  
152 the use of proceeds of the 2003 Bond, the 2003 Administration Bonds and the 2011B Bond as  
153 described herein and related matters.  
154

155 SECTION 1. NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF  
156 THE CITY OF SALISBURY, MARYLAND that (a) the Recitals to this Ordinance are  
157 incorporated by reference herein and deemed a substantive part of this Ordinance. Capitalized  
158 terms used in this Ordinance and defined in the Recitals shall have the meanings given to such terms  
159 in the Recitals except as otherwise provided in this Ordinance.  
160

161 (b) References in this Ordinance to any official by title shall be deemed to refer (i) to  
162 any official authorized under the Charter of the City (the “Charter”) or other applicable law to act in  
163 such titled official’s stead during the absence or disability of such titled official, (ii) to any person  
164 who has been elected, appointed or designated to fill such position in an acting capacity under the  
165 Charter, the code of City ordinances (the “City Code”) or other applicable law, (iii) to any person  
166 who serves in a “Deputy” or “Assistant” capacity as such an official, provided that the applicable  
167 responsibilities, rights or duties referred to herein have been delegated to such deputy or assistant in  
168 accordance with applicable law or authority, and/or (iv) to the extent an identified official  
169 commonly uses another title not provided for in the Charter or the City Code, the official, however  
170 known, who is charged under the Charter, the City Code or other applicable law or authority with  
171 the applicable responsibilities, rights or duties referred to herein.  
172

173 SECTION 2. BE IT FURTHER ORDAINED that (a) from and after the effective date of  
174 this Ordinance the projects identified as follows shall be added to the description of the 2009  
175 Modified Project contained in the Existing Ordinance and proceeds of the 2003 Bond may be  
176 applied to fund Development Costs (as defined in the Original Repayment Agreement) of such  
177 additional projects in accordance with the Original Program Documents, as amended, modified or  
178 supplemented to date and as the same may be further amended, modified or supplemented as  
179 provided for herein: (i) City Park Tennis Lighting Improvements and (ii) Marina Signage and

180 Fence Improvements (collectively, the “2015 Additional Project” and, together with the 2009  
181 Modified Project, the “2015 Modified Project”). It is the intention of the Issuer that proceeds of the  
182 2003 Bond may be applied to fund any expenditures of the 2015 Additional Project that are  
183 contemplated by applicable City budgets and that are permitted by the Administration as  
184 Development Costs of the 2015 Additional Project. The Issuer, by enactment of this Ordinance,  
185 expressly acknowledges the Administration’s authority to approve expenditure of proceeds of the  
186 2003 Bond.

187  
188 (b) By undertaking the amendments to the Existing Ordinance provided for in  
189 subsection (a) of this Section 2, the Issuer is revising the definition of the “Project” as contained in  
190 Ordinance No. 1870 (referred to herein as the Original Project), as modified by the 2004 Additional  
191 Project identified in Ordinance No. 1888 and the 2009 Additional Project identified in Ordinance  
192 No. 2081, to include the 2015 Additional Project, and proceeds of the 2003 Bond may be applied to  
193 fund Development Costs of the 2015 Additional Project in addition to Development Costs of the  
194 Original Project, the 2004 Additional Project and the 2009 Additional Project as previously  
195 identified in the Existing Ordinance. From and after the effective date of this Ordinance, all  
196 references to the “Project” in the Existing Ordinance shall be deemed to include the 2015 Additional  
197 Project. From and after the effective date of this Ordinance, the provisions of this Section 2 shall  
198 amend the provisions of the Recitals of and Section 6 of Ordinance No. 1870, the provisions of  
199 Ordinance No. 1888 and the provisions of Section 2 of Ordinance No. 2081 with respect to the  
200 application of proceeds of the 2003 Bond, and it is intended that proceeds of the 2003 Bond may be  
201 applied to fund Development Costs of the 2015 Modified Project.

202  
203 (c) References in this Ordinance to the application or use of proceeds of the 2003 Bond  
204 to fund Development Costs of the 2015 Modified Project shall be construed to mean (i) for purposes  
205 of the Act, the 2009 Modified Repayment Agreement and the 2009 Modified General Certificate, as  
206 the same may be amended, modified or supplemented as provided for herein, use of such proceeds  
207 held by the 2003 Trustee to finance or reimburse Development Costs of the 2015 Modified Project  
208 and (ii) to the extent applicable for purposes of the Code, expenditure or application of such  
209 proceeds as “transferred proceeds” of the 2011B Bond.

210  
211 SECTION 3. BE IT FURTHER ORDAINED that (a) the Mayor is hereby authorized and  
212 directed to approve, execute and deliver, on behalf of the Issuer, any amendments, modifications or  
213 supplements to the 2009 Modified Repayment Agreement or the Original Pledge Agreement  
214 deemed necessary or desirable by the Administration in order to provide for or reflect the use of  
215 proceeds of the 2003 Bond to fund Development Costs of the 2015 Additional Project and related  
216 matters, including, without limitation, to modify the definition of “Project” contained therein to  
217 include the 2015 Additional Project. Any such amendments, modifications or supplements shall be  
218 in such form and shall contain such terms and conditions as shall be approved by the Mayor and  
219 acceptable to the Administration, and the execution thereof by the Mayor shall be conclusive  
220 evidence of his approval of the form and substance thereof.

221  
222 (b) The appropriate official or officials of the Issuer are hereby authorized and directed  
223 to approve, execute and deliver, on behalf of the Issuer, any amendments, modifications or  
224 supplements to the Original Program Documents, as the same may have been amended, modified or  
225 supplemented to date (other than the 2009 Modified Repayment Agreement and the Original Pledge

226 Agreement) including, without limitation, the 2009 Modified General Certificate, deemed necessary  
227 or desirable by the Administration or its counsel in order to provide for or reflect the use of proceeds  
228 of the 2003 Bond to fund Development Costs of the 2015 Modified Project and related matters,  
229 including, without limitation, to modify the definition of “Project” contained therein to include the  
230 2015 Additional Project or to provide for or ratify and confirm compliance with the provisions of  
231 the Code. Any such amendments, modifications or supplements shall be in such form and shall  
232 contain such terms and conditions as shall be approved by such appropriate official or officials and  
233 acceptable to the Administration, and the execution thereof by such appropriate official or officials  
234 shall be conclusive evidence of his, her or their approval of the form and substance thereof.  
235

236 (c) In connection with the transactions contemplated by this Ordinance, the appropriate  
237 official or officials of the Issuer are hereby authorized and directed to approve, execute and deliver,  
238 on behalf of the Issuer, any amendments, modifications or supplements to any documents,  
239 certificates or instruments executed and delivered by the Issuer in connection with the issuance of  
240 the 2011B Bond deemed necessary or desirable by bond counsel to the City.  
241

242 (d) The appropriate officials, officers and employees of the Issuer are hereby authorized  
243 and directed to do all acts and things required of them by the provisions of this Ordinance, for the  
244 full, punctual and complete performance of all of the terms, covenants and provisions of the 2009  
245 Modified Repayment Agreement, the Original Pledge Agreement, the 2009 Modified General  
246 Certificate, the 2011B Bond and the agreements, documents, certificates or instruments respectively  
247 related thereto, as the same may have been to date, or as the same may be further, amended,  
248 modified or supplemented in accordance with the provisions of this Ordinance, and to do and  
249 perform all acts and to approve, execute, seal and deliver all additional documents, agreements,  
250 certificates or instruments which may be necessary or desirable to carry out the full intent and  
251 purposes of this Ordinance, the 2009 Modified Repayment Agreement, the Original Pledge  
252 Agreement, the 2009 Modified General Certificate, the 2011B Bond and such related agreements,  
253 documents, certificates or instruments, as so amended, modified or supplemented.  
254

255 SECTION 4. BE IT FURTHER ORDAINED that the Issuer covenants with the  
256 Administration and for the benefit of the owners from time to time of the 2003 Administration  
257 Bonds and the 2011B Bond that so long as the 2003 Administration Bonds or the 2011B Bond  
258 remain outstanding and unpaid, the Issuer will not (i) make any use of the proceeds of the 2003  
259 Bond or the 2011B Bond or any moneys, securities or other obligations on deposit to the credit of  
260 the Issuer or otherwise which may be deemed by the Internal Revenue Service to be proceeds of the  
261 2003 Bond or the 2011B Bond pursuant to Section 148 of the Code which would cause the 2003  
262 Bond, the 2003 Administration Bonds or the 2011B Bond to be an “arbitrage bond” within the  
263 meaning of Section 148 of the Code, or (ii)(A) take any action, (B) fail to take any action, or (C)  
264 make any use of the proceeds of the 2003 Bond or the 2011B Bond which would cause the interest  
265 on the 2003 Bond, the 2003 Administration Bonds or the 2011B Bond to be or become includible in  
266 gross income for federal income tax purposes in the hands of the owners thereof.  
267

268 SECTION 5. BE IT FURTHER ORDAINED that as required by the Administration, prior  
269 to the passage of this Ordinance, the Issuer shall publish in a newspaper of general circulation in the  
270 jurisdiction of the Issuer a notice of the nature of the 2015 Additional Project to be funded from  
271 proceeds of the 2003 Bond, the time and place of the public hearing, and the name and address

272 where written comments may be sent, and the Issuer shall hold a public hearing on the proposed use  
273 of proceeds of the 2003 Bond to fund Development Costs of the 2015 Additional Project.  
274

275 SECTION 6. BE IT FURTHER ORDAINED that from and after the effective date of this  
276 Ordinance, the Existing Ordinance shall be deemed amended and supplemented as provided herein  
277 and all other terms and provisions of the Existing Ordinance shall remain in full force and effect.  
278

279 SECTION 7. BE IT FURTHER ORDAINED that the provisions of this Ordinance shall  
280 be liberally construed to effectuate the transactions contemplated by this Ordinance.  
281

282 SECTION 8. BE IT FURTHER ORDAINED that the title of this Ordinance shall be  
283 deemed to be, and is, a fair statement of the substance of this Ordinance for posting or publication  
284 and all other purposes.  
285

286 SECTION 9. BE IT FURTHER ORDAINED that this Ordinance shall become effective  
287 following approval by the Mayor or subsequent passage by the Council in accordance with the  
288 provisions of Section SC2-12 of the Charter. Pursuant to Charter Section SC2-16, this Ordinance  
289 shall not be subject to petition to referendum.  
290

291 THIS ORDINANCE was introduced and read at a meeting of the Council of the City of Salisbury  
292 held on the \_\_\_\_\_ day of \_\_\_\_\_, 2015,  
293 and thereafter, a statement of the substance of this Ordinance having been posted or published as  
294 required by law, was finally passed by the Council \_\_\_\_\_ [as introduced] \_\_\_\_\_ [as  
295 amended] [CHECK APPLICABLE LINE] on the \_\_\_\_\_ day of  
296 \_\_\_\_\_, 2015.  
297

298  
299 ATTEST:  
300

301 \_\_\_\_\_  
302 \_\_\_\_\_  
303 Kimberly R. Nichols, City Clerk Jacob R. Day, City Council President  
304

305  
306 APPROVED BY ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015:  
307

308  
309  
310 \_\_\_\_\_  
311 James Ireton, Jr., Mayor  
312

313 #171094;58111.029

**RESOLUTION NO. 2486**

**A RESOLUTION OF THE CITY OF SALISBURY, MARYLAND APPROVING A POLICY ON ENFORCEMENT OF OVER-OCCUPANCY PROVISIONS CHAPTER 15.24**

WHEREAS, the City’s Policy provides guidance to City Employees regarding the enforcement of the occupancy provisions in chapter 15.24 of the Property Maintenance Code; and

WHEREAS, it is in the best interest of the City that a clear policy regarding the occupancy provisions be available for the execution of the enforcement of this code section.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Salisbury hereby approves the policy attached hereto as Exhibit A.

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

ATTEST:

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

\_\_\_\_\_  
Jacob R. Day  
Salisbury City Council President

Approved by me this \_\_\_\_\_  
Day of \_\_\_\_\_ 2015

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

47  
48  
49  
50  
51  
52

53 **Policy:**

54 The purpose of this policy is to link any violation of the occupancy provisions, as referenced in  
55 the (*Property Maintenance Code, Chapter 15.24*) to the Housing Officials authority to **deny,**  
56 **revoke, suspend or not renew** a landlord's, Rental Unit Owner License or Rental Unit  
57 Registration as is required by (*Chapter 15.26, Rental of Residential Property*) and, when  
58 appropriate, to reduce the maximum allowed occupancy of a non-conforming use. The policy  
59 will ensure proper execution of the occupancy provisions set forth in this code by the housing  
60 official and all enforcement staff.

61

62 1. If an over-occupancy violation is identified, a citation for a municipal  
63 infraction is issued. If the evidence available to the City Department of  
64 Neighborhood Services and Code Compliance (NSCC) establishes, by a  
65 preponderance of the evidence, that the property owner or the designated  
66 agent of the property owner was aware of the over-occupancy of the  
67 property, the NSCC Official shall immediately proceed with the punitive  
68 measures set forth in paragraphs 3. A. through 4. If the NSCC officer does  
69 not have sufficient evidence to establish that the property owner or the  
70 designated agent was aware of the over-occupancy of the property, the  
71 NSCC shall proceed accordingly to paragraphs 2-4 below.

72 2. At the time when the citation for a municipal infraction is issued, an  
73 Identification of Excessive Occupancy letter will be issued requiring the  
74 property owner to contact NSCC regarding this matter within ten (10) days.

75 3. Immediately following the ten-day time period, if the structure remains over-  
76 occupied and the landlord has not submitted proof of having taken action to  
77 evict the persons who over-occupy the property, the following will occur:

78 A. An Order to Vacate the unit will be issued and sixty (60) days will be  
79 given for occupants to vacate the premises. This notice must be  
80 mailed via certified mail to both the current owner of record as  
81 identified by the State of Maryland and the listed property agent as  
82 required in the City of Salisbury Housing Code Rental Registration  
83 requirements. This notice will also be posted on the subject property.

84 B. Rental unit registration will be suspended once an inspection has  
85 confirmed that the unit has been vacated.

86 a. 1<sup>st</sup> offense will be a three (3) month suspension

- 87                                    b. 2<sup>nd</sup> offense will be a six (6) month suspension
- 88                                    c. 3<sup>rd</sup> offense will be a twelve (12) month suspension
- 89                                    C. Neighborhood Services & Code Compliance reserves the right to  
90                                    issue continuing municipal infractions during this time.
- 91                                    D. Additionally, if an exemption for 3 or 4 unrelated was granted, this  
92                                    non-conforming use will be lost permanently.
- 93                                    4. Following the suspension of the rental unit registration, a comprehensive  
94                                    inspection will be completed. If the unit is found to be in compliance, a  
95                                    certificate of occupancy will be issued and the unit may resume as a rental  
96                                    use.

97                                    In addition to the above the directives, the proposed changes made to Chapter 15.24  
98                                    & 15.26 are as follows:

99                                    15.24.280 E. Removing “two (2) unrelated” since not all zoning districts permit a  
100                                    minimum occupancy of two unrelated. This change will cause more consistency and  
101                                    accuracy throughout the code.

102                                    15.24.1640 Similar language as stated above in 15.24.280 will be added to  
103                                    15.24.1640. to maintain consistency.

104                                    15.26 Denial, Nonrenewal or Suspension of License and/or Registration – If the  
105                                    occupancy limitations are violated and if the requirements of the licensing and  
106                                    registration standards of this code are not satisfied, the license and registration may  
107                                    be denied, not renewed or suspended.

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109  
110