



Council reached unanimous consensus to advance the donation to legislative session.

### **Accepting a Donation of 317 & 325 Lake Street**

Mr. Stevenson reported the Maryland Department of the Environment (MDE) and the Environmental Protection Agency (EPA) contacted him about Council's request to test the property again. Both agencies were uninterested in repeating the testing since if the City accepts the property as a donation the soil will still have to be removed if it is disturbed. Mr. Stevenson asked Council to accept the donation of the property without repeating the testing.

The following are Council's comments and discussion points:

- Mrs. Shields - the building on the property needs to be demolished.
- Mr. Day - Council needs to discuss and see what the owner is willing to do because there will be demolition costs and he felt the City should not bear those costs with the \$50,000 for outstanding charges contributable to municipal infractions, removal of debris, grass cutting, weed removal, administrative fees and a deed of trust debt.
- Mr. Heath - if the property was worth the money it would already have been bought, but no business would buy that piece of property without first indemnifying themselves from future accidents. That is standard in any business, especially in the oil-based industries. He indicated the City should find out exactly what will have to be done, and noted any estimates received for cleanup will likely be underestimated.
- Mr. Spies - if additional contaminants are found through demolition or construction, can the property be placed back on the Brownfield's list? He suggested acting with caution.
- Mrs. Mitchell - if it can go back on the Brownsfields list, the City of Salisbury would be eligible to get funds where a private investor would not necessarily. They also have revitalization grants as part of Brownsfields funds. If they have already come off the list, they may still possibly be eligible. She was most concerned that if contamination is there, it is there. Refusing to do anything with the property because it might be contaminated, or pretending it is not there, or not moving forward, does not make it go away. It could be leaching into our groundwater and has to be somebody's responsibility to figure out whether or not it is there, and clean it up. She would like to find out if there is the option to go back to Brownsfields funds for cleanup and revitalization, now that it is off the list.
- Mr. Day - if the City recognizes there is a risk that we are unwilling to take, and if we do nothing but demolish and clear the site, that would be fine. The City needs to be placed in the best possible position and not at risk for hundreds of thousands or millions of dollars.

After discussion, Council reached unanimous consensus for the City to have a discussion with Dr. Kapilof's attorney concerning indemnification, the cost of demolition, the possibility of the City doing the demolition, and getting a lien on the property prior to advancing the donation to legislation session.

### **Waiving Central System Line Fees & W& S Fees for 425 Cole Circle – Habitat for Humanity**

Assistant City Administrator Julia Glanz reported that Habitat for Humanity Executive Director Molly Holligoss came to the City with the idea of waiving the central system line fees and the water and sewer tap fees for 425 Cole Circle. These fees are to reimburse the City for the installation of water and sewer services in City streets. Public Works will be performing the installation at no cost to Habitat for Humanity, resulting in a savings of \$13,219.86. This effort will make a large impact in the Doverdale Neighborhood.

Council reached unanimous consensus to advance the resolution to legislative session to waive the fees.

### **Non-Conforming Safety Enhancements**

Neighborhood Services & Code Compliance (NSCC) Director Susan Phillips, Salisbury Fire Department Assistant Chief Darrin Scott, and Salisbury Fire Lieutenant Eric Cramer joined Council at the table. Ms. Phillips reported that at a Work Session earlier in the year in which the registration of multi units was discussed, Council concluded to bring life safety standards for those multi units. She reported the proposal will enhance the life/safety of multiple occupancy structures housing three (3) or more units and includes having smoke alarms, carbon monoxide detectors and fire extinguishers in each unit.

Lt. Cramer reported the legislation would require a smoke alarm in every bedroom, and a carbon monoxide detector and fire extinguisher in each unit. He reported that State Law requires every multi-family rental to have a smoke alarm in every bedroom and could amend the language to specify ABC type fire extinguishers, a general-purpose type of fire extinguisher.

Mrs. Shields asked if they could change “multi-family dwelling” to “non-conforming”. She asked about extinguisher inspections, and Lt. Cramer informed Council that they are now good for ten years, with the expiration date stamped on the bottom. Ms. Phillips added that checking the expiration dates would be added to the NSCC Code Enforcements inspection lists.

Mrs. Mitchell had questions for E. and G:

- E. - anyone tampering with or interfering with the effectiveness of the detectors shall be charged with a misdemeanor. Is it the property owner’s responsibility to make sure it has not been tampered with? Who will get the misdemeanor charge?
- G. - asked if the type of alarm that has a handle on the wall that you pull downwards to sound the alarm is the type that should be placed in the common area. Ms. Phillips answered yes, and it does not have to be monitored but must be loud to alert everyone in the structure to an emergency. Lt. Cramer said this type was included to ease the burden of the owner, rather than to interconnect all of the smoke alarms, which would require extensive electrical work. This would not be required if there was no common area.

Ms. Phillips would share the updated legislation with Council after incorporating the following changes in the legislation: G. – specifying alarms will be placed where common areas exist; 15.24.1230 – approved type shall be defined as ABC fire extinguishers; and throughout the legislation, change “multi-family dwelling” to “non-conforming uses”.

Council reached consensus to advance the legislation to an upcoming legislative session.

The following comments were received from one member of the public:

- The ABC extinguisher is good as it comes in different sizes.
- The State of Maryland phased-in smoke detector laws since 1975 with about seven (7) different requirements, depending on when the structure was built. Currently there are no requirements for smoke alarms in individual bedrooms unless the house was built after a certain date. Most of these properties you are addressing were built prior to that date.
- The current law does not require that there be a smoke alarm in each bedroom, but does require one on each level.
- It is a great idea to have one in each bedroom. The sealed battery, 10 year detectors only cost about \$25, will save lives, and should be in all properties. This type should be required everywhere.
- Two mini smoke detectors (one on each level and one in each bedroom) should suffice.
- He did not know the law, but all of his properties that have a gas appliance like a stove, water heater, dryer, or natural gas furnace have a carbon monoxide detector in that room. If there's going to be a problem it will be in the room the appliance is located, and it does not make sense to place carbon monoxide detectors throughout the entire apartment.
- He wanted to request Council to modify the legislation where it states carbon monoxide detectors be in every room just like smoke detectors.
- On D - on page one, he questioned the "Power Source"

President Day asked if they could edit C – where multi-family dwelling owners must provide and install carbon monoxide detector alarms in every dwelling unit that has fuel-fired appliances, in the room in which the fuel-fired appliance is. Mrs. Mitchell questioned if a dryer was in a basement, would the sound of an alarm travel up, as would the gas. She thought not necessarily.

Lt. Cramer then discussed the NFPA standard for the installation of carbon monoxide alarms, which references every floor in each unit.

Ms. Phillips will amend the section dealing with carbon monoxide detectors to include one being required on each floor in every unit if there are fuel-fired appliances in the structure.

There being no further business to discuss, Council adjourned at 3:55 p.m.

  
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City Clerk

  
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Council Vice President