



MARYLAND

**SALISBURY CITY COUNCIL
WORK SESSION AGENDA**

**FEBRUARY 1, 2016
COUNCIL CHAMBERS
GOVERNMENT OFFICE BUILDING**

4:30 p.m. **CLOSED SESSION**

5:30 p.m. **SPECIAL MEETING** – to approve Ordinance No. 2372 for first reading – to authorize Joy Bromley/Bundles of Joy, Inc. to expand an existing day care center to the adjoining property at 1405 South Division Street in a Neighborhood Business District as required by title 17, section 17.84.030a of the Salisbury Municipal Code

WORK SESSION

5:40 p.m. Waiving Central Line Fees for Habitat Property - 423 Coles Circle- Michael Moulds

5:50 p.m. Fair Housing Language - Debbie Stam

6:10 p.m. Presentation of City Management System - Mayor Day

6:35 p.m. Boards and Commissions Recommendations - Mayor Day

6:55 p.m. Council discussion

7:00 p.m. Adjournment

*Times shown are approximate. Council reserves the right to adjust the agenda as circumstances warrant.
The Council reserves the right to convene in Closed Session as permitted under the Annotated Code of Maryland 10-508(a).*

INTER

OFFICE

MEMO

Office of the Mayor

To: Tom Stevenson, City Administrator
From: Julia Glanz, Asst. City Administrator JG
Subject: 423 Cole Circle Waiving of Fees
Date: January 27, 2016

Habitat for Humanity is a critical resource for the City of Salisbury and surrounding areas. As a non-profit organization, partnerships with public and private entities are crucial for their success. The City would like to waive the Central System Line Fee for Water & Sewer and the Water & Sewer Tap Fee for 423 Coles Circle. These fees are to reimburse the City for the installation of water and sewer services in our City streets. The Public Works Department will be performing the installation at no cost to Habitat for Humanity. This will result in a savings for Habitat of \$12,476.17.

In our continued effort to revitalize our neighborhoods this project will make a large impact in the Doverdale Neighborhood.

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

Attachment: Resolution Waiving Fees for 423 Coles Circle



January 7, 2016

Tom Stevenson, City Administrator

City of Salisbury
125 North Division Street
Salisbury, MD 21801

Dear Mr. Stevenson, Mayor Day and City Council,

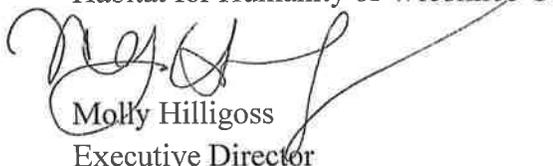
Habitat for Humanity of Wicomico County is committed to the revitalization of the Church Street Neighborhood. We have completed two homes in 2015, one 735 E. Isabella St. and our 62nd home at 1007 E. Church St. We have started acquiring more homes and lots to build affordable housing as well as renovate existing housing stock that can be transformed into affordable housing.

The purpose of this letter is to request the waiver of the water and sewer tap fees for the installation of city services for our upcoming project at 423 Coles Circle. As you are aware, cost of site preparation of undeveloped lots that have never had city water or sewer is very high, upwards of \$16,752.86 per lot, as quoted on 7/24/15. That does not include sidewalks or the new sprinkler provision.

Last year, you and the former City Council approved a waiver of the fees on 425 Coles Circle, which save us thousands on this project. The house that we will be building next door to 425 Coles Circle will also a 4 bedroom/1.5 bath home and the Habitat Partner Family will be paying property taxes once they purchase the home from us.

We are very thankful for the partnership with the City of Salisbury and the past and current funding of CDBG monies that help us to build a house in the Church Street Neighborhood. We are committed to the revitalization of this neighborhood and have a plan to build and/or renovate 25 houses in the next 5 years – by 2020! Your continued support will help us achieve this ambitious yet achievable goal.

Sincerely,
Habitat for Humanity of Wicomico County, Inc.



Molly Hilligoss
Executive Director

1 RESOLUTION No. ____

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3 A RESOLUTION OF THE CITY OF SALISBURY, MARYLAND AUTHORIZING THE
4 CENTRAL SYSTEM LINE FEES, WATER TAP FEE AND SEWER TAP FEE OF THE
5 CITY'S COMPREHENSIVE CONNECTION CHARGES TO BE WAIVED FOR 423 COLES
6 CIRCLE, A HABITAT FOR HUMANITY PROJECT.

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8 WHEREAS, Habitat for Humanity has requested a waiver of the Central System Line
9 Fees, Water Tap Fee and Sewer Tap fee for the property located at 423 Coles Circle; and

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11 WHEREAS, for the 423 Coles Circle property, the Central System Line Fee for water is
12 \$2,165.01 Central System Line Fee for sewer is \$2,831.16 Water Tap Fee is \$4,160.00 and
13 Sewer Tap Fee is \$3,320.00; and

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15 WHEREAS, the aforementioned Comprehensive Connection Charges total \$12,476.17;
16 and

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18 WHEREAS, the Comprehensive Connection Charge for Capacity Fees in the amount of
19 \$3,533.00 is not being waived; and

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21 WHEREAS, it is in the best interest of the City that this property be redeveloped and that
22 home ownership opportunities be expanded; and

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24 WHEREAS, the purchase and redevelopment of this property is a part of a larger effort
25 by Habitat for Humanity to aid in the revitalization of the Doverdale neighborhood; and

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27 WHEREAS, the City appreciates the continued efforts of Habitat for Humanity to assist
28 in the revitalization of the City and to expand home ownership opportunities;

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30 NOW, THEREFORE, BE IT RESOLVED that the City of Salisbury, Maryland approves
31 the waiver of \$12,476.17 of Comprehensive Connection Charges for the Habitat for Humanity
32 project located at 423 Coles Circle.

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34 THE ABOVE RESOLUTION was introduced and duly passed at a meeting of the
35 Council of the City of Salisbury, Maryland held on _____, 2016 and is to become
36 effective immediately upon adoption.
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ATTEST:

Kimberly R. Nichols
CITY CLERK

Jack R. Heath
PRESIDENT, Salisbury City Council

APPROVED BY ME THIS
____ day of _____, 2016

Jacob R. Day
MAYOR, City of Salisbury

Office of Community Development

MEMO

To: Tom Stevenson

From: Deborah Stam

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

Date: December 2, 2015

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

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

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

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


Deborah J. Stam
Community Development Director

Attachments

CC: Julia Glanz
Ginny Hussey
Jack Lenox
Gloria Smith

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

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

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

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

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

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

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

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

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59 ATTEST:

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64 Kimberly R. Nichols, City Clerk

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68 Approved by me, this _____

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70 day of _____, 2015.

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75 Jacob R. Dayames Ireton, Jr., Mayor

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

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ORDINANCE NO.

AN ORDINANCE OF THE CITY OF SALISBURY TO AMEND CHAPTER 17.04.120 ZONING DEFINITIONS OF THE SALISBURY CITY CODE TO AMEND THE REQUIREMENTS OF FUNCTIONAL FAMILY.

WHEREAS, the ongoing application, administration and enforcement of the Salisbury Municipal Code, demonstrates a need for periodic review, evaluation and amendment; and

WHEREAS, Chapter 17.04.120. Definitions, of the Salisbury City Code currently does not give consideration to disabled individuals; and

WHEREAS, the Fair Housing Act directs that reasonable accommodations be made with regard to the housing needs of individuals with disabilities; and

WHEREAS, by correcting this subsection, the City will be better aligned with the Federal Fair Housing Standards Act, the Americans with Disabilities Act and Maryland State law.

NOW, THEREFORE, be it enacted and ordained by the City Council of the City of Salisbury, that section 17.04.120 of the City of Salisbury City Code, be amended as follows:

17.04.120 Definitions

“Family” means and includes, subject to the exceptions below.

- I. C. 1. A group of not more than four persons who are approved by the ~~e~~D~~e~~partment of ~~N~~eighborhood ~~s~~Services and ~~e~~C~~e~~ode ~~e~~C~~e~~ompliance pursuant to Section

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

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

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

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41 ATTEST:

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45 _____
46 Kimberly R. Nichols, City Clerk

John R. Heath, City Council President

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49 Approved by me, this _____

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51 day of _____, 2015.

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Jacob R. Day, Mayor