



# City of Salisbury



## CITY COUNCIL AGENDA

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February 8, 2016  
Government Office Building

6:00 p.m.  
Room 301

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Times shown for agenda items are estimates only.

6:00 p.m. CALL TO ORDER

6:01 p.m. WELCOME/ANNOUNCEMENTS

6:03 p.m. CITY INVOCATION / MEDITATION

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

6:07 p.m. PRESENTATIONS

- Community Organization – Community Foundation of the Eastern Shore - presented by President Erica Joseph
- Proclamation – Operation We Care

6:27 p.m. ADOPTION OF LEGISLATIVE AGENDA

6:30 p.m. CONSENT AGENDA – City Clerk Kimberly Nichols

- **December 21, 2015** Special Meeting minutes
- **December 21, 2015** Closed Session minutes (separate envelope)
- **January 4, 2016** Work Session minutes
- **January 11, 2016** Regular Meeting minutes
- **Resolution No. 2588** – accepting overtime reimbursement funding from the United States Marshals Service (USMS) for the Salisbury Police Department's officers assigned to the Capital Area Regional Fugitive Task Force
- **Resolution No. 2589** – accepting a donation from "Operation We Care" in the amount of \$1,000 to be used toward the establishment of a Salisbury Police Department Explorers Post
- **Resolution No. 2590** – authorizing the Central System Line Fees, Water Tap Fee and Sewer Tap Fee of the City's Comprehensive Connection Charges to be waived for 423 Coles Circle, a Habitat for Humanity project

6:35 p.m. ORDINANCES – City Attorney Mark Tilghman

- **Ordinance No. 2369** – 2<sup>nd</sup> reading - approving a budget amendment of the FY16 General Fund Budget to appropriate insurance proceeds received in FY16 to aid in the purchase of a new vehicle for the Police fleet
- **Ordinance No. 2370** -2<sup>nd</sup> reading - approving an amendment of the FY16 General Fund Budget to appropriate funding for consulting services to evaluate fire services system fees and plans

- **Ordinance No. 2371**- 2<sup>nd</sup> reading - approving an amendment of the FY16 General Fund budget to appropriate funding for a New Year's Eve event
- **Ordinance No. 2373** - 1<sup>st</sup> reading- to abandon an area of land being the unimproved roadbed of Birch Street between Cypress Street and Lake Street

6:50 p.m. PUBLIC COMMENTS

7:00 p.m. ADJOURNMENT

**Copies of the agenda items are available for review in the City Clerk's Office, Room 305 - City/County Government Office Building, 410-548-3140 or on the City's website [www.salisbury.md](http://www.salisbury.md)**

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

**Proposed agenda items for February 22, 2016 Meeting**

- Resolution No.\_\_\_\_-Adopting the City's Capital Improvement Plan
- Ordinance No.\_\_\_\_-1<sup>st</sup> Reading- Tow Fee Revision
- Ordinance No. 2373 – 2<sup>nd</sup> reading- to abandon an area of land being the unimproved roadbed of Birch Street between Cypress Street and Lake Street

Posted February 3, 2016

1 **CITY OF SALISBURY, MARYLAND**

2  
3 **SPECIAL MEETING**

*December 21, 2015*

4  
5 **PUBLIC OFFICIALS PRESENT**

6  
7 *Council President John “Jack” R. Heath*  
8 *Councilman Muir Boda*

*Council Vice-President Laura Mitchell*  
*Councilwoman April Jackson*

9  
10 **PUBLIC OFFICIALS NOT PRESENT**

11  
12 *Mayor Jacob R. Day*  
13 *Councilman James Ireton, Jr.*

14  
15 **IN ATTENDANCE**

16  
17 *Assistant City Clerk Diane C. Nelson, CMC and City Administrator Tom Stevenson*

18  
19 \*\*\*\*\*  
20 *The City Council convened in a Special Meeting in Council Chambers on December 21, 2015.*  
21 *Council President Heath called the meeting to order at 3:34 p.m.*

22  
23 **ADOPTION OF LEGISLATIVE AGENDA**

24  
25 *Mr. Boda moved, Mrs. Mitchell seconded and the vote was unanimous to approve the legislative*  
26 *agenda as presented.*

27  
28 **ORDINANCE 2368 – 1<sup>st</sup> Reading** - presented by City Administrator Tom Stevenson

- 29  
30 • *Ordinance No. 2368 – 1<sup>st</sup> Reading - approving a budget amendment of the FY 2016 Fire*  
31 *Department Budget to transfer funds from the City’s General Fund Surplus to the Fire*  
32 *Department’s Buildings Account*

33  
34 *Mrs. Mitchell moved, Mr. Boda seconded, and the vote was unanimous to approve*  
35 *Ordinance No. 2368 for first reading as presented.*

36  
37 *With no Public Comments or further business to discuss, on a motion by Mrs. Mitchell which was*  
38 *seconded by Ms. Jackson and approved on a unanimous vote in favor, President Heath adjourned*  
39 *the Special Meeting at 3:41 p.m.*

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*CITY OF SALISBURY, MARYLAND  
CLOSED SESSION  
DECEMBER 7, 2015*

*TIME & PLACE: 4:11 p.m., Government Office Building – Room 301*  
*PURPOSE: To consult with counsel to obtain legal advice on a legal matter and to consult with staff, consultants, or other individuals about pending or potential litigation*  
*VOTE TO CLOSE: Unanimous*  
*CITATION: Annotated Code of Maryland §10-508(a)(7)(8)*  
*PRESENT: Council President John “Jack” R. Heath, Mayor Jacob R. Day, Council Vice President Laura Mitchell, Councilman Muir Boda, Councilman James Ireton, Jr., Councilwoman April Jackson, City Clerk Kimberly R. Nichols, Assistant City Administrator Julia Glanz,*

\*\*\*\*\*  
*The City Council convened in Special Meeting in Council Chambers (Room #301) in the Government Office Building at 3:45 p.m. Upon the adjournment at 4:10 p.m., Mrs. Mitchell moved, Ms. Jackson seconded, and the vote was unanimous to convene in Closed Session in accordance with the Annotated Code of Maryland §10-508(a)(7)(8).*

*At 4:45 p.m., on a motion and seconded by Mr. Boda and Mr. Ireton, respectively, and by unanimous vote in favor, the Closed Session was adjourned and Council reconvened in Open Work Session.*

*Upon reconvening in Open Session, President Heath provided the statement to the Public that Council had met in Closed Session to discuss the litigation update with City Attorney Mark Tilghman.*

\_\_\_\_\_  
*Assistant City Clerk*

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*City Clerk*

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*Council President*

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CITY OF SALISBURY  
WORK SESSION  
JANUARY 4, 2016

Public Officials Present

Council President John R. “Jack” Heath                      Mayor Jacob R. Day  
Council Vice President Laura Mitchell                      Councilman Muir Boda  
Councilman James Ireton, Jr.                                      Councilwoman April Jackson

In Attendance

City Clerk Kimberly R. Nichols, Assistant City Administrator Julia Glanz, Police Chief Barbara Duncan, Salisbury Zoo Director Ralph Piland, Community Development Administrative Support Specialist Ginny Hussey, interested citizens and members of the press.

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On January 4, 2016, Salisbury City Council convened in Work Session at 4:32 p.m. in Council Chambers, Room 301 of the Government Office Building. The following is a synopsis of the topics discussed in Work Session:

**Accepting a Donation from the Arthur W. Perdue Foundation, Inc. for NYESBY**

Assistant City Administrator Julia Glanz presented the resolution to accept a donation from the Arthur W. Perdue Foundation, Inc. for \$2,500 to support the New Year’s Eve Salisbury (NYESBY) event. The donation will help with the costs of the band, party favors, portables restroom facilities, and staff and support.

Council reached unanimous consensus to advance the resolution to legislative agenda.

**Community Garden Lease**

Ms. Glanz presented the resolution and lease for the St. Francis de Sales Church to create a community garden on the empty City owned lot behind boundless Playground and the Chipman Cultural Center.

Nicole Long from St. Francis de Sales and Pastor Martin Hutchison reported that they plan to build the raised beds based on Pastor Martin Hutchison’s community garden model. This garden and the signage they plan to construct will have to be approved by the Historic District, just as they approved the Camden garden and signage, before the permit is approved. Mayor Day has requested that the signage look the same as the Camden Community Garden to illustrate Salisbury has a network of community gardens.

One member of the public provided the following comments:

- Stated support of the community garden
- People use the playground for birthday parties and other events

- The garden should be called “Georgetown Community Garden” to recognize the name of the neighborhood before it became Newtown”

Pastor Hutchison requested the garden be named “Georgetown-Newtown Community Garden.”

Council unanimously supported the Community Garden resolution and lease to be advanced to the legislative agenda.

### **Budget Amendment – Vehicle Replacement**

Police Chief Barbara Duncan joined Council to discuss the budget amendment to purchase a new SPD Police vehicle, which was in a crash. Patrol Unit #1477, a 2014 Chevrolet Caprice, was involved in the accident on June 9, 2015 resulting in total loss of the vehicle, emergency equipment, MDT computer, and in-car video.

She requested the insurance adjustment totaling \$27,123 be transferred to the SPD Police Services Vehicle Account to be used towards purchasing the new vehicle and equipment.

Council reached unanimous consensus to advance the budget amendment to legislative agenda.

### **Accepting Funds from WINTF to purchase a Police K-9**

Chief Duncan presented the resolution to accept \$5,000 in funds from the Wicomico County Narcotics Task Force (WINTF) to be used towards the purchase of a K-9, equipment and handler training.

Council reached unanimous consensus to advance the budget amendment to legislative agenda.

### **Presentation – Zoo Master Plan**

Zoo Director Ralph Piland and William Sieg of Becker Morgan Group presented the Zoo Master Plan.

After presentation of the plan, Mr. Piland reported the intent was not to change the character of the Zoo, but they needed options for raising money and welcomed community input so that their direction would reflect the overall community as a whole.

The presentation was for informational purposes only and consensus was not needed from Council at this time.

### **Fair Housing Language**

Community Development Administrative Support Specialist Ginny Hussey presented the ordinances to amend the Salisbury City Code to amend the definition and requirements of functional family in consideration of disabled individuals. During the completion of the City’s 2014 Analysis of impediments to Fair Housing, the changes were recommended by the consultant to clarify the City’s commitment to fair housing. The changes involve adding

91 language to the “Definitions” section of the Zoning Code and were approved by the Salisbury-  
92 Wicomico County Planning & Zoning Commission at its November 19, 2015 meeting. No  
93 objections were received during its public hearing and the Commission approved the text  
94 amendment.

95  
96 After Council discussion, Mr. Heath asked Mr. Tilghman to provide case law (Mr. Ireton’s  
97 request) and to check with the Department of Developmental Disabilities to see if Council can  
98 actually pass this type of legislature.

99  
100 **General Discussion**

101  
102 Councilman Ireton discussed the following with Council and Mayor Day:

- 103
- 104 • The issue in the letter from the resident in Newtown was very pressing, and he
  - 105 recommended Council address it right away
  - 106 • Asked where the City stood on “Curfew Plus”. (Mayor Day responded that he had just
  - 107 asked for the Council President to afford Administration a little bit of time to forward a
  - 108 plan, but they are actively working on it. Police Chief Duncan is the primary author, and
  - 109 once he is confident in the plan, it will be presented to Council.)
  - 110 • Asked about the 1110 N. Division Street property which was sold to Salisbury
  - 111 Neighborhood Housing Service on December 7, 2015
  - 112 • Asked to discuss the tax differential very soon
- 113

114 Mayor Day stated he had no plans to propose a rent stabilization program, but alternatives and  
115 other ideas for supporting neighborhood integrity and homeownership will be proposed through  
116 the FY17 Budget. If you would like a conceptual overview, Administration can begin preparing.

117  
118 Mayor Day announced an upcoming agenda item which would change how tax sales are handled  
119 specific to the City of Salisbury to encourage homeownership.

120  
121 Mr. Boda asked about the status of Cracker Barrel coming to Salisbury. Mayor Day reported the  
122 permits were issued twelve (12) months ago, but there are tenants at the Mall with veto power on  
123 Mall property decisions that do not support Cracker Barrel coming to Salisbury.

124  
125 Mr. Boda requested the City do a better job of advertising trash pickup over the holidays.

126  
127 Mrs. Mitchell announced the next *Coffee With Your Council* will be held in February. Mrs.  
128 Nichols will poll Council on the date.

129  
130 There being no further business to discuss, the Work Session adjourned at 6:30 p.m.

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132 \_\_\_\_\_  
133 City Clerk

134  
135 \_\_\_\_\_  
136 Council President

1 **CITY OF SALISBURY, MARYLAND**

2  
3 **REGULAR MEETING**

**JANUARY 11, 2016**

4  
5 **PUBLIC OFFICIALS PRESENT**

6  
7 *Council President John “Jack” R. Heath* *Councilman Muir Boda*  
8 *Councilman James Ireton, Jr. (arrived 6:14 p.m.)* *Councilwoman April Jackson*

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10 **PUBLIC OFFICIALS NOT PRESENT**

11  
12 *Mayor Jacob R. Day*  
13 *Council Vice President Laura Mitchell*

14  
15 **IN ATTENDANCE**

16  
17 *City Clerk Kimberly R. Nichols, CMC, City Administrator Tom Stevenson, Assistant City*  
18 *Administrator Julia Glanz, Assistant Director Internal Services – Procurement & Parking*  
19 *Jennifer L. Miller, interested citizens and members of the press*

20 \*\*\*\*\*

21 **CITY INVOCATION – PLEDGE OF ALLEGIANCE**

22  
23 *The City Council met in regular session at 6:00 p.m. in Council Chambers. Council President*  
24 *John “Jack” R. Heath called the meeting to order and invited Rev. Ms. Dianne Deming from*  
25 *Wicomico Presbyterian Church to the podium to deliver the invocation. Thereafter, everyone*  
26 *present recited the Pledge of Allegiance.*

27  
28 **COMMUNITY ORGANIZATION PRESENTATIONS**

- 29  
30 • *Healthy Waters Round Table Action Plan*  
31 *Alan Girard, Eastern Shore Director, Chesapeake Bay Foundation, joined by Erik*  
32 *Fisher, AICP, Maryland Land Use Planner, Josh Hastings, Eastern Shore Land*  
33 *Conservancy Policy manager, and Amanda Pollack, Salisbury Public Works Deputy*  
34 *Director, discussed the Healthy Waters Round Table action plan. Created with guidance*  
35 *and direction from elected and staff officials who represent all nine counties and six*  
36 *small to mid-size municipalities on Maryland’s Eastern Shore, the plan recommends six*  
37 *collaborative actions that regional counties and towns can take to increase capacity to*  
38 *achieve local clean water goals. These actions have the potential to leverage funding and*  
39 *staff resources for use in Salisbury.*  
40  
41 • *Association of Zoos and Aquariums (AZA) Quarter Century Award*  
42 *Salisbury Zoo director Ralph Piland invited the public to the Zoo on Saturday, January*  
43 *23, 2016 at 1:00 p.m. for the First Birthday Party for the Salisbury Zoo’s Andean Bear*  
44 *cub, Alba.*

45  
46 *The AZA recently began a new recognition awards program, in which the quarter century*

47           awards program was created to recognize facilities which have been continuously  
48           accredited for 25 years or more. In 1976, the Salisbury Zoological Park was one of the  
49           first institutions to receive a professional review and accreditation in America, and more  
50           than qualities for the Quarter Century Award.

51  
52           Mr. Piland presented the award to the Council and thanked them for everything they do  
53           to support the Zoo.

54  
55           **ADOPTION OF LEGISLATIVE AGENDA**

56  
57           Mr. Boda moved, Ms. Jackson seconded, and the vote was unanimous (4-0) to adopt the  
58           legislative agenda as presented.

59  
60           **CONSENT AGENDA** – presented by City Clerk Kim Nichols

61  
62           The Consent Agenda was unanimously approved (4-0) on a motion and seconded by Mr. Boda  
63           and Ms. Jackson, respectively:

64  
          **CONSENT AGENDA** – City Clerk Kimberly Nichols

- *December 4, 2015 Goal Setting Session minutes*
- *December 7, 2015 Special Meeting minutes*
- *December 7, 2015 Closed Session minutes*
- *Resolution No. 2573 – Employee Handbook Change- Education Reimbursement Policy*
- *Resolution No. 2574 – accepting funds awarded through a grant from the Maryland Department of Housing and Community Development for Downtown branding*
- *Resolution No. 2575 - accepting funds in the amount of \$5,000 from the Wicomico County Narcotics Task Force to be used towards the purchase of a Police K-9*
- *Resolution No. 2576 - accepting a private donation from the Arthur W. Perdue Foundation, Inc. for New Year's Eve in Downtown Salisbury*
- *Resolution No. 2577 - declaring that Fisher Architecture is eligible to receive Enterprise Zone benefits for property located at 542 Riverside Dr., Salisbury, MD*
- *Resolution No. 2578 - authorizing the Mayor to enter into a lease agreement with St. Francis de Sales Church for use of City property for a Community Garden*

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

- *Ordinance No. 2365 – 2<sup>nd</sup> reading – approving an amendment of the FY2016 General Fund Budget to appropriate funding for the Traffic Division bucket truck*

          Mr. Boda moved, Mr. Ireton seconded, and the vote was unanimous (4-0) to approve Ordinance No. 2365 for second reading.

- *Ordinance No. 2368 – 2<sup>nd</sup> reading - approving a budget amendment of the FY 2016 Fire Department Budget to transfer funds from the City's General Fund surplus to the Fire Department's Buildings account*

Mr. Boda moved, Mr. Ireton seconded, and the vote was unanimous (4-0) to approve Ordinance No. 2368 for second reading.

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

67  
68 The Award of Bids, consisting of the following items, was unanimously approved on a motion by  
69 Mr. Boda and seconded by Ms. Jackson:

- 70
- 71 • Contract 102-16, 55' Material Aerial Tower Body & Cab-Chassis \$199, 892.00
  - 72 • Change Order #1, Contract RFP 01-15 NS/SS Pumping Station Upgrades \$ 60,468.00
  - 73 • Declaration of Surplus, Public Works – 1995 Utility Truck \$ 0.00
- 74

75 **ADJOURNMENT**

76 There being no further business to discuss, President Heath adjourned the Legislative Session at  
77 7:03 p.m.

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CITY OF SALISBURY, MARYLAND  
CLOSED SESSION  
DECEMBER 21, 2015

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*TIME & PLACE:* 1:30 p.m., Government Office Building – Room 301  
*PURPOSE:* To discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process before a contract is awarded or bids are opened  
*VOTE TO CLOSE:* Unanimous (3-0) Council Vice-President Mitchell not present for the vote  
*CITATION:* Annotated Code of Maryland §10-508(a)(14)  
*PRESENT:* Council President John “Jack” R. Heath, Mayor Jacob R. Day (arrived 1:36 p.m.), Council Vice-President Laura Mitchell (arrived 1:32 p.m.), Councilman Muir Boda, Councilwoman April Jackson, City Administrator Tom Stevenson, Assistant Director Internal Services – Procurement & Parking Jennifer Miller, City Attorney Mark Tilghman (arrived 1:31 p.m.), and Assistant City Clerk Diane C. Nelson  
*NOT PRESENT:* Councilman James Ireton, Jr.

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*The City Council convened in Open Session in Room 301 in the Government Office Building at 1:30 p.m.; President Heath immediately called for a motion to convene in Closed Session to discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process before a contract is awarded or bids are opened in accordance with the Annotated Code of Maryland §10-508(a)(14). Thereafter, Council convened in Closed Session on a motion by Mr. Boda, which was seconded by Ms. Jackson and approved on a 3-0 vote in favor.*

*At 1:49 p.m. the Closed Session adjourned on a motion by Mrs. Mitchell which was seconded by Mr. Boda and approved by a 4-0 vote in favor; shortly thereafter at 1:51 p.m., Council convened in Open Work Session in Council Chambers, Room 301 of the Government Office Building. President Heath then reported that while in Closed Session Council had discussed a matter directly related to a negotiating strategy for a bid or proposal for the water tower, and had received an update on the property commonly known as “The Bricks.”*

*Thereafter, Council moved forward with the Work Session Agenda.*

\_\_\_\_\_  
*Assistant City Clerk*

\_\_\_\_\_  
*City Clerk*

\_\_\_\_\_  
*Council President*



JACOB R. DAY  
MAYOR  
TOM STEVENSON  
CITY ADMINISTRATOR

## MARYLAND

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

BARBARA DUNCAN  
CHIEF OF POLICE

November 23, 2015

TO: Tom Stevenson  
FROM: Colonel David Meienschein  
SUBJECT: Resolution – U.S. Marshalls Service

Attached, please find a Resolution to 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. Grant funding will not exceed \$27,000.00.

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".

David Meienschein  
Assistant Chief of Police

1 RESOLUTION No. 2588

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 use of overtime funding will provide a safer environment and  
21 improve the quality of life for the citizens of the City of Salisbury and Wicomico County.

22  
23 NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE  
24 CITY OF SALISBURY, MARYLAND that this funding, not to exceed \$27,000.00 be  
25 accepted and used for the reimbursement of overtime salary costs related to the  
26 investigation, arrest and prosecution of persons who are wanted on outstanding warrants.

27  
28 THIS RESOLUTION was duly passed at a meeting of the Council of the City of  
29 Salisbury held on \_\_\_\_\_, 2016, and is to become effective immediately upon  
30 adoption.

31  
32 ATTEST;

33  
34  
35 \_\_\_\_\_  
36 Kimberly R. Nichols  
37 City Clerk

\_\_\_\_\_

John R. Heath, President  
Salisbury City Council

38  
39 APPROVED BY ME THIS:

40  
41 \_\_\_\_\_ Day of \_\_\_\_\_, 2016

42  
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44 \_\_\_\_\_  
45 Jacob R. Day, Mayor



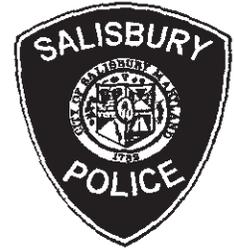
JACOB R. DAY  
MAYOR  
TOM STEVENSON  
CITY ADMINISTRATOR



## MARYLAND

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

November 17, 2015



BARBARA DUNCAN  
CHIEF OF POLICE

TO: Tom Stevenson  
FROM: Colonel David Meienschein  
SUBJECT: Resolution – "Operation We Care"

Attached, please find a Resolution to accept \$1,000.00 in funds from the "Operation We Care". The funds will be used toward the establishment of a Salisbury Police Explorers Post. This program will greatly enhance the lives of youths 14-20 that participate in the program.

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".

David Meienschein  
Assistant Chief of Police

RESOLUTION No. 2589

A RESOLUTION OF THE CITY OF SALISBURY, MARYLAND ACCEPTING A DONATION FROM "OPERATION WE CARE" IN THE AMOUNT OF \$1,000 TO BE USED TOWARD THE ESTABLISHMENT OF A SALISBURY POLICE DEPARTMENT EXPLORERS POST.

WHEREAS, "Operation We Care" has donated funds to the Salisbury Police Department in the amount of \$1,000.00 to be used for protecting our community; and

WHEREAS, the Salisbury Police Department's request is to utilize these funds towards the establishment of a Salisbury Police Explorers Post; and

WHEREAS, an Explorers Post will greatly enhance the lives of youth ages 14-20 that participate in the program, and a positive relationship between the youth, parents, and the Salisbury Police Department; and

WHEREAS, youth participating in the program will learn life skills, public service, and the fundamentals of law enforcement; and

NOW, THEREFORE, BE IT RESOLVED, BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND that funds of \$1,000.00 be accepted from "Operation We Care" and used towards the establishment of a Salisbury Police Explorers Post.

THIS RESOLUTION was duly passed at a meeting of the Council of the City of Salisbury held on \_\_\_\_\_, 2016, and is to become effective immediately upon adoption.

ATTEST;

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

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

APPROVED BY ME THIS:

\_\_\_\_\_ Day of \_\_\_\_\_, 2016

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

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INTER

OFFICE

# MEMO

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*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

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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,

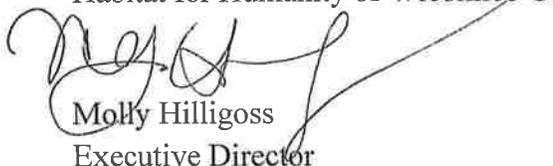
Habitat for Humanity of Wicomico County is committed to the revitalization of the Church Street Neighborhood. We have completed two homes in 2015, one 735 E. Isabella St. and our 62<sup>nd</sup> home at 1007 E. Church St. We have started acquiring more homes and lots to build affordable housing as well 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  
2  
3 RESOLUTION No. 2590

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

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

10  
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

14  
15 WHEREAS, the aforementioned Comprehensive Connection Charges total \$12,476.17;  
16 and

17  
18 WHEREAS, the Comprehensive Connection Charge for Capacity Fees in the amount of  
19 \$3,533.00 is not being waived; and

20  
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

23  
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

26  
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;

29  
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.

33  
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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47 ATTEST:

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49

50 \_\_\_\_\_  
Kimberly R. Nichols

51 CITY CLERK

52

53 APPROVED BY ME THIS

54 \_\_\_\_ day of \_\_\_\_\_, 2016

55

56

57

58 \_\_\_\_\_  
Jacob R. Day

59 MAYOR, City of Salisbury

\_\_\_\_\_  
John R. Heath

PRESIDENT, Salisbury City Council

ORDINANCE No. 2369

AN ORDINANCE OF THE CITY OF SALISBURY APPROVING A BUDGET AMENDMENT OF THE FY16 GENERAL FUND BUDGET TO APPROPRIATE INSURANCE PROCEEDS RECEIVED IN FY16 TO AID IN THE PURCHASE OF A NEW VEHICLE FOR THE POLICE FLEET.

WHEREAS, Salisbury Police Patrol Unit #1477, a 2014 Chevrolet Caprice, VIN 6G3NS5U31EL962740 was involved in a motor vehicle accident and deemed a total loss; and

WHEREAS, the replacement of this vehicle will allow SPD to maintain a sufficient number of patrol vehicles to effectively patrol all areas of the City; and

WHEREAS, SPD is requesting the insurance adjustment for vehicle #1477 in the amount of \$27,123.00 be placed in the SPD Police Services, Vehicle Account, 21021-577025; and

WHEREAS, SPD will utilize the funds appropriated from the insurance adjustment and purchase a new police emergency vehicle.

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

- 1) Increase Insurance Proceeds (01000-456935) by \$27,123.00
- 2) Increase the Police Department budget by \$27,123.00

BE IT FURTHER ORDAINED that this Ordinance shall take effect from and after the date of its final passage.

THIS ORDINANCE was introduced and read at a meeting of the Council of the City of Salisbury held on this 25 day of January, 2016, 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 \_\_\_\_\_, 2016.

ATTEST:

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

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

Approved by me this \_\_\_\_\_ day of \_\_\_\_\_, 2016

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

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ORDINANCE NO. 2370

AN ORDINANCE OF THE CITY OF SALISBURY APPROVING AN AMENDMENT OF THE  
FY 2016 GENERAL FUND BUDGET TO APPROPRIATE FUNDING FOR CONSULTING SERVICES  
TO EVALUATE FIRE SERVICES SYSTEM FEES AND PLANS.

WHEREAS, the City desires to engage a fire services consultant to estimate the associated cost of fire  
services; and

WHEREAS, the City believes that investing in the consulting services is necessary to reach  
an acceptable agreement with the county for their reimbursement to the city for County's share of  
fire services provided by the City; and

WHEREAS, the City has received a proposal estimating the fees for the required services to  
be \$30,000; and

WHEREAS, the City and county have agreed to split the cost of the services; and

WHEREAS, the City's FY 2016 budget does not contain an appropriation sufficient to cover this  
purchase.

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

- 1) Increase Current Surplus Available (01000- 469810) by \$ 15,000
- 1) Increase Fire Department by \$15,000

THIS ORDINANCE was introduced and read at a meeting of the Council of the City of Salisbury  
held on this 25 day of January 2016, and thereafter, a statement of the substance of the Ordinance having  
been published as required by law, was finally passed by the Council on the \_\_\_\_ day of \_\_\_\_\_, 2015.

**ATTEST:**

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

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

APPROVED BY ME THIS \_\_\_\_ day of \_\_\_\_\_, 2016.

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

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ORDINANCE NO. 2371

AN ORDINANCE OF THE CITY OF SALISBURY APPROVING AN AMENDMENT OF THE  
FY 2016 GENERAL FUND BUDGET TO APPROPRIATE FUNDING FOR A NEW YEAR'S EVE  
EVENT

WHEREAS, the City desires to facilitate and support the Downtown New Year's Eve celebration  
event; and

WHEREAS, the City believes that investing in this event will support economic activity  
Downtown; and

WHEREAS, the City has received \$7,500 in pledges for contributions for the event; and

WHEREAS, the City's FY 2016 budget has not been amended to include an appropriation to expend  
the \$7,500 contributed.

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

- 1) Increase Donations (01000- 469400) by \$ 7,500
- 1) Increase Promotions New Year's Eve Event (12500 569209) by \$7,500

THIS ORDINANCE was introduced and read at a meeting of the Council of the City of Salisbury  
held on this 25 day of January 2016, and thereafter, a statement of the substance of the Ordinance having  
been published as required by law, was finally passed by the Council on the \_\_\_\_ day of \_\_\_\_\_, 2015.

**ATTEST:**

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

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

APPROVED BY ME THIS \_\_\_\_ day of \_\_\_\_\_, 2016.

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

# City of Salisbury



MARYLAND



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

JACOB R. DAY  
MAYOR

M. THOMAS STEVENSON, JR.  
CITY ADMINISTRATOR

JULIA GLANZ  
ASSISTANT CITY ADMINISTRATOR

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

TO: Tom Stevenson, City Administrator

FROM: Mike Moulds, Director of Public Works *MSM*

DATE: December 30, 2015

SUBJECT: Birch Street Abandonment Request

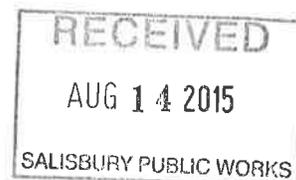
The Department of Public Works is requesting approval to abandon the unimproved City street right of way known as Birch Street between Lake Street and Cypress Street.

Birch Street has never been utilized or improved. Access between Cypress and Lake Street is already available nearby on Burton Street. The abandonment will also allow for development of access to a midblock parcel, potential for improvement to a vacant business and correction of a standing water concern.

Attached is an aerial view of the site and a proposed exhibit showing the delineation of the parcels to revert to the adjacent property owners. Support for the abandonment has been provided by the adjacent property owners and City Fire Department. The City would retain an easement for an existing stormwater pipe.

When the City initiates a road abandonment, the City is responsible to prepare the property survey, utility easement plats and road abandonment ordinance. If the City Council approves the ordinance, then the adjoining owners would be deeded (quit claim deed) the property along their respective frontages to the centerline of the abandoned street. Attached is the proposed Ordinance and quick claim deeds that have been prepared by the City Surveyor and reviewed by the City Solicitor.

With the Mayor's approval we would like to place this item on a work session of City Council. Let us know if you have any questions or need any additional information.



**Rodney V. Dawson  
Brenda D. Dawson  
9281 Bel Air Drive  
Mardela Spring, MD 21837  
410.251.0970**

***August 11, 2015***

Dear Mr Michael Moulds,

In response to your letter my wife and I both agree on the abandonment of Birch St. known as a paper street with one exception. We would like the additional property to be added to Parcel No. 1566 for future development of this parcel. This additional property added to parcel 1566 will also allow us access to the property.

Sincerely,

A handwritten signature in blue ink that reads "Rodney Dawson". The signature is fluid and cursive.

Rodney Dawson

CC: Les Sherrll

## Les Sherrill

---

**From:** Robert A. Benson <rbenson@ciblawn.com>  
**Sent:** Monday, September 14, 2015 5:02 PM  
**To:** Les Sherrill  
**Subject:** Birch street

Les- I received your letter regarding the proposed closure of Birch Street and forwarded it to the Bank for review and comment. I am authorized to state The Bank and its wholly owned subsidiary, Delmarva Real Estate holdings, LLC have no objection to the closure of the street.

Bob Benson

Robert A. Benson  
Cullen, Insley & Benson, LLP  
132 East Main Street  
Salisbury, Maryland 21801  
410-749-1201 (Office)  
410-749-1325 (Fax)

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## Michael Moulds

---

**From:** Rick Hoppes  
**Sent:** Wednesday, December 30, 2015 1:13 PM  
**To:** Michael Moulds  
**Subject:** RE: Birch Street Abandonment

Good afternoon Mike.

The FD sees no issues with permanently closing the paper street.

Rick



## CHIEF OF THE DEPARTMENT

**RICHARD A. HOPPES, B.S.**  
**325 CYPRESS STREET**  
**SALISBURY, MD 21801**  
**410-548-3120**



[www.downtownsalisbury.org](http://www.downtownsalisbury.org)

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**From:** Michael Moulds  
**Sent:** Wednesday, December 30, 2015 10:15 AM  
**To:** Rick Hoppes  
**Subject:** Birch Street Abandonment

**ORDINANCE NO. 2373**

1  
2  
3 AN ORDINANCE OF THE CITY OF SALISBURY, MARYLAND TO ABANDON AN AREA OF  
4 LAND BEING THE UNIMPROVED ROADBED OF BIRCH STREET BETWEEN CYPRESS  
5 STREET AND LAKE STREET.  
6

7 WHEREAS, Birch Street, formerly known as South Street, as shown on the plat entitled “Plat of Survey  
8 of Land of The FAD Company”, dated April-May 1922 and recorded among the Land Records of  
9 Wicomico County, Maryland, in Plat Cabinet 136, Folio 1 was never opened or paved by the City of  
10 Salisbury; and  
11

12 WHEREAS, the portions of Birch Street being abandoned are more particularly described as Parcel ‘A’  
13 (6,103.6 +/- s.f.), Parcel ‘B’ (3,662.3 +/- s.f.), Parcel ‘C’ (3,875.0 +/- s.f.) and Parcel ‘D’ (3,874.2 +/- s.f.)  
14 being a total of 17,515.1 square feet, plus or minus, on Exhibit “A,” attached hereto; and  
15

16 WHEREAS, the owner of the land adjoining Parcel ‘A’ of Birch Street is Delmarva Real Estate Holdings,  
17 Inc.; of Parcel ‘B’ is the City of Salisbury; of Parcel ‘C’ is Rodney V. & Brenda D. Dawson; of Parcel  
18 ‘D’ is the City of Salisbury; and  
19

20 WHEREAS, the City of Salisbury Department of Public Works has determined that the aforementioned  
21 areas of land have never been used by the public, as unimproved and unpaved, and the City believes it is  
22 in the best interest of the City to abandon the aforementioned areas of land and deed Parcel ‘A’ and Parcel  
23 ‘C’ to the adjoining property owners as stated above; and  
24

25 WHEREAS, the Salisbury Charter SC11-2 gives the City of Salisbury charge of all public ways in the  
26 City of Salisbury; and  
27

28 WHEREAS, SC16-8 allows the City of Salisbury to abandon or otherwise dispose of property that is not  
29 saleable; and  
30

31 WHEREAS, the City of Salisbury Department of Public Works has prepared and the City Solicitor has  
32 reviewed the proposed quitclaim deeds to release the unimproved street, a copy of which is attached  
33 hereto as Exhibit “B”.  
34

35 WHEREAS, the Director of Public Works provided the City Council a recommendation of the proposed  
36 road abandonment at the \_\_\_\_\_, 2016 City Council work session;  
37

38 NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SALISBURY,  
39 MARYLAND that the City of Salisbury hereby abandons the 17,515.1 square foot area of Birch Street,  
40 and that the Mayor of the City of Salisbury is hereby authorized to execute the attached deeds contained  
41 in Exhibit “B” to convey to the adjoining owners the City’s right, title and interest in the abandoned  
42 street.  
43

44 BE IT FURTHER ORDAINED that this ordinance shall take effect immediately.  
45  
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51

52 THIS ORDINANCE was introduced and read at a meeting of the Council of the City of Salisbury held on  
53 the \_\_\_ day of \_\_\_\_\_, 2016, and thereafter, a statement of the substance of the Ordinance having been  
54 published as required by law, was finally passed by the Council on the \_\_\_ day of \_\_\_\_\_, 2016.

55  
56 ATTEST

57  
58  
59 \_\_\_\_\_  
60 Kimberly R. Nichols  
61 CITY CLERK

\_\_\_\_\_

John R. Heath  
PRESIDENT, City Council

62  
63 Approved by me this \_\_\_ day of \_\_\_\_\_, 2016

64  
65  
66 \_\_\_\_\_  
67 Jacob R. Day, Mayor



308 Lake Street

THIS QUITCLAIM DEED, made this \_\_\_\_ day of \_\_\_\_\_, in the year Two Thousand and Sixteen, by the CITY OF SALISBURY, a municipal corporation of the State of Maryland, Grantor, and Delmarva Real Estate Holdings, LLC, a Maryland limited liability company, Grantee.

WHEREAS, by Ordinance No. \_\_\_\_ passed at a meeting of the Council of the City of Salisbury, on the \_\_\_\_ day of \_\_\_\_\_, 2016, the City of Salisbury closed and vacated a portion of a public street known as Birch Street, being shown as a bold outlined area on a plat entitled Road Closure Parcels Birch Street dated October 6, 2015, attached hereto as **Exhibit A**; and

WHEREAS, the City of Salisbury was, by Ordinance No. \_\_\_\_\_, authorized to convey to Delmarva Real Estate Holdings, LLC, a Maryland limited liability company, all of its right, title and interest, in and to that portion of Birch Street, as shown and labeled as Parcel A, on the plat.

NOW, THEREFORE, THIS QUITCLAIM DEED WITNESSETH, that for and in consideration of the sum of Zero Dollars (\$0.00) and other good, valuable and sufficient considerations, receipt of which is hereby acknowledged, the said CITY OF SALISBURY does hereby grant, convey, release, assign and quitclaim unto Delmarva Real Estate Holdings, LLC, a Maryland limited liability company, its successors and assigns, the following described property, which shall be added to existing tax identification number 09-054103, Parcel 1567, that is currently owned by the Grantee:

ALL that lot or parcel of land situate, lying and being in the Salisbury Election District, City of Salisbury, Wicomico County, State of Maryland, being the Southerly 25.00 foot portion of an unimproved street named Birch Street, located on the Easterly side of but not binding upon Cypress Street, North of existing tax Parcel 1567, and more particularly described as follows:

Beginning for the same at a point on the easterly right of way line of Cypress Street at the northwesterly corner of the lands of Delmarva Real Estate Holdings, LLC. (1) Thence by and with the said Cypress Street North 10 degrees 06 minutes 15 seconds East a distance of 25.08 feet to a point; (2) Thence South 84 degrees 35 minutes 57 seconds East a distance of 244.15 feet to a point at the intersection of the centerline of Birch Street with the extension of the easterly line of the said Delmarva Real Estate Holdings land; (3) Thence South 10 degrees 09 minutes 18 seconds West a distance of 25.08 feet to a point at the northeasterly corner of the Delmarva

**NO TITLE SEARCH REQUESTED OR PERFORMED**

Real Estate Holdings land; (4) Thence by and with the northerly line of the said Delmarva Real Estate Holdings land North 84 degrees 35 minutes 57 seconds West a distance of 244.14 feet to the point of beginning; Being shown on the said plat entitled "Road Closure Parcels Birch Street" as Parcel 'A' and containing 6,103.6 square feet, more or less.

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

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

TO HAVE AND TO HOLD the above described property unto Delmarva Real Estate Holdings, LLC, a Maryland limited liability company, its successors and assigns, forever in fee simple.

HOWEVER, the City of Salisbury reserves unto itself, its successors and assigns, a utility easement for the Northerly 15.00 foot strip of the vacated and abandoned street bed being deeded to the Grantee, shown as Parcel A, including, but not limited to the rights to install, maintain, continue, terminate or in any way deal with sewer lines, water lines, storm water lines, gas, electric, cable lines and other such utilities as the City may desire or may elect to permit to be assigned; and Grantor retains all air rights above the easement area.

AND the said Grantor does hereby covenant that it will execute such other and further assurances of the same as may be requisite.

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

ATTEST

CITY OF SALISBURY

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

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

STATE OF MARYLAND, COUNTY OF WICOMICO, TO WIT:

I HEREBY CERTIFY that on this \_\_\_\_\_ day of \_\_\_\_\_, 2015, before me, the subscriber, a Notary Public for the state and county aforesaid, personally appeared Jacob R. Day,

Mayor of the City of Salisbury, who acknowledged the foregoing deed to be his act and deed on behalf of the City of Salisbury.

AS WITNESS my hand and Notarial Seal.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

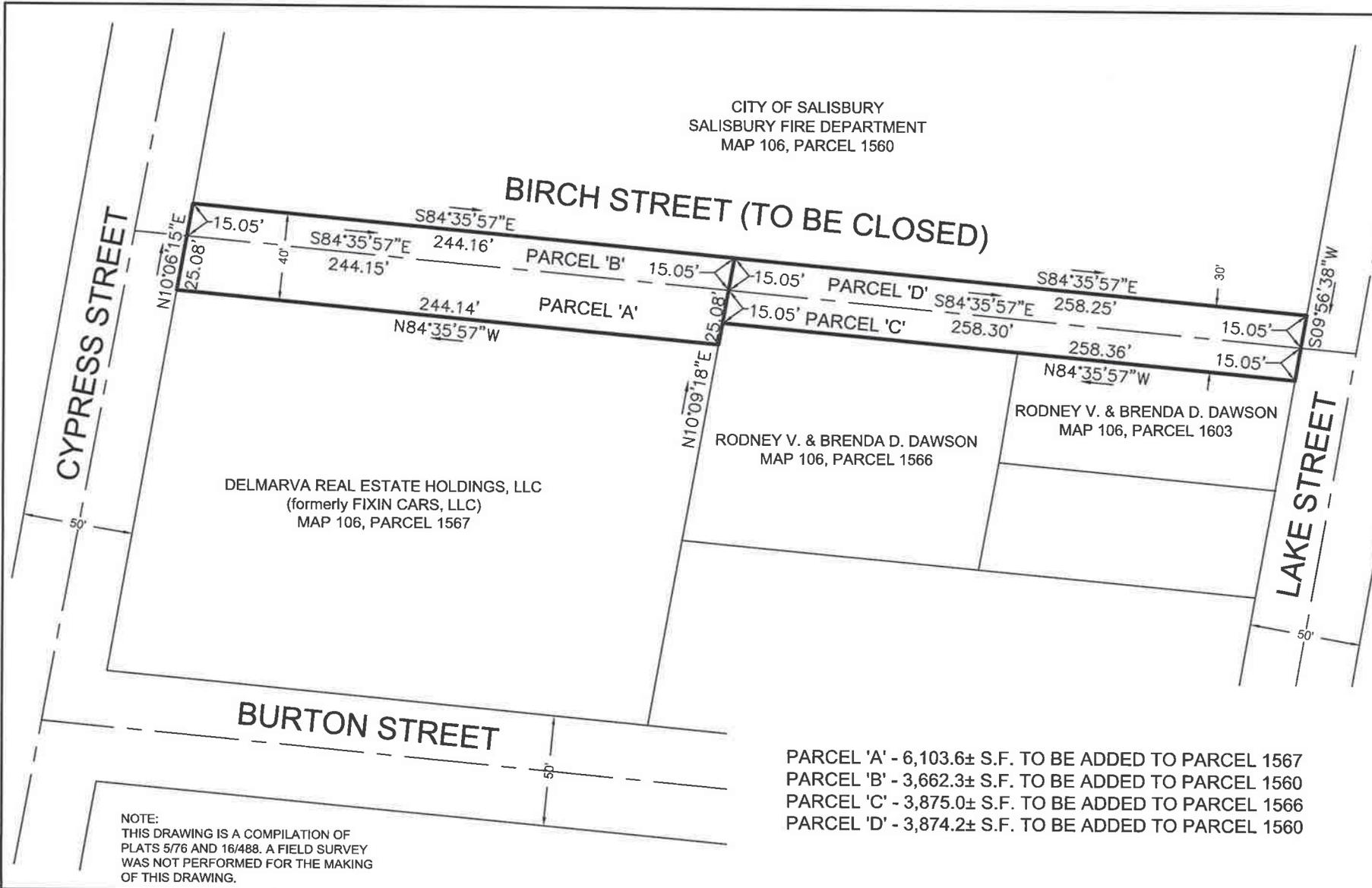
I HEREBY CERTIFY that I am an attorney admitted to practice before the Court of Appeals of Maryland, and the foregoing instrument was prepared under my supervision.

\_\_\_\_\_  
S. Mark Tilghman, City Solicitor

**EXHIBIT A**

CITY OF SALISBURY  
 SALISBURY FIRE DEPARTMENT  
 MAP 106, PARCEL 1560

**BIRCH STREET (TO BE CLOSED)**



NOTE:  
 THIS DRAWING IS A COMPILATION OF  
 PLATS 5/76 AND 16/488. A FIELD SURVEY  
 WAS NOT PERFORMED FOR THE MAKING  
 OF THIS DRAWING.

PARCEL 'A' - 6,103.6± S.F. TO BE ADDED TO PARCEL 1567  
 PARCEL 'B' - 3,662.3± S.F. TO BE ADDED TO PARCEL 1560  
 PARCEL 'C' - 3,875.0± S.F. TO BE ADDED TO PARCEL 1566  
 PARCEL 'D' - 3,874.2± S.F. TO BE ADDED TO PARCEL 1560

DWG. NO. DCAXXXX  
 DATE: 10/06/2015  
 SCALE: 1" = 50'  
 REVISED:  
 SHEET 1 OF 1

ROAD CLOSURE PARCELS  
 BIRCH STREET

CITY OF SALISBURY  
 SALISBURY PUBLIC WORKS



THIS QUITCLAIM DEED, made this \_\_\_\_ day of \_\_\_\_\_, in the year Two Thousand and Sixteen, by the CITY OF SALISBURY, a municipal corporation of the State of Maryland, Grantor, and Rodney V. Dawson and Brenda D. Dawson, Grantees.

WHEREAS, by Ordinance No. \_\_\_\_ passed at a meeting of the Council of the City of Salisbury, on the \_\_\_\_ day of \_\_\_\_\_, 2016, the City of Salisbury closed and vacated a portion of a public street known as Birch Street, being shown as a bold outlined area on a plat entitled Road Closure Parcels Birch Street dated October 6, 2015, attached hereto as **Exhibit A**; and

WHEREAS, the City of Salisbury was, by Ordinance No. \_\_\_\_\_, authorized to convey to Rodney V. Dawson and Brenda D. Dawson, all of its right, title and interest, in and to that portion of Birch Street, as shown and labeled as Parcel C, on the plat.

NOW, THEREFORE, THIS QUITCLAIM DEED WITNESSETH, that for and in consideration of the sum of Zero Dollars (\$0.00) and other good, valuable and sufficient considerations, receipt of which is hereby acknowledged, the said CITY OF SALISBURY does hereby grant, convey, release, assign and quitclaim unto Rodney V. Dawson and Brenda D. Dawson, husband and wife, as tenants by the entirety, their personal representatives and assigns and the personal representatives and assigns of the survivor of them, the following described property, which shall be added to existing tax identification number 09-049282, Parcel 1566, that is currently owned by the Grantees:

ALL that lot or parcel of land situate, lying and being in the Salisbury Election District, City of Salisbury, Wicomico County, State of Maryland, being the Southerly 15.00 feet of an unimproved street named Birch Street, located on the Westerly side and binding upon Lake Street, North of existing tax Parcel 1566 and tax Parcel 1603, both of which are also owned by Grantees, and more particularly described as follows:

Beginning for the same at a point on the westerly right of way line of Lake Street at the northeasterly corner of the lands of Rodney V. & Brenda D. Dawson, tax Parcel 1603; (1) Thence by and with the said Dawson land and other lands of the said Dawson, tax Parcel 1566, North 84 degrees 35 minutes 57 seconds West a distance of 258.36 feet to a point at the northwesterly corner of the said tax Parcel 1566; (2) Thence North 10 degrees 09 minutes 18 seconds East a distance of 15.05 feet to a point on the centerline of the unimproved street being closed and

**NO TITLE SEARCH REQUESTED OR PERFORMED**

known as Birch Street; (3) Thence by and with the said centerline of Birch Street South 84 degrees 35 minutes 57 seconds East a distance of 258.30 feet to a point on the westerly line of Lake Street; (4) Thence by and with the said line of Lake Street South 09 degrees 56 minutes 38 seconds West a distance of 15.05 feet to the point of beginning. Being shown on a plat entitled "Road Closure Parcels Birch Street" as Parcel 'C' and containing 3,875.0 square feet, more or less.

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

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

TO HAVE AND TO HOLD the above described property unto Rodney V. Dawson and Brenda D. Dawson, husband and wife, as tenants by the entirety, their personal representatives and assigns, the survivor of them, and the personal representatives and assigns of the survivor, forever in fee simple.

HOWEVER, the City of Salisbury reserves unto itself, its successors and assigns, a utility easement for the entire portion of the vacated and abandoned street bed being deeded to the Grantees, shown as Parcel C, including, but not limited to the rights to install, maintain, continue, terminate or in any way deal with sewer lines, water lines, storm water lines, gas, electric, cable lines and other such utilities as the City may desire or may elect to permit to be assigned; and Grantor retains all air rights above the easement area.

AND the said Grantor does hereby covenant that it will execute such other and further assurances of the same as may be requisite.

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

ATTEST

CITY OF SALISBURY

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

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

STATE OF MARYLAND, COUNTY OF WICOMICO, TO WIT:

I HEREBY CERTIFY that on this \_\_\_\_\_ day of \_\_\_\_\_, 2016, before me, the subscriber, a Notary Public for the state and county aforesaid, personally appeared Jacob R. Day, Mayor of the City of Salisbury, who acknowledged the foregoing deed to be his act and deed on behalf of the City of Salisbury.

AS WITNESS my hand and Notarial Seal.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

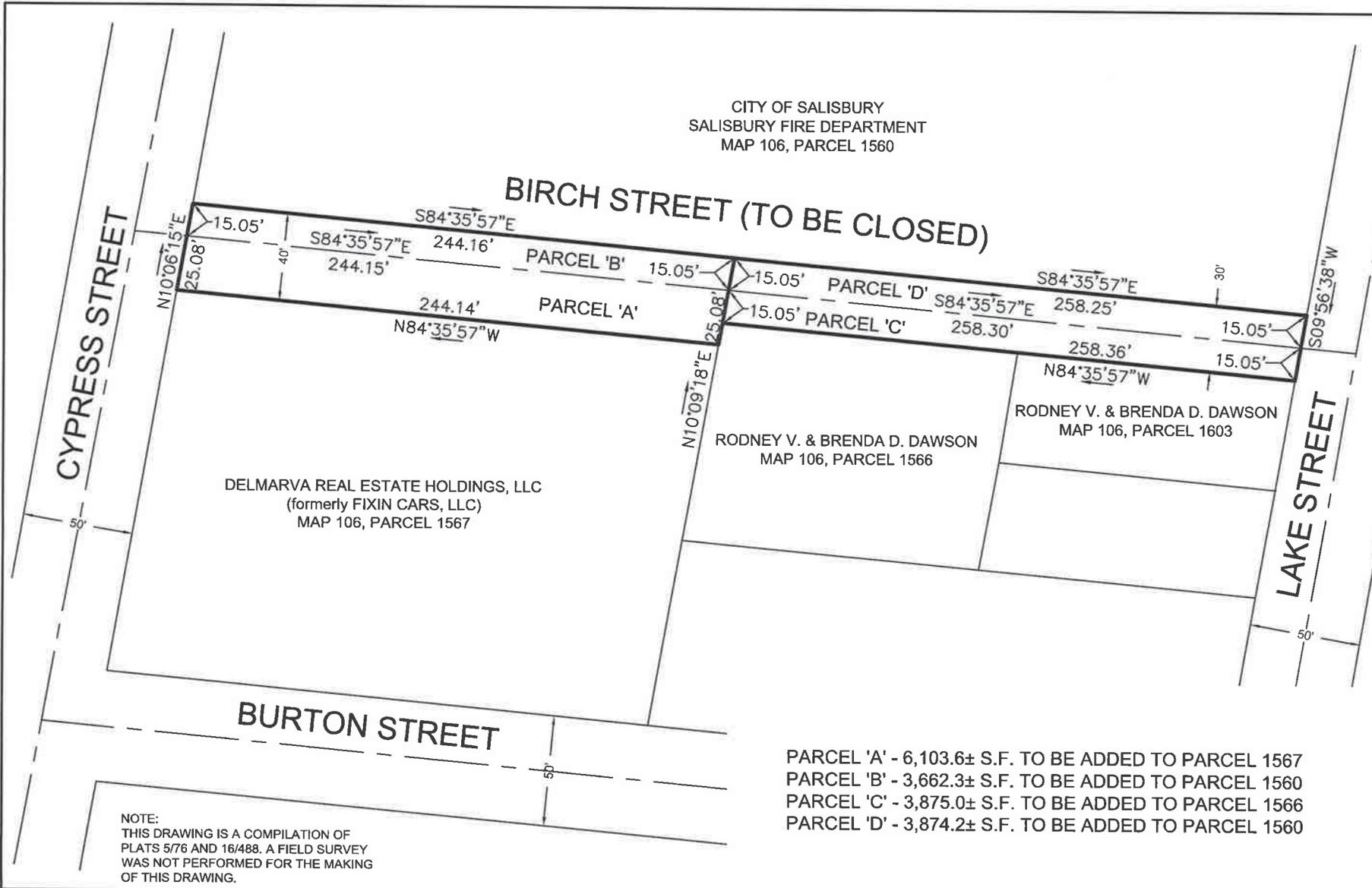
I HEREBY CERTIFY that I am an attorney admitted to practice before the Court of Appeals of Maryland, and the foregoing instrument was prepared under my supervision.

\_\_\_\_\_  
S. Mark Tilghman, City Solicitor

**EXHIBIT A**

CITY OF SALISBURY  
 SALISBURY FIRE DEPARTMENT  
 MAP 106, PARCEL 1560

**BIRCH STREET (TO BE CLOSED)**



NOTE:  
 THIS DRAWING IS A COMPILATION OF  
 PLATS 5/76 AND 16/488. A FIELD SURVEY  
 WAS NOT PERFORMED FOR THE MAKING  
 OF THIS DRAWING.

PARCEL 'A' - 6,103.6± S.F. TO BE ADDED TO PARCEL 1567  
 PARCEL 'B' - 3,662.3± S.F. TO BE ADDED TO PARCEL 1560  
 PARCEL 'C' - 3,875.0± S.F. TO BE ADDED TO PARCEL 1566  
 PARCEL 'D' - 3,874.2± S.F. TO BE ADDED TO PARCEL 1560

DWG. NO.	DCAXXXX
DATE:	10/06/2015
SCALE:	1" = 50'
REVISED:	
SHEET	1 OF 1

**ROAD CLOSURE PARCELS**  
**BIRCH STREET**

**CITY OF SALISBURY**  
**SALISBURY PUBLIC WORKS**

