



CITY OF SALISBURY CITY COUNCIL AGENDA

September 26, 2016
Government Office Building

6:00 p.m.
Room 301

Times shown for agenda items are estimates only.

6:00 p.m. CALL TO ORDER

6:01 p.m. WELCOME/ANNOUNCEMENTS

6:03 p.m. CITY INVOCATION- Pastor Jay Hurley, Grace United Methodist Church

6:05 p.m. PLEDGE OF ALLEGIANCE

6:07 p.m. PRESENTATIONS

- Community Organization - Epoch Dream Center presented by JoAnn Blackmon
- Proclamation – Walk Salisbury Day

6:21 p.m. ADOPTION OF LEGISLATIVE AGENDA

6:23 p.m. CONSENT AGENDA – Assistant City Clerk Diane K. Carter

- **September 12, 2016** Council Meeting Minutes
- **Resolution No. 2659**- approving the reappointment of Chris Roberts to the Parks & Recreation Committee for term ending September 2019
- **Resolution No. 2660**- approving the reappointment of David A. Plotts to the Parks & Recreation Committee for term ending October 2019
- **Resolution No. 2661**- approving the appointment of Amy Crouse to the Disability Advisory Committee for term ending September 2019
- **Resolution No. 2662**- approving the appointment of Barbara Bell to the Disability Advisory Committee for term ending September 2019
- **Resolution No. 2663** - authorizing the waiver of the building permit fee tied to the first three thousand dollars in construction costs associated with the construction or replacement of residential ramps for individuals with physical disabilities who have limited mobility and require wheelchair assistance to have access to residences
- **Resolution No. 2664** - declaring that Edit, LLC is eligible to receive Enterprise Zone benefits for property located at 100 N Division Street, Salisbury, MD

- **Resolution No. 2665** - supporting the development of Lot 30 with affordable housing and a public market to be known as Gatehouse Market and Lofts

6:28 p.m. AWARD OF BIDS – Assistant Director of Internal Services – Procurement & Parking
Jennifer L. Miller

- Contract RFP 16-16 Automated Speed Enforcement System

6:38 p.m. RESOLUTIONS – City Administrator Tom Stevenson

- **Resolution No. 2666** - to formally accept conveyance of the River View Commons Riverwalk property
- **Resolution No. 2667** – to authorize a memorandum of understanding and accept a donation from the Delmarva Zoological Society for improvements to the Salisbury Zoological Park Visitor Center building
- **Resolution No. 2668** - authorizing the Salisbury City Police to accept a donation from Close Quarters Defense of a (5) five day training course for (6) six police officers. The course will aid the officers in that they will receive training in weapon control, personnel control and zone control.

6:45 p.m. **PUBLIC HEARINGS** - City Administrator Tom Stevenson

PennTex / Dagsboro Rd Annexation

- **Resolution No. 2650** - proposing the annexation to the City of Salisbury of certain area of land contiguous to and binding upon the northerly corporate limit of the City of Salisbury, to be known as the “PennTex – Dagsboro Road Annexation” and the application of a City zoning classification to same area located on the northerly side of and binding upon Dagsboro Road and the northeast quadrant of the intersection of North Salisbury Blvd. MD RTE. 13 and Dagsboro Road
- **Resolution No. 2651**- approving the annexation plan of the “PennTex – Dagsboro Road Annexation”

Updates to the City Comprehensive Plan

- **Resolution No. 2669** - to amend the adopted 2010 City of Salisbury Comprehensive Plan, dated May 2012

Expansion of the Salisbury-Wicomico Enterprise Zone

- **Resolution No. 2670** - authorizing an application to the Maryland Department of Commerce to expand the boundaries of the existing Salisbury-Wicomico Enterprise Zone

7:20 p.m. ORDINANCE – City Attorney Mark Tilghman

- **Ordinance No. 2401** – 1st reading- creating a bike route which will run along West Isabella Street from the intersection at Rte. 50 to the intersection at Delaware Avenue

7:25 p.m. PUBLIC COMMENTS

7:30 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

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 October 10, 2016 Meeting

- **Ordinance No. 2401** – 2nd reading- creating a bike route which will run along West Isabella Street from the intersection at Rte. 50 to the intersection at Delaware Avenue

Posted: 9/22/16

1 **CITY OF SALISBURY, MARYLAND**

2
3 **REGULAR MEETING**

SEPTEMBER 12, 2016

4
5 **PUBLIC OFFICIALS PRESENT**

6
7 *Council President John “Jack” R. Heath*
8 *Council Vice-President Laura Mitchell*
9 *Councilwoman April Jackson*

Mayor Jacob R. Day
Councilman Muir Boda
Councilman James Ireton, Jr.

10 **IN ATTENDANCE**

11
12 *City Clerk Kimberly R. Nichols, City Administrator Tom Stevenson, City Attorney Mark*
13 *Tilghman, Assistant Director of Internal Services – Procurement & Parking Jennifer L. Miller,*
14 *and interested citizens and members of the press.*

15 *****

16 **CITY INVOCATION – PLEDGE OF ALLEGIANCE**

17
18 *The City Council met in regular session at 6:03 p.m. in Council Chambers. Council President*
19 *John “Jack” R. Heath called the meeting to order and invited Pastor Greg Morris at Parkway*
20 *Church of God to deliver the invocation. Thereafter, the Pledge of Allegiance was recited.*

21
22 **PRESENTATIONS**

23
24 ***Proclamations***

25
26 • **150th Anniversary of Trinity Church**

27 *Mayor Jacob R. Day presented the proclamation to Pastor George Patterson to proclaim*
28 *September 12, 2016 as “Trinity United Methodist Church Day” in the City of Salisbury*
29 *to celebrate the 150th anniversary of the church. Pastor Patterson invited the community*
30 *to the upcoming celebration events on September 24th and 25th at the church.*

31
32 • **Economic Development Week**

33 *Mayor Day presented Salisbury Wicomico Economic Development (SWED) Executive*
34 *Director Dave Ryan the proclamation to proclaim September 19 - 24, 2016 as Economic*
35 *Development Week in the City of Salisbury. Mayor Day thanked Mr. Ryan, his board and*
36 *team, and City of Salisbury Business Development Specialist Laura Kordzikowski for*
37 *their economic development efforts in the City and the surrounding community.*

38
39 *Mr. Ryan thanked the City for their partnership and for the special recognition.*

40
41 ***Community Organization Presentation***

42
43 • **M4Reactor presented by Executive Director Kevin Justice**

44
45 *Executive Director Kevin Justice joined Council at the podium and explained M4Reactor*
46 *is a community space located at the Tri County Council Building where all people from*

47 *students to adults and other organizations can come to discover new technologies From*
48 *3D printing, robotics, laser cutting and more, the skills taught will advance the Shore's*
49 *tech abilities and capabilities.*

50

51 **ADOPTION OF LEGISLATIVE AGENDA**

52

53 *Mrs. Mitchell moved, Ms. Jackson seconded, and the vote was unanimous to adopt the legislative*
54 *agenda as presented.*

55

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

57

58 *The Consent Agenda was unanimously approved on a motion and seconded by Mr. Boda and*
59 *Mr. Ireton, respectively:*

60

- *August 15, 2016 Work Session Minutes*
- *August 22, 2016 Council Meeting Minutes*
- *August 22, 2016 Closed Session Minutes*
- *September 6, 2016 Work Session Minutes*
- **Resolution No. 2656** – *adopting the Wicomico County Multi-Hazard Mitigation Plan*
- **Resolution No. 2657** – *to formally establish the Community Development Block Grant Review Committee*

61

62 **AWARD OF BIDS** – presented by Assistant Director of Internal Services – Procurement and
63 *Parking Jennifer L. Miller*

64

65 *Ms. Jackson moved, Mr. Ireton seconded and the vote was unanimous to approve the Award of*
66 *Bids consisting of the following item:*

67

- *Contract 117-16 Naylor Street Area Sidewalk* *\$102,850.00*

69

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

71

- **Resolution No. 2658** – *accepting the donation of apparatus and equipment for the Salisbury Fire Department to use in efforts to enhance its capabilities in providing the effective and efficient delivery of fire, rescue and emergency medical services and to improve the quality of life for the citizens of the City of Salisbury and the Salisbury Fire District*

76

77
78 *Mr. Boda moved, Mr. Ireton seconded, and the vote was unanimous to approve Resolution*
79 *No. 2658 as presented.*

80

81 **DISCUSSION**

82

83 *Council Vice-President Mitchell announced to the City Council and the public that she would be*
84 *resigning from City Council effective September 30, 2016. After Mayor's and Council's remarks*

85 *and sentiments of appreciation, Mrs. Mitchell received a standing ovation by everyone in*
86 *Council Chambers.*

87
88 *Mr. Heath reviewed the timeline to advertise, interview and appoint a Council representative*
89 *from District 5, and Council reached consensus on the following:*

- 90
- 91 • *The vacant Council seat shall be advertised 9/14/16 through 9/25/16. The ad will run in*
92 *the Daily Times on Wednesday 9/14/16, Sunday 9/18/16, Wednesday 9/21/16, and*
93 *Sunday 9/25/16; in the Salisbury Independent similar weekly times; and placed on the*
94 *City website. A map of District 5 shall be posted on the City website with the vacancy ad.*
 - 95 • *Resumes and letters of interest from candidates must be postmarked on or before 9/26/16*
96 *and received by the City Clerk by noon 9/28/16. They can also be hand delivered to the*
97 *City Clerk at 125 N. Division Street, Room 305 or emailed to knichols@salisbury.md*
 - 98 • *On 10/17/16 Council will schedule a Closed Session to discuss the appointment and*
99 *possibly hold a Special Meeting at that time to elect the appointee (new appointee shall*
100 *be sworn in office within five (5) days of election)*
 - 101 • *On 10/24/16, the new member will be elected (if not elected on 10/17/16) and sworn in at*
102 *the beginning of the Legislative Session.*

103 *With no further business to discuss, Council President Heath adjourned the meeting at 6:40 p.m.*

104
105 _____
106 *City Clerk*

107
108 _____
109
110 *Council President*

INTER

OFFICE

MEMO

OFFICE OF THE MAYOR

To: Tom Stevenson, City Administrator
From: Julia Glanz, Assistant City Administrator
Subject: Reappointment to the City Parks & Recreation Committee
Date: August 24, 2016

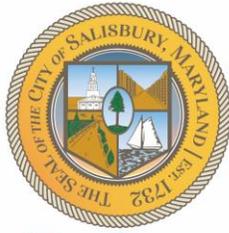
Mayor Day would like to reappoint the following person to the City Parks & Recreation Committee:

<u>Name</u>	<u>Term Ending</u>
Chris Roberts	September 2019

Attached you will find information from Chris Roberts and the Resolution authorizing his reappointment. His current term will expire October, 2016. Please forward this information to the City Council so it may be placed on their agenda for the next Council meeting. Please let me know if you have any questions.

Attachment

cc: Mayor Day



City of
Salisbury
Parks and Recreation Committee

DAVID PLOTTS, MSM August 23, 2016
CHAIRMAN

CHRIS ROBERTS
VICE CHAIRMAN

DARREN LUMPKIN
SECRETARY

AMAL ALI, PH.D.

DAVID HERRICK

KEVIN LINDSAY

MICHAEL PERRY

Muir Boda
COUNCIL LIAISON

Dear Mayor Day,

I would like to recommend the reappointment of Chris Roberts to the Parks & Recreation Committee. His current term ended in June 2016 and he wishes to remain a member of the Committee.

Chris is an integral part of the Committee, formerly serving as Chairman, prior to me, and currently serving as Vice Chairman. He has great historical knowledge of the park, and has been an asset during our Master Planning process.

If you have any questions, or would like more information, please feel free to contact me.

Thank you,

David Plotts
Chairman

1 **RESOLUTION NO. 2659**

2
3 BE IT RESOLVED, by the Council of the City of Salisbury, Maryland that the
4 following individual is reappointed to the City Parks & Recreation Committee for the
5 term ending as indicated.

6
7

<u>Name</u>	<u>Term Ending</u>
8 Chris Roberts	September 2019

9
10
11 THE ABOVE RESOLUTION was introduced and duly passed at a meeting of the
12 Council of the City of Salisbury, Maryland held on September _____, 2016.

13
14 ATTEST:

15
16
17 _____
18 Diane K. Carter
19 CITY CLERK

John R. Heath
PRESIDENT, City Council

20
21
22 APPROVED BY ME THIS

23
24 _____ day of _____, 2016

25
26
27 _____
28 Jacob R. Day
29 MAYOR, City of Salisbury

INTER

OFFICE

MEMO

OFFICE OF THE MAYOR

To: Tom Stevenson, City Administrator
From: Julia Glanz, Assistant City Administrator
Subject: Reappointment to the City Parks & Recreation Committee
Date: August 24, 2016

Mayor Day would like to reappoint the following person to the City Parks & Recreation Committee:

<u>Name</u>	<u>Term Ending</u>
David A. Plotts	October 2019

Attached you will find information from David A. Plotts and the Resolution authorizing his reappointment. His current term will expire October, 2016. Please forward this information to the City Council so it may be placed on their agenda for the next Council meeting. Please let me know if you have any questions.

Attachment

cc: Mayor Day

August 22, 2016

1208 Riverside Drive
Salisbury, MD 21801

The Honorable Jacob R. Day
Mayor of City of Salisbury
125 North Division Street
Salisbury, Maryland 21801

Dear Mayor Day:

My appointment to the Parks and Recreation Committee expires October 31, 2016 and I would like to be reappointed to an additional term.

The majority of my first term has been as Chairman, guiding the Committee through an expansion of mission which has reinvigorated our membership. The Committee's largest task, which is still ongoing, is the development of a City Park Master Plan. I believe our parks are and can remain a place for individuals and families to enjoy nature, exercise, and have fun.

I look forward to continuing to carry on the Committee's mission of providing advice on acquiring, developing, operating, and maintaining a park and recreation system that enriches the quality of life for the residents of Salisbury and visitors alike and preserves it for future generations.

I appreciate your consideration of my request.

Sincerely,

A handwritten signature in cursive script that reads "David A. Plotts". The signature is written in dark ink and is positioned above the printed name.

David A. Plotts

David Plotts

Dedicated professional skilled in financial management, business operations, human resources, and management. Creative and strategic thinker continuously focused on process improvement and corporate profitability. Active within the local community. Respected leader with excellent organizational and communication skills.

EMPLOYMENT

2012 - present

CONTROLLER – Community Foundation of the Eastern Shore

- + Provides the leadership, management, and vision necessary to ensure that the Foundation has the proper operational controls, administrative and reporting procedures, and people systems in place to effectively grow the Foundation and to ensure financial strength and operating efficiency.
- + Responsible for the Foundation's financial, investment, human resources, information systems, risk, and facilities management.

2008 - 2012

ACCOUNTANT & IT MANAGER – Community Foundation of the Eastern Shore

- + Responsible for accounting support and managing & implementing technological needs.
- + Assured all national standards for accountability and accuracy were met.

2006 - 2008

ASST. VICE PRESIDENT – FINANCE & ADMINISTRATION – AES ArchiTech

- + Responsible for the firm's office management, A/P & A/R, payroll, financial statements, contracts, information systems, and facilities management.

2000 – 2006

INFORMATION SYSTEMS MANAGER – AES ArchiTech

- + Responsible for the management of technology for an architectural, engineering, and surveying firm.

EDUCATION

2015

MASTER OF SCIENCE – University of Maryland University College

- + Management – Finance Specialization

2012

GRADUATE CERTIFICATE – University of Maryland University College

- + Nonprofit and Association Financial Management

2006

BACHELOR OF SCIENCE – Salisbury University

- + Information Systems Management

PROFESSIONAL AFFILIATIONS & ACTIVITIES

2015 - Present

CHAIRMAN City of Salisbury – Parks and Recreation Committee

2015 - Present

MEMBER Society for Human Resources Management

2013 - 2014

SECRETARY City of Salisbury – City Park Committee

2013

MEMBER TechSoup Nonprofit Product Advisory Panel

2012 - Present

MEMBER Institute of Management Accountants

2012 - Present

PRESIDENT East Park Professional Center – Board of Directors

2010 - 2011

SECRETARY East Park Professional Center – Board of Directors

SKILLS

- + Highly analytical thinking with demonstrated talent for identifying, scrutinizing, improving, and streamlining complex work processes.
- + Computer-literate performer with extensive software proficiency covering a wide variety of applications, including Microsoft Office, Windows Server, AutoCAD, Adobe Photoshop, and Adobe InDesign.
- + Flexible team player who thrives in environments requiring ability to effectively prioritize and juggle multiple concurrent projects.
- + Results-driven achiever with exemplary planning and organizational skills, along with a high degree of detail orientation.
- + Innovative problem-solver who can generate workable solutions and resolve complaints.

CERTIFICATIONS AND TRAINING

2016

UMD INSTITUTE FOR GOVERNMENTAL SERVICE & RESEARCH

Maryland Open Meetings Act Compliance Certificate

2014

NATIONAL WEATHER SERVICE SKYWARN Weather Spotter

2013

DALE CARNEGIE Effective Communications and Human Relations

2012

MICROEDGE Foundation Integrated Management System – Master Certificate

2006

MARYLAND Notary Public

1 **RESOLUTION NO. 2660**

2
3 BE IT RESOLVED, by the Council of the City of Salisbury, Maryland that the
4 following individual is reappointed to the City Parks & Recreation Committee for the
5 term ending as indicated.

6
7 Name Term Ending
8 David A. Plotts October 2019

9
10
11 THE ABOVE RESOLUTION was introduced and duly passed at a meeting of the
12 Council of the City of Salisbury, Maryland held on September _____, 2016.

13
14 ATTEST:

15
16
17 _____
18 Diane K. Carter
19 CITY CLERK

John R. Heath
PRESIDENT, City Council

20
21
22 APPROVED BY ME THIS
23
24 _____ day of _____, 2016

25
26
27 _____
28 Jacob R. Day
29 MAYOR, City of Salisbury

INTER

OFFICE

MEMO

OFFICE OF THE MAYOR

To: Tom Stevenson, City Administrator
From: Julia Glanz, Assistant City Administrator
Subject: Appointment to the Disability Advisory Committee
Date: August 23, 2016

Mayor Day would like to appoint the following person to the Disability Advisory Committee for the term ending as indicated.

<u>Name</u>	<u>Term Ending</u>
Amy Crouse	September 2019

Attached you will find information from Amy Crouse and the Resolution necessary for her appointment. Please forward this information to the City Council so it may be placed on their agenda for the next Council meeting. Please let me know if you have any questions.

Attachment

cc: Mayor Day

August 22, 2016

Dear Mayor Jake Day,

I am sending this letter to share my desire to be a part of the Salisbury Disability Advisory Committee. As you know, I am a rehabilitation instructor for Blind Industries and Services of Maryland. Tim Meagher suggested that I join the advisory committee to help better serve the disabled in our community.

I have included a resume with this letter.

Thank you for your kind consideration.

Peace,

Amy Crouse

acrouse@bism.org

BISM

2240 Northwood Drive

Salisbury, MD 21801

410-845-2333

Home:

8291 Democracy Drive

Parsonsburg, MD 21849

410-742-9411

AMY DH CROUSE

Objective

Disability Advisory Committee Member

Education

Wicomico High School (1982)
BS Education Salisbury State College (1986)
Masters Equivalent MSDE (1996)

Work Experience

1986-2002
Wicomico County Board of Education
Classroom Teacher

2002-Present
Blind Industries & Services of MD
(BISM)
Rehabilitation Services Coordinator/
Teacher

Volunteer Work

We Heart SBY—Board Member
Bike SBY
Remedy Church
Blood Bank of Delmarva-canteen volunteer

References

Pastor Ryan Weaver
Remedy Church 302-746-2336
Fred Puente
President of Blind Industries & Services of MD
410-749-1366/410-737-2632

Blind Industries & Services of MD
2240 Northwood Drive
Salisbury, MD 21801
410-845-2333
acrouse@bism.org

1 **RESOLUTION NO. 2661**

2
3 BE IT RESOLVED, by the City of Salisbury, Maryland that the following
4 individual is appointed to the Disability Advisory Committee, for the term ending as
5 indicated.

6
7 Name Term Ending
8 Amy Crouse September 2019
9

10
11 THE ABOVE RESOLUTION was introduced and duly passed at a meeting of the
12 Council of the City of Salisbury, Maryland held on September _____, 2016.

13
14 ATTEST:

15
16
17 _____
18 Diane K. Carter
19 CITY CLERK

John R. Heath
PRESIDENT, City Council

20
21
22 APPROVED BY ME THIS

23
24 _____ day of _____, 2016
25
26

27 _____
28 Jacob R. Day
29 MAYOR, City of Salisbury

INTER

OFFICE

MEMO

OFFICE OF THE MAYOR

To: Tom Stevenson, City Administrator
From: Julia Glanz, Assistant City Administrator
Subject: Appointment to the Disability Advisory Committee
Date: September 14, 2016

Mayor Day would like to appoint the following person to the Disability Advisory Committee for the term ending as indicated.

<u>Name</u>	<u>Term Ending</u>
Barbara Bell	September 2019

Attached you will find information from Barbara Bell and the Resolution necessary for her appointment. Please forward this information to the City Council so it may be placed on their agenda for the next Council meeting. Please let me know if you have any questions.

Attachment

cc: Mayor Day

BOARD OF EDUCATION OF WICOMICO COUNTY



JOHN E. FREDERICKSEN, PH.D.
SUPERINTENDENT OF SCHOOLS

P.O. Box 1538
2424 NORTHGATE DRIVE
SALISBURY, MD 21802-1538

410-677-4400
FAX 410-677-4444

www.wcboe.org

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JOSEPH R. OLLINGER

JOHN PALMER

RONALD O. WILLEY

May 27, 2016

Mayor Jake Day

City of Salisbury

125 N. Division Street, Room 304 Salisbury, MD 21801

Dear Mayor Day,

Please accept this letter as an expression of my intent to serve on the Mayor's Council in Support of People with Disabilities. My entire work history has been in supporting student's with disabilities. I have had the opportunity as the Special Education Transition Specialist to develop some Tri-County relationships with other school systems, WOR WIC Community College, the One Stop Job Market and the Eastern Shore Business Leadership Council. Michael Dyer from UNA contacted me on your behalf to ask me to be a part of this Council. I am attaching a small bio for you to consider my appointment to this council.

Sincerely,

A handwritten signature in blue ink that reads 'Barbara C. Bell'.

Barbara C. Bell/Transition Specialist WCBOE

bcbell@wcboe.org 410-677-4430

Barbara C. Bell- Transition Specialist Wicomico County Public Schools

- Currently working as the Transition Specialist in **Wicomico County Public Schools since 2007.**
- Began my career in **Baltimore County Public Schools, retired after 32 years** to move to the Eastern Shore.
- Certified in Special Education and Social Studies. Taught in Special Education Resource Classes, Inclusion Social Studies Classes, even taught some Culinary Arts classes for one year. Last assignment in Baltimore County was as a Transition Facilitator and Work Study Coordinator. Co-developed and taught a Transition In-service Course for teachers in Baltimore County. Served as class sponsor and cheerleading coach.
- Worked as a Disability Navigator for a **MSDE Grant in Wicomico County 2005 -2007.**
- **Personal Information-** Married, living in Ocean Pines near Ocean City Maryland. Have 4 children, 2 step children and 13 grandchildren.

1 **RESOLUTION NO. 2662**

2
3 BE IT RESOLVED, by the City of Salisbury, Maryland that the following
4 individual is appointed to the Disability Advisory Committee, for the term ending as
5 indicated.

6
7 Name Term Ending
8 Barbara Bell September 2019
9

10
11 THE ABOVE RESOLUTION was introduced and duly passed at a meeting of the
12 Council of the City of Salisbury, Maryland held on September _____, 2016.

13
14 ATTEST:

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17 _____
18 Diane K. Carter
19 CITY CLERK

John R. Heath
PRESIDENT, City Council

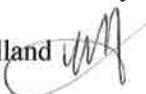
20
21
22 APPROVED BY ME THIS

23
24 _____ day of _____, 2016
25

26
27 _____
28 Jacob R. Day
29 MAYOR, City of Salisbury



Memorandum

To: Tom Stevenson, City Administrator
CC: Julia Glanz, Assistant City Administrator
From: William T. Holland 
Date: 9/12/2016
Ref: Permit Fee Waivers for Handicap Ramps

Attached is a Resolution which will waive the building permit fee for the cost of construction for handicap ramps for one-and-two family dwellings. The cost of constructing a residential handicap ramp is typically in the range of \$1,000 to \$2,000. The permit fee associated for a building permit with a cost of construction up to \$3,000 is \$40.

During FY-16, the revenue generated for the construction of handicap ramps was \$140.00. With this in mind, I recommend the City Council approve the attached Resolution waiving permit fees for residential handicap ramps.

Let me know if you have any questions.

43 ATTEST:

44

45

46

47 _____
Diane K. Carter, Assistant City Clerk

John R. Heath, President, City Council

48

49

50 APPROVED BY ME THIS _____ day of September, 2016

51

52

53 _____
Jacob R. Day, Mayor



City of Salisbury – Wicomico County

DEPARTMENT OF PLANNING, ZONING AND COMMUNITY DEVELOPMENT

P.O. BOX 870

125 NORTH DIVISION STREET, ROOMS 203 & 201

SALISBURY, MARYLAND 21803-4860

410-548-4860

FAX: 410-548-4955



JACOB R. DAY
MAYOR

TOM STEVENSON
CITY ADMINISTRATOR

BOB CULVER
COUNTY EXECUTIVE

R. WAYNE STRAUSBURG
DIRECTOR OF ADMINISTRATION

August 29, 2016

TO: Laura Kordzikowski, Downtown Business Coordinator

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

SUBJECT: Edit, LLC – 100 N. Division Street

At your request, this department has reviewed the Enterprise Zone request submitted by Edit, LLC for property located at 100 N. Division Street. The subject site is located on State City Tax Map #107, Parcel #1042 on the westerly side of North Division Street. The site is located in the Central Business District and also within the Downtown Historic District.

The Central Business District permits a number of uses including professional and business offices, apartments above the first floor, retail uses, and specialty shops.

The Planning Staff is not aware of any requests to subdivide this property.

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

INTER

OFFICE

MEMO

Office of Business Development

To: Mike Moulds, Jack Lenox, Bill Holland, and Keith Cordrey
From: Laura Kordzikowski
Subject: Enterprise Zone Qualifications – Edit, LLC
Date: August 29, 2016

I have received a request from Edit, LLC located at 100 N Division St, that they be deemed qualified to receive Enterprise Zone benefits. In order to receive such designation, it is necessary that they meet certain criteria. I am requesting that your departments help me in processing their application by helping me to determine if they meet the necessary criteria.

Public Works

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

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

Planning & Zoning

Does this business meet the zoning code?

Does this business comply with subdivision regulations?

Building, Permits & Inspections

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

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

Finance

Is this business up to date on their taxes?

Please answer the questions above under the heading for your department and return to my office by 9/5/2016. Your assistance is appreciated. If you have any questions, please let me know.

cc: Mayor Day

Laura Kordzikowski

From: Connie Klaverweiden
Sent: Tuesday, August 30, 2016 4:16 PM
To: Laura Kordzikowski
Cc: Keith Cordrey
Subject: FW: Edit LLC
Attachments: 20160830115242.pdf

Laura,

Edit LLC has only been in City Limits long enough to generate one personal property tax bill. That bill is for the current year and is not due until 09/30/16.

Only current year real estate taxes are due for that location. The owner of the real estate is not Edit LLC.

Connie Klaverweiden

Revenue Clerk II
Department of Internal Services/ Finance Division
City of Salisbury
125 N. Division Street, Room 103
Salisbury, MD 21801
410-548-3110



www.salisbury.md

From: Keith Cordrey
Sent: Tuesday, August 30, 2016 11:54 AM
To: Connie Klaverweiden
Cc: Shawanda Garrison; Laura Kordzikowski
Subject: Edit LLC

Connie,

Please let Laura know if Edit LLC is up to date on their AR so they qualify for Enterprise Zone as per attached.

Keith Cordrey

Director of Internal Services
City of Salisbury
125 N. Division St. Room 103
Salisbury, MD 21801
410-334-3028

Department of Public Works

Inter Office Memorandum

To: Mike Moulds, Director of Public Works
From: Rick Baldwin
Subject: Enterprise Zone Qualifications – Edit, LLC
Date: August 30, 2016

Review of Public Works criteria for Enterprise Zone designation of Edit, LLC located at 100 N. Division Street, Salisbury, Maryland.

- Edit, LLC located at 100 N. Division Street is currently in compliance with the City's sewer use requirements specifically Chapter 13.12 of the City of Salisbury Code of Ordinances.
- Edit, LLC located at 100 N. Division Street is in compliance with state and local storm water management codes and regulations for the date built.



City of
Salisbury
Jacob R. Day, Mayor

August 29, 2016

Mr. Dianne Green
Edit, LLC
1323 Mt. Hermon Road, Ste 7A
Salisbury MD 21804

Dear Dianne Green:

I have received your request for enterprise zone designation for Edit, LLC located at 100 N Division St, Salisbury MD. I will begin processing this request immediately. I will be back in touch if I need further information, and to let you know when this matter will be brought before the City Council and the County Council for approval.

If you have any questions in the meantime, please let me know. My phone number is 410-677-1915.

On behalf of the Mayor and the City Council, I would like to express our appreciation for your interest in investing in our community.

Very truly yours,

Laura Kordzikowski
Business Development Specialist – City of Salisbury



**City of Salisbury
Enterprise Zone Program Information And Qualification Application**

Application

Applying For:

Income Tax Credit Real Property Tax Credit Both

General Information

Today's Date: 8/16/16
Name of Firm: Edit, LLC (Edit Downtown Salon)
Legal Status: Corporation Proprietorship Partnership Other
FEIN: 61-1764444
Contact Person: Manissa Metcalf, Brittany Bradshaw, Michelle Seese
Title: Owners

Mailing Address: 100 N. Division St, Salisbury, MD 21801

Street Address (if different):

Telephone Number: 410-572-4377
E-Mail Address: edltsalonsby@gmail.com

Property Information

Address of Property for Which Enterprise Benefits are sought:
Not Applicable

Property Tax # (10 digit – if available): _____
Name of Property Owner: _____
Address of Property Owner: _____
Approximate Size of Property: _____ Acres
Approximate Size of Existing Building: _____ Square Feet
Current Base Assessment Price: \$ _____

Information on Applicant Business

Is Company Located in Enterprise Zone now: Yes No If yes, since what year: 2015
Is Company relocating from another place?: Yes No
If yes, where was previous location?: _____
Is Company a new, start up business?: Yes No
Headquarters location: 100 N. Division St, Salisbury

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



**City of Salisbury
Enterprise Zone Program Information And Qualification Application**

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

Hair salon

Business NAICS Code (if available): 812112

Did Enterprise Zone benefits affect your decision to locate at this address?: Yes No

Proposed Project – Real Property Tax Credit

Proposed Project Is: New Construction Rehabilitation

Project Starting Date: Not applicable

Anticipated Completion Date: _____

Description of Project:

Cost of Project: \$ _____

Proposed Project – State Income Tax Credit

Current Number of Employees in the Zone:

Total: 6 Full Time: 4 Part Time: 2

New Jobs Created in the Zone:

Total: 6 Full Time: 4 Part Time: 2

Creation Date: 11/10/15

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

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

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

Signatures

Signature of Person Completing This Form: Marissa Metcalf

Typed Name: Marissa Metcalf

Title: Owner

Date: 8/25/16

How did you hear about this opportunity:

Downtown Business Development Specialist Laura Korczikowski

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

RESOLUTION NO. 2664

A RESOLUTION OF THE CITY OF SALISBURY, MARYLAND DECLARING THAT EDIT, LLC IS ELIGIBLE TO RECEIVE ENTERPRISE ZONE BENEFITS FOR PROPERTY LOCATED AT 100 N DIVISION STREET, SALISBURY MD.

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

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

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

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

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

WHEREAS, Diannne Green, representing Edit, LLC has requested that the company be designated as eligible for Enterprise Zone benefits because of its creation of two or more full time jobs at their business located in the zone at 100 N Division St;

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

The above Resolution was introduced and read and passed at the regular meeting of the Salisbury City Council on the 26 day of September, 2016.

Diane K. Carter
ASSISTANT CITY CLERK

John R. Heath
PRESIDENT, City Council

APPROVED by me this
_____ day of _____ 2016.

Jacob R. Day
MAYOR, City of Salisbury

INTER

OFFICE

MEMO

OFFICE OF THE MAYOR

To: Tom Stevenson, City Administrator
From: Julia Glanz, Assistant City Administrator JG
Subject: Resolution to Support Green Streets Housing, LLC
Date: September 16, 2016

Attached you will find a resolution to support Green Streets Housing, LLC, who plan to revitalize the vacant Lot 30 through the development of a public market and affordable housing to be known as GateHouse Market and Lofts.

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

Attachment:

1 RESOLUTION NO. 2665

2
3 A RESOLUTION OF THE CITY OF SALISBURY, MARYLAND FOR THE
4 PURPOSE OF SUPPORTING THE DEVELOPMENT OF LOT 30 WITH AFFORDABLE
5 HOUSING AND A PUBLIC MARKET TO BE KNOWN AS GATEHOUSE MARKET AND
6 LOFTS.

7
8 WHEREAS, the City of Salisbury (the "Seller") and GREEN STREET HOUSING, LLC
9 (the "Buyer") has entered into a DISPOSITION CONTRACT on March 31, 2016 for the
10 purchase of Parking Lot 30; and

11
12 WHEREAS, the DISPOSITION CONTRACT states the Buyer agrees to purchase the
13 property from the Seller for \$10,001.00; and

14
15 WHEREAS, Green Street Housing, LLC has requested support from the City of
16 Salisbury, Maryland for developing Lot 30 located on 401 W. Main Street, Salisbury, MD; and

17
18 WHEREAS, the Mayor and City Council have determined that there is a surplus of City-
19 owned property that should be developed, and that there is a strong public need for increased
20 infill development in the City; and

21
22 WHEREAS, the City of Salisbury, Maryland, recognizes there is a significant need for
23 quality housing units in Salisbury for persons with low or limited incomes; and

24
25 WHEREAS, GREEN STREET HOUSING, LLC has committed to providing 52 units of
26 affordable housing at GateHouse Market and Lofts to households earning less than 60% of the
27 area median income, adjusted for family size; and

28
29 WHEREAS, Lot 30 is currently an undeveloped property; and

30
31 WHEREAS, The City of Salisbury desires to provide new development in the Central
32 Business District and Enterprise Zone; and

33
34 BE IT FURTHER RESOLVED THAT, copies of this Resolution be sent to Jacob R.
35 Day, the Mayor of Salisbury, Maryland, for his signature indicating approval thereof; and

36
37 BE IT FURTHER RESOLVED THAT, copies of this resolution be sent to the Secretary
38 of Housing and Community Development of the State of Maryland.

39
40 THIS RESOLUTION was introduced, read and duly passed at a meeting of the Council
41 of the City of Salisbury, Maryland held on September 26, 2016 and is to become effective
42 immediately upon adoption.
43
44
45
46

47 ATTEST:

48

49

50

51

52 _____
53 Diane K. Carter
54 ASSISTANT CITY CLERK

John R. Heath
COUNCIL PRESIDENT

55

56

57

58 APPROVED by me this _____ day of _____, 2016

59

60

61

62 _____
63 Jacob R. Day, MAYOR
CITY OF SALISBURY

63



City of
Salisbury
Jacob R. Day, Mayor

COUNCIL AGENDA – Award of Bids

September 26, 2016

- | | |
|------------------------------------|--------------|
| 1. Contract RFP 16-16 | \$223,200.00 |
| Automated Speed Enforcement System | |



City of
Salisbury
Jacob R. Day, Mayor

To: Mayor and City Council
From: Jennifer Miller
Asst. Director of Internal Services – Procurement & Parking Division
Date: September 26, 2017
Subject: Award of Bid for RFP 16-16
Automated Speed Enforcement System

The City of Salisbury Internal Services Department, Procurement Division, received a request from the Salisbury Police Department to solicit proposals for RFP 16-16, Automated Speed Enforcement System. The Procurement Department issued the solicitation on May 5, then withdrew the solicitation on May 12 upon notice of an opportunity to piggyback on a Calvert County contract for said services.

Per Section SC 16-3 “General Policy of Competitive Bidding, Exceptions” of the City of Salisbury Charter, competitive bidding procedures performed by the City of Salisbury are not necessary or appropriate in the following circumstance:

“(9) Contracts in which the City receives a contract price negotiated by the State, County, or other governmental entity pursuant to a valid contract.”

On April 1, 2016, Calvert County executed a contract with Brekford Corporation for Bid Number “Purch 2016-105” for “Automated Speed Enforcement System”. The Procurement Division has obtained a copy of the contract, which was competitively bid through the Calvert County Department of Finance & Budget – Purchasing Office, and has confirmed that the price and terms contracted to Calvert County will be afforded to the City of Salisbury as well. By piggybacking on this contract, the City of Salisbury will save \$190,800 per year, as compared to our current monthly rate per unit. Additional pertinent details regarding unit pricing and length of contract are noted in the attached letter from Major Scott Kolb of the Salisbury Police Department.

The Procurement Department requests Council’s approval to award a contract for RFP 16-16 to Brekford Corporation, in the amount of \$223,200.00. The monthly payment amount of \$18,600 will be paid from the General Fund revenue account 01000-445140, set up for revenue from the speed enforcement system.

Sincerely,

Jennifer Miller

Assistant Director of Internal Services – Procurement and Parking



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

TO: Jennifer Miller
 Director of Internal Services Parking & Procurement Division

FROM: Major Scott Kolb

SUBJECT: Automated Speed Enforcement System

DATE: September 6, 2016

The Salisbury Police Department recommends awarding a contract for an automated Speed Enforcement Camera System to the Brekford Corporation, piggybacking off of the Calvert County Government contract. The department is currently and has been utilizing this vendor since July 2011. I have evaluated this vendor in the following areas: Quality of Services/Work, Timeliness of Performance, Cost Control, Business Relations, and Customer Satisfaction. This vendor has been excellent in all categories. Whenever I asked for changes, training, reports, etc., they were carried out quickly and professionally. My direct point of contact Mr. Bradley Schaeffer has always been available to answer m questions or concerns. It has truly been a pleasure working with him.

Brekford Corp. - Current contract fee		
Per unit, per month	\$5,750 @ six units	\$34,500
Calvert County contract fee		
Per unit, per month	\$3,100 @ six units	\$18,600

The City of Salisbury will be saving \$2,650 per camera and a total of \$15,900 per month or \$190,800 per year. The total contract award is \$223,200 (\$3,100 per unit for 12 months). The term of the contract is for one (1) year commencing after approval and proper execution of the contract documents, with a renewal option for two (2) additional one (1) year periods, exercisable at the sole discretion of the City.

The contract will be automatically renewed unless notice of nonrenewal shall be made to the contractor by the City or to the City by the contractor at least ninety (90) calendar days prior to the contract anniversary date which is the date of the Notice to Proceed or otherwise indicated by the City. In the event the City exercises its option to renew the contract beyond the initial one-year period, the prices for each renewal term shall be the price of \$3,100 per unit. Therefore, the Salisbury Police Department recommends awarding the contract to the Brekford Corporation.



Major Scott Kolb
Administrative Commander



City of Salisbury – Wicomico County

DEPARTMENT OF PLANNING, ZONING AND COMMUNITY DEVELOPMENT
P.O. BOX 870
125 NORTH DIVISION STREET, ROOMS 203 & 201
SALISBURY, MARYLAND 21803-4860
410-548-4860
FAX: 410-548-4955



JACOB R. DAY
MAYOR

BOB CULVER
COUNTY EXECUTIVE

TOM STEVENSON
CITY ADMINISTRATOR

R. WAYNE STRAUSBURG
DIRECTOR OF ADMINISTRATION

TO: Tom Stevenson
City Administrator

FROM: John F. Lenox *J.F.L.*
Planning Director

RE: River View Commons Riverwalk
Property Acceptance

DATE: September 19, 2016

At the work session of August 15, 2016, the City Council reviewed the draft Subdivision Plan prepared by Parker and Associates, to serve as reference for the Riverwalk property donation at the former Feldman’s site. There was a consensus to proceed to formal acceptance by the City. This plan has since been finalized; a deed has been prepared by the City Attorney; and the attached Resolution outlines the background of this cooperative venture.

Acceptance of this donation of land, with it improvements, is recommended.

DEED

THIS DEED, made this ____ day of _____, 2016 by River View Commons, LLC, hereinafter called the "Grantor";

WHEREAS, this transfer is exempt from recordation tax pursuant to Md. Tax-Property Code Ann. § 12-108(a)(1)(iv) and is also exempt from transfer tax pursuant to Md. Tax-Property Code Ann. § 13-207(a)(1).

THAT FOR AND IN CONSIDERATION OF THE SUM OF NO DOLLARS, (\$0.00) and other good, valuable and sufficient considerations in hand paid, receipt of which is hereby acknowledged, the said Grantor does hereby grant and convey unto the City of Salisbury, a Municipal Corporation of the State of Maryland, its successors and assigns, in fee simple, all that street, parcel or lot of land situate, lying and being in the City of Salisbury, Salisbury Election District, Wicomico County, State of Maryland, being described and shown and designated as "Parcel A" on a plat entitled "Subdivision of Lot 1, Map 107, For River View Commons, LLC" made by Parker & Associates, Inc., dated August 4, 2016, to be recorded among the Land Records of Wicomico County, Maryland, and more particularly described as follows:

Beginning at a point on the easterly right of way line of Mill Street at the southwesterly corner of the herein described parcel being shown as 'Parcel A' on a plat entitled "Subdivision of Lot 1, Map 107, for River View Commons, LLC" dated August 4, 2016, prepared by Parker & Associates, Inc. Thence by and with the said easterly line of the Mill Street along the following three courses: (1) North 10 degrees 47 minutes 17 seconds East a distance of 59.83 feet to a point, (2) South 79 degrees 12 minutes 43 seconds East a distance of 3.50 feet to a point, (3) North 10 degrees 47 minutes 17 seconds East a distance of 79.71 feet to a point on the westerly line of Lot 1A as shown on the aforesaid plat. Thence leaving the said line of Mill Street and continuing with the said Lot 1A along the following twelve courses: (1) with a curve to the right having a radius of 11.16 feet and a length of 15.09 feet, a chord bearing of South 21 degrees 07 minutes 11 seconds East a chord distance of 13.97 feet to a point, (2) South 06 degrees 32 minutes 53 seconds West a distance of 6.88 feet to a point, (3) South 05 degrees 30 minutes 30 seconds West a distance of 12.28 feet to a point, (4) with a curve to the right having a radius of 18.81 feet and a length of 8.28 feet, a chord bearing of South 16 degrees 27 minutes 39 seconds West a chord distance of 8.22 feet to a point, (5) with a curve to the left having a radius of 17.70 feet and a length of 13.85 feet, a chord bearing of South 11 degrees 33 minutes 20 seconds West a chord distance of 13.50 feet to a point, (6) with a curve to the right having a radius of 36.36 feet and a length of 7.29 feet, a chord bearing of South 01 degrees 26 minutes 54 seconds West a chord distance of 7.28 feet to a point, (7) South 06 degrees 41 minutes 58 seconds West a distance of 19.91 feet to a point, (8) South 06 degrees 46 minutes 13 seconds West a distance of 19.84 feet to a point, (9) with a curve to the right having a radius of 20.19 feet and a length of 12.93 feet, a chord bearing of South 24 degrees 51 minutes 49 seconds West a chord distance of 12.71 feet to a point, (10) with a curve to the left having a radius of 13.69 feet and a length of 20.78 feet, a chord bearing of South 04 degrees 11 minutes 53

seconds East a chord distance of 18.84 feet to a point, (11) South 41 degrees 15 minutes 59 seconds East a distance of 54.97 feet to a point, (12) South 48 degrees 15 minutes 41 seconds West a distance of 3.84 feet to a point on the northerly line of lands of the City of Salisbury (TM 107, P 1086). Thence by and with the said line of the City of Salisbury lands along the following two courses: (1) South 87 degrees 20 minutes 40 seconds West a distance of 4.57 feet to a point, (2) South 55 degrees 27 minutes 23 seconds West a distance of 3.46 to a point on the face of the existing bulkhead on the northeasterly side of the Wicomico River (East Branch). Thence by and with the said line of the Wicomico River, North 41 degrees 22 minutes 15 seconds West a distance of 65.88 feet to the point of beginning. Containing 2,179.26 square feet, more or less.

AND BEING a part of the same land conveyed unto the within Grantor by a Deed from Feldman Brothers, Incorporated, dated July 6, 2012, and recorded among the aforesaid Land Records in Liber M.S.B. No. 3458, Folio 001 et seq.

REFERENCE to said deeds, plat and to preceding deeds of the property hereby conveyed, and to the references contained therein, is hereby made a part hereof as if herein fully set forth.

TOGETHER with the improvements thereon and all the rights, ways, roads, privileges, appurtenances and advantages thereto belonging or in any manner appertaining.

TO HAVE AND TO HOLD the above granted property unto the Grantee, the City of Salisbury, a Municipal Corporation of the State of Maryland, its successors and assigns, forever in fee simple.

AND the said Grantor does hereby covenant that it will warrant specially the property hereby conveyed and that it will execute such other and further assurances of the land as may be requisite and necessary.

AS WITNESSED my hand and seal the day and year first above written.

WITNESS/ATTEST:

RIVER VIEW COMMONS, LLC

By: _____
O. Palmer Gillis, Controlling
Member

STATE OF MARYLAND, COUNTY OF WICOMICO:

I HEREBY CERTIFY on this _____ day of September, 2016, before me, the undersigned, a Notary Public in and for the State and County aforesaid, personally appeared O. Palmer Gillis, who acknowledged himself to be a Controlling Member of River View Commons, LLC, described in the foregoing Deed; and he, as such Controlling Member, being authorized to do so executed the foregoing instrument for

the purposes therein contained by signing the name of the Company by himself as Controlling Member.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal

My Commission Expires

Notary Public

This is to certify that the within instrument was prepared by or under the supervision of the undersigned, an attorney duly admitted to practice before the Court of Appeals of Maryland.

S. Mark Tilghman

1 **RESOLUTION NO. 2666**

2 A RESOLUTION OF THE CITY OF SALISBURY, MARYLAND, TO FORMALLY
3 ACCEPT CONVEYANCE OF THE RIVER VIEW COMMONS RIVERWALK PROPERTY
4

5 **WHEREAS**, the City of Salisbury included funds in the FY08 Bond Issue for the Mill Street
6 Bridge Repair, and this project included the replacement of the bulkhead along that portion of the
7 Wicomico River referred to generally as the “Feldman’s Property”;
8

9 **WHEREAS**, the former Feldman’s Property was acquired by Riverview Commons, LLC, with
10 the understanding that the property owner would provide construction access to the City to enable the
11 bulkhead replacement at a cost savings to the public;
12

13 **WHEREAS**, a cooperative relationship between the developers and the City helped facilitate the
14 historic renovation of this prominent Downtown site, while enabling access to and along the East Branch
15 of the River;
16

17 **WHEREAS**, the developers designed and constructed at no expense to the public a walkway
18 access from Mill Street to the River, and a Riverwalk along the length of the property consistent with the
19 adopted City standards;

20 **WHEREAS**, the owners have offered to donate to the City in fee simple, along with said
21 improvements, a parcel of land parallel to Mill Street and the East Branch of the River, containing
22 approximately 2,179 square feet, as shown and designated as “Parcel A” on a plat entitled ”Subdivision of
23 Lot 1, Map 107, For River View Commons, LLC” made by Parker & Associates, Inc., dated August 4,
24 2016 (revised); and

25 **NOW, THEREFORE**, be it resolved that the Council of the City of Salisbury, Maryland does
26 hereby accept the donation of land.

27 THE ABOVE RESOLUTION was introduced and duly passed at a meeting of the Council of the City
28 of Salisbury held on the 26th day of September, 2016, and is to become effective immediately upon
29 adoption.

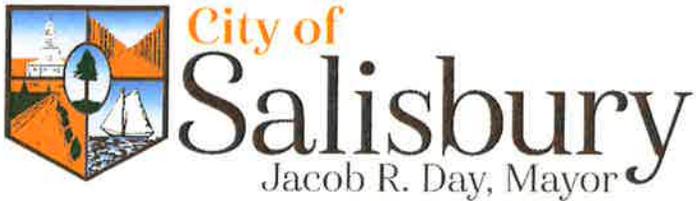
30
31 ATTEST:

32
33 _____
34 Diane K. Carter, Assistant City Clerk

35 _____
36 John R. Heath, President
37 Salisbury City Council

38 APPROVED BY ME THIS: _____ day of _____, 2016.
39

40
41 _____
42 Jacob R. Day, Mayor
43



To: Thomas Stevenson, City Administrator
From: Michael S. Moulds, P.E., Director of Public Works *MSM*
Date: August 3, 2016
Re: Memorandum of Understanding with DZS for Zoo Visitor Center

The Delmarva Zoological Society (DZS) has raised funds for the new Visitor Center which is to be located in the W.E. Morgan Building. Attached is a Memorandum of Understanding with DZS which outlines the funding and the roles and responsibilities for DZS and the City. The City will review the design, perform the site survey, apply for the MDE floodplain permit, perform construction administration services, and perform part time inspection. The construction contract with the Vendor will be with DZS. The project is funded with donations, therefore the City is not providing funding for this project.

Attached is the Resolution to authorize the Mayor to sign the MOU and for the City to accept the donation upon Final Acceptance of the construction. DZS is planning to contract with Delmarva Veterans Builders under a Construction Management at Risk contract to perform the design and construction.

Unless you or the Mayor have further questions, please forward a copy of this memo, the resolution and the MOU to the City Council.

1 RESOLUTION NO. 2667

2
3 A RESOLUTION OF THE CITY OF SALISBURY, MARYLAND TO AUTHORIZE A
4 MEMORANDUM OF UNDERSTANDING AND ACCEPT A DONATION FROM THE
5 DELMARVA ZOOLOGICAL SOCIETY FOR IMPROVEMENTS TO THE SALISBURY
6 ZOOLOGICAL PARK VISITOR CENTER BUILDING.

7
8 WHEREAS, the Council of the City of Salisbury supports the acceptance of
9 donations at the Salisbury Zoo; and

10
11 WHEREAS, the Delmarva Zoological Society has raised funds for the design,
12 improvement and construction of the existing Visitor Center; and

13
14 WHEREAS, the Delmarva Zoological Society would like to donate the
15 improvements to the Visitor Center to the City of Salisbury upon Final Acceptance of
16 construction; and

17
18 WHEREAS, the City will provide in-kind labor for specific tasks, but will not
19 provide any direct funding; and

20
21 WHEREAS, the attached Memorandum of Understanding defines the
22 responsibilities of each party in regard to the donation.

23
24 NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Salisbury,
25 Maryland does hereby authorize the Mayor to sign the attached Memorandum of
26 Understanding with the Delmarva Zoological Society dated _____, 2016 and accept
27 the donation of the improvements to the Visitor Center upon Final Acceptance of
28 construction.

29
30 THIS RESOLUTION was introduced and duly passed at a meeting of the Council
31 of the City of Salisbury, Maryland held on September 26, 2016 and is to become effective
32 immediately upon adoption.

33
34 ATTEST

35
36
37 _____
38 Diane K. Carter, Assistant City Clerk

John R. Heath, President
Salisbury City Council

39
40
41
42 APPROVED BY ME THIS ____ day of _____, 2016.

43
44 _____
45 Jacob R. Day, Mayor

1 **MEMORANDUM OF UNDERSTANDING BETWEEN**
2 **THE DELMARVA ZOOLOGICAL SOCIETY, INC. AND**
3 **THE CITY OF SALISBURY**
4
5

6 **This Agreement** is made by and between the Delmarva Zoological Society, Inc.
7 (“DZS”), a corporation organized under the not-for-profit corporation laws of the State of
8 Maryland and the City of Salisbury (“City”) a municipal corporation incorporated under
9 the laws of the State of Maryland.

10
11 **WHEREAS**, DZS is charged with promoting, raising funds for, publicizing,
12 and supporting the exhibits, education efforts and projects of the Salisbury Zoological
13 Park (“Salisbury Zoo”), in partnership with the Salisbury Zoo Commission, Inc. (“Zoo
14 Commission”) and/or the Director of the Salisbury Zoo, by such means as fund-raising,
15 appeals to the general public, corporate sponsorships, endowments, individual
16 contributions, bequests, legacies, and other means; and
17

18 **WHEREAS**, the City also provides financial support to the Salisbury Zoo and,
19 along with the Zoo Commission, manages the Zoo through a successful public/private
20 partnership; and
21

22 **WHEREAS**, DZS has established a “Renew the Zoo Fund” and pledged that
23 distributions from the Fund must be for the purpose of improving the Salisbury Zoo,
24 which shall include, but shall not be limited to the construction and renovations of
25 buildings and facilities at the Salisbury Zoo; and
26

27 **WHEREAS**, DZS, through its “Renew the Zoo” capital campaign, has raised
28 funds, which will be used to finance the design, improvement, and construction of the
29 existing William Morgan Visitor Center (“Visitor Center”) at the Salisbury Zoo; and
30

31 **WHEREAS**, the improvements to and construction of the Visitor Center are not
32 funded by the City of Salisbury with the exception of providing in-kind labor for the
33 specific tasks listed herein; and
34

35 **WHEREAS**, DZS will contract directly with a Vendor for the design,
36 construction and Construction Management of the Visitor Center and will provide
37 payment directly to the Vendor; and
38

39 **WHEREAS**, DZS will donate the improvements to the Visitor Center to the City
40 of Salisbury upon completion of construction.
41

42 **THEREFORE**, based on the foregoing, the parties enter into the following
43 Agreement.
44

46 **SECTION 1. DZS REPRESENTATIONS.**

47

48 DZS represents, acknowledges, and agrees that it will fund the Visitor Center
49 from the Renew the Zoo Fund or any other fundraising efforts and will donate the
50 improved Visitor Center to the City of Salisbury upon completion of construction. DZS
51 will contract with the Construction Manager for design and construction of Visitor
52 Center. DZS will pay the Construction Manager directly per the contract for design and
53 construction. DZS will require that the Construction Manager provide Builder's Risk
54 Insurance. DZS will require that the Construction Manager obtain all necessary permits
55 prior to construction. DZS will purchase materials for the construction of animal
56 exhibits. DZS will fund the acquisition and transport of animals for exhibition.

57

58 **SECTION 2. CITY REPRESENTATIONS.**

59

60 The City represents, acknowledges, and agrees that it will facilitate the design and
61 construction of the Visitor Center. The Zoo staff will provide input regarding the Visitor
62 Center layout, functionality and animal exhibits. The Zoo staff may assist with animal
63 exhibit fabrication and may undertake minor, miscellaneous tasks including, but not
64 limited to, landscape improvements and modifications that may be necessary to adjoining
65 exhibit sites. The Salisbury Department of Public Works (SPW) will review the
66 construction documents at the 60%, 90% and 100% levels and will approve the
67 construction documents prior to construction commencing. SPW will provide
68 Construction Administration services including attending progress meetings, reviewing
69 payment applications, and providing part time inspection. SPW will perform the
70 topographic site survey and will provide the survey in Auto CAD to DZS. SPW will
71 perform utility locating. SPW will apply for the Maryland Department of the
72 Environment permit for the alteration of any floodplain in Maryland. SPW will perform
73 punch list and final inspections, and will recommend Substantial Completion and Final
74 Acceptance.

75

76 The City shall not be responsible for paying for the design, permitting or
77 construction of the Visitor Center. The City will waive all permitting fees that would be
78 collected by the City. The City will not invoice DZS for in-kind services performed by
79 City staff.

80

81 Upon completion of construction of the Visitor Center improvements, DZS shall
82 not be responsible for any cost or expenses associated with staffing, operating, or
83 maintaining the Visitor Center.

84

85 **SECTION 3. LIABILITY.**

86

87 DZS shall indemnify, defend, and hold the City and its employees or agents
88 harmless against any claim or liability for loss from personal injury or property damage
89 resulting from or arising out of the work done under this Memorandum of Understanding
90 by DZS, and its employees or agents and its contractors and subcontractors, excepting,

91 however, such claims or damages that may be caused by the acts or omissions of the City
92 or its employees or agents.

93
94 **SECTION 4. TERMINATION FOR CONVENIENCE.**

95
96 The performance of work under the Memorandum of Understanding may be
97 terminated by the City in accordance with this clause in whole, or from time to time in
98 part, whenever the City shall determine that such termination is in the best interest of the
99 City. The City will pay all reasonable costs associated with the Memorandum of
100 Understanding that DZS has incurred up to the date of termination, and all reasonable
101 costs associated with termination of the Agreement; provided, however, that DZS and
102 any other parties shall not be reimbursed for any anticipatory profits that have not been
103 earned up to the date of termination.

104
105 **SECTION 5. ENTIRE AGREEMENT.**

106
107 This Agreement represents the parties' entire agreement with respect to the
108 matters specified herein.

109
110 **SECTION 6. GOVERNING LAW AND VENUE.**

111
112 It is understood that this Agreement shall be governed by and construed under and
113 in accordance with the laws of the State of Maryland. Venue for any actions arising
114 under this Agreement shall be in Wicomico County.

115
116 **SECTION 7. SEVERABILITY.**

117
118 Any provision of the Agreement which is prohibited or unenforceable shall be
119 ineffective only to the extent of such prohibition or unenforceability without invalidating
120 the remaining provisions thereof.

121
122 **SECTION 8. ATTORNEY'S FEES.**

123
124 In the event of litigation over the terms or performance of this Agreement, the
125 prevailing party shall be entitled to reasonable attorney's fees and costs.

126
127 **THIS AGREEMENT** is hereby executed by the duly authorized representatives
128 of the parties as of this _____ day of _____, 2016.

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154

Delmarva Zoological Society, Inc.

By_____

(Printed)_____

(Title)_____

City of Salisbury

By_____

(Printed)_____

(Title)_____



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

June 20, 2016

TO: Tom Stevenson
City Administrator

FROM: Chief Barbara Duncan

SUBJECT: Resolution – Donation of Training

Attached, please find a Resolution to authorize the Salisbury Police Department to receive a donation in the form of a five-day training course from Close Quarters Defense (CQD).

The donated tuition for CQD's five-day Level I training course ordinarily costs \$7,500.00 and will provide training for six police officers. The training will cover Weapon and Zone Control and Personnel Control. Instruction will include an in-depth study of strategy and tactics, with a special focus on the officer's justified use of force and actions against low, medium, and high threat adversaries.

The training will be offered at the CQD training facility in Vienna, Maryland and will not require overnight lodging.

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

A handwritten signature in blue ink, appearing to read "Chief Barbara Duncan".

Barbara Duncan
Chief of Police



CQD[®] Law Enforcement Training Progression

Salisbury MD

Introduction and History

Close Quarters Defense® (CQD®) Tactical Training system provides our nation's most elite military operators, law enforcement, and security personnel with unarmed and armed defensive skills, tactics and equipment. Developed by Founder and President Duane Dieter in 1981, a native of Maryland, CQD prepares officers to succeed both professionally as well as in their personal lives. CQD Training provides students with the specialized skills necessary to respond appropriately to all situations.

Noted for maintaining high standards of training, CQD has earned a reputation for sustained quality control standards that are continually monitored and measured. As a result, in over 30 years of training CQD has been utilized with great success under the most stringent applications and has never had a use of force incident for either officers or suspects.

Executive Summary

The CQD training and validation process provides an integrated solution for law enforcement departments across the country. The system enhances an officer's technical capabilities, instills appropriate ethos, and provides the ability to utilize justifiable force in all occasions. This benefits each community by reducing department liability and enhances community and police relations.

Why CQD?

- *Most Efficient-Most Effective* – CQD's streamlined teaching methodology emphasizes simplicity and functionality ensuring the ability to responsibly utilize the system to accomplish the objective.
- *Full-Circle System* – Training integrates unarmed-armed skills for the individual and team and instills justifiable actions/responses with knowledge of legal ramifications.
- *Validation & Accountability* – CQD provides undeniable methods of evaluation and assessment for each officer; followed by review, remediation and advancement ensuring the highest level of officer readiness.
- *Core Confidence* – CQD training combined with stress inoculation and management instills the ability and confidence within each officer to instantaneously "dial" their level of intensity and action dependent upon the situation. This eliminates inappropriate responses thereby greatly reducing civil and financial liability and instances of abusive actions.
- *Tactical & Compassionate Officer* – The training develops a tactically proficient officer, as well as someone who serves their community as a positive example and mentor.
- *Universal Applicability* – Immediately applicable for all male and female officers, public safety and emergency services, courts and security, child protective services and social workers.

CQD provides a comprehensive solution for Maryland law enforcement that will increase the overall capability of each officer, ensure they utilize appropriate actions in all situations, and develop their character to serve as positive examples, thus creating a more unified community. This process has been successful for the most specialized units of our military and government, as well as various departments within Maryland. These successes can be replicated for all of Maryland law enforcement and provide an example for the nation.

CQD TRAINING PROGRESSION

CQD offers initial and advanced training courses for all stages of an officer's career. This training progression provides the ability to train new officers during their initial academy pipeline, as well as training for those currently serving. Furthermore, as more individuals are trained, each becomes interoperable with their fellow officers, as well as those from other departments who have adopted CQD training. As a result, in the event of a situation that requires the integration of multiple officers from different departments/jurisdictions, each officer trained in CQD will be able to work with his/her fellow officers and be knowledgeable of their skills and tactics thus creating a more unified and cohesive effort, which is critical to the success of a large scale operation.

➤ **Law Enforcement Academy**

This initial course contains balanced portions of the collective body of CQD designed for law enforcement personnel. During this training period officers are given as much information as possible, enabling development within Level One "Full-Circle Readiness". Primarily, the officer will learn blocks of instruction from *Direct Defense Skills™* (DDS™), Weapon and Zone Control, and Personnel Control, as well as Shooting, Operational Physical Training (OPTs) and Internal Warrior. The officer will also learn to perform skills within the scope of their duties. Upon completion of the course, the officer is capable of using the skills appropriately in the scope of the level achieved. Dependent upon the training schedule of each agency, the training can be broken down into 3 and 5-day blocks of training.

- CQD Academy Course (3-weeks)

➤ **Law Enforcement Officers**

This course is customized for Law Enforcement Officers currently serving within their department and introduces them to components of CQD. Portions of the six divisions of CQD are taught while utilizing enhanced evolutions designed to create a broad base of skills. Training will primarily focus on DDS Weapon and Zone Control, and Personnel Control. Instruction will include an in-depth study of strategy and tactics, with a special focus on the officer's justified use of force and actions against low, medium, and high threat adversaries. The integration and development of these skills is validated through operationally focused training scenarios. Dependent upon the training schedule of each agency, the training can be broken down 5-day blocks of training

- CQD Law Enforcement Officer (Levels I) Readiness Course (5-day)
- CQD Law Enforcement Level II Advancement (5-day)
- CQD Level I (5-day) and Level II (5-day) are certified by the State of Maryland: Level I: P27393; Level II: P27294

➤ **SWAT School**

This course is for those departments who have adopted the CQD system and wish to train and certify new SWAT personnel. The CQD SWAT course is certified by the State of Maryland (P# 25062), thus allowing agencies to send personnel directly to CQD. Portions of the six divisions of CQD are taught while utilizing enhanced evolutions designed to create a broad base of skills. Training will primarily focus on *Direct Defense Skills™ (DDS™)*, Weapon and Zone Control, and Personnel Control, as well as those skills necessary for SWAT Teams including CQD Shooting, team formations, room entry and movement. Dependent upon the training schedule of each agency, the training can be broken down into 5-day blocks of training.

- CQD SWAT (Levels I, II, and III) School (3-weeks)

➤ **SWAT/Specialized Team**

This course is customized for members of a Law Enforcement agency's specialized team/SWAT and reviews and advances those skills learned in CQD Level I while providing the officer with greater depth of knowledge and understanding of the Six Divisions of CQD. This course will expand the individual and team's capabilities through DDS, Weapon & Zone, Personnel Control as well as advanced skills in CQD Shooting, team formations, movement, and room entry. Dependent upon the training schedule of each agency, the training can be broken down into 5-day blocks of training.

- CQD SWAT (Levels I/II/III) Readiness Course (3-weeks)

➤ **Specialized Task Training**

This course is for those specialized officers such as Narcotics, Undercover Officer, etc. who have completed the CQD Level I course and require additional training for a specific task or mission. Customized scenarios are developed and specific CQD skills and tactics are refined to evaluate the possible mission outcomes and ensure the greatest chance of success.

CQD Customized Training Course (3-days to 2-weeks)

➤ **Officer Sustainment Training**

CQD Sustainment Training is for any officer who has completed any CQD Level I, II, or III course and desires additional training and refinement of skill. These 3-hour blocks of training would be available on a weekly or as-needed scheduled basis.

Sustainment training will be offered in 4-hour sessions, available in multiple sessions each month that will be open to all departments. In order to maintain proficiency and provide skill advancement, it is recommended that following the initial training course, each officer undergo 24-hours of sustainment training per year.

**CQD® Readiness Training Costs
Salisbury MD Police Department**

CQD proposes that it trains 6 officers from the Salisbury Police Department in the 5-day CQD Level I. This course would provide the officers with a foundation in the CQD theories, skills and validation on the appropriate use of force. Upon completion of the initial Readiness Course, sustainment training is available, as well as advancement and specialized task training is available.

Course Tuition

This course includes 5 days of CQD® Level One and Hooded Box™ Drill Validation.

CQD Level I (5-Day) Course cost for 6 students \$7,500.00

CQD would like to donate this course, with the above value, to the Salisbury Police Department at no charge to them.

1 RESOLUTION NO. 2668

2
3 A RESOLUTION OF THE CITY OF SALISBURY, MARYLAND AUTHORIZING
4 THE SALISBURY CITY POLICE TO ACCEPT A DONATION FROM CLOSE QUARTERS
5 DEFENSE OF A (5) FIVE DAY TRAINING COURSE FOR (6) SIX POLICE OFFICERS.
6 THE COURSE WILL AID THE SALISBURY POLICE OFFICERS IN THAT THEY WILL
7 RECEIVE TRAINING IN WEAPON CONTROL, PERSONNEL CONTROL AND ZONE
8 CONTROL.

9
10 WHEREAS, Close Quarters Defense (CDQ) wishes to donate a five-day training course
11 entitled CDQ Level 1; and

12
13 WHEREAS, CDQ Level 1 training is designed for law enforcement personnel where the
14 officer will learn about Weapon and Zone Control, and Personnel Control; and

15
16 WHEREAS, CQD Level 1 training and instruction will include an in-depth study of
17 strategy and tactics, with a special focus on the officer’s justified use of force actions against
18 low, medium, and high threat adversaries; and

19
20 WHEREAS, CQD is donating the course so that six members of the Salisbury Police
21 Department will be able to attend and train free of charge for the duration of the five-day course;
22 and

23
24 WHEREAS, the tuition for such a course is \$7,500.00 however, CQD wishes to donate
25 the course to the Salisbury Police Department.

26
27 NOW, THEREFORE, BE IT RESOLVED, BY THE COUNCIL OF THE CITY OF
28 SALISBURY, MARYLAND that the Salisbury Police Department is authorized to accept the
29 donated training course offered by Close Quarters Defense.

30
31 THIS RESOLUTION was duly passed at a meeting of the Council of the City of
32 Salisbury held on September 26, 2016, and is to become effective immediately upon adoption.

33
34 ATTEST;

35
36 _____
37 Diane K. Carter, Assistant City Clerk

38 _____
39 John R. Heath, President
40 Salisbury City Council

41 APPROVED BY ME THIS:

42 _____ Day of _____, 2016

43
44 _____
45 Jacob R. Day Mayor



City of
Salisbury
Jacob R. Day, Mayor

Memorandum

To: Tom Stevenson, City Administrator
Cc: Julia Glanz, Assistant City Administrator
From: William T. Holland
Date: August 18, 2016
Subj: Dagsboro Road Annexation

Attached is the Dagsboro Road Annexation packet which includes Resolution 2650 introducing the annexation and Resolution 2651 establishing the Dagsboro Road Annexation public hearing for September 26, 2016.



BOHLERTM
ENGINEERING

18958 Coastal Highway
Suite D
Rehoboth Beach, DE 19971
PHONE 302.644.1155
FAX 302.703.3173

March 29, 2016
Via Hand Delivery

City of Salisbury
Department of Building, Permitting & Inspections
125 N. Division Street
Salisbury, MD 21801

Attention: William T. Holland
Director

RE: Annexation Petition
Proposed Commercial Site
MD Route 13 & Dagsboro Road
Map 20, Parcel 184
Wicomico County
City of Salisbury, Maryland
BEPC # DE160007

Dear Mr. Holland:

Bohler Engineer, on behalf of PTV Capital Partners Salisbury, LLC, is pleased to submit the above referenced project (located at the corner of Route 13 and Dagsboro Road) for consideration of Annexation within the City of Salisbury jurisdiction. The site measures approximately 2.51± acres, is zoned Commercial in the Wicomico County jurisdiction, is contiguous to the City of Salisbury boundary, and is currently a vacant gas station. The proposed project consists of an 18,875 ± retail store with site amenities and improvements inclusive of parking, access roadways, lighting, landscaping, utilities, and stormwater management facilities.

In regard to the City of Salisbury and Annexation Team meeting, please find enclosed the following material for your review:

- One (1) copy of the "City of Salisbury- Petition for Annexation"
- One (1) Site Plan, prepared by Hampshire, Hampshire & Andrews, Inc., dated July 23, 2012.
- One (1) Concept Development Plan, prepared by Bohler Engineering, dated March 29, 2016.
- One (1) Check payable to "City of Salisbury" in the amount of \$2,000.00



Upon your review of the above, should you have any questions or require additional information, please do not hesitate to contact this office at (302) 644-1155. Thank you.

Sincerely,

BOHLER ENGINEERING VA, LLC

Christopher A. Mondoro
Asst. Project Manager

David M. Kuklish, P.E.
Project Manager

cc: C. Ted Donald, PTV Capital Partners Salisbury, LLC (w/ encl.)
D. Edward Baker, PTV Capital Partners Salisbury, LLC (w/ encl.)

CAM/cl

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CITY OF SALISBURY

PETITION FOR ANNEXATION

To the Mayor and Council of the City of Salisbury:

I/We request annexation of my/our land to the City of Salisbury.

Parcel(s) # 184

Map # 20, Grid # 24

SIGNATURE (S)

 March 31, 2016
Date

Date

Date

Date



City of
Salisbury
Jacob R. Day, Mayor

CERTIFICATION

U. S. ROUTE 13 & DAGSBORO ROAD

ANNEXATION

This is to certify that I have verified the petitions for the annexation and that to the best of my knowledge the persons having signed the petition represent at least 25% of the registered voters residing in the area to be annexed and are the owners of at least 25% of the assessed valuation of real property located in the area to be annexed.

Leslie C. Sherrill
Surveyor

Date: 6/27/2016

US Route 13 – Dagsboro Rd - Certification

MEMORANDUM

To: Thomas Stevenson, City Administrator
From: Christopher Jakubiak, AICP
Date: July 19, 2016
Re: Fiscal Impact, PennTex / Dagsboro Road Annexation

The PTV Capital Partners - Dagsboro Road Annexation would add 2.51 acres to the City zoned for commercial use. The annexation is expected to have an overall net positive fiscal impact to the City estimated to be \$12,300 annually. This memorandum summarizes the costs and revenues associated with the Annexation.

Cost

Cost projections are based on a snapshot marginal cost approach. The current level of service (derived from the approved FY 2016 Budget) is used to project new costs, using demand unit multipliers, which reflect how responsive a cost is to demand—that is, how much the City's cost of providing a service is likely to vary with each additional household or job and in the present case, solely jobs since the project is entirely commercial. Some portion of all City services is fixed and therefore will remain constant in light of new development; this portion of the cost therefore is not assigned to new development. The estimated annual cost to the City is \$21,100.

Revenues

When land is annexed into Salisbury it is subject to the municipal real property tax. The property tax rate is applied to the value of land and improvements (structures) thereon. The rate is \$0.937 per \$100 of assessed value. Since the assessed value of the proposed units is unknown, this study estimates assessed values by computing the average assessed value of multiple comparable properties in the City of Salisbury. The source for the assessed values is the Maryland Department of Assessments and Taxation.

Under the proposed concept development plan, the Annexation Property would be developed with a 18,750+/- square foot grocery store at the intersection of Route 13 and Dagsboro Road with highway access to Route 13. With an estimated assessed value of \$3.5 million, the total expected revenue from full development on the annexation parcel is \$33,400.

It is difficult to make reliable projections about the activities of future businesses that may occupy new development projects. For this reason, the personal property tax receipts likely to accrue from future businesses with annexation area are also not included in our analyses. Therefore, in this respect, the study undercounts revenue potential from the Annexation.

It is also important to note that upon annexation of a property, the City of Salisbury could begin receiving some property tax revenues from the parcel. These revenues, which typically would occur prior to actual development (and hence, the provision of standard municipal services, i.e. costs) are not included.

Lastly, the City collects user fees, license fees, and permitting fees. These are charged to applicants for permits and/or users of certain city services. These revenues are small relative to the property tax revenue and are not included in this study.

Conclusion

The PTV Partners - Dagsboro Road Annexation upon its proposed development would have a positive fiscal impact to the City of about \$12,300 per year in constant 2016 dollars¹.

¹ This study takes into account only “direct” costs and revenues that can be tied directly to each household. “Indirect” costs



PTV Capital Partners, LLC
1563 Woodward Drive Extension
Greensburg, PA 15601
T: (724) 420-5367
F: (724) 420-5369

LETTER OF INTENT

July 7, 2016

Mr. Tom Stevenson, City Administrator
City of Salisbury Government Office Building
P.O. Box 870
Salisbury, Maryland 21803-0870

RE: Dagsboro Rd –PTV Capital Partners Annexation

Dear Mr. Stevenson:

Pursuant to that certain Option Agreement to Purchase Real Property (the "Agreement") effective January 8, 2016, by and Between PTV Capital Partners, LLC, a limited liability company organized and existing under the laws of the Commonwealth of Pennsylvania and authorized to do business in the State of Maryland, located 1563 Woodward Drive Extension, Greensburg, PA 15601, its successors and assigns (the "Optionee"), and James W. Taylor, III, an individual, with a mailing address of 941 West Isabella Street, Salisbury, MD 21801, his heirs, successors, beneficiaries and assigns (hereinafter called "Optionor"), Optionee has an equitable interest in the property located and described as 30248 Dagsboro Road, Salisbury, MD 21802, Tax Map: 0020 Grid: 0024 Parcel: 0184 – Tax Account #: 05-073642 (the "Property"). Optionee provides this letter, in conjunction with the attached petition from the Optionor, as indication that the parties mutually intend to move forward with the annexation of the Property based on the draft annexation agreement.

Furthermore, Optionee shall enter into the final Annexation Agreement (the "Annexation Agreement") and shall be granted all authority and permission to do so by the Optionor and the Agreement.

Sincerely,

PTV Capital Partners, LLC

By: 

Enclosures

C/c James W. Taylor, III



City of Salisbury – Wicomico County

DEPARTMENT OF PLANNING, ZONING AND COMMUNITY DEVELOPMENT

P.O. BOX 870

125 NORTH DIVISION STREET, ROOMS 203 & 201

SALISBURY, MARYLAND 21803-4860

410-548-4860

FAX: 410-548-4955



JACOB R. DAY
MAYOR

TOM STEVENSON
CITY ADMINISTRATOR

BOB CULVER
COUNTY EXECUTIVE

R. WAYNE STRAUSBURG
DIRECTOR OF ADMINISTRATION

July 22, 2016

Mr. Chris Monduro
Bohler Engineering
18958 Coastal Highway, Suite D
Rehobeth Beach, DE 19971

RE: ANNEXATION ZONING – Dagsboro Road Annexation – 2.51 acres; M-20; G-24; P-184.

Dear Mr. Monduro:

The Salisbury Planning Commission at its July 21, 2016, meeting, forwarded a **FAVORABLE** recommendation to the Mayor and City Council for this property to be zoned **General Commercial** upon annexation. The Commission also found that the proposed zoning is consistent with the Wicomico County Zoning, and the Comprehensive Plan recommendation for Commercial development in this area.

The Commission recommendation is contingent upon the Mayor and City Council approval of the recommended amendment to the 2010 Salisbury Comprehensive Plan for this property.

If you have any questions concerning this matter, please don't hesitate to contact Gloria Smith or myself at 410-548-4860.

Sincerely,

John F. Lenox, AICP

Director

Salisbury/Wicomico Planning & Zoning

cc: Mike Moulds, Director of City Public Works Department
Bill Holland, Director of Building, Permits, and Inspections Department
Assessments



City of Salisbury – Wicomico County

DEPARTMENT OF PLANNING, ZONING AND COMMUNITY DEVELOPMENT

P.O. BOX 870

125 NORTH DIVISION STREET, ROOMS 203 & 201

SALISBURY, MARYLAND 21803-4860

410-548-4860

FAX: 410-548-4955



JACOB R. DAY
MAYOR

TOM STEVENSON
CITY ADMINISTRATOR

BOB CULVER
COUNTY EXECUTIVE

R. WAYNE STRAUSBURG
DIRECTOR OF ADMINISTRATION

STAFF REPORT

MEETING OF JULY 21, 2016

NAME: PTV Capital Partners – Dagsboro Road Annexation

APPLICANT: The City of Salisbury - Referral

LOCATION: Northeasterly side of the City of Salisbury, on the northeasterly corner of U.S. Route 13 and Dagsboro Road.
Tax Map #20, Parcel #184, Grid #24

REQUEST: Annexation Zoning – 2.51 acres

I. BACKGROUND DATA:

A. Introduction.

The City Administration has referred the PTV Capital Partners – Dagsboro Road annexation located on the northeasterly side of Salisbury to the Planning Commission for review and recommendation of an appropriate zoning designation. The property is located on the northeasterly corner of U.S. Route 13 and Dagsboro Road and consists of 2.51 acres. (See Attachments #1 - 4.)

Under the procedures established by the Mayor and City Council in 1987, the zoning classification of the area will be included in the resolution that annexes the property to the City. Prior to this policy, annexations were conducted by resolution and the zoning category established by a separate ordinance on a separate time schedule. This policy now puts the zoning classification and annexation on the same schedule.

B. Area Description.

This annexation area consists of one parcel 2.51 acres in size that is currently developed with an inactive convenience store/fuel station. (See Attachment #5.)

II. ZONING ANALYSIS.

A. Existing Zoning.

The annexation area and the adjoining area to the north is zoned C-2 General Commercial under the County Code. (See Attachments #6 and 7.)

B. Zoning History.

The proposed annexation area was zoned Commercial by the County on April 1, 1968. During the most recent Comprehensive Rezoning in September 2004, the area remained zoned C-2 General Commercial.

C. County Plan.

Wicomico County's Comprehensive Plan was adopted on February 3, 1998. This site is located within the area designated as "Metro Core".

The Draft County Comprehensive Plan designates this area as "Commercial".

D. Zoning for Annexed Areas.

1. Introduction.

Current City policy requires that all areas to be annexed shall be submitted to the Salisbury-Wicomico Planning Commission for review and recommendation of an appropriate zoning district. The Zoning Code does not establish specific procedures for zoning lands to be annexed to the City of Salisbury. The classification of future City areas, therefore, is conducted consistent with local adopted plan recommendations and Maryland Annexation Law.

2. Adopted Plans.

The Planning Commission is a jointly established agency for both the City of Salisbury and Wicomico County. One of its basic charges is to prepare and recommend various plans guiding the long-range development of both jurisdictions.

The information below summarizes the legal status of the plans currently in effect for Wicomico County and the City of Salisbury.

- a. The Salisbury Comprehensive Plan - The Salisbury City Council adopted the current Comprehensive Plan on July 12, 2010. That document includes land use policies for all lands within the Corporate Limits as well as a Municipal Growth Element addressing growth areas outside the Corporate Limits. The Land Use Map of the City Plan designates this area as a "Low-density residential". A proposed amendment to the Comprehensive Plan is included on this agenda to correct this mistaken designation.
- b. The Wicomico County Comprehensive Plan - The Wicomico County Council adopted its Plan on February 3, 1998. The

Land Use Map of the County Comprehensive Plan designates this area as "Metro Core." The Draft 2014 County Plan designates this area as "Commercial".

3. Maryland Law.

House Bill 1141 made two changes to Annexation Procedures that became effective October 1, 2006. They are:

- 1. The Five-Year Rule.** First, the rule is applied solely on zoning. In the past, the five-year rule could be applied whenever a proposed new zoning classification was substantially different from the use envisioned "in the current and duly adopted master plan." The reference to the master plan is now gone and the issue becomes the degree of change from the current county zoning classification to the proposed municipal classification following the annexation. When the zoning change is from one residential zone to another, "substantially different" is now defined as a density change. The five-year rule will not kick in for a density change unless the proposed zoning is more dense by 50 percent.
- 2. Annexation Plans Required.** An annexation plan is required that replaces the "outline" for the extension of services and public facilities prior to the public hearing for an annexation proposal. This section contains no additional language for the content of the annexation plan to be adopted, but does require it to be consistent with the municipal growth element for any annexations that begin after October 1, 2009. The Plan must be provided to the county and the State (the Maryland Department of Planning) at least 30 days prior to the hearing.

III. DEVELOPMENT SCENARIO.

A. Proposed Use.

As previously noted, the property is developed with a convenience store with fuel islands. The property is proposed for redevelopment with a grocery store.

B. Access.

The property currently has two access points on Route 13 and two on Dagsboro Road. Upon redevelopment, the plan indicates one access points on Route 13 at the northerly corner and two on Dagsboro Road. One entrance aligns with the Maryland State Police barrack driveway and the other with Dickerson Lane.

C. Configuration and Design

The annexation area is irregular in shape. A portion of Dagsboro Road will need to be included in the annexation to make it contiguous with the City boundary.

D. Estimated Development Impacts.

The development impact assessment traditionally pertains to a proposal for a residential development. This site is developed with a commercial facility and proposed for redevelopment as a retail use.

Among other things, the City staff has recommended that the proposed building be moved closer to Route 13 and the parking be moved to the rear of the building; that an access connection to the north adjoining property be included; and that the entrance on Dagsboro Road be aligned with Dickerson Lane.

This site is located in the Paleochannel District. Review and approval of the Final Site Plan by the Planning Commission will be required by the Code.

VI. RECOMMENDATION.

The specific purpose of the Planning Commission's review is to make a zoning recommendation for the annexation area that is currently zoned Commercial in the County.

The adopted Salisbury Comprehensive Plan designates this area as "Low density residential. General Commercial zoning is proposed for the property upon annexation to the City. An amendment to the Salisbury Comprehensive Plan will be required and has been included on this agenda. The text of the General Commercial District is included as **Attachment #8**.

Staff recommends that the Planning Commission determine that the proposed zoning is consistent with the existing Wicomico County zoning in this area. Further, that the Commission forward a **Favorable** recommendation to the Mayor and City Council for this property to be zoned **General Commercial** upon annexation, contingent upon adoption of the associated Comprehensive Plan amendment.

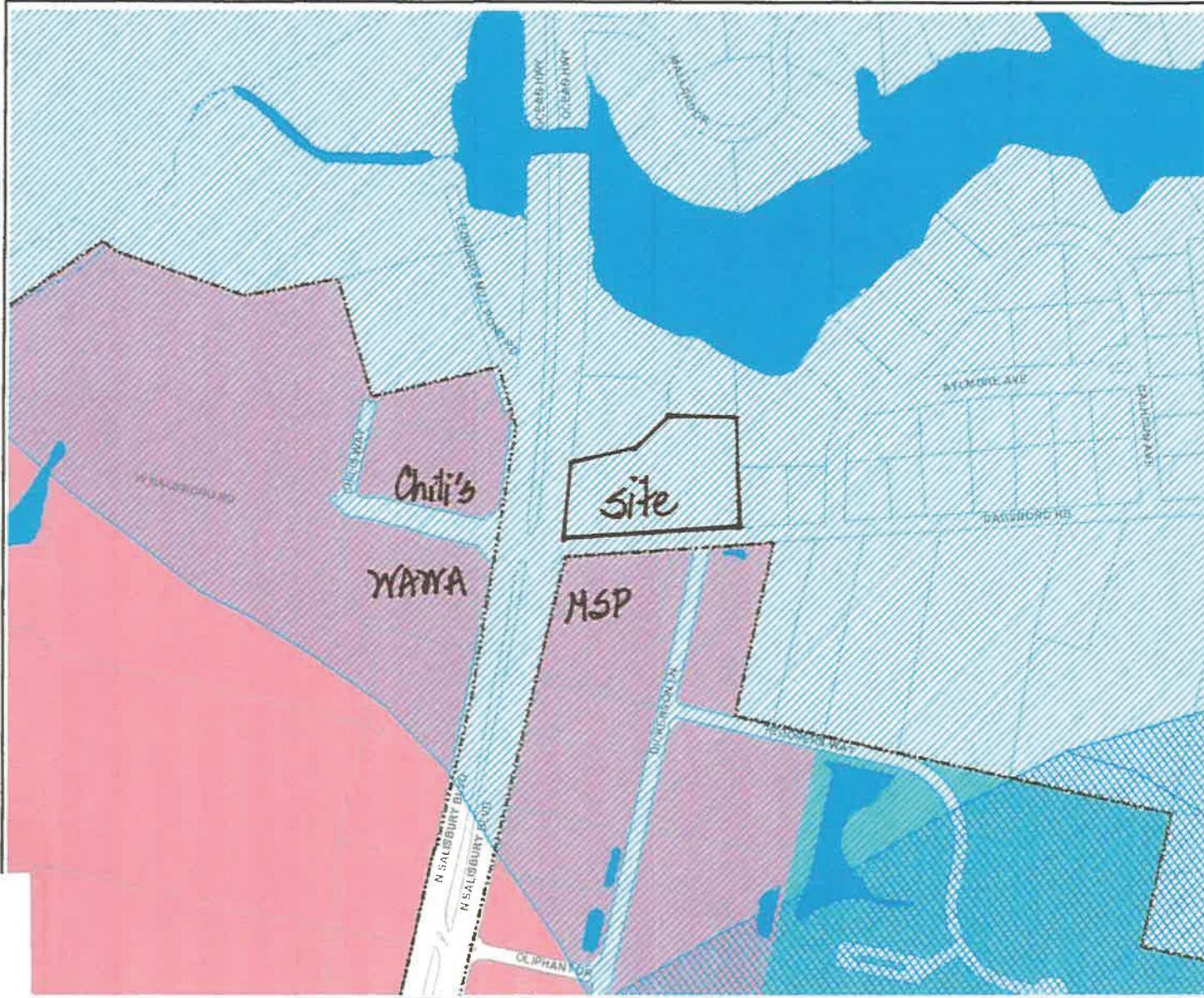
COORDINATOR: Gloria Smith, Planner
DATE: July 12, 2016



Dagsboro Road Annexation

CITY OF SALISBURY

Salisbury Zoning



- Paleochannel
- Wetland Protection Area
- Streams
- Water Bodies
- Street Numbers
- Municipal Areas
- CAD
 - Delmar
 - Fridland
 - Hebron
 - Marbela
 - Pitsville
 - Salisbury
 - Sharptown
 - Willards
- Railroads
- Parcels
- Critical Area
- Historic Districts
 - Camden Historic District
 - Downtown Historic District
 - Newtown Historic District
- Salisbury Zoning
 - CITY_ZON
 - College & University
 - Conservation
 - CBD
 - LBI
 - General Commercial
 - Reg Comm
 - MUNR
 - Select Commercial
 - Hospital
 - Ind
 - Ind Park
 - L ind
 - Neighborhood Business
 - OSH
 - OSR
 - PDD
 - PPD
 - R- 5
 - R- 5 A
 - R- 8
 - R- 8 A
 - R- 10
 - R- 10 A
 - Riverfront Redevelopment
- Street Centerlines

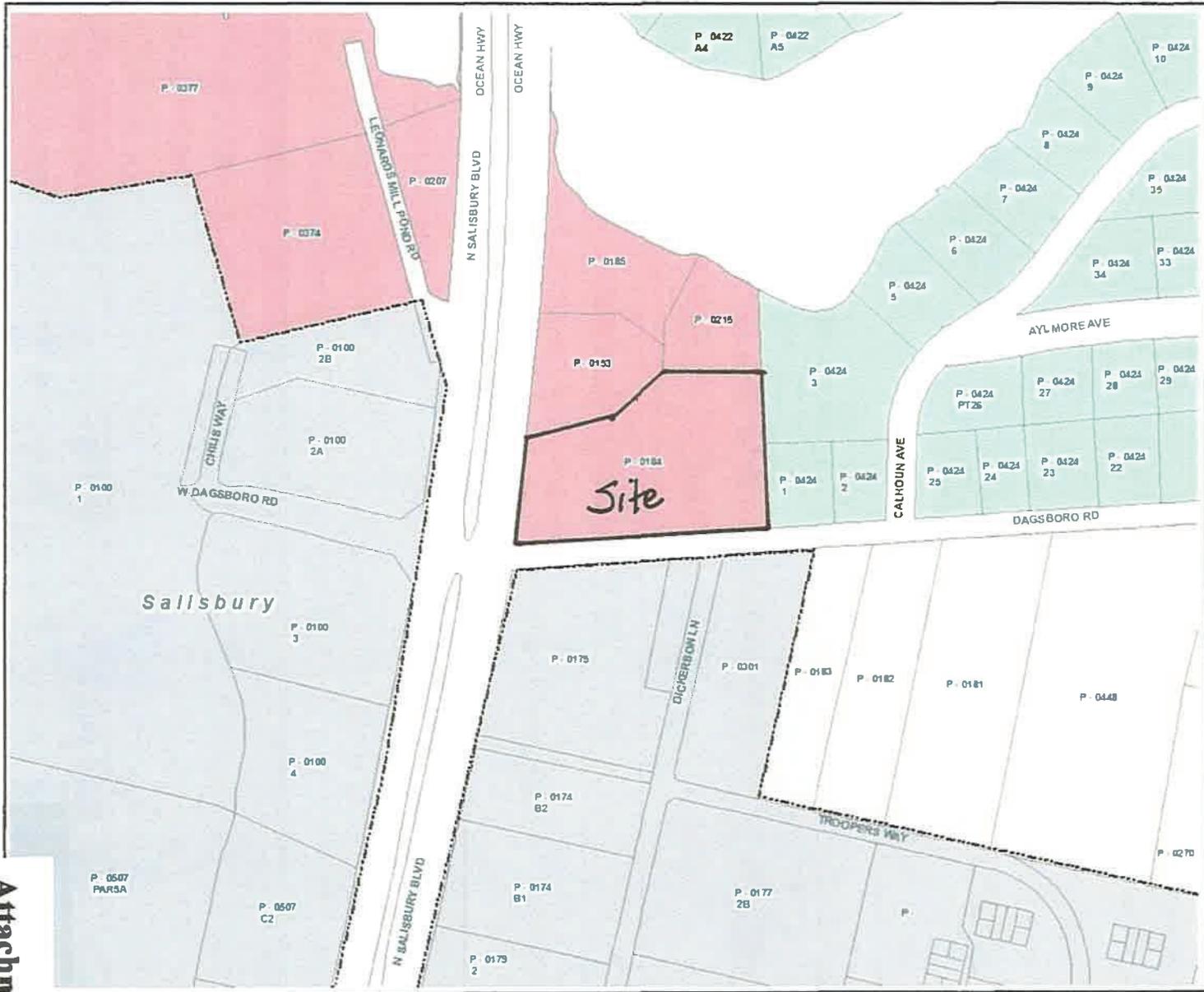
Attachment #6

112 ft

Dagsboro Road Annexation - City Zoning

SalisburyWisconsin GIS

WICOMICO COUNTY ZONING MAP



- Bridges
- Chesapeake Bay Critical Area
- Historic Districts
- 8000 ft Turning Radius
- Airport Overlay District
- Neighborhood Preservation District
- Salisbury Critical Area
- Wicomico County Boundary
- Wicomico SDE Railroads
- Wicomico SDE Airport_Runways_Taxiways
- Wicomico SDE Municipal_Areas
- Wicomico BZA Activity
- Parcels
- Municipal Names
- Street Centerlines
- Wicomico Zoning

- A-1 Agricultural - Rural
- Airport Business Park
- C-1 Select Commercial
- C-2 General Commercial
- C-3 Regional Commercial
- CID Corporate Industrial District
- I-1 Light Industrial
- I-2 Heavy Industrial
- LB-1 Light Business & Institutional
- LB-2 Light Business & Residential
- R-8 Residential
- R-15 Residential
- R-20 Residential
- R-30 Residential
- REC Residential, Educational & Cultural
- TT Town Transitional
- VC Village Conservation
- Municipality

Attachment #7

77 ft

Dagsboro Road Annexation - County Zoning

Chapter 17.36

GENERAL COMMERCIAL DISTRICT

Sections:

- 17.36.010 Purpose.**
- 17.36.020 Permitted uses.**
- 17.36.030 Uses permitted by special exception.**
- 17.36.040 Uses permitted by ordinance permit.**
- 17.36.050 Accessory uses and structures.**
- 17.36.060 Development standards.**

17.36.010 Purpose.

The purpose of the General Commercial district is to provide a wide range of functional and attractive regional retail, office, service, wholesale, storage, distributing and light manufacturing activities.

To alleviate problems with traffic congestion and unnecessary turning movements, unified access and consolidation of businesses is encouraged. Because of the potential impact of these types of activities, special landscaping and screening requirements are established for certain uses.

The following uses, standards and area regulations have been established consistent with this purpose. (Ord. 1599 Section 1 (part): Prior Code Section 150-65)

17.36.020 Permitted uses.

A. Permitted uses shall be as follows:

1. Apartment units, in accordance with Chapter 17.168.;
2. Bank;
3. Bakery;
4. Boardinghouse/rooming house;
5. Business center in accordance with the requirements of Chapter 17.172, provided that each individual lot shall have a minimum of six thousand (6,000) square feet of land area;
6. Carpenter, sheet metal, sign, blacksmith and welding shop, provided that all activities are confined within a building;
7. Church and other place of worship;
8. Club, lodge and fraternal organization;
9. Cultivation of land;
10. Cultural uses such as museum, library or art gallery;

11. Dry-cleaning plant;
12. Eating and drinking establishments, including tavern, dance hall, nightclub and restaurants, all types;
13. Firehouse;
14. Equipment sales, rental, service, repair or maintenance facility for industrial, automotive, marine, office, construction, household, business or farm equipment;
15. Greenhouse, florist and nursery;
16. Hotel, motel or motor hotel;
17. Laboratory and establishment for production, sale, fitting or repair of eyeglasses, hearing aids and prosthetic appliances;
18. Light industrial uses, as listed in the Light Industrial District, completely confined within a building with no outside storage of raw materials or finished products;
19. Lumber and building supplies;
20. Marina;
21. Medical care facility;
22. Medical and dental office and clinic;
23. Police station or substation;
24. Parking garage, public or private;
25. Mixed use building as defined in Section 17.04.120 in this Chapter in accordance with a Comprehensive Site Plan, as approved by the Planning Commission, with a mandatory five-foot-wide landscaping area abutting all property lines and parking lots. Signage shall be the same as required for a shopping center;
26. Neighborhood shopping center not exceeding thirty thousand (30,000) gross square feet of building area, in accordance with the requirements of Chapter 17.212;
27. Office or office building for more than one office;
28. Radio or television broadcasting station or studio;
29. Retail sales;
30. School of special instruction;
31. Service, rental or repair establishment, such as laundry or laundromat, automobile rental, gasoline and service station, car wash, appliance repair, equipment or instrument repair or rental, dry-cleaning pickup station, hairdresser shop, pet-grooming shop, excluding outdoor runs, upholstery shop, funeral home, tailor and other uses of similar nature;
32. Taxi and limousine service;

33. Theater, excluding drive-in theater;
34. Wholesale business, warehouse, moving, storage and distribution establishment, including wholesale sales. (Ord. 1599, Section 1 (part), 1995; Prior Code Section 150-66)
35. Group domiciliary care facility. (Added 11/13/00 by Ord. No. 1786)

17.36.030 Uses permitted by special exception.

Uses permitted by special exception shall be as follows:

- A. Animal hospital or kennel or any other facility for the treatment of animals with outside pens or runs;
- B. Bus terminal;
- A. Shopping centers, neighborhood, over thirty thousand (30,000) gross square feet of floor area, commercial and regional shopping centers in accordance with Chapter 17.212;
- B. Trucking and freight stations, terminals, and storage yards, excluding the above ground storage of flammable liquids, except for servicing vehicles owned or used in the conduct of the business;
- C. Recreational establishment, indoor. (Ord. 1599 Section 1 (part) Prior Code Section 150-67)

17.36.040 Uses permitted by ordinance permit.

Uses permitted by ordinance permit shall be as follows:

- A. Commercial auction;
- B. Communication tower, over seventy-five (75) feet in height or any other electronic communications facilities with more than one sending or receiving disk in accordance with Chapter 17.220;
- C. Liquor stores and dispensaries (off-sale);
- D. Public or private utility building and uses;
- E. Recreational establishment, outdoor;
- F. Utility substation, in accordance with Chapter 17.220;
- G. Compact concrete dispenser as an accessory use to a use listed in Section 17.36.020, Permitted uses, and/or Section 17.36.030, Uses permitted by special exception. (Ord. 1599 Section 1 (part) Prior Code Section 150-68)

17.36.050 Accessory uses and structures.

Accessory uses and structures shall be as follows

- A. Off-street parking lot or structure;

RESOLUTION NO. 2650

A RESOLUTION of the City of Salisbury proposing the annexation to the City of Salisbury of certain area of land contiguous to and binding upon the northerly corporate limit of the City of Salisbury, to be known as the “PennTex – Dagsboro Road Annexation” and the application of a City zoning classification to same area located on the northerly side of and binding upon Dagsboro Road and the northeast quadrant of the intersection of North Salisbury Blvd. MD RTE. 13 and Dagsboro Rd.

WHEREAS, the City of Salisbury has received a petition to annex dated March 31, 2016, signed by at least twenty-five percent (25%) of the persons who are resident registered voters and of the persons who are owners of at least twenty-five percent (25%) of the assessed valuation of the real property in the area sought to be annexed, and being located on the northerly side of and binding upon Dagsboro Road and the northeast quadrant of the intersection of North Salisbury Blvd. MD RTE. 13 and Dagsboro Rd.; said parcel being contiguous to and binding upon the northerly and westerly corporate limit of the City of Salisbury; and

WHEREAS, the City of Salisbury has caused to be made a certification of the signatures on said petition for annexation and has verified that the persons signing the petition represent at least twenty-five percent (25%) of the persons who are eligible voters and property owners owning twenty-five percent (25%) of the assessed valuation of real property in the area to be annexed, all as of June 27, 2016, and, as will more particularly appear by the certification of Leslie C. Sherrill, Surveyor, of the City of Salisbury, attached hereto; and

WHEREAS, it appears that the petition dated March 31, 2016, meets all the requirements of the law; and

WHEREAS, the public hearing is scheduled for September 26, 2016, at 6:00 p.m.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SALISBURY THAT it is hereby proposed and recommended that the boundaries of the City of Salisbury be changed so

32 as to annex to and include within said City all that parcel of land together with the persons residing
33 therein and their property, contiguous to and binding upon the northerly side of Dagsboro Road,
34 and being more particularly described on Exhibit "A" attached hereto and made a part hereof.

35 AND BE IT FURTHER RESOLVED BY THE CITY OF SALISBURY, THAT the annexation of the
36 said area be made subject to the terms, conditions and agreements in Exhibits A-C attached hereto
37 and made a part hereof.

38 AND BE IT FURTHER RESOLVED BY THE CITY OF SALISBURY, that the Zoning Map of the
39 City of Salisbury shall be amended to include this newly annexed property in the General
40 Commercial Zoning District. Said property is presently classified as General Commercial under the
41 zoning laws of Wicomico County.

42 AND BE IT FURTHER RESOLVED BY THE CITY OF SALISBURY, that the Council hold a public
43 hearing on the annexation hereby proposed on September 26, 2016, at 6:00 p.m. in the Council
44 Chambers at the City-County Office Building and the City Administrator shall cause a public notice
45 of time and place of said hearing to be published not fewer than two (2) times at not less than
46 weekly intervals, in at least one newspaper of general circulation in the City of Salisbury, which said
47 notice shall specify a time and place at which the Council of the City of Salisbury will hold a public
48 hearing on the Resolution, which date shall be no sooner than 15 days after the final required date
49 of publication specified above.

50 AND BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF SALISBURY, THAT this
51 resolution shall take effect upon the expiration of forty-five (45) days following its final passage,
52 subject, however, to the right of referendum as contained in the Local Government Article of the
53 Maryland Code.

54 The above Resolution was introduced, read and passed at the regular meeting of the Council
55 of the City of Salisbury held on the 22nd day of August, 2016, having been duly published as required
56 by law in the meantime a public hearing was held on the 26 day of September, 2016, and was finally

57 passed by the Council at its regular meeting held on the 26th day of September, 2016.

58

59

60 _____
61 Diane K. Carter,
62 Assistant City Clerk

John R. Heath,
Council President

62

63

64

65 APPROVED BY ME this ____ day of _____, 2016.

66

67

68

69

70 _____
71 Jacob R. Day,
Mayor

EXHIBIT "A"

PENNTEX – DAGSBORO ROAD ANNEXATION

A CERTAIN AREA OF LAND, contiguous to and binding upon the northerly Corporate Limit of the City of Salisbury to be known as "PennTex – Dagsboro Road Annexation" beginning for the same at a point on the Corporate Limit, said point lying on the southerly side of Dagsboro Road, North eighty-six degrees three minutes fifty-five seconds East (N 86° 03' 55" E) a distance of four hundred nine decimal six, one (409.61) feet from a City of Salisbury Brass Cap labeled "BARRACKS" X 1,211,582.19, Y 217,116.41; thence crossing the said Dagsboro Road North two degrees three minutes forty-eight seconds East (N 2° 03' 48" E) thirty-nine decimal nine, two (39.92) to a point at the southeast corner of the parcel being annexed X 1,211,583.62, Y 217,156.30; thence North two degrees three minutes forty-eight seconds East (N 2° 03' 48" E) two hundred eighty decimal zero, zero (280.00) feet to a point X 1,211,593.71, Y 217,436.12; thence North eighty-seven degrees five minutes thirty-eight seconds West (N 87° 05' 38" W) one hundred twenty-seven decimal one, eight (127.18) feet to a point X 1,211,466.69, Y 217,442.57; thence South seventy-three degrees forty minutes nineteen seconds West (S 73° 40' 19" W) seventy-one decimal six, zero (71.60) feet to a point X 1,211,397.97, Y 217,422.44; thence South sixty-two degrees five minutes nineteen seconds West (S 62° 05' 19" W) forty-four decimal five, nine (44.59) feet to a point X 1,211,358.58, Y 217,401.57; thence South forty-five degrees thirty-five minutes nineteen seconds West (S 45° 35' 19" W) sixty-nine decimal zero, three (69.03) feet to a point X 1,211,309.27, Y 217,353.26; thence South seventy-three degrees forty-two minutes nineteen seconds West (S 73° 42' 19" W) one hundred twenty-seven decimal four, five (127.45) feet to a point on the easterly right of way line of U. S. Route 13 X 1,211,186.94, Y 217,317.50; thence by and with the said line of U.S. Route 13 and a curve to the right, having a radius of five thousand seven hundred seventy-six decimal seven, six (R = 5,776.76) feet and a length of one hundred eighty-nine decimal one, four (L = 189.14), a chord bearing of South seven degrees thirty-one minutes thirty-two West (S 7° 31' 32" W) a chord distance of one hundred eighty-nine decimal one, three (189.13) feet to a point where the easterly right of way line of U. S. Route 13 intersects the northerly right of way line of Dagsboro Road X 1,211,162.17, Y 217,130.00; thence crossing the said Dagsboro Road South fifteen degrees fifteen minutes twelve seconds East (S 15° 15' 12" E) forty-three decimal two, two (43.22) feet to a point at the corner of the Corporate Limit being the aforementioned "BARACKS" Brass Disk X 1,211,173.54, Y 217,088.30; thence running by and with the said Corporate Limit North eighty-six degrees three minutes fifty-five seconds East (N 86° 03' 55" E) four hundred nine decimal six, one (409.61) feet to the point of beginning and containing 2.768 acres, being the lands of James W. Taylor, III, Parcel 184 shown on Tax Map 20, and a portion of Dagsboro Road. All bearings and coordinates are referenced to the Maryland State Coordinate System, 1927 datum.

Exhibit B

REPORT OF ANNEXATION PLAN

for the

**PTV CAPITAL PARTNERS – DAGSBORO ROAD
ANNEXATION
TO THE CITY OF SALISBURY**

July 27, 2016

This Annexation Plan is consistent with the Municipal Growth Element of the City of Salisbury's adopted Comprehensive Plan. The following are milestones in the public review and consideration of the proposed Annexation.

- At a work session on April 18, 2016, the Salisbury City Council reviewed the proposed annexation request.
- On July 21, 2016 the City of Salisbury / Wicomico County Planning Commission reviewed the proposed annexation and approved a favorable recommendation to the Salisbury City Council for the proposed zoning of the Property.
- At a Salisbury City Council work session on August 1, 2016, the City Council reviewed the draft annexation agreement and the draft version of this Annexation Plan and directed that an Annexation Resolution be drafted for review.
- A City Council meeting held on _____ the Council formally reviewed this Annexation Plan and the Annexation Resolution and directed that a date for a public hearing be established. The Council further directed that the Annexation Plan be forwarded to the Maryland Department of Planning and the Wicomico County Council for comment within 30 days of the public hearing as provided for by State law.

1.0

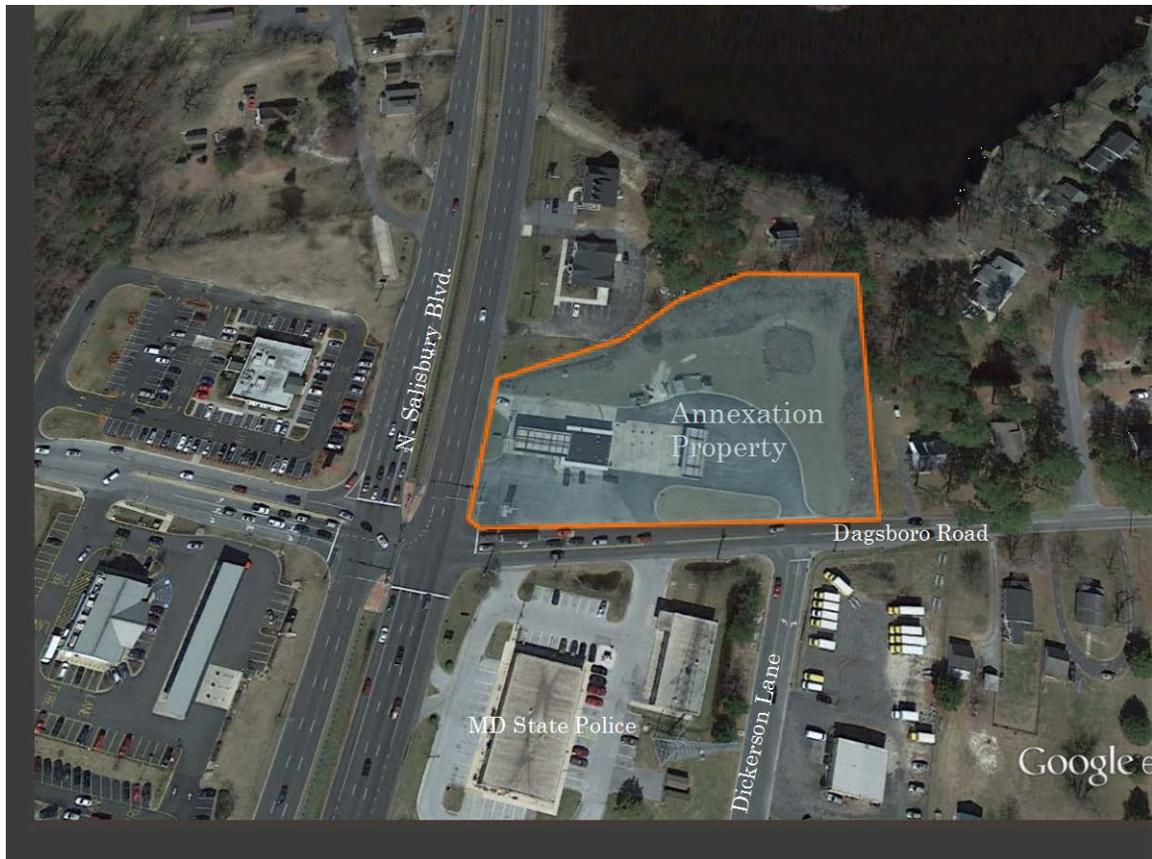
GENERAL INFORMATION AND DESCRIPTION

1.1 Petitioners

The petitioner is Mr. James W. Taylor, III of 941 West Isabella Street, Salisbury, Maryland 21801 who has an agreement with PTV Capital Partners, LLC at 1563 Woodward Drive Extension, Greenberg, Pennsylvania. This entity has an equitable interest in the annexation property, granted by Mr. Taylor, and is acting as the developer.

1.2 Location

The Property is located at the intersection of Dagsboro Road and U.S. Route 13. The image below is an aerial photograph of the immediate vicinity. The right-of-way of Dagsboro Road along the Property's full frontage will also be annexed since the City's current limits stop at the south side of Dagsboro Road.



2.0

LAND USE PATTERN PROPOSED FOR THE AREA TO BE ANNEXED

2.1 Comprehensive Plan

The City of Salisbury adopted the current Comprehensive Plan in 2010. The Annexation Property is located within the City's designated municipal growth area¹.

The Comprehensive Plan's goal as it pertains to annexations is as follows: "To encourage the orderly growth and expansion of the City of Salisbury by annexing selected areas and by providing public services to newly developing areas without overburdening these facilities while continuing to maintain a high level of services to existing developments and residents of the City".

2.2 Proposed Zoning

Upon annexation, the Property is proposed to be zoned General Commercial. Per Section 17.36.010 of the City Zoning Ordinance, the purpose of the District is "to provide a wide range of functional and attractive regional retail, office, service, wholesale, storage, distributing and light manufacturing activities." In a letter to the Mayor and City Council dated July 22, 2016 transmitting the Planning Commission's favorable recommendation for the General Commercial District classification, the City of Salisbury – Wicomico County Department of Planning, Zoning and Community Development noted that the zoning is consistent with the County's General Commercial zoning district and the Comprehensive Plan's recommendation for commercial development in this area.

2.3 Proposed Land Use

The petitioners propose to develop the Property with a grocery store of approximately 18,000 to 19,000 square feet in size.

¹ Note due to an error in the production of the comprehensive plan mapping this property and several others were mistakenly designated with a recommended land use of low density residential. An amendment to the City's Comprehensive Plan correcting this error was presented by the Department of Planning, Zoning and Community Development to the Salisbury Wicomico County Planning Commission on July 21, 2016 and the approval of such amendment is proceeding ahead of or concurrent with this requested annexation. The corrected land use designation is "commercial".

3.0

THE PUBLIC FACILITIES AND SERVICES NEEDED BY THE DEVELOPMENT AND THE METHODS TO PROVIDE SUCH FACILITIES AND SERVICES TO THE ANNEXED PARCEL

3.1 Roads

Dagsboro Road and U.S. 13 would provide access to the Property via commercial driveways. Access to U.S. 13 would be changed from the current two points of access to just one. Along Dagsboro Road where access to the site is now wide open, access would be restricted to two formal commercial entrances, including one opposite Dickerson Lane. The City Department of Public Works will ultimately evaluate and make a determination about this proposed access configuration upon the developer's submittal of a site development plan for review. An inter-parcel roadway connection would also be provided connecting the Property to the adjoining properties to the north, which may be developed in the future.

Sidewalks built to City standards would be located along the full road frontages around the perimeter of the site and internal to the site connecting the Property to the adjoining properties on the north side. The Annexation Agreement between the City and the Petitioner provides that the developer would also install crosswalks on Dagsboro Road at its intersection with Dickerson Lane. The State Highway Administration will require a traffic study when a development plan is eventually submitted to the City.

3.2 Water and Wastewater Treatment

Development of Property in keeping with its conceptual development plan would create a demand of about 1,000 gallons per day. The developer would connect at its expense to existing public water and sewerage facilities in the area at the direction of the City Department of Public Work and there are no Public Works concerns about the feasibility or capacity to serve this Property upon its development. There is adequate capacity to serve the Property. The City's allocation of water and sewer taps will be dictated by the City's allocation plan.

3.3 Schools

As a non-residential use, the Property would not generate pupil enrollment and have no impact of school capacity.

3.4 Parks and Rec.

As a non-residential use in this case, the Property would have no impact on park and recreational facilities or generate a demand for them.

3.5 Fire, E.M., and
Rescue Services

The Salisbury Fire Department provides fire suppression, technical rescue, special operations, and advanced life support (ALS-EMS) emergency medical treatment and transport services to residents of the Salisbury Fire District. It would provide services to the Property.

3.6 Police

The City of Salisbury Police Department would provide services to the Property.

3.7 Stormwater Management:

Stormwater management is governed by the Maryland Stormwater Management regulations administered locally.

3.8 Waste Collection

Commercial development in the City is served by independent waste haulers.

4.0

HOW DEVELOPMENT OF THE ANNEXED PARCEL WOULD RELATE TO EXISTING/PLANNED LAND USE DEVELOPMENT, STREETS, PUBLIC FACILITIES AND SERVICES, OPEN SPACES AND NATURAL AREAS.

The Property is located at the intersection of Dagsboro Road and U.S. 13 at the northern gateway to the Salisbury Boulevard commercial corridor. Its proposed commercial use is consistent with the overall plan for this area of Salisbury. The Property is in the City's Municipal Growth Area and is eligible for annexation. The proposed grocery store use would serve existing and future residents in this growing part of the City and create about 30 to 40 jobs.

Attempts have been made to secure a development scenario that would be accessible by walking and would promote greater accessibility overall. An entrance to the site along Dagsboro Road would be located opposite Dickerson Lane and this road connection would continue through the site to the adjoining properties to the north. The developer would install a significant architectural element on the building façade and/or roof such as a cupola or clock tower opposite Dickerson Lane to help orient the building to the street and create a strong and attractive focal point where the view from Dickerson Lane would terminate. Sidewalks would be provided along the perimeter of the site and crosswalks would be placed at the intersection of Dickerson Lane and Dagsboro Road to improve safety and accessibility.

The applicant would be required to connect the Property by road and by pedestrian way to the northern adjoining properties. Marked and designated walkways and pedestrian zones from these properties and from Dagsboro Road would be installed to lead pedestrians directly to the front door of the grocery store.

The thoughtful use of landscape design would enhance the quality of the streetscape in this area and certainly improve it over existing conditions. For example, the developer would install an enhanced landscaping feature at the intersection of U.S. 13 and Dagsboro Road recognizing the location as part of the northern gateway into the City and install street trees.

The site lies adjacent to residentially zoned properties to the east. The developer would install a vegetated buffer along the eastern edge of the site to buffer the site from the residential use and partially protect the woods on the site.

The Property is located within the City's designated Paleochannel District, which is intended to protect and conserve the water resources of the Paleochannel, an ancient riverbed at a depth of 100 to 200 feet below the surface estimated to hold approximately 7 billion gallons of water. Development projects in the Paleochannel District are required to undergo site plan review and approval by the Planning Commission and certain protection performance standards.

Exhibit C

PTV Capital Partners- Dagsboro Road Annexation

ANNEXATION AGREEMENT

THIS AGREEMENT is made this ___ day of _____, 2016, by and between the **City of Salisbury**, a municipal corporation of the State of Maryland (hereinafter, “the City”), and the Owner **Mr. James W. Taylor, III** of 941 West Isabella Street, Salisbury, Maryland 21801 AND **PTV-Capital Partners, LLC** with the principal address of at 1563 Woodward Drive Extension, Greenberg, Pennsylvania 15601, (hereinafter jointly, “the Owner”).

RECITALS

WHEREAS, the Owner is the record owner of certain real property, of 2.51 acres in size, located in Wicomico County, Maryland, (hereinafter, “the Property”), and more particularly described in Attachment “A-1” attached hereto and made a part hereof; and

WHEREAS, the Owner desires to construct upon the Property a commercial building and associated site improvements and/or to facilitate the development of the Property for commercial use;

WHEREAS, the Property is not presently within the corporate boundaries of the City and is therefore ineligible to receive certain municipal services, including the municipal water and wastewater services, that the Owner desires to obtain for the Property; and

WHEREAS, the Owner desires that the City annex the Property and the City desires to annex the Property, provided that certain conditions are satisfied; and

WHEREAS, pursuant to the authority contained in the Local Government Article, subtitle 4-400 of the Annotated Code of Maryland, the Owner and the City have agreed that the following conditions and circumstances will apply to the annexation proceedings and to the Property.

WITNESSETH:

1. WARRANTIES AND REPRESENTATIONS OF CITY:

- A. The City of Salisbury, the Salisbury-Wicomico County Planning Commission and staff will be guided by this Agreement throughout the review of any development plans submitted for the Property to ensure that the provisions of this Agreement are specifically implemented. Any approval granted to a development plan by any commission, board, body, or agent of the City shall be in substantial compliance with the terms and conditions of this Agreement.

- B. The parties understand and agree that the City's herein provided covenant of support is not intended, nor could it be construed, to legally prohibit the City from enacting such future ordinances or charter provisions or engineering standards or amendments deemed necessary to protect the public health, safety and welfare of the residents of the City, nor from applying such ordinances or charter provisions to the development of the Property, provided such application does not operate to divest prior approvals, nor interfere with the Owner's vested rights to any greater extent than the impact of such ordinances and charter resolutions upon other similarly-situated properties within the City's boundaries.

2. WARRANTIES AND REPRESENTATIONS OF THE OWNER:

A. This Agreement constitutes the formal written consent to annexation by the Owner as required by the Local Government Article of the Maryland Code, Section 4-403 (b)(1) and (2). The Owner acknowledges that it will receive a benefit from annexation and agrees, as a bargained-for condition and circumstances applicable to the annexation, that it waives and completely relinquishes any right to withdraw its consent to annexation from the date of execution of this Agreement by all parties. The Owner further agrees that it will not petition the Annexation Resolution to referendum and that, in the event of a referendum in which it is permitted to vote, that it shall vote in favor of the Annexation Resolution.

B. The Owner warrants and represents that it have the full authority to sign this Agreement and is in fact the sole owner of the real property encompassed in the annexation area and more particularly described in Attachment "A-1", and that there is no action pending against it involving it that would in any way affect its right and authority to execute this Agreement.

C. The Owner warrants and represents that it has the full power and authority to sign this Agreement and Consent and is, in fact, collectively the sole owner of not less than Twenty-five Percent (25%) of the assessed valuation of the real property within the annexation area.

3. **APPLICATION OF CITY CODE AND CHARTER**

From and after the effective date of the Annexation Resolution implementing this Agreement, all provisions of the Charter and Code of the City shall have full force and effect within the Property except as otherwise specifically provided herein.

4. **MUNICIPAL ZONING**

Upon the effective date of the Annexation Resolution implementing this Agreement and Approval by the Mayor and City Council, the Property will be zoned General Commercial.

5. **MUNICIPAL SERVICES**

Upon the effective date of the Annexation Resolution implementing this Agreement, the City will make the Property eligible to receive all applicable municipal services to the extent that the necessary public facilities exist to provide such services. Any allocation of capacity and/or services will be made by the City according to adopted allocation plans which may be in effect at the time the Owner makes request for such capacity and/or services.

6. **STANDARDS AND CRITERIA**

Should any environmental, engineering, or other similar standard or criteria specifically noted in this Agreement be exceeded by any local, State, or Federal standard, criteria or regulation, which may be adopted subsequent to the execution of this Agreement, the newer stricter standard, criteria or regulation shall apply.

7. **CITY BOUNDARY MARKERS**

The Owner will fund and install City Boundary Markers at the boundary lines to the newly enlarged City boundaries resulting from this annexation and will provide receipt of such work completed to the City within 90 days of expiration of the 45-day referendum period. The Owner agrees that failure to comply with this provision will subject the Owner to payment of a fee to the City of Salisbury made payable at end of the 90-day period in amount of \$10,000.00 or the cost for the City's surveyor to complete the work, whichever is more.

8. DEVELOPMENT CONSIDERATIONS

A. **Costs and Fees:** The Owner agrees that it will pay the costs of annexation to the City, including but not limited to the City's costs for legal fees, planning, and other consulting fees in connection with the preparation of this Agreement and/or the necessary annexation resolution and related documents, for publication of any required notices, and for any other cost or expense reasonably related, in the City's sole judgment, to the annexation.

B. The Owner and City agree that the Property will be developed consistent with the regulations of the zoning district classification referenced in the Annexation Resolution.

C. **Contribution to Area Improvement:** The Owner agrees as part of the development of the Property to install sidewalks along the full public road frontage of the Property and crosswalks at the intersection of Dagsboro Road and Dickerson Lane to provide a strong and safe pedestrian orientation/amenity area between the site and the opposite side of Dagsboro Road.

D. **Contributions to the Re-investment in Existing Neighborhoods:** The Owner agrees to pay a development assessment to the City in the amount of \$18,876.00 prior to the issuance of a building permit. Such development assessment is understood by the parties to be intended for use by the City in its sole discretion for beautification, restoration, and revitalization improvements to existing neighborhoods in the City and which development assessment is understood by the parties to be in addition to and independent of the City's water and sewer comprehensive connection charges, any impact fees imposed by Wicomico County or the City, and any assessments that may be required to be paid elsewhere in this Agreement.

E. **Escalation of Development Assessment:** The lot assessment set forth in paragraph D above is subject to adjustment to reflect inflation. Beginning January 1, 2017 the assessment shall be adjusted for inflation and this adjustment shall take place annually thereafter on the first day of January, for any assessment that remains unpaid. The assessment shall be adjusted by the percent change in the CPI during the previous 12-month period. The CPI to be used is the Consumer Price Index-U, All City Average, and Unadjusted, published by the Bureau of Labor Statistics.

F. **Community / Environmental Design:** The Owner agrees that the development plan for the site will feature strong pedestrian functional and visual relationships from the street and sidewalk to the front door of the store, enhanced site landscaping that recognize the "gateway" character of site and feature the use of a brick knee-wall at the corner of U.S. Route 13, streetscape enhancements along Dagsboro Road featured street trees in addition to the sidewalks, and buffer plantings and forest retention to provide a buffer between the developed portion of the site and the adjoining residentially zoned properties.

The Owner further agrees to achieve LEED credit points in collaboration with the Salisbury/Wicomico Planning Commission for any development using the rating system established by the United States Green Building Council's LEED Standards for Building Design New Construction, as updated from time to time. The City and Owner/Assignee acknowledge that certain points under the rating system are unattainable because of the project's location and existing available services. Understanding this, and in order to establish a baseline, the City and Owner/Assignee will first agree to the total sum of LEED points unattainable due to these factors that are beyond the control of the Owner. The sum of

these points will then be deducted from the total points possible; the difference then divided by the total points possible to arrive at a baseline quotient. Prior to development approval, the Owner shall submit specific findings, accepted by the Director of Planning, to demonstrate to the satisfaction of the Salisbury/Wicomico Planning Commission that the project has achieved, or would achieve upon development, the credit points needed for LEED Silver Certification when multiplied by the baseline quotient. In keeping with this provision, the Owner/Assignee agrees specifically to adhere to the following energy and environmental performance standards:

- Site lighting fixtures shall be energy efficient and, where possible, shall utilize LED lamps for energy efficiency and long lamp life. Streetlights if used shall also be selected for highest efficiency but recognizing that streetlights may ultimately be owned and maintained by the City of Salisbury, the selection of streetlights shall be made in conjunction with the City of Salisbury Department of Public Works.
- Roadway and parking lot construction shall be accomplished mainly using recycled aggregates and base materials in addition to conventional aggregates and paving materials when acceptable recycled materials meeting the required physical properties of the design engineer are locally available.
- The HVAC systems in all building(s) on the Property shall be high-efficiency units. Air conditioning compressors will be 17 SEER, minimum unless and until higher federal, state, or local standards are required.
- Water-saving plumbing fixtures shall be used in all buildings on the Property.
- Building roofing materials on the Property shall be selected for energy efficiency and to minimize the heat island effect of dark roof coverings.
- Building finish materials that have high-recycled content shall be selected where possible. Low VOC (Volatile Organic Compound) paints and finishes shall be used.

G. The Owner, at its sole expense, agrees to extend public water and sewer services to the Property governed by the alignment, specification, sizing, and area wide coordination and system requirements and guidance provided by the City Department of Public Works recognizing that such facilities shall be sized larger than that required by the Property alone; such work to undertaken through a Public Works Agreement approved by the City.

H. The parties acknowledge and agree that the obligations set forth herein on the part of both parties pertain to the Property, unless otherwise expressly stated herein.

9. **RECORD PLAT:**

The Owner will provide the City with a copy of the final record plat for any development of the Property.

10. **MISCELLANEOUS:**

A. The obligations of the parties hereto set forth herein are contingent upon the adoption of an Annexation Resolution effecting the annexation of the Property by the Mayor and City Council of the City of Salisbury and shall be void in the event the City fails to effect such annexation or such annexation is invalidated by referendum or otherwise.

B. The use of singular verb, noun and pronoun forms in this Agreement shall also include the plural forms where such usage is appropriate; the use of the pronoun "it" shall also include, where appropriate "he" or "she" and the possessive pronoun "its" shall also include, where appropriate, "his" "hers" and "theirs."

C. From time to time after the date of this Annexation Agreement, the parties, without charge to each other, will perform such other acts, and will execute, acknowledge and will furnish to the other such instruments, documents, materials and information which either party reasonably may request, in order to effect the consummation of the transactions provided for in this Agreement.

D. This Agreement, which includes all exhibits, schedules and addenda hereto, each of which is incorporated in this Agreement by this reference, shall be recorded among the Land Records of Wicomico County and shall run with the land and be binding upon and inure to the benefit of the parties, their heirs, successors and assigns, and embodies and constitutes the entire understanding, representations, and statements, whether oral or written, are merged in this Annexation Agreement. The parties may renegotiate the terms hereof by mutual agreement, subsequent to the effective date of any Annexation Resolution adopted by the City pursuant hereto, provided that neither this Agreement nor any provisions hereof may be waived, modified or amended unless such modification is in writing and is signed by the party against whom the enforcement of such waiver, modification or amendment is sought, and then only to the extent set forth in such instrument.

E. The parties hereto acknowledge that, in entering into this Agreement, neither party has been induced by, nor has relied upon, nor included as part of the basis of the bargain herein, any representations or statement, whether express or implied, made by any agent, representative or employee, which representation or statement is not expressly set forth in this Agreement.

F. This Agreement shall be construed according to its plain meaning without giving regard to any inference or implication arising from the fact that it may have been drafted in whole or in part by or for any one of the parties hereto.

G. This Agreement, its benefit and burden, shall be assignable, in whole or in part, by the Owner without the consent of the City or of its elected officials, employees or agents, to any purchasers or contract purchasers of the property or any party thereof. However, the Owner will not transfer or pledge as security for any debt or obligation, any interest in all or part of the Annexation Area, without first obtaining the written consent and acknowledgement of the transferee or pledgee to the Annexation Agreement and to the complete observance hereof. The Owner shall provide the City with copies of all documents of transfer or assignment, including exhibits when the documents are fully executed, regardless of recordation.

H. The captions in any Agreement are inserted for convenience only, and in no way define, describe or limit the scope of intent of this Agreement or any of the provisions hereof.

I. The laws of the State of Maryland shall govern the interpretation, validity, and construction of the terms and provisions of this Agreement. If any term or provision of this Agreement is declared illegal or invalid for any reason by a court of competent jurisdiction, the remaining terms and provisions of this Agreement shall, nevertheless, remain in full force and effect. Any suit to enforce the terms hereof or for damages or other remedy for the breach or alleged breach hereof shall be brought exclusively in the Courts of the State of Maryland in Wicomico County and the parties expressly consent to the jurisdiction thereof and waive any right that they might otherwise have to bring such action in or transfer or remove such action to the courts of any other jurisdiction.

J. All notices and other communications under this Agreement shall be in writing and shall be sent either by first class mail, postage prepaid, or by personal delivery, addressed to the parties as provided below. Notice shall be deemed given on the date delivered or attempted to be delivered during normal working hours on business days.

K.

IF TO THE CITY: Thomas Stevenson, City Administrator
125 North Division Street
Salisbury, Maryland 21801

WITH A COPY TO: S. Mark Tilghman, City Attorney
1185 Broad Street, P.O. Box 910
Salisbury, Maryland 21803

IF TO THEOWNER: PTV-Capital Partners, LLC
1563 Woodward Drive Extension,
Greenberg, Pennsylvania 15601

WITH A COPY TO: _____

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

WITNESS:

THE CITY OF SALSIBURY, MARYLAND

By: _____

WITNESS/ATTEST:

OWNER:

By: _____

APPROVED AS TO FORM:

S. Mark Tilghman, City Attorney

STATE OF MARYLAND

COUNTY OF _____, to wit:

I HEREBY CERTIFY, that on this ____ day of _____, ____, before me, a Notary Public in and for the State aforesaid, personally appeared _____, who has been satisfactorily proven to be the person whose name is subscribed to the within instrument, who acknowledged himself to be a duly elected official of the City of Salisbury, a municipal corporation of the State of Maryland, and that said official, being duly authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the municipal corporation as such official.

WITNESS my hand and notarial seal.

_____(SEAL)
Notary Public

My Commission Expires: _____

I HEREBY CERTIFY, that on this _____ day of _____, _____, before me, a Notary Public in and for the State aforesaid, personally appeared _____, who has been satisfactorily proven to be the person whose name is subscribed to the within instrument, who acknowledged himself to be Member of PVT, Capital Partners, LLC, and that, being duly authorized so to do, he executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation as a Member.

WITNESS my hand and notarial seal.

_____(SEAL)
Notary Public

My Commission Expires:_____

I HEREBY CERTIFY that the foregoing instrument was prepared by or under the supervision of an attorney duly admitted to practice before the Court of Appeals of Maryland.

_____, City Attorney

Attachment 1
(Annexation survey plat to be inserted)

ATTACHMENT A-1

PENNTEx – DAGSBORO ROAD ANNEXATION

A CERTAIN AREA OF LAND, contiguous to and binding upon the northerly Corporate Limit of the City of Salisbury to be known as "PennTex – Dagsboro Road Annexation" beginning for the same at a point on the Corporate Limit, said point lying on the southerly side of Dagsboro Road, North eighty-six degrees three minutes fifty-five seconds East (N 86° 03' 55" E) a distance of four hundred nine decimal six, one (409.61) feet from a City of Salisbury Brass Cap labeled "BARRACKS" X 1,211,582.19, Y 217,116.41; thence crossing the said Dagsboro Road North two degrees three minutes forty-eight seconds East (N 2° 03' 48" E) thirty-nine decimal nine, two (39.92) to a point at the southeast corner of the parcel being annexed X 1,211,583.62, Y 217,156.30; thence North two degrees three minutes forty-eight seconds East (N 2° 03' 48" E) two hundred eighty decimal zero, zero (280.00) feet to a point X 1,211,593.71, Y 217,436.12; thence North eighty-seven degrees five minutes thirty-eight seconds West (N 87° 05' 38" W) one hundred twenty-seven decimal one, eight (127.18) feet to a point X 1,211,466.69, Y 217,442.57; thence South seventy-three degrees forty minutes nineteen seconds West (S 73° 40' 19" W) seventy-one decimal six, zero (71.60) feet to a point X 1,211,397.97, Y 217,422.44; thence South sixty-two degrees five minutes nineteen seconds West (S 62° 05' 19" W) forty-four decimal five, nine (44.59) feet to a point X 1,211,358.58, Y 217,401.57; thence South forty-five degrees thirty-five minutes nineteen seconds West (S 45° 35' 19" W) sixty-nine decimal zero, three (69.03) feet to a point X 1,211,309.27, Y 217,353.26; thence South seventy-three degrees forty-two minutes nineteen seconds West (S 73° 42' 19" W) one hundred twenty-seven decimal four, five (127.45) feet to a point on the easterly right of way line of U. S. Route 13 X 1,211,186.94, Y 217,317.50; thence by and with the said line of U.S. Route 13 and a curve to the right, having a radius of five thousand seven hundred seventy-six decimal seven, six (R = 5,776.76) feet and a length of one hundred eighty-nine decimal one, four (L = 189.14), a chord bearing of South seven degrees thirty-one minutes thirty-two West (S 7° 31' 32" W) a chord distance of one hundred eighty-nine decimal one, three (189.13) feet to a point where the easterly right of way line of U. S. Route 13 intersects the northerly right of way line of Dagsboro Road X 1,211,162.17, Y 217,130.00; thence crossing the said Dagsboro Road South fifteen degrees fifteen minutes twelve seconds East (S 15° 15' 12" E) forty-three decimal two, two (43.22) feet to a point at the corner of the Corporate Limit being the aforementioned "BARACKS" Brass Disk X 1,211,173.54, Y 217,088.30; thence running by and with the said Corporate Limit North eighty-six degrees three minutes fifty-five seconds East (N 86° 03' 55" E) four hundred nine decimal six, one (409.61) feet to the point of beginning and containing 2.768 acres, being the lands of James W. Taylor, III, Parcel 184 shown on Tax Map 20, and a portion of Dagsboro Road. All bearings and coordinates are referenced to the Maryland State Coordinate System, 1927 datum.

RESOLUTION NO. 2651

A RESOLUTION of the City of Salisbury proposing the annexation to the City of Salisbury of certain area of land contiguous to and binding upon the northerly corporate limit of the City of Salisbury, to be known as the “PennTex – Dagsboro Road Annexation” and the application of a City zoning classification to same area located on the northerly side of and binding upon Dagsboro Road and the northeast quadrant of the intersection of North Salisbury Blvd. MD RTE. 13 and Dagsboro Rd.

WHEREAS, the City of Salisbury is considering the annexation of a parcel of land located on the northerly side and binding upon the of Dagsboro Road, an improved County road; said parcel being contiguous to and binding upon the northerly corporate limit of the City of Salisbury and being more particularly described on Exhibit “A” attached hereto and made a part hereof; and

WHEREAS, the City of Salisbury is required to adopt an annexation plan for the proposed area of annexation pursuant to the Local Government Article (formerly Article 23(A) Section 19(O)) of the *Maryland Annotated Code*; and

WHEREAS, the public hearing is scheduled for September 26, 2016, at 6:00 p.m.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SALISBURY THAT an annexation plan for the “PennTex – Dagsboro Road Annexation,” as set forth in Exhibit “B” attached hereto and made a part hereof, is adopted for that area of land located and binding upon the northerly side of Dagsboro Road; said parcel being contiguous to and binding upon the northerly corporate limit of the City of Salisbury.

AND BE IT FURTHER RESOLVED BY THE CITY OF SALISBURY, THAT the Council hold a public hearing on the annexation plan hereby proposed on September 26, 2016 at 6:00 p.m. in the Council Chambers at the City-County Office Building and the City Administrator shall cause a public notice of time and place of said hearing to be published not fewer than two (2) times at not less than weekly intervals, in a newspaper of general circulation in the City of Salisbury, which said

30 notice shall specify a time and place at which the Council of the City of Salisbury will hold a public
31 hearing on the Resolution.

32 The above Resolution was introduced and read and passed at the regular meeting of the
33 Council of the City of Salisbury held on the 22nd day of August, 2016, having been duly published as
34 required by law in the meantime a public hearing was held on September 26th, 2016, and was finally
35 passed by the Council at its regular meeting held on the 26th day of September, 2016.

36

37

38 _____
39 Diane K. Carter,
40 Assistant City Clerk

John R. Heath,
Council President

41

42

43

44 APPROVED BY ME this ____ day of _____, 2016.

45

46

47 _____
48 Jacob R. Day,
49 Mayor

50

EXHIBIT "A"

PENNTEX – DAGSBORO ROAD ANNEXATION

A CERTAIN AREA OF LAND, contiguous to and binding upon the northerly Corporate Limit of the City of Salisbury to be known as "PennTex – Dagsboro Road Annexation" beginning for the same at a point on the Corporate Limit, said point lying on the southerly side of Dagsboro Road, North eighty-six degrees three minutes fifty-five seconds East (N 86° 03' 55" E) a distance of four hundred nine decimal six, one (409.61) feet from a City of Salisbury Brass Cap labeled "BARRACKS" X 1,211,582.19, Y 217,116.41; thence crossing the said Dagsboro Road North two degrees three minutes forty-eight seconds East (N 2° 03' 48" E) thirty-nine decimal nine, two (39.92) to a point at the southeast corner of the parcel being annexed X 1,211,583.62, Y 217,156.30; thence North two degrees three minutes forty-eight seconds East (N 2° 03' 48" E) two hundred eighty decimal zero, zero (280.00) feet to a point X 1,211,593.71, Y 217,436.12; thence North eighty-seven degrees five minutes thirty-eight seconds West (N 87° 05' 38" W) one hundred twenty-seven decimal one, eight (127.18) feet to a point X 1,211,466.69, Y 217,442.57; thence South seventy-three degrees forty minutes nineteen seconds West (S 73° 40' 19" W) seventy-one decimal six, zero (71.60) feet to a point X 1,211,397.97, Y 217,422.44; thence South sixty-two degrees five minutes nineteen seconds West (S 62° 05' 19" W) forty-four decimal five, nine (44.59) feet to a point X 1,211,358.58, Y 217,401.57; thence South forty-five degrees thirty-five minutes nineteen seconds West (S 45° 35' 19" W) sixty-nine decimal zero, three (69.03) feet to a point X 1,211,309.27, Y 217,353.26; thence South seventy-three degrees forty-two minutes nineteen seconds West (S 73° 42' 19" W) one hundred twenty-seven decimal four, five (127.45) feet to a point on the easterly right of way line of U. S. Route 13 X 1,211,186.94, Y 217,317.50; thence by and with the said line of U.S. Route 13 and a curve to the right, having a radius of five thousand seven hundred seventy-six decimal seven, six (R = 5,776.76) feet and a length of one hundred eighty-nine decimal one, four (L = 189.14), a chord bearing of South seven degrees thirty-one minutes thirty-two West (S 7° 31' 32" W) a chord distance of one hundred eighty-nine decimal one, three (189.13) feet to a point where the easterly right of way line of U. S. Route 13 intersects the northerly right of way line of Dagsboro Road X 1,211,162.17, Y 217,130.00; thence crossing the said Dagsboro Road South fifteen degrees fifteen minutes twelve seconds East (S 15° 15' 12" E) forty-three decimal two, two (43.22) feet to a point at the corner of the Corporate Limit being the aforementioned "BARACKS" Brass Disk X 1,211,173.54, Y 217,088.30; thence running by and with the said Corporate Limit North eighty-six degrees three minutes fifty-five seconds East (N 86° 03' 55" E) four hundred nine decimal six, one (409.61) feet to the point of beginning and containing 2.768 acres, being the lands of James W. Taylor, III, Parcel 184 shown on Tax Map 20, and a portion of Dagsboro Road. All bearings and coordinates are referenced to the Maryland State Coordinate System, 1927 datum.

Exhibit B

REPORT OF ANNEXATION PLAN

for the

**PTV CAPITAL PARTNERS – DAGSBORO ROAD
ANNEXATION
TO THE CITY OF SALISBURY**

July 27, 2016

This Annexation Plan is consistent with the Municipal Growth Element of the City of Salisbury's adopted Comprehensive Plan. The following are milestones in the public review and consideration of the proposed Annexation.

- At a work session on April 18, 2016, the Salisbury City Council reviewed the proposed annexation request.
- On July 21, 2016 the City of Salisbury / Wicomico County Planning Commission reviewed the proposed annexation and approved a favorable recommendation to the Salisbury City Council for the proposed zoning of the Property.
- At a Salisbury City Council work session on August 1, 2016, the City Council reviewed the draft annexation agreement and the draft version of this Annexation Plan and directed that an Annexation Resolution be drafted for review.
- A City Council meeting held on _____ the Council formally reviewed this Annexation Plan and the Annexation Resolution and directed that a date for a public hearing be established. The Council further directed that the Annexation Plan be forwarded to the Maryland Department of Planning and the Wicomico County Council for comment within 30 days of the public hearing as provided for by State law.

1.0

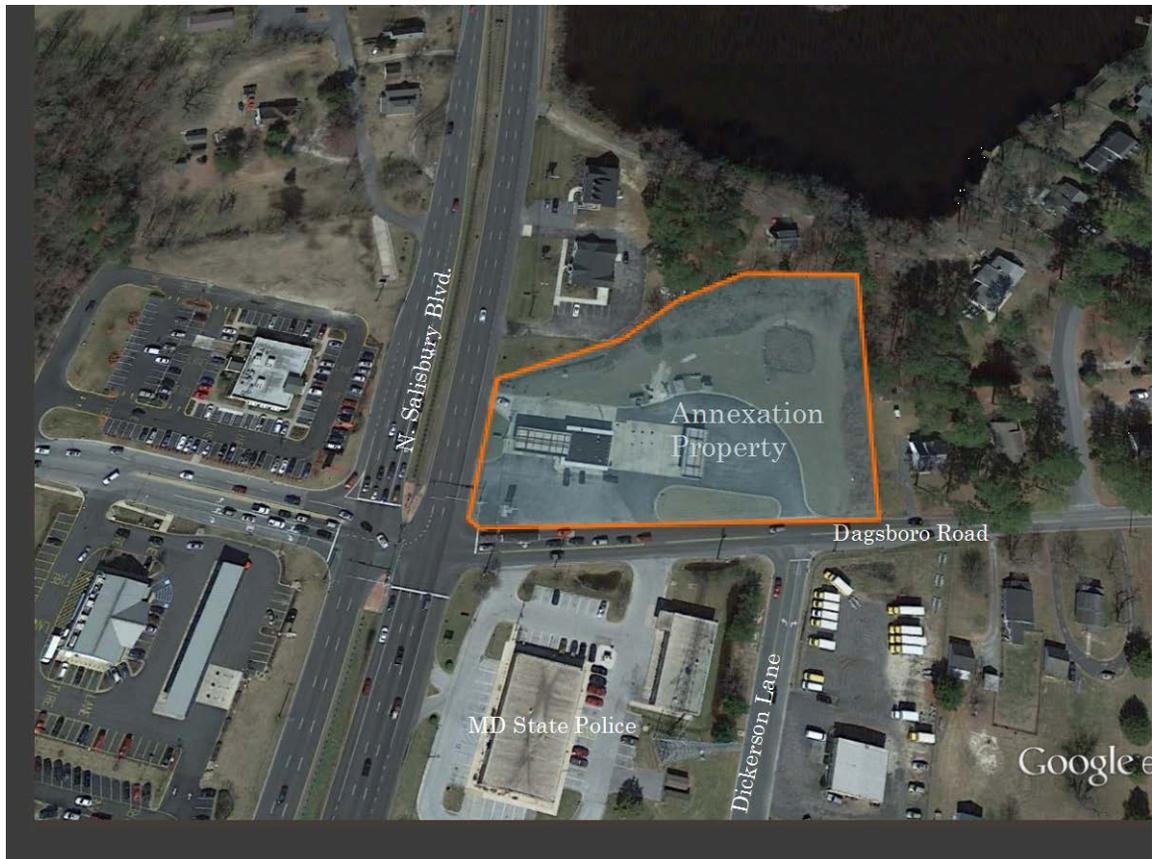
GENERAL INFORMATION AND DESCRIPTION

1.1 Petitioners

The petitioner is Mr. James W. Taylor, III of 941 West Isabella Street, Salisbury, Maryland 21801 who has an agreement with PTV Capital Partners, LLC at 1563 Woodward Drive Extension, Greenberg, Pennsylvania. This entity has an equitable interest in the annexation property, granted by Mr. Taylor, and is acting as the developer.

1.2 Location

The Property is located at the intersection of Dagsboro Road and U.S. Route 13. The image below is an aerial photograph of the immediate vicinity. The right-of-way of Dagsboro Road along the Property's full frontage will also be annexed since the City's current limits stop at the south side of Dagsboro Road.

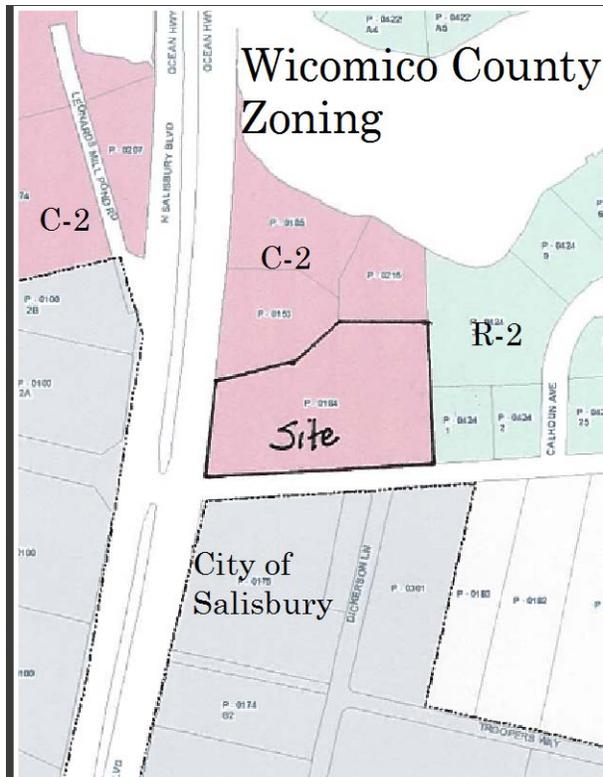


1.3 Property Description

Attachment 1 shows the survey of the Property. The site, the location of a former gasoline service station and convenience store, is 2.51 acres in size. The Property description is Tax Map 20, Parcel 184, and Grid 24. The entire annexation area includes the right-of-way of Dagsboro Road along the full frontage of the Property.

1.4 Existing Zoning

The Property is now zoned C-2, General Commercial under the Wicomico County Code as shown on the excerpt from the Wicomico County Zoning Map below. The Property adjoins C-2 zoned properties to the north and a R-20 (Residential) zone to the east.



2.0

LAND USE PATTERN PROPOSED FOR THE AREA TO BE ANNEXED

2.1 Comprehensive Plan

The City of Salisbury adopted the current Comprehensive Plan in 2010. The Annexation Property is located within the City's designated municipal growth area¹.

The Comprehensive Plan's goal as it pertains to annexations is as follows: "To encourage the orderly growth and expansion of the City of Salisbury by annexing selected areas and by providing public services to newly developing areas without overburdening these facilities while continuing to maintain a high level of services to existing developments and residents of the City".

2.2 Proposed Zoning

Upon annexation, the Property is proposed to be zoned General Commercial. Per Section 17.36.010 of the City Zoning Ordinance, the purpose of the District is "to provide a wide range of functional and attractive regional retail, office, service, wholesale, storage, distributing and light manufacturing activities." In a letter to the Mayor and City Council dated July 22, 2016 transmitting the Planning Commission's favorable recommendation for the General Commercial District classification, the City of Salisbury – Wicomico County Department of Planning, Zoning and Community Development noted that the zoning is consistent with the County's General Commercial zoning district and the Comprehensive Plan's recommendation for commercial development in this area.

2.3 Proposed Land Use

The petitioners propose to develop the Property with a grocery store of approximately 18,000 to 19,000 square feet in size.

¹ Note due to an error in the production of the comprehensive plan mapping this property and several others were mistakenly designated with a recommended land use of low density residential. An amendment to the City's Comprehensive Plan correcting this error was presented by the Department of Planning, Zoning and Community Development to the Salisbury Wicomico County Planning Commission on July 21, 2016 and the approval of such amendment is proceeding ahead of or concurrent with this requested annexation. The corrected land use designation is "commercial".

3.0

THE PUBLIC FACILITIES AND SERVICES NEEDED BY THE DEVELOPMENT AND THE METHODS TO PROVIDE SUCH FACILITIES AND SERVICES TO THE ANNEXED PARCEL

3.1 Roads

Dagsboro Road and U.S. 13 would provide access to the Property via commercial driveways. Access to U.S. 13 would be changed from the current two points of access to just one. Along Dagsboro Road where access to the site is now wide open, access would be restricted to two formal commercial entrances, including one opposite Dickerson Lane. The City Department of Public Works will ultimately evaluate and make a determination about this proposed access configuration upon the developer's submittal of a site development plan for review. An inter-parcel roadway connection would also be provided connecting the Property to the adjoining properties to the north, which may be developed in the future.

Sidewalks built to City standards would be located along the full road frontages around the perimeter of the site and internal to the site connecting the Property to the adjoining properties on the north side. The Annexation Agreement between the City and the Petitioner provides that the developer would also install crosswalks on Dagsboro Road at its intersection with Dickerson Lane. The State Highway Administration will require a traffic study when a development plan is eventually submitted to the City.

3.2 Water and Wastewater Treatment

Development of Property in keeping with its conceptual development plan would create a demand of about 1,000 gallons per day. The developer would connect at its expense to existing public water and sewerage facilities in the area at the direction of the City Department of Public Work and there are no Public Works concerns about the feasibility or capacity to serve this Property upon its development. There is adequate capacity to serve the Property. The City's allocation of water and sewer taps will be dictated by the City's allocation plan.

3.3 Schools

As a non-residential use, the Property would not generate pupil enrollment and have no impact of school capacity.

3.4 Parks and Rec.

As a non-residential use in this case, the Property would have no impact on park and recreational facilities or generate a demand for them.

3.5 Fire, E.M., and
Rescue Services

The Salisbury Fire Department provides fire suppression, technical rescue, special operations, and advanced life support (ALS-EMS) emergency medical treatment and transport services to residents of the Salisbury Fire District. It would provide services to the Property.

3.6 Police

The City of Salisbury Police Department would provide services to the Property.

3.7 Stormwater Management:

Stormwater management is governed by the Maryland Stormwater Management regulations administered locally.

3.8 Waste Collection

Commercial development in the City is served by independent waste haulers.

4.0

HOW DEVELOPMENT OF THE ANNEXED PARCEL WOULD RELATE TO EXISTING/PLANNED LAND USE DEVELOPMENT, STREETS, PUBLIC FACILITIES AND SERVICES, OPEN SPACES AND NATURAL AREAS.

The Property is located at the intersection of Dagsboro Road and U.S. 13 at the northern gateway to the Salisbury Boulevard commercial corridor. Its proposed commercial use is consistent with the overall plan for this area of Salisbury. The Property is in the City's Municipal Growth Area and is eligible for annexation. The proposed grocery store use would serve existing and future residents in this growing part of the City and create about 30 to 40 jobs.

Attempts have been made to secure a development scenario that would be accessible by walking and would promote greater accessibility overall. An entrance to the site along Dagsboro Road would be located opposite Dickerson Lane and this road connection would continue through the site to the adjoining properties to the north. The developer would install a significant architectural element on the building façade and/or roof such as a cupola or clock tower opposite Dickerson Lane to help orient the building to the street and create a strong and attractive focal point where the view from Dickerson Lane would terminate. Sidewalks would be provided along the perimeter of the site and crosswalks would be placed at the intersection of Dickerson Lane and Dagsboro Road to improve safety and accessibility.

The applicant would be required to connect the Property by road and by pedestrian way to the northern adjoining properties. Marked and designated walkways and pedestrian zones from these properties and from Dagsboro Road would be installed to lead pedestrians directly to the front door of the grocery store.

The thoughtful use of landscape design would enhance the quality of the streetscape in this area and certainly improve it over existing conditions. For example, the developer would install an enhanced landscaping feature at the intersection of U.S. 13 and Dagsboro Road recognizing the location as part of the northern gateway into the City and install street trees.

The site lies adjacent to residentially zoned properties to the east. The developer would install a vegetated buffer along the eastern edge of the site to buffer the site from the residential use and partially protect the woods on the site.

The Property is located within the City's designated Paleochannel District, which is intended to protect and conserve the water resources of the Paleochannel, an ancient riverbed at a depth of 100 to 200 feet below the surface estimated to hold approximately 7 billion gallons of water. Development projects in the Paleochannel District are required to undergo site plan review and approval by the Planning Commission and certain protection performance standards.

Memorandum

To: Tom Stevenson, City Administrator

CC: Julia Glanz, Asst. City Administrator

From: Keith D. Hall, AICP
Salisbury – Wicomico County Dept. of Planning, Zoning, and Community Development

Date: September 21, 2016

Ref: September 26, 2016, City Council legislative meeting agenda item - 2010 *City of Salisbury Comprehensive Plan* – Corrective Measures

In accordance with applicable provisions of the Land Use Article, §3-204(c)(2) of the Maryland Annotated Code, the Salisbury-Wicomico County Department of Planning, Zoning, and Community Development request the Salisbury City Council to hold a Public Hearing and act on the following two (2) correction measures to the adopted 2010 *City of Salisbury Comprehensive Plan*:

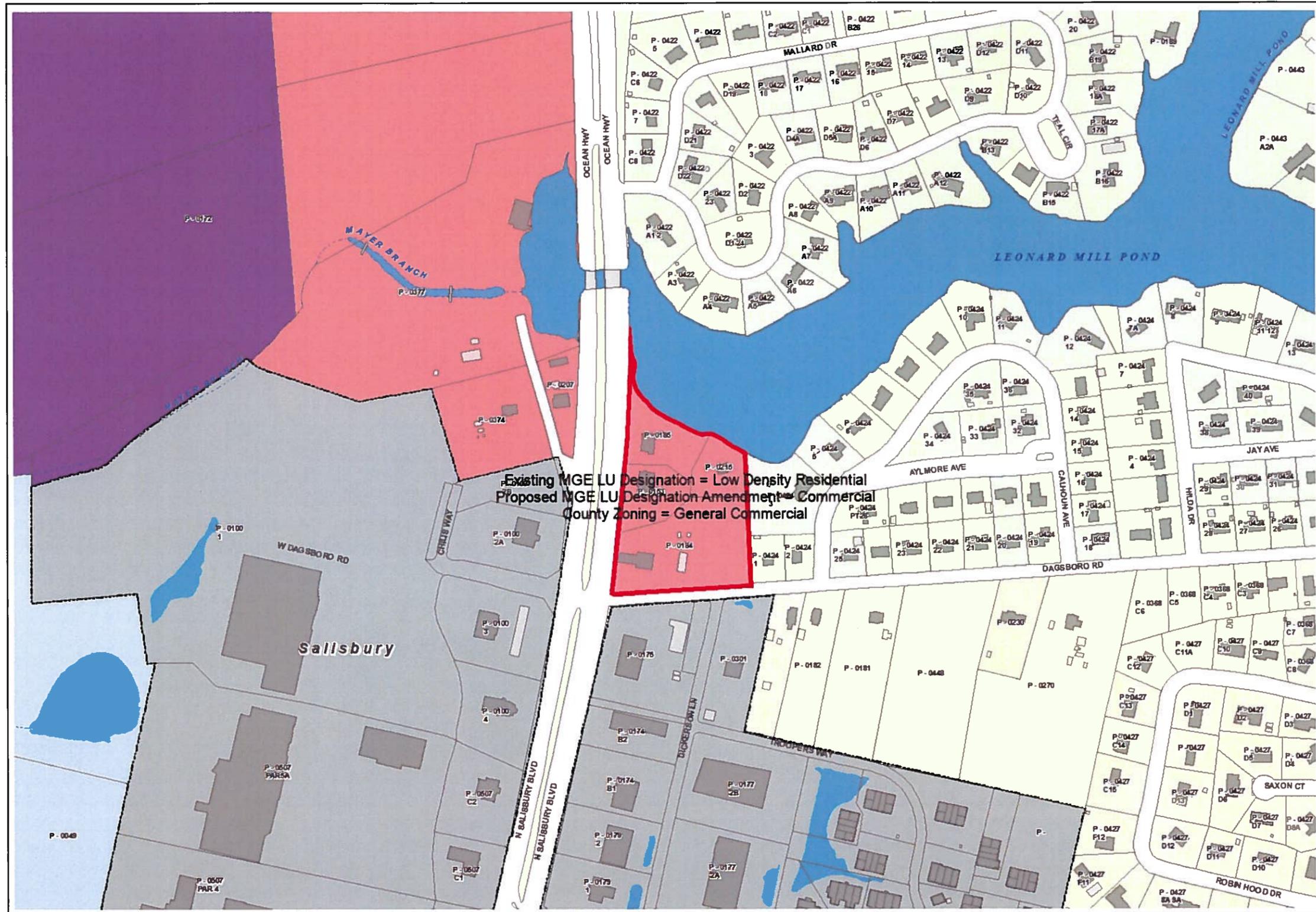
1. Correct land use designation on Map 11-3: Growth Area – Future Land Use Plan and Map 11-4: Salisbury & Growth Area Future Land Use Plan on four (4) parcels totaling approximately 5.081 acres of land from Low-Density Residential to Commercial. See **Attachment A**. The Wicomico County Zoning District for the aforementioned properties is General Commercial. The corrective measure will resolve the inconsistency between the proposed City Land Use (Maps 11-3 and 11-4) and County Zoning.
2. Corrective measure to incorporate an area of 55.47 acres located on the northeast quadrant of the U.S. Route 50 and Walston Switch Road intersection into the designated future growth area for the City of Salisbury. See **Attachment B**. The County Zoning District for the subject properties is Light Business and Institutional and the adopted 1998 *Wicomico County Comprehensive Plan* classifies the area of interest as Urban Corridor land use. To ensure consistency between the proposed growth area of the City of Salisbury and Wicomico County Zoning District designation, the subject properties are proposed to be included as a future area of annexation consideration on Map 11-3: Growth Area – Future Land Use Plan and Map 11-4: Salisbury & Growth Area Future Land Use Plan with a land use classification of Mixed Use. Consistent with the growth policies contained in the 2010 *City of Salisbury Comprehensive*, areas for future annexation consideration designated as Mixed Use are restricted to non-residential land uses.

The following procedural actions have occurred:

- May 19, 2016 – Salisbury Planning and Zoning Commission reviewed the proposed corrective measures and directed Planning Staff to submit amendments to the Maryland State Clearinghouse for Intergovernmental Assistance (Clearinghouse) and adjoining incorporated jurisdictions for review and comment.
- June 20, 2016 – Maryland Department of Planning determined the corrective measures were “appropriate and necessary in order to eliminate the existing inconsistencies between the Wicomico County Zoning Ordinance and the City of Salisbury’s 2010 Comprehensive Plan’s Growth Area – Future Land Use Plan (Map 11-3) and Salisbury Future Land Use and Growth Area Plan (Map 11-4).”
- July 20, 2016 – Salisbury Planning and Zoning Commission conducted an advertised Public Hearing to review the two (2) proposed corrective measures. Following the Public Hearing, and consideration of all comments received, the Planning Commission voted to recommend **Approval** to the Mayor and City Council.
- September 6, 2016 – Salisbury City Council reviewed and made a favorable recommendation to schedule a Public Hearing for September 26, 2016, to hear from opponents and proponents of the two (2) proposed corrective actions. In response to the request, Staff prepared and advertised a Public Hearing notice in the Daily Times 14-days in advance of the aforementioned legislative meeting (September 5 and 12, 2016). See **Attachment C**.

Please contact me if you should have any further questions regarding this request.

WICOMICO COUNTY ZONING MAP

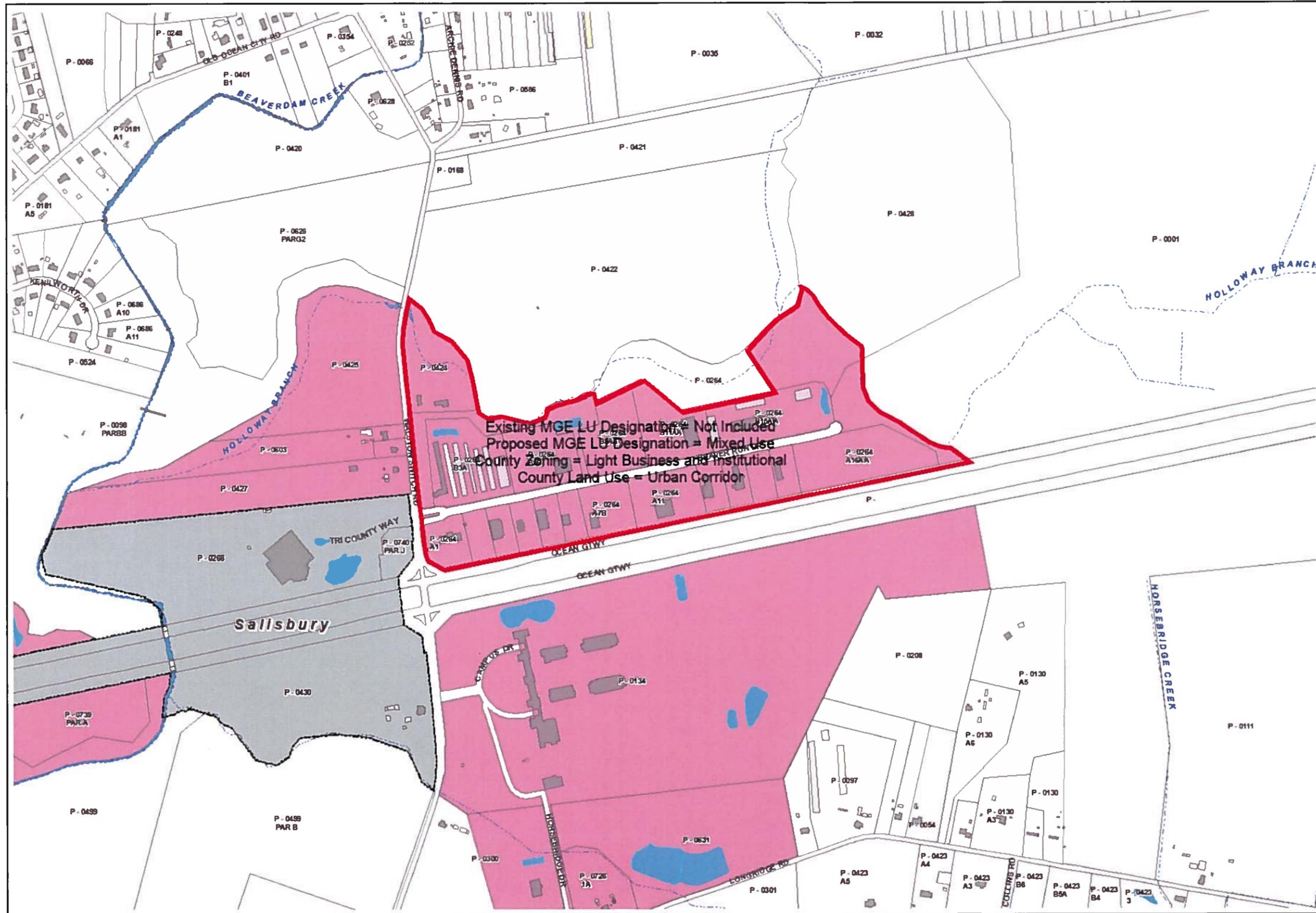


100 ft

Attachment A

- Bridges
- Wicomico County Boundary
- Wicomico SDE Railroads
- Wicomico SDE Municipal Areas
- Parcels
- Buildings
 - BLDG_TYPE Primary Structure
 - Accessory Structure
 - Poultry House
 - Green House
- Municipal Names
- Street Centerlines
- Streams
 - DisplayValue
 - 1
 - 2
 - 3
 - 4
 - 5
 - 6
 - 7
- Water Bodies
- Wicomico Zoning
 - A - 1 Agricultural - Rural
 - Airport Business Park
 - C - 1 Select Commercial
 - C - 2 General Commercial
 - C - 3 Regional Commercial
 - CID Corporate Industrial District
 - I - 1 Light Industrial
 - I - 2 Heavy Industrial
 - LB - 1 Light Business & Institutional
 - LB - 2 Light Business & Residential
 - R - 8 Residential
 - R - 15 Residential
 - R - 20 Residential
 - R - 30 Residential
 - REC Residential, Educational & Cultural
 - TT Town Transitional
 - VC Village Conservation
 - Municipality

WICOMICO COUNTY ZONING MAP



200 ft

Attachment B

- Bridges
- Wicomico County Boundary
- Wicomico SDE Railroads
- Wicomico SDE Municipal Areas
- Parcels
- Buildings
 - BLDG_TYPE Primary Structure
 - Accessory Structure
 - Poultry House
 - Green House
- Municipal Names
- Street Centerlines
- Streams
 - DisplayValue 1
 - 2
 - 3
 - 4
 - 5
 - 6
 - 7
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 - A - 1 Agricultural - Rural
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 - R - 30 Residential
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 - TT Town Transitional
 - VC Village Conservation
 - Municipality

THE DAILY TIMES

Classified Ad Receipt (For Info Only - NOT A BILL)

Customer: WICOMICO CTY PLANNING & ZONING
Address: 125 N DIVISION ST
SALISBURY MD 21801
USA

Ad No.: 0001568511
Pymt Method: Invoice
Net Amt: \$478.40

Run Times: 2

No. of Affidavits: 0

Run Dates: 09/12/16, 09/19/16

Text of Ad:

**SALISBURY CITY COUNCIL
NOTICE OF PUBLIC HEARING
2010 CITY OF SALISBURY COMPREHENSIVE PLAN
MAPS 11-3 (GROWTH AREA FUTURE LAND USE
PLAN) AND 11-4 (SALISBURY & GROWTH AREA
FUTURE LAND USE)
CORRECTIVE ACTIONS**

In accordance with applicable provisions of the Land Use Article, §3-204(c)(2) of the Maryland Annotated Code, the Salisbury City Council will review and act on the following two corrective actions to the adopted 2010 City of Salisbury Comprehensive Plan: 1) 4 parcels totaling approximately 5.081 acres of land situated in the Parsons Election District. The parcels are shown on County Tax Map #20, Parcels #153, 184, 185, and 215. The City Council will consider reclassifying the land use of the aforementioned properties from Low Density Residential to Commercial (Map 11-3 and 11-4); and 2) all or portions of 22 parcels totaling approximately 55.47 acres of land situated in the Parsons Election District. The parcels shown on Tax Map 39 include: 424; portion of 264 (4.4 acres +/-); 264 (Section 1/Block A/ Lots 1, 2, 3, 4, 5, 6, 7B, 11, 12C, 13, 14, 15, 16AA); 264 (Section 1/Block B/Lots 3A, 5B, 8AA, 11AA, 15AA, and), portion 428 (6.2 acres +/-). In addition, a portion of parcel 01 (approx. 2.7 +/- acres) shown on Tax Map 40. The City Council will consider including the aforementioned properties, listed in action #2, for inclusion into Map 11-3 and 11-4 with a land use classification of Mixed Use.

A map of the proposed corrections is available in the Planning Office.

A PUBLIC HEARING WILL BE HELD ON

Tuesday, September 26, 2016, at 6:00 P.M. in the Council Chambers, Room 301, Third Floor, Government Office Building, Route 50 and North Division Street, Salisbury, Maryland to hear opponents and proponents, if there be any.

The City Council reserves the right to close a part of this meeting as authorized by Section 10-508(a) of the Maryland Annotated Code.

John R. Heath, City Council President

9/12 10 ' 16

1 **RESOLUTION NO. 2669**

2 A RESOLUTION OF THE CITY OF SALISBURY, MARYLAND, TO AMEND THE ADOPTED 2010 CITY
3 OF SALISBURY COMPREHENSIVE PLAN, DATED MAY 2012
4

5 **WHEREAS**, the Land Use Article of the Annotated Code of Maryland delegates planning and land use
6 authority to certain local governments in the State of Maryland, including the City of Salisbury, and enable the City
7 to guide its future growth and development; and
8

9 **WHEREAS**, in accordance with the applicable provisions of the Land Use Article, §3-204(c)(2), of the
10 Maryland Annotated Code, the following two corrective actions have occurred to the adopted 2010 *City of*
11 *Salisbury Comprehensive Plan*: 1) 4 parcels totaling approximately 5.081 acres of land situated in the Parsons
12 Election District. The parcels are shown on County Tax Map #20, Parcels #153, 184, 185, and 215. The land use
13 of the aforementioned properties has been changed from Low Density Residential to Commercial (Map 11-3 and
14 11-4); and 2) all or portions of 22 parcels totaling approximately 55.47 acres of land situated in the Parsons
15 Election District. The parcels shown on Tax Map 39 include: 424; portion of 264 (4.4 acres +/-); 264 (Section
16 1/Block A/ Lots 1, 2, 3, 4, 5, 6, 7B, 11, 12C, 13, 14, 15, 16AA); 264 (Section 1/Block B/Lots 3A, 5B, 8AA, 11AA,
17 15AA, and), portion 428 (6.2 acres +/-). In addition, a portion of parcel 01 (approx. 2.7 +/- acres) shown on Tax
18 Map 40. The aforementioned properties, listed in action #2, have been incorporated into Map 11-3 and 11-4 with a
19 land use classification of Mixed Use; and
20

21 **WHEREAS**, the Salisbury Planning Commission conducted an advertised Public Hearing on July 20,
22 2016, to hear from opponents and proponents of the proposed amendments. At which time, no public comments
23 were received, and the Salisbury Planning Commission unanimously voted to recommend approval of the proposed
24 amendments to the Mayor and City Council; and
25

26 **WHEREAS**, the Salisbury City Council held an advertised Public Hearing on September 26, 2016, to hear
27 from opponents and proponents of the proposed amendments. At which time, no public comments were received,
28 and the Salisbury City Council reviewed and approved the amendments to the 2010 *City of Salisbury*
29 *Comprehensive Plan*; and

30 **NOW, THEREFORE**, be it resolved by the City of Salisbury, Maryland, the 2010 *City of Salisbury*
31 *Comprehensive Plan* has been amended to include the amendments as contained in this Resolution; and

32 **AND BE IT FURTHER RESOLVED**, this Resolution be affixed to and be made part of the 2010 *City of*
33 *Salisbury Comprehensive Plan*;

34 THE ABOVE RESOLUTION was introduced and duly passed at a meeting of the Council of the City of
35 Salisbury held on the 26th day of September, 2016, and is to become effective immediately upon adoption.

36
37 ATTEST:

38
39 _____
40 Diane K. Carter, Assistant City Clerk

John R. Heath, City Council President

41
42
43 APPROVED BY ME THIS

44 _____ day of _____, 2016.

45
46
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48 _____
49 Jacob R. Day, Mayor

INTER

OFFICE

MEMO

OFFICE OF THE MAYOR

To: Matt Creamer
From: Laura Kordzikowski, Business Development Specialist
Subject: Enterprise Zone Expansion
Date: September 22, 2016

BACKGROUND

The County Executive recently approached the Salisbury-Wicomico County Planning & Zoning office on the feasibility of expanding the current Salisbury-Wicomico Enterprise Zone to include the airport. After discussions with the Maryland Department of Commerce, Planning & Zoning determined an eligible avenue that could expand the Enterprise Zone to include this area. As the City serves as the Enterprise Zone administrator, representatives from Planning & Zoning approached administration about making an application to the Maryland Department of Commerce to pursue this expansion. The Department of Commerce has a deadline of October 15th and we would like to bring this opportunity in front of City Council Work Session September 19th and in front of Legislative Session for a Public Hearing on September 26th. Concurrently, this request will be brought in front of County Council for the September 20th Work Session and October 4th Legislative Session (with Public Hearing)

The current Enterprise Zone is 4,280.96 acres and the expansion would add an additional 1,000.52 acres. Currently, the Enterprise Zone offers two tax credits – a property tax credit and an income tax credit. The thresholds to receive these credits in the Enterprise Zone are:

- Creation of at least two (2) or more full time jobs
- Investment of a minimum of \$50,000 in capital improvements

The income tax credit is equivalent to \$1,000 per qualifying employee and the property tax credit is 80% of the difference between the base year value of the property and the change in assessed value after the improvements are completed at 80% for the first 5 years and declining by 10% for the following five.

If this memo and supporting material are acceptable, I will advance this item to the City Clerk

for the September 19th Work Session.

Attachment(s): Proposed Expansion Area for the Enterprise Zone

1 RESOLUTION NO. 2670

2
3 A RESOLUTION OF THE CITY OF SALISBURY, MARYLAND
4 AUTHORIZING AN APPLICATION TO THE MARYLAND DEPARTMENT
5 OF COMMERCE TO EXPAND THE BOUNDARIES OF THE EXISTING
6 SALISBURY-WICOMICO ENTERPRISE ZONE
7

8 WHEREAS, the Council of the City of Salisbury is interested in promoting the economic
9 development and of our community by attracting new businesses and developments to the area,
10 and encouraging the expansion of existing businesses; and
11

12 WHEREAS, the Maryland Department of Commerce (MDC) has assisted the City in this
13 endeavor by allowing the establishment of the Salisbury-Wicomico Enterprise Zone, thereby
14 providing tax credit incentives to qualifying businesses located within the zone; and
15

16 WHEREAS, the Council of the City of Salisbury wishes to expand the boundaries, as
17 indicated on the enclosed map, in order to improve the economic development potential of the
18 airport and surrounding areas.
19

20 NOW, THEREFORE, BE IT RESOLVED, on this 26th day of September, 2016, that the
21 Council of the City of Salisbury, does hereby authorize the submission of the Enterprise Zone
22 application for Expansion, based on the attached map.
23

24
25 THE ABOVE RESOLUTION, was introduced and duly passed at a meeting of the
26 Council of the City of Salisbury, Maryland held on the 26th day of September, 2016 and is to
27 become effective immediately.
28

29 ATTEST:

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31
32 _____
33 Diane K. Carter,
34 Assistant City Clerk
35

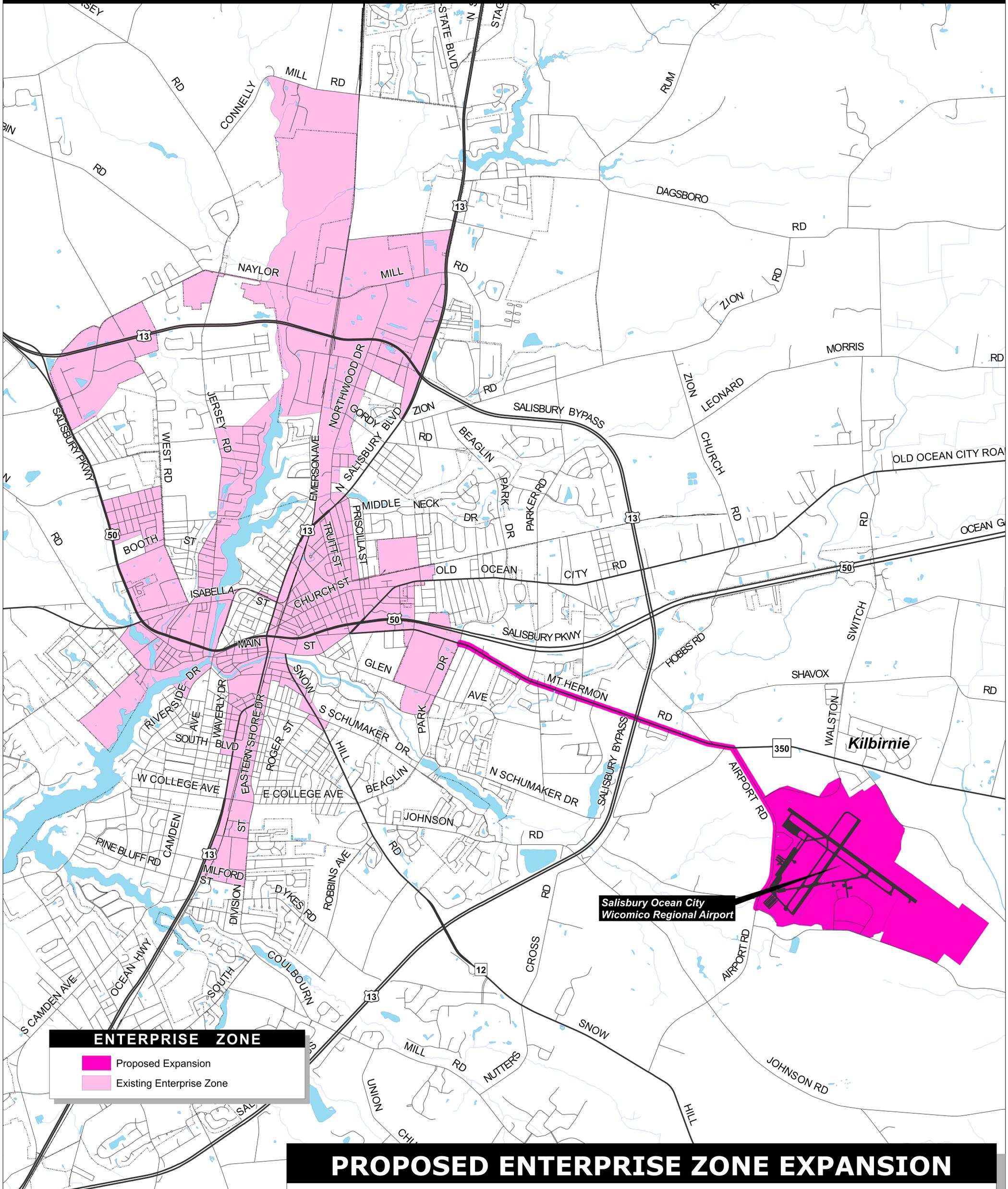
36 _____
37 John R. Heath,
38 Council President
39

40 APPROVED BY ME THIS:

41 _____ Day of _____, 2016
42
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44 _____
45 Jacob R. Day
46 Mayor

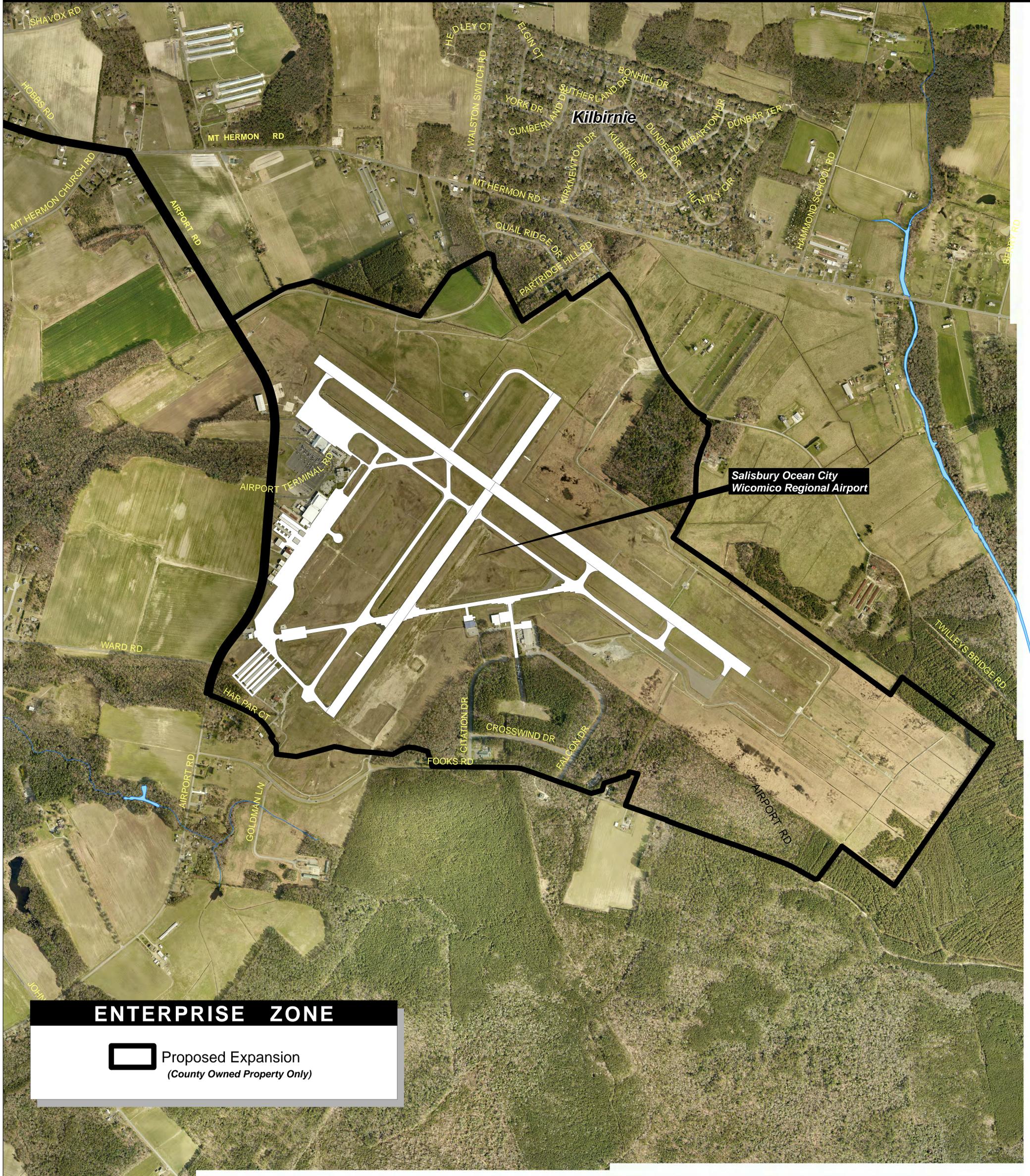
SALISBURY - WICOMICO ENTERPRISE ZONE



PROPOSED ENTERPRISE ZONE EXPANSION

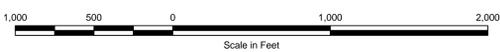
- Vicinity Map -

SALISBURY - WICOMICO ENTERPRISE ZONE

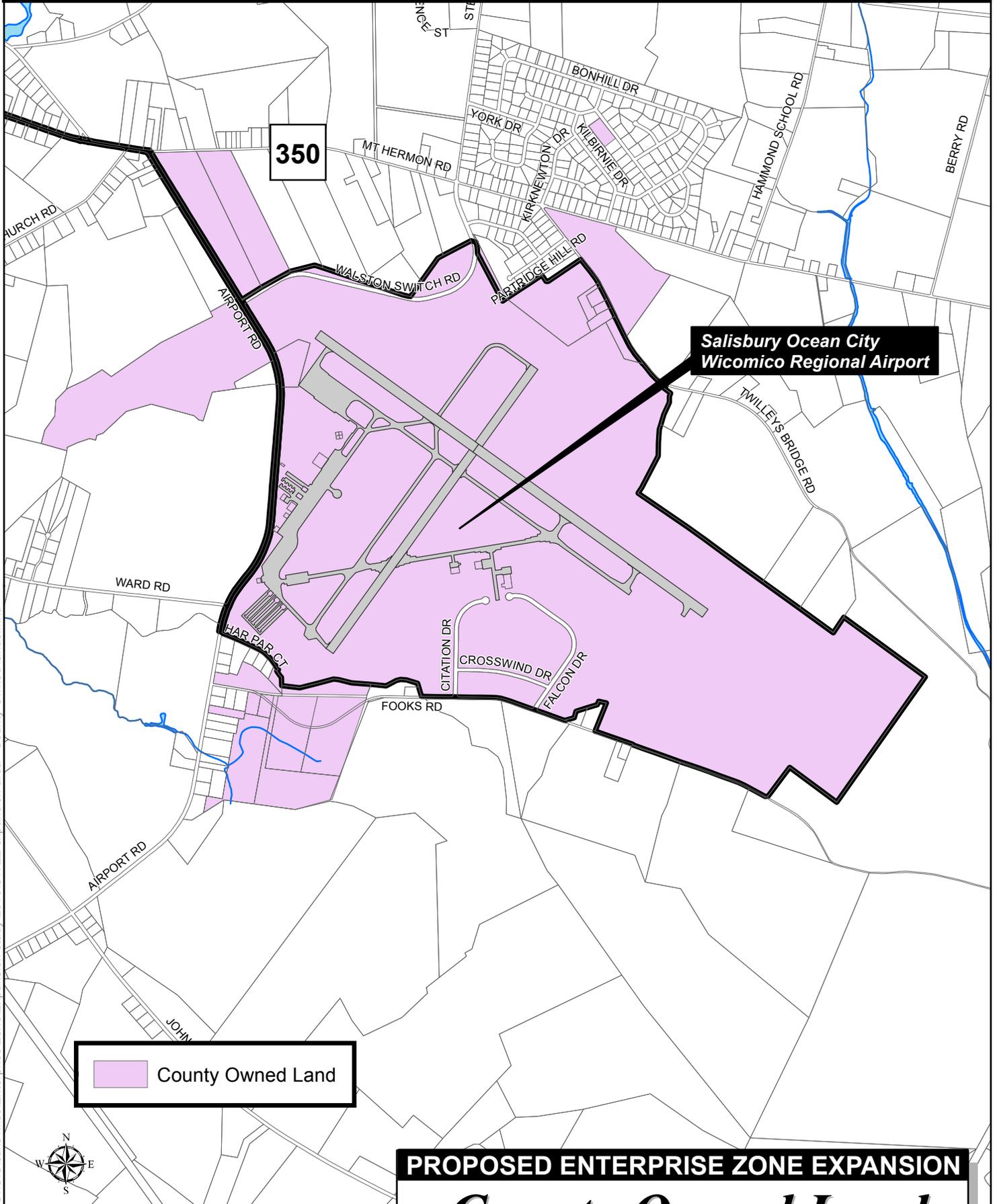


PROPOSED ENTERPRISE ZONE EXPANSION

- Airport Area -



SALISBURY - WICOMICO ENTERPRISE ZONE



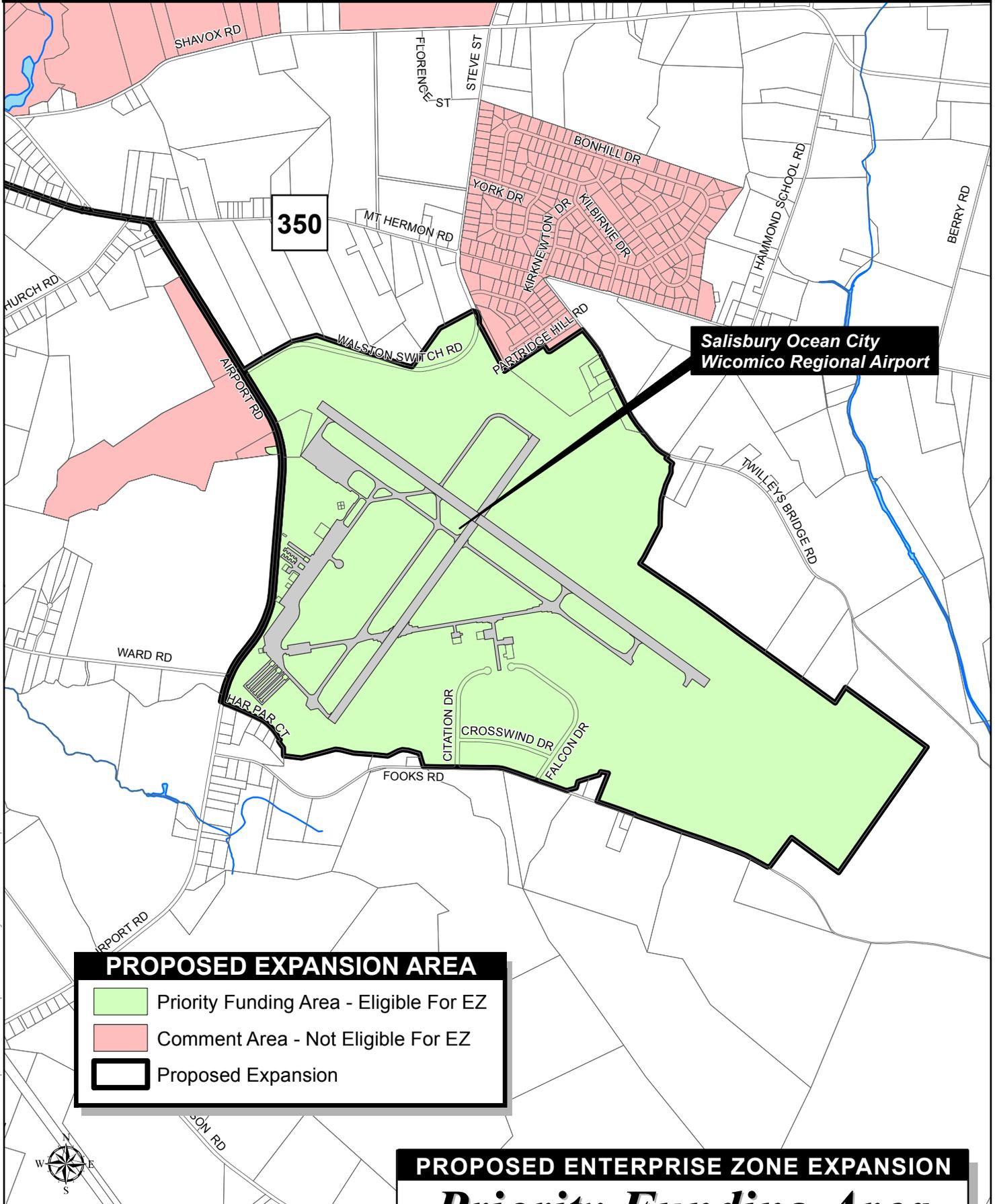
Salisbury Ocean City
Wicomico Regional Airport

 County Owned Land

PROPOSED ENTERPRISE ZONE EXPANSION
County Owned Land

C:\GIS\salis misc\Enterprise Zone\Expansion study 2016\SWEZ expansion area - County Owned lands.mxd

SALISBURY - WICOMICO ENTERPRISE ZONE



Salisbury Ocean City
Wicomico Regional Airport

PROPOSED EXPANSION AREA

- Priority Funding Area - Eligible For EZ
- Comment Area - Not Eligible For EZ
- Proposed Expansion

PROPOSED ENTERPRISE ZONE EXPANSION
- *Priority Funding Area* -

C:\GIS\salis_misco\Enterprise_Zone\Expansion_study_2016\SWEZ_expansion_area - PFA.mxd

0 500 1,000 2,000 3,000 4,000
Scale in Feet

PFA Data Source: Maryland Department of Planning



City of
Salisbury
Jacob R. Day, Mayor

To: Thomas Stevenson, City Administrator
From: Michael S. Moulds, P.E., Director of Public Works 
Date: September 6, 2016
Re: West Isabella Street Bike Route Ordinance

The attached Ordinance creates a bike route which will run along West Isabella Street from the intersection at Route 50 to the intersection at Delaware Avenue. The route will provide dedicated bicycle lanes where feasible and shared bicycle and motorized vehicle lanes where the roadway width is not sufficient for a dedicated bike lane. Public Works utilized MDMUTCD Chapter 9, Traffic Control for Bicycle Facilities (MUTCD) and the Guide for the Development of Bicycle Facilities (AASHTO) for the design and layout of this project. The project will install lane striping, symbols, shared lane markings and signage as per the standards and the existing roadway conditions. The project is funded as part of the West Isabella Water Main project that is currently under construction.

Unless you or the Mayor have further questions, please forward a copy of this memo and the ordinance to the City Council.

ORDINANCE NO. 2401

AN ORDINANCE OF THE CITY OF SALISBURY, MARYLAND CREATING A BIKE ROUTE WHICH WILL RUN ALONG WEST ISABELLA STREET FROM THE INTERSECTION AT ROUTE 50 TO THE INTERSECTION AT DELAWARE AVENUE.

WHEREAS, the City of Salisbury desires to encourage cycling throughout the City; and

WHEREAS, the proposed bicycle route will be in both directions along West Isabella Street from the intersection of West Isabella Street and Route 50 to the intersection of West Isabella Street and Delaware Avenue; and

WHEREAS, in order to define the dedicated bicycle lane, appropriate lane striping and lane markings must be provided on the pavement; and

WHEREAS, in order to provide a bicycle route, portions of the roads must be marked as shared between motorized vehicular traffic and bicycle traffic; and

WHEREAS, in order to define portions of the roadway that are to be available for usage by bicycles, appropriate shared markings will be installed on the pavement; and

WHEREAS, in order to clearly define the route, appropriate signage will be installed; and

WHEREAS, the curb-to-curb street width and parking on affected streets shall be unchanged by the proposed bicycle route; and

WHEREAS, the Director of Public Works has determined that the impact of the proposed bicycle route on vehicular traffic flow will be minimal.

NOW, THEREFORE, BE IT DEEMED BY THE CITY OF SALISBURY, MARYLAND that a bicycle route be created in both directions along West Isabella Street from the intersection at Route 50 to the intersection at Delaware Avenue, and that bicycles be permitted to travel this route in both dedicated and shared lanes.

AND BE IT FURTHER ENACTED AND ORDAINED BY THE CITY OF SALISBURY, MARYLAND, that this Ordinance shall take effect upon final passage. THIS ORDINANCE was introduced and read at a meeting of the Council of the City of Salisbury, Maryland held on the ___ day of _____ 2016, and, thereafter, a statement of the substance of the Ordinance having been published as required by law, in the meantime, was finally passed by the Council on the ___ day of the _____, 2016.

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ATTEST:

Kimberly R. Nichols, City Clerk

John R. Heath, President
Salisbury City Council

APPROVED BY ME THIS

_____ day of _____, 2016

Jacob R. Day, Mayor