

CITY OF SALISBURY
SPECIAL MEETING AGENDA

June 1, 2020

4:30 p.m.

ZOOM SPECIAL MEETING

Times shown for agenda items are estimates only.

4:30 p.m. CALL TO ORDER

4:31 p.m. WELCOME/ANNOUNCEMENTS

4:32 p.m. SILENT MEDITATION

4:33 p.m. ADOPTION OF SPECIAL MEETING AGENDA

4:34 p.m. Ordinances - City Attorney Mark Tilghman

- **Ordinance No. 2599** – 2nd reading- to amend Chapter 15.26 Rental Of Residential Premises of the Salisbury City Code by adding Subsection 15.26.035 Rent Increases Barred During States Of Emergency and authorizing the Mayor to issue such executive orders as are necessary to protect tenants from abuse
- **Ordinance No. 2600** - 1st reading- approving a Budget Amendment of the FY2020 General Fund to appropriate funds for Frontline Worker Stipend

4:42 p.m. COUNCIL COMMENTS

4:47 p.m. ADJOURNMENT (following adjournment, Council will convene in its regularly scheduled Work Session)

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 at 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 General Provisions Article § 3-305(b), by vote of the City Council.

Next Council Meeting – June 8, 2020

- Resolution No._-appointment of Stephen Feliciano to the Human Rights Advisory Committee
- Ordinance No. _ - 2nd reading- Elections budget amendment to cover shortfall
- Ordinance No. 2593 – 2nd reading- appropriating the necessary funds for the operation of the government and administration of the City of Salisbury, Maryland for the period July 1, 2020 to June 30, 2021, establishing the levy for the General Fund for the same fiscal period and establishing the appropriation for the Water and Sewer, Parking Authority, City Marina, and Storm Water Funds

- Ordinance No. 2594- 2nd reading- to establish that there is no rate change for water and sewer rates. It is effective for all bills dated October 1, 2020 and thereafter unless and until subsequently revised or changed
- Ordinance No. 2595-2nd reading- to set fees for FY2021 and thereafter unless or until subsequently revised
- Ordinance No. 2596- 2nd reading- approving an amendment of the City's Capital Project Fund budget fund to provide additional funding for the Zoo Administration office space project
- Ordinance No. 2597- 2nd reading- approving a budget amendment of the FY2020 General Fund to appropriate funds for building improvements for the Government Office Building
- Ordinance No. 2598- 2nd reading- to amend the Salisbury Municipal Code by adding Chapter 3.24 concerning a public safety officer real property tax credit
- Ordinance No. 2600- 2nd reading- approving a Budget Amendment of the FY2020 General Fund to appropriate funds for Frontline Worker Stipend

Join Zoom Meeting

<https://us02web.zoom.us/j/88576521778>

Meeting ID: 885 7652 1778

One tap mobile

+13017158592,,88576521778# US (Germantown)

Call 1-301-715-8592

Posted 5/28/20

ORDINANCE NO. 2599

AN ORDINANCE OF THE CITY OF SALISBURY TO AMEND CHAPTER 15.26 RENTAL OF RESIDENTIAL PREMISES OF THE SALISBURY CITY CODE BY ADDING SUBSECTION 15.26.035 RENT INCREASES BARRED DURING STATES OF EMERGENCY AND AUTHORIZING THE MAYOR TO ISSUE SUCH EXECUTIVE ORDERS AS ARE NECESSARY TO PROTECT TENANTS FROM ABUSE.

WHEREAS, the Mayor and Council of the City of Salisbury desire to update the Salisbury Municipal Code; and

WHEREAS, a State of Emergency was declared by Governor Hogan on March 5, 2020 due to the pandemic known as COVID-19; and

WHEREAS, Governor Hogan has issued multiple executive orders in an attempt to reduce the spread of COVID-19, resulting in the shut-down or slow-down of multiple businesses in the State of Maryland; and

WHEREAS, one effect of the COVID-19 pandemic is record high unemployment rates; and

WHEREAS, it has come to the attention of the City that some landlords have terminated leases, advised tenants to vacate rental premises, and engaged in campaigns to mislead tenants into leaving their homes or agreeing to the payment of higher rental fees; and

WHEREAS, the Salisbury City Council has concluded that it is in the best interest of the City to prevent the dissemination of misleading information and to amend the City Code to freeze increases in rent and rental fees during a State of Emergency to maintain the *status quo*.

NOW, THEREFORE, be it enacted and ordained by the City of Salisbury, that Chapter 15.26 of the City of Salisbury Municipal Code be amended by adding the following subsection to Chapter 15.26:

Chapter 15.26.035 – Rent Increases Barred During States of Emergency.

A. “Emergency” defined.

In this section, “Emergency” means the catastrophic health emergency declared by the Governor of Maryland on March 5, 2020, as amended or extended by the Governor, under State Public Safety Article, §14-3A-02, and such other emergencies as are declared by the Governor or the Mayor pursuant to SC17-4 of the City Charter and sections 2.08.020 and 9.08.220 of the Salisbury Municipal Code.

B. Scope.

This section only applies to rental fee increases on existing tenants during an Emergency. Nothing in this section may be construed as applying to leases for new tenants. Further, nothing in this section with respect to an increase in the tenant's portion of a rental fee

45 applies to any public housing authority who must comply with federal laws, regulations,
46 or other federal requirements to determine a tenant's rental fee.
47

48 C. In General.

49 A Landlord may not increase a tenant's rental fee if:

- 50 1. The increase would take effect during an Emergency; or
51 2. Notice of the increase is not in compliance with subsection (D) of this section.
52

53 D. Notice of Rent Adjustment.

- 54 1. During an Emergency and within 90 days after the expiration of an
55 Emergency, a landlord may not increase or notify a tenant of an increase in
56 rent or a rental fee. Rental fees shall include any fee for service, a product or
57 commodity provided by the landlord or by a third-party to a tenant prior to the
58 declaration of an Emergency.

- 59 2. Pre-Emergency rent increase notices.

60 A landlord must inform a tenant in writing to disregard any notice of a rental
61 fee increase if:

- 62 i. The landlord provided the notice to the tenant prior to an
63 Emergency; and
- 64 ii. The effective date of the increase would occur on or after the date
65 the Emergency began.

66 E. Late fees prohibited.

- 67 1. "Late Fee" defined.

- 68 i. In this subsection, "Late Fee" means any additional charge or fee
69 imposed because a rental fee is not made when the rental fee is due
70 under the terms of a lease.
- 71 ii. "Late Fee" includes a fee imposed:
 - 72 a. As a flat rate;
 - 73 b. As a percentage of the rental fee due; or
 - 74 c. In any other terms.

- 75 2. In general.

76 A landlord may not charge, assess, or otherwise seek to collect a late fee from
77 a tenant for nonpayment or the late payment of a rental fee that comes due
78 during an Emergency.
79

80 F. Payment Plans.

- 81 1. Landlords shall offer payment plans to tenants for the payment of rent and
82 rental fees to be in effect for no less than one year after the expiration of the
83 Emergency.
- 84 2. Upon request of the tenant, landlords shall work with tenants, on an individual
85 basis, to arrange payment plans for the payment of rent and rental fees in
86 installments which will continue for no less than one year after the expiration
87 of the Emergency.
- 88 3. All payment plans shall be in writing and signed by the landlord and tenant.
89

91
92 G. Notice to and Protection of Tenants.

- 93 1. The Housing and Community Development Department must post on its
94 website information regarding the requirements of this section, including the
95 date that an Emergency expires and the date that is 90 days after the expiration
96 of the Emergency.
97 2. During an Emergency, the Mayor is hereby authorized to issue any and all
98 executive orders necessary to protect tenants from being victimized or misled
99 by the actions of unscrupulous landlords. Violations of such executive orders
100 will constitute violations under this chapter and be subject to arrest and
101 misdemeanor charge under 9.08.220 of the Municipal Code of Salisbury.

102
103 H. Landlord's right of review.

104 The provisions of this subsection do not limit a landlord's right, under the applicable
105 provisions of the Salisbury Municipal Code, to an administrative review of a violation
106 notice.

107
108 I. Enforcement by tenant.

109 In addition to enforcement action by city officials, tenants may seek relief from an
110 appropriate court to restrain or enjoin any violation of 15.26.035 of this subsection in
111 accordance with State Law.

112
113
114 AND BE IT FURTHER ENACTED AND ORDAINED BY THE CITY OF
115 SALISBURY, MARYLAND, that the Ordinance shall take effect upon final passage.

116
117 THIS ORDINANCE was introduced and read at a meeting of the Council of the City of Salisbury
118 held on the 22nd day of May, 2020 and thereafter, a statement of the substance of the ordinance having
119 been published as required by law, in the meantime, was finally passed by the Council on the 1st day of
120 June, 2020.

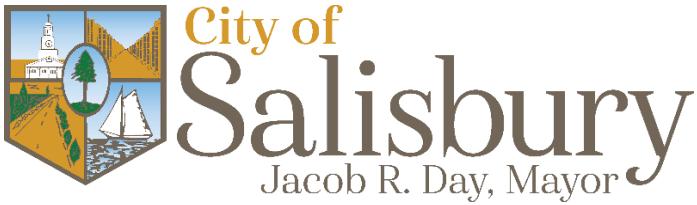
121
122 ATTEST:

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124
125
126 _____
127 Kimberly R. Nichols, City Clerk

128
129 _____
130 John R. Heath, City Council President

131
132 Approved by me, this _____ day of _____, 2020.

133
134 _____
135 Jacob R. Day, Mayor



To: City Council

From: Julia Glanz, City Administrator

Subject: COVID-19 Frontline Worker Stipend

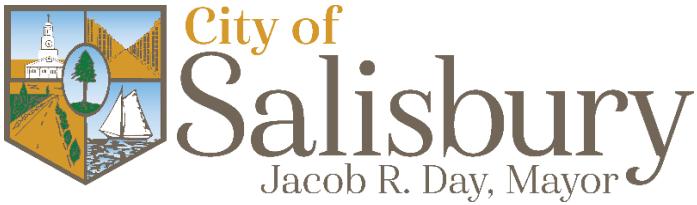
Date: May 21, 2020

On March 5, 2020, Governor Larry Hogan declared a state of emergency due to COVID-19. Over the past three months, many City employees have not had the option to work from home by the nature of their job. These employees have been on the “frontlines” with a greater risk of getting infected by COVID-19. They also have had limited ability to take leave, required to work overtime and are dealing with much added stress and anxiety. City Administration would like to acknowledge this risk and thank employees with a stipend.

Employees were broken into 2 Tiers:

- Tier 1:
 - Work a normal 40-hour work week, at work
 - Interact with the public daily
 - Risk- high
- Tier 2
 - Work a normal 40-hour work week, at work
 - Do not interact with the public daily
 - Risk- medium

Employees that were out sick, on worker’s compensation, FMLA, or military leave, for a large portion of time since City Offices closed, were not eligible for this stipend.



The total amount of this increase of surplus for the General Fund is \$151,248.25. The Water and Sewer Fund only needs approximately \$16,000 and will be handled with internal transfers. This stipend will be paid out upon passage of this legislation and paid in one lump sum.

The costs per department are below:

- 1) Increase Police Department by \$67,281.25
- 2) Increase Fire Department by \$67,012.13
- 3) Increase Sanitation Department by 9,688.50
- 4) Increase Infrastructure & Development Department by \$4,844.25
- 5) Increase Housing and Community Development by \$2,422.13

The City will be working with the CARES allotment and MEMA to try and get this cost reimbursed. Please let me know if you have any questions.

ORDINANCE NO. 2600

AN ORDINANCE OF THE CITY OF SALISBURY APPROVING A BUDGET AMENDMENT
OF THE FY2020 GENERAL FUND TO APPROPRIATE FUNDS FOR FRONTLINE WORKER
STIPEND.

WHEREAS, the City of Salisbury has determined many of the City's employees have performed services due to COVID-19 deserving of a frontline worker stipend;

WHEREAS, the City of Salisbury's estimates the cost of the frontline worker stipend to be \$151,248.25 to departments in the General Fund.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SALISBURY, MARYLAND, THAT THE City's Fiscal Year 2020 General Fund Budget be amended as follows:

- 1) Increase Current Year Surplus (01000-469810) by \$151,248.25
 - 2) Increase Police Department by \$67,281.25
 - 3) Increase Fire Department by \$67,012.13
 - 4) Increase Sanitation Department by 9,688.50
 - 5) Increase Infrastructure & Development Department by \$4,844.25
 - 6) Increase Housing and Community Development by \$2,422.13

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

THIS ORDINANCE was introduced and read at a meeting of the Council of the City of Salisbury held on this 1st day of June 2020, and thereafter, a statement of the substance of the Ordinance having been published as required by law, was finally passed by the Council on the _____ day of _____, 2020.

ATTEST:

Kimberly R. Nichols, City Clerk

**John R. Heath, President
Salisbury City Council**

APPROVED BY ME THIS ____ day of _____, 2020.

Jacob R. Day, Mayor