



**CITY OF SALISBURY  
SPECIAL MEETING AGENDA**

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**June 1, 2020**

**4:30 p.m.**

**ZOOM SPECIAL MEETING**

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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** – 2<sup>nd</sup> 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** - 1<sup>st</sup> 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](http://www.salisbury.md). City Council meetings are conducted in Open session unless otherwise indicated. All or part of the Council's meetings can be held in Closed Session under the authority of the Maryland Open Meetings Law, Annotated Code of Maryland 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. \_ - 2<sup>nd</sup> reading- Elections budget amendment to cover shortfall
- Ordinance No. 2593 – 2<sup>nd</sup> 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- 2<sup>nd</sup> 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. 2595-2<sup>nd</sup> reading- to set fees for FY2021 and thereafter unless or until subsequently revised
- Ordinance No. 2596- 2<sup>nd</sup> 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- 2<sup>nd</sup> reading- approving a budget amendment of the FY2020 General Fund to appropriate funds for building improvements for the Government Office Building
- Ordinance No. 2598- 2<sup>nd</sup> reading- to amend the Salisbury Municipal Code by adding Chapter 3.24 concerning a public safety officer real property tax credit
- Ordinance No.2600- 2<sup>nd</sup> 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**

1  
2  
3 AN ORDINANCE OF THE CITY OF SALISBURY TO AMEND CHAPTER 15.26 RENTAL  
4 OF RESIDENTIAL PREMISES OF THE SALISBURY CITY CODE BY ADDING SUBSECTION  
5 15.26.035 RENT INCREASES BARRED DURING STATES OF EMERGENCY AND AUTHORIZING  
6 THE MAYOR TO ISSUE SUCH EXECUTIVE ORDERS AS ARE NECESSARY TO PROTECT  
7 TENANTS FROM ABUSE.

8  
9 WHEREAS, the Mayor and Council of the City of Salisbury desire to update the Salisbury  
10 Municipal Code; and

11  
12 WHEREAS, a State of Emergency was declared by Governor Hogan on March 5, 2020 due to the  
13 pandemic known as COVID-19; and

14  
15 WHEREAS, Governor Hogan has issued multiple executive orders in an attempt to reduce the  
16 spread of COVID-19, resulting in the shut-down or slow-down of multiple businesses in the State of  
17 Maryland; and

18  
19 WHEREAS, one effect of the COVID-19 pandemic is record high unemployment rates; and

20  
21 WHEREAS, it has come to the attention of the City that some landlords have terminated leases,  
22 advised tenants to vacate rental premises, and engaged in campaigns to mislead tenants into leaving their  
23 homes or agreeing to the payment of higher rental fees; and

24  
25 WHEREAS, the Salisbury City Council has concluded that it is in the best interest of the City to  
26 prevent the dissemination of misleading information and to amend the City Code to freeze increases in  
27 rent and rental fees during a State of Emergency to maintain the *status quo*.

28  
29 NOW, THEREFORE, be it enacted and ordained by the City of Salisbury, that Chapter 15.26 of  
30 the City of Salisbury Municipal Code be amended by adding the following subsection to Chapter 15.26:

31  
32 Chapter 15.26.035 – Rent Increases Barred During States of Emergency.

33  
34 A. “Emergency” defined.

35 In this section, “Emergency” means the catastrophic health emergency declared by the  
36 Governor of Maryland on March 5, 2020, as amended or extended by the Governor,  
37 under State Public Safety Article, §14-3A-02, and such other emergencies as are declared  
38 by the Governor or the Mayor pursuant to SC17-4 of the City Charter and sections  
39 2.08.020 and 9.08.220 of the Salisbury Municipal Code.

40  
41 B. Scope.

42 This section only applies to rental fee increases on existing tenants during an Emergency.  
43 Nothing in this section may be construed as applying to leases for new tenants. Further,  
44 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  
67 E. Late fees prohibited.

- 68 1. "Late Fee" defined.

- 69 i. In this subsection, "Late Fee" means any additional charge or fee  
70 imposed because a rental fee is not made when the rental fee is due  
71 under the terms of a lease.

- 72 ii. "Late Fee" includes a fee imposed:

- 73 a. As a flat rate;
- 74 b. As a percentage of the rental fee due; or
- 75 c. In any other terms.

- 76  
77 2. In general.

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

81  
82 F. Payment Plans.

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

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

115 AND BE IT FURTHER ENACTED AND ORDAINED BY THE CITY OF  
116 SALISBURY, MARYLAND, that the Ordinance shall take effect upon final passage.  
117

118 THIS ORDINANCE was introduced and read at a meeting of the Council of the City of Salisbury  
119 held on the 22<sup>nd</sup> day of May, 2020 and thereafter, a statement of the substance of the ordinance having  
120 been published as required by law, in the meantime, was finally passed by the Council on the 1<sup>st</sup> day of  
121 June, 2020.  
122

123 ATTEST:  
124  
125

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

126 \_\_\_\_\_  
127 John R. Heath, City Council President

128  
129  
130 Approved by me, this \_\_\_\_\_ day of \_\_\_\_\_, 2020.  
131  
132

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

**To: City Council**

**From: Julia Glanz, City Administrator**

**Subject: COVID-19 Frontline Worker Stipend**

**Date: May 21, 2020**

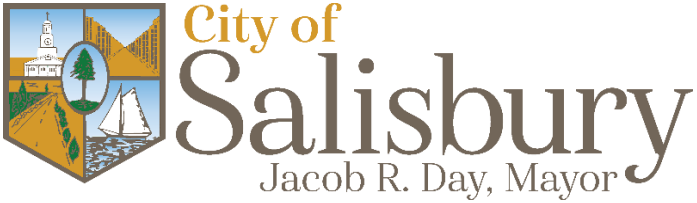
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On March 5, 2020, Governor Larry Hogan declared a state of emergency due to COVID-19. Over the past three months, many City employees have not had the option to work from home by the nature of their job. These employees have been on the “frontlines” 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.

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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 1<sup>st</sup> 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