



## CITY OF SALISBURY CITY COUNCIL AGENDA

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MARCH 22, 2021

6:00 p.m.

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### ZOOM MEETING

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Times shown for agenda items are estimates only.

- 6:00 p.m. CALL TO ORDER
- 6:01 p.m. WELCOME/ANNOUNCEMENTS
- 6:02 p.m. SILENT MEDITATION
- 6:03 p.m. PROCLAMATION – City Administrator / Acting Mayor Julia Glanz
- 100<sup>th</sup> Anniversary of Success Temple #154, Improved Benevolent and Protective Order of Elks of the World, Inc.
- 6:10 p.m. ADOPTION OF LEGISLATIVE AGENDA
- 6:11 p.m. CONSENT AGENDA – City Clerk Kimberly Nichols
- February 22, 2021 Council Meeting Minutes
  - February 22, 2021 Closed Session Minutes (e-mailed separately)
  - March 1, 2021 Work Session Minutes
  - **Resolution No. 3096**- approving the appointment of Ley Rideout to the Sustainability Advisory Committee for term ending March 2024
- 6:15 p.m. AWARD OF BIDS – Procurement Director Jennifer Miller
- Award of Contract
    - ITB 21-118 Park WTP Window Restoration & Office Construction
- 6:20 p.m. RESOLUTION – City Administrator / Acting Mayor Julia Glanz
- **Resolution No. 3097**- appointing the law firm of Cockey, Brennan & Maloney, P.C. as City Solicitor
- 6:25 p.m. ORDINANCES – City Attorney Mark Tilghman
- **Ordinance No. 2656**- 1<sup>st</sup> reading- to amend Title 5-Business Licenses and Regulations of the Salisbury Municipal Code by adding Chapter 5.53 in order to place a limit on third-party restaurant delivery fees and to protect the third-party driver's income during the current COVID-19 pandemic
  - **Ordinance No. 2657**- 1<sup>st</sup> reading- to accept federal grant funding from the Governor's Office of Crime Control and Prevention (GOCCP) in the amount of \$15,000.00 for Grant BJAG-2019-0001, National Incident Based Reporting System (NIBRA) training, and amending the Grant Fund budget to appropriate these grant funds for NIBRS training

- **Ordinance No. 2658**- 1<sup>st</sup> reading- accepting grant funds from the Maryland State Office of Crime Prevention, Youth, and Victim Services in the amount of \$24,000.00 under the FY21 Police Recruitment and Retention Program (PRAR) and amending the Grant Fund budget to appropriate these grant funds for payment of retention bonuses to eligible Salisbury Police Officers
- **Ordinance No.2659** - 1<sup>st</sup> reading- to abandon an area of land being the alley connecting Washington Street and Eastern Shore Drive

6:45 p.m. PUBLIC COMMENTS

6:50 p.m. ADMINISTRATION and COUNCIL COMMENTS

7:00 p.m. ADJOURNMENT

Copies of the agenda items are available for review in the City Clerk's Office, Room 305 – City/County Government Office Building, 410-548-3140 or on the City's website [www.salisbury.md](http://www.salisbury.md). City Council Meetings are conducted in Open Session unless otherwise indicated. All or part of the Council's meetings can be held in Closed Session under the authority of the Maryland Open Meetings Law, Annotated Code of Maryland General Provisions Article § 3-305(b) by vote of the City Council.

**NEXT COUNCIL MEETING – APRIL 12, 2021**

- Proclamation – Child Abuse Prevention Month
- Presentation- Bird City Maryland – Chris Eberly, Director of Maryland Bird Conservation Partnership
- **Ordinance No. 2656**- 2<sup>nd</sup> reading- to amend Title 5-Business Licenses and Regulations of the Salisbury Municipal Code by adding Chapter 5.53 in order to place a limit on third-party restaurant delivery fees and to protect the third-party driver's income during the current COVID-19 pandemic
- **Ordinance No.2657**- 2<sup>nd</sup> reading- to accept federal grant funding from the Governor's Office of Crime Control and Prevention (GOCCP) in the amount of \$15,000.00 for Grant BJAG-2019-0001, National Incident Based Reporting System (NIBRS) training, and amending the Grant Fund budget to appropriate these grant funds for NIBRS training
- **Ordinance No. 2658**- 2<sup>nd</sup> reading- accepting grant funds from the Maryland State Office of Crime Prevention, Youth, and Victim Services in the amount of \$24,000.00 under the FY21 Police Recruitment and Retention Program (PRAR) and amending the Grant Fund budget to appropriate these grant funds for payment of retention bonuses to eligible Salisbury Police Officers
- **Ordinance No.2659** – 2<sup>nd</sup> reading- to abandon an area of land being the alley connecting Washington Street and Eastern Shore Drive

Join Zoom Meeting  
<https://us02web.zoom.us/j/5362772908>  
 Meeting ID: 536 277 2908  
 Phone: 1.301.715.8592

**CITY OF SALISBURY, MARYLAND**

**REGULAR MEETING (VIA ZOOM MEETING)**

**FEBRUARY 22, 2021**

**PUBLIC OFFICIALS PRESENT**

*President John “Jack” R. Heath  
Councilwoman Angela M. Blake  
Councilwoman April Jackson*

*Council Vice-President Muir Boda  
Councilwoman Michele Gregory*

**PUBLIC OFFICIALS ABSENT**

*Mayor Jacob R. Day*

**IN ATTENDANCE**

*City Administrator / Acting Mayor Julia Glanz, Deputy City Administrator Andy Kitzrow, Business Development Director Laura Soper, Department of Infrastructure & Development (DID) Director Amanda Pollack, Finance Director Keith Cordrey, Assistant Director of Finance- Accounting Sandra Green, Senior Buyer Michael Lowe, City Attorney Mark Tilghman, City Clerk Kimberly Nichols, members of the press and Public.*

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**CITY INVOCATION – PLEDGE OF ALLEGIANCE**

*The City Council met in regular session at 6:00 p.m. via a Zoom Meeting. Council President John R. Heath called the meeting to order and called for a moment of silent meditation.*

**PROCLAMATIONS**

• **The Giving House**

*City Administrator / Acting Mayor Julia Glanz presented the proclamation to declare May 9, 2021 as “The Giving House Day” in the City. The Giving House, located at 409 Royal Street, has become home to the Tidal Health Foundation. It was established as the non-profit corporation Peninsula Regional Medical Center Foundation to raise funds for program expansion, capital projects, and medical/diagnostic equipment and to support educational programs and community health/wellness initiatives. Marie Waller earned a nursing degree in 1934 from Peninsula General Hospital School of Nursing and spent 50 years as a private-duty and general-duty nurse at the hospital that was very near her home at 409 Royal Street. Upon Marie Waller’s passing in 2014 at the age of 102 years, family friend and hospital Foundation Board Member Bryan LeCompte wanted to honor her by renovating the home for use as Foundation Headquarters and to establish it as “The Giving House.” Mr. LeCompte secured a resolution from the hospital confirming that the house could never be named after anyone and that it would remain “The Giving House” and permanent home of the Foundation. He oversaw the renovations and began fundraising in order to connect with businesses for their gifts, donations of materials and labor, financial support and volunteer hours from community members.*

The Giving House became a tribute to not only the Wallers but other influential figures in the hospital's history - founding hospital member Dr. William Todd and his grandson Dr. Nevins Todd, Jr. who was a member of the hospital staff for 33 years and performed the Eastern Shore's first open-heart surgery in 1974, and Virginia Layfield whose 43 year-career began as an Emergency Room Supervisor and culminated with her appointment as the hospital's first female President.

Community members will gather on May 9, 2021 for the formal dedication of "The Giving House" to the Tidal Health Foundation to use as permanent headquarters.

- **Heart Month**

Ms. Glanz presented the proclamation to proclaim February 2021 as "American Heart Month," observed each February to increase awareness about heart disease and risk factors affecting Americans of all genders, races, and ethnicities, and strategies for reducing risk factors. Approximately 80 percent of cardiovascular diseases can be prevented by controlling risk factors such as high cholesterol, high blood pressure, physical inactivity, obesity, tobacco use, and alcohol abuse. By avoiding tobacco, moderating alcohol consumption, making balanced and nutritious meal choices, and staying active, individuals can lower their risk for heart disease. The American Heart Association was the Nation's oldest and largest voluntary organization dedicated to fighting heart disease and stroke.

## **ADOPTION OF LEGISLATIVE AGENDA**

Ms. Jackson moved, Ms. Blake seconded, and the vote was unanimous to approve the legislative agenda as presented.

## **CONSENT AGENDA** – presented by City Clerk Kimberly Nichols

The Consent Agenda consisting of the following items was unanimously approved on a motion and seconded by Ms. Jackson and Ms. Gregory, respectively:

- January 19, 2021 Work Session Minutes
- January 25, 2021 Council Meeting Minutes
- February 1, 2021 Work Session Minutes
- **Resolution No. 3093** - approving the re-appointment of Marion Keenan to the Bicycle & Pedestrian Advisory Committee for term ending December 2023
- **Resolution No. 3094**- approving the re-appointment of James Maybury to the Salisbury Zoo Commission for term ending February 2024
- **Resolution No. 3095**- approving the re-appointment of Michael Perry to the Parks & Recreation Committee for term ending December 2023

## **AWARD OF BIDS**- presented by Procurement Director Jennifer Miller

The Award of Bids, consisting of the following, was unanimously approved on a motion and seconded by Ms. Jackson and Ms. Blake, respectively, and approved by unanimous vote in favor:

- RFP A-21-105 EMS Billing Services- Est. annual service fees: \$115,000 (5.2% of collections)

- *ITB 21-116 CDBG Sidewalk Construction and ADA Upgrades- Est. cost: \$176,035.07*
- *RFP 19-107 Engineering Services for Inflow & Infiltration Study - Tier 6 Change Order*  
*Cost of change order: \$265,462*

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

- **Ordinance No. 2654**- 2<sup>nd</sup> reading- to authorize the Mayor to enter into a contract with the Department of Housing and Community Development for the purpose of accepting grant funds in the amount of \$130,730.00, and to approve a budget amendment to the grant fund to appropriate funds for a Main Street business relief program and marketing support

*Ms. Jackson moved and Ms. Blake seconded to approve Ordinance No. 2654 for second reading.*

*Mr. Boda moved, Ms. Blake seconded, and the vote was unanimous to amend Ordinance No. 2654 by striking \$130,730.00 and inserting \$183,021.00 on lines 6, 18, 28, 34 and 36.*

*Ordinance No. 2654, as amended, was approved by unanimous vote in favor.*

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- **Ordinance No. 2655**- 2<sup>nd</sup> reading- authorizing the Mayor to enter into a contract with the Maryland Institute for Emergency Medical Services System for the purpose of accepting grant funds in the amount of \$1,200.00, and approving a budget amendment to the Grant Fund to appropriate funds for the purchase of pediatric educational equipment

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*Mr. Boda moved, Ms. Jackson seconded, and the vote was unanimous to approve Ordinance No. 2655 for second reading.*

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**PUBLIC COMMENTS**

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*There were no requests for public comments.*

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**COUNCIL COMMENTS**

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*Ms. Jackson honored Sheree Sample-Hughes, Speaker Pro Tempore of the Maryland house of Delegates. Representing District 37A, Wicomico and Dorchester Counties, Delegate Sample-Hughes was elected to Wicomico County Council in 2006 and served as Council Vice-President in 2009 and 2010. She was the first African American female to be elected to the Wicomico County Council, first African American female from the Eastern Shore to be elected to the House of Delegates, and the first African American Delegate from the Eastern Shore to be elected as Speaker Pro Tempore. Ms. Jackson celebrated all of Delegate Sample-Hughes' accomplishments and thanked her for serving.*

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*Mr. Boda concurred with Ms. Jackson regarding Delegate Sample-Hughes' accomplishments, and said she was his delegate and a wonderful woman. He asked everyone to keep supporting their local businesses and restaurants. If given the opportunity please get the vaccine.*

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*Ms. Blake reminded everyone to donate blood if they were healthy enough.*

117 *Ms. Gregory asked everyone to keep wearing their masks and get the vaccine if eligible. Please be*  
118 *patient with the ones administering the vaccine, as they were working best they could.*

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120 *Ms. Glanz gave a shout out to the Water Works Team, as water had been in the news lately with*  
121 *cyber attacks and such. Also, on Wednesday at the State level the Senate was going to hear SB794,*  
122 *related to Horizon's idea and she would be testifying.*

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124 *President Heath said if eligible, please get the vaccine and wear a mask at all times. The numbers*  
125 *were going in the right direction, but they did so two other times when suddenly they took a turn.*

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127 **MOTION TO CONVENE IN CLOSED SESSION**

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129 *At 6:34 p.m. President Heath called for a motion to convene in Closed Session to consult with*  
130 *counsel to obtain legal advice on a legal matter in accordance with the Annotated Code of*  
131 *Maryland §3-305(b)(7).*

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133 *Ms. Jackson moved, Mr. Boda seconded, and the vote was unanimous to convene in Closed Session.*

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135 **ADJOURNMENT OF CLOSED SESSION RECONVENE IN OPEN SESSION / REPORT TO**  
136 **PUBLIC**

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138 *At 6:54 p.m. Ms. Jackson moved, Ms. Blake seconded, and the vote was unanimous to end the*  
139 *Closed Session and convene in Open Session.*

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141 *At 6:55 p.m. President Heath reported that Council had met in Closed Session to discuss and*  
142 *receive advice on potential litigation.*

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144 **ADJOURNMENT**

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146 *With no further business to discuss, the Open Session was adjourned.*

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149 *City Clerk*

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152 *Council President*  
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CITY OF SALISBURY  
WORK SESSION (VIA ZOOM MEETING)  
MARCH 1, 2021

Public Officials Present

Council President John “Jack” R. Heath  
Councilwoman Michele Gregory

Council Vice President Muir Boda

Public Officials Absent

Mayor Jacob R. Day  
Councilwoman April Jackson  
Councilwoman Angela M. Blake

In Attendance

City Administrator / Acting Mayor Julia Glanz, Deputy City Administrator Andy Kitzrow, Department of Infrastructure & Development (DID) Director Amanda Pollack, Procurement Director Jennifer Miller, Business Development Director Laura Soper, City Attorney Mark Tilghman, City Clerk Kimberly Nichols, and members of the Public and press.

On February 16, 2021 the Salisbury City Council convened in a Work Session at 4:30 p.m. via Zoom. The following is a synopsis of the topics discussed:

**Chesapeake Utilities Corporation- Somerset Natural Gas Project update**

DID) Director Amanda Pollack reported much of the clearing work had begun. Her staff had received many phone calls regarding the removed trees. Chesapeake Utilities continued to work with City staff on the Rail Trail project. She and City Administrator Julia Glanz met with Chesapeake Utilities about some of the tree remediation work be on City property to benefit the City.

President Heath asked if any issues had been raised that would impact the Rail Trail. Ms. Pollack said they had not because the City was used to having roads over their gas mains. The bigger issue was that that the Railroad was not in favor of an active Rail Trail in their right-of-way. They asked Chesapeake Utilities to look at a couple of properties that the City could get right-of-way easements from.

**Commercial Real Estate Services Introduction**

Procurement Director Jennifer Miller reported in the Fall the Department of Procurement issued an RFP for real estate advisory services to help the City buy, sell or lease property. The contract was awarded to KNLB to handle the commercial real estate side. The process of requesting RFP was not always the most effective and KNLB had more reach than the City and could easily handle transactions from start to finish. Ms. Miller shared the first properties KNLB would handle were 621 Short Street, 501 Anne Street, 503 Anne Street, 505 Anne Street, and 407 Anne Street, and all required the City Council’s declaration of surplus. She explained the City could always still use the traditional RFP process if they wanted to, and they would all go through the Council’s declaration of surplus before being turned over to KNLB. Ms. Miller reported the

discussion with KNLB included the City's wish to continue marketing property for at least 30 days. The City would provide KNLB with a range of authority to negotiate price and handle the entire transaction through closing, with the final approval provided by City Council. KNLB would also be able to provide real estate consulting services if the City needed them.

President Heath asked if they worked on a commission and Ms. Miller said they gave the City different commission percentages based on the transaction type and value of property, etc. The City was also given some flat rates for consulting.

President Heath welcomed Mr. Kydin Nourazar, Managing Director, Government Advisory Services of KNLB, and Harry Dematatis, Senior Vice President of KNLB, both present on the Zoom meeting. Mr. Nourazar said the firm assisted Federal, State and Local Governments with real estate needs. They were happy to be working with the City of Salisbury and welcomed Council to reach out if they needed anything.

### **Ordinance capping the commission that 3rd party delivery companies can collect during a State of Emergency**

Business Development Director Laura Soper told Council that the 3<sup>rd</sup> party delivery company rates of 30% to 35% were forcing restaurants to operate at a net 0 or loss on each sale. Before the pandemic struck, the restaurants could typically manage the commission since it did not comprise of the majority of their sales. Most of the restaurants have had to pivot to using these companies just to survive. The proposed legislation would cap the delivery fees at 15% and included a clause to protect driver's pay and to allow restaurants to opt in and pay for marketing.

Mr. Boda asked to clarify that the fees were paid by the restaurants and not charged to the customer. Ms. Soper agreed that the fees discussed were solely paid by the restaurants for delivery services. Mr. Boda supported the legislation.

Ms. Gregory said there were a lot of problems with the apps and agreed with Mr. Boda, and would like to make the change effective all the time and not just during the pandemic.

President Heath had concerns about unintended consequences. He asked many of the restaurants in his district their opinion on the legislation. The majority of them said it sounded like a good idea, but they used the service to ensure they did not end up with unsold food (dead stock). He called Bill Chambers, Salisbury Area Chamber of Commerce CEO, and asked his opinion. Mr. Chambers said the Chamber polled the restaurants and almost all concurred that they were concerned about dead stock and would have less problem doing it during regular times without COVID. Mr. Chambers thought it was a great idea, but it was not the time or place.

Ms. Soper asked for time until the next Work Session to reach out to restaurants in other municipalities that passed this type of legislation to find out if they received any adverse effects.

### **Administration and Council Comments**



Ms. Glanz remarked that they were eagerly awaiting news on the mass vaccination site at the Wicomico County Civic Center. The State would be receiving 50,000 doses of the Johnson & Johnson vaccine this week, and things were looking up a bit.

Mr. Boda asked everyone to keep supporting their local restaurants and to donate blood.

Ms. Gregory asked everyone to please sign up to get their vaccine if they received an email.

President Heath asked everyone to continue wearing masks. The numbers were still going in the right direction.

**Motion to convene in Closed Session**

At 4:56 p.m. President Heath called for a motion to convene in Closed Session. Mr. Boda moved, Ms. Gregory seconded, and the vote was unanimous (3-0).

**Motion to Adjourn Closed Session / Convene in Open Session / Statement to Public**

At 5:11 p.m. Ms. Gregory moved, Mr. Boda seconded, and the vote was unanimous (3-0) to adjourn the Closed Session. Council convened in Open Session whereby President Heath reported that Council had met in Closed Session to discuss a personnel matter.

**Adjournment**

With no further business to discuss, the Open Session adjourned at 5:14 p.m.

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

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



## MEMORANDUM

**To:** Julia Glanz, City Administrator  
**From:** Julie English, Administrative Assistant  
**Subject:** Appointment to the Sustainability Advisory Committee  
**Date:** March 18, 2021

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The following person has applied for appointment to the Sustainability Advisory Committee for the term ending as indicated:

<u>Name</u>	<u>Term Ending</u>
Ley Rideout	March 2024

Attached you will find information from Ley Rideout and the resolution necessary for her appointment. If you approve of this appointment, I will forward this information to the City Council so it may be placed on their agenda at the next Council meeting. Please let me know if you have any questions.

Attachments

Mayor Julia Glanz,

As the world continues to adjust to the impacts of a changing climate, it becomes increasingly more necessary that mitigating and sustainable practices be implemented. Adopting best management practices along with more sustainable ways of living begins at the local level. This can be accomplished by actively engaging members of the community during the process of sustainable implementation. Educating citizens on *why* they should care about sustainability is an important step. Our objective should include urging members of the community to care *about* our world, so that they can help us care *for* it.

I believe my career and education in natural resources puts me in a position to be an excellent steward of conservation. For this reason, I am requesting membership to Salisbury's Sustainability Advisory Committee. Through my knowledge and expertise, I can provide insight on sustainable practices as well as education to the public. It is my goal to bring my passion about natural resources not only to the committee, but to my community. Change begins at the local level, and I would like to assist in creating positive changes for our home.

Thank you for your consideration.

Sincerely,

Ley Rideout

Ley Rideout  
423-631-6192  
leyr@vt.edu

## **Education**

### **Current Graduate Student**

Master of Natural Resources  
Virginia Tech, Expected Graduation: December 2021

### **Bachelor of Science in Forestry, Minor in Wildlife and Fisheries Management**

Department of Forestry, Wildlife, & Fisheries  
University of Tennessee, Knoxville. 2018

## **Professional Experience**

### **Forester, USDA: Natural Resources Conservation Service**

Salisbury, MD: January 2020- Current

- Implement Farm Bill practices on surrounding forests and farmland
- Working closely with state foresters on plans and projects
- Assisting customers on best management practices for property

### **Forester, ACRT**

Knoxville, TN: June 2018- July 2019

- Contracted through Knoxville Utility Board as a consulting utility forester
- Used GIS maps to determine tree position and property boundaries
- Determined tree species and growth rates to establish utility line clearances
- Customer service in relation to tree trimming and tree biology

### **Urban Forestry Internship, University of Tennessee**

Knoxville, TN: Summer 2017

- Performed risk assessment on the emerald ash borer for the city of Oak Ridge Electric Department
- Used forestry techniques such as GPS marking, GIS maps, taking tree diameter, crown class, overall health and data collection
- Marked ash trees along over 200 miles of utility lines as well as city greenways and parks

Ley Rideout  
423-631-6192  
leyr@vt.edu

**Research Assistant, Plant Molecular Genetics and Biosystems Engineering Lab, University of Tennessee**

Knoxville, TN: October 2015- June 2018

- Assisted in day to day experiments with transgenic species of switchgrass and soybean
- Responsibly handled laboratory equipment and chemicals
- Performed DNA and RNA extractions
- Worked with professors and post docs on experiments relating to biomass and bioenergy research

**Work Experience**

- Daycare teacher, Westside Learning Center. Knoxville, TN: February 2015-August 2015
- Photographer, Portrait Innovations. Knoxville, TN: December 2013-January 2016
- Seafood Clerk, Fresh Market. Knoxville, TN: February 2013-December 2013
- Cashier, Ingles. Greeneville, TN: July 2011-May 2012
- Office Assistant, Green, Finch, & Covington. Ottawa, KS: August 2010-February 2011
- Stocker, Beachaven Vineyards. Clarksville, TN: May 2008-July 2009

**Volunteer Work**

- Bright's Zoo. Jonesboro, TN: Summer 2012
- Third Creek Cleanup. Knoxville, TN: Fall 2012
- Field Days, Ijams Nature Center. Knoxville, TN: Spring 2013

**Certifications**

- Wildland Firefighter

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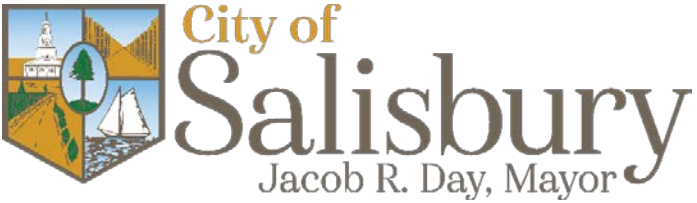
<u>Name</u>	<u>Term Ending</u>
Ley Rideout	March 2024

ATTEST:

John R. Heath  
PRESIDENT, City Council

\_\_\_\_\_ day of \_\_\_\_\_, 2021

Julia Glanz, City Administrator, for and at the  
direction of Jacob R. Day, Mayor



## **COUNCIL AGENDA – Department of Procurement**

**March 22, 2021**

### **Award of Contract(s)**

- |   |               |
|---|---------------|
| 1. ITB 21-118 Park WTP Window Restoration & Office Construction | \$ 129,971.80 |
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**To:** Mayor and City Council  
**From:** Jennifer Miller  
Director of Procurement  
**Date:** March 22, 2021  
**Subject:** Award of Bids

The Department of Procurement received a request from the Department of Infrastructure and Development to solicit bids from qualified and experienced vendors for the following procurement:

ITB 21-118 Park WTP Window Restoration and Office Construction

- Scope of Work: Restoration of all (13) historic windows, rerouting the HVAC ductwork and construction replacement of the front office at the Park Water Treatment Plant
- Bid date: January 27, 2021
- Bid opening: February 9, 2021 at 2:30 p.m.
- Vendor: Colossal Contractors, Inc. (Burtonsville, MD)
- Cost: \$129,971.80

The City followed standard bidding practices by publicly posting the bid on the City of Salisbury's Procurement Portal and the State of Maryland's website, eMaryland Marketplace Advantage. The departmental memo provides a recap of the pricing submitted by vendor, and the reason for awarding to the second low bidder.

The Department of Procurement hereby requests Council's approval to award this contract to the vendor as indicated.





City of  
**Salisbury**  
Jacob R. Day, Mayor

To: Jennifer Miller, Director of Procurement  
From: Amanda H. Pollack, Director of Infrastructure & Development *AP*  
Date: March 5, 2021  
Re: ITB 21- 118 Park Water Treatment Plant Window Restoration and Office Construction

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The Department of Infrastructure and Development worked with the Department of Procurement to advertise an Invitation to Bid (ITB) for the Park Water Treatment Plant Window Restoration and Office Construction. The project includes all work to restore the windows per the Maryland Historic Trust requirements. The work also includes interior HVAC improvements, front office construction and the necessary lead abatement services.

Five (5) firms submitted bids by the due date of Tuesday February 9, 2021 at 2:30 PM, as summarized below:

<u>Vendor</u>	<u>Total</u>
OMF Contractors Inc.	\$99,938.33
Colossal Contractors, Inc.	\$129,971.80
Maryland Cleaning & Abatement Services, Corp	\$137,407.96
Harper & Sons, Inc.	\$304,916.97
Willow Construction, LLC	\$337,000.00

The Department of Infrastructure and Development reviewed the bids and found the apparent low bidder did not meet a licensing condition of the bid. The second lowest bidder, Colossal Contractors, Inc., were found to be a responsive and responsible bidder. Colossal Contractors is registered with The Maryland Department of the Environments lead abatement contractors. The Colossal Contractors, Inc. references were complimentary of the work performed and would hire the contractor again. The Department of Infrastructure and Development recommends award of ITB 21- 118 Park WTP Park Water Treatment Plant Window Restoration and Office Construction to Colossal Contractors, Incorporated.

Please issue a Purchase Order to Colossal Contractors, Inc. in the amount of \$129,971.80 for the work outlined in ITB 21- 118. Funds are available in account 96113-513026-50034.



# City of Salisbury

Jacob R. Day, Mayor

To: City Council

From: Julia Glanz, City Administrator

Subject: New City Solicitor

Date: March 16, 2021

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Administration received an official letter of resignation from Mark Tilghman on Friday, March 5. Administration and Council President Heath conducted interviews with three local firms during the week of March 8<sup>th</sup>. Firms were ranked on the following criteria: billing (fees and timeliness of invoicing), performance (firm experience, legal team assembled, use of technology and communication), and soft skills (alignment to the City mission, initiative and getting to yes, and interpersonal skills).

After conducting thorough interviews with each firm, the Administration and Council President Heath are highly recommending Council confirmation of Cockey, Brennan and Maloney, P.C. (CBM) as City Solicitor and legal counsel for the City of Salisbury. The firm's representation of the City will be led by attorneys Laura Hay, Ashley Bosche, Heather Konyar and Michael Sullivan. CBM's team is excited about the opportunity to work with the City of Salisbury and continue to move our organization forward. The team assembled by CBM has extensive experience with contract negotiation, development and annexations, employment law, landlord/tenant disputes, civil litigation, legislative drafting and more.

CBM will bring an exceptional level of accessibility, time management and urgency, initiative, and innovation. With having four full-time attorneys, our team's needs will be met quickly and holistically. CBM will be able to hit the ground running and quickly get up to speed on the City's complex needs.



# City of Salisbury

Jacob R. Day, Mayor

CBM will match Seidel, Baker & Tilghman's hourly rate of \$152.50.

Seidel, Baker and Tilghman will be available to assist in the transition of legal services as needed.

The Administration would like to thank Mark Tilghman, Pete Golba, and Kristine Devine for their commitment to the City of Salisbury since 2012. We wish them well in their future endeavors.

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**RESOLUTION NO. 3097**

**A RESOLUTION OF THE CITY OF SALISBURY, MARYLAND  
APPOINTING THE LAW FIRM OF COCKEY, BRENNAN &  
MALONEY, P.C. AS CITY SOLICITOR.**

**WHEREAS**, Section SC9-1 of the Charter of the City of Salisbury (the “City Charter”) provides in pertinent part: “There shall be a Department of Law headed by the City Solicitor. The City Solicitor and any Assistant City Solicitors, shall be appointed by and serve at the pleasure of the Mayor and a majority of the full Council.”;

**WHEREAS**, on March 5, 2021, the Administration received written notice from Seidel, Baker and Tilghman, P.A. informing the City of the law firm’s resignation as City Solicitor and legal counsel for the City, effective April 2, 2021;

**WHEREAS**, after April 2, 2021, Seidel, Baker and Tilghman, P.A. will provide the City with legal services on an as-needed basis, upon request from the Administration, to effectuate the orderly and efficient transition of the City’s legal business and affairs to such legal counsel as is appointed hereunder;

**WHEREAS**, the Administration, with the approval of the Council, desires to appoint a new law firm to serve as the City Solicitor and as legal counsel for the City, pursuant to Article IX of the City Charter;

**WHEREAS**, the Administration contacted numerous law firms that maintain a principal office in Salisbury and, along with Council President Heath, conducted interviews of potential candidates for the City Solicitor position;

**WHEREAS**, three firms were interviewed and ranked based on the following criteria: (i) billing (fees and timeliness of invoicing); (ii) performance (firm experience, legal team assembled, use of technology and communication); and, (iii) soft skills (alignment to the City’s mission, independent initiative, goal orientation, and interpersonal skills);

**WHEREAS**, the Administration has confirmed (i) the law firm of Cockey, Brennan and Maloney, P.C., and its attorneys, meet the qualifications for City Solicitor provided in Section SC9-2 of the City Charter, and (ii) Cockey, Brennan and Maloney, P.C. will match the hourly rate the City is currently charged by Seidel, Baker and Tilghman, P.A. for legal services;

**WHEREAS**, the Administration requests the Council approve the appointment of Cockey, Brennan & Maloney, P.C. as the City Solicitor and legal counsel for the City, pursuant to Article IX of the City Charter; and,

**WHEREAS**, in accordance with the foregoing, the Council hereby approves the appointment of Cockey, Brennan & Maloney, P.C. to serve as the City Solicitor and legal counsel for the City pursuant to Article IX of the City Charter, which said appointment shall be deemed effective immediately upon the passage of this Resolution.

**NOW, THEREFORE, BE IT RESOLVED** that the Salisbury City Council hereby appoints the law firm of Cockey, Brennan and Maloney, P.C. as the City Solicitor and legal counsel for the City, pursuant to Article IX of the City Charter;

50           **AND, BE IT FURTHER ENACTED AND RESOLVED** by the Salisbury City Council that this  
51 Resolution shall take effect immediately upon its passage.  
52

53           **THE ABOVE RESOLUTION** was introduced and duly passed at a regular meeting of the Salisbury  
54 City Council held on this \_\_\_\_\_ day of March, 2021.  
55

56  
57 ATTEST:  
58  
59

60 \_\_\_\_\_  
61 Kimberly R. Nichols  
62 CITY CLERK  
63

\_\_\_\_\_

John R. Heath  
PRESIDENT, City Council

64  
65 APPROVED by me this \_\_\_\_\_ day of March, 2021.  
66  
67

68 \_\_\_\_\_  
69 Julia Glanz, City Administrator for and at the  
70 direction of Jacob R. Day, Mayor  
71  
72



**To:** Julia Glanz

**From:** Laura Soper, Director of Business Development

**Subject:** 3<sup>rd</sup> Party Delivery Commission Fee Caps

**Date:** 2/18/21

---

I began researching 3<sup>rd</sup> Party Delivery Commission caps at the request of one of our local restaurant owners. 3<sup>rd</sup> party delivery companies (UberEats, DoorDash, GrubHub, Postmates) have been on the rise for years, with many local restaurants from our community opting in to those services well in advance of the COVID pandemic. Many agreed to pay commissions for deliveries made by these companies that ranged from 30-35% of each sale, but at that time, it was not as concerning because they were operating at full indoor capacity at their location. However, when COVID began, many restaurants were forced to reduce their indoor dining capacity and pivot to pick-up/delivery as a lifeline. When this occurred, the 30-35% commission structure came under greater scrutiny, causing many restaurants to operate at a loss or barely break even on a majority of their sales. Many municipalities and counties have enacted commission caps throughout the U.S. since the COVID outbreak, with caps ranging from 10% to 20% (to last through the public health emergency). The legislation proposed mirrors Baltimore's mandate, capping commission fees at 15%, protecting delivery driver pay, and allowing restaurants to opt in to paying more (if they so choose).

In conversations with our local restaurant community, they are generally supportive of these commission fee cap measures. The fees are astronomical, but many restaurants have cited that 3<sup>rd</sup> party delivery systems *do* drive a fair amount of business and helps them rotate the stock. For that reason, most are in the position whereby they would not want to opt out of 3<sup>rd</sup> party delivery completely.

Before approaching this legislation, I sent letters/emails to several 3<sup>rd</sup> party delivery companies that operate in the Salisbury area asking them to voluntarily cap their commission fees. Unsurprisingly, all have declined to do so.

Thank you for your consideration of this legislation, and I look forward to putting more funds in the hands of our locally owned restaurant.

ORDINANCE NO. 2656

AN ORDINANCE OF THE CITY OF SALISBURY TO AMEND TITLE 5-BUSINESS LICENSES AND REGULATIONS OF THE SALISBURY MUNICIPAL CODE BY ADDING CHAPTER 5.53 IN ORDER TO PLACE A LIMIT ON THIRD-PARTY RESTAURANT DELIVERY FEES AND TO PROTECT THE THIRD-PARTY DRIVER'S INCOME DURING THE CURRENT COVID-19 PANDEMIC.

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

WHEREAS, a State of Emergency and Catastrophic Health Emergency was proclaimed on March 5, 2020 by the Governor of the State of Maryland, and renewed on March 17, 2020, April 10, 2020, May 6, 2020, June 3, 2020, July 1, 2020, August 10, 2020, September 8, 2020, October 6, 2020, October 29, 2020, November 25, 2020, and December 23, 2020 to control and prevent the spread of COVID-19 within the State, and the State of Emergency and Catastrophic Health Emergency still exists; and

WHEREAS, COVID-19, is an infectious and contagious respiratory disease that may spread easily from person to person and may result in serious illness or death, is a public health catastrophe; and

WHEREAS, The U.S. Centers for Disease Control and Prevention has advised that social distancing is necessary to contain the spread of COVID-19 and as a result of COVID-19, there is limited seating capacity at Food Service Establishments which have been required to enforce social distancing measures to contain the spread of this potentially deadly infectious disease at such establishments; and

WHEREAS, the restaurant industry contributes to the vitality and personality of the City of Salisbury, provides necessary meals to the patrons, and employs local and regional residents; and

WHEREAS, the social distancing measures required to mitigate the spread of the COVID-19 virus mean that delivery, curb-side pickup and take-out options from restaurants are critical to the public's access to prepared food to assist in responding to a potential shortage of food; and

WHEREAS, the COVID-19 pandemic has had a significant negative impact on the local economy and has impacted small local restaurants, resulting in economic hardship for business owners and their employees due to loss of business income, layoffs, and economic hardship for the staff due to reduced work hours and income; and

46 WHEREAS, public health orders have resulted in limited indoor dining capacity at Food  
47 Service Establishments, which has increased the utilization of take-out and delivery services and  
48 limited capacity has placed a necessary, but sudden and severe financial strain on many food  
49 service establishments that already operate on thin margins, adding to financial pressures in the  
50 industry that predate the current public health crisis; and  
51

52 WHEREAS, while each service agreement between a Food Service Establishment and a  
53 third-party delivery service or platform may vary, all such agreements routinely include delivery  
54 commission fees that can include agreements with commission fees of up to 30 percent or more  
55 of the purchase price, which can also result in the increase of food prices paid by vulnerable  
56 citizens in need of delivery and pickup services from Food Service Establishments due to  
57 COVID-19; and  
58

59 WHEREAS, Food Service Establishments, particularly small family-owned restaurants or  
60 food trucks with few locations, have limited bargaining power to negotiate lower commission  
61 fees with third-party food and drink delivery services including application based delivery  
62 platforms due to only a few companies in the marketplace providing such delivery services, and  
63 face dire financial circumstances during this COVID-19 pandemic because takeout and delivery  
64 are the only options to keep such businesses in operation when shelter in place restrictions occur  
65 or many customers are not permitted in said locations due to seating capacity limitations; and  
66

67 WHEREAS, on a temporary basis, capping the Delivery Fee and/or commission fee to a  
68 maximum of 15 percent of the purchase price on delivery or pick-up orders while Food Service  
69 Establishments are unable to provide unrestricted dine-in service will accomplish a fundamental  
70 government purpose of easing the financial burden on struggling restaurants during this public  
71 health emergency while not unduly burdening third-party delivery services including web  
72 application-based delivery platforms and commission based food and drink delivery services to  
73 help temporarily secure the economy; and  
74

75 WHEREAS, it is in the public interest to take action to maximize Food Service  
76 Establishment revenue affected by current delivery and pick-up order fees, which affect a lifeline  
77 and a predominate source of revenue for the City of Salisbury's Food Service Establishments to  
78 enable these businesses to survive the impacts of the COVID-19 pandemic and continue  
79 contributing to the vitality of Salisbury's community during this temporary crisis, and to ensure  
80 all citizens can access food on a reasonably priced basis; and  
81

82 WHEREAS, SC5-1(21) of the City of Salisbury Municipal Code grants the City the  
83 power to regulate any business or calling; and  
84

85 WHEREAS, nothing herein shall be construed to limit or conflict with any order or  
86 authority of the local Health Officer, Secretary of the Maryland Department of Health or  
87 Governor of the State of Maryland; and  
88

89 WHEREAS, during this time of local economic disruption and uncertainty caused by the  
90 COVID-19 pandemic, many vulnerable workers have found work opportunities as delivery



91 drivers for these third-party food delivery platforms to financially support themselves and their  
92 families, and may be economically impacted if third-party food delivery platforms seek to reduce  
93 compensation rates to those delivery drivers as a result of the limitations placed on Delivery Fees  
94 and commission fees herein and it is necessary to take action to prevent such under  
95 compensation including, but not limited to new restrictions on the amount of tips provided to  
96 delivery drivers as a result of restrictions on commissions as set forth in this ordinance; and  
97

98 WHEREAS, these prohibitions and restrictions are temporary and apply only where  
99 indoor dining is prohibited or limited to less than full seating capacity; and  
100

101 WHEREAS, third-party food delivery services or platforms may further undermine  
102 already vulnerable workers if the business owners reduce compensation rates to these drivers as a  
103 result of this ordinance which caps Delivery Fees and commission fees for Online Orders and  
104 Orders and the restriction to 15 percent commission fees will not unduly burden third-party food  
105 delivery services or platforms; and  
106

107 WHEREAS, the City of Salisbury hereby desires to amend its Municipal Code to address  
108 the aforementioned concerns until Food Service Establishments are authorized to operate at  
109 unrestricted, full seating capacity.  
110

111 NOW, THEREFORE, be it enacted and ordained by the City of Salisbury, that Chapter  
112 5.53 be added to Title 5-Business Licenses and Regulations of the Salisbury Municipal Code as  
113 follows:  
114

115 *Chapter 5.53-THIRD-PARTY FOOD SERVICE ESTABLISHMENT DELIVERY FEE LIMITS*  
116

117 *5.53.010-Definitions.*  
118

119 *For the purposes of this chapter, the following words shall have the meanings indicated:*  
120

121 *"Delivery Fee" means, however characterized, a fee or commission charged by a third-*  
122 *party food delivery service or platform for providing a Food Service Establishment with*  
123 *a service that delivers or facilitates the ordering or delivery of food or beverages from*  
124 *Food Service Establishments to customers including, but not limited to those picked up by*  
125 *Customers in person. The term does not include any other fee that may be charged by a*  
126 *third-party food delivery service or platform to Food Service Establishments, such as*  
127 *optional fees paid to obtain additional products or services, or fees related to processing*  
128 *the online order.*  
129

130 *"Food Service Establishment" means a restaurant as defined in Section 5.52.010,*  
131 *including bars, nightclubs, and other similar establishments that sell food or beverages*  
132 *for consumption on-premises, and Social Clubs with dining facilities (collectively, "Food*  
133 *Service Establishments") that may serve food and beverages to customers for*  
134 *consumption in outdoor seating areas; sell food and beverages that are promptly taken*  
135 *from the premises, i.e., on a carry-out or drive-through basis; deliver food and beverages*  
136 *to customers off the premises; and serve food and beverages to customers for*

consumption in indoor seating areas. Convenience stores that utilize third-party food delivery services or platforms are also included within the above definition and are subject to the limitations set forth herein.

"Online Order" or "Order" means an order placed by a customer through a platform provided by the third-party food delivery service or platform including a telephone order, email, SMS or mobile order of any kind.

"Purchase price" means the menu price of an online order as set on a Food Service Establishment's menu, excluding taxes, gratuities or any other fees that may make up the total cost to the customer of an online order.

"Third-Party Food Delivery Service or Platform" means a computer, telephone, SMS, website, mobile application, or other internet service that facilitates the sale and same-day delivery or same-day pickup of ready to eat food or beverages provided by Food Service Establishments in the State.

#### 5.53.020-Limitation of Fees/Charges.

A. It shall be unlawful for a third-party food delivery service or platform to charge a Food Service Establishment a Delivery Fee or a mandatory gratuity or donation fee, for the use of the third-party food delivery service or platform that exceeds fifteen percent (15%) of the purchase price of any food delivery order including an Online Order. This chapter does not limit a Delivery Fee for alcohol, unless purchased with food.

B. It shall be unlawful for a third-party food delivery service or platform to reduce the gratuity or compensation rate paid to a delivery service driver or individual picking up food on foot for delivery or to garnish or reduce gratuities paid to a delivery service driver or other delivery individual to comply with this chapter, such that the compensation paid to the third-party food delivery service person by a Food Service Establishment may not exceed 15 percent of the purchase price of an Online Order for food or food delivery order.

C. A Food Service Establishment may agree to pay a third-party food delivery service platform a fee or charge that exceeds the limits set forth above to obtain optional products or services, including, but not limited to, advertising, marketing, or access to customer subscription programs, in addition to delivery or pickup service. All such agreements shall be in writing.

#### 5.53.030-Violation and Penalties.

The provisions of this chapter shall be enforced by the \_\_\_\_\_ Department or his/her designee. A person who violates this chapter after written notice to take corrective action is guilty of a municipal infraction and shall be fined two hundred fifty dollars (\$250.00) for the first offense and shall be fined up to five hundred dollars

183 (\$500.00) for each subsequent offense. Each day a violation exists shall be a separate  
184 offense.  
185

186  
187 5.53.040-Expiration.  
188

189 *The restrictions and prohibitions contained within this chapter shall automatically expire*  
190 *on the first day after the less than full occupancy seating restrictions tied to the current*  
191 *pandemic are lifted for Food Establishments. The City of Salisbury shall post on its*  
192 *website confirmation of the expiration of the restrictions covered in this chapter.*  
193

194 **Explanation:**  
195

196 \* *ITALICIZED PRINT INDICATES MATERIAL ADDED TO EXISTING LAW.*  
197

198 AND BE IT FURTHER ORDAINED AND ENACTED BY THE CITY OF  
199 SALISBURY, MARYLAND THAT this ordinance shall take effect immediately upon adoption.

200 THIS ORDINANCE was introduced and read at a meeting of the Council of the City of  
201 Salisbury held on this \_\_\_\_ day of \_\_\_\_\_, 2021, and thereafter, a statement of  
202 the substance of the Ordinance having been published as required by law, was finally passed by  
203 the Council on the \_\_\_\_ day of \_\_\_\_\_, 2021.

204 ATTEST:  
205

206 \_\_\_\_\_  
207 Kimberly R. Nichols  
208 CITY CLERK

\_\_\_\_\_  
John R. Heath  
PRESIDENT, City Council

209  
210 APPROVED BY ME THIS \_\_\_\_ day of \_\_\_\_\_, 2021  
211

212 \_\_\_\_\_  
213 Julia Glanz, City Administrator  
214 for and at the direction of Jacob R. Day, Mayor



City of  
**Salisbury**  
Jacob R. Day, Mayor

March 8, 2021

TO: Julia Glanz  
FROM: Colonel David Meienschein  
SUBJECT: Ordinance – NIBRS Grant

Attached, please find an ordinance to authorize the Salisbury Police Department to accept funds from the Office of Crime Prevention, youth, and victim services in the amount of \$15,000 for the under the BJAG -2019-0001 GRANT. The purposes of these grant funds are to offset the cost of training associated with the mandatory switchover to National Incident Based Reporting System.

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

David Meienschein  
Assistant Chief of Police

ORDINANCE No. 2657

AN ORDINANCE OF THE CITY OF SALISBURY TO ACCEPT FEDERAL GRANT FUNDING FROM THE GOVERNOR'S OFFICE OF CRIME CONTROL AND PREVENTION (GOCCP) IN THE AMOUNT OF \$15,000.00 FOR GRANT BJAG-2019-0001, NATIONAL INCIDENT BASED REPORTING SYSTEM (NIBRS) TRAINING, AND AMENDING THE GRANT FUND BUDGET TO APPROPRIATE THESE GRANT FUNDS FOR NIBRS TRAINING.

WHEREAS, the Governor's Office of Crime Control and Prevention (GOCCP) has awarded the Salisbury Police Department \$15,000.00 for the purpose of offsetting costs for training associated with the mandatory switchover to the National Incident Based Reporting System (NIBRS); and

WHEREAS, on a national level, NIBRS will be replacing the current national system known as the Uniform Crime Report, UCR; and

WHEREAS, NIBERS and UCR are processes utilized to collect and report crime data to the Federal Bureau of Investigation, FBI, via the Maryland State Police (MSP) (Records Division); and

WHEREAS, the conversion to NIBRS is a national mandate; and

WHEREAS, appropriations necessary to execute the purpose of this grant must be made upon the recommendation of the Mayor and the approval of four-fifths of the Council of the City of Salisbury.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SALISBURY, MARYLAND that the City accepts the aforementioned grant funds to be spent as outlined in the underlying grant agreement which is attached to this ordinance.

BE IT FURTHER ORDAINED BY THE CITY COUNCIL OF THE CITY OF SALISBURY that the City's Grant Fund Budget be and is hereby amended as follows:

- 1) Increase the Bryne Memorial JAG Revenue Account (10500-423101-XXXXX) by \$15,000.00
- 2) Increase the SPD Training/Schools Expense Account (10500-555504-XXXXX) by \$15,000.00

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

THIS ORDINANCE was introduced and read at a meeting of the Council of the City of Salisbury held on the \_\_\_\_\_ day of March, 2021, 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 April, 2021.

47  
48  
49 **ATTEST:**  
50  
51

52 \_\_\_\_\_  
53 Kimberly R. Nichols  
54 City Clerk

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

55  
56  
57 APPROVED BY ME THIS \_\_\_\_\_ day of \_\_\_\_\_, 2021.  
58  
59

60 \_\_\_\_\_  
61 Julia Glanz, City Administrator  
62 for and at the direction of Jacob R. Day, Mayor



City of  
**Salisbury**  
Jacob R. Day, Mayor

March 2, 2021

TO: Julia Glanz

FROM: Colonel David Meienschein

SUBJECT: Ordinance – PRAR Grant

Attached, please find an ordinance to authorize the Salisbury Police Department to accept funds from the Office of Crime Prevention, youth, and victim services in the amount of \$24,000 for the under the FY21 Police Recruitment and Retention grant. (PRAR) The purposes of these grant funds are to help with police retention at the Salisbury Police Department.

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

David Meienschein  
Assistant Chief of Police

ORDINANCE No. 2658

AN ORDINANCE OF THE CITY OF SALISBURY ACCEPTING GRANT FUNDS FROM THE MARYLAND STATE OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES IN THE AMOUNT OF \$24,000.00 UNDER THE FY21 POLICE RECRUITMENT AND RETENTION PROGRAM (PRAR) AND AMENDING THE GRANT FUND BUDGET TO APPROPRIATE THESE GRANT FUNDS FOR PAYMENT OF RETENTION BONUSES TO ELIGIBLE SALISBURY POLICE OFFICERS.

WHEREAS, the Maryland State Office of Crime Prevention, Youth, and Crime Victim Services has awarded the Salisbury Police Department \$24,000.00 for the purpose of Police Retention; and

WHEREAS, the Salisbury Police Department has identified fifty-one officers in three categories that will benefit from this award based on tenure; and

WHEREAS, eleven officers with 1-3 years of service to the City of Salisbury will receive \$610.00 as a retention incentive; and

WHEREAS, thirty officers with 9-19 years of service to the City of Salisbury will receive \$443.00 as a retention incentive; and

WHEREAS, ten officers with 20 plus years of service to the City of Salisbury will receive \$400.00 as a retention incentive; and

WHEREAS, in FY20, officers with 3-5 years of service to the City of Salisbury received \$1,000.00 as a retention incentive and officers with 6-8 years of service received a retention incentive of \$800.00; and

WHEREAS, officers holding the rank of Captain and above did not receive incentives in FY20 and will not receive funds in FY21 under this award; and

WHEREAS, officers in the police academy, officers with less than 1 year of service and officers that declined the funds under the FY20 grant award are not receiving funds under this award; and

WHEREAS, officers will be required to sign a one-year contract of commitment to remain with the City of Salisbury Police Department for one-year after receiving awarded funds; and

WHEREAS, the exact amount that each eligible officer receives in a particular tenure category could slightly increase if eligible officers decline the retention incentive award; and

WHEREAS, it is the desire of the Salisbury Police Department that this incentive, along with other incentives that the Salisbury Police Department already has in place, will encourage officers to remain employed with the City of Salisbury; and

WHEREAS, acceptance of the grant funds is subject to general and special conditions as



outlined in the attached Grant Award; and

WHEREAS, appropriations necessary to execute the purpose of this grant must be made upon the recommendation of the Mayor and the approval of four-fifths of the Council of the City of Salisbury.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SALISBURY, MARYLAND that the City accepts the aforementioned grant funds to be spent as outlined in the underlying grant agreement connected thereto.

BE IT FURTHER ORDAINED BY THE CITY COUNCIL OF THE CITY OF SALISBURY that the City's Grant Fund Budget be and is hereby, amended as follows:

- 1) Increase the GOCCP Revenue Account  
(10500-425100-XXXXXX) by \$24,000.00
- 2) Increase the SPD Salaries – Bonus Expense Account  
(10500-501014-XXXXXX) by \$24,000.00

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

THIS ORDINANCE was introduced and read at a meeting of the Council of the City of Salisbury held on the \_\_\_\_\_ day of March, 2021, 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 April, 2021.

**ATTEST:**

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

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

APPROVED BY ME THIS \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Julia Glanz, City Administrator  
for and at the direction of  
Jacob R. Day, Mayor

62.00059

MEMORANDUM

TO: Julia Glanz, City Administrator

FROM: Peter Golba, Office of the City Solicitor

DATE: March 5, 2021

SUBJECT: Alley by Eastern Shore Drive to Union Realty, LLC and Arapaho Realty, LLC

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This City previously surplused and transferred a residual, unusable lot on Eastern Shore Drive to the neighboring lot owner, Union Realty, LLC. This transfer was approved in Resolution 2819.

There is a paper alley between the residual lot and the parcel owned by Union Realty, LLC. We are now seeking to abandon that paper alley and convey the alley to the abutting lot owners, Union Realty, LLC and Arapaho Realty, LLC.

If you have any questions, please do not hesitate to call us.

Thank you

RESOLUTION NO. 2819

A RESOLUTION OF THE CITY OF SALISBURY DONATING REAL PROPERTY LOCATED ON EASTERN SHORE DRIVE, SALISBURY, MARYLAND TO UNION REALTY, LLC.

WHEREAS, the City of Salisbury desires to donate the real property located on the west side of and binding on Eastern Shore Drive, Map 0112, Parcel 2084, as shown on Exhibit A, in Salisbury, Maryland; and

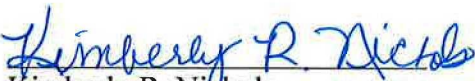
WHEREAS, the square footage of this vacant land is only 1,375, which does not make it a buildable lot, and the City of Salisbury does not wish to maintain a property that holds no value; and


WHEREAS, Union Realty, LLC owns the property next to this vacant lot, Map 0112, Parcel 2086, as shown on Exhibit A and has agreed to accept the said property.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Salisbury, Maryland does hereby approve the donation of the real property located on Eastern Shore Drive, Map 0112, Parcel # 2084, Salisbury, Maryland from the City of Salisbury to Union Realty, LLC, contingent upon approval of the legal description of said property by the City Solicitor.

THE ABOVE RESOLUTION was introduced and read and passed at the regular meeting of the Council of the City of Salisbury held on this 12<sup>th</sup> day of March, 2018 and is to become effective immediately upon adoption.

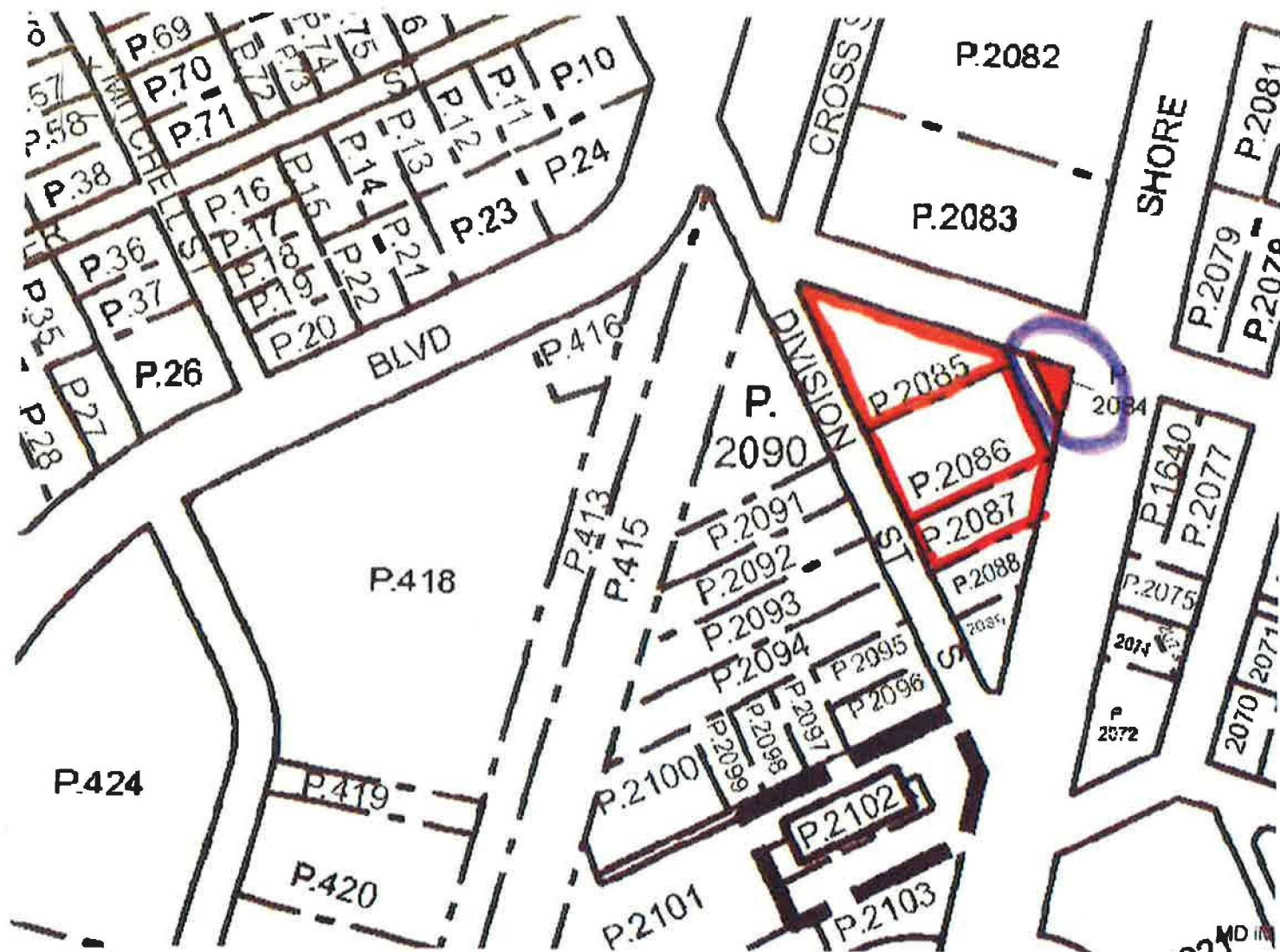
ATTEST:

  
Kimberly R. Nichols  
CITY CLERK

  
John R. Heath  
PRESIDENT, City Council

APPROVED by me this 13<sup>th</sup> day of MARCH, 2018.

  
Jacob R. Day, Mayor



The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland State Archives at [www.plats.net](http://www.plats.net) (<http://www.plats.net>).

Property maps provided courtesy of the Maryland Department of Planning.

For more information on electronic mapping applications, visit the Maryland Department of Planning web site at [www.mdp.state.md.us/OurProducts/OurProducts.shtml](http://www.mdp.state.md.us/OurProducts/OurProducts.shtml) (<http://www.mdp.state.md.us/OurProducts/OurProducts.shtml>).

## EXHIBIT A



City of  
**Salisbury**  
Jacob R. Day, Mayor

## MEMORANDUM

**To:** Julia Glanz, City Administrator  
**From:** Andy Kitzrow, Deputy City Administrator  
**Subject:** Donation of Eastern Shore Drive Lot, Parcel #2084  
**Date:** March 7, 2018

---

Attached is the resolution donating a vacant lot on Eastern Shore Drive (parcel #2084), owned by the City of Salisbury, to Union Realty, LLC, the adjoining property owner. The lot is only 1,375 square feet, limiting redevelopment opportunities for the City of Salisbury. Currently, there are no structures on the land and the City has no future plans of development.

[View Map](#)

[Print Assessment](#) [Print Parcel Page](#)

Account Identifier: District: 13 Account Number: 057427

Owner Name:	SALISBURY CITY OF	Use:	EXEMPT COMMERCIAL
Mailing Address:	125 N DIVISION ST SALISBURY MD 21801-5030	Principal Residence:	NO
		Deed Reference:	

Premises Address:	EASTERN SHORE DR SALISBURY 21801-0000	Legal Description:	L-1,375 SQFT WS EASTERN SHORE DR CITY OF SALIS
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Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0112	0007	2084		0000				2016	Plat Ref:

Special Tax Areas:	Town:	SALISBURY
	Ad Valorem:	
	Tax Class:	

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area 1,375 SF	County Use
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Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation
---------	----------	------	----------	----------------	--------	-----------------------

	Base Value	Value As of 01/01/2016	Phase-In Assessments As of 07/01/2017	As of 07/01/2018
Land:	9,700	10,300		
Improvements	0	0		
Total:	9,700	10,300	10,100	10,300
Preferential Land:	0			0

Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Partial Exempt Assessments:	Class	07/01/2017	07/01/2018
County:	680	10,100.00	10,300.00
State:	680	10,100.00	10,300.00
Municipal:	680	10,100.00 10,300.00	10,100.00 10,300.00

Tax Exempt:	Special Tax Recapture:
Exempt Class:	NONE

Homestead Application Status: No Application

Homeowners' Tax Credit Application Status: No Application

Date:



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WHEREAS, the City of Salisbury, Maryland authorized the transfer of ownership of a small residual lot that was deemed to be a non-buildable parcel of land via Resolution No. 2819, which was signed on March 13, 2018, to Union Realty, L.L.C.; and

WHEREAS, the alley being closed is identified as **Parcel 1, Parcel 2** and **Parcel 3** as shown on the plat entitled *Alley Closing Washington Street Eastern Shore Drive* attached as **Exhibit A**; and

WHEREAS, the City of Salisbury Department of Infrastructure and Development has determined that the aforementioned area of land is no longer needed for use by the public and the City believes it is in the best interest of the City to abandon the aforementioned area of land and deed **Parcel 1, Parcel 2 and Parcel 3** to the adjoining property owners as stated above; and

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

WHEREAS, the City Solicitor has prepared the proposed quitclaim deeds to convey the alley, copies of which are attached hereto as **Exhibit B**; and

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SALISBURY, MARYLAND that the City of Salisbury hereby abandons the +/- 1,853 square foot area comprising the alley (**Parcel 1, Parcel 2 and Parcel 3**), and that the Mayor of the City of Salisbury is hereby authorized to execute the attached deeds to convey to the adjoining property owners the City's right, title and interest in the abandoned alley.

THIS ORDINANCE was introduced and read at a meeting of the Council of the City of Salisbury held on the \_\_\_\_ day of \_\_\_\_\_, 2021, 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 \_\_\_\_\_, 2021.

52 ATTEST

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56 \_\_\_\_\_  
Kimberly R. Nichols

57 CITY CLERK

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59 Approved by me this \_\_\_\_ day of \_\_\_\_\_, 2021

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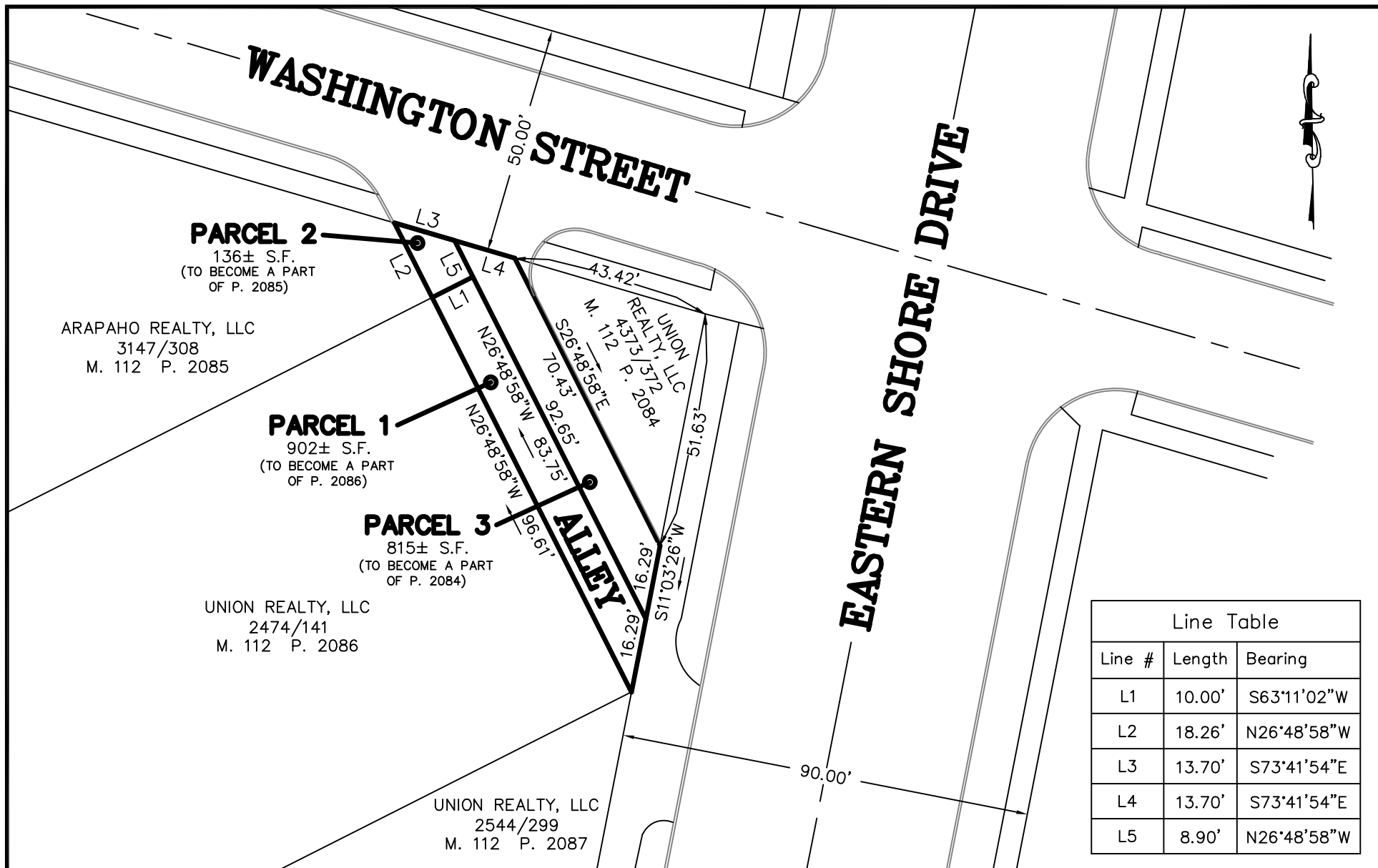
63 \_\_\_\_\_  
Julia Glanz, City Administrator,

64 for and at the direction of Jacob R. Day, Mayor

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

PRESIDENT, City Council





CITY OF SALISBURY  
SALISBURY, MD

ALLEY CLOSING  
WASHINGTON STREET  
EASTERN SHORE DRIVE

SCALE	1" = 30'
FILE	DCA
DATE	6-19-19
LAST REV. DATE	12-6-19

THIS QUITCLAIM DEED, made this \_\_\_\_ day of \_\_\_\_\_, in the year Two Thousand and Twenty-One, by the CITY OF SALISBURY, a municipal corporation of the State of Maryland, Grantor, and Union Realty, L.L.C., Grantee.

WHEREAS, by Ordinance No. \_\_\_\_ passed at a meeting of the Council of the City of Salisbury, on the \_\_\_\_ day of \_\_\_\_\_, 2021, the City of Salisbury closed and vacated a portion of an alley located between Washington Street and Eastern Shore Drive, being shown as a bold outlined area on a plat entitled Alley Closing Washington Street Eastern Shore Drive dated June 19, 2019, attached hereto as **Exhibit A**; and

WHEREAS, the City of Salisbury was, by Ordinance No. \_\_\_\_\_, authorized to convey to Union Realty, L.L.C., all of its right, title and interest, in and to those portions of the alley, shown and labeled as Parcel 1 and Parcel 3, on the said plat.

NOW, THEREFORE, THIS QUITCLAIM DEED WITNESSETH, that for and in consideration of the sum of Zero Dollars (\$0.00) and other good, valuable and sufficient consideration, receipt of which is hereby acknowledged, the said CITY OF SALISBURY does hereby grant, convey, release, assign and quitclaim unto Union Realty, L.L.C., its representatives and assigns, the following property described as Parcels 1 and 3, which said Parcel 1 shall be added to existing Parcel No. 2086 (Tax ID No. 13-057427) and which said Parcel 3 shall be added to existing Parcel No. 2084 (Tax ID No. 13-030693), both of the said tax parcels are owned by the Grantee: The property conveyed herein is:

ALL those lots or parcels of land situate, lying and being in the Camden Election District, City of Salisbury, Wicomico County, State of Maryland, located on the Southerly side of and binding upon Washington Street and on the Westerly side of Eastern Shore Drive, West of Parcel No. 2084 and East of Parcel No. 2086, and more particularly described as follows:

PARCEL 1: Beginning for the same at a point on the westerly right of way line of Eastern Shore Drive at the southwesterly corner of a 20 foot wide alley. Said point being 84.21 feet southerly from the intersection of the southerly right of way line of Washington Street and the said line of Eastern Shore Drive. (1) Thence by and with the southwesterly line of the said alley North 26°48'58" West a distance of 96.61 feet to a point at the southernmost corner of Parcel 2 as shown on the attached plat. (3) Thence by and with the southeasterly line of the said Parcel 2 North 63°11'02" East a distance of 10.00 feet to a point at the centerline of the said alley. (4) Thence by and with the said line of the alley South 26°48'58" East a distance of 83.75 feet to a point on the westerly line of the said Eastern Shore Drive. (4) Thence by and with the said line of Eastern Shore Drive South 11°03'26" West a distance of 16.29 feet to the point of beginning. Containing 902 square feet, more or less.

NO TITLE SEARCH REQUESTED OR PERFORMED

PARCEL 3: Beginning for the same at a point on the westerly right of way line of Eastern Shore Drive at the southeasterly corner of a 20 foot wide alley. Said point being 51.63 feet southerly from the intersection of the southerly right of way line of Washington Street and the said line of Eastern Shore Drive. (1) Thence by and with the said line of Eastern Shore Drive South 11°03'26" West a distance of 16.29 feet to a point on the centerline of the said alley. (2) Thence by and with the centerline of the said alley North 26°48'58" West a distance of 92.65 feet to a point on the southerly line of Washington Street. (5) Thence by and with the said line of Washington Street South 73°41'54" East a distance of 13.70 feet to a point at the northeasterly corner on the said alley. (6) Thence by and with the said line of the alley South 26°48'58" East a distance of 70.43 feet to the point of beginning. Containing 815 square feet, more or less.

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

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

TO HAVE AND TO HOLD the above described property unto Union Realty, L.L.C., its representatives and assigns, forever in fee simple.

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

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

ATTEST

CITY OF SALISBURY

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

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

STATE OF MARYLAND, COUNTY OF WICOMICO, TO WIT:

I HEREBY CERTIFY that on this \_\_\_\_\_ day of \_\_\_\_\_, 2021, before me, the subscriber, a Notary Public for the state and county aforesaid, personally appeared Jacob R. Day, Mayor of the City of Salisbury, who acknowledged the foregoing deed to be his act and deed on behalf of the City of Salisbury.

AS WITNESS my hand and Notarial Seal.

\_\_\_\_\_  
Notary Public  
My Commission Expires: \_\_\_\_\_

NO TITLE SEARCH REQUESTED OR PERFORMED

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

---

S. Mark Tilghman, City Solicitor

**NO TITLE SEARCH REQUESTED OR PERFORMED**

**EXHIBIT A**

**NO TITLE SEARCH REQUESTED OR PERFORMED**

THIS QUITCLAIM DEED, made this \_\_\_\_ day of \_\_\_\_\_, in the year Two Thousand and Twenty-One, by the CITY OF SALISBURY, a municipal corporation of the State of Maryland, Grantor, and Arapaho Realty, L.L.C., Grantee.

WHEREAS, by Ordinance No. \_\_\_\_ passed at a meeting of the Council of the City of Salisbury, on the \_\_\_\_ day of \_\_\_\_\_, 2021, the City of Salisbury closed and vacated a portion of an alley located between Washington Street and Eastern Shore Drive, being shown as a bold outlined area on a plat entitled Alley Closing Washington Street Eastern Shore Drive dated June 19, 2019, attached hereto as **Exhibit A**; and

WHEREAS, the City of Salisbury was, by Ordinance No. \_\_\_\_\_, authorized to convey to Arapaho Realty, L.L.C., all of its right, title and interest, in and to that portion of the alley, shown and labeled as Parcel 2, on the said plat.

NOW, THEREFORE, THIS QUITCLAIM DEED WITNESSETH, that for and in consideration of the sum of Zero Dollars (\$0.00) and other good, valuable and sufficient consideration, receipt of which is hereby acknowledged, the said CITY OF SALISBURY does hereby grant, convey, release, assign and quitclaim unto Arapaho Realty, L.L.C., its representatives and assigns, the following property described as Parcel 2, which shall be added to existing Parcel No. 2085 (Tax ID No. 13-030685), that is currently owned by the Grantee: The property being conveyed herein is:

ALL that lot or parcel of land situate, lying and being in the Camden Election District, City of Salisbury, Wicomico County, State of Maryland, located on the Southerly side of and binding upon Washington Street, Northeast of Parcel No. 2085, and is more particularly described as follows:

PARCEL 2: Beginning for the same at a point on the southerly right of way line of Washington Street at the northwesterly corner of a 20 foot wide alley. Said point being 70.82 feet westerly from the intersection of the westerly right of way line of Eastern Shore Drive and the said line of Washington Street. (1) Thence by and with the said line of Washington Street South 73°41'54" East a distance of 13.70 feet to a point at the centerline of the said alley. (2) Thence by and with the said line of the alley South 26°48'58" East a distance of 8.90 feet to a point. (3) Thence South 63°11'02" West a distance of 10.00 feet to a point on the southwesterly line of the said alley. (4) Thence by and with the said line of the alley North 26°48'58" West a distance of 18.26 feet to the point of beginning. Containing 136 square feet, more or less.

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

NO TITLE SEARCH REQUESTED OR PERFORMED

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

TO HAVE AND TO HOLD the above described property unto Arapaho Realty, L.L.C., its representatives and assigns, forever in fee simple.

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

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

ATTEST

CITY OF SALISBURY

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

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

STATE OF MARYLAND, COUNTY OF WICOMICO, TO WIT:

I HEREBY CERTIFY that on this \_\_\_\_\_ day of \_\_\_\_\_, 2021, before me, the subscriber, a Notary Public for the state and county aforesaid, personally appeared Jacob R. Day, Mayor of the City of Salisbury, who acknowledged the foregoing deed to be his act and deed on behalf of the City of Salisbury.

AS WITNESS my hand and Notarial Seal.

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

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

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

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

NO TITLE SEARCH REQUESTED OR PERFORMED

**EXHIBIT A**

NO TITLE SEARCH REQUESTED OR PERFORMED