



CITY OF SALISBURY CITY COUNCIL AGENDA

FEBRUARY 28, 2022

6:00 p.m.

ZOOM MEETING

Times shown for agenda items are estimates only.

- 6:00 p.m. CALL TO ORDER
- 6:01 p.m. WELCOME/ANNOUNCEMENTS/PLEDGE
- 6:02 p.m. CITY INVOCATION- David Thorpe, New Life Seventh-Day Adventist Church
- 6:04 p.m. PROCLAMATION- Mayor Jacob R. Day
- Scott Rogers Day
- 6:09 p.m. COMMUNITY PRESENTATION – Shanda Ward, LCPC, Founder of The Eastern Shore of Maryland Sick Cell Disease Association
- Sick Cell Disease Association
- 6:20 p.m. ADOPTION OF LEGISLATIVE AGENDA
- 6:21 p.m. CONSENT AGENDA- Assistant City Clerk Julie English
- **February 7, 2022 Work Session Minutes**
 - **February 7, 2022 Closed Session Minutes** (separate email)
 - **February 14, 2022 Council Meeting Minutes**
 - **Resolution No. 3152**- to approve the reappointment of Michael Piorunski to the Parks and Recreation Committee for term ending February 2025
 - **Resolution No. 3153**- to approve the appointment of Melissa Drew to the Board of Zoning Appeals for term ending February 2025
 - **Resolution No. 3154**- to approve the appointment of Amy Heger to the Salisbury Zoo Commission for term ending February 2025
 - **Resolution No. 3155**- to approve the appointment of Edwin Linderkamp to the Bicycle & Pedestrian Advisory Committee for term ending February 2025
 - **Resolution No. 3156**- to approve the appointment of Darrell Walker to the Board of Zoning Appeals for term ending February 2025
- 6:26 p.m. AWARD OF BIDS- Procurement Director Jennifer Miller
- Declaration of Surplus- HCDD Vehicle #12
- 6:31 p.m. RESOLUTION- City Administrator Julia Glanz
- **Resolution No. 3157**- authorizing the establishment of a temporary housing facility for homeless persons, to be known as “Anne Street Village”

6:36 p.m. ORDINANCES- City Attorney Ashley Bosche

- **Ordinance No. 2712-** 2nd reading- for the abandonment of an unimproved paper road known as Linwood Avenue located between East Isabella Street and Grace Street
- **Ordinance No. 2713-** 1st reading- amending Section 13.16 of the Salisbury City Code, entitled "Sanitary Facilities", to add an exemption for facilities owned or operated by the City of Salisbury for the purpose of providing temporary housing for homeless persons

6:45 p.m. PUBLIC COMMENTS

6:50 p.m. ADMINISTRATION and COUNCIL COMMENTS

6:55 p.m. MOTION TO CONVENE IN CLOSED SESSION as permitted under the authority of the Maryland Open Meetings Law, Annotated Code of Maryland General Provisions Article § 3-305(b)(14)

RECONVENE IN OPEN SESSION / REPORT TO PUBLIC / ADJOURNMENT

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

NEXT COUNCIL MEETING – MARCH 14, 2022

- **Ordinance No. 2713-** 2nd reading- amending Section 13.16 of the Salisbury City Code, entitled "Sanitary Facilities", to add an exemption for facilities owned or operated by the City of Salisbury for the purpose of providing temporary housing for homeless persons

Join Zoom Meeting

<https://us02web.zoom.us/j/88186172560>

Meeting ID: 881 8617 2560

Phone: 1.301.715.8592

CITY OF SALISBURY
WORK SESSION
FEBRUARY 7, 2022

Public Officials Present

Council President John “Jack” R. Heath	Mayor Jacob R. Day
Council Vice-President Muir Boda	Councilwoman Angela Blake
Councilwoman Michele Gregory	Councilwoman April Jackson

In Attendance

City Administrator Julia Glanz, Deputy Administrator Andy Kitzrow, Department of Infrastructure and Development (DID) Director Amanda Pollack, Supervisory Civil Engineer Rick Baldwin, Colonel Dave Meienschein, Housing & Community Development Director Ron Strickler, Finance Director Keith Cordrey, Information Services Director Bill Garrett, Fire Chief John Tull, Fire Deputy Chief Chris O’Barsky, Procurement Director Jennifer Miller, Water Works Director Cori Cameron, Field Operations Director Jana Potvin, Assistant City Clerk Julie English, Attorney Ashley Bosche, and members of the public.

On February 7, 2022 the Salisbury City Council convened at 4:30 p.m. in a Work Session on Zoom Conferencing Video.

Budget ordinance for the abandonment of Linwood Ave

DID Director Amanda Pollack presented an abandonment request. The request, submitted by a resident, was to abandon an unimproved road located between East Isabella Street and Grace Street. The request was made due to people cutting through that right of way and driving close to their house. All adjacent property owners are in favor of the abandonment of Linwood Avenue.

President Heath asked if the roadway would be blocked off to prevent cars from driving through. Ms. Pollack clarified that it could be put on the list for sidewalk to take away the depressed area.

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

Update on Here is Home

DID Director Amanda Pollack provided an update on the Here is Home Expansion Incentive Program. Since the last update on January 3, 2022, twelve new projects have been added for a total of 2,510 residential units.

FY23-FY27 Capital Improvement Plan (CIP)

Mayor Day thanked all involved with putting the 5-year plan together. The projects necessary for the city’s improvements and are greater than \$25,000 were listed in the

plan. He highlighted the North Prong Park Improvements, Rail Trail Master Plan, Vision Zero, bike infrastructure, pedestrian safety, street improvements, as well as Zoo and City Park improvements. The Proposed CIP was attached as part of the minutes.

President Heath asked for:

- further explanation on the TownSquare project. Ms. Pollack explained there would be numerous features to the project. Those features would include removable bollards to provide the ability to block off the roadway, a multi-purpose flex lawn area, a fixture to hold the large Christmas tree, a location for the ice skating rink, an area with art features for kids to play on, a fountain area with seating, and a quiet area with tables.
- clarification on the funding for the Mill Street Bridge Rehabilitation and Beaverdam Drive projects. Ms. Pollack responded that the Mill Street Bridge and Naylor Mill Bridge projects were funded through the State of Maryland through an 80/20 cost share grant ahead of what the Federal government is contributing.
- clarification from Chief Tull as to what would be included with the cost for the Apparatus Replacement vehicle. Chief Tull responded that the cost included the manufacturing of the vehicle, the specialty compartments to hold hydraulic tools, and the tools. All other items will be removed from the current vehicle and placed on the new one.
- an update on the Rail Trail Master Plan with regard to pending things that needed to be worked out with the railroad. Ms. Pollack shared that there were still things being worked out. Mayor Day added that there were aspects of the Rail Trail that cannot be abandoned.
- an explanation on what the Computer Aided Dispatch (CAD) Replacement would be. Mr. Garrett shared that the requested funding would allow the purchase of a new CAD system. The current system at the police department is antiquated and problematic.

Healthcare Heroes Appreciation Week Proclamation

Mayor Day presented a proclamation which expressed appreciation to our frontline health care workers, to include: doctors, nurses, EMS workers and first responders, pharmacists, laboratory technicians, mental health professionals, and critical clinic staff. These individuals responded to the ongoing Covid pandemic with tireless professionalism. This proclamation declared February 7-13, 2022 as Healthcare Heroes Appreciation Week.

Comments from Administration

Mayor Day announced the resignation of DID Director Amanda Pollack.

Mr. Boda shared his appreciation for everything Ms. Pollack did for the City during her employment. He wished her the best.

Ms. Jackson shared a message about this year's Black History Month theme of Black Health and Wellness. She also expressed how much Ms. Pollack would be missed. She shared that the VFW – District 16 would be hosting a blood drive on March 3rd from 11am-4pm at the Delmar VFW.

Ms. Blake encouraged everyone to donate blood. She described Ms. Pollack as phenomenal and was beholding of all she had accomplished for the City.

Ms. Gregory suggested bribing Ms. Pollack with baked goods to remain with the City. She was saddened to lose her as a member of the City of Salisbury team.

President Heath expressed how much he would miss Ms. Pollack and the way she lights up a room.

Adjournment of Work Session / Motion to Convene in Closed Session

With no further business to discuss in the Work Session, at 5:19 p.m. President Heath called for a motion to enter into Closed Session before a contract is awarded or bids are opened, to discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process; in accordance with the Annotated Code of Maryland §3-305(b)(14). Ms. Jackson moved, Ms. Blake seconded, and the vote was 5-0 to convene in Closed Session.

Motion to end Closed Session / Convene in Open Session / Report to Public

At 5:28 p.m. upon a motion and seconded by Ms. Blake and Mr. Boda respectively and approved by unanimous vote in favor (5-0), Council ended the Closed Session and convened in Open Session.

President Heath reported that Council had met in Closed Session to discuss a bid proposal and the Open Session was then immediately adjourned.

City Clerk

Council President

CITY OF SALISBURY, MARYLAND

REGULAR MEETING (ZOOM CONFERENCING VIDEO)

FEBRUARY 14, 2022

PUBLIC OFFICIALS PRESENT

*Council President John “Jack” R. Heath
Council Vice-President Muir Boda
Councilwoman Michele Gregory*

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

IN ATTENDANCE

*City Administrator Julia Glanz, Deputy City Administrator Andy Kitzrow, , Housing and
Community Development Director Ron Strickler, Department of Infrastructure and Development
Director Amanda Pollack, Procurement Director Jennifer Miller, City Attorney Ashley Bosche,
Police Chief Barbara Duncan, Fire Deputy Chief Chris O’Barsky, Fire Chief John Tull,
Assistant City Clerk Julie English, and members of the public*

CITY INVOCATION – PLEDGE OF ALLEGIANCE

*The City Council met in regular session at 6:00 p.m. via Zoom Conferencing Video and Council
President John R. “Jack” Heath called the meeting to order. After the recital of the pledge to the
flag, he invited Bishop J. Anthony Dickerson of Greater Mt. Olive Full Gospel Baptist Church to
the podium to provide the invocation.*

PROCLAMATION- presented by Mayor Jacob R. Day

Black History Month

*Mayor Day presented the Black History Month proclamation which highlighted this year’s theme
of “Black Health and Wellness.” He also urged all Citizens to raise a voice to bring about the
lasting institutional and societal change that is so desperately needed in our Country today.*

PRESENTATION- presented by Executive Director Don Taylor

Chesapeake Housing Mission (CHM)

*Mr. Don Taylor explained that CHM provides critical home repair for individuals living below
the poverty level. These repairs have significantly impacted the health and safety of those
individuals, which contributed to a significant reduction in dollars spent on emergency room
visits, ambulance calls, and EMT costs. The requests for assistance were prescreened to ensure
qualification. Over the last 12 years, CHM spent over \$90,000 on repairs for Salisbury citizens.*

*CHM asked the City of Salisbury to contribute \$10,000 annually for three years to assist with
material costs. CHM currently had 55 clients on the waiting list with four being in the City.*

*Mr. Taylor thanked the Council for allowing him to make the presentation and referenced their
website (<https://www.chesapeakehousingmission.org/>) for anyone interested in volunteering or*

donating to Chesapeake Housing Mission.

ADOPTION OF LEGISLATIVE AGENDA

Ms. Jackson moved, Ms. Blake seconded, and the vote was unanimous (5-0) to approve the legislative agenda as presented.

CONSENT AGENDA- presented by Assistant City Clerk Julie English

The consent agenda, consisting of the following items, was unanimously approved (5-0 vote) on a motion and seconded by Ms. Jackson and Ms. Gregory, respectively:

- **December 20, 2021** Work Session Minutes
- **December 20, 2021** Special Meeting Minutes
- **January 3, 2022** Work Session Minutes
- **January 3, 2022** Closed Session Minutes (emailed separately)
- **January 10, 2022** Council Meeting Minutes
- **January 18, 2022** Work Session Minutes
- **January 18, 2022** Closed Session Minutes (emailed separately)
- **January 24, 2022** Special Work Session Minutes
- **January 24, 2022** Council Meeting Minutes

AWARD OF BIDS- presented by Procurement Director Jennifer Miller

The Award of Bids, consisting of the following items, was unanimously approved (5-0 vote) on a motion and seconded by Mr. Boda and Ms. Jackson, respectively.

- | | |
|---|--------------|
| • ITB 22-115 Truitt Street Community Center Expansion | \$192,034.00 |
| • Parking Lot 15- ENP | \$ 0.00 |

RESOLUTIONS- presented by City Administrator Julia Glanz

- **Resolution No. 3149-** amending and supplementing Resolution No. 2972 in order to insert the Rail Trail Project in the bond pools as required so that the appropriations in Schedule B of the FY22 Budget Ordinance, including the Rail Trail Master Plan Implementation Project, are included as a “Project” in the bond documents

Ms. Jackson moved, Mr. Boda seconded, and the vote was unanimous to approve Resolution No. 3149.

- **Resolution No. 3150-** adopting a Capital Improvement Plan for the five-year period FY23-FY27

Ms. Blake moved, Ms. Jackson seconded, and the vote was unanimous to approve Resolution No. 3150.

- 81 • **Resolution No. 3151-** to authorize the Mayor to negotiate and enter into, on behalf of the
82 City of Salisbury, a contract of sale with Mentis Capital Partners, LLC setting for the
83 terms and conditions governing the sale of Lot 10
84

85 *Mr. Boda moved, Ms. Jackson seconded, and the vote was unanimous to approve*
86 *Resolution No. 3151.*
87

88 **ORDINANCES-** presented by City Attorney Ashley Bosche
89

- 90 • **Ordinance No. 2709-** 2nd reading- authorizing the Mayor to appropriate funds for a dump
91 truck and mini excavator both previously funded with Federal Recovery Funds
92

93 *Ms. Blake moved, Ms. Jackson seconded, and the vote was unanimous to approve Ordinance*
94 *No. 2709 for second reading.*
95

- 96 • **Ordinance No. 2710-** 2nd reading- authorizing the Chief of Police to enter into a
97 memorandum of understanding with the University of Maryland to accept funding from the
98 Governor's Office of Crime Prevention, Youth and Victim Services in the amount of
99 \$100,000, and to amend the Grant Fund Budget to appropriate these grant funds for the
100 continuance of the 'Exploring Predictive Policing With Machine Learning' project
101

102 *Ms. Jackson moved, Ms. Gregory seconded, and the vote was unanimous to approve*
103 *Ordinance No. 2710 for second reading.*
104

- 105 • **Ordinance No. 2711-** 2nd reading- approving a budget amendment of the FY2022 General
106 Fund Budget and authorizing the Mayor to amend the authorized positions included in the
107 FY22 General Fund Budget
108

109 *Mr. Boda moved, Ms. Jackson seconded, and the vote was unanimous to approve Ordinance*
110 *No. 2711 for second reading.*
111

- 112 • **Ordinance No. 2712-** 1st reading- for the abandonment of an unimproved paper road
113 known as Linwood Avenue located between East Isabella Street and Grace Street
114

115 *Ms. Blake moved, Ms. Jackson seconded, and the vote was unanimous to approve*
116 *Ordinance No. 2712 for first reading.*
117

118 **DID DIRECTOR COMMENTS**
119

120 *DID Director Amanda Pollack addressed Council in response to last week's announcement that she*
121 *would be resigning. She thanked them for treating the employees with respect and professionalism.*
122 *She appreciated how Council took the needs of the employees seriously. Ms. Pollack expressed how*
123 *amazing her team was and noted that Rick Baldwin would be taking over as the Acting DID*
124 *Director. Mr. Baldwin would be joining the meetings until a Director was hired. Ms. Pollack*
125 *closed by noting she would always be the City's biggest supporter.*
126

Mr. Boda responded by expressing his appreciation of her expertise and ability to be thorough. He noted that she has set a high standard that they would continue to use moving forward.

Ms. Jackson inquired as to where Ms. Pollack would be going. Ms. Pollack responded that she would be working for an environmental non-profit company. This would get her back to her roots of working with storm water.

Ms. Blake highlighted Ms. Pollack's topnotch work and personality.

Ms. Gregory again expressed her sadness and how much Ms. Pollack would be missed.

President Heath wished Ms. Pollack the best, invited her to every future meeting, and asked that she keep in touch.

PUBLIC COMMENTS

There were no public comments.

ADMINISTRATION AND COUNCIL COMMENTS

Mayor Day acknowledged 5 new employees started with the City today. He shared that a Maryland National Guard Covid testing site had been set up at Tidal Health.

President Heath encouraged people to get vaccinated.

Mr. Boda did not have any further comments.

Ms. Jackson wished everyone in the City of Salisbury a Happy Valentine's Day. She announced the blood drive hosted by the VFW was cancelled due to staff shortage. She supported what was already mentioned about getting tested and being vaccinated.

Ms. Blake expressed her disappointment that the blood drive was cancelled. She mentioned that anyone could call the Blood Bank directly to schedule an appointment.

Ms. Gregory encouraged everyone to get vaccinated.

President Heath reminded everyone that the next meeting will be on Tuesday, February 22nd rather than on Monday as it would be President's Day.

ADJOURNMENT

With no further business to discuss, the Legislative Agenda adjourned at 7:43 p.m.

CITY OF SALISBURY, MARYLAND
CLOSED SESSION
FEBRUARY 7, 2022

TIME & PLACE: 5:19 p.m., Zoom Video Conferencing
PURPOSE: Before a contract is awarded or bids are opened, to discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.

VOTE TO CLOSE: Unanimous (5-0)

CITATION: Annotated Code of Maryland §3-305(b)(14)

PRESENT: Council President John “Jack” R. Heath, Mayor Jacob R. Day, Council Vice-President Muir Boda, Councilwoman Angela Blake, Councilwoman Michele Gregory, Councilwoman April Jackson, City Administrator Julia Glanz, Deputy City Administrator Andy Kitzrow, City Attorney Ashley Bosche, Assistant City Clerk Julie English

ABSENT:

The City Council convened in Work Session at 4:30 p.m. At 5:19 p.m. President Heath called for a motion to convene in Closed Session as permitted under the Annotated Code of Maryland §3-305(b)(14). Ms. Jackson moved, Ms. Blake seconded, and the vote was unanimous to convene in Closed Session.

Council was briefed by City Administrator Julia Glanz on the recommendation to allow the Mayor to enter into a contract for sale for Lot 10.

Council reached unanimous consensus for the Mayor to move forward with the contract of sale.

At 5:29 p.m., Ms. Blake moved, Mr. Boda seconded, and the vote was unanimous (5-0) to adjourn the Closed Session.

Council immediately convened in Open Session and President Heath reported that Council had met in Closed Session and discussed a negotiating strategy for a contract.

The Open Session was then immediately adjourned.

City Clerk

Council President



City of
Salisbury
Jacob R. Day, Mayor

MEMORANDUM

To: Jacob R. Day, Mayor
From: Jessie Turner, Administrative Assistant
Subject: Re-Appointment to the Salisbury Parks & Recreation Committee
Date: February 8, 2022

The following person has applied for re-appointment to the Salisbury Parks & Recreation Committee for the term ending as indicated:

<u>Name</u>	<u>Term Ending</u>
Michael Piorunski	February 2025

Attached is the information from Mr. Piorunski and the resolution necessary for his re-appointment. If this re-appointment is approved, it will be placed on the next City Council agenda for review.

Attachments

OK
JRD

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<u>Name</u>	<u>Term Ending</u>
Michael Piorunski	February 2025

ATTEST:

John R. Heath
PRESIDENT, City Council

_____ day of _____, 2022

Jacob R. Day, Mayor



City of
Salisbury
Jacob R. Day, Mayor

MEMORANDUM

To: Jacob R. Day, Mayor
From: Jessie Turner, Administrative Assistant
Subject: Appointment to the Board of Zoning Appeals
Date: February 14, 2022

The following person has applied for appointment to the Board of Zoning Appeals for the term ending as indicated:

<u>Name</u>	<u>Term Ending</u>
Melissa Drew	February 2025

Attached is the information from Ms. Drew and the resolution necessary for her appointment. If this appointment is approved, it will be placed on the next City Council agenda for review.

Attachments

OK
JKD



City of
Salisbury
Jacob R. Day, Mayor

MEMORANDUM

To: Jacob R. Day, Mayor
From: Jessie Turner, Administrative Assistant
Subject: Appointment to the Salisbury Zoo Commission
Date: February 8, 2022

The following person has applied for appointment to the Salisbury Zoo Commission for the term ending as indicated:

<u>Name</u>	<u>Term Ending</u>
Amy Heger	February 2025

Attached is the information from Ms. Heger and the resolution necessary for her appointment. If this appointment is approved, it will be placed on the next City Council agenda for review.

Attachments

OK
JTS



City of
Salisbury
Jacob R. Day, Mayor

MEMORANDUM

To: Jacob R. Day, Mayor
From: Jessie Turner, Administrative Assistant
Subject: Appointment to the Bicycle & Pedestrian Advisory Committee
Date: February 14, 2022

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

<u>Name</u>	<u>Term Ending</u>
Edwin Linderkamp	February 2025

Attached is the information from Mr. Linderkamp and the resolution necessary for his appointment. If this appointment is approved, it will be placed on the next City Council agenda for review.

Attachments

OK
JRT

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<u>Name</u>	<u>Term Ending</u>
Edwin Linderkamp	February 2025

ATTEST:

John R. Heath
PRESIDENT, City Council

_____ day of _____, 2022

Jacob R. Day, Mayor



City of
Salisbury
Jacob R. Day, Mayor

MEMORANDUM

To: Jacob R. Day, Mayor
From: Jessie Turner, Administrative Assistant
Subject: Appointment to the Board of Zoning Appeals
Date: February 14, 2022

The following person has applied for appointment to the Board of Zoning Appeals for the term ending as indicated:

<u>Name</u>	<u>Term Ending</u>
Darrell Walker	February 2025

Attached is the information from Mr. Walker and the resolution necessary for his appointment. If this appointment is approved, it will be placed on the next City Council agenda for review.

Attachments

OK
JRS



City of
Salisbury
Jacob R. Day, Mayor

COUNCIL AGENDA

Department of Procurement

February 28, 2022

Declaration of Surplus

1. HCDD Vehicle #12	\$ 0.00
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City of
Salisbury
Jacob R. Day, Mayor

To: Mayor and City Council
From: Jennifer Miller
Director of Procurement
Date: February 28, 2022
Subject: Declaration of Surplus

The Department of Procurement received a request from the Department of Housing and Community Development to declare vehicle #HCDD-12 as surplus. This vehicle was involved in an accident and declared “totaled” by the City’s insurer, LGIT. Vehicle identification information is on the attached departmental memo.

Upon declaration of surplus, as approved by Council, the City will turn the vehicle over to LGIT.



DATE: February 14, 2022
TO: Jennifer Miller, Director of Procurement
FROM: Ronald Strickler Jr, Director of Housing and Community Development
SUBJECT: Surplus Request, HCDD-12

The City of Salisbury Housing and Community Development Department is requesting the approval for the surplus of Code Enforcement Vehicle HCDD-12. HCDD-12, VIN# 1FTYR14U66PA72686, is a 2006 Ford Ranger with approximately 106,000 miles. The vehicle was involved in a multi vehicle, not at fault vehicular accident. HCDD-12 was unoccupied and parked overnight in Salisbury City lot #1 at the time of the accident. As a result of the vehicle accident, HCDD-12 was determined to be a total loss by LGIT.

HCDD has been declared surplus by Housing and Community Development and is no longer operable for the purposes of the Code Enforcement Division. LGIT will be taking possession of this vehicle to proceed with auctioning the vehicle for use of scrap. Thank you for your time and consideration of the request for surplus.

Respectfully,

Ronald Strickler, Jr.

Director, Housing and Community Development



City of
Salisbury
Jacob R. Day, Mayor

To: Julia Glanz, City Administrator
From: Amanda Pollack, P.E., Director of Infrastructure and Development
Date: February 10, 2022
Re: Anne Street Village enabling legislation

AP

Per Ordinance No 2701, funding has been allocated for a "Tiny Homes for Homeless" project. There are three legislative items that are needed to enable the development of the Anne Street Village project. All three are being introduced together at the February 22, 2022 work session. The zoning code text amendment requires a Planning Commission Public Hearing and Planning Commission approval prior to the City Council's Public Hearing and approval. The other two legislative items require only City Council approval. A summary of the three items is below and the proposed legislation is attached. All of the legislation has been prepared by the City Attorney.

1. Ordinance for a text amendment to Zoning Code in Title 17 Zoning.
 - a. Amending Section 17.04.04 of the Salisbury City Code, entitled "Method Of Regulation," to add language exempting Federal, State And Local Governments from Title 17.
 - b. The amendment will clarify confusing language in the existing code. Wicomico County has similar exemption language.
 - c. This language was being added as part of the comprehensive rezoning process, however the Anne Street Village project is accelerating the need for the amendment.
2. Ordinance for a text amendment to the Building Code in Title 13 Public Services:
 - a. Amend Section 13.16 of the Salisbury City Code, entitled "Sanitary Facilities", to add an exemption for facilities owned or operated by the City of Salisbury for the purpose of providing temporary housing for homeless persons.
 - b. Section 13.16 currently requires all building or structures that are used for human habitation must have interior sanitary facilities.
3. Resolution authorizing the establishment of a temporary housing facility.
 - a. Defines the need for the facility.
 - b. Defines the services provided and the shared facilities provided.
 - c. Authorizes the City Administration to develop eligibility criteria, a selection process, and rules and regulations.

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

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RESOLUTION NO. 3157

**A RESOLUTION OF THE CITY OF SALISBURY AUTHORIZING
THE ESTABLISHMENT OF A TEMPORARY HOUSING
FACILITY FOR HOMELESS PERSONS, TO BE KNOWN AS
“ANNE STREET VILLAGE”.**

WHEREAS, as set forth in the Maryland Code, Housing and Community Development Article, Section 4-2202, the General Assembly has declared that 1) an increasing number of people in the State are homeless, 2) homeless people have been ignored by State units; 3) current State-operated programs do not adequately address the problem; and 4) as a result, there is a lack of quality emergency public or private housing available for homeless people; and

WHEREAS, the U.S. Department of Housing and Urban Development (HUD) requires that recipients of federal funds in the form of homeless assistance grants conduct an annual count of the people in their locality who are experiencing homelessness, to be taken on a single night in the last week of January, known as a “Point-in-Time” count; and

WHEREAS, the homeless assistance grant applicable to the City of Salisbury is jointly shared and distributed amongst subdivisions in the tri-county area consisting of Wicomico, Worcester and Somerset Counties, and accordingly, HUD requires the Point-in-Time count to include homeless persons in all three counties; and

WHEREAS, on the night of the 2020 Point-in-Time count, 310 people in the Tri-County area, consisting of Wicomico, Worcester and Somerset Counties, were experiencing homelessness, most of whom were located in Wicomico County; and

WHEREAS, a Point-in-Time count was unable to be completed in 2021 as a result of the closure of homeless shelters due to the COVID pandemic; and

WHEREAS, the Point-in-Time count of 2020 was higher than at any other time in the past 5 years; and

WHEREAS, in the last 5 years, the number of people experiencing homelessness in Maryland has increased while shelter and housing resources have decreased, a situation significantly worsened by the housing shortages created by the COVID pandemic; and

WHEREAS, there are approximately 25 locations or “encampments” in the City of Salisbury, and Wicomico County at large, where persons reside either in a tent, a car, or other place not meant for human habitation; and

WHEREAS, clearing such encampments displaces vulnerable populations and causes homeless people to disperse throughout the community, breaking their connections with support services and increasing the potential for unsafe health and hygiene conditions, including but not limited to, impediments to the provision of emergency services, impaired access to behavioral health resources, improper disposal of sanitary waste, and the spread of infectious disease; and

WHEREAS, in efforts to better serve the homeless population within its corporate limits and the greater County area, the City of Salisbury desires to establish a temporary housing facility, consisting of a number of transitional dwelling units (“TDUs”) and related shared facilities (meeting/gathering areas, toilets, handwashing basins, showers) in a community setting specifically geared toward providing services

necessary to transition its residents into permanent housing and providing solutions to the aforementioned health and hygiene conditions of homelessness; and

WHEREAS, the City of Salisbury proposes to locate this temporary housing facility within municipal limits on City-owned property in the area of the intersection of Anne and Short Streets; and

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF SALISBURY, MARYLAND, as follows:

Section 1. The City of Salisbury formally recognizes the shortage of homeless shelters and housing resources within its municipal limits and declares the City in need of temporary housing for homeless persons.

Section 2. A temporary housing facility, consisting of a number of transitional dwelling units (“TDUs”) and related shared facilities, including but not limited to meeting rooms, gathering areas, toilets, handwashing basins, and showers, may be located within municipal limits on City-owned property in the area of the intersection of Anne and Short Streets, to be known as “Anne Street Village”.

Section 3. The purpose of this temporary housing facility is to provide services necessary to transition its residents into permanent housing and to prevent harmful health and hygiene conditions of homelessness such as impediments to the provision of emergency services, impaired access to behavioral health resources, improper disposal of sanitary waste, and the spread of infectious disease. Transitional services offered at Anne Street Village may include support services such as case management, access to dental and health care, behavioral health, workforce development, and access to transportation.

Section 4. City Administration is hereby authorized to develop eligibility criteria, a selection process, and rules and regulations applicable to residency in the Anne Street Village.

Section 5. The Housing and Community Development Department shall provide an annual report to the City Council summarizing the number of inhabitants, average length of residency and other relevant metrics specific to Anne Street Village. This report shall be provided within thirty (30) days of the annual Point-in-Time count.

AND, BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF SALISBURY AS FOLLOWS:

Section 6. It is the intention of the Council of the City of Salisbury that each provision this Resolution shall be deemed independent of all other provisions herein.

Section 7. It is further the intention of the Council of the City of Salisbury that if any section, paragraph, subsection, clause or provision of this Resolution shall be adjudged invalid, unconstitutional or otherwise unenforceable under applicable Maryland or federal law, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged and all other provisions of this Resolution shall remain and shall be deemed valid and enforceable.

Section 8. The Recitals set forth hereinabove are incorporated into this section of this Resolution as if such recitals were specifically set forth at length in this Section 8.

103 **THIS RESOLUTION** was introduced, read and passed at the regular meeting of the Council of the
104 City of Salisbury held on the ____ day of _____, 2022.

105
106 ATTEST:

107
108 _____
109 Kimberly R. Nichols, City Clerk

John R. Heath, President
Salisbury City Council

110
111
112 APPROVED BY ME THIS:

113
114 _____ day of _____, 2022

115
116 _____
117 Jacob R. Day, Mayor
118

45 **Section 3.** It is further the intention of the Mayor and Council of the City of Salisbury that if any
46 section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged invalid,
47 unconstitutional or otherwise unenforceable under applicable Maryland or federal law, such adjudication
48 shall apply only to the section, paragraph, subsection, clause or provision so adjudged and all other
49 provisions of this Ordinance shall remain and shall be deemed valid and enforceable.

50 **Section 4.** The recitals set forth hereinabove are incorporated into this section of the Ordinance as
51 if such recitals were specifically set forth at length in this Section 4.

52 **Section 5.** This Ordinance shall take effect from and after the date of its final passage.

53 **Section 6.** Upon its final passage, this Ordinance shall not be codified.
54

55 **THIS ORDINANCE** was introduced and read at a Meeting of the Mayor and Council of the City
56 of Salisbury held on the 14th day of February, 2022 and thereafter, a statement of the substance of the
57 Ordinance having been published as required by law, in the meantime, was finally passed by the Council
58 of the City of Salisbury on the 28th day of February, 2022.
59

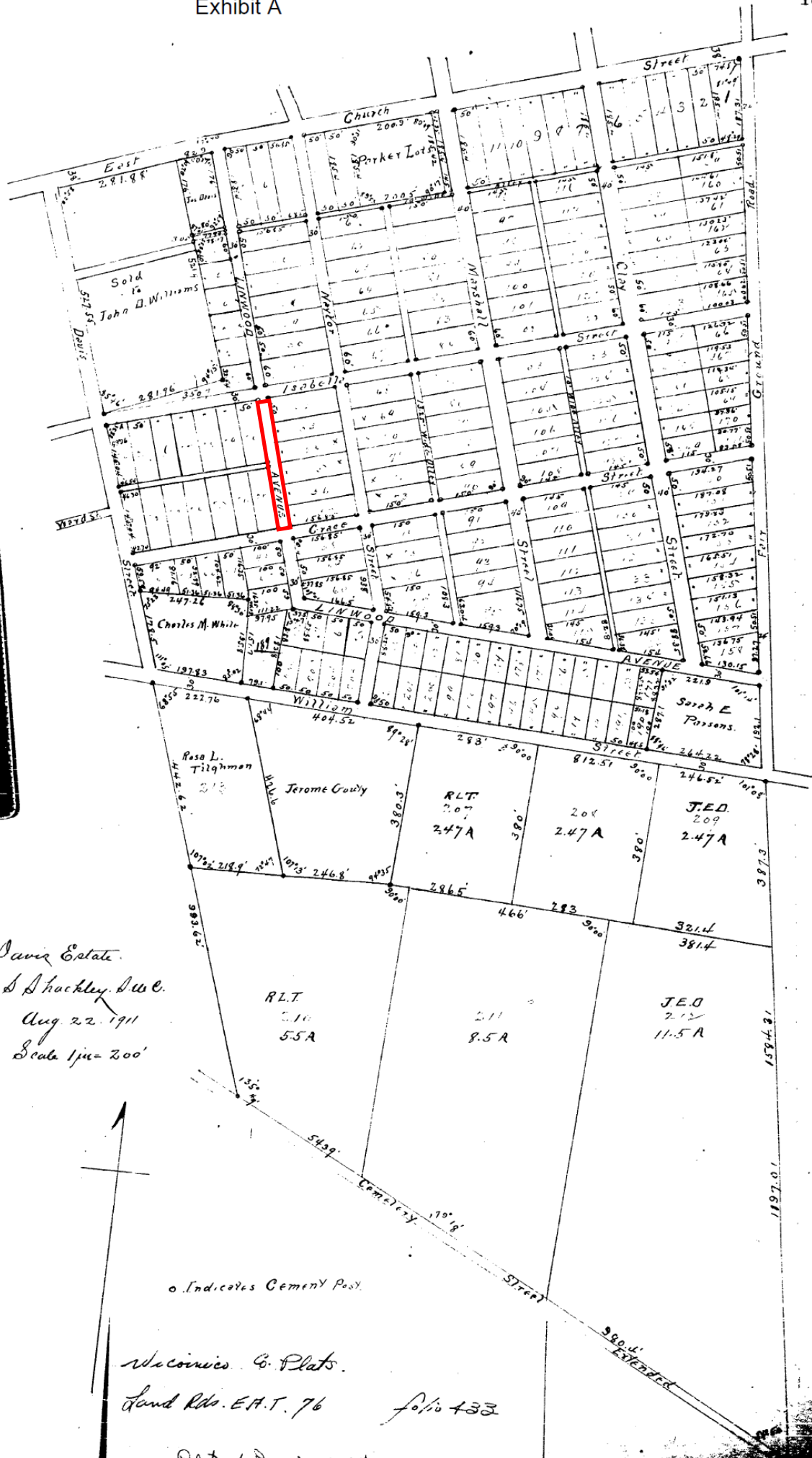
60
61
62 **ATTEST:**
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66 _____
67 **Kimberly R. Nichols, City Clerk**
68

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66 _____
67 **John R. Heath, City Council President**
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69
70 Approved by me, this _____ day of _____, 2022.
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74 _____
75 **Jacob R. Day, Mayor**
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77





Unimproved portion of
Linwood Avenue to be closed

East Isabella Street

Linwood Avenue

Naylor Street

Grace Street

Ward St.



City of Salisbury

Jacob R. Day, Mayor

To: Julia Glanz, City Administrator
From: Amanda Pollack, P.E., Director of Infrastructure and Development
Date: February 10, 2022
Re: Anne Street Village enabling legislation

AP

Per Ordinance No 2701, funding has been allocated for a "Tiny Homes for Homeless" project. There are three legislative items that are needed to enable the development of the Anne Street Village project. All three are being introduced together at the February 22, 2022 work session. The zoning code text amendment requires a Planning Commission Public Hearing and Planning Commission approval prior to the City Council's Public Hearing and approval. The other two legislative items require only City Council approval. A summary of the three items is below and the proposed legislation is attached. All of the legislation has been prepared by the City Attorney.

1. Ordinance for a text amendment to Zoning Code in Title 17 Zoning.
 - a. Amending Section 17.04.04 of the Salisbury City Code, entitled "Method Of Regulation," to add language exempting Federal, State And Local Governments from Title 17.
 - b. The amendment will clarify confusing language in the existing code. Wicomico County has similar exemption language.
 - c. This language was being added as part of the comprehensive rezoning process, however the Anne Street Village project is accelerating the need for the amendment.
2. Ordinance for a text amendment to the Building Code in Title 13 Public Services:
 - a. Amend Section 13.16 of the Salisbury City Code, entitled "Sanitary Facilities", to add an exemption for facilities owned or operated by the City of Salisbury for the purpose of providing temporary housing for homeless persons.
 - b. Section 13.16 currently requires all building or structures that are used for human habitation must have interior sanitary facilities.
3. Resolution authorizing the establishment of a temporary housing facility.
 - a. Defines the need for the facility.
 - b. Defines the services provided and the shared facilities provided.
 - c. Authorizes the City Administration to develop eligibility criteria, a selection process, and rules and regulations.

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

ORDINANCE NO. 2713

AN ORDINANCE OF THE CITY OF SALISBURY AMENDING SECTION 13.16 OF THE SALISBURY CITY CODE, ENTITLED "SANITARY FACILITIES", TO ADD AN EXEMPTION FOR FACILITIES OWNED OR OPERATED BY THE CITY OF SALISBURY FOR THE PURPOSE OF PROVIDING TEMPORARY HOUSING FOR HOMELESS PERSONS.

WHEREAS, the ongoing application, administration and enforcement of the City of Salisbury Municipal Code (the "Salisbury City Code") demonstrates a need for its periodic review, evaluation and amendment, in order to comply with present community standards and values, and promote the public safety, health and welfare of the citizens of the City of Salisbury (the "City");

WHEREAS, the Mayor and Council of the City of Salisbury (the "Mayor and Council") are authorized by MD Code, Local Government, § 5-202 to adopt such ordinances, not contrary to the Constitution of Maryland, public general law or public local law, as the Mayor and Council deem necessary to assure the good government of the municipality, to preserve peace and order, to secure persons and property from damage and destruction, and to protect the health, comfort and convenience of the citizens of the City;

WHEREAS, the Mayor and Council may amend Section 13.16 of the Public Services Title of the Salisbury City Code pursuant to the authority granted in § SC 2-15 of the Salisbury City Charter;

WHEREAS, the Mayor and Council find that the health, safety and general welfare of the citizens of the City will be furthered by amending Section 13.16 of the Salisbury City Code to add an exemption for facilities owned or operated by the City of Salisbury for the purpose of housing homeless individuals; and

WHEREAS, the Mayor and Council have determined that the amendments to Section 13.16 of the Salisbury City Code set forth shall be adopted as set forth herein.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY COUNCIL OF THE CITY OF SALISBURY, MARYLAND, that Section 13.16 of the Public Services Title of the Salisbury City Code is hereby amended by adding the bolded and underlined language and deleting the strikethrough language as follows:

Section 1. By amending Section 13.16 of the Salisbury City Code of the Salisbury City Code, entitled "Sanitary Facilities" as follows:

Chapter 13.16 SANITARY FACILITIES

13.16.010 Sanitary and water facilities required.

Except as provided in 13.16.050, No no building or other structure located within the corporate limits of the city to which city water service and city sewer service are available may be occupied as a place of human habitation unless such building or other structure is furnished with an inside sanitary toilet, in good operating condition, connected with the city sanitary sewer system and one water tap equipped with a sink, all in good operating condition, connected with the city water supply system. Such toilet and water tap shall be readily available to each occupant of such building or other structure. (Ord. 1983 (part), 2006)

13.16.020 Private sewage disposal systems.

Except as provided in 13.16.050, No no building or other structure located within the corporate limits of the city to which city water service and city sewer service are not available may be occupied as a place of human habitation unless such building or other structure is furnished with a private sewage disposal system constructed in accordance with the provisions of this chapter or other ordinance of the city regulating such matters. Such private sewage disposal systems shall be maintained in a sanitary condition and shall be adequate for and available to each occupant of such building or other structure. (Ord. 1983 (part), 2006)

1 **13.16.030 Occupation of buildings unequipped with required sanitary facilities.**

2 Except as provided in 13.16.050, Any any person occupying a building or other structure located within the
3 corporate limits of the city as a place of human habitation which is not equipped with the sanitary facilities
4 required by Sections 13.16.010 and 13.16.020 of this chapter shall be deemed guilty of a misdemeanor. (Ord.
5 1983 (part), 2006)

6 **13.16.040 Owners permitting occupation of unequipped buildings.**

7 Except as provided in 13.16.050, Any any owner or owner's agent, permitting any person to occupy a building
8 or other structure located within the corporate limits of the city as a place of human habitation not equipped
9 with the sanitary facilities required by Sections 13.16.010 and 13.16.020 of this chapter shall be deemed guilty
10 of a misdemeanor. (Ord. 1983 (part), 2006)

11 **13.16.050 Facilities owned or operated by the City of Salisbury.**

12 The provisions of 13.16.020 – 13.16.040 shall not apply to any facility owned or operated by the City of
13 Salisbury for the purpose of providing temporary housing for homeless persons. Such facilities may
14 provide community sanitary and water facilities and sewage disposal systems which shall be readily
15 accessible to occupants, but need not be located within the same building or structure which is used for
16 human habitation.

17 **BE IT FURTHER ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF**
18 **SALISBURY, MARYLAND,** as follows:

19 **Section 2.** It is the intention of the Mayor and Council of the City of Salisbury that each provision of this
20 Ordinance shall be deemed independent of all other provisions herein.

21 **Section 3.** It is further the intention of the Mayor and Council of the City of Salisbury that if any section,
22 paragraph, subsection, clause or provision of this Ordinance shall be adjudged invalid, unconstitutional or otherwise
23 unenforceable under applicable Maryland or federal law, such adjudication shall apply only to the section, paragraph,
24 subsection, clause or provision so adjudged and all other provisions of this Ordinance shall remain and shall be
25 deemed valid and enforceable.

26 **Section 4.** The recitals set forth hereinabove are incorporated into this section of the Ordinance as if such
27 recitals were specifically set forth at length in this Section 4.

28 **Section 5.** This Ordinance shall take effect from and after the date of its final passage.

29
30 **THIS ORDINANCE** was introduced and read at a Meeting of the Mayor and Council of the City of Salisbury
31 held on the 28th day of February, 2022 and thereafter, a statement of the substance of the Ordinance having been
32 published as required by law, in the meantime, was finally passed by the Council of the City of Salisbury on the
33 ____ day of _____, 2022

34 **ATTEST:**

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36
37 **Kimberly R. Nichols, City Clerk**

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

39 Approved by me, this ____ day of _____, 2022.

40
41
42 **Jacob R. Day, Mayor**