



CITY OF SALISBURY CITY COUNCIL AGENDA

OCTOBER 24, 2022

6:00 p.m.

Government Office Building, Room 301, Salisbury, Maryland and Zoom Video Conferencing

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- Rev. Tyquan Alston, Pastor, St. Paul A.M.E. Zion Church
- 6:04 p.m. PRESENTATION- Offshore Wind- Dave Wilson, Maryland Developmental Manager, US Wind
- 6:19 p.m. ADOPTION OF LEGISLATIVE AGENDA
- 6:20 p.m. CONSENT AGENDA- City Clerk Kimberly Nichols
- **September 6, 2022** Work Session Minutes
 - **September 6, 2022** Special Meeting Minutes
 - **September 12, 2022** Council Meeting Minutes
 - **September 12, 2022** Closed Session Minutes (emailed separately)
 - **September 19, 2022** Work Session Minutes
 - **September 19, 2022** Special Meeting Minutes
 - **September 26, 2022** Council Meeting Minutes
 - **Resolution No. 3195**- to approve the appointment of Thashana McKinney to the Youth Development Advisory Committee for term ending October 2025
 - **Resolution No. 3196**- declaring Westwood Acquisition Partners eligible to receive enterprise zone benefits for property located at 1865 West Road, Salisbury, MD
- 6:24 p.m. AWARD OF BIDS- Procurement Director Jennifer Miller
- Award of Bids
1. ITB A-23-104 Dark Fiber Optic Cable Installation/Maintenance \$497,520.00 (20 yr term)
 2. ITB A-23-105 Zinc Pyrophosphate for Corrosion Control \$198,300.00
 3. ITB 23-103 Waterside Park \$167,136.72
- Approval of Tier 6 Change Order
1. RFP 03-14 Skatepark Design/Build – Change Order #10 \$ 26,780.48
- Declaration of Surplus
1. Salisbury Police Department
 - a. Vehicles #1476 & #1487
 - b. Duty weapon

6:34 p.m. ORDINANCES- City Attorney Ashley Bosche

- **Ordinance No. 2744**- 2nd reading- approving an amendment of the City's FY2023 General Fund Budget to provide funds for red light camera administration
- **Ordinance No. 2745**- 2nd reading- approving an amendment to the General Fund Budget reflecting the acceptance of grant funds from the Wicomico County Circuit Court and further appropriating funds for overtime pay of officers of the Salisbury Police Department
- **Ordinance No. 2747**- 2nd reading- approving a budget amendment of the FY2023 General Fund Budget to appropriate funds to the Salisbury Fire Department's Operating Budget
- **Ordinance No. 2748**- 2nd reading- to amend Chapter 1.16 of the Salisbury City Code, entitled "Infractions and Civil Zoning Violations", to grant authority to issue citations for municipal infractions or civil zoning violations to the City's Deputy Fire Marshal and Fire Inspector
- **Ordinance No. 2749**- 2nd reading- authorizing the Mayor to enter into a contract with the Community Foundation of the Eastern Shore for the purpose of accepting grant funds in the amount of \$2,500, and to approve a budget amendment to appropriate those grant funds for the Salisbury-Wicomico Integrated Firstcare Team (SWIFT)
- **Ordinance No. 2746**- 1st reading- approving a budget amendment of the FY2023 General Fund Budget and Water and Sewer Fund Budget to appropriate funds to the Operating Budget of the Department of Field Operations and the Operating Budget of the Department of Water Works
- **Ordinance No. 2751**- 1st reading- approving a budget amendment of the FY2023 General Fund Budget to appropriate funds to customize Salisbury Police Department vehicles with proper police equipment
- **Ordinance No. 2752**- 1st reading- approving an amendment to the General Fund Budget reflecting the acceptance of grant funds from the State of Maryland, Governor's Office of Crime Control and Prevention and further appropriating such funds to purchase "EZ Child ID - Complete EZ Turnkey System."
- **Ordinance No. 2753**- 1st reading- authorizing the Mayor to appropriate additional funds for the Paleo Well # 3 project
- **Ordinance No. 2754**- 1st reading- approving an amendment to the General Capital Project Fund Budget to appropriate additional funds required for construction of the Zoo Administration Building
- **Ordinance No. 2755**- 1st reading- approving an amendment of the FY2023 General Fund Budget to appropriate additional funds required for Field Operations

7:05 p.m. PUBLIC COMMENTS

7:10 p.m. ADMINISTRATION and COUNCIL COMMENTS

7:15 p.m. ADJOURNMENT

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

NEXT COUNCIL MEETING – NOVEMBER 14, 2022

- Resolution- Lot 10 settlement
- Resolution No. _ - to appoint Jon Wilson to the Parks & Recreation Committee
- Ordinance No. 2746- 2nd reading- approving a budget amendment of the FY2023 General Fund Budget and Water and Sewer Fund Budget to appropriate funds to the Operating Budget of the Department of Field Operations and the Operating Budget of the Department of Water Works
- Ordinance No. 2751- 2nd reading- approving a budget amendment of the FY2023 General Fund Budget to appropriate funds to customize Salisbury Police Department vehicles with proper police equipment
- Ordinance No. 2752- 2nd reading- approving an amendment to the General Fund Budget reflecting the acceptance of grant funds from the State of Maryland, Governor’s Office of Crime Control and Prevention and further appropriating such funds to purchase “EZ Child ID - Complete EZ Turnkey System.”
- Ordinance No. 2753- 2nd reading- authorizing the Mayor to appropriate additional funds for the Paleo Well # 3 project
- Ordinance No. 2754- 2nd reading- approving an amendment to the General Capital Project Fund Budget to appropriate additional funds required for construction of the Zoo Administration Building
- Ordinance No. 2755- 2nd reading- approving an amendment of the FY2023 General Fund Budget to appropriate additional funds required for Field Operations
- Ordinance No. _ - 1st reading- comprehensive plastic bag reduction
- Ordinance No. _ - 1st reading- budget amendment for NFF and MDFF

Join Zoom Meeting

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

Meeting ID: 881 8617 2560

Phone: 1.301.715.8592

1 CITY OF SALISBURY
2 WORK SESSION
3 SEPTEMBER 6, 2022
4

5 Public Officials Present
6

7 Council President John “Jack” R. Heath Mayor Jacob R. Day
8 Council Vice-President Muir Boda Councilmember Angela M. Blake
9 Councilmember Michele Gregory (via Zoom) Councilmember April Jackson (via Zoom)

10 In Attendance

11 City Administrator Julia Glanz, Deputy City Administrator Andy Kitzrow, Department of
12 Infrastructure & Development (DID) Director Rick Baldwin, City Planner Brian Soper, Fire
13 Chief John Tull, Deputy Chief Chris O’Barsky, City Clerk Kim Nichols, Attorney Ashley
14 Bosche and members of the public.

15 -----
16 On September 6, 2022 the Salisbury City Council convened at 4:30 p.m. in a hybrid Work
17 Session in Conference Room #306 and on Zoom Video Conferencing.

18 **Ordinance to accept Skatepark donation**

19 Deputy City Administrator Andy Kitzrow explained that with the Skatepark Phase 2B, a change
20 order was received that exceeded the allowable budget by \$9,500. The Salisbury Skatepark
21 Committee offered to donate the additional funds. Once the donation was received there
22 would be enough money to fund the final phase of the skatepark.
23
24

25 Council reached unanimous consensus to advance the legislation to legislative agenda.
26

27 **Resolution to close Paper Streets- Johnson Road & Summersgate**

28 City Planner Brian Soper said that Johnson Road and Summersgate were initially deeded
29 to the City as part of a proposed realignment of Johnson Road at the time Summersgate
30 redevelopment was planned. Since it was done, State Highway did not intent to require
31 the City to realign Johnson Road. The City felt they no longer needed to have it. The
32 deeds would transfer the right of ways for Johnson Rd realignment and the unfinished
33 section of Summersgate back to Vantage Point Partners.
34
35

36 Council reached unanimous consensus to advance the legislation to legislative agenda.
37

38 **Ordinance to permit Animal Hospitals in Shopping Centers**

39 Mr. Soper said Banfield Hospital was located within PetSmart but were looking for a
40 new building and found one located within a General Commercial Zoning District.
41 Following staff review the amendment to section 17.212.030 was prepared by the City
42 Attorney. The Planning Commission held a public hearing and forwarded a favorable
43

44 recommendation to the City on July 21, 2022. There was some discussion about the
45 operation of animal hospitals since it has a broad definition in the Zoning Code. Not to
46 be confused with Pets ER, it was why the language was written to prevent overnight care
47 and not to be open 24 hours with outside runs. And it was compatible with other uses in
48 the Shopping Centers.

49
50 Council reached unanimous consensus to advance the ordinance to legislative agenda.

51

52 **Budget Amendment to fund changes for overtime & incentives**

53

54 Deputy Chief Chris O’Barsky said the call volume had increased and itsurpassed the Fire
55 Department’s ability to cover all the calls with just three EMS units. They were changing
56 the response model to try to accommodate the influx of calls. Deputy Chief O’Barsky
57 compared the number of units the City ran to competitive area departments.

58

59 Mr. Boda said the market was very competitive nationwide, and whatever the City could
60 do to help retainment, he would support.

61

62 Ms. Blake asked if the incentives would create compression moving forward and Mayor
63 Day and Mr. Kitzrow said they would not. Ms. Gregory said we had to take care of them.

64

65 President Heath said that public safety was number one and asked out of the 15,000 calls
66 the City had, how many were outside the City’s district and how many Fire Fighters/
67 EMS the City lost over the past two years. Deputy Chief O’Barsky would provide the
68 information. He asked for the time period associated with the \$10,000 bonus and Mr.
69 O’Barsky answered two years.

70

71 Council reached unanimous consensus to advance the ordinance to legislative agenda.

72

73 **Budget Amendment for SFD Station 16 HVAC**

74

75 Deputy Chief O’Barsky explained they added an HVAC unit to the CIP for the Fire
76 House side of Station 16. A Declaration of Official Intent was approved for this project
77 to be funded from a future bond issuance planned for FY2024. Due to rising cost for
78 materials, the quote received was over the approved amount by \$1,120. Based on
79 consultation with the Finance Department, the best solution for the small amount
80 required was to transfer from the Fire Department’s Building Account.

81

82 Council reached unanimous consensus to advance the ordinance to legislative agenda.

83

84 **Charter Amendment Resolution 2022-4 to provide for collective bargaining for**
85 **certain employees of the City of Salisbury**

86

87 City Attorney Ashley Bosche explained the discussion was on Work Session agenda
88 previously and there was consensus to move forward with collective bargaining. There
89 were concerns with binding arbitration, and after meeting and discussing it the Charter

90 Amendment was revised to clarify the City was permitting binding arbitration as defined
91 by the forthcoming Labor Code. This was the first step to collective bargaining and
92 states what the Labor Code would address and not address. It would include a binding
93 arbitration provision defined through the Labor Code.

94
95 Council reached unanimous consensus to advance the charter amendment to legislative
96 agenda.

97
98 **Ordinance to fund construction of the Waterside parking lot**

99
100 Mr. Kitzrow reported the City received a FY2019 Community Parks and Playground Grant for
101 Waterside Park improvements including the construction of a parking lot. Due to increases to
102 labor and materials the award did not cover the total project. The request was to reallocate the
103 FY18 Pay Go funds (Energy Performance Consulting) no longer needed.

104
105 Council reached unanimous consensus to advance the ordinance to legislative agenda.

106
107 **To accept and surplus MTA buses**

108
109 City Administrator Julia Glanz reported the resolution was to officially accept five MTA buses
110 donated by Maryland Transit Administration in 2018. There was an oversight and the City did
111 not formally accept the buses. They were needed to help with the National Folk Festival, but
112 were not financially feasible to be used for transit purposes and were too large for City streets.
113 The resolution was to accept the buses and Council would also be asked to surplus them.

114
115 Council reached unanimous consensus to advance the resolution to legislative agenda.

116
117 **Resolution to adopt the Wicomico County Multi-Hazard Mitigation Plan**

118
119 Ms. Glanz invited Lorenzo Cropper from Wicomico County to the table. Every five years
120 Wicomico County and its municipalities were required to update and adopt the Hazard
121 Mitigation Plan including the Resilience Plan this year. The planning process included the City
122 along with 100 other individuals representing government, residents and businesses. President
123 Heath said the document was done extremely well and was able to attend two of the meetings as
124 an observer. The document itself was extremely detailed for a document of that type.

125
126 Council reached unanimous consensus to advance the resolution to legislative agenda.

127
128 **Adjournment**

129
130 With no further business to discuss, President Heath adjourned the Work Session at 5:07 p.m.
131 Council immediately convened in the previously scheduled Special Meeting.

132
133 _____
134 City Clerk

135
136 _____
137 Council President

CITY OF SALISBURY, MARYLAND

SPECIAL MEETING

SEPTEMBER 6, 2022

PUBLIC OFFICIALS PRESENT

*Council President John “Jack” R. Heath
Council Vice President Muir Boda
Councilwoman Michele Gregory (via Zoom)*

*Mayor Jacob R. Day
Councilwoman Angela M. Blake
Councilwoman April Jackson (via Zoom)*

IN ATTENDANCE

City Administrator Julia Glanz, Deputy City Administrator Andy Kitzrow, City Attorney Ashley Bosche, City Clerk Kimberly Nichols

The City Council convened in a Work Session at 4:30 p.m. At 5:02 p.m. the Work Session adjourned and Council immediately convened in the Special Meeting.

ADOPTION OF LEGISLATIVE AGENDA

Mr. Boda moved, Ms. Jackson seconded, and the vote was unanimous (5-0 vote) to approve the Special Meeting agenda as presented.

ORDINANCES- presented by City Attorney Ashley Bosche

- **Ordinance No. 2735- 1st reading-** to approve a budget amendment of the FY2023 General Fund Budget to appropriate funds to the Salisbury Fire Department's Operating Budget

Ms. Blake moved, Ms. Jackson seconded, and the vote was unanimous (5-0 vote) to approve Ordinance No. 2735 for first reading.

- **Ordinance No. 2736- 1st reading-** approving an amendment of the City's FY2023 Fire Department Budget and the General Capital Project Fund Budget to provide funds for the Fire Station #16 HVAC project

Ms. Jackson moved, Ms. Blake seconded, and the vote was unanimous (5-0 vote) to approve Ordinance No. 2735 for first reading.

ADMINISTRATION and COUNCIL COMMENTS

Mayor Day said nice job to the team and thanked Council's participation in the National Folk Festival. He looked forward to making it the Maryland Folk Festival next year.

Mr. Boda asked about attendance and Mayor Day said the numbers were not out yet. Mr. Boda said he helped out backstage and it was a great time had by all. NC Ribs on Wheels had some

legit NC barbeque and sweet tea. He looked forward to next year's Maryland Folk Festival.

Ms. Jackson said she enjoyed the Folk Festival with her family. A lot of people stopped by the booth and asked many questions. She was thankful for the prayers for her mother, who was improving. She asked everyone to be safe, conscience and kind.

Ms. Blake said the Folk Festival was fantastic. She got some ice cream and it was nice. She said that beginning next week she was taking on another shift at the Counseling Services and needed to see if anyone could help by taking over the Library Committee as Council Representative because their meetings conflicted with her work schedule. The next meeting was October 18 from 4pm to 6pm. She could still do the Human Rights Committee because they started at 6pm. Mr. Heath said someone could switch with her as long as the time matches. If you could help that would be great. It was the first day of school for many students and she was looking forward to having a good year at Choices Academy. Please stop for the school buses. And if you're healthy enough please donate blood.

Ms. Gregory said COVID was still there and has hit her home this week. There's a new booster that's been released to deal with the more recent strains. If you are eligible please get it.

President Heath said that every year he had more fun at the Folk Festival. He echoed Ms. Blake about the blood situation. The COVID rate for Wicomico County was 12.1% only slightly higher than the state.

ADJOURNMENT

With no further business to discuss, the Special Meeting adjourned at 5:22 p.m.

City Clerk

Council President

CITY OF SALISBURY, MARYLAND

REGULAR MEETING

SEPTEMBER 12, 2022

PUBLIC OFFICIALS PRESENT

Council President John “Jack” R. Heath Council Vice-President Muir Boda (Zoom)
Councilwoman Angela M. Blake Councilwoman Michele Gregory (Zoom)
Councilwoman April Jackson

PUBLIC OFFICIALS ABSENT

Mayor Jacob R. Day

IN ATTENDANCE

City Administrator Julia Glanz, Deputy City Administrator Andy Kitzrow, Fire Chief John Tull, Deputy Chief Chris O’Barsky, Procurement Director Jennifer Miller, Executive Administrative Assistant Jessie Turner, City Attorney Ashley Bosche, City Clerk Kimberly Nichols, and members of the public

CITY INVOCATION – PLEDGE OF ALLEGIANCE

The City Council met in regular session at 6:00 p.m. via Zoom and in person. Council President John R. “Jack” Heath called the meeting to order. After the recital of the pledge to the flag, Reverend John Wright of the Unitarian Universalist Fellowship provided the invocation.

PROCLAMATION- City Administrator Julia Glanz

National Sickle Cell Disease Awareness Month

City Administrator Julia Glanz presented the National Sickle Cell Disease Awareness Month proclamation. The disease refers to a group of inherited disorders in which a person’s body produces abnormally shaped red blood cells that resemble a sickle and do not last as long as normal round red blood cells causing severe pain, serious infection, and organ damage. Any organ can be affected and patients experience many severe complications including stroke, infections, and pulmonary embolism, and have a shorter life expectancy than normal. This disorder affects approximately 100,000 primarily African-Americans and Hispanic-Americans. On behalf of Mayor Day, Ms. Glanz invited all citizens to learn more about Sickle Cell Disease and how they could support efforts to find a cure.

ADOPTION OF LEGISLATIVE AGENDA

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

CONSENT AGENDA- presented by City Clerk Kimberly Nichols

48
49 *The consent agenda, consisting of the following items, was unanimously approved (5-0 vote) on*
50 *a motion and seconded by Mr. Boda and Ms. Blake, respectively:*

- 51
- **August 1, 2022** *Closed Session Minutes (separate email)*
 - **August 8, 2022** *Legislative Session Minutes*
 - **August 15, 2022** *Work Session Minutes*
 - **August 22, 2022** *Legislative Session Minutes*

52
53 **AWARD OF BIDS-** *presented by Procurement Director Jennifer Miller*

54
55 *Ms. Blake moved and Ms. Jackson seconded to approve the Award of Bids. Mr. Boda motioned*
56 *amend the Award of Bids by striking the surplus of the duty weapon from the agenda.*

57
58 *The Award of Bids, as amended, was approved by unanimous vote in favor.*

59
Award of Bid(s)

- *ITB 23-109 SFD #16 HVAC Replacement*

Declaration of Surplus

- *Salisbury Police Department*
 - a. Fine Jewelry*
 - b. Bicycles*
- *Department of Field Operations- New Flyer mass transit buses*

60
61 **RESOLUTIONS-** *presented by City Administrator Julia Glanz*

- 62
- **Resolution No. 3184-** *accepting five, 40-foot Maryland Transit Administration buses*

Mr. Boda moved, Ms. Jackson seconded, and the vote was unanimous to approve Resolution No. 3184.

- **Resolution No. 3185-** *adopting the Wicomico County Hazard Mitigation & Resilience plan*

Ms. Jackson moved, Ms. Blake seconded, and the vote was unanimous to approve Resolution No. 3185.

- **Resolution No. 3186-** *to authorize the Mayor to enter into, on behalf of the City of Salisbury, a deed for the abandonment of an unimproved Paper Road and a corresponding easement*

Ms. Blake moved, Ms. Jackson seconded, and the vote was unanimous to approve Resolution No. 3186.

- **Resolution No. 3187-** *to authorize the Mayor to enter into, on behalf of the City of Salisbury, a deed for the abandonment of an unimproved Paper Road*

Ms. Jackson moved, Ms. Gregory seconded, and the vote was unanimous to approve Resolution No. 3187.

- **Resolution No. 3188-** *making a Declaration Of Official Intent regarding City of Salisbury's reasonable expectation to reimburse from proceeds of a future borrowing project expenditures*

made in connection with two separate projects generally identified as Townsquare and Downtown Street Scaping

Ms. Blake moved, Mr. Boda seconded, and the vote was unanimous to approve Resolution No. 3188.

PUBLIC HEARING- *City Administrator Julia Glanz*

- **CHARTER AMENDMENT RESOLUTION NO. 2022-4-** *to amend the Charter of the City of Salisbury, MD by adding Article XXIII to provide for Collective Bargaining*

Mr. Boda moved and Ms. Jackson seconded to approve Charter Amendment Resolution (CAR) No. 2022-4. Ms. Glanz then presented the CAR.

President Heath opened the Public Hearing at 6:29 p.m. and as no one requested to speak, immediately closed the Public Hearing.

Charter Amendment Resolution No. 2022-4 was then approved by unanimous vote in favor.

ORDINANCES

- **Ordinance No. 2735-** *2nd reading- to approve a budget amendment of the FY2023 General Fund Budget to appropriate funds to the Salisbury Fire Department's Operating Budget*

Ms. Jackson moved, Ms. Blake seconded, and the vote was unanimous to approve Ordinance No. 2735 for second reading.

- **Ordinance No. 2736-** *2nd reading- approving an amendment of the City's FY2023 Fire Department's Budget and the General Capital Project Fund Budget to provide funds for the Fire Station #16 HVAC project*

Ms. Jackson moved, Mr. Boda seconded, and the vote was unanimous to approve Ordinance No. 2736 for second reading.

- **Ordinance No. 2737- 1st reading-** *amending Section 17.212.030 of the Salisbury City Code to add Animal Hospitals to the category of uses permitted in Shopping Centers*

Mr. Boda moved, Ms. Jackson seconded, and the vote was unanimous to approve Ordinance N 2737 for first reading.

- **Ordinance No. 2738- 1st reading-** *approving an amendment of the City's General Capital Project Fund Budget to provide funds for the Waterside Parking Lot Project*

Ms. Jackson moved, Ms. Gregory seconded, and the vote was unanimous to approve Ordinance No. 2738 for first reading.

- **Ordinance No. 2739- 1st reading-** *to accept a donation in the amount of \$9,500 from the Salisbury Skatepark Committee, Inc. and to simultaneously approve a budget amendment to the Grant Fund Budget to appropriate these funds for eligible expenses associated with the construction of Phase 2b of the Salisbury Skatepark*

Ms. Blake moved, Ms. Jackson seconded, and the vote was unanimous to approve Ordinance No. 2739 for first reading.

63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100
101
102
103
104
105
106
107
108

PUBLIC COMMENTS

There were no requests for public comments.

ADMINISTRATION AND COUNCIL COMMENTS

Ms. Blake said that Salisbury University offered Macro in Social Work now. She introduced her intern Ms. Monica Chase. She would be working and attending future meetings.

Vice-President Boda announced that on September 27, 2022 at 5:00 p.m. the City was holding the “Stam Slam” at the Skate Park and would be doing groundbreaking for Phase III of the Skate Park.

Ms. Gregory announced there would be a free bulk pick up for City residents coming up at the end of the month. Check the Facebook page and get on the list.

Ms. Glanz thanked Council for recognizing “Stam Slam.” On September 13, 2022 the Company Palette would be on site at the Anne Street Village to erect each of the units. The public was welcome to observe. Next Tuesday, September 20th the City planned a Neighborhood Walk in the Church Street Neighborhood for the purpose of educating the community on Anne Street Village. The new booster was available and clinics were being conducted on Mondays and Wednesdays.

President Heath asked those healthy enough to please give blood as the community was still low.

ADJOURNMENT

With no further business to discuss, the meeting adjourned at 6:49 p.m.

MOTION TO CONVENE IN CLOSED SESSION

President Heath called for a motion to convene in Closed Session under the authority of the Maryland Open Meetings Law, Annotated Code of Maryland General Provisions Article § 3-305(b)(7)(8). Ms. Jackson moved, Ms. Gregory seconded, and the vote was unanimous to convene in Closed Session.

ADJOURN IN OPEN SESSION / REPORT TO PUBLIC

At 7:12 p.m. Council reconvened in Open Session and President Heath reported that Council had just come out of Closed Session for the purpose of Council obtaining legal advice on a legal matter. The Open Session was then immediately adjourned.

City Clerk

Council President

CITY OF SALISBURY
WORK SESSION
SEPTEMBER 19, 2022

Public Officials Present

Council President John “Jack” R. Heath
Council Vice-President Muir Boda
Councilwoman April Jackson

Mayor Jacob R. Day
Councilwoman Angela M. Blake
Councilwoman Michele Gregory

In Attendance

Infrastructure and Development Director Rick Baldwin, Field Operations Director Jana Potvin, Housing and Community Development Director Ron Strickler, Assistant City Clerk Julie English, Attorney Ashley Bosche, and members of the public.

On September 19, 2022 the Salisbury City Council convened at 4:30 p.m. in a hybrid Work Session in Council Chambers and on Zoom Conferencing Video.

Budget Amendment to appropriate additional funds for fuel and emergency repairs at the Marina

Field Operations Director Jana Potvin explained the need for additional fuel funds in the Marina budget to keep up with inflation. She projected an increase of \$10,000 would allow the Marina to operate through the rest of the current fiscal year. She also requested an additional \$10,000 to cover the water service. Ms. Potvin was hopeful that the money would cover the fuel for the remainder of the fiscal year. She responded to a question by Mr. Boda that they would use the City’s current contractor for the work on the sidewalk.

Mayor Day clarified that the good news and bad news was when expenses rise there was revenue associated with it for fuel and it is a budgeting challenge; however, the City remained the only consistent destination for getting fuel on the Wicomico River.

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

Resolution to execute a Quit Claim Deed with respect to Victoria Park Drive

Infrastructure and Development Director Rick Baldwin shared a request from Jason Malone of JM Holdings, LLC for a Quit Claim Deed associated with Victoria Park Drive. It would transfer the cul-de-sac to Mr. Malone to allow for the development of a complete street through West Street and then it would be transferred back to the City.

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

Budget Amendment for additional funds to construct the Street Scaping Division Circle project

44
45 Mr. Baldwin explained that additional funds were needed to get the Townsquare portion
46 of the Circle and Division project put out for bid. The original funding was \$1.7 million
47 and in the FY23 CIP there was \$900,000. This amendment would move a total of
48 \$533,000 of unused funds from the Main Street project account and the Urban Greenway
49 project account. With the additional funds, the total construction costs would be an
50 estimated 3.2 million dollars.

51
52 At President Heath's request, Mr. Baldwin explained that Townsquare would be located
53 at the top portion of Lot 1 directly across from the parking deck. It would go down to the
54 canopy of the Gateway building.

55
56 Mr. Boda noted that this was an example of how well past projects were managed that it
57 allowed the remaining funds to be used on current projects.

58
59 Mayor Day acknowledged the Eastern Shore Delegation and Governor Hogan for
60 contributing to the projects mentioned above.

61
62 President Heath stated it was good to see tax dollars coming back to the Eastern Shore of
63 Maryland.

64
65 Council reached unanimous consensus to advance the legislation to legislative agenda.
66

67 **Ordinance to accept grant funds for the Homeless Services Case Specialist Position**

68
69 Housing and Community Development Director Ron Strickler addressed Council to
70 accept funds from a Community Block Grant through the Wicomico County Local
71 Behavioral Health Authority. The funds, in the amount of \$45,244, would be used to
72 support the current position of Case Specialist and be transferred into a FY23 account.
73

74 Mr. Strickler shared that the target date to open Anne Street Village was the end of
75 October.

76
77 Council reached unanimous consensus to advance the legislation to legislative agenda.
78

79 **Ordinance to amend Chapter 2.04 of the Salisbury City Code entitled "Ethics"**

80
81 City Attorney Ashley Bosche briefed Council on the Ethics Code amendment. After
82 meeting with the City of Salisbury Ethics Commission and receiving preliminary
83 approval from the Maryland State Ethics Commission, she presented the ordinance with
84 amendments to Chapter 2.04 of the Salisbury City Code. The primary changes included
85 the addition of prevention of the use of retaliation tactics if someone were to file a
86 complaint, as well as tidying up lobbying, gifts, and disclosures.

87
88 Ms. Bosche confirmed that she was working on updating the current financial disclosure
89 form to reflect changes made to the code.

90
91 Ms. Bosche shared the City of Salisbury’s Ethics Commission’s request to have a public
92 informative session and President Heath requested a presentation be made at a future
93 meeting to better inform the Council and the public.

94
95 Council reached unanimous consensus to advance the ordinance to legislative agenda.

96
97 **Administration and Council Comments**

98
99 Mayor Day expressed his appreciation to the Council members, staff, and volunteers who
100 came out to the community build and noted that there would be more opportunities for
101 volunteers to assist.

102
103 Mr. Boda said he stopped by Anne Street over the weekend and was pleased with
104 everything. He encouraged everyone to keep their dogs on a leash as some people have
105 had their animals attacked by unleashed dogs. Not leashing your dog puts them in danger
106 of being struck by a car. Lastly, he asked that people would pick up after their dogs.

107
108 Ms. Jackson apologized for not making it out to the build; she hadn’t been feeling well.
109 She concurred with Mr. Boda that in the downtown area people were not picking up after
110 their dogs. She also asked for continued prayers for her mother as she was still not well.

111
112 Ms. Blake asked for anyone who was healthy enough to please donate blood.

113
114 Ms. Gregory was amazed at how many people showed up to assist with the Anne Street
115 project. She encouraged everyone to go get the booster that was available.

116
117 President Heath added that you could register online with Wicomico County Health
118 Department on Monday, Wednesday, and Friday for the booster. He seconded Ms. Blake
119 as the blood supply was not where it should be and asked those that could to give blood.
120 He shared his experience at Anne Street and was pleased to see that community members
121 felt the same. The project made it easier for those needing an address to find a job.

122
123 Ms. Jackson asked the parents of underaged children riding BIRD scooters to pay
124 attention to what their children were doing. She pleaded for parents not to give them
125 permission to ride these scooters as that would set a trap for them.

126
127 **Adjournment/Convene in Special Meeting**

128
129 With no further business to discuss, President Heath adjourned the Work Session at 4:55 p.m.
130 and Council immediately convened in the Special Meeting.

131
132 _____
133 City Clerk

134
135 _____
136 Council President

CITY OF SALISBURY, MARYLAND

SPECIAL MEETING

SEPTEMBER 19, 2022

PUBLIC OFFICIALS PRESENT

*Council President John “Jack” R. Heath
Council Vice President Muir Boda
Councilwoman Angela M. Blake*

*Mayor Jacob R. Day
Councilwoman April Jackson
Councilwoman Michele Gregory*

IN ATTENDANCE

City Attorney Ashley Bosche and Assistant City Clerk Julie English

The City Council convened in a Work Session at 4:30 p.m. At 4:55 p.m. the Work Session adjourned and Council immediately convened in the Special Meeting.

ADOPTION OF LEGISLATIVE AGENDA

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

ORDINANCE- *presented by City Attorney Ashley Bosche*

- **Ordinance No. 2740- 1st reading-** *approving a budget amendment to appropriate funds for the construction of the Street Scaping Division Circle project*

Mr. Boda moved, Ms. Jackson seconded, and the vote was unanimous (5-0 vote) to approve Ordinance No. 2740 for first reading.

- **Ordinance No. 2741- 1st reading-** *amending Chapter 2.04 of the Salisbury City Code entitled “Ethics” for the purpose of incorporating amendments enacted by the Maryland General Assembly*

Ms. Jackson moved, Ms. Gregory seconded, and the vote was unanimous (5-0 vote) to approve Ordinance No. 2741 for first reading.

ADJOURNMENT

With no further business to discuss, the Special Meeting adjourned at 5:05 p.m.

City Clerk

Council President

1 **CITY OF SALISBURY, MARYLAND**

2
3 **REGULAR MEETING**

SEPTEMBER 26, 2022

4
5 **PUBLIC OFFICIALS PRESENT**

6
7 Council President John “Jack” R. Heath Mayor Jacob R. Day
8 Council Vice-President Muir Boda (Zoom) Councilwoman Angela M. Blake
9 Councilwoman Michele Gregory Councilwoman April Jackson

10
11 **IN ATTENDANCE**

12
13 City Administrator Julia Glanz, Deputy City Administrator Andy Kitzrow, Field Operations
14 Director Jana Potvin, Contract Specialist Michael Lowe, Master Police Officer Barry Tucker,
15 Housing and Community Development Director Ron Strickler, Executive Administrative
16 Assistant Jessica Turner, Mayor’s Office Intern Ayotomiwa “Tommy” Fashola, City Attorney
17 Ashley Bosche, Assistant City Clerk Julie English, and members of the public
18 *****

19 **CITY INVOCATION – PLEDGE OF ALLEGIANCE**

20
21 The City Council met in regular session at 6:00 p.m. via Zoom and in person. Council President
22 John R. “Jack” Heath called the meeting to order. After the recital of the pledge to the flag, Rev.
23 Anthony Dickerson of the Greater Mt. Olive Full Gospel Baptist Church provided the invocation.
24

25 **ADOPTION OF LEGISLATIVE AGENDA**

26
27 Ms. Jackson moved, Ms. Gregory seconded, and the vote was unanimous (5-0) to approve the
28 legislative agenda as presented.
29

30 **AWARD OF BIDS-** presented by Contract Specialist Michael Lowe

31
32 The following items were unanimously approved on a motion and seconded by Ms. Jackson and
33 Ms. Blake, respectfully:
34

- 35 • ITB 23-101 SPD Ford Police Interceptor Utility Vehicles \$439,740.00
- 36 • Declarations of Surplus- SPD Lawn Equipment and Bicycles

37
38 After a question from Ms. Jackson, Ms. Glanz responded that there were several shelters the City
39 worked with to donate surplus bicycles. There were homeless and cold weather shelters along
40 with Parkside High School students who would repair the bicycles before distribution.
41

42 Mr. Boda asked for a timeframe for delivery of the police vehicles. Mr. Lowe explained that they
43 were planned for February 2023 production, so delivery was estimated to be Spring of 2023.
44

45 **RESOLUTION-** presented by City Administrator Julia Glanz

- 46 • **Resolution No. 3189-** to execute a Quit Claim Deed with respect to Victoria Park Drive

48
49 *Ms. Jackson moved, Ms. Gregory seconded, and the vote was unanimous to approve*
50 *Resolution No. 3189.*

51
52 **PUBLIC HEARINGS-** *presented by City Attorney Ashley Bosche*
53 **Ordinance No. 2734-** *permitting townhouse development in General Commercial districts*

54
55 *Ms. Gregory moved and Ms. Jackson seconded to approve Ordinance No. 2734.*

56
57 *City Attorney Ashley Bosche presented Ordinance No. 2734.*

58
59 *President Heath invited anyone wishing to speak during either of the public hearings to please*
60 *stand and be sworn in by Assistant City Clerk Julie English. One person was sworn in.*

61
62 *At 6:11 p.m. President Heath opened the Public Hearing. Having no comments, President Heath*
63 *closed the hearing at 6:13 p.m.*

64
65 *Ordinance No. 2734 was approved by unanimous vote in favor.*

66
67 **Ordinance No. 2737-** *amending Section 17.212.030 of the Salisbury City Code to add Animal*
68 *Hospitals to the category of uses permitted in shopping centers*

69
70 *Ms. Blake moved and Mr. Boda seconded to approve Ordinance No. 2737.*

71
72 *City Attorney Ashley Bosche presented Ordinance No. 2737.*

73
74 *At 6:14 p.m. President Heath opened the Public Hearing. He asked if anyone wished to speak on*
75 *this topic. One person approached the podium and shared that his client requested the text*
76 *amendment. He was available to answer any questions and added that his client operated during*
77 *normal business hours and did not participate in overnight boarding or 24-hour emergency care.*
78 *This mirrored other businesses permitted to operate in shopping centers.*

79
80 *Having no further comments or questions from the Council, President Heath closed the Public*
81 *Hearing at 6:16 p.m.*

82
83 *Ordinance No. 2737 was approved by unanimous vote in favor.*

84
85 **ORDINANCES-** *presented by City Attorney Ashley Bosche*

- 86
87 • **Ordinance No. 2738-** *2nd reading- approving an amendment of the City's General Capital*
88 *Project Fund Budget to provide funds for the Waterside Parking Lot Project*

89
90 *Ms. Jackson moved, Ms. Blake seconded, and the vote was unanimous to approve Ordinance*
91 *No. 2738 for second reading.*

- 92
93 • **Ordinance No. 2739-** *2nd reading- to accept a donation in the amount of \$9,500 from the*
94 *Salisbury Skatepark Committee, Inc. and to simultaneously approve a budget amendment to*

95 *the Grant Fund Budget to appropriate these funds for eligible expenses associated with the*
96 *construction of Phase 2b of the Salisbury Skatepark*

97
98 *Ms. Blake moved, Ms. Gregory seconded, and the vote was unanimous to approve*
99 *Ordinance No. 2739 for second reading.*

- 100
101 • **Ordinance No. 2740**- *2nd reading- budget amendment to appropriate additional funds for*
102 *the construction of the Street Scaping Division Circle project*

103
104 *Ms. Gregory moved, Ms. Jackson seconded, and the vote was unanimous to approve*
105 *Ordinance No. 2740 for second reading.*

- 106
107 • **Ordinance No. 2741**- *2nd reading- amending Chapter 2.04 of the Salisbury City Code*
108 *entitled “Ethics” for the purpose of incorporating amendments enacted by the Maryland*
109 *General Assembly*

110
111 *Ms. Jackson moved, Ms. Gregory seconded, and the vote was unanimous to approve*
112 *Ordinance No. 2741 for second reading.*

- 113
114 • **Ordinance No. 2742**- *1st reading- budget amendment to appropriate additional funds for*
115 *fuel and emergency repairs at the Marina*

116
117 *Ms. Jackson moved, Ms. Gregory seconded, and the vote was unanimous to approve*
118 *Ordinance No. 2742 for first reading.*

- 119
120 • **Ordinance No. 2743**- *1st reading- accepting grant funds for the Homeless Services Case*
121 *Specialist Position*

122
123 *Ms. Blake moved, Ms. Jackson seconded, and the vote was unanimous to approve Ordinance*
124 *No. 2743 for first reading.*

125
126 **PUBLIC COMMENTS**

127
128 *There were no requests for public comments.*

129
130 **ADMINISTRATION AND COUNCIL COMMENTS**

131
132 *Mayor Day pointed out that the current Mayor’s Office intern, Ayotomiwa “Tommy” Fashola, was*
133 *in attendance at the meeting and thanked her. He encouraged everyone to attend Stam Slam to*
134 *acknowledge retired employee Deborah Stam for all her work with the Skatepark.*

135
136 *Mr. Boda shared that he had been out and about in the city, talked with people and addressed*
137 *concerns.*

138
139 *Ms. Jackson reiterated that there are still underage riders on the scooters. She stated the parents*
140 *and guardians were responsible for what happened to them. She also sent condolences to the*

141 *Joynes family for the loss of their 15 year old son. Ms. Jackson reminded everyone that Covid was*
142 *still here and encouraged them to get their booster.*

143
144 *Ms. Blake addressed a letter than City Council received from Mr. Sarbanes regarding the condition*
145 *of Schumaker Pond.*

146
147 *Mayor Day responded that the City of Salisbury already met with those involved and all were in*
148 *agreement to address the issue except for Wicomico County. Mayor Day encouraged Mr. Sarbanes*
149 *to focus his efforts on the County.*

150
151 *Ms. Blake added that, for the second time, she was able to donate blood and encouraged all who*
152 *were healthy enough to do the same. She informed everyone that one pint of blood was enough to*
153 *help two to three people.*

154
155 *Ms. Gregory reiterated that the new booster was out and encouraged all to get it. She shared that at*
156 *noon on October 8th there would be an event to repaint the rainbow crosswalk.*

157
158 *President Heath echoed what Ms. Blake shared about the desperate need for blood and encouraged*
159 *those who are healthy enough to please give blood.*

160
161 **ADJOURNMENT**

162
163 *With no further business to discuss, the meeting adjourned at 6:37 p.m.*

164
165
166 _____
167 *City Clerk*

168
169 _____
Council President



MEMORANDUM

To: Jacob R. Day, Mayor
From: Jessie Turner, Administrative Assistant
Subject: Appointment to the Youth Development Advisory Committee
Date: October 7, 2022

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

<u>Name</u>	<u>Term Ending</u>
Thashana McKinney	October 2025

Attached is the applicant's information 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
JRD

1 **RESOLUTION NO. 3195**

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

6
7

<u>Name</u>	<u>Term Ending</u>
8 Thashana McKinney	9 October 2025

10
11
12 THE ABOVE RESOLUTION was introduced and duly passed at a meeting of the
13 Council of the City of Salisbury, Maryland held on October _____, 2022.

14 ATTEST:

15
16
17
18 _____
19 Kimberly R. Nichols
20 CITY CLERK

John R. Heath
PRESIDENT, City Council

21
22
23 APPROVED BY ME THIS

24
25 _____ day of _____, 2022

26
27
28 _____
29 Jacob R. Day, Mayor

INTER

OFFICE

MEMO

To: City Council
From: Laura Soper
Subject: Enterprise Zone Eligibility – Westwood Acquisition Partners
Date: October 19, 2022

Attached is a copy of the application requesting Enterprise Zone designation for Westwood Acquisition Partners that I received from Matthew Leone. I have reviewed this application and, to the best of my knowledge, this establishment meets all of the qualifications to be so designated. This property is located within the boundaries of the City's Enterprise Zone, and this company has invested more than \$50,000 in the property and/or has hired (or will hire) two or more NEW full time employees since locating in the Enterprise Zone.

I recommend that the City Council adopt the attached resolution designating Westwood Acquisition Partners located at 1865 West Road, eligible to receive the benefits of the Enterprise Zone.

As a reminder, companies that are declared eligible for enterprise zone benefits are able to receive either a one time Income Tax Credit of \$1,000 per new employee hired or a 10 year Property Tax Credit. The purpose of this program is to encourage industries to locate in areas identified as enterprise zones and to reinvest in such properties.

Attachments

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52

RESOLUTION NO. 3196

**A RESOLUTION OF THE CITY OF SALISBURY, MARYLAND DECLARING
Westwood Acquisition Partners ELIGIBLE TO RECEIVE ENTERPRISE ZONE
BENEFITS FOR PROPERTY LOCATED AT 1865 West Road, SALISBURY, MD.**

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

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

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

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

WHEREAS, Westwood Acquisition Partners meets the standards set forth in the Maryland Code and in local regulations to be eligible to receive Enterprise Zone benefits; and

WHEREAS, Westwood Acquisition Partners has requested that the company be designated as eligible for Enterprise Zone benefits because of its investment of more than \$50,000 in the property located in the Enterprise Zone at 1865 West Road Salisbury, MD and/or for hiring two or more new full-time employees.

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

Section 1. Westwood Acquisition Partners shall be designated as eligible to receive the benefits of the Enterprise Zone effective upon the adoption of this Resolution.

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

Section 3. It is further the intention of the Mayor and 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 4. The recitals set forth hereinabove are incorporated into this section of the Ordinance as if such recitals were specifically set forth at length in this Section 4.

THE ABOVE RESOLUTION was introduced and read and passed at the regular meeting of the Council of the City of Salisbury held on this ____ day of _____, 2022 and is to become effective immediately upon adoption.

ATTEST:

Kimberly R. Nichols, City Clerk

John R. Heath, City Council President

1 Approved by me, this _____ day of _____, 2022.

2

3

4

5

6

Jacob R. Day, Mayor

7

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

ORDINANCE NO. 2744

**AN ORDINANCE OF THE CITY OF SALISBURY APPROVING AN
AMENDMENT OF THE CITY'S FY2023 GENERAL FUND BUDGET TO
PROVIDE FUNDS FOR RED LIGHT CAMERA ADMINISTRATION.**

WHEREAS, the City of Salisbury recently determined participation in a Red-Light Camera program will enhance public safety by reducing the risk of motor vehicle and pedestrian collisions; and

WHEREAS, the City estimates \$239,000 in administrative fees will be incurred in fiscal year 2023 as a result of the Red-Light Camera program, which will be covered by revenue from the Program; and

WHEREAS, the City estimates it will receive \$75.00 for every citation paid by the violator of which the City will incur \$26.50 in administration costs and retain \$48.50 as revenue, which will be used to further enhance public safety measures in the city of Salisbury; and

WHEREAS, the appropriations necessary to execute the purpose of the \$239,000 estimated funds, as provided hereinabove, 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 ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND, as follows:

Section 1. Mayor Jacob R. Day is hereby authorized to appropriate funds in the General Fund in the amount of \$239,000.

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

Section 2. The City of Salisbury's FY23 General Fund Budget be and hereby is amended as follows:

Increase Decrease	Account Type	Project Description	Account Description	Account	Amount
Increase	Revenue	None	Red Light Camera Fines	01000-469810	239,000
Increase	Expense	None	Red Light Camera Admin.	90500-502045	239,000

33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48

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

Section 3. It is the intention of the Mayor and Council of the City of Salisbury that each provision of this Ordinance shall be deemed independent of all other provisions herein.

Section 4. It is further the intention of the Mayor and Council of the City of Salisbury that if any section, paragraph, subsection, clause or provision of this Ordinance 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 Ordinance shall remain and shall be deemed valid and enforceable.

Section 5. The recitals set forth hereinabove are incorporated into this section of the Ordinance as if such recitals were specifically set forth at length in this Section 5.

Section 6. 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 Mayor and Council of the City of Salisbury held on the 10th day of October, 2022 and thereafter, a statement of the substance of the Ordinance

49 having been published as required by law, in the meantime, was finally passed by the Council of the City
50 of Salisbury on the 24th day of October, 2022.

51

52 **ATTEST:**

53

54

55

56

57 _____
58 **Kimberly R. Nichols, City Clerk**

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

59

60 Approved by me, this _____ day of _____, 2022.

61

62

63

64

65 _____
66 **Jacob R. Day, Mayor**

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51

ORDINANCE NO. 2745

AN ORDINANCE OF THE CITY OF SALISBURY APPROVING AN AMENDMENT TO THE GENERAL FUND BUDGET REFLECTING THE ACCEPTANCE OF GRANT FUNDS FROM THE WICOMICO COUNTY CIRCUIT COURT AND FURTHER APPROPRIATING FUNDS FOR OVERTIME PAY OF OFFICERS OF THE SALISBURY POLICE DEPARTMENT.

WHEREAS, the Wicomico County Circuit Court through the FY23 Office of Problem Solving Courts Discretionary Grant Adult Drug Court program (“**Drug Court**”) has awarded grant funds in the amount of Five Thousand Dollars (\$5,000.00) to be allocated to overtime pay for officers of the Salisbury Police Department (“**SPD**”); and

WHEREAS, in accordance with past practices, the City of Salisbury (the “**City**”) will provide a partial match of funds in the amount of Four Thousand Four Hundred Dollars (\$4,400.00) to cover the cost of the fringe amounts associated with the increased officer pay, including but not limited to FICA, workers compensation, retirement, health and life insurance contributions; and

WHEREAS, the City has surplus funds available in current year operating accounts to accomplish this partial grant match; and

WHEREAS, the combined grant and matching funds in the amount of Nine Thousand Four Hundred Dollars (\$9,400.00) of overtime pay and fringe benefits will be used for officers conducting curfew and contract compliance checks on Drug Court participants, in efforts to reduce the number of repeat drug crimes committed by addicted drug offenders and to increase the completion percentage of those who are court ordered into substance abuse treatment; and

WHEREAS, the use of the overtime pay will further provide for effective court supervision and return repeat offenders to the community as productive law-abiding citizens; 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 ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND, as follows:

Section 1. The City of Salisbury’s Grant Fund Budget be and hereby is amended as follows:

- 1) Increase Circuit Court Revenue budget 10500-424350-xxxxx by \$5,000
- 2) Increase City Grant Match Revenue budget 10500-499000-xxxxx by \$4,400
- 3) Increase Overtime Salary Expense budget 10500-501021-xxxxx by \$5,000
- 4) Increase Various Fringe Expense Budgets 10500-5020xx-xxxxx by \$4,400

Section 2. The City of Salisbury’s FY23 General Fund Budget be and hereby is amended as follows:

- 1) Increase Revenue 01000-469810 Use of Surplus by \$4,400
- 2) Increase Expense 91001-599121 Grant Match Police Department by \$4,400

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

52 **Section 3.** It is the intention of the Mayor and Council of the City of Salisbury that each provision
53 of this Ordinance shall be deemed independent of all other provisions herein.

54 **Section 4.** It is further the intention of the Mayor and Council of the City of Salisbury that if any
55 section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged invalid,
56 unconstitutional or otherwise unenforceable under applicable Maryland or federal law, such adjudication
57 shall apply only to the section, paragraph, subsection, clause or provision so adjudged and all other
58 provisions of this Ordinance shall remain and shall be deemed valid and enforceable.

59 **Section 5.** The recitals set forth hereinabove are incorporated into this section of the Ordinance as
60 if such recitals were specifically set forth at length in this Section 5.

61 **Section 6.** This Ordinance shall take effect from and after the date of its final passage.
62
63

64 **THIS ORDINANCE** was introduced and read at a Meeting of the Mayor and Council of the City
65 of Salisbury held on the 10th day of October, 2022 and thereafter, a statement of the substance of the
66 Ordinance having been published as required by law, in the meantime, was finally passed by the Council
67 of the City of Salisbury on the 24th day of October, 2022.
68

69
70 **ATTEST:**
71

72
73
74 _____
75 **Kimberly R. Nichols, City Clerk**

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

76
77
78 Approved by me, this _____ day of _____, 2022.
79

80
81
82 _____
83 **Jacob R. Day, Mayor**
84
85

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48

ORDINANCE NO. 2747

AN ORDINANCE OF THE CITY OF SALISBURY APPROVING A BUDGET AMENDMENT OF THE FY2023 GENERAL FUND BUDGET TO APPROPRIATE FUNDS TO THE SALISBURY FIRE DEPARTMENT'S OPERATING BUDGET.

WHEREAS, the City has declared a 2012 International Terrastar Horton Ambulance as surplus and the vehicle has been sold at auction: and

WHEREAS, this vehicle was operated by the Salisbury Fire Department; and

WHEREAS, the City has received a total of \$17,205.00 from the proceeds generated from the auction sale and placed the funds in the City General Fund; and

WHEREAS, the Fire Department has use for the funds received and requests that the funds of \$17,205.00 be reallocated to the Fire Department Operating Budget for FY2023; and

WHEREAS, the budget amendment as provided herein 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 ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND, as follows:

Section 1. The City of Salisbury's Fiscal Year 2023 General Fund Budget be and is hereby amended as follows:

(a) Increase the Sale of Fixed Assets Account (01000-469200) by \$17,205.00

(b) Increase the Salisbury Fire Department's Building Account (24035-534301) by \$17,205.00

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

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

Section 3. It is further the intention of the Mayor and Council of the City of Salisbury that if any section, paragraph, subsection, clause or provision of this Ordinance 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 Ordinance shall remain and shall be deemed valid and enforceable.

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

Section 5. 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 Mayor and Council of the City of Salisbury held on the 10th day of October, 2022 and thereafter, a statement of the substance of the Ordinance having been published as required by law, in the meantime, was finally passed by the Council of the City of Salisbury on the 24th day of October, 2022.

[THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK]

[SIGNATURES APPEAR ON THE PAGE THAT FOLLOWS]

ATTEST:

49
50
51
52
53
54
55
56
57
58
59
60
61

Kimberly R. Nichols, City Clerk

John R. Heath, City Council President

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

Jacob R. Day, Mayor

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44

ORDINANCE NO. 2748

AN ORDINANCE OF THE CITY OF SALISBURY TO AMEND CHAPTER 1.16 OF THE SALISBURY CITY CODE, ENTITLED “INFRACTIONS AND CIVIL ZONING VIOLATIONS”, TO GRANT AUTHORITY TO ISSUE CITATIONS FOR MUNICIPAL INFRACTIONS OR CIVIL ZONING VIOLATIONS TO THE CITY’S DEPUTY FIRE MARSHAL AND FIRE INSPECTOR.

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

WHEREAS, the City of Salisbury has adopted the State Fire Prevention Code subject to local amendments; and

WHEREAS, the City of Salisbury employs a Deputy Fire Marshal and Fire Inspector to enforce the City Fire Prevention Code; and

WHEREAS, the City of Salisbury desires to amend Chapter 1.16.100 of the Salisbury City Code for the purpose of granting the authority to issue citations for municipal infractions or civil zoning violations to the City Deputy Fire Marshal and to Fire Inspector.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND, as follows:

Section 1. Chapter 1.16 of the Salisbury City Code, entitled “Infractions and Civil Zoning Violations”, be and is hereby amended by repealing the crossed-out language and adding the bolded and underlined language as follows:

Chapter 1.16 - INFRACTIONS AND CIVIL ZONING VIOLATIONS

1.16.100 - Waiver of fines—Authority to issue citations—Violations and penalties—Repealer.

- A. Those directors of departments authorized to administer and enforce this chapter have the privilege to waive any fine contained herein not imposed by any court if it can be established by uncontroverted evidence that the citation for the offense was issued erroneously.
- B. The following persons shall have the authority to issue citations for municipal infractions or civil zoning violations:
1. Director of the department of Infrastructure and Development and any designee of the Director;
 2. Director of the Housing and Community Development Department and any designee of the Director;
 3. Director of the department of Water Works and any designee of the Director;
 4. Housing supervisor;
 5. Building inspector;
 6. Housing inspector;
 7. Zoning administrator;
 8. Plan examiner;
 9. Plumbing inspector;
 10. All city police officers;
 11. Director of the Department of Field Operations and any designee of the Director;
 12. Traffic superintendent;

- 13. Operations and maintenance superintendent;
- 14. Sanitation superintendent;
- 15. Safety Manager;
- 16. Chief or deputy chief of the city fire department;
- 17. Fire Marshal;
- 18. **Deputy Fire Marshal; and**
- 19. **Fire Inspector.**

C. The violations of the following codes and ordinances are declared to be an infraction, and the penalty for such violation shall not exceed five hundred dollars (\$500.00) for each initial offense and shall not exceed one thousand dollars (\$1,000.00) for each repeat offense, and each day the violation continues shall constitute a separate offense:

- 1. International Building Code (2015) (IBC);
- 2. International Residential Code (2015) (IRC);
- 3. International Energy Conservation Code (2015) (IECC);
- 4. International Mechanical Code (2015) (IMC);
- 5. International Plumbing Code (2015) (IPC);
- 6. International Fuel Gas Code (2015) (IFGC);
- 7. International Existing Building Code (2015) (IEBC); and
- 8. The city fire prevention code.

D. The violations of the following codes and ordinances are declared to be civil zoning violations, and the penalty for such violation shall be five hundred dollars (\$500.00) for each initial offense and five hundred dollars (\$500.00) for each repeat offense:

- 1. Business, commercial or industrial use violations of the zoning code.

E. The penalty provisions of any of the codes, ordinances or laws referred to in this section inconsistent with the penalty provisions of this chapter are repealed.

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

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

Section 3. It is further the intention of the Mayor and Council of the City of Salisbury that if any section, paragraph, subsection, clause or provision of this Ordinance 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 Ordinance shall remain and shall be deemed valid and enforceable.

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

Section 5. 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 Mayor and Council of the City of Salisbury held on the 10th day of October, 2022 and thereafter, a statement of the substance of the Ordinance having been published

85 as required by law, in the meantime, was finally passed by the Council of the City of Salisbury on the 24th day of October,
86 2022.

87

88

89 **ATTEST:**

90

91

92

93 _____
94 **Kimberly R. Nichols, City Clerk**

95

96

97

98

99

100

101

102

103

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

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

_____ **Jacob R. Day, Mayor**

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45

ORDINANCE NO. 2749

**AN ORDINANCE OF THE CITY OF SALISBURY AUTHORIZING THE
MAYOR TO ENTER INTO A CONTRACT WITH THE COMMUNITY
FOUNDATION OF THE EASTERN SHORE FOR THE PURPOSE OF
ACCEPTING GRANT FUNDS IN THE AMOUNT OF \$2,500, AND TO
APPROVE A BUDGET AMENDMENT TO APPROPRIATE THOSE GRANT
FUNDS FOR THE SALISBURY-WICOMICO INTEGRATED FIRSTCARE
TEAM (SWIFT).**

WHEREAS, the Community Foundation of the Eastern Shore (CFES) has a Mini Grant program; and

WHEREAS, the purpose of the grant program is to benefit organizations that serve health and human services, education, arts and culture, community development, environment and historical preservation; and

WHEREAS, the City of Salisbury submitted a grant application to CFES for funding to support the Salisbury-Wicomico Integrated Firstcare Team (SWIFT); and

WHEREAS, CFES has awarded the City a grant in the amount of \$2,500; and

WHEREAS, the City of Salisbury must enter into a grant agreement with CFES defining how \$2,500 in grant monies must be expended; and

WHEREAS, all grant funds shall be used to provide medical transportation for SWIFT patients who are otherwise unable to attend necessary medical appointments and meetings; and

WHEREAS, § 7-29 of the Salisbury City Charter prohibits the City from entering into a contract that requires an expenditure not appropriated or authorized by the Council of the City of Salisbury; 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 ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND, as follows:

Section 1. Mayor Jacob R. Day is hereby authorized to enter into a grant agreement with the Community Foundation of the Eastern Shore (CFES), on behalf of the City of Salisbury, for the City's acceptance of grant funds in the amount of \$2,500.

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

Section 2. The City of Salisbury's Grant Fund Budget be and hereby is amended as follows:

- (a) Increase CFES Revenue Account No. 10500-426100-XXXXX by \$2,500.
- (b) Increase SWIFT Operating Expense Account No. 10500-546006-XXXXX by \$2,500.

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

Section 3. It is the intention of the Mayor and Council of the City of Salisbury that each provision of this Ordinance shall be deemed independent of all other provisions herein.

Section 4. It is further the intention of the Mayor and Council of the City of Salisbury that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged invalid, unconstitutional or

46 otherwise unenforceable under applicable Maryland or federal law, such adjudication shall apply only to the
47 section, paragraph, subsection, clause or provision so adjudged and all other provisions of this Ordinance shall
48 remain and shall be deemed valid and enforceable.

49 **Section 5.** The recitals set forth hereinabove are incorporated into this section of the Ordinance as if such
50 recitals were specifically set forth at length in this Section 5.

51 **Section 6.** This Ordinance shall take effect from and after the date of its final passage.
52

53 **THIS ORDINANCE** was introduced and read at a Meeting of the Mayor and Council of the City of
54 Salisbury held on the 10th day of October, 2022 and thereafter, a statement of the substance of the Ordinance
55 having been published as required by law, in the meantime, was finally passed by the Council of the City of
56 Salisbury on the 24th day of October, 2022.

57
58 **ATTEST:**

59
60
61
62 _____
63 **Kimberly R. Nichols, City Clerk**

John R. Heath, City Council President

64
65
66 Approved by me, this _____ day of _____, 2022.

67
68
69
70 _____
71 **Jacob R. Day, Mayor**

72
73



City of
Salisbury
Jacob R. Day, Mayor

To: Julia Glanz, City Administrator
From: Jana Potvin, Director of Field Operations
Cori Cameron, Director of Water Works
Subject: Budget Amendment-CDL Bonus Incentive
Date: September 27, 2022

Together the Departments of Field Operations and Water Works are requesting the approval of a budget amendment (\$96,400.00 and \$71,800.00, respectively) to fund a new commercial driver's license (CDL) bonus incentive program.

Given the changes made by the Federal Motor Carrier Safety Administration in February 2022 which impacted the city's ability to train staff in house and subsequent nationwide shortage of commercial drivers, the Department of Field Operations and Department of Water Works are experiencing difficulty in recruiting, training and retaining commercially licensed drivers. By offering a one-time incentive of \$2,000.00 for a CDL-B or \$2,500.00 for a CDL-A to qualified staff and new hires, we anticipate that our competitiveness will improve.

The attached agreement outlines the eligibility requirements and employment commitments for the bonuses. In addition to the bonuses, a portion of the requested funds (\$14,400 FO and \$22,800 WW) will be used to provide offsite training if needed.

Thank you for your consideration on this request.

**CDL BONUS REIMBURSEMENT AGREEMENT
AND WAGE DEDUCTION AUTHORIZATION**

THIS CDL BONUS REIMBURSEMENT AGREEMENT (“Agreement”), made this __ day of ____, 2022, by and between the City of Salisbury, Maryland, a municipal corporation of the State of Maryland (hereinafter referred to as the “City”), and _____ (hereinafter referred to as “Employee”).

WITNESSETH:

WHEREAS, Employee has successfully completed the probationary period of employment with the Department of Field Operations (the “**Department**”); and

WHEREAS, the Department wishes to bestow upon Employee a one-time bonus (the “**CDL Bonus**”) as an incentive for Employee to remain employed by the Department for a least twenty-four (24) months; and

WHEREAS, Employee acknowledges that the City will incur substantial expense through its award of the CDL Bonus to qualifying employees; and

WHEREAS, Employee acknowledges that these expenses are expected to be recaptured through the Department employees’ ongoing employment with the City after the award of the CDL Bonus and the City will suffer a loss if an Employee’s employment is terminated with or without cause before the expiration of the time period as set out in this Agreement.

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, including the City’s employment of the Employee, the parties agree as follows:

1. Recitals. The above recitals are incorporated herein by reference as if fully set forth.
2. Twenty-Four (24) Month Employment Commitment. In consideration of the agreement by the City to award Employee a CDL Bonus in the amount and within the time period set forth on **Exhibit A** attached hereto and made a part hereof, said Employee agrees to accept and/or continue employment with the Department for a period of not less than twenty-four (24) months from the date of this Agreement. Any absence from work due to illness, non-duty related injury or other cause for a period of greater than ten (10) consecutive days shall be excluded from the period of continuous employment for which credit shall be given. Additionally, any absence from work due to illness, non-duty related injury or other cause for a period of greater than ten (10) consecutive days shall delay the CDL Bonus payment schedule for a commensurate time period. For example, if Employee is injured during the tenth (10th) month of employment and is placed on leave for three (3) months, the portion of the CDL Bonus payable after the twelfth (12th) month will be delayed an additional three (3) months, and paid on the fifteenth (15th) month of employment.
3. Reimbursement Obligation. In the event that, prior to the expiration of the twenty-four (24) month period mentioned above, Employee’s employment ceases due to any cause other than discontinuance of employment due to injury, illness or death resulting in Employee’s inability to perform the normal duties of the position held by Employee at the time of the commencement of such injury, illness or death, Employee shall reimburse the City for all portions of the CDL Bonus paid to Employee.

In the event Employee leaves the Department for another department within the City of Salisbury during the twenty-four (24) month period of continuous employment set forth in the above Paragraph 2,

Employee shall advise the department to which Employee is transferring (the “**New Department**”) of Employee’s receipt of the CDL Bonus and request repayment assistance from the New Department. The New Department and the Department shall negotiate in good faith for the repayment of the CDL Bonus by the New Department. Employee remains obligated to reimburse the Department for the CDL Bonus unless and until the New Department agrees in writing to reimburse the Department.

4. Terms of Repayment. In the event that Employee is required to reimburse the City, City shall withhold payment of vacation time, compensatory time, wages, and any other compensation. to apply toward the reimbursement obligation and Employee expressly authorizes the City to automatically withhold money from Employee’s final paycheck(s) to go toward the remaining amount owed to City under this Agreement. Complete repayment of the remaining reimbursement obligation shall be made within thirty (30) days of cessation of employment. After thirty (30) days, any unpaid balance shall accrue interest at the rate of one percent (1%) per month [annual rate equals twelve percent (12%)].

 (Employee must initial this section giving consent to the City to withhold money from Employee’s final paycheck(s), including but not limited to the withholding of vacation time, compensatory time, wages, and any other compensation as outlined above).

*Upon approval by the City, reimbursement in monthly installments of not less than one-twelfth (1/12) of the total reimbursement amount may be made within one (1) year of cessation of employment and installments are payable on or before the first day of each month, beginning on the first day of the month for the first full month following cessation of employment. Interest during said installment payment period shall accrue at the rate of one percent (1%) per month [annual rate equals twelve percent (12%)].

Employee agrees that in the event the City incurs legal fees or other costs of collection in an effort to collect any delinquent sums owed pursuant to this Agreement, Employee shall pay all such actual reasonable legal expenses incurred by the City in addition to the reimbursement obligation.

6. Right to independent legal advice. Employee understands that he/she has the right to have this agreement reviewed by his/her own attorney prior to signing.
7. Term. This Agreement shall remain in effect until the earliest of: (a) the expiration of the twenty-four (24) months of continuous employment, as per the terms of Paragraph 2, or (b) payment in full of the Employee’s reimbursement obligations under this agreement, or (c) Employee’s employment ceases due to injury, illness or death resulting in Employee’s inability to perform the normal duties of the position held by Employee.
8. Venue/Jurisdiction. The parties agree that any actions between the parties that arise in connection with this Agreement shall be brought in and vest jurisdiction and venue solely in the District or Circuit Court for Wicomico County, State of Maryland.
9. Governing Law. This Agreement shall be governed by, and construed and interpreted in accordance with, the laws of the State of Maryland, without regard to applicable conflicts of law principles.
10. Entire Agreement. This Agreement contains the entire agreement of the parties. It may not be changed orally, but only by the Agreement in writing signed by both parties.
11. Severability. This Agreement shall be governed by the laws of the State of Maryland. Should any provision of this Agreement be found, held, or deemed to be unenforceable, invalid, voidable or void, as

contrary to law or public policy the parties intend that the remaining provisions of this Agreement shall nevertheless continue in full force and be binding upon them.

12. General Provisions. Neither this Agreement, nor any portion of it, shall be construed against either party because that party or that party's agent or attorney drafted it. To the extent implementation of this Agreement requires the taking of further actions or the execution of additional documents, the parties will take such further actions and/or execute such additional documents. This Agreement cannot be modified except through a document signed by all parties. This Agreement sets forth the entire agreement of the parties concerning its subject matter, and there are no other agreements, contracts, promises, pledges, representations, warranties, covenants, or understandings between the parties concerning this subject matter. This Agreement shall be governed by the laws of Maryland, except that Federal rights, claims and defenses shall be governed by the applicable Federal law. The parties for themselves and for their respective successors and permitted assigns, without regard to domicile, citizenship or residence, hereby expressly and irrevocably consent to and subject themselves to the jurisdiction of Maryland courts and to venue in Wicomico County, Maryland with respect to any matter arising from or in connection with this Agreement.

WITNESS:

(SEAL)

Employee Signature

Employee Printed Name: _____

Date

Address

CITY OF SALISBURY

BY:

EXHIBIT A

CDL BONUS

The City, acting through the Department, will award the Employee an incentive bonus for obtaining a CDL Class (A or B) License as follows:

CLASS A	-	\$2,500.00
CLASS B	-	\$2,000.00

Employees are only eligible for one (1) bonus; the incentives cannot be combined. Fifty percent (50%) of the authorized CDL Bonus will be paid as of date of this Agreement. The remainder of the CDL Bonus will be paid upon successful completion of twelve (12) months of continuous employment, as per the terms of Paragraph 2 of the Agreement. The City of Salisbury will apply all required federal and state tax deductions, including but not limited to tax withholdings, and will report all payments identified above as required by federal and state law. The payments identified above will be reported as income on the Employee's Form W-2. The payments identified above are not considered "salary" and will not be included for purposes of retirement benefit calculations or salary increases

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54

ORDINANCE NO. 2746

AN ORDINANCE OF THE CITY OF SALISBURY APPROVING A BUDGET AMENDMENT OF THE FY2023 GENERAL FUND BUDGET AND WATER AND SEWER FUND BUDGET TO APPROPRIATE FUNDS TO THE OPERATING BUDGET OF THE DEPARTMENT OF FIELD OPERATIONS AND THE OPERATING BUDGET OF THE DEPARTMENT OF WATER WORKS.

WHEREAS, the Department of Field Operations and Department of Water Works (the “**Departments**”) provide a number of services to the community that involve the use of vehicles which require operators with Commercial Driver’s Licenses (“**CDLs**”); and

WHEREAS, the Departments are presently experiencing staffing shortages, particularly in the area of staff who have CDLs; and

WHEREAS, the Departments wish to provide incentive bonuses to recruit and retain employees with CDLs; and

WHEREAS, there are insufficient funds available in the FY23 Field Operations Budget and Water and Sewer Fund Budget to cover the incentive and training costs, and accordingly, a budget amendment is required; and

WHEREAS, the budget amendment as provided herein 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 ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND, as follows:

Section 1. The City of Salisbury’s Fiscal Year 2023 General Fund Budget and Water Sewer Fund Budget be and is hereby amended as follows:

- (a) Increase the General Fund Current Year Surplus Account (01000-469810) by \$96,400.00;
- (b) Increase the Water Sewer Fund Current Year Surplus Account (60100-469810) by \$71,800.00;
- (c) Increase the Department of Field Operations Salaries-Bonus Account (30000-501014) by \$96,400.00; and
- (d) Increase the Department of Water Works Salaries-Bonus (83000-501014) by \$71,800.00.

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

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

Section 3. It is further the intention of the Mayor and Council of the City of Salisbury that if any section, paragraph, subsection, clause or provision of this Ordinance 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 Ordinance shall remain and shall be deemed valid and enforceable.

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

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

55 **THIS ORDINANCE** was introduced and read at a Meeting of the Mayor and Council of the City of
56 Salisbury held on the 24th day of October, 2022 and thereafter, a statement of the substance of the Ordinance
57 having been published as required by law, in the meantime, was finally passed by the Council of the City
58 of Salisbury on the _____ day of _____, 2022.
59

60

61 **ATTEST:**

62

63

64

65

Kimberly R. Nichols, City Clerk

John R. Heath, City Council President

66

67

68

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

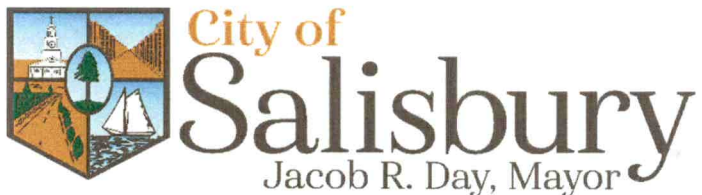
69

70

71

72

Jacob R. Day, Mayor



September 30, 2022

TO: City Council
FROM: Colonel David Meienschein
SUBJECT: Ordinance – Up Fitting of Ten Police Vehicles.

Attached, please find an ordinance to authorize the appropriation of \$243,000 of court ordered forfeited funds to equip ten police vehicles for the Salisbury Police Department. Funds will be transferred to the SPD vehicle purchase account to cover the cost.

A handwritten signature in blue ink, consisting of a series of loops and a long horizontal stroke, positioned above the printed name and title.

David Meienschein
Assistant Chief of Police

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49

ORDINANCE NO. 2751

AN ORDINANCE OF THE CITY OF SALISBURY APPROVING A BUDGET AMENDMENT OF THE FY2023 GENERAL FUND BUDGET TO APPROPRIATE FUNDS TO CUSTOMIZE SALISBURY POLICE DEPARTMENT VEHICLES WITH PROPER POLICE EQUIPMENT.

WHEREAS, the City of Salisbury (the “City”) maintains an account in its General Fund in which it deposits monies seized by the Salisbury Police Department (“SPD”) and later forfeited to the City in related court proceedings (the “Forfeited Funds”); and

WHEREAS, the SPD desires to utilize the Forfeited Funds to customize, or “upfit”, ten (10) police vehicles with proper police equipment; and

WHEREAS, enhancement of SPD vehicles will improve response time, communications by and between officers, overall efficiency of the SPD and can also be utilized in SPD recruitment and retention efforts; and

WHEREAS, SPD requests the transfer of Two Hundred Forty-Three Thousand Dollars (\$243,000.00) from the Forfeited Funds account into its Vehicle Purchase account.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND, as follows:

Section 1. The City of Salisbury’s Forfeited Fund Budget be and is hereby amended as follows:

- (a) Increase the Current Year Surplus Account (10200-469810) by \$243,000.00; and
- (b) Increase the Vehicle Purchase Account (21022-577025) by \$243,000.00.

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

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

Section 3. It is further the intention of the Mayor and Council of the City of Salisbury that if any section, paragraph, subsection, clause or provision of this Ordinance 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 Ordinance shall remain and shall be deemed valid and enforceable.

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

Section 5. 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 Mayor and Council of the City of Salisbury held on the _____ day of _____, 2022 and thereafter, a statement of the substance of the Ordinance having been published as required by law, in the meantime, was finally passed by the Council of the City of Salisbury on the _____ day of _____, 2022.

50
51
52
53
54
55
56
57
58
59
60
61
62
63
64

ATTEST:

Kimberly R. Nichols, City Clerk

John R. Heath, City Council President

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

Jacob R. Day, Mayor



City of
Salisbury
Salisbury Police Department

October 5, 2022

TO: Julia Glanz

FROM: Colonel David Meienschein

SUBJECT: Ordinance – Acceptance of Grant Funds for Mobile Fingerprint Scanner

Attached, please find a Resolution to accept \$5,728.00 in grant funds from the State of Maryland, awarded through the Governor's Office of Crime Control and Prevention, Youth, and Victim Services to be used for the purchase of the EZ Child ID - Complete EZ Turnkey System. This equipment will be utilized by members of the Salisbury Police Department to capture digital information related to finger prints and photographs to create ID kits for children. With this device, officers will be able to quickly identify children involved in missing or abducted child investigations or other emergencies. When combined with an EZ Child ID, we can quickly share a child's picture, fingerprints and other vital information to agencies across the state if an emergency is reported.

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

Colonel David Meienschein
Assistant Chief of Police



699 W. Salisbury Parkway
Salisbury, MD 21801
410-548-3165
www.salisburypd.com



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45

ORDINANCE No. 2752

AN ORDINANCE OF THE CITY OF SALISBURY APPROVING AN AMENDMENT TO THE GENERAL FUND BUDGET REFLECTING THE ACCEPTANCE OF GRANT FUNDS FROM THE STATE OF MARYLAND, GOVERNOR’S OFFICE OF CRIME CONTROL AND PREVENTION AND FURTHER APPROPRIATING SUCH FUNDS TO PURCHASE “EZ CHILD ID - COMPLETE EZ TURNKEY SYSTEM.”

WHEREAS, the Governor’s Office of Crime Control and Prevention has awarded the Salisbury Police Department (“SPD”) grant funds in the amount of Five Thousand Seven Hundred Twenty-Eight Dollars (\$5,728) to purchase an EZ Child ID - Complete EZ Turnkey System, to assist the SPD with the creation of child identification kits; and

WHEREAS, this technology gives the SPD the ability to create identification kits containing a child’s digital fingerprints, photograph, and personal information to be utilized by family members in efforts to quickly identify children involved in missing or abducted child investigations or other emergencies;

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 ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND, as follows:

Section 1. The City of Salisbury’s Grant Fund Budget be and hereby is amended as follows:

- (a) Increase Governor’s Office of Crime Control and Prevention Revenue Account No. 10500-425100-xxxx by \$5,728.
- (b) Increase Operating Expense Account No. 10500-546006-xxxxx by \$5,728.

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

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

Section 3. It is further the intention of the Mayor and Council of the City of Salisbury that if any section, paragraph, subsection, clause or provision of this Ordinance 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 Ordinance shall remain and shall be deemed valid and enforceable.

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

Section 5. 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 Mayor and Council of the City of Salisbury held on the _____ day of _____, 2022 and thereafter, a statement of the substance of the Ordinance having been published as required by law, in the meantime, was finally passed by the Council of the City of Salisbury on the _____ day of _____, 2022.

46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64

ATTEST:

Kimberly R. Nichols, City Clerk

John R. Heath, City Council President

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

Jacob R. Day, Mayor



City of
Salisbury
Jacob R. Day, Mayor

To: Julia Glanz, City Administrator
From: Richard Baldwin, Director of Infrastructure & Development ^{RB}
Date: October 10, 2022
Re: Budget Amendment for Paleo Well #3

Council recently approved award of contract ITB 23-102 Paleo Well #3 Construction Completion at a total contract value of \$2,253,784.95. At that time an initial contract award of \$1,847,681.00 was made as the balance of \$404,027.33 were not in a proper account for award to Paleo Well #3 Construction Completion.

The Department of Infrastructure and Development (DID) is requesting approval of a budget amendment in the amount of \$404,027.33 to provide the balance of funds. No new funds are being requested in the budget amendment, this is simply a reallocation of funds from accounts of completed projects. The source of funds requested are:

- City of Salisbury Water and Sewer Capital projects completed with funds remaining:
 - 24" Water Main in W. Gordy Road.....\$9,208.20
 - Park Water Treatment Plant Aeration Units..... \$5,500.00
 - Replacement of distribution system piping.....\$23,145.00
 - Fitzwater Street Lift Station Replacement..... \$14,080.11
 - Hampshire Road Lift Station Replacement.....\$44,745.15
 - Parkside High School Lift Station Replacement.....\$11,308.77
 - Sewer Trunk Line Rehabilitation.....\$17,632.50
 - Park Well Upgrade..... \$2,905.04
 - Elevated Water Tank Mixing..... \$19,200.00
 - WWTP Control Building HVAC.....\$9,260.00
- Scenic Drive Water Main Replacement deferred pending non-destructive testing to determine condition prior to proceeding with replacement..... \$184,000.00
- Funds remaining following purchase of HV507 Dump Truck.....\$2,892.00
- Unassigned Investment Interest.....\$60,150.56

Construction of Paleo Well #3 is critical to the reliability of City of Salisbury drinking water. Thank you for your consideration on this request.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53

ORDINANCE NO. 2753

**AN ORDINANCE OF THE CITY OF SALISBURY AUTHORIZING THE
MAYOR TO APPROPRIATE ADDITIONAL FUNDS FOR THE PALEO
WELL # 3 PROJECT.**

WHEREAS, the City of Salisbury identified the construction of Paleo Well #3 as vital infrastructure necessary to a reliable water supply; and

WHEREAS, construction of Paleo Well #3 was previously awarded to Harper & Sons, Inc. on August 8, 2022; and

WHEREAS, additional funds are needed to complete the original scope of the Paleo Well #3 project; and

WHEREAS, as shown on the attached Schedule A, funds remain available in the Water Sewer Capital Project Fund Budget after completion of the following projects: completion of the 24" water main in W. Gordy Road, replacement of the Park Water Treatment Plant Aeration Units, completion of the Fitzwater Street Lift Station Replacement, completion of the Hampshire Road Lift Station Replacement, completion of the Parkside High School Lift Station Replacement and replacement of the HV507 Dump Truck; and

WHEREAS, the amendments to the Water Sewer Capital Project Fund Budget identified in the attached Schedule A are needed to provide for \$404,027.33 in expenses associated with construction of Paleo Well #3; and

WHEREAS, the budget amendment as provided herein 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 ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND:

Section 1. Mayor Jacob R. Day is hereby authorized to appropriate additional funds for the Paleo Well 3 Project in the amount of \$404,027.33.

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

Section 2. The City of Salisbury's Water Sewer Capital Project Fund Budget be and hereby is amended as presented in Schedule A Schedule of Budget Changes by Account.

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

Section 3. It is the intention of the Mayor and Council of the City of Salisbury that each provision of this Ordinance shall be deemed independent of all other provisions herein.

Section 4. It is further the intention of the Mayor and Council of the City of Salisbury that if any section, paragraph, subsection, clause or provision of this Ordinance 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 Ordinance shall remain and shall be deemed valid and enforceable.

54 **Section 5.** The recitals set forth hereinabove are incorporated into this section of the Ordinance as
55 if such recitals were specifically set forth at length in this Section 5.

56
57 **Section 6.** This Ordinance shall take effect from and after the date of its final passage.
58

59 **THIS ORDINANCE** was introduced and read at a Meeting of the Mayor and Council of the City of
60 Salisbury held on the _____ day of _____, 2022 and thereafter, a statement of the substance
61 of the Ordinance having been published as required by law, in the meantime, was finally passed by the
62 Council of the City of Salisbury on the _____ day of _____, 2022.

63
64 **ATTEST:**

65
66
67
68
69 _____
70 **Kimberly R. Nichols, City Clerk** _____
71 **John R. Heath, City Council President**

72 Approved by me, this _____ day of _____, 2022.

73
74
75
76 _____
77 **Jacob R. Day, Mayor**

Exhibit A
Schedule of Budget Changes by Account


Org.	Account		Project		Account Type	Increase Decrease	Amount	Project \$
	No	Description	No	Description				
97010	456110	Investment Interest		Unassigned	Revenue	Decrease	(60,150.56)	
97010	456110	Investment Interest	49040	Paleo Well 3	Revenue	Increase	60,150.56	
97010	513026	Construction	49040	Paleo Well 3	Expense	Increase	(60,150.56)	60,150.56
97010	456939	Lawsuit Settlement Proceeds	48021	24" W in Gordy Road	Revenue	Decrease	(9,208.20)	
97010	456939	Lawsuit Settlement Proceeds	49040	Paleo Well 3	Revenue	Increase	9,208.20	
97010	513020	Engineering/Architectural	48021	24" W in Gordy Road	Expense	Decrease	(7,971.00)	
97010	513026	Construction	48021	24" W in Gordy Road	Expense	Decrease	(1,237.20)	
97010	513026	Construction	49040	Paleo Well 3	Expense	Increase	9,208.20	9,208.20
97010	469161	Transfers from Water Sewer	50014	Park WTP Aeration Unit	Revenue	Decrease	(5,500.00)	
97010	469161	Transfers from Water Sewer	49040	Paleo Well 3	Revenue	Increase	5,500.00	
97010	513026	Construction	50014	Park WTP Aeration Unit	Expense	Decrease	(5,500.00)	
97010	513026	Construction	49040	Paleo Well 3	Expense	Increase	5,500.00	5,500.00
97010	456110	Investment Interest	50015	Replace Distribution Pipe	Revenue	Decrease	(23,145.00)	
97010	456110	Investment Interest	49040	Paleo Well 3	Revenue	Increase	23,145.00	
97010	513020	Engineering/Architectural	50015	Replace Distribution Pipe	Expense	Decrease	(23,145.00)	
97010	513026	Construction	49040	Paleo Well 3	Expense	Increase	23,145.00	23,145.00
97010	456939	Lawsuit Settlement Proceeds	55011	Fitzwater Lift Station	Revenue	Decrease	(14,080.11)	
97010	456939	Lawsuit Settlement Proceeds	49040	Paleo Well 3	Revenue	Increase	14,080.11	
97010	513026	Construction	55011	Fitzwater Lift Station	Expense	Decrease	(14,080.11)	
97010	513026	Construction	49040	Paleo Well 3	Expense	Increase	14,080.11	14,080.11
97010	456939	Lawsuit Settlement Proceeds	55013	Hampshire Rd Lift Station	Revenue	Decrease	(44,745.15)	
97010	456939	Lawsuit Settlement Proceeds	49040	Paleo Well 3	Revenue	Increase	44,745.15	
97010	513026	Construction	55013	Hampshire Rd Lift Station	Expense	Decrease	(44,745.15)	
97010	513026	Construction	49040	Paleo Well 3	Expense	Increase	44,745.15	44,745.15
97010	456939	Lawsuit Settlement Proceeds	55015	Parkside HS Lift Station	Revenue	Decrease	(11,308.77)	
97010	456939	Lawsuit Settlement Proceeds	49040	Paleo Well 3	Revenue	Increase	11,308.77	
97010	513026	Construction	55015	Parkside HS Lift Station	Expense	Decrease	(11,308.77)	
97010	513026	Construction	49040	Paleo Well 3	Expense	Increase	11,308.77	11,308.77
97010	456939	Lawsuit Settlement Proceeds	55023	Sewer Trunk Line Rehab.	Revenue	Decrease	(17,632.50)	
97010	456939	Lawsuit Settlement Proceeds	49040	Paleo Well 3	Revenue	Increase	17,632.50	
97010	513026	Construction	55023	Sewer Trunk Line Rehab.	Expense	Decrease	(17,632.50)	
97010	513026	Construction	49040	Paleo Well 3	Expense	Increase	17,632.50	17,632.50
97030	469314	PayGO - Previous Years	48014	Scenic Drive Water Main	Revenue	Decrease	(184,000.00)	
97030	469314	PayGO - Previous Years	49040	Paleo Well 3	Revenue	Increase	184,000.00	
97030	513020	Engineering/Architectural	48014	Scenic Drive Water Main	Expense	Decrease	(34,000.00)	
97030	513026	Construction	48014	Scenic Drive Water Main	Expense	Decrease	(150,000.00)	
97030	513026	Construction	49040	Paleo Well 3		Increase	184,000.00	184,000.00
97030	469161	Transfers from Water Sewer	48054	HV507 Dump Truck	Revenue	Decrease	(2,892.00)	
97030	469161	Transfers from Water Sewer	49040	Paleo Well 3	Revenue	Increase	2,892.00	
97030	577025	Vehicles	48054	HV507 Dump Truck	Expense	Decrease	(2,892.00)	
97030	513026	Construction	49040	Paleo Well 3	Expense	Increase	2,892.00	2,892.00
97030	469314	PayGO - Previous Years	49020	Park Well Upgrade	Revenue	Decrease	(2,905.04)	

Exhibit A
Schedule of Budget Changes by Account

Org.	Account		Project		Account Type	Increase Decrease	Amount	Project \$
	No	Description	No	Description				
97030	469314	PayGO - Previous Years	49040	Paleo Well 3	Revenue	Increase	2,905.04	
97030	513020	Engineering/Architectural	49020	Park Well Upgrade	Expense	Decrease	(2,905.04)	
97030	513026	Construction	49040	Paleo Well 3	Expense	Increase	2,905.04	2,905.04
97030	469162	Transfers from WS Revolving	50016	Elevated Water Tank Mai	Revenue	Decrease	(19,200.00)	
97030	469163	Transfers from WS Revolving	49040	Paleo Well 3	Revenue	Increase	19,200.00	
97030	513026	Construction	50016	Elevated Water Tank Mai	Expense	Decrease	(19,200.00)	
97030	513026	Construction	49040	Paleo Well 3	Expense	Increase	19,200.00	19,200.00
97030	469161	Transfers from Water Sewer	55519	WWTP Main Building HVAC	Revenue	Decrease	(9,260.00)	
97030	469161	Transfers from Water Sewer	49040	Paleo Well 3	Revenue	Increase	9,260.00	
97030	513026	Construction	55519	WWTP Main Building HVAC	Revenue	Decrease	(9,260.00)	
97030	513026	Construction	49040	Paleo Well 3	Expense	Increase	9,260.00	9,260.00
							Total >>	404,027.33



City of
Salisbury
Jacob R. Day, Mayor

To: Julia Glanz, City Administrator
From: Richard D. Baldwin, Acting Director of Infrastructure & Development 
Date: October 7, 2022
Re: Budget Amendment – ITB 22-109 Zoo Administration Building

On October 25, 2021 City Council approved contract ITB 22-109 for construction of the Zoo Administration Building. The approved scope of work included design and fabrication delivery and setting of the building. ADA access, utility connections, data and phone lines, electric service and security were items to be completed following building installation.

Previously a total of \$204,000 was appropriated for the Zoo Administration Building. To meet floodplain requirements the building elevation needed to be raised requiring foundations, and site work (dewatering) not in the scope of the original contract. Raising the building height has increased construction and material costs for ADA access, and building skirt. Finally, there is a tree threatening the building originally planned to remain that should be removed. An additional of \$54,000 in funding from City Park Master Plan is requested to address costs associated with raising the building, installing it at the increased elevation and removal of the tree.

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

ORDINANCE NO. 2754

AN ORDINANCE OF THE CITY OF SALISBURY APPROVING AN AMENDMENT TO THE GENERAL CAPITAL PROJECT FUND BUDGET TO APPROPRIATE ADDITIONAL FUNDS REQUIRED FOR CONSTRUCTION OF THE ZOO ADMINISTRATION BUILDING.

WHEREAS, the City previously approved funding of \$204,000.00 for construction of the Zoo Administration Building; and

WHEREAS, American with Disability Act (ADA) access to the building is required; and

WHEREAS, the specific goals of the City Park Master Plan include rehabilitation of existing facilities to meet ADA requirements; and

WHEREAS, to meet floodplain requirements the building evaluation must be raised, requiring foundation and site work not in the scope of the original contract; and

WHEREAS, meeting ADA and floodplain construction requirements has increased the cost of construction for this project by \$54,000; and

WHEREAS, the Capital Projects Fund Budget must be amended to provide for these unexpected expenses; and

WHEREAS, the budget amendment as provided herein must be made upon the recommendation of the Mayor and the approval of four-fifths of the Council of the City of Salisbury; and

NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND, as follows:

Section 1. The City of Salisbury’s Capital Projects Fund Budget be and is hereby amended as follows:

Increase Decrease	Account Type	Account Description	Project Description	Account	Amount
Decrease	Revenue	PayGo	City Park Phase	98119-469313-48041	54,000
Decrease	Expense	Construction	City Park Phase	98119-513026-48041	54,000
Increase	Revenue	PayGo	Zoo Admin Office Space	98119-469313-43022	54,000
Increase	Expense	Construction	Zoo Admin Office Space	98119-513026-43022	54,000

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

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

Section 3. It is further the intention of the Mayor and Council of the City of Salisbury that if any section, paragraph, subsection, clause or provision of this Ordinance 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 Ordinance shall remain and shall be deemed valid and enforceable.

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

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

37 **THIS ORDINANCE** was introduced and read at a Meeting of the Mayor and Council of the City of
38 Salisbury held on the _____ day of _____, 2022 and thereafter, a statement of the substance
39 of the Ordinance having been published as required by law, in the meantime, was finally passed by the
40 Council of the City of Salisbury on the _____ day of _____, 2022.

41
42 **ATTEST:**

43
44
45
46 _____
47 **Kimberly R. Nichols, City Clerk**

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

48
49
50 Approved by me, this _____ day of _____, 2022.

51
52
53
54 _____
55 **Jacob R. Day, Mayor**

56



City of
Salisbury
Jacob R. Day, Mayor

To: Julia Glanz, City Administrator
From: Jake Pavolik, Asset and Facility Manager *Jake Pavolik*
Thru: Jana Potvin, Director of Field Operations *Jana Potvin*
Subject: Budget Amendment-Transfer Insurance Proceeds
Date: September 27, 2022

The Department of Field Operations is requesting \$14,150.00 be transferred from the Insurance Proceeds Revenue Account (01000-456935) into the Streets Vehicle Expense Account (31150-577025) to assist purchase and upfit of vehicles.

In FY 22, Field Operations S-12, a Ford F-250 Super Duty Pickup Truck VIN#1FTNF21568EB92274, was wrecked and received a total loss payment of \$14,150.00 from LGIT Claim # 088348. If approved, the Department will use these funds to assist in the purchase and upfit of vehicles budgeted in FY 23, as rising costs will create a shortfall in available funds.

Thank you for your consideration on this request.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46

ORDINANCE NO. 2755

**AN ORDINANCE OF THE CITY OF SALISBURY APPROVING AN AMENDMENT
OF THE FY2023 GENERAL FUND BUDGET TO APPROPRIATE ADDITIONAL
FUNDS REQUIRED FOR FIELD OPERATIONS.**

WHEREAS, in August of 2022, a Ford -250 Super Duty Pickup Truck owned by City’s Streets Division was damaged in an accident and later salvaged: and

WHEREAS, the City’s insurer LGIT made a total loss payment of \$14,150 for the vehicle (the “insurance proceeds”); and

WHEREAS, the City’s Streets Division would like to use the insurance proceeds to establish an appropriation to assist in purchasing vehicles and performing related upfitting; and

WHEREAS, the funds set for vehicles and upfitting in FY23 are no longer adequate due to rising costs;

WHEREAS, the budget amendment as provided herein 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 ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND, as follows:

Section 1. The City of Salisbury’s Fiscal Year 2023 General Fund budget is hereby amended as follows:

(a) Increase the Insurance Proceeds Revenue Account (01000-456935) by \$14,150

(b) Increase the Vehicles Expense Account (31150-577025) by \$14,150

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

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

Section 3. It is further the intention of the Mayor and Council of the City of Salisbury that if any section, paragraph, subsection, clause or provision of this Ordinance 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 Ordinance shall remain and shall be deemed valid and enforceable.

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

Section 5. 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 Mayor and Council of the City of Salisbury held on the _____ day of _____, 2022 and thereafter, a statement of the substance of the Ordinance having been published as required by law, in the meantime, was finally passed by the Council of the City of Salisbury on the _____ day of _____, 2022.

[THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK]

[SIGNATURES APPEAR ON THE PAGE THAT FOLLOWS]

47 ATTEST:

48

49

50

51

Kimberly R. Nichols, City Clerk

John R. Heath, City Council President

52

53

54

55

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

56

57

58

59

60

Jacob R. Day, Mayor

61