



**SALISBURY CITY COUNCIL
WORK SESSION AGENDA**

MONDAY, MARCH 20, 2023

Government Office Building, Council Chambers and Zoom Video Conferencing

- 4:30 p.m. Resolution to establish an endowment fund for Anne Street Village- Housing & Community Development Director Ron Strickler
- 4:40 p.m. Ordinance to approve a budget amendment to appropriate funds for the Fire Department's Vehicle Repair Account- Deputy Chief Chris O'Barsky
- 4:50 p.m. Resolution to approve the donation of a K-9- Colonel Dave Meienschein
- 5:00 p.m. Ordinance to approve a budget amendment to purchase and upfit 4 SPD vehicles- Colonel Dave Meienschein
- 5:10 p.m. Discussion- Commercial vehicles on private property
- 5:30 p.m. Adjournment / Convene in Special Meeting

*Times shown are approximate. Council reserves the right to adjust the agenda as circumstances warrant.
The Council reserves the right to convene in Closed Session as permitted under the Annotated Code of Maryland 3-305(b).*

Join Zoom Meeting

<https://us02web.zoom.us/j/88163253286?pwd=K3RtZUhUMHNucDRPU2lHbnROQzZVUT09>

Meeting ID: 881 6325 3286

Passcode: 812389

Phone: 1.301.715.8592



City of
Salisbury
John "Jack" R. Heath, Mayor

MEMORANDUM

To: Andy Kitzrow, City Administrator
From: Ronald L. Strickler, Jr, Director of Housing and Community Development
Date: March 10, 2023
Re: Resolution - Establishing Endowment Fund for the Housing and Homelessness Non-Endowed Fund

The Director of Housing and Community Development requests the opportunity to introduce a Resolution for consideration by the Mayor and City Council to accept the agreement to establish an endowment fund for the Housing and Homelessness Non-Endowed Fund. The purpose of this endowment fund is to support site operations, and emergency needs of Anne St Village and the Homelessness Division.

Please forward this information to the City Council for review and discussion on the March 20, 2023 work session agenda. Thank you for your assistance and consideration of the proposed resolution.

Ronald L. Strickler, Jr

Ronald Strickler, Jr
Director, Housing and Community Development

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RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SALISBURY
AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT TO ESTABLISH A
HOUSING AND HOMELESSNESS NON-ENDOWED FUND.**

WHEREAS, there is a need to secure additional funds to support the City of Salisbury’s Housing & Homeless Services Division. In particular, additional funding is needed for the operation of Anne Street Village and associated homelessness services;

WHEREAS, the Community Foundation of the Eastern Shore, Inc. (the “Foundation”) has agreed to establish and maintain a non-endowed fund in which charitable donations will be accepted for use by the Housing and Community Development Department in addressing homelessness;

WHEREAS, the funds so donated will be used to support the City of Salisbury Housing & Homeless Services Division;

WHEREAS, specific provisions regarding the administration of the fund are included in the funding agreement attached hereto as **Exhibit 1**. Among other things, the funding agreement confirms the Foundation’s policies on distribution and management of the fund; and

WHEREAS, by this Resolution, the Council hereby approves the funding agreement attached hereto as **Exhibit 1**.

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

Section 1. That a donation fund be established and maintained through the Community Foundation of the Eastern Shore, Inc. for the financial support of the City of Salisbury Housing & Homeless Services Division.

Section 2. The Mayor of the City of Salisbury is hereby authorized to execute the funding agreement attached hereto and incorporated herein as **Exhibit 1**.

Section 3. 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 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 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 5. The recitals set forth hereinabove and **Exhibit 1** attached hereto, are incorporated into this section of the Resolution as if such recitals and **Exhibit 1** were specifically set forth at length in this Section 5.

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 _____, 2023 and is to become effective immediately upon adoption.

ATTEST:

Kimberly R. Nichols, City Clerk

Muir W. Boda, City Council President

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50 Approved by me, this _____ day of _____, 2023.

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John R. Heath, Acting Mayor



City of Salisbury Homelessness Fund

1. Establishment

On _____, 20__ the City of Salisbury Homelessness Fund (the “Fund”), a non-endowed designated fund, was established at the Community Foundation of the Eastern Shore, Inc. (the “Foundation”), a charitable organization described in sections 501(c)(3) and 509(a)(1) of the Internal Revenue Code. The Fund Representatives understand that gifts to the fund are irrevocable and will be used to maintain a charitable fund of the Foundation, subject to the Foundation’s governing documents and bylaws.

2. Administration

The Fund will be effective upon the acceptance of this agreement by the Foundation. The Fund will be administered in accordance with the normal and customary policies for funds of the Foundation (available upon request). The Foundation may receive additional contributions from donors or other individuals or businesses as well as distributions from trusts, wills, private foundations, or donor advised funds to either initially fund or add to this Fund.

3. Distributions

This Fund will be a non-endowed fund to support:

City of Salisbury for use by the Housing and Community Development Department in addressing homelessness

Distributions from the Fund shall be limited to the fund’s distributable amount determined in accordance with the Foundation’s spending policy. Distributions may be made upon request, or scheduled on an annual, semi-annual, or quarterly basis, as requested in writing by a Representative listed below. The Representatives reserve the right to convert the fund to an endowed fund if the required minimum balances are met.

4. Representatives

The following positions in the City of Salisbury government may serve as representatives to the Fund with respect to amount and timing of distributions of the Fund:

- Mayor, City of Salisbury
- City Administrator, City of Salisbury

Representative privileges do not include the ability to change the Designee stated in section three, above.

5. Variance Power

This Fund is a component fund of the Foundation, and its assets are assets of the Foundation. The Fund is subject to the Foundation’s governing instruments including the Foundation’s power to modify any

restriction or condition on the distribution of funds for any specified charitable purposes or to specified charitable purposes or to specified organizations if in the sole judgment of the Board of Directors, such restriction or condition becomes, in effect, unnecessary, incapable of fulfillment, or inconsistent with the charitable needs of the community or area served.

6. Fees

The Foundation will assess administrative and investment management fees against the Fund in accordance with the Foundation’s published fee schedule, as amended from time to time. The Foundation may also assess the fund to cover any unusual expenses incurred in connection with the contributed assets, including the cost of disposing of them, and in the administration of the Fund.

7. Investments

The assets of the Fund shall be invested according to the Foundation’s investment policy, as it may be amended from time to time by the Foundation’s Board of Directors. The undersigned acknowledges that investments are subject to market fluctuations and investment results will be allocated to the Fund.

8. Anonymity/Publicity

To recognize and honor our donors, the Foundation’s policy is to include our donors’ names in publicity about the Foundation unless they wish to remain anonymous.

The undersigned are the founders of the Fund and agree to the terms of this Agreement. This Agreement shall be governed in all respects by the laws of the State of Maryland. Foundation is authorized to amend this agreement to conform to the provisions of any applicable law or government regulation.

By:

_____ Date
Fund Representative

_____ Date
Fund Representative

Accepted:

_____ Date
Community Foundation of the Eastern Shore, Inc.



City of
Salisbury
John "Jack" R. Heath, Mayor

To: Andy Kitzrow, Acting City Administrator
From: Chris O'Barsky, Deputy Fire Chief
Subject: Budget Amendment
Date: March 7, 2023

The Department is requesting approval of a budget amendment in the amount \$50,000.00 to the FY2023 Fire Department budget, Vehicles' account 24035-534308, to cover the current and expected costs for repairs to FD apparatus for the remainder of FY2023.

As you are aware, the Department received notification that the engines on our Fire Boat were in need of immediate repair. The engine's turbos are leaking and causing exhaust fumes to enter into the crew cabin. Additionally, the engines are due for their one thousand hour service in accordance to manufacture's recommendation. The Department recommends that both the service and repairs be completed at the same time, thus reducing the time the unit would be out of service.

Currently, the Department does not have the funds to cover these repairs in its FY23 budget, due to an unanticipated replacement of multiple fleet vehicle tires, transfer of \$3,500.00 from the Vehicle Account to cover the unfunded increase of insurance on the Fire Boat, and an over-all increase in maintenance cost. At its current balance, the Department's Vehicle Account will not endure to the end of the fiscal year.

It is very unfortunate that we have to make this budget amendment request, but circumstances have made it necessary to do so. The unanticipated expenses for these repairs were impossible to foresee. Without the transfer of these funds, the Department will be forced to defer any future repairs and place major Fire/EMS units out of service (dependent on the severity of the repair need).

Thank you in advance for your time and consideration on this request. Unless you or the Mayor have further questions, please forward a copy of this memo and ordinance to the City Council for their consideration.

Attachment: Ordinance - Budget Amendment Vehicles

53 **THIS ORDINANCE** was introduced and read at a Meeting of the Mayor and Council of the City of
54 Salisbury held on the _____ day of _____, 2023 and thereafter, a statement of the substance
55 of the Ordinance having been published as required by law, in the meantime, was finally passed by the
56 Council of the City of Salisbury on the _____ day of _____, 2023.

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59 **ATTEST:**

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Kimberly R. Nichols, City Clerk

_____ **Muir Boda, City Council President**

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67 Approved by me, this _____ day of _____, 2023.

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71 **Jack Heath, Acting Mayor**

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City of
Salisbury
Jacob R. Day, Mayor

March 2, 2023

TO: Andy Kitzrow
FROM: Colonel David Meienschein
SUBJECT: Resolution – Donation of K-9

Attached please find a Resolution to authorize the Salisbury Police Department to accept a donation of a Police K-9. The K-9 has been trained and certified in Police patrol functions. The K-9 has been donated by Delmarva K-9 via Throw-Away Dog Program, Inc.

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



David Meienschein
Assistant Chief of Police

3 **A RESOLUTION OF THE CITY OF SALISBURY, MARYLAND**
4 **ACCEPTING THE DONATION OF A POLICE CANINE (“K-9”) TO THE**
5 **SALISBURY POLICE DEPARTMENT.**
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7 **WHEREAS**, the Throw Away Dogs Project is an internationally recognized nonprofit
8 organization that rehomes K-9s deemed unsuitable for their initial purpose by repurposing, retraining and
9 relocating them into Police, Fire, and Veterans services; and
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11 **WHEREAS**, Delmarva K9, Inc. specializes in police dog training and, through its connection to
12 the Throw Away Dogs Project, facilitates the rehoming of such K-9s in the Delmarva region; and
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14 **WHEREAS**, Delmarva K9, Inc. wishes to donate a repurposed K-9 to the Salisbury Police
15 Department; and
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17 **WHEREAS**, the donated K-9 at issue was initially purposed for bed bug detection, but was
18 found to be unsuitable for service in that specific training environment; and
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20 **WHEREAS**, the K-9 has since been found suitable for police duty, and has been successfully
21 certified in Police Patrol Functions; and
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23 **WHEREAS**, this trained and certified K-9 has a market value of approximately \$6,000.00; and
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25 **WHEREAS**, the Salisbury Police Department desires to further train the K-9 to specialize in
26 accelerant (bomb) detection at a cost of \$6,500.00; and
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28 **WHEREAS**, the Salisbury Police Department has the surplus funds available to cover these
29 costs, and has a great need for this type of specialized K-9 given the ever-increasing special events within
30 the City of Salisbury and limited human resources.
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32 **NOW, THEREFORE, BE IT ENACTED AND ORDINANCE BY THE COUNCIL OF**
33 **THE CITY OF SALISBURY, MARYLAND**, as follows:
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35 **Section 1.** The aforementioned K-9, having a market value of \$6,000.00, be and hereby is
36 accepted from Delmarva K9, Inc.; and

37 **Section 2.** The same K-9 is approved for further training in accelerant (bomb) detection, at a
38 cost of \$6,500.00.
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40 **BE IT FURTHER ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF**
41 **SALISBURY, MARYLAND**, as follows:

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

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

49 **Section 5.** The recitals set forth hereinabove are incorporated into this section of the Ordinance
50 as if such 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.
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54 **THIS ORDINANCE** was introduced and read at a Meeting of the Mayor and Council of the City
55 of Salisbury held on the _____ day of _____, 2023 and thereafter, a statement of the substance of
56 the Ordinance having been published as required by law, in the meantime, was finally passed by the
57 Council of the City of Salisbury on the _____ day of _____, 2023.
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64 **ATTEST:**
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68 **Kimberly R. Nichols, City Clerk**
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_____ **Muir W. Boda, City Council President**

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72 Approved by me, this _____ day of _____, 2023.
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78 **Jack R. Heath, City of Salisbury, Acting Mayor**



City of
Salisbury
Jacob R. Day, Mayor

March 2, 2023

TO: Andy Kitzrow
FROM: Colonel David Meienschein
SUBJECT: Ordinance – Purchase and Upfitting of Four SPD Vehicles

Attached please find an ordinance to authorize the appropriation of \$214,189.35 of funds received from the Wicomico County Task Force Equitable Sharing account to be used toward the purchase and customizing of four police vehicles.

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

David Meienschein
Assistant Chief of Police

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ATTEST:

Kimberly R. Nichols, City Clerk

Muir W. Boda, City Council President

Approved by me, this _____ day of _____, 2023.

Jack R. Heath, Acting Mayor