



CITY OF SALISBURY

115 S. Division Street, Salisbury, MD, 21801

LEGISLATIVE SESSION

Government Office Building

125 N. Division Street, Room 301, Salisbury, MD, 21801

Monday, September 9, 2024, 6:15 p.m.

D'SHAWN M. DOUGHTY
Council President

ANGELA M. BLAKE
Council Vice President

APRIL R. JACKSON
Councilwoman

MICHELE R. GREGORY
Councilwoman

SHARON DASHIELL
Councilwoman

CALL TO ORDER

WELCOME/ANNOUNCEMENTS/PLEDGE

INVOCATION – Pastor Greg Carlson, Park Seventh-day Adventist

PRESENTATION – Democracy Across the Disciplines by Sandy Pope

PRESENTATION AND ADOPTION OF LEGISLATIVE AGENDA

AWARD OF BID – Procurement Director Jennifer Miller

- RFP A-25-108 Parking Management System \$119,781.91 (3 yr. est.)

DECLARATION OF SURPLUS – Procurement Director Jennifer Miller

- Dept. of Field Operations – Misc. vehicles, equipment, mobile building \$0.00

RESOLUTION – Council Vice President Angela Blake

- **Resolution No. 3365** – to confirm the Council Vice President has the authority to execute any and all closing documents on behalf of the City to convey the Mitchell Landing Apartment Complex from the City of Salisbury to the Wicomico County Housing Authority

ORDINANCES – City Attorney Ashley Bosché

- **Ordinance No. 2884** – 2nd reading - authorizing the Mayor to enter into a contract with Maryland Humanities for the purpose of accepting grant funds in the amount of \$431.14 and to approve a budget amendment to the grant fund to appropriate these funds for the Maryland Folk Festival Programming
- **Ordinance No. 2885** – 2nd reading - approving a budget amendment of the City's FY25 Budget to accept and appropriate donated funds from the Community Foundation of the Eastern Shore Winter Wonderland of Lights fund to support the cost of the annual holiday lighting displays at Salisbury's City Park
- **Ordinance No. 2886** – 2nd reading – approving a budget amendment of the FY2025 General Fund Budget to appropriate funds to the Salisbury Fire Department
- **Ordinance No. 2887** – 2nd reading – to accept funds received from Perdue Agribusiness, LLC for the City of Salisbury's Supplemental Environment Project

- **Ordinance No. 2889** – 1st reading – amending Chapter 1.08 of the Salisbury City Code, entitled “Election Board,” to adopt recommendations made by the City of Salisbury Election Board regarding the application for mail-in ballots and the canvassing of ballots
- **Ordinance No. 2890** – 1st reading – amending Chapter 1.12 of the Salisbury City Code, entitled “City Election Campaign Advertising and Finance”.

PUBLIC COMMENTS

ADMINISTRATION UPDATES AND COMMENTS

COUNCIL COMMENTS

ADJOURNMENT / CONVENE IN CLOSED SESSION TO CONSULT WITH COUNSEL TO OBTAIN LEGAL ADVICE ON A LEGAL MATTER AND TO CONSULT WITH STAFF, CONSULTANTS, OR OTHER INDIVIDUALS ABOUT PENDING OR POTENTIAL LITIGATION AS AUTHORIZED BY THE STATE GOVERNMENT ARTICLE, § 3-305(B)(7) AND (8). THE PURPOSE OF THE MEETING IS TO RECEIVE AN UPDATE AND LEGAL ADVICE ON THE PFAS LAWSUIT

Join Zoom Meeting

<https://us02web.zoom.us/j/88163253286?pwd=K3RtZUhUMHNucDRPU2IHbnROQzZVUT09>

Meeting ID: 881 6325 3286

Passcode: 812389

Phone: 1.301.715.8592

<p>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.</p>

Posted 09/06/24

Institute for Public Affairs & Civic Engagement (PACE)

For information: salisbury.edu/pace

Democracy Across the Disciplines Lecture Series

MONDAYS • 7-8:30 p.m. • Perdue Hall 156

- **September 9** – *Effective Advocacy for Social and Political Issues*
- **September 16** – *Effective and Accountable Institutions: Governance in a Democracy*
- **September 23** – *Sustainable Communities: The Role of Government in Planning for the Environment*
- **September 30** – *Resilient Cities: The Role of Housing and Community Development*
- **October 7** – *Peace and Justice: Legislating for Reform*
- **October 14** – *Public Trust: Effective and Accountable Elections*
- **October 21** – *Public Freedom and Ballot Access: Elections and Those Who Run Them*
- **October 28** – *Responsive Decision-Making: Elections and Those Who Run in Them*
- **November 4** – *The Year of Democracy: Public Discussions about the 2024 General Election*
- **November 11** – *Representation in Leadership and Decision-Making: Experiences Advocating for Gender Equality and Reproductive Rights*
- **November 18** – *Safe and Responsible Movement: Migrant Rights in a Period of Increased Immigration*
- **November 25** – *Universal Inclusion: The Social, Economic and Political Impacts of LGBTQ+ Rights*
- **December 2** – *Student Loan Forgiveness: Should Higher Education in a Democracy Be Free?*
- **December 9** – *After the Year of Democracy: Productive Partnerships for 2025*





COUNCIL AGENDA – Department of Procurement

September 9, 2024

Award of Bid

1. RFP A-25-108 Parking Management System \$119,781.91 (3 yr. est.)

Declaration of Surplus

1. Dept. of Field Operations – Misc. vehicles, equipment, mobile building \$ 0.00



City of Salisbury

MEMORANDUM

TO: Mayor and City Council

FROM: Jennifer Miller, Director of Procurement

SUBJECT: Award of Bid and/or Declaration of Surplus

DATE: September 9, 2024

The Department of Procurement seeks Award of Bid approval from the Salisbury City Council for the solicitation(s) as defined herein. The City followed required bidding practices as defined by the Salisbury Charter and the Municipal Code of Ordinances, and publicly posted the solicitations for the competitively bid procurements on the City of Salisbury's Procurement Portal and the State of Maryland's website, eMaryland Marketplace Advantage.

ITB A-25-108 Parking Management System

- Department: Field Operations
- Scope of Work: Provide all hardware, software, licenses, data plans, training, installation and setup for a scalable parking management system
- Cooperative contract(s) & vendor information:
 - Sourcewell
 - Contract 080321-TSI
 - Vendor: T2 Systems, Inc. (Indianapolis, IN) and Integrated Technical Systems, Inc. (Wallingford, CT)
 - Contract Maturity Date: 10/07/2025
- Cost:
 - \$103,424.91 Year 1 (hardware, licenses, monthly subscriptions & fees)
 - \$ 16,357.00 Years 2 & 3 (recurring subscriptions & fees)
- GL Account(s): 94001-577030-43039 (Year 1)
- Notes:
 - Purchasing authority per City of Salisbury Charter § SC 16-3 General Policy of Competitive Bidding, Exceptions, which states that competitive bidding is not necessary or appropriate in the following circumstances:
 - A.(9) Contracts in which the City receives a contract price negotiated by the State, County, or other governmental entity pursuant to a valid contract.
 - As a service cooperative, Sourcewell is a local government unit, public corporation and public agency pursuant to the Minnesota Constitution and enabling law Minn. Stat. § 123A.21
 - The City of Salisbury is a Participating Agency, Account # 2425



City of Salisbury

Pursuant to § SC16-8 Sale or Other Disposition of Surplus, Obsolete or Unused Property of the Salisbury Charter, I am requesting approval of the City Council to the declare the following items as surplus:

Department of Field Operations

Item(s): Various vehicles, equipment, and a mobile office trailer

Method of Disposal: Public auction; if not saleable, will be abandoned, destroyed, scrapped, or otherwise disposed of.



City of Salisbury

MEMORANDUM

To: Jennifer Miller, Director of Procurement

From: Mike Dryden, Director of Field Operations

Subject: Recommendation for Award of bid for T2 Systems, Inc

Date: 9/4/24

The Department of Field Operations was approved funding to implement upgrades such as tag reader mounts for the parking enforcement vehicle, handheld tag readers and a ticket printer that will be used for on street parking, along with two paystations that will be used in the parking garage. This will also provide a fully automated back of house system.

Recurring subscription charges will take place annually. These subscriptions are for the hardware data plans that operate the handheld LPR (License Plate Reader) and mobile pay subscriptions. The Parking Division will use a Sourcewell cooperative contract #080321-TSI with T2 Systems, Inc., and for ITS, Inc for the purchase of the paystations.

Pursuant to a thorough review of the contract from the City Department of Procurement and the Department of Field Operations, please allow this memorandum to serve as the formal Department recommendation to award a contract to T2 Systems, Inc in the amount of \$119,781.91 to implement upgrades to automate city parking operations.

Funding for Year 1 is available in General Ledger account number 31154-599101:

Attached you will find the following items:

- T2 Systems, Inc. quote
- ITS, Inc. quote

City of Salisbury, MD
T2 Quote Summary

	Year 1	Year 2 Budget	Year 3 Budget	Total
UPsafety Solution				
Subscriptions	\$3,828.00	\$3,828.00	\$3,828.00	\$11,484.00
Services	\$2,770.00	\$0.00	\$0.00	\$2,770.00
Hardware	\$2,864.00	\$0.00	\$0.00	\$2,864.00
Subtotal UPsafety	\$9,462.00	\$3,828.00	\$3,828.00	\$17,118.00
T2 Mobile Pay				
Subscriptions	\$1,000.00	\$1,000.00	\$1,000.00	\$3,000.00
Services	\$249.00	\$0.00	\$0.00	\$249.00
Subtotal T2 Mobile Pay	\$1,249.00	\$1,000.00	\$1,000.00	\$3,249.00
LPR Solution				
Subscriptions	\$9,249.00	\$9,249.00	\$9,249.00	\$27,747.00
Services	\$27,115.55	\$0.00	\$0.00	\$27,115.55
Hardware	\$34,440.00	\$0.00	\$0.00	\$34,440.00
Subtotal LPR	\$70,804.55	\$9,249.00	\$9,249.00	\$89,302.55
Total Project	\$81,515.55	\$14,077.00	\$14,077.00	\$109,669.55

Notes:

All transactions booked under Sourcewell Contract #080321

UPsafety includes per transaction items for Delinquent Notices, Out of State Look-ups and In-state look-ups - see quote details

UPsafety includes per transaction costs for Patron Portal transactions - see quote details

T2 Mobile Pay includes per transaction costs for transactions and gateway fees - see quote details

T2 and City of Salisbury, MD

City of Salisbury, MD
UPsafety Solution Quote Summary

Product Code	Product: Product Name	Qty	Net Per Unit	Net Total	Allocation	Year 1	Year 2	Year 3	Total
100.5000	UPsafety Subscription Service - PE Mobile License(s)	1	\$2,988.00	\$2,988.00	RR	\$2,988.00	\$2,988.00	\$2,988.00	\$8,964.00
100.5003	UPsafety/Flex Verizon LTE Data Plan	1	\$420.00	\$420.00	RR	\$420.00	\$420.00	\$420.00	\$1,260.00
100.5006	UPsafety Hardware Care Program	1	\$420.00	\$420.00	RR	\$420.00	\$420.00	\$420.00	\$1,260.00
Subtotal Subscriptions				\$3,828.00		\$3,828.00	\$3,828.00	\$3,828.00	\$11,484.00
100.5014	UPsafety Client Cloud Setup & Customization	1	\$1,875.00	\$1,875.00	SVCS	\$1,875.00			\$1,875.00
100.5029	UPsafety Personalized Webinar Training	1	\$895.00	\$895.00	SVCS	\$895.00			\$895.00
Subtotal Services				\$2,770.00		\$2,770.00	\$0.00	\$0.00	\$2,770.00
105.0765	UPsafety/Flex XF Print All-in-One Enforcement Handheld Package	1	\$2,695.00	\$2,695.00	HW	\$2,695.00			\$2,695.00
663.1000	Paper 3in Plain Polyvinyl Thermal, 200 3.2 Appleton, 80mm- Hgp-3 Printer (50 rolls)	1	\$169.00	\$169.00	HW	\$169.00			\$169.00
Subtotal Hardware				\$2,864.00		\$2,864.00	\$0.00	\$0.00	\$2,864.00
Total UPsafety						\$9,462.00	\$3,828.00	\$3,828.00	\$17,118.00

Additional Items:

UPsafety Automated Out of State Lookups \$2.50 per Lookup
UPsafety Automated In State Lookups At Cost per Lookup
UPsafety Delinquent Notice \$1.00 per Notice
UPsafety Patron Portal \$3.00 per transaction or 4% - greater of

All transactions booked under Sourcewell Contract #080321

T2 and City of Salisbury, MD

City of Salisbury, MD
T2 Mobile Pay Solution Quote Summary

Product Code	Product: Product Name	Qty	Year 1	Year 2	Year 3	Total
100.3212	T2 MobilePay Base Subscription	1	\$1,000.00	\$1,000.00	\$1,000.00	\$3,000.00
Subtotal Subscriptions			\$1,000.00	\$1,000.00	\$1,000.00	\$3,000.00
100.3217	T2 MobilePay Implementation	1	\$249.00			\$249.00
Subtotal Services			\$249.00	\$0.00	\$0.00	\$249.00
Total T2 Mobile Pay			\$1,249.00	\$1,000.00	\$1,000.00	\$3,249.00

Additional Items:

Transaction Fee Tier 4 \$0.27 Per Transaction
T2 Mobile Gateway \$0.12 Per Transaction
Qty 5 10X18 signs included with implementation

All transactions booked under Sourcewell Contract #080321

T2 and City of Salisbury, MD

City of Salisbury, MD
LPR Solution Quote Summary

Product Code	Product: Product Name	Qty	Net Per Unit	Net Total	Allocation	Year 1	Year 2	Year 3	Total
100.0110	T2 Partner Product - LPR Managed Service One Patroller Connection (Year)	1	\$324.00	\$324.00	RR-PassThru	\$324.00	\$324.00	\$324.00	\$972.00
100.0099	T2 Partner Product - LPR Managed Service 2.0 (Year)	1	\$3,970.00	\$3,970.00	RR-PassThru	\$3,970.00	\$3,970.00	\$3,970.00	\$11,910.00
100.0115	T2 Partner Product - LPR Managed Service Upgrade to Pay-by-Plate (Year)	1	\$300.00	\$300.00	RR-PassThru	\$300.00	\$300.00	\$300.00	\$900.00
100.3459	T2 Partner Product - ComSonics Preventative Maintenance	1	\$4,655.00	\$4,655.00	RR-PassThru	\$4,655.00	\$4,655.00	\$4,655.00	\$13,965.00
Subtotal Subscriptions				\$9,249.00		\$9,249.00	\$9,249.00	\$9,249.00	\$27,747.00
100.2391	T2 LPR Integration Prime Project Management	1	\$6,000.00	\$6,000.00	SVCS	\$6,000.00			\$6,000.00
100.2818	T2 Partner Product - LPR Permit Zone Configuration Svcs for Mobile City w/ or w/o Wheel Imagine Pkg	1	\$1,500.00	\$1,500.00	SVCS-PassThru	\$1,500.00			\$1,500.00
100.2852	T2 Partner Product - LPR Mapping License Including Data For North America - Per Vehicle License	1	\$500.00	\$500.00	SVCS-PassThru	\$500.00			\$500.00
100.2925	T2 Partner Product - LPR Ext Warranty-Au-K-Uxx Kit w/ Adv Replacement Coverage-4 Year Addt Coverage - OPTIONAL	1	\$12,774.00	\$12,774.00	SVCS-PassThru	\$12,774.00			\$12,774.00
100.2942	T2 Partner Product - LPR Au-K-Cxx- Adv Swap Warranty Svcs Upgr From Return/Repair-First Year Of Sale	1	\$723.55	\$723.55	SVCS-PassThru	\$723.55			\$723.55
100.3411	T2 Partner Product - ComSonics Mobile Installation	1	\$4,280.00	\$4,280.00	SVCS-PassThru	\$4,280.00			\$4,280.00
100.3429	T2 Partner Product - ComSonics Project Management Services	1	\$1,338.00	\$1,338.00	SVCS-PassThru	\$1,338.00			\$1,338.00
Subtotal Services				\$27,115.55		\$27,115.55	\$0.00	\$0.00	\$27,115.55
100.2899	T2 Partner Product - LPR Panasonic Toughpad Fz-G2 With Verizon Lte Complete Kit	1	\$6,995.00	\$6,995.00	HW-PassThru	\$6,995.00			\$6,995.00
100.3013	T2 Partner Product - LPR SharpZ3 740nm Overtime Kit	1	\$27,445.00	\$27,445.00	HW-PassThru	\$27,445.00			\$27,445.00
Subtotal Hardware				\$34,440.00		\$34,440.00	\$0.00	\$0.00	\$34,440.00
Total LPR				\$70,804.55		\$70,804.55	\$9,249.00	\$9,249.00	\$89,302.55

All transactions booked under Sourcewell Contract #080321

T2 and City of Salisbury, MD



8 Capital Drive,
Wallingford, CT 06492

Phone: 203-265-8100
Fax: 203-949-4710

QUOTE #:	AAAQ6688
DATE:	Sep 2, 2024

www.integrated-tec.com

Prepared For:

Jordan Mann
City of Salisbury
500 Mack Ave.
Salisbury, MD 21801

Ship To:

Jordan Mann
City of Salisbury
500 Mack Ave.
Salisbury, MD 21801

Prepared By:

James N. Hawkins
Sales Representative
jhawkins@integrated-tec.com
4438320422

J.mann@salisbury.md

Customer Service: 1-800-487-6290

P.O. Number	Payment Terms	Valid Through
		Nov 2, 2024

Integrated Technical Systems, Inc. is pleased to submit the following proposal: 2 Luke Cosmo Pay Stations

Qty	Manufacturer	Description	Unit Price	Ext. Price
HARDWARE				
2	T2	Luke Cosmo P2PE/ CL/ AC	\$7,589.08	\$15,178.16
2		Modem Kit LTE	\$537.28	\$1,074.56
2	T2	Digital Connect Activation Fee CDMA	\$17.52	\$35.04
2	T2	SIM Card-T2 DataConnect Nano-Verizon	\$17.52	\$35.04
2		SecurePay Terminal Setup	\$27.50	\$55.00
2	T2	Lock Maintenance- C	\$0.00	\$0.00
2		Key-Green-Ext Access	\$13.20	\$26.40
1		Key- Yellow- Ext Access	\$13.20	\$13.20
4	T2	Paper Roll	\$35.00	\$140.00
1-TIME FEES				
1		SecurePay Gateway Setup	\$400.00	\$400.00
1		T2 IRIS Profile Setup	\$584.00	\$584.00
1		USB Data Key	\$37.96	\$37.96
INSTALLATION/ PROGRAMMING/TRAINING				
	ITS	Installation		\$1,500.00

Qty	Manufacturer	Description	Unit Price	Ext. Price
1	ITS	Installation Material	\$50.00	\$50.00
RECURRING FEES				
2		T2 IRIS HOSTED MANAGEMENT SOFTWARE	\$50.00	\$100.00
2		CELL SERVICE MONTHLY	\$20.00	\$40.00
2		T2 Secure Pay Subscription	\$25.00	\$50.00

Shipping & Handling Included In Quotation
Concrete pad and grounding rod by others.

Pricing in accordance with T2 Systems Cooperative Contract #080321-TSI dated 10/5/2021 and a maturity date of 10/7/2025.

Please contact me if I can be of further assistance.

SubTotal	\$19,129.36
Tax	\$0.00
Shipping	\$500.00
TOTAL	\$19,629.36
Deposit Amount	\$0.00
Recurring Monthly	\$190.00



To: Jennifer Miller, Director of Procurement

From: Jake Pavolik; Assistant Director of Field Operations

Subject: Surplus Vehicles and Equipment

Date: August 22, 2024

The City has accumulated several decommissioned vehicles and pieces of equipment, through budgeted purchases and uneconomical repairs.

We would like to continue with our pro-activeness of replacing vehicles and equipment to optimize cash flow allowing the city to continue replacing equipment. A listing of the surplus vehicles and equipment are attached for your examination at the end of this memo. Reason for surplus varies and consists of end of life, no longer needed, and inoperable.

As you know, per the City of Salisbury Charter, Article XVI/SC16-8, upon a favorable recommendation from the Director of Procurement, obsolete or unused city property which is listed on the city's capital assets inventory shall be sold or otherwise disposed of with approval from the Council.

Charter/Code language provided for convenience:

Surplus, obsolete or unused city property listed on the city's capital assets inventory shall be sold or otherwise disposed of only upon recommendation of the Director of Procurement and after approval of the Council. If saleable, such property shall be sold for the city's account by the Department of Procurement, subject to the applicable provisions of this Article as to competitive bidding; but if not saleable may be abandoned, destroyed or otherwise disposed of.

Thank you



City of Salisbury

I.D.	YEAR	DESCRIPTION	MAKE	MODEL	SERIAL #	MILES/HOURS	Reason
BPI-2	2004	SUV	Ford	Escape	3D7KS28T49G529690	78,000	End of life
E-2	2009	Truck	Dodge	Ram 2500	3D7KS28T49G529690	77,439	Costly Repair
E-3	2007	SUV	Chevrolet	Trailblazer	1GNDT13SX72134905	92,211	End of life
E-4	2007	Truck	Dodge	Ram 1500	1D7HU18P17J544869	76,444	Costly Repair
E-11	2007	Truck	Dodge	Ram 1500	1D7HU18PX7J544868	63,336	Costly Repair
HCDD-5	2001	Truck	Ford	Ranger	1FTYR14V81PB17998	101,155	End of life
PM-4	2002	Truck	Chevrolet	S10	1GBJC34U75E217943	108,090	End of life
PM-20	2000	Truck	Ford	Ranger	3FTTW8A32RRA76853	77,100	End of life
S-9	1988	Grader	John Deere	Grader	DW570BK525860	4,200	End of life
CB-2	2009	Van	Chevrolet	Express Van 2500	1FTEX1CW8AFD12248	92,198	End of life
SAN-4	2014	Refuse Truck	Peterbilt	320 Refuse	1FTRF12W39KB34550	44,920	Costly Repair
SAN-8	2017	Refuse Truck	Peterbilt	320 Refuse	3BPDH78XXLF106465	83,656	Costly Repair
WP-6	2006	SUV	Chevrolet	Uplander LS	1GNDU23L96D247629	84,597	No longer needed
C-6	1989	Low Boy Trailer	Eager Beaver		112GAZ423KL030142	N/A	Inoperable
C-5	2017	Excavator	John Deere	210G	1FF210GXLHF524884	600	Inoperable
Admin Trailer	N/A	N/A	N/A	N/A	N/A	N/A	No longer needed

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RESOLUTION NO. 3365

A RESOLUTION OF THE COUNCIL OF THE CITY OF SALISBURY TO CONFIRM THE COUNCIL VICE PRESIDENT HAS THE AUTHORITY TO EXECUTE ANY AND ALL CLOSING DOCUMENTS ON BEHALF OF THE CITY TO CONVEY THE MITCHELL LANDING APARTMENT COMPLEX FROM THE CITY OF SALISBURY TO THE WICOMICO COUNTY HOUSING AUTHORITY.

WHEREAS, by Resolution No. 3141, the Mayor and Council of the City of Salisbury approved the Land Disposition Agreement (“LDA”) between the City of Salisbury and Rivermitch, LLC, which authorized the sale of the Mitchell Landing Apartment Complex to Rivermitch, LLC, or its designee and authorized the Mayor to execute the LDA on behalf of the City; and,

WHEREAS, the Mitchell Landing Apartment Complex consists of real property identified as Map 0106, Parcel 1116 (Maryland Tax Account No. 09-056238), having a premises address of 135 Mitchell Road, Salisbury, Maryland 21801 and consisting of 2.68 acres more or less (“the Property”). The Property is improved by: four (4) two-story buildings, each of which contains six (6) apartment units, comprised of four (4) three-bedroom units and two (2) two-bedroom units (each an “Apartment” and collectively the “Apartments”); and, one (1) one-story multi-purpose building, at which the management office, laundry room and community center are located to serve the residents of the Apartments (the “Community Center”); and

WHEREAS, the City and Rivermitch, LLC executed the LDA dated December 20, 2021; and

WHEREAS, the Wicomico County Housing Authority, the designee of Rivermitch, LLC, has demanded Closing occur under the LDA; and

WHEREAS, the Closing is scheduled to occur on September 11, 2024;

WHEREAS, on or before Closing, the City must execute an Assumption and Modification Agreement; Bill of Sale; Special Warranty Deed; Owner’s Affidavit; and Settlement Statement (referred to collectively as “Closing Documents”) to effectuate the conveyance of the Mitchell Landing Apartment Complex from the City to the Wicomico County Housing Authority; and

WHEREAS, the Council wishes to ensure that the City meets its contractual obligations in a timely fashion and through this Resolution confirms the Council Vice President Angela Blake may execute the Closing Documents and any other documents necessary to consummate Closing on behalf of the City to convey the Mitchell Landing Apartment Complex from the City to the Wicomico County Housing Authority; and

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

Section 1. Council confirms that Council Vice President Angela Blake is authorized to execute, on behalf of the City of Salisbury, the Closing Documents and any other documents necessary to consummate Closing on behalf of the City of Salisbury with respect to the Mitchell Landing Apartment Complex.

Section 2. It is the intention of the 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 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

45 the section, paragraph, subsection, clause or provision so adjudged and all other provisions of this
46 Resolution shall remain and shall be deemed valid and enforceable.

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

49 **THE ABOVE RESOLUTION** was introduced and read and passed at the regular meeting of the
50 Council of the City of Salisbury held on this 9 day of September, 2024 and is to become effective
51 immediately upon adoption.

52

53 **ATTEST:**

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Julie A. English, City Clerk

Angela M. Blake, City Council Vice President

1 **ORDINANCE NO. 2884**

2 **AN ORDINANCE OF THE CITY OF SALISBURY AUTHORIZING THE MAYOR TO**
3 **ENTER INTO A CONTRACT WITH MARYLAND HUMANITIES FOR THE PURPOSE**
4 **OF ACCEPTING GRANT FUNDS IN THE AMOUNT OF \$431.14 AND TO APPROVE A**
5 **BUDGET AMENDMENT TO THE GRANT FUND TO APPROPRIATE THESE FUNDS**
6 **FOR MARYLAND FOLK FESTIVAL PROGRAMMING.**

7 **WHEREAS**, Maryland Center for the Book through Maryland Humanities has grant funding for
8 the One Maryland One Book (“OMOB”) community programming; and

9 **WHEREAS**, the purpose of this funding is to foster creative programming for OMOB around the
10 state

11 **WHEREAS**, the City of Salisbury submitted a grant application to Maryland Humanities for
12 funding to support the OMOB programming at the 2024 Maryland Folk Festival; and

13 **WHEREAS**, the City has been awarded funds in the amount of \$431.14; and

14 **WHEREAS**, the City of Salisbury must enter into a grant agreement with Maryland Humanities
15 defining how these funds must be expended; and

16 **WHEREAS**, all funds shall be solely for the creative programming of the OMOB initiative; and

17 **WHEREAS**, § 7-29 of the Salisbury City Charter prohibits the City from entering into a contract
18 that requires an expenditure not appropriated or authorized by the Council of the City of Salisbury; and

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

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

23 **Section 1.** Mayor Randolph J. Taylor is hereby authorized to enter into a grant agreement with
24 Maryland Humanities, on behalf of the City of Salisbury, for the City’s acceptance of grant funds in the
25 amount of \$431.14.

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

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

29 (a) Increase MD Humanities E&R Revenue Account No. 10500-XXXXX-XXXXX by \$431.14.

30 (b) Increase Operating Account No. 10500-546006-XXXXX by \$431.14.

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

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

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

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

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

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

43 **THIS ORDINANCE** was introduced and read at a Meeting of the Mayor and Council of the City
44 of Salisbury held on the 26 day of August, 2024 and thereafter, a statement of the substance of the Ordinance
45 having been published as required by law, in the meantime, was finally passed by the Council of the City
46 of Salisbury on the 9 day of September, 2024.

47 ATTEST:

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49 _____
50 Julie A. English, City Clerk

D'Shawn M. Doughty, City Council President

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54 Approved by me, this _____ day of _____, 2024.

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Randolph J. Taylor, Mayor

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ORDINANCE NO. 2885

AN ORDINANCE OF THE CITY OF SALISBURY APPROVING A BUDGET ADMENDMENT OF THE CITY’S FY25 BUDGET TO ACCEPT AND APPROPRIATE DONATED FUNDS FROM THE COMMUNITY FOUNDATION OF THE EASTERN SHORE WINTER WONDERLAND OF LIGHTS FUND TO SUPPORT THE COST OF THE ANNUAL HOLIDAY LIGHTING DISPLAYS AT SALISBURY’S CITY PARK.

WHEREAS, the City’s Arts, Business and Culture Department is preparing to rehabilitate the city park light displays; and

WHEREAS, The Community Foundation of the Eastern Shore administers a fund to support the cost of the annual holiday lighting display at Salisbury’s City Park; and

WHEREAS, The fund has an available balance of \$1,700.00; and

WHEREAS, The donated funds will be used to rehabilitate existing structures with fresh paint, purchase light bulbs, control modules, and electrical supplies, and offset labor costs associated with the rehabilitation of the displays; and

WHEREAS, appropriations necessary for this donation 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’s FY25 General Fund be and hereby is amended as follows:

- 1) Increase Donations Revenue Account 01000-456415 by \$1,700.00
- 2) Increase Events Expense Account 11600–555513 by \$1,700.00

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 Council of the City of Salisbury held on this 26 day of August, 2024, and thereafter, a statement of the substance of the Ordinance having been published as required by law, was finally passed by the Council on the 9 day of August, 2024.

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ATTEST:

Julie A. English, City Clerk

D'Shawn M. Doughty, City Council President

APPROVED BY ME THIS _____ day of _____, 2024.

Randolph J. Taylor, Mayor

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ORDINANCE NO. 2886

**AN ORDINANCE OF THE CITY OF SALISBURY APPROVING A
BUDGET AMENDMENT OF THE FY2025 GENERAL FUND BUDGET TO
APPROPRIATE FUNDS TO THE SALISBURY FIRE DEPARTMENT.**

WHEREAS, the Salisbury Fire Department has a need to renovate the undersized and outdated kitchen at Fire Station #1; and

WHEREAS, there was sufficient funding in the FY2024 budget to complete the necessary kitchen renovation; and

WHEREAS, the Salisbury Fire Department and Department of Procurement solicited proposals from contractors and met with contractors to create a design and build project for the kitchen renovation during the FY2024 Fiscal Year; and

WHEREAS, the time constraints and Fiscal Year calendar requirements set forth in the City Charter precluded the Salisbury Fire Department from completing the successful project bid to a qualified contractor that was fiscally responsible and prudent and, consequently, these funds were returned to the City's Surplus Account at the end of FY2024; and

WHEREAS, the Salisbury Fire Department still has a need to complete the kitchen remodel at Fire Station #1 and needs the funding re-allocated for successful completion of the project; 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 2025 General Fund Budget be and is hereby amended as follows:

- (a) Increase the Current Year Surplus Account (01000-469810) by \$142,000; and
- (b) Increase the Salisbury Fire Department's Buildings Account (24035-534301) by \$142,000.

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.

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.

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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 26 day of August, 2024 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 9 day of September, 2024.

ATTEST:

Julie A. English, City Clerk

D'Shawn M. Doughty, City Council President

Approved by me, this _____ day of _____, 2024.

Randolph J. Taylor, Mayor

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ORDINANCE NO. 2887

AN ORDINANCE OF THE CITY OF SALISBURY TO ACCEPT FUNDS RECEIVED FROM PERDUE AGRIBUSINESS, LLC FOR THE CITY OF SALISBURY'S SUPPLEMENTAL ENVIRONMENTAL PROJECT

WHEREAS, Pursuant to a Memorandum of Understanding between the Maryland Department of the Environment and the City of Salisbury dated July 29, 2024, Perdue Agribusiness, LLC ("PAB") was to pay \$400,000 to the City to support the implementation of a supplemental environmental project (SEP) designed to improve the environment and the otherwise serve the people in and around the City; and

WHEREAS, the funds will directly benefit the City of Salisbury's FY 2025-2027 Terrascaping Action Plan; and

WHEREAS, the City of Salisbury Department of Infrastructure & Development requests that the City accept the \$400,000 in funds from PAB and place those funds in the Environmental Perdue Settlement Revenue Account to provide funding for implementation of the SEP; 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 ORDAINED BY THE CITY COUNCIL OF THE CITY OF SALISBURY, MARYLAND, as follows:

Section 1. The City's Special Revenue Fund Budget be and is hereby amended as follows:

- 1) Increase Special Revenue Fund, Environmental Perdue Settlement Revenue 10700-428505-XXXXX, by \$400,000.00
- 2) Increase the Construction Account Expense, 10700-513026-XXXXX, by \$400,000

AND 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 26 day of August, 2024 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 9 day of September, 2024.

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ATTEST:

Julie A. English, City Clerk

D'Shawn M. Doughty, City Council President

Approved by me, this _____ day of _____, 2024.

Randolph J. Taylor, Mayor



City of Salisbury

TO: City Council
FROM: Julie English, City Clerk
SUBJECT: Election Board changes to Charter and Code
DATE: August 14, 2024

The Election Board met in open session during the months of December through July with City Attorney Ashley Bosché and the Clerk's Office to discuss amendments to the Charter and Code. The amendments include changes to the following:

- Charter Amendments
 - § SC1-1
 - § SC2-2
 - § SC3-2
 - § SC6-6
 - § SC6-9

- Code Amendment
 - Chapter 1.08
 - Chapter 1.12

The Election Board would like Council to consider forwarding the above referenced legislation to legislative agenda for approval.

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ORDINANCE NO. 2889

AN ORDINANCE OF THE CITY OF SALISBURY AMENDING CHAPTER 1.08 OF THE SALISBURY CITY CODE, ENTITLED “ELECTION BOARD,” TO ADOPT RECOMMENDATIONS MADE BY THE CITY OF SALISBURY ELECTION BOARD REGARDING THE APPLICATION FOR MAIL-IN BALLOTS AND THE CANVASSING OF BALLOTS.

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

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

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

WHEREAS, the Mayor and Council find that amendments to Chapter 1.08 of the Salisbury City Code are desirable to update and clarify the Code with respect to the application for mail-in ballots and canvassing of ballots; and

WHEREAS, on August 8, 2024, the City of Salisbury Election Board convened in public session to review potential amendments to Chapter 1.08 of the Salisbury City Code to offer advice and recommendations the with respect to such amendments to the Mayor and Council; and

WHEREAS, on August 19, 2024, the Mayor and Council convened in public session to review potential amendments to Chapter 1.08 of the Salisbury City Code resulting from the advice and recommendations of the City of Salisbury Election Board; and

WHEREAS, the Mayor and Council have determined that the amendments to Chapter 1.08 of the Salisbury City Code set forth below shall be adopted as set forth herein.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY COUNCIL OF THE CITY OF SALISBURY, MARYLAND, that Chapter 1.08 of the Salisbury City Code is hereby amended by adding the bolded and underlined language and deleting the strikethrough language as follows:

Section 1. Chapter 1.08.020 of the Salisbury City Code, entitled “Duties of city board” is amended as follows:

1.08.020 - Duties of the city board.

The city board shall generally supervise the conduct of the system of appointment and registration, ~~nomination by petition~~, general and special elections, and ~~other~~ petitions in accordance with the provisions of the City Charter and Code ordinances of the council, and shall enforce the provisions of the City Charter and Code governing elections, qualifications for office, and campaign advertising and

52 **finance.** ~~; specifically including the following duties~~ **The duties of the city board shall include, but are**
53 **not limited to:**

- 54 A. ~~Observe~~ **Observing** polls;
- 55 B. ~~Observe~~ **Observing** opening of mail-in ballots;
- 56 C. **Hearing** contests concerning voting and the validity of any ballot; ~~and~~
- 57 D. ~~Ensure~~ **Ensuring** compliance with campaign advertising and finance as described in Chapter
58 1.12 of the Code- **and**
- 59 E. **Hearing complaints of alleged violations of the City Charter and Code governing elections,**
60 **qualifications for office, and campaign advertising and finance.**

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62
63 **Section 2.** Chapter 1.08.220 of the Salisbury City Code, entitled “Application for mail-in ballots.”
64 is amended as follows:

65 **1.08.220 - Application for mail-in ballots.**

66 Except as provided in Section 1.08.190, a qualified voter desiring to vote at any election
67 as a mail-in voter shall make application in writing for to the county board for a mail-in
68 ballot, which application must be received not later than the ~~Tuesday preceding the~~
69 ~~election~~ **deadline set by current Maryland State law and regulation for mail-in**
70 **ballots to be received by mail, fax, or Internet.** The application shall contain an
71 affidavit, which need not be under oath but which shall set forth such information, under
72 penalty of perjury, as may be required by the county board.

73 **Section 3.** Chapter 1.08.280 of the Salisbury City Code, entitled “Canvassing of ballots.” is
74 amended as follows:

75 **1.08.280 Canvassing of ballots.**

- 76 A. Opening or Unfolding Ballots. The county board shall not open or unfold any mail-
77 in ballot at time prior to the closing of the polls.
- 78 B. Duties of County Board.
 - 79 1. Subject to the provisions of subsection (B)(2) of this section, at any time
80 after ~~four p.m.~~ **ten a.m.** on the Wednesday following election day and not
81 later than the canvass of the votes cast at the regular voting places in the
82 city at any election, the county board shall meet at the usual offices of the
83 county board and shall proceed to count, certify and canvass the mail-in
84 ballots contained in the ballot envelopes. Each board of canvassers shall
85 keep the ballots safe from tampering until the canvass is completed. The
86 county board shall take all appropriate and feasible steps to protect the
87 privacy of all mail-in ballots.
 - 88 2. The canvass may not be completed until all mail-in ballots that have been
89 received timely have been counted.
- 90 C. Timely Receipt and Ballot.
 - 91 1. Except as provided in subsection D of this section, a ballot shall be
92 considered as received timely, provided:
 - 93 a. It has been received by the county board prior to closing of the
94 polls on election day; or

- 95 b. It was mailed on or before election day; or
- 96 c. The United States Postal Service, an army post office, a fleet post
- 97 office, or the postal service of any other county, has provided
- 98 verification of that fact by affixing a mark so indicating on the
- 99 covering envelope; and
- 100 d. The county board receives the ballot from the United States Postal
- 101 Service not later than ~~four p.m.~~ ten a.m. on the second Friday
- 102 following election day.

- 103 2. Except as provided in subsection D of this section, any ballot received after
- 104 the deadline established in this subsection may not be counted.

105 D. Ballots Received from Locations Outside United States.

- 106 1. In a primary, general or special election, a ballot received from a location
- 107 outside the United States shall be considered as received timely provided:

- 108 a. It has been received by the county board from the United States Postal
- 109 Service not later than ~~four p.m.~~ ten a.m. on the second Friday following
- 110 the election day; and

- 111 b. It was mailed before election day; and

112 The United States Postal Service, an army post office, a fleet post

113 office, or the postal service of any other country, has provided verification

114 to that fact by affixing a mark so indicating on the covering envelope.

- 115 2. Any ballot received by mail after the deadline established in this subsection
- 116 may not be counted.

- 117 3. The commencement of the counting and canvassing process may not be
- 118 delayed to await receipt of ballots under this subsection.

- 119 4. For the purposes of this subsection, "United States" includes several states,
- 120 the District of Columbia, the Commonwealth of Puerto Rico and the Virgin
- 121 Islands but does not include American Samoa, Guam, the Trust Territory of
- 122 the Pacific Islands, any other territory or possession of the United States, an
- 123 army post office address or a fleet post office address.

- 124 E. Voter's Affidavit. For the purposes of subsections C and D of this section, a voter's
- 125 affidavit that the ballot was completed and mailed before election day shall suffice if
- 126 the postal service of the country from which the ballot was mailed does not provide a
- 127 postmark on that ballot.

128 F. Procedure Generally.

- 129 1. A ballot may not be rejected by the city board except by the unanimous vote
- 130 of the entire city board.

- 131 2. If the intent of the voter is not clearly demonstrated, only the vote for that
- 132 office or question shall be rejected.

- 133 3. If the board of canvassers determines a ballot is intentionally marked with an
- 134 identifying mark the entire ballot shall not be counted.

- 135 4. Any ballot received by mail after the deadlines established in subsections C
- 136 and D of this section may not be counted.

- 137 5. Mail-in ballots may not be separately disclosed or reported by precinct.
- 138 6. All voters' applications, affidavits, certifications, ballot envelopes and ballots
139 shall be kept separate and apart from ballots cast at the regular voting places
140 and retained after the date of election at which they were cast for the time
141 required by federal law, unless prior to that time, the county board is ordered
142 by a court of competent jurisdiction, to keep the same for any longer period.
- 143 7. The county board may appoint such numbers of temporary judges as it may
144 deem necessary to adequately and promptly carry out the provisions of this
145 section.
- 146 G. Ballot Voted for Person Who Has Ceased to Be a Candidate. Any mail-in ballot voted
147 for a person who has ceased to be a candidate shall not be counted for such candidate
148 but such vote shall not invalidate the remainder of such ballot.
- 149 H. Ballot Delivered to Wrong Board. If a mail-in ballot envelope is delivered to the
150 wrong board, such board shall immediately send said ballot envelope unopened,
151 unmarked and unchanged in any way to the proper board or to the city clerk.
- 152 I. Voter Dying Before Election Day. Whenever the county board determines from proof
153 or investigation that any person who has marked and transmitted or deposited in
154 person with the board a mail-in ballot, under the provisions of this chapter, has died
155 before election day, the county board shall not count the ballot of the deceased voter.
- 156 J. Place Ballot in Ballot Box and Entry in Registry—More than One Ballot in
157 Envelope—Marking Ballots.
- 158 1. If the county board determines that the provisions for filling out and
159 signing the oath on the outside of the ballot envelope have been substantially
160 complied with and that the person signing the voter's oath is entitled to vote under
161 this chapter in any city election and has not already voted therein on election day,
162 it shall open the ballot envelope and remove the ballot therefrom and the ballot
163 shall be placed by the county board in a secure place to which the public has no
164 access.
- 165 2. If there be more than one ballot in the ballot envelope, all shall be rejected
166 except when two elections are held on the same day and a voter is voting in both
167 elections and the voter returns both mail-in ballots in the ballot envelope provided.
- 168 3. Mail-in ballots may be marked by the pencil taped on the mail-in ballot.
- 169 K. More than One Ballot Received from Same Person. If the county board receives from
170 the same person prior to the deadline for receipt of mail-in ballots more than one mail-
171 in ballot, it shall count, certify and canvass only the mail-in ballot contained in the
172 ballot envelope on which the voter's oath was first executed and if the oath on two or
173 more of the ballot envelopes containing mail-in ballots are dated the same, or if both
174 are undated, none of the ballots received from such person shall be counted.

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

177 **Section 4.** It is the intention of the Mayor and Council of the City of Salisbury that each provision
178 of this Ordinance shall be deemed independent of all other provisions herein.

179 **Section 5.** It is further the intention of the Mayor and Council of the City of Salisbury that if any
180 section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged invalid,
181 unconstitutional or otherwise unenforceable under applicable Maryland or federal law, such adjudication

182 shall apply only to the section, paragraph, subsection, clause or provision so adjudged and all other
183 provisions of this Ordinance shall remain and shall be deemed valid and enforceable.

184 **Section 6.** The recitals set forth hereinabove are incorporated into this section of the Ordinance as
185 if such recitals were specifically set forth at length in this Section 6.

186 **Section 7.** This Ordinance shall take effect from and after the date of its final passage.

187 **THIS ORDINANCE** was introduced and read at a Meeting of the Mayor and Council of the City
188 of Salisbury held on the 9 day of September, 2024 and thereafter, a statement of the substance of the
189 Ordinance having been published as required by law, in the meantime, was finally passed by the Council
190 of the City of Salisbury on the ____ day of _____, 2024.

191

192 **ATTEST:**

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195 _____
196 **Julie A. English, City Clerk**

_____ **D'Shawn M. Doughty, City Council President**

197

198 Approved by me, this ____ day of _____, 2024.

199

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_____ **Randolph J. Taylor, Mayor**

45 **1.12.010 Advertising.**

- 46 A. A person, candidate, campaign manager, treasurer, partisan organization or political
47 committee, including political clubs, or party committee may not expend any money for
48 printing, publication or broadcasting of any political matter whatsoever, unless the matter
49 purports on its face to be paid political advertisement and printed, published or broadcast by
50 authority of the person, campaign manager or treasurer for the named candidate, partisan
51 organization, party committee or political committee, including political clubs.
52
- 53 B. Requirements of subsection A of this section shall apply to any individual, group, or
54 committee promoting passage or defeat of any petition for a referendum or the passage or
55 defeat of a referendum submitted to a vote at any city election.
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58 **1.12.020 Books, records and receipts.**

- 59 A. Every candidate for the office of mayor or city council for the city or any group promoting
60 the passage or defeat of a petition or referendum shall appoint a treasurer who shall have the
61 responsibility of maintaining detailed, full and accurate accounts in a proper book or books
62 to be called "account books." The account books shall contain a detailed record of
63 contributions, monies, loans (including personal contributions, loans and monies) or valuable
64 things received, including the date each contribution was received and the name and address
65 of each contributor. The account books shall also contain a detailed record of all
66 disbursements made by the candidate or his or her representative acting on his or her behalf,
67 or group, as the case may be.
68
- 69 B. Account books shall be maintained by the candidate or his or her representative for at least
70 one year following the date of the general election.
71

72 **C. All campaign funds must be deposited into one account opened with a financial**
73 **institution and such funds shall not be commingled with any other funds or accounts and**
74 **shall not be used for any personal use, which is an obligation or expense of any person that**
75 **would exist irrespective of the campaign of a candidate.**
76

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78 **1.12.030 Campaign contributions.**

- 79 A. **A campaign contribution may be a gift, money, loan that is forgiven or anything of value**
80 **given to influence an election by either supporting or defeating a candidate.** No candidate
81 for mayor or for member of the city council shall receive campaign contributions in excess
82 of ~~two hundred fifty dollars (\$250.00)~~ **five hundred dollars (500.00)** per individual or entity
83 per campaign ~~in cash and/or for in-kind services of a commercial nature.~~
84
- 85 B. The contributions or loans of a candidate or the candidate's spouse to the candidate's own
86 campaign are not subject to the limitations of subsections A and C, but must pass through the
87 hands of the candidate's treasurer and be reported as required in other provisions of this
88 chapter. Personal expenses of the candidate for filing fees, telegrams, telephoning, travel and
89 board, shall not be considered contributions if paid for by the candidate or the candidate's
90 spouse.

- 91
92 C. No loan may be made to the campaign of a candidate or accepted on behalf of the campaign,
93 without express written consent of the candidate. Written consent constitutes the personal
94 guaranty of the candidate for repayment of the loan, ~~only if it expressly so provides~~. The
95 aggregate amount of all outstanding loans to the campaign of a candidate shall not exceed
96 ~~five hundred dollars (\$500.00)~~ **one thousand dollars (\$1,000.00)** per campaign. A loan shall
97 not be forgiven in an amount in excess of ~~two hundred fifty dollars (\$250.00)~~ **five hundred**
98 **dollars (\$500.00)**. **A loan to a candidate that is forgiven is considered a campaign**
99 **contribution and is subject to the maximum contribution limit. Any loan that is not**
100 **forgiven shall be repaid by the deadline for filing the final campaign finance report as**
101 **set forth in 1.12.040.B.** Subsection B is an exclusion to the requirements of this subsection.
102
103 D. Contributions of in-kind services of a commercial nature shall be valued at a rate
104 commensurate with the cost of purchasing similar materials or services.
105
106 E. All campaign contributions shall be received by the date of the general election. Any
107 campaign contributions received after the date of the general election shall be returned to the
108 contributor.
109
110

111 **1.12.35 Campaign transfers.**

112 **A transfer is a monetary contribution made by one political committee to another. A political**
113 **committee shall not transfer more than \$500 to another political committee per campaign.**
114
115

116 **1.12.040 Campaign finance report to be filed by the candidate or treasurer.**

- 117 A. The candidate and/or treasurer shall file a complete and accurate campaign finance report
118 detailing the contents of the account books no later than ~~seven~~ **twenty-one** days prior to the
119 general election. The campaign finance report shall include, but not be limited to, the name,
120 address, amount of contribution and the date all contributions were received. Contributions
121 of in-kind materials or services shall be valued as stated in Section 1.12.020(B). Each
122 campaign finance report filed shall also contain a full and complete record of expenses and
123 list any expenses incurred by not yet paid.
124
125 B. A final ~~disclosure statement~~ **campaign finance report** shall be filed no later than forty-five
126 (45) days after the date of the general election. After payment of all campaign expenditures,
127 any surplus funds shall be paid by the treasurer to either:
128
129 1. The City of Salisbury to help defray the expenses of the election;
130
131 2. A charitable organization as defined in the Annotated Code of Maryland, Business
132 Regulation Article, Title 6 as amended from time-to-time; or
133
134 3. A political club, committee, or party of the candidate's choice.
135

136 ~~C. No campaign finance report shall be required if the contributions received total less than six~~
137 ~~hundred dollars (\$600.00) for the election; however, a statement under oath shall be filed by~~
138 ~~the candidate and treasurer that no campaign finance report is required pursuant to this~~
139 ~~section. Such statement, if applicable, shall be filed seven days prior to the general election.~~
140

141 **C.** Each campaign finance report shall include a representation certifying under oath that the
142 contents of the statement are true and correct and shall be signed by the candidate and
143 treasurer.
144

145 **D.** The foregoing provisions shall also apply to unsuccessful candidates.
146
147

148 **1.12.050 Enforcement.**

149

150 It shall be the duty of the city board to enforce this chapter and to ensure that it is complied
151 with by all candidates for city office.
152
153

154 **1.12.060 Late filing of campaign finance report.**

155 A. There shall be a late filing fee for each campaign finance report which is not filed within the
156 time prescribed **or when filing is not complete or accurate as required by Chapter**
157 **1.12.040**. The fine shall be twenty dollars (\$20.00) per day for the first five days and ten
158 dollars (\$10.00) per day thereafter for each date that the report is overdue. The maximum fine
159 to apply to any one report shall be two hundred fifty dollars (\$250.00). Weekends and
160 holidays shall be excluded in the above time computations.
161

162 B. Any fines assessed pursuant to this chapter shall be the personal responsibility of the
163 candidate and treasurer and may not be paid for by using campaign funds.
164
165

166 **1.12.070 Perjury.**

167 Any willfully false, fraudulent or misleading statement or entry made by any candidate or
168 treasurer in any statement or account under oath required by this chapter shall constitute the crime
169 of perjury and shall be punishable by such according to the laws of this state.
170
171

172 **1.12.080 Penalty.**

173 The penalty for violation of this chapter, except for late filing as provided for above, shall be
174 a fine of up to four hundred dollars (\$400.00) as determined by the city board.
175

176 **BE IT FURTHER ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY**
177 **OF SALISBURY, MARYLAND,** as follows:
178

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

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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 9 day of September, 2024 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 _____, 2024.

ATTEST:

Julie A. English, City Clerk

D’Shawn M. Doughty, City Council President

Approved by me, this _____ day of _____, 2024.

Randolph J. Taylor, Mayor