



## **CITY OF SALISBURY**

115 S. Division Street, Salisbury, MD 21801

### **LEGISLATIVE SESSION**

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

Monday, July 28, 2025 6:00 PM

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D'SHAWN M. DOUGHTY  
Council President

ANGELA M. BLAKE  
Council Vice President

APRIL R. JACKSON  
Councilwoman

MICHELE R. GREGORY  
Councilwoman

SHARON C. DASHIELL  
Councilwoman

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### **CALL TO ORDER**

### **WELCOME/ANNOUNCEMENTS/PLEDGE**

### **INVOCATION - Bishop Andre Alexander - New Dimension Family Ministries**

### **CERTIFICATE OF RECOGNITION - President Doughty**

- Dave Chiddenton, Adopt-A-Road Program

### **PROCLAMATION - Mayor Randy Taylor**

- Retirement of Captain Jason Yankalunas

### **PRESENTATION AND ADOPTION OF LEGISLATIVE AGENDA**

### **CONSENT AGENDA**

- Meeting Minutes  
February 10, 2025 Work Session  
February 10, 2025 Legislative Session  
February 24, 2025 Work Session  
February 24, 2025 Legislative Session  
March 10, 2025 Work Session  
March 10, 2025 Legislative Session

### **PUBLIC HEARING**

- Pohanka 2 Annexation (Chestnut Way) - 2nd Reading  
**Resolution No. 3412** - to annex certain land to be known as "Chestnut Way – Pohanka Kia Annexation", as described in the Property Description and Annexation Plat attached and incorporated as exhibits herein, consisting of 5.280 acres more or less, into the City of Salisbury and to provide for the terms and conditions of the annexation.

### **ORDINANCES**

- Acceptance of BJAG Grant Funding from GOCCP - 2nd Reading  
**Ordinance No. 2946** - to accept funds received from Governor's Office of Crime Prevention, Youth and Victim Services through the Byrne-Justice Assistance Program for the purchase and installation of camera and cellular gateway equipment.
- Amending Chapter 8.11 "The Fire Prevention Code" - First Reading  
**Ordinance No. 2947** - amending chapter 8.11 of the Salisbury City Code, entitled "The Fire

Prevention Code", to adopt a requirement for a permit from the City Fire Marshal for wholesale and retail sale of ground-based sparkling devices within the City of Salisbury.

- Community Needs Grant for Anne Street Village - 1st reading  
**Ordinance No. 2948** - to accept a \$500 donation from the Community Foundation of the Eastern Shore to fund a garden planting at Anne Street Village
- Salisbury Planning Commission - 1st Reading  
**Ordinance No. 2949** - amending the Salisbury City Code to create a new Salisbury Planning Commission, independent from that of Wicomico County

## **PUBLIC COMMENT**

## **ADJOURNMENT/CONVENE INTO WORK SESSION**

<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>
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**WORK SESSION  
MEETING MINUTES  
FEBRUARY 10, 2025**

**PUBLIC OFFICIALS PRESENT**

Council President D'Shawn M. Doughty, Council Vice President Angela M. Blake, Councilwoman April R. Jackson, Councilwoman Michele R. Gregory, Councilwoman Sharon C. Dashiell, Mayor Randy Taylor

**STAFF IN ATTENDANCE**

City Administrator Andy Kitzrow, Fire Chief Rob Frampton, Water Works Director Cori Cameron, Police Chief David Meienschein, Captain John Felts, City Clerk Julie English, City Attorney Ashley Bosché

**WELCOME/ANNOUNCEMENTS/PLEDGE OF ALLEGIANCE**

The City Council convened in a Work Session on February 10, 2025 at 6:00 p.m. in the Government Office Building Council Chambers, Room 301, located at 125 N. Division Street. After reviewing the emergency exit instructions, President Doughty reviewed information about the media distribution list. He then asked fellow councilmembers to reflect their thoughts on Black History Month.

Ms. Dashiell shared that, while being a teacher, during the month of February her kids would reflect on African American inventors.

Ms. Jackson reflected on the first male African American to get elected as a County Council member and first female to get elected as a City Council member. She stated that there were a lot of rich history right here in Salisbury and that it did not stop there.

Ms. Blake shared a brief reflection on the legacy of Ida B. Wells, emphasizing her role as a pioneering journalist and civil rights activist.

Ms. Gregory emphasized the importance of remembering history as a foundation for shaping a better future. She spoke about the countless unsung heroes whose legacies inspire continued advocacy for justice and the celebration of culture. Ms. Gregory highlighted the need to

preserve their stories so they were not forgotten, underscoring the values of truth-telling, empathy, inclusiveness, diversity, and respect for all.

**INVOCATION** – Councilwoman April Jackson

**Presentation** – 2024 Operational Review of the Salisbury Fire Department

Chief Frampton provided an overview of the fire department activity and initiatives for the year. He reported a total of 4,403 fire calls and 12,623 EMS calls to date, with approximately 12% of all calls occurring outside municipal limits. Skilled nursing facility calls accounted for 1,624 calls, making up 12.8% of the total call volume. In response to this demand, the department drafted a Memorandum of Understanding (MOU) with a specific facility to allow a nurse practitioner to assist, helping to reduce the burden on field units. Due to increased call volume, mutual aid from other agencies had been necessary. Fire chiefs made the operational decision to deploy two capital apparatus to all motor vehicle crashes regardless of the initial call details.

Chief Frampton highlighted the department's excellent clinical outcomes, reporting a resuscitation rate of 26%, which significantly exceeds the national average of 8%. There was one civilian fire-related death, though the incident was not responded to by the department; the individual later passed away in the hospital from burn-related complications. Additionally, there were two minor civilian fire injuries. The department continues to aim for a response time under four minutes.

The Fire Marshal's Office conducted 181 building plan reviews and 1,400 commercial fire inspections, generating \$550,000 in revenue for the city. The department also responded to 92 opioid-related calls. A new initiative, in collaboration with SWIFT and called the Safe Initiative, was launched to conduct in-home health and fall risk assessments. Over 200 patients have enrolled in the program. Last year, 691 patients were treated on scene without requiring hospital transport, illustrating the department's growing capacity for alternative care models.

Chief Frampton noted that the department was preparing to implement NERIS, the new national reporting system. Additionally, the department received \$600,000 in grant funding and welcomed 12 new volunteers since July. A Community Risk Assessment was being finalized and will be released once the EMS component was added. The fire service agreement continues to move forward in a positive direction.

**Ordinance** – to add and edit language regarding the counting method for false alarms

Fire Chief Rob Frampton presented an ordinance that would revise the language regarding false alarms. The existing wording had caused confusion, particularly in situations involving apartment complexes where a single alarm panel may serve multiple buildings. Chief Frampton noted that clarification was needed to determine when a false alarm citation should be issued by the Finance Department.

83  
84 Having no comments, Council reached unanimous consensus to move this forward to  
85 Legislative Session.

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87 **Ordinance** – approving a budget amendment of the FY2025 Water Sewer Capital Fund Budget  
88 to appropriate funds for the PFAS Study and Treatment

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90 Ms. Cameron reported that a PFAS study plan had been developed for the Paleo Water Plant  
91 but was not yet completed. She emphasized the need to fast-track this study since the final  
92 opportunity to secure funding would be in January of next year. She also reminded the group  
93 that PFAS treatment systems were required to be in place by 2029.

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95 Having no Council comments, Council reached unanimous consensus to move this forward to  
96 Legislative Session.

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98 **Ordinance** – authorizing a budget amendment of the FY2025 Water Sewer Capital Fund Budget  
99 to appropriate funds for the Elevated Water Tank Maintenance Project

100 Ms. Cameron reported that the Salisbury University water tower needed repainted, and due to  
101 its size the project was expected to be costly. She noted there was \$70,000 remaining and  
102 wanted to move those funds to help cover the cost. She also mentioned that the Edgemore  
103 Avenue water tank was included in the Capital Improvement Plan (CIP) for removal; repairing it  
104 would be expensive and the tank was no longer considered useful.

105 Ms. Jackson inquired whether Salisbury University would contribute to the cost of maintaining  
106 the tower. Ms. Cameron responded that the university did contribute financially in exchange  
107 for having their logo displayed on the tower.

108 Having no further comments, Council reached unanimous consensus to move this forward to  
109 Legislative Session.

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111 **Ordinance** – approving a budget amendment of the FY2025 Water and Sewer Capital Project  
112 Fund Budget to appropriate funds to pay reimbursable project expenses ahead of loans  
113 anticipated to be made from the drinking water state revolving fund for the Naylor Mill Water  
114 Main Extension Project, a PFAS study at the Paleo Water Treatment Plant and a lead service line  
115 replacement project

116 Ms. Cameron began by explaining the upcoming requirement for all water systems nationwide  
117 to submit a Lead Service Line Inventory to the Maryland Department of the Environment (MDE)  
118 and the U.S. Environmental Protection Agency (EPA) by October 2024. She noted that any  
119 plumbing installed prior to 1986 could potentially contain lead and the City of Salisbury was  
120 responsible for identifying and addressing service lines from the meter to individual homes. The  
121 City had applied for federal funding to support this effort, and so far only one lead service line  
122 had been identified.

Ms. Cameron then invited Ms. Amanda Pollack to provide details on a proposed budget amendment. Ms. Pollack explained that the amendment would allow the City to forward fund several water infrastructures projects that were eligible for support from the Maryland Water Quality Financing Administration. These include the Naylor Mill Water Main Extension, the Lead Service Line Replacement (Phase 1), and a PFAS study at the Paleo Water Treatment Plant. The design phase for the Naylor Mill project came in under budget, with \$246,000 of the originally allocated \$718,250 encumbered. An additional \$250,000 was now requested to maintain cash flow during the construction phase, pending reimbursement from the state after Board of Public Works (BPW) approval. For the Lead Service Line Replacement project, \$410,000 was needed to cover design costs, and \$50,000 was requested for the PFAS study. Ms. Pollack noted that while most of the state funding was structured as loan principal forgiveness—which essentially functions as a grant—there were significant documentation and compliance requirements attached.

Having no Council comments, Council reached unanimous consensus to move this forward to Legislative Session.

**Ordinance** – amending Chapter 5.64 of the Salisbury City Code, entitled “Towing Companies”, to update procedures for dispatching police directed towing, operations of a police directed tow on scene, and penalties for violations of the code

Police Chief Dave Meienschein and Captain John Felts proposed updates to Chapter 5.64 of the code. Captain Felts believed these changes would clarify the Police Chief’s authority to suspend or revoke tow company licenses for repeated or excessive violations, and to delay renewals during suspension periods. Amendments to 5.64.080 were suggested to address eligibility for a tow license after a criminal conviction, ensuring individuals were not eligible immediately upon release if they were still on parole or probation. Additionally, revisions to 5.64.040 (G) would allow the city to accept annual Department of Transportation inspections in place of the city’s inspection, to reduce redundancy.

Having no Council comments, Council reached unanimous consensus to move this forward to Legislative Session.

#### **PUBLIC COMMENT**

Speaker #1 was concerned about not receiving the information regarding the Lead Service Line Replacement Project.

Speaker #2 noted that the County Council would be moving from five districts to seven districts and commended the fire department for their extensive service into the county.

Speaker #3 asked about the water tower and whether Salisbury University pays for its use.

#### **ADJOURNMENT/CONVENE IN LEGISLATIVE SESSION**

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With no further business to discuss, the Work Session adjourned at 7:17 p.m.

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City Clerk

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Council President

# SFD 2024 End of Year Update

"Data Driven, Community Focused"





## Here are the Basics

### 2023

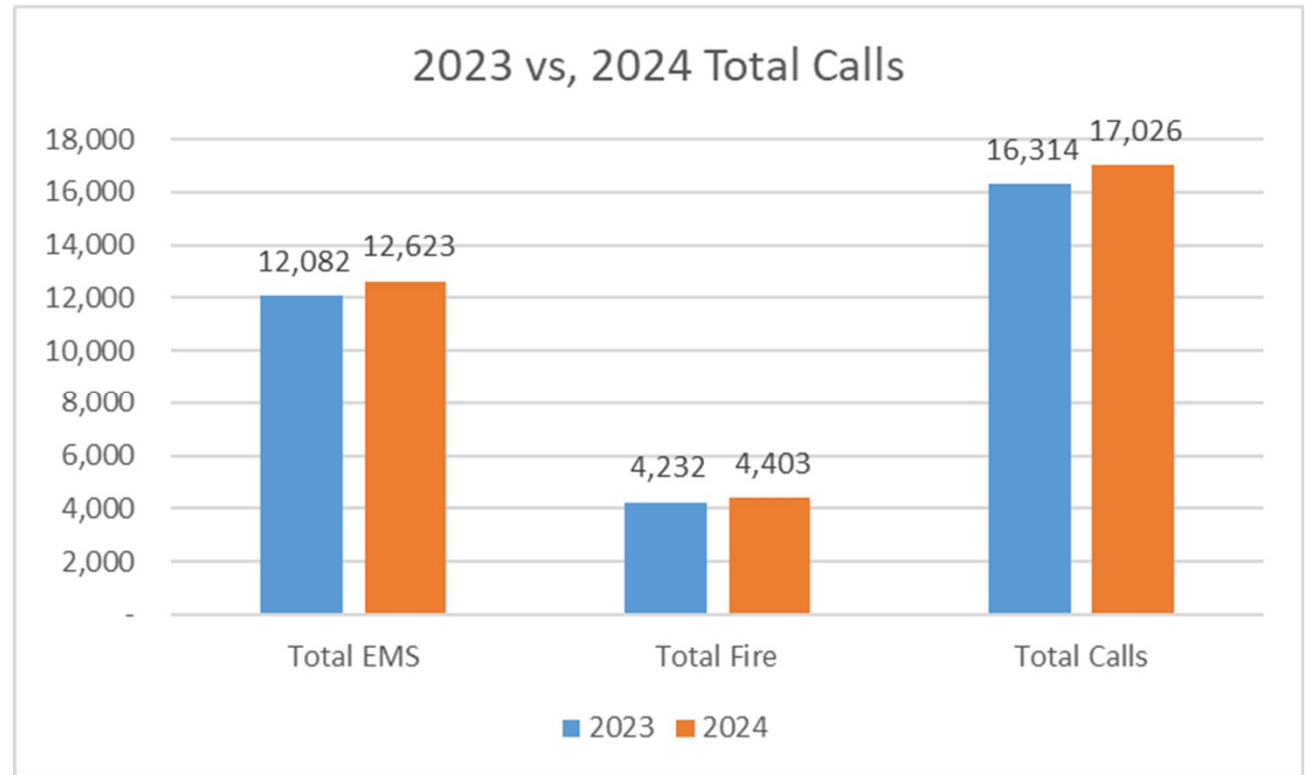
- Total Calls - 16,314
- Fire - 4,232
- EMS - 12,082
- Total Fire Unit Responses – 6,730
- 1 call every 32 minutes

### 2024

- Total Calls - 17,026 (+ 712, +4.36%)
- Fire - 4,403 (+ 171, +4.04%)
- EMS - 12,623 (+534, +4.4%)
- Total Fire Unit Responses – 6,948
- 1 call every 30 minutes

“Data Driven, Community Focused”

# Visualizing the Basics



"Data Driven, Community Focused"

## Let's Take a Deeper Dive

### 2023

- EMS Calls (Incorporated District) - 8,242
- EMS Calls (Unincorporated District) - 3,372
- EMS Calls (Outside of the SFD District) - 390
- Fire Calls (Incorporated District) - 2,769
- Fire Calls (Unincorporated District) - 1,233
- Fire Calls (Outside of the SFD Districts) - 167

### 2024

- EMS Calls (Incorporated District) - 8,517 (+3.2%)
- EMS Calls (Unincorporated District) - 3,782 (+12.2%)
- EMS Calls (Outside of the SFD District) - 324 (-16.9%)
- Fire Calls (Incorporated District) - 2,936 (+6.0%)
- Fire Calls (Unincorporated District) - 1,283 (+3.9%)
- Fire Calls (Outside of the SFD District) - 184 (+10.1%)

"Data Driven, Community Focused"

## EMS Calls at Skilled Nursing Facilities

- 1,621 calls to Skilled Nursing Facilities
  - 12.8% of the Total EMS Call Volume
- 46.7% are Bravo-level calls or lower
- 51.8% are Charlie-level calls or higher
- 76.5% end up being BLS calls or No Transport

"Data Driven, Community Focused"

# What We Are Doing to Combat This

- Met with Staff at a Super User Facility to Discuss Alternatives
  - Integration of the SWIFT/MDCN Teams Into These Facilities
  - Training of Our Providers
  - Monthly Call Reviews for Justification of 911 Use
  - The Facility is Adding Providers
  - They are Revamping Clinical Procedures
  - They Have Contracted with a Private Transportation Unit

“Data Driven, Community Focused”

# What We Couldn't Do

- Outside FD's Assisted the SFD – 77 times in 2024
- Outside EMS Units Handled Calls – 335 times, Up from 124
  - This Equates to Longer Response Times Which Increases:
    - Injury/Death Rates
    - \$ Loss from Fires
    - Lower Patient & Citizen Satisfaction Levels

“Data Driven, Community Focused”

## The Good

- Witnessed Cardiac Arrests – 36
- Unwitnessed Cardiac Arrests – 56
- Patients Resuscitated – 24 (26%) (National Average is 8%)
- Civilian Fire Deaths – 1
- Civilian Fire Injuries – 2

“Data Driven, Community Focused”

# Fire Marshal's Office

- Property Value & Contents Saved from Fire - \$43,917,003
- Property Value & Contents Lost to Fire - \$3,104,137
- Fire Unit Response Times Average – Under 4 Minutes (Travel Times Only)
  - Struggle with the North and North East Ends of Our District
- FM's Office Approved Building Plan Reviews – 181
- FM's Office Total Inspections – 1,373
- FM's Office Generated Over \$550k in Revenue in 2024
- Numerous Community Events & Programs
  - Thousands of Children & Adults Impacted Annually

"Data Driven, Community Focused"



# SWIFT & MDCN

- 92 Opioid Related Calls
- 109 Doses of Narcan Administered
- SAFE Initiative
  - Addressing the over 1400 Subject Fallen Calls per Year
    - On-Scene Blood Tests, Primary Care Provider Notification, Hazard Removal/Risk Reduction in the Home, Physical Therapy
    - Reduces Unnecessary Fire & EMS Response & Transport
- 200 Patients Enrolled/Monitored by SWIFT
- MDCN - 691 Responses to low acuity calls
  - 125 Treated on Scene w/ No Transport (Over \$225k Reduction)
- Community Outreach
  - Aiming to Visit Schools & Community Centers with Opioid Awareness Info

“Data Driven, Community Focused”

# Training & Tactical Medics

- In 2024, our members completed almost 11,000 hours of training.
- Tactical Medic Program (2 Member Team)
  - Specialized Training Program
  - Worked with 17 different Police Agencies in 2024
  - Assisted SPD 29 different times
  - 0 Civilian Injuries and 0 Officer Injuries in 2024
  - Completed 12 Training Days
  - Provided Training to SPD on Wound Care, Narcan, & Basic First Aid

“Data Driven, Community Focused”

## Wrap-Up & What Lies Ahead

- Selected for NERIS
- Over \$600,000 in Grants Received in 2024
- Volunteer Intake is Up!!
  - 12 new Volunteers since July 1st
- Drone Program (Pre-Plans, Search/Rescue, Planned Events)

“Data Driven, Community Focused”

# Community Risk Assessment Preview

- <https://storymaps.arcgis.com/stories/689b1f232cfa4cac837abe0289917918>

“Data Driven, Community Focused”



**LEGISLATIVE SESSION  
MEETING MINUTES  
FEBRUARY 10, 2025**

**PUBLIC OFFICIALS PRESENT**

Council President D'Shawn M. Doughty, Vice President Angela M. Blake, Councilwoman April R. Jackson, Councilwoman Michele R. Gregory, Councilwoman Sharon C. Dashiell, Mayor Randy Taylor

**STAFF IN ATTENDANCE**

City Administrator Andy Kitzrow, Procurement Director Jennifer Miller, City Clerk Julie English, City Attorney Ashley Bosché

**WELCOME/ANNOUNCEMENTS**

The City Council convened in Legislative Session on February 10, 2025 at 7:17 p.m. in the Government Office Building Council Chambers, Room 301, located at 125 N. Division Street.

**PRESENTATION AND ADOPTION OF THE AGENDA**

President Doughty presented the legislative agenda and called for a motion and a second to approve the agenda as presented. Ms. Dashiell motioned and Ms. Jackson seconded. The vote was 5-0 to approve the legislative agenda.

**AWARD OF BID** – presented by Procurement Director Jennifer Miller

- ITB A-25-110 Pump Station Wet Well Cleaning \$95,100 est/yr

Ms. Blake motioned and Ms. Gregory seconded and the vote was 5-0 in favor.

**RESOLUTION** – presented by City Attorney Ashley Bosché

- **Resolution No. 3377** – amending the Salisbury City Council Regulations and Rules of Order

Ms. Dashiell requested clarification regarding the change in the meeting schedule from four meetings per month to two. President Doughty, along with the administration, explained that the schedule was intentionally left flexible to allow for additional meetings if time-sensitive matters arose and needed to be addressed promptly.

Ms. Jackson motioned and Ms. Blake seconded. The vote was 5-0 to approve Resolution No. 3377.

#### **PUBLIC HEARING**

President Doughty directed anyone wishing to comment during the public hearing to stand and be sworn in by the City Clerk. No members of the public were sworn in.

- **Ordinance No. 2917** – 2<sup>nd</sup> reading – to rezone a property located at 413 Snow Hill Road from R-10 Residential to General Commercial

President Doughty asked for a motion and a second for Ordinance No. 2917. Ms. Blake motioned and Ms. Dashiell seconded.

President Doughty opened the public hearing at 7:27 p.m. Having no comments, the hearing was closed at 7:27 p.m.

The vote was 5-0 to approve Ordinance No. 2917 for second reading.

#### **ORDINANCES**

- **Ordinance No. 2916** – 2<sup>nd</sup> reading – authorizing the Mayor to enter into a memorandum of understanding with the Wicomico County Health Department and approving a budget amendment of the FY2025 General Fund Budget to appropriate funds received from the Wicomico County Health Department in the amount of \$10,000

Ms. Jackson motioned and Ms. Gregory seconded, and the vote was 5-0 to approve Ordinance No. 2916.

#### **PUBLIC COMMENTS**

The following public comments were made:

- Speaker #1 mentioned long-standing and recent concerns such as Carroll Street, flooding near Pep Boys, pedestrian safety on the north side, and sufficient transportation. He hoped that meaningful progress would be accomplished soon.
- Speaker #2 was the owner of Pemberton Coffee House and had concerns about walkability in the area and would like to see sidewalks and crosswalks added to the area.

- Speaker #3 expressed frustration with being removed from the agenda distribution list. She requested her email be reinstated on the list.
- Speaker #4 highlighted the importance of recognizing recent Black History, including the creation of Salisbury's minority-majority district in 1987. She reflected on her own election and congratulated her former opponent. She recognized President Doughty for being the first black elected Council President.
- Speaker #5 recommended that the Legislative Sessions come before the Work Sessions and did not see a need for the rules to be revised.

#### **ADMINISTRATION COMMENTS**

Mr. Kitzrow noted that the city was monitoring the upcoming storm closely and utilizing resources appropriately. He was hopeful that warmer temperatures and rain would help with conditions. He also gave a shoutout to the City's safety personnel.

Mayor Taylor shared that some topics should be part of regular conversation and expressed his desire to participate respectfully. He noted that, since being invited to the meeting, he would appreciate having the opportunity to speak.

#### **COUNCIL COMMENTS**

Ms. Jackson reflected on her father, Billy Gene Jackson, emphasizing the need for respected community leaders like him. She also invited the public to the Valentine's Day Talent Show she was hosting at the VFW.

Ms. Dashiell shared that the airport security system upgrade was nearly complete. She noted that the maintenance school would begin in August 2025. She highlighted the upcoming Rock and Roll Revival shows and acknowledged the Wicomico County Rotary for recognizing two individuals during their Hero Awards. She reported that someone had been hired to manage Anne Street Village and would be an excellent addition. Housing and Community Development had a new system that had been implemented to identify owners of boarded-up homes. She also mentioned ongoing police efforts to address dirt bike issues on Route 13.

Ms. Gregory commended the work of elected black municipal leaders on the Lower Shore, stating pride in working alongside them and recognizing their significant contributions.

Ms. Blake encouraged the public to donate blood if they were able.

President Doughty expressed gratitude for everyone's contributions to Black History Month. He emphasized the importance of honoring those who came before, noting that many were not celebrated while making meaningful, lasting changes.

#### **ADJOURNMENT**

124 With no further business to discuss, the Legislative Session adjourned at 8:04 p.m.

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City Clerk

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Council President

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## Resolution 3377 on 02/10/2025 Legislative Session Agenda

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**From** Carolyn Wohlgemuth <carolynwo@gmail.com>

**Date** Mon 2/10/2025 11:55 AM

**To** All City Council Members <allcitycouncilmembers@salisbury.md>; Julie English <jenglish@salisbury.md>; Randy Taylor <rtaylor@salisbury.md>

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**WARNING:** This message was sent from an external source. Please verify the source before clicking any links or opening any attachments. NEVER provide account credentials or sensitive data unless the source has been 100% verified as legitimate.

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### ***Please include this Citizen Comment in the meeting minutes.***

City Council Members:

Resolution 3377 (amending the Salisbury City Council Regulations and Rules of Order), as included in the 02/10/2025 Legislative Session Agenda Packet, does not follow the long-established city council process utilized to amend a resolution.

**The base document is Resolution 2396 adopted on 4/28/2014.** That is the starting point for making changes. The document in the agenda packet does not reflect the correct base document. The document that appears in the agenda packet is not even complete as pages are inexplicably missing. The history at the end of the document does not even include **Resolution 2396, the current resolution.**

The long-established process utilized by prior city councils to amend a resolution is done in a manner that easily identifies where **all changes to the current resolution** are being made, thereby promoting transparency!

Passage of this resolution as presented would clearly represent your ignorance of proper procedure and your unwillingness to be transparent with the public.

Carolyn Wohlgemuth, City Resident



**WORK SESSION  
MEETING MINUTES  
FEBRUARY 24, 2025**

**PUBLIC OFFICIALS PRESENT**

Council President D'Shawn M. Doughty, Council Vice President Angela M. Blake, Councilwoman April R. Jackson, Councilwoman Michele R. Gregory, Councilwoman Sharon C. Dashiell, Mayor Randy Taylor

**STAFF IN ATTENDANCE**

Associate Planner Zack White, Department of Infrastructure and Development Director Nick Voitiuc, Fire Chief Rob Frampton, Deputy Chief Chris O'Barsky, Assistant Chief Chris Truitt, City Clerk Julie English, City Attorney Ashley Bosché

**WELCOME/ANNOUNCEMENTS/PLEDGE OF ALLEGIANCE**

The City Council convened in a Work Session on February 24, 2025 at 6:00 p.m. in the Government Office Building Council Chambers, Room 301, located at 125 N. Division Street. After reviewing the emergency exit instructions, President Doughty asked everyone to stand for the Pledge of Allegiance.

**INVOCATION** - Rev. Dr. Larry Dunlap – Cross Pointe Church of the Nazarene

**Ordinance** – to accept funds received from the Chesapeake Bay Trust in the amount of \$148,267, as awarded to plant 834 trees

Mr. White explained that the City of Salisbury received approval for funding from the Chesapeake Bay Trust in August 2024. As part of that agreement, the Trust awarded \$148,267 to support the City's 2025–2027 Terrascaping Action Plan. He noted that the agreement required the planting of 834 native trees, registering each tree, and submitting progress reports throughout the project timeline.

President Doughty asked if Mr. White had identified potential planting locations. Mr. White responded that he had been determining suitable sites in coordination with the Department of Natural Resources and the Field Operations team. He also noted that he was seeking input from the public and hoped to recruit volunteers to assist with the planting efforts.

Ms. Dashiell mentioned the idea of asking the Salisbury University Athletic department to assist when the time came. Ms. Jackson agreed that the community should be involved. Ms. Blake suggested to have a booth at 3<sup>rd</sup> Friday to recruit volunteers and involve the community.

After the discussion, Council reached unanimous consensus to move this forward to Legislative Session.

**Budget Amendment** – of the FY2025 General Fund Budget to appropriate funds to the Salisbury Fire Department’s Operating Budget

Deputy Chief O’Barsky explained that Chief Frampton had been involved in an accident through no fault of his own. The approved legislation would move the funds from the insurance company from the general fund budget back into the departments account.

Having no Council comments, Council reached unanimous consensus to move this forward to Legislative Session.

**Budget Amendment** – authorizing the Mayor to enter into a contract with the Maryland Department of Health for the purpose of accepting grant funds in the amount of \$29,625, and to approve a budget amendment to the grant fund to appropriate these funds for the Salisbury Fire Department

Assistant Chief Truitt explained that the grant, provided through the Maryland Department of Health, would cover the cost of 120 cancer testing kits, including shipping.

President Doughty requested a future update with statistics and test results. Ms. Dashiell inquired whether everyone would have the opportunity to be tested. Assistant Chief Truitt responded that participation varied, with some individuals opting to be tested every other year or every three years.

Having no further Council comments, Council reached unanimous consensus to proceed with the budget amendment.

**Budget Amendment** – of the FY2025 General Fund Budget to appropriate funds to the Salisbury Fire Department’s Operating Budget

Chief Frampton requested \$47,000 from surplus of additional funds to ensure that the long overdue parking lot project at Station 1 would be completed.

Having no Council comments, Council reached unanimous consensus to move this forward to Legislative Session.

**Ordinance** – amending Chapter 2.16.020 (H) and (G) of the Salisbury City Code to grant the fire chief the authority to designate who of the career deputies shall be the second and third in command in the department and who shall assume the duties and responsibilities of the fire chief in the event that fire chief was unable to fulfill his or her duties and responsibilities due to illness, incapacity, or absence.

Chief Frampton explained that this change would give the Fire Chief the flexibility to designate either Deputy Chief for certain responsibilities, rather than defaulting to the Deputy Chief of Administration. He noted that this approach made sense given how individuals moved into those roles and the varying levels of seniority.

Having no Council comments, Council reached unanimous consensus to move this forward.

**PUBLIC COMMENT**

- Speaker #1 expressed that the planting of trees was a great idea but was concerned by the amount and where they were going to be placed.
- Speaker #2 suggested students get community service hours for planting the trees and to take into account the areas that were about to be built upon.

**ADJOURNMENT/CONVENE IN LEGISLATIVE SESSION**

With no further business to discuss, the Work Session adjourned at 6:44 p.m.

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

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Council President



**LEGISLATIVE SESSION  
MEETING MINUTES  
FEBRUARY 24, 2025**

**PUBLIC OFFICIALS PRESENT**

Council President D'Shawn M. Doughty, Council Vice President Angela M. Blake, Councilwoman April R. Jackson, Councilwoman Michele R. Gregory, Councilwoman Sharon C. Dashiell, Mayor Randy Taylor

**STAFF IN ATTENDANCE**

Associate Planner Zack White, Department of Infrastructure and Development Director Nick Voitiuc, Fire Chief Rob Frampton, Deputy Chief Chris O'Barsky, Assistant Chief Chris Truitt, City Clerk Julie English, City Attorney Ashley Bosché

**WELCOME/ANNOUNCEMENTS**

The City Council convened in Legislative Session on February 24, 2025 at 6:24 p.m. in the Government Office Building Council Chambers, Room 301, located at 125 N. Division Street. After reviewing the emergency exit instructions, President Doughty asked Ms. English to present the Legislative agenda.

**PRESENTATION AND ADOPTION OF THE AGENDA**

Ms. English presented the meeting agenda. President Doughty called for a motion and a second to approve the agenda as presented. Ms. Jackson motioned and Ms. Gregory seconded. The vote was 5-0 to approve the legislative agenda.

**CONSENT AGENDA** – presented by City Clerk Julie English

- August 26, 2024 Special Work Session Minutes
- September 9, 2024 Special Work Session Minutes
- September 9, 2024 Legislative Session Minutes
- September 9, 2024 Closed Session Minutes
- **Resolution No. 3379** - Appointing Michael Piorunski to the Parks and Recreation Committee for term ending February 2028

- **Resolution No. 3380** - Appointing Eugene Hirnyk to the Parks and Recreation Committee for term ending February 2028
- Manufacturing Exemption approval for equipment purchased in the year(s) listed for the following: Spartech (2023), Perdue (2021, 2023), K&L Microwave (2022, 2023), Delmarva Printing & Design (2021, 2023), Clean Air Filters (2022), DiCarlo Precision Instrument (2023), Smiths Interconnect (2022)

Ms. Jackson motioned and Ms. Dashiell seconded to approve the consent agenda with a vote of 5-0.

President Doughty recognized and thanked Mr. Piorunski and Mr. Hirnyk for their service to the Parks and Recreation Committee.

**RESOLUTIONS** – presented by City Attorney Ashley Bosché

- **Resolution No. 3381** – 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 a project generally referred to as “Lead Service Line Replacement Phase 1;” and generally relating thereto

Ms. Gregory motioned and Ms. Jackson seconded. The vote was 5-0 to approve Resolution No. 3381.

**ORDINANCES** – presented by City Attorney Ashley Bosché

- **Ordinance No. 2918** – 1<sup>st</sup> reading – amending Chapter 5.64 of the Salisbury City Code, entitled “Towing Companies”, to update procedures for dispatching police directed towing, operations of a police directed tow on scene, and penalties for violations of the code

Ms. Bosché noted that the four ordinance changes from the Work Session were updated in the Ordinance and incorporated in the packet.

Ms. Blake motioned and Ms. Gregory seconded. The vote was 5-0 to approve Ordinance No. 2918.

- **Ordinance No. 2919** – 1<sup>st</sup> reading – to accept funds received from the Chesapeake Bay Trust in the amount of \$148,267, as awarded to plant 834 trees in the City of Salisbury

Ms. Jackson motioned and Ms. Dashiell seconded, and the vote was 5-0 to approve Ordinance No. 2919 for first reading.

- **Ordinance No. 2920** - 1<sup>st</sup> reading – authorizing the Mayor to appropriate funds for

drinking water state revolving fund projects including the Naylor Mill Water Main Extension project, a PFAS study at the paleo water treatment plant and a lead service line replacement project

Ms. Gregory motioned and Ms. Blake seconded, and the vote was 5-0 to approve Ordinance No. 2920 for first reading.

- **Ordinance No. 2921** – 1<sup>st</sup> reading – authorizing a budget amendment and the Mayor to appropriate funds for the PFAS study and treatment

Ms. Blake motioned and Ms. Dashiell seconded, and the vote was 5-0 to approve Ordinance No. 2921 for first reading.

- **Ordinance No. 2922** – 1<sup>st</sup> reading – authorizing a budget amendment to appropriate funds for completion of the Elevated Water Tank Maintenance Project

Ms. Jackson motioned and Ms. Gregory seconded, and the vote was 5-0 to approve Ordinance No. 2922 for first reading.

- **Ordinance No. 2923** – 1<sup>st</sup> reading – amend Section 8.04.050 of the Salisbury City Code to add and edit language regarding the counting method for false alarms

Ms. Gregory motioned and Ms. Dashiell seconded, and the vote was 5-0 to approve Ordinance No. 2923.

- **Ordinance No. 2924** – 1<sup>st</sup> reading – approving a budget amendment of the FY2025 General Fund Budget to appropriate funds to the Salisbury Fire Department's operating budget

Ms. Blake motioned and Ms. Gregory seconded, and the vote was 5-0 to approve Ordinance No. 2924.

- **Ordinance No. 2925** – 1<sup>st</sup> reading – authorizing the Mayor to enter into a contract with the Maryland Department of Health for the purpose of accepting grant funds in the amount of \$29,625, and to approve a budget amendment to the grant fund to appropriate these funds for the Fire Department

Ms. Blake motioned and Ms. Jackson seconded, and the vote was 5-0 to approve Ordinance No. 2925.

- **Ordinance No. 2926** – 1<sup>st</sup> reading – approving a budget amendment of the FY2025 general fund budget to appropriate funds to the Salisbury Fire Department's operating budget

Ms. Blake motioned and Ms. Dashiell seconded, and the vote was 5-0 to approve Ordinance No. 2926 for first reading.

- **Ordinance No. 2927** – 1<sup>st</sup> reading – amending Chapter 2.16.020 (H) and (G) of the Salisbury City Code to grant the fire chief the authority to designate who of the career deputies shall be the second and third in command in the department and who shall assume the duties and responsibilities of the fire chief in the event the fire chief was unable to fulfill his or her duties and responsibilities due to illness, incapacity, or absence

Ms. Gregory motioned and Ms. Jackson seconded, and the vote was 5-0 to approve Ordinance No. 2927 for first reading.

### **PUBLIC COMMENTS**

The following public comments were made:

- Speaker #1 expressed his idea to implement an Adopt-A-Road program in the City.
- Speaker #2 asked for an update on the bridge work where the crane sits on Rt. 13.
- Speaker #3 gave a shout out to the Community Players of Salisbury and the Optimist Club of Salisbury. She was concerned with the agenda items going straight to the legislative session on the same night and suggested that the public be given an opportunity to receive updates from the council.
- Speaker #4 thanked the Council for re-appointing him to the Parks Committee and shared the framework of how the Parks Committee should operate, which was just a matter of community engagement.

### **ADMINISTRATION COMMENTS**

Mayor Taylor noted that the construction referenced by Speaker #2 was a State Highway project that was ahead of schedule. He also congratulated Deputy Fire Chief Darrin Scott for 39 years of service.

### **COUNCIL COMMENTS**

Ms. Jackson highlighted several important contributions and achievements within the community. She recognized Rudolph Cain, the first African American Delegate from District 37A, and Sherree Sample-Hughes, who was currently serving in that seat. She acknowledged Maria Shante, former Wicomico County NAACP president and held that seat for almost 30 years. Additionally, she acknowledged graduates from Bennett High School who went on to break an Olympic record and join the Baltimore track and field Hall of Fame. Ms. Jackson prefaced that these accomplishments were what the local youth should be aware of and inspired by. Finally, she welcomed Shawanda Garrison back to the Finance department.



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As always, Ms. Blake asked those able to donate blood.

President Doughty thanked Councilwoman Jackson for highlighting Black History Month.

**ADJOURNMENT**

With no further business to discuss, the Legislative Session adjourned at 6:53 p.m.

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

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



**WORK SESSION  
MEETING MINUTES  
MARCH 10, 2025**

**PUBLIC OFFICIALS PRESENT**

Council President D'Shawn M. Doughty, Council Vice President Angela M. Blake, Councilwoman Michele R. Gregory, Councilwoman Sharon C. Dashiell, Mayor Randy Taylor

**STAFF IN ATTENDANCE**

City Administrator Andy Kitzrow, Assistant Director of Arts, Business & Culture Scott Roberts, Events and Culture Manager Caroline O'Hare, Department of Infrastructure and Development Director Nick Voituic, City Clerk Julie English, City Attorney Ashley Bosché

**WELCOME/ANNOUNCEMENTS/PLEDGE OF ALLEGIANCE**

The City Council convened in a Work Session on March 10, 2025 at 6:00 p.m. in the Government Office Building Council Chambers, Room 301, located at 125 N. Division Street. After reviewing the emergency exit instructions, President Doughty asked everyone to stand for the Pledge of Allegiance.

**INVOCATION** – Pastor Sean McCarthy – Community Christian Church

**Ordinance** – to appropriate funds for the 2024 and 2025 Maryland Folk Festivals

Mr. Roberts requested \$86,000 from the City to support the Maryland Folk Festival to include staffing, artist fees, production, equipment, staging and lighting.

Ms. Dashiell asked if the \$86,000 was a loan but Mr. Roberts clarified that it would be a contribution from the City. President Doughty asked what the appropriation was for the festival this year. Mr. Roberts explained that no appropriation has yet been made toward the current festival and that the \$86,000 was the only allocation being requested at this time. Mr. Kitzrow added that the City had been using the account to pay for Ms. O'Hare's salary and benefits along with a few other festival related costs and that in the FY2026 budget, her salary would be moved from that account to the general fund. President Doughty noted that this salary-related detail should have been included in the legislation for greater clarity.

After the discussion, Council reached unanimous consensus to move this forward to Legislative Session.

**PROCLAMATION** - Endometriosis Awareness Month

Ms. Gregory presented a proclamation recognizing Endometriosis Awareness Month, which highlighted the importance of raising awareness, promoting early diagnosis, and supporting those affected by the condition.

**CERTIFICATES OF RECOGNITION** - The Amazing Shake

Ms. Dashiell presented Certificates of Recognition to students who participated in the Amazing Shake Competition, commending their professionalism, confidence, and communication skills.

**Resolution** – to show support for the Bird City Maryland Initiative

Mr. Voituic referenced a certification the City previously held. He emphasized the importance of birds to the community and acknowledged the active involvement of Associate Planner Zack White in this initiative. Mr. Voituic shared that the proposed resolution was a step toward reinstating the certification and formally recognizing the City’s commitment to bird conservation.

Having no Council comments, Council reached unanimous consensus to move this forward to Legislative Session.

**PUBLIC COMMENT**

- Speaker #1 expressed concern about the City estimating totals in relation to the Maryland Folk Festival

**ADJOURNMENT/CONVENE IN LEGISLATIVE SESSION**

With no further business to discuss, the Work Session adjourned at 6:27 p.m.

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

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Council President



**LEGISLATIVE SESSION  
MEETING MINUTES  
MARCH 10, 2025**

**PUBLIC OFFICIALS PRESENT**

Council President D'Shawn M. Doughty, Vice President Angela M. Blake, Councilwoman Michele R. Gregory, Councilwoman Sharon C. Dashiell, Mayor Randy Taylor

**STAFF IN ATTENDANCE**

City Administrator Andy Kitzrow, City Clerk Julie English, City Attorney Ashley Bosché

**WELCOME/ANNOUNCEMENTS**

The City Council convened in Legislative Session on March 10, 2025 at 6:27 p.m. in the Government Office Building Council Chambers, Room 301, located at 125 N. Division Street.

**PRESENTATION AND ADOPTION OF THE AGENDA**

After presentation of the legislative agenda by Ms. English, President Doughty called for a motion and a second to approve the agenda as presented. Ms. Gregory motioned and Ms. Dashiell seconded. The vote was 4-0 to approve the legislative agenda.

**RESOLUTIONS** – presented by City Clerk Julie English

- **Resolution No. 3382** – proposing the annexation to the City of Salisbury of a certain area of land contiguous to and binding upon the Corporate Limits of the City of Salisbury to be known as “Pine Way – Pohanka Kia Annexation”, as described in the property description and Annexation Plat attached and incorporated as exhibits herein, containing 2.954 acres more or less

Ms. Gregory motioned and Ms. Dashiell seconded. The vote was 4-0 to approve Resolution No. 3382.

- **Resolution No. 3383** – proposing the adoption of an Annexation Plan relative to the annexation to the City of Salisbury of a certain area of land contiguous to and binding

upon the Corporate Limits of the City of Salisbury to be known as “Pine Way- Pohanka Kia Annexation”, as described in the property description and Annexation Plat attached and incorporated as exhibits herein, containing 2.954 acres more or less

Ms. Gregory motioned and Ms. Dashiell seconded, and the vote was 4-0 to approve Resolution No. 3383.

**ORDINANCES** – presented by City Attorney Ashley Bosché

- **Ordinance No. 2918** - 2<sup>nd</sup> reading – amending Chapter 5.64 of the Salisbury City Code, entitled “Towing Companies”, to update procedures for dispatching police directed towing, operation of a police directed tow on scene, and penalties for violations of the code

Ms. Blake motioned and Ms. Gregory seconded, and the vote was 4-0 to approve Ordinance No. 2918 for second reading.

- **Ordinance No. 2919** – 2<sup>nd</sup> reading – to accept funds from the Chesapeake Bay Trust in the amount of \$148,267, as awarded to plant 834 trees in the City of Salisbury

Ms. Gregory motioned and Ms. Blake seconded, and the vote was 4-0 to approve Ordinance No. 2919 for second reading.

- **Ordinance No. 2920** – 2<sup>nd</sup> reading – authorizing the Mayor to appropriate funds for Drinking Water State Revolving Fund projects including the Naylor Mill Water Main Extension project, a PFAS study at the Paleo Water Treatment Plant and a Lead Service Line Replacement project

Ms. Blake motioned and Ms. Gregory seconded, and the vote was 4-0 to approve Ordinance No. 2920.

- **Ordinance No. 2921** – 2<sup>nd</sup> reading – authorizing a budget amendment and the Mayor to appropriate funds for the PFAS study and treatment

Ms. Gregory motioned and Ms. Dashiell seconded, and the vote was 4-0 to approve Ordinance No. 2921 for second reading.

- **Ordinance No. 2922** – 2<sup>nd</sup> reading – authorizing a budget amendment to appropriate funds for completion of the Elevated Water Tank Maintenance Project

Ms. Blake motioned and Ms. Gregory seconded, and the vote was 4-0 to approve Ordinance No. 2922.

- **Ordinance No. 2923** – 2<sup>nd</sup> reading – amending Section 8.04.050 of the Salisbury City Code to add and edit language regarding the counting method for false alarms

Ms. Dashiell motioned and Ms. Blake seconded, and the vote was 4-0 to approve Ordinance No. 2923.

- **Ordinance No. 2924** – 2<sup>nd</sup> reading – approving a budget amendment of the FY2025 General Fund Budget to appropriate funds to the Salisbury Fire Department’s operating budget

Ms. Blake motioned and Ms. Gregory seconded, and the vote was 4-0 to approve Ordinance No. 2924.

- **Ordinance No. 2925** – 2<sup>nd</sup> reading – authorizing the Mayor to enter into a contract with the Maryland Department of Health for the purpose of accepting grant funds in the amount of \$29,625, and to approve a budget amendment to the grant fund to appropriate these funds for the Salisbury Fire Department

Ms. Gregory motioned and Ms. Blake seconded, and the vote was 4-0 to approve Ordinance No. 2925.

- **Ordinance No. 2926** – 2<sup>nd</sup> reading – approving a budget amendment of the FY2025 general fund budget to appropriate funds to the Salisbury Fire Department’s operating budget

Ms. Gregory motioned and Ms. Blake seconded, and the vote was 4-0 to approve Ordinance No. 2926.

- **Ordinance No. 2927** – 2<sup>nd</sup> reading – amending Chapter 2.16.020 (H) and (G) of the Salisbury City Code to grant the fire chief the authority to designate who of the career deputies shall be the second and third in command in the department and who shall assume the duties and responsibilities of the fire chief in the event the fire chief is unable to fulfill his or her duties and responsibilities due to illness, incapacity, or absence

Ms. Blake motioned and Ms. Gregory seconded, and the vote was 4-0 to approve Ordinance No. 2927.

## **PUBLIC COMMENTS**

The following public comments were made:

- Speaker #1 wanted to bring the Adopt-A-Road program to the City of Salisbury.

- Speaker #2 hoped to see the meeting minutes posted soon. Additionally, she suggested reviewing the process for items that were tabled; for example, Zen City.
- Speaker #3 expressed frustration about being removed from the media list group and noted that he had not yet been reinstated. He also stated that the proposed changes to water and sewer services should be presented more clearly to ensure better public understanding.

#### **ADMINISTRATION COMMENTS**

Mr. Kitzrow acknowledged the efficiency of the meetings and expressed his appreciation for the smooth operation during his absence the previous week.

Mayor Taylor was looking forward to Spring and all the upcoming events, including Hops on the River.

#### **COUNCIL COMMENTS**

Ms. Gregory gave a shout out to Habitat for Humanity and shared that they raised a significant amount of money to support housing efforts for those in need.

Ms. Dashiell gave an update on the airport: new signage, increase in passengers and the upcoming state funding that may impact the airport. She commended Deputy Chief Scott for his 39 years of service. She mentioned her recent attendance to the Town-Gown Luncheon. She highlighted the Patrick Henry exhibit at the Museum of Eastern Shore Culture and praised the Salisbury University athletes for having 95% participation in community service. Lastly, she requested updates from administration on the Carroll Street project and the boarded-up homes.

Ms. Blake requested that the Carroll Street project drawing be presented at an upcoming meeting. She also asked for a status update on Anne Street Village, as well as a progress report on the Comprehensive Plan. She encouraged participation in the community survey regarding ideas for a youth center on the west side. Ms. Blake suggested the city continue to share information out about Zen City. Finally, she welcomed the two new spider monkeys to the zoo.

President Doughty shared ongoing support for the Symphony 21's music initiatives. He informed the public about meetings he had with public schools and higher education leaders to strengthen collaboration in areas like planning, development and shared programs. He attended the ACE Mentoring Program presentation, where high school students proposed a transportation hub project. He also attended the Habitat for Humanity Gala, which raised over \$50,000 to fund two homes. He wished Councilwoman Jackson a belated birthday. Lastly, he gave a shout out to the women on council, on staff and in the community for Women's History Month.

#### **ADJOURNMENT**

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With no further business to discuss, the Legislative Session adjourned at 7:01 p.m.

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City Clerk

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Council President





# City of Salisbury

## Memo

To: Mayor's Office  
From: Zachary White, Associate Planner  
Date: May 9, 2025  
Subject: Pohanka 2 Annexation (Chestnut Way) - 2nd Reading

The Department of Infrastructure & Development requests the above proposed Pohanka Kia Annexation be placed on the City Council legislative agenda schedule for the first reading, public hearing and second reading.

Consistent with the City's Annexation Policies and Procedures, the applicant has signed the annexation petition and has supplied additional information for your review in considering the request.

The site is comprised of two parcels, located east of northbound U.S. Route 13 between Maple Way and Cherry Way, and totals 5.28+/- acres in area. The site is located within the C-2 General Commercial Zoning District of Wicomico County, and the applicant has requested that the parcels be designated as General Commercial upon annexation. Planning Commission forwarded a favorable recommendation to have the property zoned General Commercial on September 20, 2024.

Attached, please find the proposed Annexation Resolution, as well as supplemental documents.

Unless you or the Mayor has any further questions, please forward a copy of this memo and the attachments to Council for their review.

Attachment(s):

[Res3412.pdf](#)

[Ex. 1 Petition for Annexation.pdf](#)

[Ex. 2 Property Description.pdf](#)

[Ex. 3 Annexation Plat.pdf](#)

[Ex. 4 4-404 Certification \(25%\).pdf](#)

[Ex. 5 Site Plan.pdf](#)

[Ex. 6 Annexation Agreement.pdf](#)

[Ex. 7 Annexation Plan.pdf](#)

[Public Notice.pdf](#)

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**RESOLUTION NO. 3412**

**A RESOLUTION** to annex certain land to be known as “Chestnut Way – Pohanka Kia Annexation”, as described in the Property Description and Annexation Plat attached and incorporated as exhibits herein, consisting of 5.280 acres more or less, into the City of Salisbury and to provide for the terms and conditions of the annexation.

**WHEREAS**, the City of Salisbury is authorized by the provisions of §4-401 *et seq.* of the Local Government Article of the Maryland Annotated Code to expand its municipal boundaries by annexing lands adjacent to it; and

**WHEREAS**, the City of Salisbury has received a Petition for Annexation dated March 19, 2025, attached hereto as **Exhibit 1** and incorporated by reference as if fully set forth herein, requesting that the City of Salisbury annex that certain area of land generally located east of northbound U.S. Route 13 between Maple Way and Cherry Way and adjacent to the City of Salisbury’s existing municipal boundary, consisting of a total of 5.280 acres of land, more or less, being all that real property identified as Map 0029, Grid 0023, Parcel 0017 and Map 0029, Grid 0022, Parcel 0017 and a portion of the public road right-of-way known as “Chestnut Way”, containing 5.280 acres more or less, and further being the same real property more particularly described in the Property Description attached hereto as **Exhibit 2**, and more particularly depicted on that certain plat entitled “Proposed Annexation” dated March 13, 2024 and prepared by Brian M. Dennis, attached hereto as **Exhibit 3** (the aforesaid real property is hereinafter referred to as the “**Property**”); and

**WHEREAS**, the City of Salisbury has verified that the persons signing the petition represent at least twenty-five percent (25%) of the persons who are eligible voters and property owners owning twenty-five percent (25%) of the assessed valuation of real property in the area to be annexed, all as of April, 29, 2025, as set forth in the certification by Leslie C. Sherrill, Surveyor, of the City of Salisbury, attached hereto as **Exhibit 4**; and

**WHEREAS**, the Property is adjacent to existing City of Salisbury boundaries, and if the Property is incorporated into the City of Salisbury boundaries, no enclaves of non-City of Salisbury land will be created; and

**WHEREAS**, it appears that the aforesaid Petition for Annexation meets all the requirements of applicable state and local law; and

**WHEREAS**, pursuant to MD Code, Local Government, § 4-415, the City of Salisbury is required to adopt an Annexation Plan for the proposed annexation of the Property; and,

**WHEREAS**, pursuant to MD Code, Local Government, § 4-406, a public hearing on this Resolution, providing for the Council of the City of Salisbury’s annexation of the Property and approval of the Annexation Plan (as defined hereinbelow), shall be and hereby is scheduled for July 14, 2025 at 6:00

38 p.m.

39  
40 **NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF**  
41 **SALISBURY** as follows:

42 **Section 1.** It is proposed and recommended that that the municipal boundaries of the City of  
43 Salisbury be changed so as to annex to and include within the said municipal boundaries of the City of  
44 Salisbury all that certain real property more particularly described in **Exhibits 2, 3, 4 and 5** attached hereto  
45 and incorporated by reference as if fully set forth herein (the real property to be annexed by the City of  
46 Salisbury as contemplated by this Resolution is hereinafter referred to as the “**Property**”).

47 **Section 2.** The annexation of the Property be and hereby is approved by the Council of the City of  
48 Salisbury subject to all terms, conditions and agreements contained in the proposed Annexation Agreement  
49 and the Annexation Plan, attached as **Exhibits 6 and 7, respectively**, each of which is attached hereto and  
50 incorporated herein as if all such terms, conditions and agreements contained in such Exhibits were  
51 specifically set forth at length in this Resolution. Upon the effective date of this Resolution, the provisions  
52 of the Charter and Code of the City of Salisbury, and any local public laws enacted or so enacted affecting  
53 the City of Salisbury, shall be effective within the Property except to the extent that this Resolution or the  
54 Annexation Agreement provide otherwise.

55 **Section 3.** The Mayor of the City of Salisbury be and hereby is authorized to execute on behalf of  
56 the City of Salisbury the Annexation Agreement attached hereto as **Exhibit 6**.

57 **Section 4.** The Annexation Plan attached hereto as **Exhibit 7** be and hereby is adopted for the City  
58 of Salisbury’s annexation of the Property as contemplated by this Resolution.

59 **Section 5.** The Zoning Map of the City of Salisbury shall be amended to include the Property  
60 within that certain Zoning District of the City of Salisbury identified as “**General Commercial**”, which  
61 said real property newly annexed into Corporate Limits of the City of Salisbury, as contemplated by this  
62 Resolution, is presently zoned “**C-2 General Commercial**” in accordance with the existing zoning laws of  
63 Wicomico County, Maryland.

64 **Section 6.** Pursuant to MD Code, Local Government, § 4-406, the Council of the City of Salisbury  
65 shall hold a public hearing on this Resolution on July 28, 2025 at 6:00 p.m. in the Council Chambers at the  
66 City-County Office Building, and the City Administrator shall cause a public notice of time and place of  
67 the said public hearing to be published not fewer than two (2) times at not less than weekly intervals, in at  
68 least one (1) newspaper of general circulation in the City of Salisbury, which said public notice shall specify  
69 a time and place at which the Council of the City of Salisbury will the hold the aforesaid public hearing,  
70 the date of which shall be no sooner than fifteen (15) days after the final required date of publication as  
71 specified hereinabove.

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

74           **Section 7.** It is the intention of the Council of the City of Salisbury that each provision of this  
75 Resolution shall be deemed independent of all other provisions herein.

76           **Section 8.** It is further the intention of the Council of the City of Salisbury that if any section,  
77 paragraph, subsection, clause or provision of this Resolution shall be adjudged invalid, unconstitutional or  
78 otherwise unenforceable under applicable Maryland or federal law, such adjudication shall apply only to  
79 the section, paragraph, subsection, clause or provision so adjudged and all other provisions of this  
80 Resolution shall remain and shall be deemed valid and enforceable.

81           **Section 9.** The Recitals set forth hereinabove are incorporated into this section of this Resolution  
82 as if such recitals were specifically set forth at length in this Section 9.

83           **Section 10.** This Resolution and the annexation of the Property as contemplated herein, shall take  
84 effect upon the expiration of forty-five (45) days following its final passage, subject, however, to the right  
85 of referendum with respect to this Resolution as set forth in MD Code, Local Government, § 4-401, et seq.

86           **THIS RESOLUTION** was introduced, read and passed at the regular meeting of the Council of the  
87 City of Salisbury held on June 16, 2025, having been duly published as required by law in the meantime,  
88 and a public hearing was held on July 28, 2025 at 6:00 p.m., and was finally passed by the Council at its  
89 regular meeting held on July 28, 2025.

91 \_\_\_\_\_  
92 Julie A. English,  
93 City Clerk

\_\_\_\_\_  
D'Shawn M. Doughty,  
Council President

94  
95 APPROVED BY ME this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

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98 \_\_\_\_\_  
99 Randolph J. Taylor,  
100 Mayor

# CITY OF SALISBURY

## PETITION FOR ANNEXATION

To the Mayor and Council of the City of Salisbury:

I/We request annexation of my/our land to the City of Salisbury. 6 LOTS

Parcel(s) # 0029 - 0023 - 0017 - BLOCK 'D' - LOT 1A

0029 - 0023 - 0017 - BLOCK 'C' - LOT 1

0029 - 0022 - 0017 - BLOCK 'C' - LOT 2

Map # 0029 - 0023 - 0017 - BLOCK 'C' - LOT 3

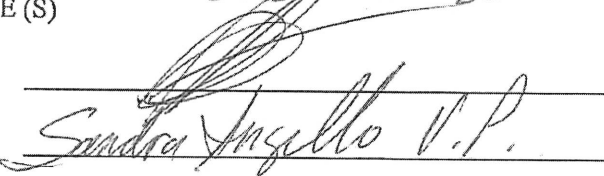
0029 - 0023 - 0017 - BLOCK 'C' - LOT 5

0029 - 0022 - 0017 - BLOCK 'C' - LOT 7

SIGNATURE (S)

Signature

Printed

  
Sandra Angello V.P.

Date

3/19/25

VICE PRESIDENT OF CFKia LLC

AUTHORIZE AGENT, ZION ROAD TWO, LLC

Signature

Printed

Date

Signature

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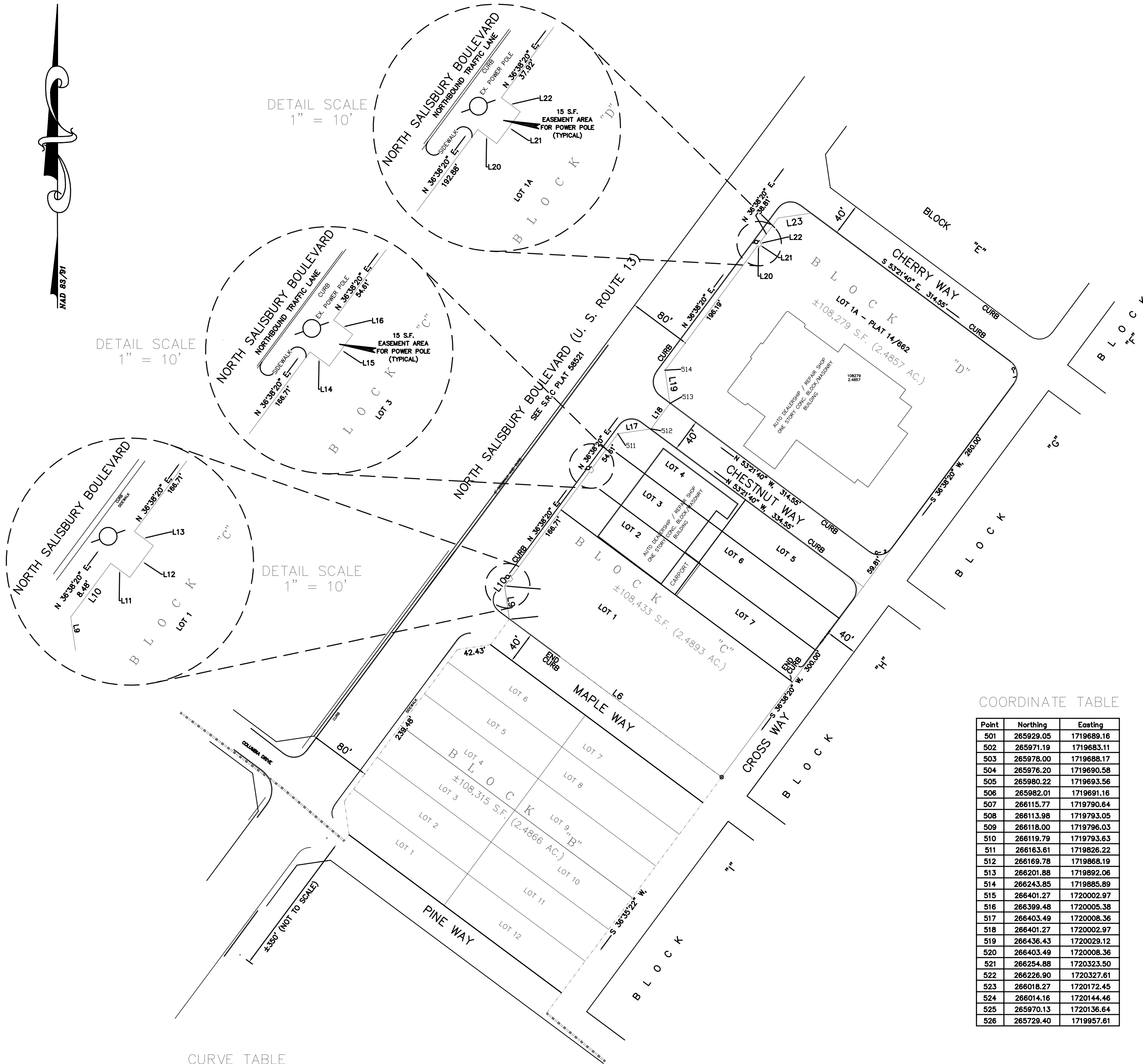
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## CHESTNUT WAY – POHANKA KIA

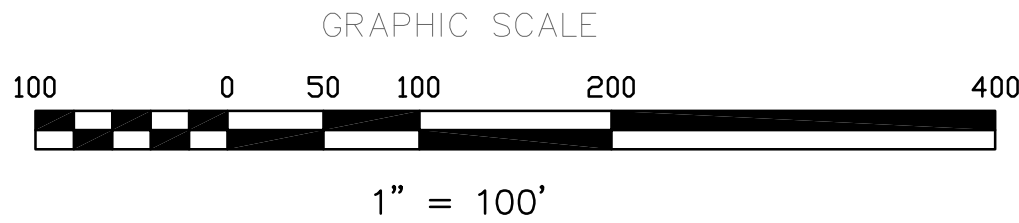
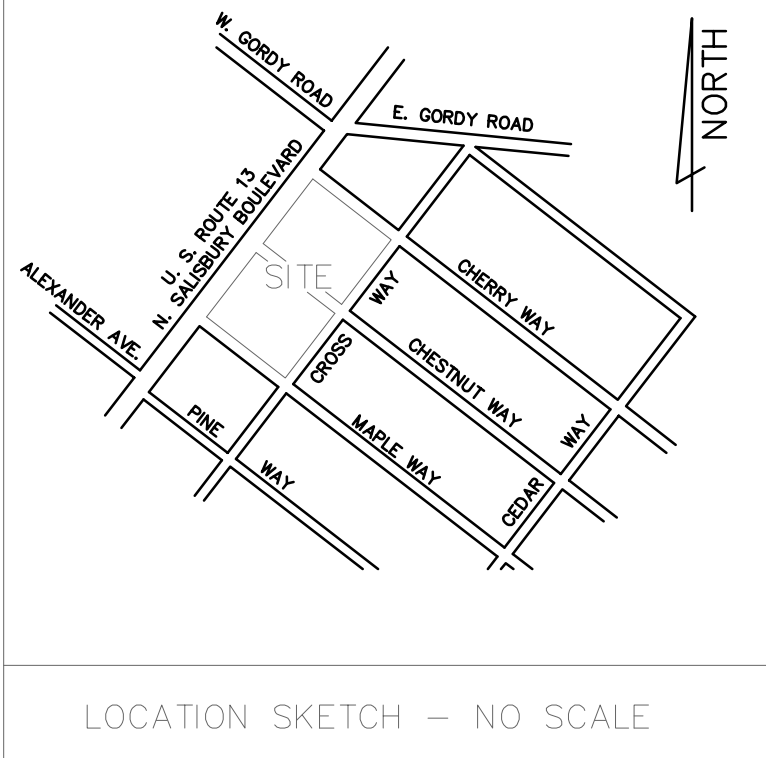
Beginning for the same at a point at a corner of the existing Corporate Limits Line of the City of Salisbury, MD, located at the intersection of the northerly right of way line of Maple Way and the westerly right of way line of Cross Way. X 1,207,531.66 Y 204,982.14 (1) Thence by and with the said line of Cross Way North thirty-six degrees thirty-eight minutes twenty seconds East (N 36° 38' 20" E) three hundred decimal zero, zero (300.00) feet to a point intersecting the southerly right of way line of Chestnut Way. X 1,207,710.78 Y 205,222.80 (2) Thence continuing with the said line of Cross Way North thirty-six degrees thirty-eight minutes twenty seconds East (N 36° 38' 20" E) fifty-nine decimal eight, one (59.81) feet to a point at the end of a curve on the northerly right of way line of Chestnut Way. X 1,207,746.58 Y 205,270.95 (3) Thence continuing with the said line of Cross Way North thirty-six degrees thirty-eight minutes twenty seconds East (N 36° 38' 20" E) two hundred sixty decimal zero, zero (260.00) feet to a point at the beginning of a curve on the southerly right of way line of Cherry Way. X 1,207,901.74 Y 205,497.57 (4) Thence by and with said curve, to the left, having a radius of 20.00 feet and a length of 31.42 feet, a chord bearing of North eight degrees twenty-one minutes forty seconds West (N 08° 21' 40" W) a chord distance of twenty-eight decimal two, eight (28.28) feet to a point. X 1,207,897.63 Y 205,507.56 (5) Thence by and with the said line of Cherry Way North fifty-three degrees twenty-one minutes forty seconds West (N 53° 21' 40" W) three hundred fourteen decimal five, five (314.55) feet to a point on the easterly right of way line of North Salisbury Boulevard. X 1,207,645.23 Y 205,695.27 (6) Thence by and with the said line of North Salisbury Boulevard the following seven courses: (6a) South eighty-one degrees thirty-eight minutes twenty seconds West (S 81° 38' 20" W) forty-two decimal four, three (42.43) feet to a point. X 1,207,603.26 Y 205,689.10 (6b) South thirty-six degrees thirty-eight minutes twenty seconds West (S 36° 38' 20" W) thirty-eight decimal eight, one (38.81) feet to a point. X 1,207,580.09 Y 205,657.96 (6c) South fifty-three degrees twenty-one minutes forty seconds East (S 53° 21' 40" E) three decimal zero, zero (3.00) feet to a point. X 1,207,582.50 Y 205,656.17 (6d) South thirty-six degrees thirty-eight minutes twenty seconds West (S 36° 38' 20" W) five decimal zero, zero (5.00) feet to a point. X 1,207,579.52 Y 205,652.16 (6e) North fifty-three degrees twenty-one minutes forty seconds West (N 53° 21' 40" W) three decimal zero, zero (3.00) feet to a point. X 1,207,577.11 Y 205,653.95 (6f) South thirty-six degrees thirty-eight minutes twenty seconds West (S 36° 38' 20" W) one hundred ninety-six decimal one, nine (196.19) feet to a point. X 1,207,460.03 Y 205,496.52 (6g) South eight degrees twenty-one minutes forty seconds East (S 08° 21' 40" E) forty-two decimal four, three (42.43) feet to a point on the northerly right of way line of the aforementioned Chestnut Way. X 1,207,466.20 Y 205,454.55 (7) Thence crossing the said Chestnut Way South thirty-six degrees thirty-eight minutes twenty seconds West (S 36° 38' 20" W) forty decimal zero, zero (40.00) feet to a point on the aforesaid line of North Salisbury Boulevard. X 1,207,442.33 Y 205,422.45 (8) Thence by and with the said line of North Salisbury Boulevard the following eleven courses: (8a) South eighty-one degrees thirty-eight minutes twenty seconds West (N 81° 38' 20" W) forty-two decimal four, three (42.43) feet to a point. X 1,207,400.35 Y 205,416.28 (8b) South thirty-six degrees thirty-eight minutes twenty seconds West (S 36° 38' 20" W) fifty-four decimal six, one

(54.61) feet to a point. X 1,207,367.76 Y 205,372.46 (8c) South fifty-three degrees twenty-one minutes forty seconds East ( $S 53^{\circ} 21' 40'' E$ ) three decimal zero, zero (3.00) feet to a point. X 1,207,370.17 Y 205,370.67 (8d) South thirty-six degrees thirty-eight minutes twenty seconds West ( $S 36^{\circ} 38' 20'' W$ ) five decimal zero, zero (5.00) feet to a point. X 1,207,367.18 Y 205,366.66 (8e) North fifty-three degrees twenty-one minutes forty seconds West ( $N 53^{\circ} 21' 40'' W$ ) three decimal zero, zero (3.00) feet to a point. X 1,207,364.78 Y 205,368.45 (8f) South thirty-six degrees thirty-eight minutes twenty seconds West ( $S 36^{\circ} 38' 20'' W$ ) one hundred sixty-six decimal seven, one (166.71) feet to a point. X 1,207,265.29 Y 205,234.68 (8g) South fifty-three degrees twenty-one minutes forty seconds East ( $S 53^{\circ} 21' 40'' E$ ) three decimal zero, zero (3.00) feet to a point. X 1,207,267.70 Y 205,232.89 (8h) South thirty-six degrees thirty-eight minutes twenty seconds West ( $S 36^{\circ} 38' 20'' W$ ) five decimal zero, zero (5.00) feet to a point. X 1,207,264.72 Y 205,228.88 (8i) North fifty-three degrees twenty-one minutes forty seconds West ( $N 53^{\circ} 21' 40'' W$ ) three decimal zero, zero (3.00) feet to a point. X 1,207,262.31 Y 205,230.67 (8j) South thirty-six degrees thirty-eight minutes twenty seconds West ( $S 36^{\circ} 38' 20'' W$ ) eight decimal four, eight (8.48) feet to a point. X 1,207,257.25 Y 205,223.86 (8k) South eight degrees ten minutes fifteen seconds East ( $S 08^{\circ} 10' 15'' E$ ) forty-two decimal five, seven (42.57) feet to a point on the northerly right of way line of the aforementioned Maple Way at a corner of the existing Corporate Limits Line. X 1,207,263.30 Y 205,181.73 (9) Thence by and with the said Corporate Limits line and said right of way line of Maple Way South fifty-three degrees twenty-one minutes forty seconds East ( $S 53^{\circ} 21' 40'' E$ ) three hundred thirty-four decimal five, five (334.55) feet to the point of beginning.

Annexation containing 5.280 acres, more or less.



LINE	BEARING	DISTANCE
L6	N 53°21'40" W	334.55'
L9	N 08°10'15" W	42.57'
L10	N 36°38'20" E	8.48'
L11	S 53°21'40" E	3.00'
L12	N 36°38'20" E	5.00'
L13	N 53°21'40" W	3.00'
L14	S 53°21'40" E	3.00'
L15	N 36°38'20" E	5.00'
L16	N 53°21'40" W	3.00'
L17	N 81°38'20" E	42.43'
L18	N 36°38'20" E	40.00'
L19	N 08°21'40" W	42.43'
L20	S 53°21'40" E	3.00'
L21	N 36°38'20" E	5.00'
L22	N 53°21'40" W	3.00'
L23	N 81°38'20" E	42.43'



GENERAL NOTES

- COORDINATES REFLECT CITY OF SALISBURY HORIZONTAL DATUM
- IT IS THE OWNERS' INTENT TO ANNEX ALL OF LOTS "C" AND "D" OF THE PLAT ENTITLED "MAPLE PLAINS" (PLAT REF. 217/19) LESS ANY AND ALL LANDS CONVEYED TO THE MD STATE HIGHWAY ADMINISTRATION AND THE STATE ROADS COMMISSION OF MARYLAND FOR THE CONSTRUCTION OF U.S. ROUTE 13 (NORTH SALISBURY BOULEVARD).
- ZONING  
EXISTING WICOMICO COUNTY C-2 (GENERAL COMMERCIAL DISTRICT)  
PROPOSED CITY OF SALISBURY GC (GENERAL COMMERCIAL DISTRICT)

PROPOSED ANNEXATION AREA BREAKDOWN

BLOCK "C"	±2.4893 AC.
BLOCK "D"	±2.4857 AC.
CHESTNUT WAY	±0.3092 AC.
TOTAL AREA	±5.2796 AC.

LEGEND

PRESENT CORPORATE LIMIT  
PROPOSED CORPORATE LIMIT

ANNEXATION PLAT OF BLOCK "C" AND "D"  
MAPLE PLAINS  
N. SALISBURY BOULEVARD - SALISBURY MARYLAND  
FOR

ZIONROADTWO LLC

OWNERS AND SURVEYORS CERTIFICATE

BRIAN M. DENNIS, PROPERTY LINE SURVEYOR NO. 527 PERSONALLY PREPARED THIS PLAT AND WAS IN DIRECT RESPONSIBLE CHARGE OVER THE SURVEYING WORK REFLECTED IN IT, ALL IN COMPLIANCE WITH REQUIREMENTS SET FORTH IN REGULATION 12 OF COMAR TITLE 9, SUBTITLE 13, CHAPTER 09.13.06.

THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF A TITLE SEARCH AND MAY BE SUBJECT TO EASEMENTS, RESTRICTIONS, OR OTHER SUCH CONDITIONS NOT FOUND IN CURRENT DEEDS OF RECORD.

REVISED 13 MARCH 2024 PER CITY COMMENTS

PROPOSED ANNEXATION

SCALE	1" = 100'	DATE	13 March 2024
DEED REF.	5155/175 (P. 7 & 8)	SUBD.	MAPLE PLAINS
PLAT REF.	217/19	LOT	- BLOCK C & D
COUNTY	WICOMICO	DISTRICT	PARSONS NO.5
TAX MAP	29 PARCEL 17	ZONING	SEE GENERAL NOTE 3
F.I.R.M. MAP NO.	24045C0114E	FLOOD HAZARD ZONE	X
PROJ. NO.	10-033-20	SURV/DR	BMD FB/pg 114/50

BRIAN M. DENNIS

LAND SURVEYING & SITE PLANNING

30319 Zion Road - Salisbury, MD 21804  
Telephone 443-783-4861  
E-mail: surveyor527@gmail.com





CERTIFICATION

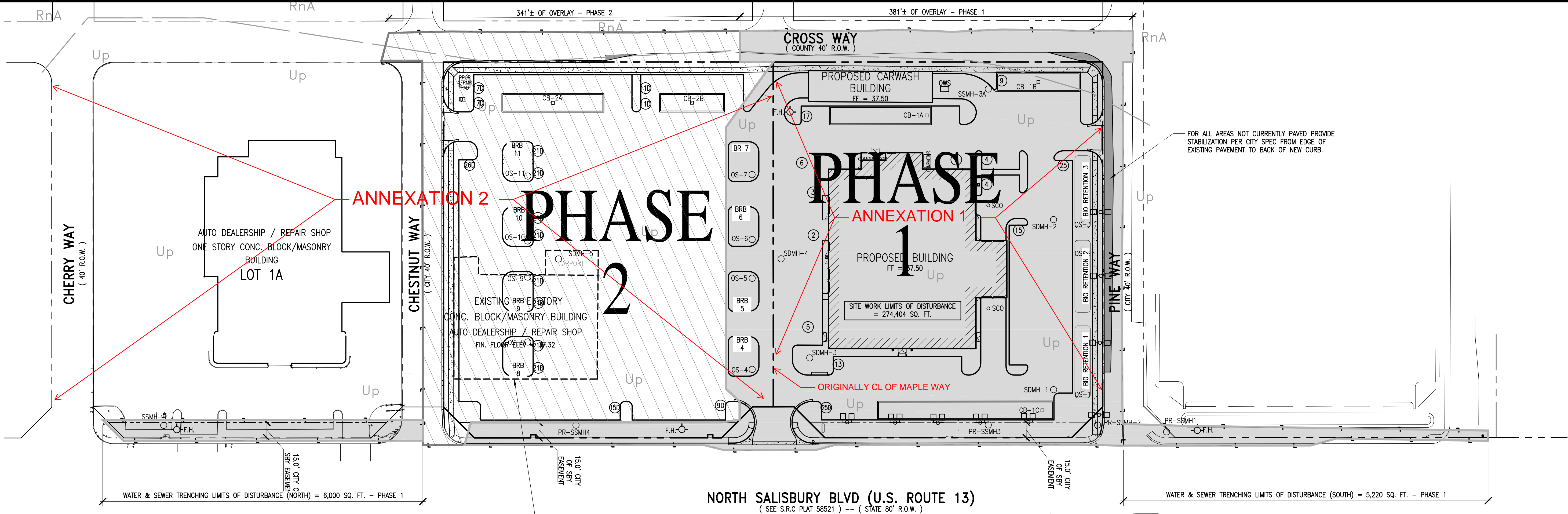
CHESTNUT WAY – POHANKA ANNEXATION

This is to certify that I have verified the petitions for the annexation and that to the best of my knowledge the persons having signed the petition represent at least 25% of the registered voters residing in the area to be annexed and are the owners of at least 25% of the assessed valuation of real property located in the area to be annexed.

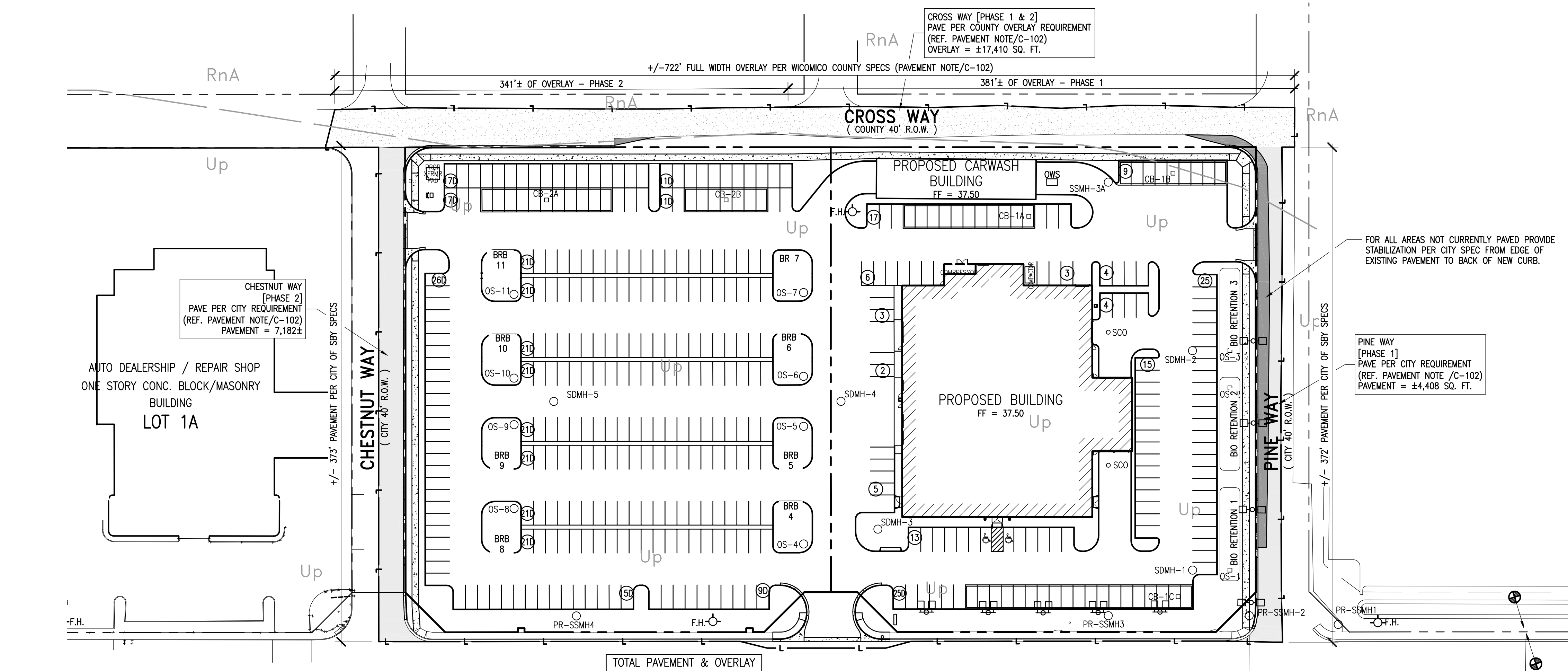
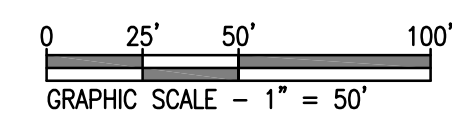
  
Leslie C. Sherrill  
Surveyor

Date: 4/29/2025

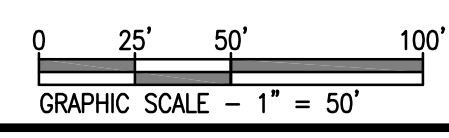
Chestnut Way – Pohanka – Certification – 04-29-2025.doc



PHASING PLAN  
SCALE: 1" = 50'



STREET PAVEMENT PLAN  
SCALE: 1" = 50'



**LEGEND**

---	PROPERTY LINE
---	LIMITS OF DISTURBANCE
---	20' B.S.L.
---	EXISTING CONTOURS
⑥	PROPOSED PARKING SPACES
②⑥	PROPOSED DISPLAY PARKING SPACES
□ □ □	PROPOSED LIGHT POLE
---	PROPOSED CONCRETE (REF. SPECIFICATIONS/C-001)
---	PROPOSED OVERLAY PER WICOMICO COUNTY (REF. PAVEMENT NOTE 1 THIS SHEET)
---	PROPOSED PAVEMENT & MILLING PER CITY (REF. PAVEMENT NOTE 2 THIS SHEET)
---	PROPOSED HEAVY ASPHALT PAVEMENT (REF. SPECIFICATIONS/C-001)
MH ○	PROPOSED MANHOLE
OS2 □	PROPOSED OUTLET STRUCTURE

**NOTE FOR EXISTING UNPAVED AREAS:**  
FOR ALL AREAS NOT CURRENTLY PAVED PROVIDE STABILIZATION PER CITY SPEC FROM EDGE OF EXISTING PAVEMENT TO BACK OF NEW CURB.

- PAVEMENT NOTE**
- REFERENCE WICOMICO COUNTY OVERLAY REQUIREMENT
  - REFERENCE CITY OF SALISBURY MILLING & PAVEMENT REQUIREMENT PER "ROAD CONSTRUCTION MATERIALS (LATEST REVISION 01-02-18) AND PAVING POLICY APPROVED ON JULY 8, 2013 THROUGH RESOLUTION 2298.

APPROVED:  
CITY OF SALISBURY  
DEPARTMENT OF INFRASTRUCTURE  
AND DEVELOPMENT

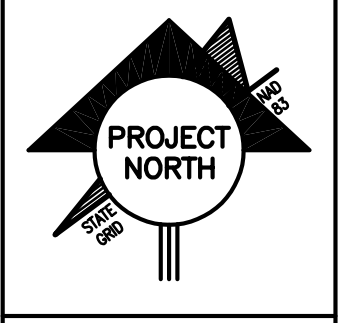
CITY PROJECT #

RICHARD BALDWIN, P.E.  
DIRECTOR

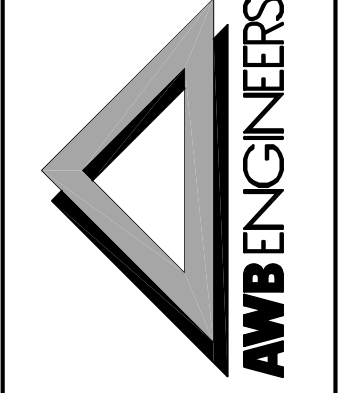
DATE

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REV	DESCRIPTION	BY	DATE
1	CITY OF SALISBURY CONCEPT REVIEW	EFT	22 DEC 23
2	PRELIMINARY REVIEW	EFT	04 OCT 24



**ENGINEERS/ARCHITECTS**  
1942 NORTHWOOD DRIVE SALISBURY, MARYLAND 21801-7824  
PH. (410) 742-1298 FAX. (410) 742-0273



**PHASING & STREET PAVEMENT PLAN**

**2023 POHANKA KIA DEALERSHIP**  
SALISBURY, MARYLAND

SCALE 1"=50'

DRAWN EFT

PROJ.MGR. EFT

JOB 220902.004

SHEET C-102



# CHESTNUT WAY – POHANKA KIA ANNEXATION

## ANNEXATION AGREEMENT

**THIS ANNEXATION AGREEMENT** (“Agreement”) is made this \_\_\_\_ day of \_\_\_\_\_, 2025, by and between the *City of Salisbury, Maryland*, a municipal corporation of the State of Maryland (the “City”), and *Zionroadtwo, LLC*, a Maryland limited liability company (“Zionroadtwo”) (the City and Zionroadtwo are hereinafter referred to collectively as the “Parties”).

### RECITALS

**WHEREAS**, Zionroadtwo has submitted a Petition for Annexation dated March 19, 2025 for the property described below and further delineated in the exhibits attached hereto, containing 5.280 acres, more or less (the Petition for Annexation and Property Description are incorporated herein and attached hereto as *Exhibits 1 and 2*, respectively); and

**WHEREAS**, for purposes of this Agreement, the term “Zionroadtwo” shall be deemed to include each and every subsidiary, successor-in-interest and/or assign of Zionroadtwo, as the case may be, such that this Agreement, and all of the terms and conditions set forth herein, shall apply to, be binding in all respects upon and inure to the benefit of each and every successor-in-interest and/or assign of Zionroadtwo, as the case may be; and

**WHEREAS**, Zionroadtwo is the fee simple owner of that certain real property having a premises address of N. Salisbury Boulevard, Salisbury, Maryland 21801 and a State of Maryland Tax Identification Number of 05-034736 (“Block C, Lot 1”), 1911 N. Salisbury Boulevard, Salisbury, Maryland and a State of Maryland Tax Identification Number of 05-034744 (“Block C, Lot 2”), 1911 N. Salisbury Boulevard, Salisbury, Maryland and a State of Maryland Tax Identification Number of 05-034752 (“Block C, Lots 3,4”), Cross Street, Salisbury, Maryland and a State of Maryland Tax Identification Number of 05-034760 (“Block C, Lots 5, 6 & Part 7”), Cross Way, Salisbury, Maryland and a State of Maryland Tax Identification Number of 05-034779 (“Block C, Lot Part 7”), said Block C collectively consisting of approximately 2.4893 acres of land, more or less, and that certain real property having a premises address of 1915 N. Salisbury Boulevard, Salisbury, Maryland 21801 and a State of Maryland Tax Identification Number of 05-079128 (“Block D, Lot 1A”), said Block D consisting of approximately 2.4857 acres of land, more or less, the said Blocks C and D collectively being all that same real property identified as Map 0029, Grid 0023, Parcel 0017 and Map 0029, Grid 0022, Parcel 0017 on the Tax Records of the State of Maryland, and further being, in all respects, a portion of that real property described in a Deed, dated August 1, 2022, from Gramm Salisbury Properties, LLC to Zionroadtwo, recorded among the Land Records of Wicomico County, Maryland in Liber 5155, Folio 175 (Blocks C and D are hereinafter referred collectively as the “Pohanka Kia Property”); and

**WHEREAS**, the Pohanka Kia Property is subject to a Purchase Money Deed of Trust, Assignment of Rents and Leases, Security Agreement, and Fixture Filing (Maryland – Wicomico County) held by Truist Bank, recorded among the Land Records of Wicomico County, Maryland in Liber 5155, Folio 186 (hereinafter referred to as “Mortgage”);

**WHEREAS**, the Pohanka Kia Property consists of 4.975 +/- acres of land as more particularly depicted on that certain plat entitled “Proposed Annexation” dated March 13, 2024 and prepared by Brian M. Dennis, which is intended to be recorded among the Plat Records of Wicomico County, Maryland following annexation (the “Annexation Plat”) (The Annexation Plat is incorporated herein and a reduced scale copy of said Annexation Plat is attached hereto as *Exhibit 3*); and

**WHEREAS**, the Annexation Plat depicts all that same real property more particularly described by metes, bounds, courses and distances in that certain legal description attached hereto and incorporated herein as *Exhibit 2* (the “Chestnut Way-Pohanka Kia Property Description”); and

**WHEREAS**, the Annexation Plat and Chestnut Way - Pohanka Kia Property Description further depicts all that certain portion of the public road right-of-way known as “Chestnut Way”, consisting of .3092+/- acre of land more or less. (The aforesaid public road right-of-way is hereinafter referred to as the “**Chestnut Way ROW**”; the Pohanka Kia Property and the Chestnut Way ROW are hereinafter referred to collectively as the “**Property**”); and

**WHEREAS**, the City has caused to be made a certification of the signatures on the Petition for Annexation at issue herein and the City has verified that the persons signing the Petition for Annexation represent at least twenty-five percent (25%) of the persons who are eligible voters and property owners owning twenty-five percent (25%) of the assessed valuation of real property in the area to be annexed, all as of May, 22, 2024 (the Certification by Leslie C. Sherrill, Surveyor, of the City of Salisbury, is incorporated herein and attached hereto as **Exhibit 4**); and

**WHEREAS**, Zionroadtwo intends to construct upon the Property certain commercial buildings and associated site improvements consistent with the use of property located in the City’s General Commercial zoning district, and as more fully set forth in the proposed plan for development of the Pohanka Kia Property as shown on the Phasing and Street Pavement Plan attached hereto and incorporated herein as **Exhibit 5** (hereinafter collectively referred to as the “**Site Plan**”); and

**WHEREAS**, all of the land which makes up the Property is located within Wicomico County, Maryland and outside the municipal boundaries of the City, and, therefore, the Property is ineligible to receive City services, including municipal water and sanitary sewer utility service, which Zionroadtwo desires to obtain for its development of the Property as aforesaid; and

**WHEREAS**, the City is willing to annex the Property, provided Zionroadtwo agrees to adhere to all laws, ordinances and regulations of the City, and the provisions of this Agreement, regarding Zionroadtwo’s use and development of the Property; and

**WHEREAS**, appropriate and required public hearings on the proposed annexation of the Property have been held pursuant to all applicable state and local laws; and

**WHEREAS**, pursuant to the authority contained in MD Code, Local Government, § 4-101, et seq., the City and Zionroadtwo enter into this Agreement to set forth the terms and conditions of the proposed annexation of the Property and all annexation proceedings relating thereto.

**NOW, THEREFORE**, in consideration of the mutual covenants and agreements contained herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by the Parties hereto, the Parties hereby agree as follows:

**1. Effective Date.**

The effective date of this Agreement shall be the date upon which the Resolution approving the City’s annexation of the Property becomes effective (said Resolution is hereinafter referred to as the “**Annexation Resolution**”). The annexation of the Property shall not become effective unless and until all applicable appeal and referendum periods have expired, and, if applicable, all appeals and referenda have been resolved in favor of the City’s annexation of the Property.

**2. Warranties & Representations of the City.**

(a) The City, the Salisbury-Wicomico County Planning Commission, and associated staff shall be guided by this Agreement, throughout the review of any and all development plans submitted for or relating to the Property or any portion thereof to ensure the provisions of this Agreement are specifically implemented. Any approval granted to or for a development plan for the Property or any portion thereof by any commission, board, body or agent of the City shall be in substantial compliance with all of the terms and conditions of this Agreement.

(b) The Parties expressly acknowledge and agree the City's support for the annexation of the Property, as provided herein, is not intended, nor shall it be construed, to prohibit the City from enacting such future ordinances, charter provisions, engineering standards or any amendments thereto deemed necessary or appropriate to protect the public, health, safety and welfare of the residents of the City, nor from applying such ordinances or charter provisions to the development of the Property or any portion thereof, provided any such application does not operate to divest prior approvals, nor interfere with Zionroadtwo's vested rights in and to the Property, or any portion thereof, to any extent greater than the impact of such ordinances and charter resolutions have upon other similarly-situated properties located within the municipal boundaries of the City.

### **3. Warranties & Representations of Zionroadtwo.**

(a) This Agreement shall constitute the written consent of Zionroadtwo to annexation of the Property, as required by MD Code, Local Government, §§ 4-403(b)(1)-(2). Zionroadtwo requests the annexation in accordance with the Annexation Plat attached as ***Exhibit 3*** and the Site Plan attached as ***Exhibit 5***. Zionroadtwo represents and warrants to the City that it has the full power and authority to sign this Agreement. Zionroadtwo further represents and warrants to the City that there is no action pending against, or otherwise involving, Zionroadtwo that would affect, in any way, the right and authority of Zionroadtwo to execute this Agreement.

(b) Zionroadtwo expressly acknowledges and agrees that it will receive a benefit from and upon the City's annexation of the Property; accordingly, by Zionroadtwo's execution of this Agreement, Zionroadtwo agrees, as a bargained-for condition for the City's annexation of the Property, to waive and relinquish any and all right it has or may have to withdraw its consent to the City's annexation of the Property or any portion thereof. Zionroadtwo shall not petition the Annexation Resolution to referendum and, in the event the Annexation Resolution is petitioned to referendum and Zionroadtwo is permitted to vote in such referendum, Zionroadtwo shall vote in favor of the Annexation Resolution.

### **4. Application of City Code and Charter; City Taxes.**

From and after the effective date of the Annexation Resolution, all provisions of the City of Salisbury Charter (the "**Charter**") and the Salisbury Municipal Code (the "**City Code**") shall have full force and effect within the Property, except as otherwise expressly set forth herein. The Parties expressly acknowledge and agree that, upon the City's annexation of the Property, the Property shall be subject to any and all applicable taxes, fees and/or other charges levied, assessed or imposed by the City from time to time.

### **5. Municipal Zoning.**

Upon the effective date of the Annexation Resolution, the Property shall be zoned General Commercial, as set forth in Chapter 17.36 of the City Code.

### **6. Municipal Services.**

(a) Subject to the obligations of Zionroadtwo set forth in Section 9(f)(i)-(ii) hereof, the City agrees to provide all necessary municipal services required for Zionroadtwo's development of the Property, including, but not limited to, adequate water and sewer services, fire and police protection, and other municipal services as generally available to City residents.

(b) With regard to public water and sewer allocation for the Property or any portion thereof, any allocation of public water or wastewater capacity and/or services shall be made by the City according to adopted allocation plans in effect at the time Zionroadtwo makes a request for such capacity and/or services.

**7. Standards & Criteria.**

Should any environmental, engineering, or other similar standard or criteria expressly provided in this Agreement be exceeded by any local, state or federal law, regulation, rule, standard or authorized criteria, which may be adopted subsequent to the execution of this Agreement, the newer stricter standard, criteria, law or regulation shall apply.

**8. City Boundary Markers.**

(a) Zionroadtwo, at its sole cost and expense, shall install Boundary Markers at the boundary lines representing the enlarged City boundaries resulting from the City's annexation of the Property. Zionroadtwo shall provide the City with receipt(s), or other written documentation acceptable to the City, evidencing the installation of the boundary lines, as aforesaid, within ninety (90) days of the expiration of the forty-five (45) day referendum period applicable to the Annexation Resolution.

(b) In the event Zionroadtwo fails to comply with its obligations under Section 8(a) hereof, then, upon the expiration of the ninety (90) day period set forth in Section 8(a), Zionroadtwo shall make payment to the City in the amount of either Ten Thousand Dollars and 00/100 (\$10,000.00) or the amount of the costs incurred by the City to perform the obligations of Zionroadtwo under Section 8(a), whichever is greater.

**9. Development Considerations.**

(a) **Fees & Costs.** Zionroadtwo expressly acknowledges and agrees that it shall make payment to the City for any and all fees, costs and/or expenses, including, but not limited to, legal fees, planning fees and/or consulting fees, incurred by the City in connection with the preparation of this Agreement, the preparation of the Annexation Resolution, the preparation of any other document(s) pertaining to the annexation of the Property, the publication of public notice(s) for the annexation of the Property, and any other matter relating to or arising from the annexation of the Property, as determined by the City in its sole discretion. The City shall invoice Zionroadtwo for all costs to be paid by Zionroadtwo under this Section 9(a) and Zionroadtwo shall make payment to the City for all such amounts within fifteen (15) days of Zionroadtwo's receipt of any such invoice from the City.

(b) **Development of Property.** Zionroadtwo shall develop the Property in a manner compliant with all laws and regulations governing the development of property located within the City's General Commercial zoning district.

(c) **Contribution to Area Improvement.** Zionroadtwo agrees to install ADA-accessible sidewalks, curbs, gutters and City standard street lights along the full public road frontage of the Property, including but not limited to the portions of the Property fronting on Cherry Way, and to install pedestrian walkways within the Property in such manner and to such extent as determined necessary and appropriate by the City's Department of Infrastructure and Development.

(d) **Contribution to the Re-Investment in Existing Neighborhoods.**

(i) Zionroadtwo shall pay to the City a non-refundable development assessment in the amount of Seven Thousand Five Hundred Dollars (\$7,500.00) (the "**Development Assessment**"). Zionroadtwo expressly acknowledges and agrees that its payment of the Development Assessment to the City under this Section 9(d)(i) is a material part of the consideration received by the City hereunder, without which the City would not enter into this Agreement. **The City hereby acknowledges its receipt of said Development Assessment.**

- (ii) In the event Zionroadtwo fails to pay the Development Assessment to the City in accordance with the terms of Section 9(d)(i), the Development Assessment shall bear interest from the due date thereof to the date of payment at the rate of ten percent (10%) per annum. Notwithstanding any term to the contrary set forth herein, Zionroadtwo shall make payment of the Development Assessment, including all late charges incurred thereon, if any, to the City, prior to the City's issuance of any permit for or relating to any development of the Property.
- (iii) The Parties expressly acknowledge and agree the Development Assessment is intended for use by the City, in its sole discretion, for purposes of beautification, restoration and revitalization improvements to existing neighborhoods in the City. The Parties further acknowledge and agree the Development Assessment shall be in addition to, and otherwise independent of, any and all water and sewer comprehensive connection charges or fees assessed, levied or otherwise imposed by the City, any and all impact fees imposed by Wicomico County or the City, and/or any other charges or fees which the City may assess against Zionroadtwo or the Property in accordance with the terms and conditions of this Agreement and/or pursuant to any law or regulation applicable to the Property and/or the development thereof.

(e) **Community & Environmental Design.** Zionroadtwo expressly acknowledges and agrees that any development plan for the Property shall: feature strong pedestrian, functional and visual relationships from the street and sidewalk to the front entrance of each structure constructed at or upon the Property; include enhanced site landscaping which recognizes and otherwise displays the "gateway" character of the Property; and, provide buffer plantings and forest retention for purposes of establishing a buffer between the developed portion of the Property and the residentially zoned properties adjoining portions of the Property.

(f) **Public Utility Improvements & Extensions.**

- (i) The Parties expressly acknowledge and agree that extensions of public water and sanitary sewer utilities will be necessary to meet the utility service requirements for and within the Property. Accordingly, the Parties expressly acknowledge and agree that Zionroadtwo shall, at its sole cost and expense, design and construct, or cause to be designed and constructed, such public water and sanitary sewer utility extension(s), including water and sewer main(s), trunk line(s), fire hydrant(s) and appurtenant facilities, required or imposed to serve the development or redevelopment of, or any other site improvements to or for, the Property or any portion thereof, in accordance with the City's standards and specifications. **Owner shall extend water and sewer from existing infrastructure through the far boundary of the Property, the location of which is to be determined at the time of the Salisbury-Wicomico County Planning Commission development plan review and approval. The extension of water and sewer shall be an express condition of approval of any development plan submitted to the Planning Commission subsequent to the date of this Agreement.**
- (ii) In addition to the provisions set forth in Section 9(f)(i), Zionroadtwo's design and construction of all facilities necessary for the extension and service of public water and sanitary sewer utilities to the Property shall be governed by the terms and conditions of a Public Works Agreement, by and between Zionroadtwo and the City (the "PWA"), which shall be executed by the Parties as soon as practicable after the Annexation Resolution becomes effective, with the express agreement that execution of the PWA by the Parties will not be unreasonably conditioned,

withheld or delayed; provided, however, no permit may be issued to Zionroadtwo, or any party acting on its behalf, for any work associated with Zionroadtwo's development of the Property, or any portion thereof, until the PWA has been executed by the Parties.

**10. Record Plat.**

Zionroadtwo shall provide the City with a copy of the final record plat for any development of, on or within the Property.

**11. Notices.**

All notices and other communication in connection with this Agreement shall be in writing and shall be deemed delivered to the addressee thereof: (1) when delivered in person on a business day at the address set forth below; (2) on the third (3<sup>rd</sup>) business day after being deposited in any main or branch United States post office, for delivery by properly addressed, postage prepaid certified or registered mail, return receipt requested, at the address set forth below; or, (3) when delivered by a nationally-recognized delivery service company at the address set forth below, with written proof of delivery.

All notices and other communications to Zionroadtwo shall be addressed to, and delivered at, the following addresses:

Zionroadtwo, LLC  
c/o Jimmy Robinson, CFO  
25260 Pleasant Valley Road  
Chantilly, VA 20152

All notices and other communications to the City shall be addressed to, and delivered at, the following addresses:

City of Salisbury  
c/o Director  
Department of Infrastructure and Development  
125 N. Division Street, Room 202  
Salisbury, Maryland 21801

*With a copy to:*  
Heather R. Konyar, Esquire  
Cockey, Brennan & Maloney, P.C.  
313 Lemmon Hill Lane  
Salisbury, Maryland 21801

**12. Future Uses of Annexation Property.**

Zionroadtwo expressly acknowledges and agrees that, upon the effective date of the Annexation Resolution, any development of the Property must comply with all applicable laws, rules and regulations of the City, as may be amended from time to time, including, but not limited to, all applicable zoning laws of the City, and all applicable permitting and/or approval procedures established by the City governing the development and/or use of property located within the City's General Commercial zoning district. Development of the Property shall be subject to, and must comply with, any and all applicable capacity fees and/or impact fees established by the City and/or Wicomico County existing as of the effective date of the Annexation Resolution, subject to any amendments thereto as approved by the City and/or Wicomico County from time to time. The Parties expressly acknowledge and agree that this Agreement, or any of the terms set forth herein, shall not, in any way, constitute, or otherwise be construed as, an approval for any specific development on or within the Property or any portion thereof; nor shall this Agreement or any of



its terms constitute or otherwise be construed as a waiver by the City of any fee(s) or charge(s) associated with or arising from Zionroadtwo's development and/or use of the Property or any portion thereof.

### **13. Miscellaneous Provisions.**

(a) **Applicable Law.** This Agreement shall be construed and enforced in accordance with the laws of the State of Maryland, without regard to its conflict of laws principles. The Parties, acting for themselves and for their respective successors and assigns, without regard to domicile, citizenship or residence, hereby expressly and irrevocably consent to and subject themselves to the jurisdiction of the Maryland courts and to venue in Wicomico County, Maryland with respect to any matter arising from or in connection with this Agreement.

(b) **Scope of Agreement.** This Agreement is not intended to limit the exercise of any police power(s) of the City, to limit the operation of the City government or to guarantee the outcome of any administrative process. Unless otherwise expressly set forth in this Agreement or in any other subsequent agreement entered into by the Parties, this Agreement shall be subject to all properly enacted laws, and properly adopted governmental regulations, now or hereafter existing and applicable. This Agreement shall not be rendered invalid by reason of the enactment or amendment of any law or the adoption or amendment of any regulation, which is: (i) enacted or adopted by the City in the exercise of a governmental power for a valid governmental purpose; (ii) enacted or adopted by the City as a result of a state or federal mandate; or, (iii) applicable to the Property and to similarly situated property located outside of the City in Wicomico County.

(c) **Entire Agreement.** This Agreement and all exhibits and/or addenda attached hereto constitutes the entire agreement and understanding of the Parties with respect to the transactions contemplated herein, and all prior negotiations, writings and understandings relating to the subject matter of this Agreement are merged herein and are superseded and canceled by this Agreement.

(d) **Waiver.** None of the terms or conditions of this Agreement may be waived, except if set forth in a writing signed by the party entitled to the benefit of the term(s) or condition(s) so waived; and, such waiver shall be effective only in the specific instance and for the specific purpose for which it is given.

(e) **Project as a Private Undertaking.** The Parties expressly acknowledge and agree: (i) that the development or redevelopment of the Property, or any portion thereof, is a private undertaking; (ii) that neither the City nor Zionroadtwo is acting as the agent of the other party in any respect hereunder; and, (iii) that each of the City and Zionroadtwo is an independent contracting entity with respect to the provisions of this Agreement. No partnership, joint venture or other association of any kind is formed by this Agreement.

(f) **Modification.** Neither this Agreement nor any provision hereof may be waived, modified, amended, discharged or terminated except by an instrument in writing signed by the Parties.

(g) **Binding Effect.** The terms of this Agreement shall be binding upon and shall inure to the benefit of the Parties hereto, any successor municipal authority of the City and/or any successor owner(s) of record of the Property or any portion thereof.

(h) **Assignment of Agreement.** The Parties expressly acknowledge and agree this Agreement shall be assignable, in whole or in part, by Zionroadtwo, without the consent of the City or any of its elected officials, employees or agents, to any purchaser of the Property or any portion thereof; provided, however, any transfer of all or a portion of the Property shall be subject to the terms of this Agreement. Notwithstanding any term to the contrary set forth in this Section 13(h), Zionroadtwo shall not transfer, or pledge as security for any debt or obligation, any of its interest in or to all or any portion of the Property without first obtaining the acknowledgment of the transferee or pledgee to be bound by all of the terms and conditions set forth herein, as if such transferee or pledgee was a party to this Agreement. Zionroadtwo shall provide the City with a copy of all documents, including all exhibits attached thereto (if any),

evidencing any transfer or assignment by Zionroadtwo of any of its interests in and to the Property or any portion thereof.

(i) **Express Condition.** The obligations of Zionroadtwo under this Agreement shall be contingent upon the annexation of the Property becoming effective (as set forth in Section 1 hereof) and shall not constitute the personal obligations of Zionroadtwo independent of its ownership of the Property or any portion thereof. Notwithstanding any term to the contrary set forth herein, the obligations of Zionroadtwo under Section 9(a) hereof shall not be contingent or otherwise conditioned upon annexation of the Property and shall be binding upon and enforceable against Zionroadtwo, its successors, representatives and assigns, to the fullest extent permitted by Maryland law.

(j) **No Third-Party Beneficiaries.** This Agreement shall not confer any rights or remedies upon any person or entity other than the Parties hereto and their respective successors and/or assigns.

(k) **Recording of Agreement.** This Agreement, including all exhibits, schedules and/or addenda attached hereto, each of which is incorporated in this Agreement by this reference, shall be recorded among the Land Records of Wicomico County, the costs of which shall be paid by Zionroadtwo. This Agreement, and all of the terms contained herein, shall run with the Property and be binding upon and inure to the benefit of the Parties and their respective heirs, personal representatives, successors and/or assigns.

(l) **No Reliance.** Each party to this Agreement, for itself, expressly acknowledges and agrees that, in entering into this Agreement, such party has not been induced by, nor has relied upon, nor included as part of the basis of the bargain herein, any representation(s) or statement(s), whether express or implied, made by any agent, representative or employee of the other party to this Agreement, which is not expressly set forth herein.

(m) **Further Assurances.** The Parties covenant and agree to do, execute, acknowledge and deliver, or cause to be done, executed, acknowledged and delivered, all such further acts, deeds, documents, assignments, transfers, conveyances, powers of attorney and assurances as may be reasonably necessary or desirable to give full effect to this Agreement.

(n) **Severability.** The Parties intend that should any provision, covenant, agreement, or portion of this Agreement or its application to any person, entity, or property be held invalid by a court of competent jurisdiction, the remaining provisions of this Agreement and the validity, enforceability, and application thereof to any person, entity, or property shall not be impaired thereby, but such remaining provisions shall be interpreted, applied and enforced so as to achieve, as near as may be, the purpose and intent of this Agreement to the greatest extent permitted by applicable law.

(o) **Waiver of Jury Trial.** **The Parties hereto shall and they hereby do waive trial by jury in any action, proceeding or counter-claim brought by any party against any other party on any matters whatsoever arising out of or in any way connected with this Agreement, the relationship of the Parties to one another, and/or any claim, injury or damage arising from or consequent upon this Agreement.**

(p) **Remedies.** In addition to each and every remedy now or hereafter existing at law or in equity, the Parties expressly agree that, provided the Annexation Resolution becomes effective, the Parties shall have the right to enforce this Agreement by an action for specific performance.

(q) **Survival.** The terms and conditions of this Agreement shall survive the effective date of the Annexation Resolution and shall not be merged or expunged by the City's annexation of the Property or any portion thereof.

(r) **Construction.** This Agreement and all of the terms and conditions set forth herein shall not be construed or enforced in favor of or against any party hereto by reason of the fact that party or that party's agent or attorney drafted all or any part of this Agreement. Section headings are for convenience of

reference only and shall not limit or otherwise affect any of the provisions of this Agreement. As used herein, any reference to the masculine, feminine or neuter gender shall include all genders, the plural shall include the singular, and the singular shall include the plural.

(s) **Time.** Time is of the essence with respect to this Agreement and each and every provision hereof.

(t) **Cooperation.** The Parties hereto agree that each will cooperate with the other to the extent necessary to facilitate the issuance of any and all required permits from any non-party government agency for Zionroadtwo's development of the Property.

(u) **Recitals.** The Recitals set forth hereinabove are incorporated by reference herein, and made a part hereof, as if fully set forth in this Agreement.

***[THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK]  
[SIGNATURES APPEAR ON THE PAGE THAT FOLLOWS]***

**IN WITNESS WHEREOF**, the Parties hereto have set their hands and seals and acknowledged this Agreement as of the day and year first above written.

**ATTEST/WITNESS:**

**“ZIONROADTWO”:**

**ZIONROADTWO, LLC**

\_\_\_\_\_

By: \_\_\_\_\_ (Seal)  
\_\_\_\_\_, Authorized Representative

**THE “CITY”:**

**CITY OF SALISBURY, MARYLAND**

\_\_\_\_\_

By: \_\_\_\_\_ (Seal)  
Randolph J. Taylor, Mayor

**CONSENTED TO BY “MORTGAGEE”:**

**TRUIST BANK**

\_\_\_\_\_

By: \_\_\_\_\_ (Seal)  
\_\_\_\_\_, Authorized Representative

STATE OF \_\_\_\_\_, \_\_\_\_\_ COUNTY, TO WIT:

I HEREBY CERTIFY, that on this \_\_\_\_\_ day of \_\_\_\_\_, 2025, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared \_\_\_\_\_, who acknowledged himself to be an Authorized Representative of Zionroadtwo, LLC, and that he, as such Authorized Representative, being authorized so to do, executed the foregoing instrument on behalf of Zionroadtwo, LLC for the purposes therein contained.

AS WITNESS my hand and Notarial Seal.

\_\_\_\_\_  
NOTARY PUBLIC

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

STATE OF MARYLAND, COUNTY OF \_\_\_\_\_, TO WIT:

I HEREBY CERTIFY that on this \_\_\_\_\_ day of \_\_\_\_\_, 2025, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared RANDOLPH J. TAYLOR, who acknowledged himself to be the MAYOR of THE CITY OF SALISBURY, MARYLAND, and that he, as such officer, being authorized to do so, executed the foregoing instrument on behalf of said municipal corporation for the purposes therein contained.

AS WITNESS my hand and Notarial Seal.

\_\_\_\_\_  
NOTARY PUBLIC  
My Commission Expires: \_\_\_\_\_

STATE OF \_\_\_\_\_, \_\_\_\_\_ COUNTY, TO WIT:

I HEREBY CERTIFY, that on this \_\_\_\_\_ day of \_\_\_\_\_, 2025, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared \_\_\_\_\_, who acknowledged himself to be an Authorized Representative of Truist Bank, and that he, as such Authorized Representative, being authorized so to do, executed the foregoing instrument on behalf of Truist Bank for the purposes therein contained.

AS WITNESS my hand and Notarial Seal.

\_\_\_\_\_  
NOTARY PUBLIC  
My Commission Expires: \_\_\_\_\_

**CERTIFICATION BY ATTORNEY**

I hereby certify that I am an attorney admitted to practice before the Maryland Supreme Court, and that the foregoing instrument was prepared under my supervision.

---

**HEATHER R. KONYAR, ESQUIRE**

**ANNEXATION PLAN  
FOR THE  
CHESTNUT WAY – POHANKA KIA ANNEXATION  
TO THE CITY OF SALISBURY**

May 19, 2025

This Annexation Plan is consistent with the Municipal Growth Element of the 2010 Comprehensive Plan adopted by the City of Salisbury. The following are milestones in the public review and consideration of the proposed Annexation which is the subject of this Annexation Plan:

At a Work Session of the City of Salisbury Mayor and City Council (the “**Mayor and City Council**”), held on \_\_\_\_\_, the Salisbury City Council (the “**City Council**”) reviewed the Petition for Annexation (the “**Annexation Petition**”) submitted by Zioroadtwo LLC (“**Zionroadtwo**”) on March 19, 2025. (See Annexation Petition attached hereto as **Exhibit 1** and incorporated by reference as if fully set forth herein), which Annexation Petition requested the City of Salisbury, Maryland (the “**City**”) annex the following parcels of lands:

- The real property more particularly described in the property description attached hereto as **Exhibit 2** and incorporated as if fully set forth herein, containing 5.280 acres, more or less, and further being:
  - Zionroadtwo is the fee simple owner of that certain real property having a premises address of N. Salisbury Boulevard, Salisbury, Maryland 21801 and a State of Maryland Tax Identification Number of 05-034736 (“Block C, Lot 1”), 1911 N. Salisbury Boulevard, Salisbury, Maryland and a State of Maryland Tax Identification Number of 05-034744 (“Block C, Lot 2”), 1911 N. Salisbury Boulevard, Salisbury, Maryland and a State of Maryland Tax Identification Number of 05-034752 (“Block C, Lots 3,4”), Cross Street, Salisbury, Maryland and a State of Maryland Tax Identification Number of 05-034760 (“Block C, Lots 5, 6 & Part 7”), Cross Way, Salisbury, Maryland and a State of Maryland Tax Identification Number of 05-034779 (“Block C, Lot Part 7”), said Block C collectively consisting of approximately 2.4893 acres of land, more or less, and that certain real property having a premises address of 1915 N. Salisbury Boulevard, Salisbury, Maryland 21801 and a State of Maryland Tax Identification Number of 05-079128 (“Block D, Lot 1A”), said Block D consisting of approximately 2.4857 acres of land, more or less, the said Blocks C and D collectively being all that same real property identified as Map 0029, Grid 0023, Parcel 0017 and Map 0029, Grid 0022, Parcel 0017 on the Tax Records of the State of Maryland, and further being, in all respects, a portion of that real property described in a Deed, dated August 1, 2022, from Gramm Salisbury Properties, LLC to Zionroadtwo, recorded among the Land Records of Wicomico County, Maryland in Liber 5155, Folio 175 (Blocks C and D are hereinafter referred collectively as the “**Pohanka Kia Property**”); the Pohanka Kia Property consists of 4.975 +/- acres of land as more particularly depicted on that certain plat entitled “Proposed Annexation” dated March 13, 2024 and prepared by Brian M. Dennis, which is intended to be recorded among the Plat Records of Wicomico County, Maryland following annexation (the “**Annexation Plat**”)(The Annexation Plat is incorporated herein and a reduced scale copy of said Annexation Plat is attached hereto as **Exhibit 3**); and
  - All that certain portion of the public road right-of-way known as “Chestnut Way”, consisting of .3092+/- acre of land more or less and being that same public right-of-way more particularly depicted on the attached **Exhibit 3**. (The aforesaid public road right-

of-way is hereinafter referred to as the “**Chestnut Way ROW**”)(the Pohanka Kia Property and the Chestnut Way ROW are hereinafter referred to collectively as the “**Property**”).

- At the September 19, 2024 Meeting of the Salisbury Planning Commission (the “**Planning Commission**”), the Planning Commission reviewed the proposed annexation of the Property (as submitted by a predecessor-in-interest to Petitioner) and approved a favorable recommendation to the City for the proposed zoning of the Property.
- On \_\_\_\_\_, a Regular Meeting of the Mayor and City Council was convened, during which the City Council reviewed this Annexation Plan and a Resolution of the City Council to authorize and approve the City’s annexation of the Property (said Resolution is hereinafter referred to as the “**Annexation Resolution**”), and, in accordance with applicable state and local law, directed that a date for a Public Hearing be established to hear public comment on the City’s annexation of the Property, as requested by the Annexation Petition submitted by Zionroadtwo. Furthermore, at the \_\_\_\_\_ Regular Meeting of the Mayor and City Council, the City Council directed this Annexation Plan be submitted to the Maryland Department of Planning and the Wicomico County Council for comment, at least thirty (30) days before the Public Hearing on the Annexation Resolution, as required by applicable Maryland law.

## **1.0. GENERAL INFORMATION AND DESCRIPTION OF PROPERTY.**

**1.1. Petitioner for Annexation of the Property.** Zionroadtwo is the Petitioner for annexation of the Property. Zionroadtwo, or its fully authorized agent, will perform all functions, including but not limited to appearing before all state and municipal bodies, in order to effectuate the annexation.

**1.2. Location.** The Property is located east of northbound U.S. Route 13 between Maple Way and Cherry Way, as more particularly shown on the Annexation Plat attached hereto and incorporated herein as ***Exhibit 3***.

### **1.3. Property Description; Reason for the Annexation Petition.**

- (a) The Property consists of 5.28 +/- acres of land as more particularly depicted and described by the Annexation Plat. The Annexation Plat depicts all that same real property more particularly described by metes, bounds, courses and distances in that certain legal description attached hereto and incorporated herein as ***Exhibit 2***.
- (b) The persons signing the Annexation Petition represent at least twenty-five percent (25%) of the persons who are eligible voters and property owners owning twenty-five percent (25%) of the assessed valuation of real property in the area to be annexed, as set forth in the certification by Leslie C. Sherrill, Surveyor, of the City of Salisbury, attached hereto as ***Exhibit 4*** and incorporated by reference as if fully set forth herein.
- (c) The Property is currently improved with two buildings, on site vehicle storage, asphalt parking lots, landscaping, and concrete sidewalk serving building frontage. Prior use of the Property included automobile sales, parts sales, and repair and service, which use is intended to be continued, with improvements to include the construction of a new building and the remodeling of an existing building. (See ***Exhibit 3***.) As set forth below, the Annexation Petition submitted by Zionroadtwo arises exclusively from the proposed plan for development of the Property as shown on the Phasing and Street Pavement Plan attached hereto and incorporated herein as ***Exhibit 5*** (the “**Site Plan**”).
- (d) The Chestnut Way ROW consists of .3092+/- acre of land more or less as more particularly depicted and described by the Annexation Plat. Upon the annexation thereof, it is anticipated that the Chestnut Way ROW shall be closed and become part of the on site parking lot.



**1.4. Existing Zoning.** All of the Property is currently zoned C-2 General Commercial under the Wicomico County Code. The property adjacent to the Property at issue herein is identified as: Map 0029, Grid 0023, Parcel (the “Pine Way Pohanka Kia/Pohanka 1 Property”). The Pine Way Pohanka Kia/Pohanka 1 Property is pending annexation, at the conclusion of which it will be located within the municipal limits of the City and zoned “General Commercial” under the City of Salisbury City Code (the “City Code”).

## **2.0. LAND USE PATTERN PROPOSED FOR THE PROPERTY.**

### **2.1. Comprehensive Plan.**

- (a) By Resolution No. 1942, the City Council adopted the 2010 City of Salisbury Comprehensive Plan (the “**Comprehensive Plan**”). The Comprehensive Plan sets forth the land use policies for all lands located within the City’s municipal limits and includes a Municipal Growth Element addressing growth areas outside the municipal limits of the City. The Municipal Growth Element section of the City’s Comprehensive Plan provides in pertinent part: “the City has defined a Municipal Growth [A]rea that is sufficient to accommodate residential, commercial, and industrial land uses as illustrated on Map 11-3” attached to and incorporated within the Comprehensive Plan. The Property is located within the City’s designated Municipal Growth Area.
- (b) With respect to the City’s annexation of property, the goal of the City’s Comprehensive Plan is: “to encourage the orderly growth and expansion of the City of Salisbury by annexing selected areas and by providing public services to newly developing areas without overburdening these facilities while continuing to maintain a high level of services to existing developments and residents of the City.”

**2.2. Proposed Zoning for Property.** Upon its annexation, the Property is proposed to be zoned as “General Commercial”. Per Section 17.36 of the City Code, the purpose of the “General Commercial” zoning district is: “to provide a wide range of functional and attractive regional retail, office, service, wholesale, storage, distributing and light manufacturing activities. To alleviate problems with traffic congestion and unnecessary turning movements, unified access and consolidation of businesses are encouraged. Because of the potential impact of these types of activities, special landscaping and screening requirements are established for certain use.”

**2.3. Proposed Land Use for Property.** The Property will be redeveloped with an automotive retail and service use. As set forth in Section 1.3(b) of this Annexation Plan, the Property is currently improved with two buildings, on site vehicle storage, asphalt parking lots, landscaping, and concrete sidewalk serving building frontage. Prior use of the Property included automobile sales, parts sales, and repair and service, which use is intended to be continued. Upon its annexation, the proposed Property redevelopment will consist of the construction of a new building and the remodeling of an existing building for use as an automobile sales and service facility.

## **3.0. THE PUBLIC FACILITIES AND SERVICES NEEDED BY THE DEVELOPMENT AND THE METHODS TO PROVIDE SUCH FACILITIES AND SERVICES TO THE PROPERTY.**

**3.1. Roads.** Currently, and following its annexation by the City, the Property can be accessed by U.S. Route 13, a state highway, Cherry Way, a County Road and Maple Way, a City Road (pending its annexation).

**3.2. Water and Wastewater Treatment.** In keeping with its redevelopment plan, Zionroadtwo’s redevelopment of the Property will create a demand of about 1,550 gallons per day. Zionroadtwo, at its sole cost and expense, will connect to existing public water and sewerage facilities within the area of the Property, as directed by the City of Salisbury Department of Infrastructure and Development. The City has no concerns about the feasibility or capacity to serve the Property.

**3.3. Schools.** The Property is and will be subject to automotive retail and service use only and will not generate any pupil enrollment, and therefore will have no impact on school capacity.

**3.4. Parks and Recreation.** The City’s annexation of the Property will have no impact on park and recreational facilities, nor will it generate a demand for park and recreational facilities.

**3.5. Fire, E.M., and Rescue Services.** The City of Salisbury Fire Department provides fire suppression, technical rescue, special operations and advanced life support emergency medical treatment and transport services (collectively “**fire and emergency services**”) to residents of the Salisbury Fire District. The Property is located within the Salisbury Fire District; accordingly, the Salisbury Fire Department will continue providing fire and emergency services to the Property after its annexation into the City.

**3.6. Police.** The City of Salisbury Police Department will provide police services to the Property.

**3.7. Stormwater Management.** Stormwater management is governed by the State of Maryland, and stormwater management regulations are administered locally.

**3.8. Waste Collection.** Commercial development in the City of Salisbury is served by independent waste haulers.

**4.0. HOW DEVELOPMENT OF THE PROPERTY WILL RELATE TO EXISTING/PLANNED LAND USE DEVELOPMENT, STREETS, PUBLIC FACILITIES AND SERVICES, OPEN SPACES AND NATURAL AREAS.**

The City’s annexation of the Property is consistent with applicable Maryland and local law. The Property is located along and is immediately adjacent to U.S. Route 13 on the western side of the City of Salisbury. Zionroadtwo’s proposed commercial use (automotive retail and service) at the Property is consistent with the overall plan for this geographic area of the City of Salisbury. The Property is located within the City of Salisbury’s Municipal Growth Area and is eligible for annexation. In this matter, the Annexation Petition submitted by Zionroadtwo requesting the City annex the Property arises exclusively from the need to serve the Property with public water and sewer utilities for and in connection with Zionroadtwo’s proposed development of the Property, as shown on the Site Plan attached hereto and incorporated herein as ***Exhibit 5***.

**NOTICE OF ANNEXATION  
TO THE CITY OF SALISBURY**

**Chestnut Way – Pohanka Kia Annexation**

A certain area of land contiguous to and binding upon the Corporate Limit of the City of Salisbury, to be known as the “Chestnut Way – Pohanka Kia Annexation ” containing six lots and a portions of Chestnut Way, consisting of 5.28 acres, more or less, generally located east of northbound U.S. Route 13 between Maple Way and Cherry Way.

NOTICE is hereby given by the Council of the City of Salisbury that, on \_\_\_\_\_, 2025, Resolution No. \_\_\_\_\_ was introduced at a regular meeting of the Council of the City of Salisbury proposing that the boundaries of the City of Salisbury be changed to annex that area identified as the “Chestnut Way – Pohanka Kia Annexation”, and which property shall be subject to the Charter, Ordinances, Resolutions, Rules, Regulations, Annexation Plan, and Annexation Agreement of the City of Salisbury.

NOTICE is further given that the Council will hold a public hearing on said Resolution for the proposed annexation on Monday, \_\_\_\_\_, 2025, at 6:00 p.m. in the Council Chambers, City-County Office Building, 125 N. Division St., Salisbury, Maryland, and all interested persons are invited to attend such public hearing and present their views.

The proposed conditions of annexation are as follows:

- A. Subject to connection to City water and sewer systems pursuant to City Policy;
- B. Zoning will be General Commercial;
- C. Subject to the provisions of the Annexation Agreement and all provisions of the above referenced Resolution.
- D. The lots shall be consolidated into one lot.
- E. A Comprehensive Development Plan shall be approved by the Salisbury Planning Commission prior to site improvements.

NOTICE is further hereby given that, following such public hearing, the Council of the City of Salisbury is empowered by law to enact said Resolution and, if so enacted, the said Resolution provides that it shall take effect upon the expiration of forty-five (45) days following its passage, unless within such period a petition for referendum is filed meeting the requirements of Local Government Article §4-408, et. seq. of the Maryland Annotated Code, as amended.

A copy of the Resolution is available on the City of Salisbury website at <https://salisbury.md>.

(FOR FURTHER INFORMATION CALL 410-548-3140)

D'Shawn M. Doughty, Council President

Publication Dates: \_\_\_\_\_, 2025  
\_\_\_\_\_, 2025



# City of Salisbury

## Memo

To: Mayor and Council  
From: Captain John Felts  
Date: May 27, 2025  
Subject: Acceptance of BJAG Grant Funding from GOCCP - 2nd Reading

The Salisbury Police Department is requesting approval to accept \$20,000 in grant funding awarded by the Governor's Office of Crime Prevention, Youth and Victim Services through the Byrne Justice Assistance Grant (BJAG) Program. The funding will be used to purchase and install one high-resolution surveillance camera and one cellular gateway device, which enables secure wireless transmission of video data and can support the integration of additional cameras in the future, both of which will enhance public safety and integrate directly into the City's existing surveillance infrastructure.

Criminal activity continues to impact areas within the City. The Police Department remains committed to using surveillance cameras as a proactive strategy to improve visibility and response. This grant will support those efforts by expanding real-time monitoring capabilities. The new equipment will enhance the department's ability to monitor and respond to incidents in real time and will also serve as a valuable investigative tool in cases of criminal activity.

This project reflects the Police Department's ongoing efforts to identify and secure external funding to strengthen existing infrastructure without affecting current budgeting levels. The purchase and installation of the equipment will be fully funded by the grant, with no local match required. We respectfully request that the Mayor and City Council approve acceptance of the grant and adoption of the accompanying ordinance authorizing the necessary budget amendment.

Attachment(s):  
[Ord2946.pdf](#)

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**WHEREAS**, grant funds have been awarded to the City of Salisbury by the Governor's Office of Prevention, Youth and Victim Services through the Byrne-Justice Assistance Program in the amount of \$100,000.00; and

**WHEREAS;** the camera and gateway equipment shall integrate with the City of Salisbury’s existing camera infrastructure to further enhance public safety.

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

**Section 1.** Mayor Randolph J. Taylor is hereby authorized to enter into a grant agreement with the Governor's Office of Crime Prevention, Youth and Victim Services on behalf of the City of Salisbury, for the City's acceptance of grant funds in the amount of \$20,000.00, so that those funds may be utilized by the Salisbury Police Department to fund a camera and cellular gateway equipment purchase and installation project.

(a) Increase Byrne Memorial JAG Grant Revenue Account No. 10500-423101-XXXXXX, by \$20,000.00; and

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

**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 14 day of July, 2025 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 28 day of July, 2025.

ATTEST:

\_\_\_\_\_  
**Julie A. English, City Clerk**

\_\_\_\_\_  
**D'Shawn M. Doughty, City Council President**

Approved by me, this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
**Randolph J. Taylor, Mayor**



# City of Salisbury

## Memo

To: Mayor's Office  
From: Rob Frampton, Fire Chief  
Date: June 10, 2025  
Subject: Amending Chapter 8.11 "The Fire Prevention Code" - First Reading

In an effort to clarify language in the City Code, as it related to the permitting of fireworks sales, the Salisbury Fire Department is requesting a language change in Code 8.11.020(6). The change is shown in the Ordinance request in bold letters and struck through script. This language will allow the Code to better reflect the language as stated in the NFPA Life Safety Code and will reduce the risk of someone legally challenging the need for a permit, as required under the Code.

Attachment(s):  
[Ord2947.doc](#)

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

**WHEREAS**, the City of Salisbury desires amend Chapter 8.11.020, which sets forth the amendments to the State Fire Prevention Code, to grant the authority to issue permits for the wholesale and retail sale of ground-based sparkling devices to the City Fire Marshal.

**Section 1.** Chapter 8.11.020(6) of the Salisbury City Code be and is hereby amended by repealing the crossed-out language and adding the bolded and underlined language as follows:

6. Permits from the Fire Marshal are required for the following:
  - a. Installation/Modification of fire alarm and detection systems;
  - b. Installation/Modification of sprinkler or water spray systems;
  - c. Installation/Modification of standpipe systems;
  - d. Installation/Modification fire pumps;
  - e. Installation/Modification of water storage tanks for fire protection;
  - f. Installation/Modification of gaseous and chemical extinguishing systems;
  - g. Installation/Modification of foam systems;
  - h. Installation/Modification of smoke control systems;
  - i. Installation/Modification of flammable and combustible liquid storage tanks;
  - j. Installation/modification of emergency generators for fire protection systems.;
  - k. Installation, modification, or removal from service of any private fire service mains and their appurtenances in accordance with NFPA 24;
    - i. No permit is required for:
      - A) Mains and their appurtenances under the control of a water utility;
      - B) Mains and their appurtenances providing fire protection and/or domestic water that are privately owned but are operated as a water utility;
      - C) Underground mains serving sprinkler systems designed and installed in accordance with NFPA 13R that are less than 4 inches (100 mm) in nominal diameter; or



42 D) Underground mains serving sprinkler systems designed and  
43 installed in accordance with NFPA 13D.

44 ii. This permit does not include the connection from the street main to a point  
45 in the public sidewalk area covered by Title 13, Chapter 13.08, § 13.08.050  
46 of this Code.

47 l. Fireworks displays;

48 m. To store, transport on site, dispense, use, or handle hazardous materials;

49 n. To perform any fire hydrant or fire pump water flow test; and

50 o. ~~To sell~~ **Wholesale and retail sale of** consumer fireworks- **and ground-based**  
51 **sparkling devices.**

52  
53 **BE IT FURTHER ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF**  
54 **SALISBURY, MARYLAND,** as follows:

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

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

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

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

65  
66 THIS ORDINANCE was introduced and read at a meeting of the Council of the City of Salisbury held  
67 on this 28 day of July, 2025, and thereafter, a statement of the substance of the Ordinance having been  
68 published as required by law, was finally passed by the Council on the \_\_\_\_ day\_\_\_\_,2025.  
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71 **ATTEST:**

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75 \_\_\_\_\_  
76 Julie A. English, City Clerk

75 \_\_\_\_\_  
76 D'Shawn M. Doughty, President  
77 Salisbury City Council

78  
79 APPROVED BY ME THIS \_\_\_\_day of \_\_\_\_\_, 2025.  
80

81  
82 \_\_\_\_\_  
83 Randolph J. Taylor, Mayor



# City of Salisbury

## Memo

To: Tom Stevenson, Acting City Administrator  
From: Christine Chestnutt, HCDD, Housing & Homelessness Manager  
Date: June 25, 2025  
Subject: Community Needs Grant for Anne Street Village - 1st reading

The Housing and Community Development Department has received grant funding of \$500.00, through the Community Needs Grant to partially fund 24 vegetable container gardens at Anne Street Village. By investing in this project, we can not only improve immediate food access but also equip residents with tools to maintain long-term food stability and independence. The Housing and Community Development Department is requesting the \$500 received from the Community Foundation of the Eastern Shore be allocated for the Anne Street Village Garden Project.

It is requested to Increase Contribution Revenue 10530-456423-xxxxx by \$500, and Increase Operating Expenses 10530-546006-xxxxx by \$500.

Attachment(s):  
[Ord2948.docx](#)

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**AN ORDINANCE OF THE CITY OF SALISBURY TO ACCEPT A \$500 DONATION FROM THE COMMUNITY FOUNDATION OF THE EASTERN SHORE TO FUND A GARDEN PLANTING AT ANNE STREET VILLAGE.**

**WHEREAS**, the City of Salisbury’s Housing and Community Development Department is holding an Anne Street Village garden planting; and

**WHEREAS**, the Community Foundation of the Eastern Shore wishes to provide grant funds to help this program; and

**WHEREAS**, the donation of funds will be used to purchase vegetable and herb plants, to be placed in the large container gardens at Anne Street Village; and

**WHEREAS**, the appropriations necessary to execute the purpose of the aforementioned 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 of Salisbury's Special Revenue Fund be and hereby is amended as follows:

- 1) Increase Contribution Revenue 10530-456423-xxxxx by \$500.
- 2) Increase Operating Expenses 10530-546006-xxxxx by \$500.

**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 28 day of July, 2025 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 \_\_\_\_\_, 2025.

**ATTEST:**

**Julie A. English, City Clerk**

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

Approved by me, this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

**Randolph J. Taylor, Mayor**

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**AN ORDINANCE OF THE CITY OF SALISBURY AMENDING THE SALISBURY CITY CODE TO CREATE A NEW SALISBURY PLANNING COMMISSION, INDEPENDENT FROM THAT OF WICOMICO COUNTY.**

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

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

**WHEREAS**, pursuant to Resolution No. 162 (adopted on October 24, 1972), the City's planning commission functions have been performed by the Salisbury-Wicomico County Planning and Zoning Commission, which is composed of members appointed by the City and other members appointed by Wicomico County and handles matters involving property and land use matters in the City and elsewhere in the County;

**WHEREAS**, after review and discussion the Mayor and City Council have concluded, based upon the substantial size and urban nature of the City, that to more efficiently serve the public interest the City should have a separate planning commission that is not part of the Salisbury-Wicomico County Planning and Zoning Commission;

**WHEREAS**, the Mayor and Council further find that the health, safety and general welfare of the citizens of the City will be furthered by amending the Salisbury City Code to create a Salisbury Planning Commission, which will allow the City to operate its own planning commission, apart from that of Wicomico County;

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

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

**Section 1.** By amending the Salisbury City Code as follows:

## Chapter 2.28 PLANNING AND ZONING COMMISSION

**2.28.010 Commission created.**

**Effective September 1, 2025, a** municipal planning and zoning commission is created pursuant to the provisions of **the Land Use Article of the Annotated Code of Maryland Article 66B of the Annotated Code of Maryland** and all amendments thereto, said Article entitled "**Planning Commission Zoning and Planning**," and said commission to hereafter be known as the "Salisbury Planning and Zoning Commission."

**2.28.020 Membership—Term.**

**A.** The Salisbury planning and zoning commission shall consist of seven members, who shall be appointed by the mayor and confirmed by **a majority of** the council. All members shall

serve terms of five years or until a successor is appointed, and all members shall be eligible for reappointment. At least three members of the planning commission shall reside in the municipal boundaries of the City of Salisbury. The remaining members of the planning commission shall reside in the greater Salisbury area, which shall be any address containing a 21801 or 21804 zip code. Any member sitting on the Salisbury-Wicomico County Planning and Zoning Commission at the time of its dissolution shall be eligible for membership on the Salisbury planning commission.

- B.** The Salisbury City Council may remove a member of the Salisbury planning commission in accordance with Md. Code Ann., Land Use § 2-102.

#### **2.28.030 Powers and duties.**

The Salisbury planning ~~and zoning~~ commission shall have all the powers and duties to conduct planning, zoning and other activities as authorized and delegated by the provisions of the Land Use Article 66B of the Annotated Code of Maryland as amended. The Planning Commission shall adopt rules to assist the Commission in carrying out its duties under this Code.

#### **~~2.28.040 Participation in countywide planning program.~~**

~~The Salisbury planning and zoning commission is authorized, after agreement between the mayor and city council and the Wicomico County Council, to participate in a countywide planning program under the applicable provisions of Article 66B of the Annotated Code of Maryland.~~

#### **~~2.28.050 Continuation of powers.~~**

~~The newly established Salisbury planning and zoning commission created by this chapter shall have all the powers granted heretofore to any former planning and zoning commission of the city.~~

#### **2.28.060 Transfer of powers and records.**

From and after the creation of the Salisbury planning ~~and zoning~~ commission described in this chapter, all ~~powers and~~ records of any the former planning and zoning commission, where applicable, shall be transferred to and become a part of the official files of the newly established Salisbury planning ~~and zoning~~ commission.

#### **~~2.28.070 Provisions of former commission to apply.~~**

~~All provisions relating in any way to the former Salisbury planning and zoning commission contained in any code or ordinance of the city of Salisbury, Maryland, not inconsistent Article 66B of the Annotated Code of Maryland, shall apply to the newly established Salisbury planning and zoning commission.~~

#### **16.08.010 General.**

- A. The following words and phrases shall have, for the purpose of these regulations, the meanings as stated.
- B. For the purpose of these regulations, words and terms used herein shall be interpreted as follows:
- Words used in the present tense shall include the future tense;
  - The singular includes the plural;
  - The word "person" includes a corporation, institution, partnership and association as well as the individual;
  - The word "lot" includes the word "plot" or "parcel";

- 86 5. The word "commission" and the words "planning ~~and zoning~~ commission" always  
87 means the Salisbury planning ~~and zoning~~ commission;
- 88 6. The words "planning director" always mean the City Planner in the Department of  
89 Infrastructure and Development or a duly designated representative;
- 90 7. The word "city" always means the city of Salisbury, Maryland.
- 91 8. The word "city engineer" means the director of infrastructure and development or  
92 his duly designated representative.
- 93 C. Any word or term not defined herein shall be used with a meaning of standard usage as  
94 found in Title 17, Zoning, of this code or Webster's Collegiate Dictionary.

95 **16.08.030 Subdivision control.**

96 It shall be unlawful for the owner of any land within the corporate limits of Salisbury, or any other  
97 person, firm or corporation, to subdivide any lot, tract or parcel of land, or layout, construct, open  
98 or dedicate for public use or travel, any street, road, sanitary sewer, storm sewer, drainage facilities,  
99 or other facilities in connection therewith, or for the common use of occupants of buildings within  
100 the subdivision, unless and until:

- 101 A. A plat of such subdivision is caused to be made in accordance with the regulations set forth  
102 herein;
- 103 B. Approval is secured thereof from the city planning ~~and zoning~~ commission or director of  
104 infrastructure and development as provided herein; and
- 105 C. The commission or director has caused copies of the plat to be recorded in the land records  
106 of Wicomico County.

107 **16.08.040 Plat approval required.**

108 No plat of any major subdivision shall be recorded until it has been submitted to and approved by  
109 the planning ~~and zoning~~ commission or director of infrastructure and development as provided  
110 herein. The commission shall not approve the plat unless it is satisfied that the requirements of  
111 these regulations have been complied with.

112 **16.36.010 Time limits for preliminary plats and final plats.**

- 113 A. The approval of the preliminary plat shall become null and void after one year from the  
114 date of such approval by the commission unless a final plat based thereon is submitted  
115 within that time or an extension of time is applied for by the subdivider and granted by the  
116 planning commission.
- 117 B. If a final plat is submitted for only a portion of the area approved on the preliminary plat,  
118 the subdivider shall have five years from the date of preliminary plat approval by the  
119 commission within which to present a final plat or plats including the entire area as shown  
120 on the preliminary plat. All such plats shall be in substantial conformance with the  
121 approved preliminary plat, covering that area or areas on the preliminary plat not already  
122 recorded.
- 123 C. All final subdivision plats approved by the Salisbury planning ~~and zoning~~ commission as  
124 hereinbefore provided must be recorded within three years of the planning ~~and zoning~~  
125 commission's final approval. If the subdivision plat is not recorded within three years from  
126 the date of its final approval by the planning commission, it shall become null and void and  
127 it must be resubmitted for reconsideration as a preliminary plat.

D. Extension Requests. All requests for an extension of time for a preliminary plat or final plat shall be made to the planning commission in writing, prior to the expiration of the period prescribed. An extension of time may be granted by the commission, but not exceeding a total of two years unless approval has been delayed by governmental approval.

**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 on September 1, 2025.

**THIS ORDINANCE** was introduced and read at a Meeting of the Mayor and Council of the City of Salisbury held on the 28 day of July, 2025 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 \_\_\_\_\_, 2025.

**ATTEST:**

\_\_\_\_\_  
**Julie A. English, City Clerk**

\_\_\_\_\_  
**D'Shawn M. Doughty, President  
Salisbury City Council**

**APPROVED BY ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2025:**

\_\_\_\_\_  
**Randolph J. Taylor, Mayor**