

CITY OF SALISBURY, MARYLAND

REGULAR MEETING

July 22, 2013

PUBLIC OFFICIALS PRESENT

*Council President Jacob R. Day
Mayor James P. Ireton, Jr. (left at 7:28 p.m.)
Councilwoman Terry E. Cohen*

*Council Vice President Laura Mitchell
Councilwoman Eugenie P. Shields
Councilman Timothy K. Spies*

IN ATTENDANCE

City Clerk Kimberly R. Nichols, CMC, Interim City Administrator M. Thomas (Tom) Stevenson, Jr., City Attorney Mark Tilghman, Acting Public Works Director Amanda H. Pollack, P.E., Acting Zoo Director Ann Konopik, Internal Services Director Keith Cordrey, Salisbury Police Chief Barbara Duncan, Information Technologies Director Bill Garrett, and interested citizens and members of the press

MEDITATION – PLEDGE OF ALLEGIANCE

The City Council met in regular session at 6:00 p.m. in Council Chambers. After Council President Day called the meeting to order, a moment of silent meditation was held followed by the Pledge of Allegiance.

PRESENTATION – SISTER CITIES

Dr. George Whitehead presented Mayor Ireton with a book entitled "Our Tartu", a gift from Sister City Tartu, Estonia. Dr. Whitehead named Salisbury, England as Salisbury's other Sister City and noted Salisbury shares a friendship relationship with Dalian, China. The Sister Cities Association of Salisbury has expressed interest in a Sister City in Central or South America.

ADOPTION OF LEGISLATIVE AGENDA

Mrs. Mitchell moved and Ms. Cohen seconded to adopt the legislative agenda as presented.

Ms. Cohen moved and Mr. Spies seconded to amend the agenda by postponing Resolution 2307 – to sign a Memorandum of Understanding and accept a donation from the Delmarva Zoological Society and Zoo Commission for the Salisbury Zoological Park Animal Health Building, to be placed on August 1, 2013 at 10:00 a.m. with the other 20087 Bond reallocation documents. After discussion, the motion failed on a 1-4 vote, with an "aye" vote from Ms. Cohen, and "nay" votes from Mr. Day, Mrs. Mitchell, Mrs. Shields, and Mr. Spies.

The legislative agenda was adopted on a unanimous vote in favor.

CONSENT AGENDA – presented by City Clerk Kim Nichols

The Consent Agenda, as amended, and consisting of the following items, was unanimously approved on a motion by Ms. Cohen and seconded by Mrs. Shields:

- *June 17, 2013 Work Session Minutes*
- *June 17, 2013 Closed Session Minutes*
- *July 8, 2013 Regular Meeting Minutes*
- *July 1, 2013 Work Session Minutes*
Mr. Spies moved, Ms. Cohen seconded, and the vote was unanimous to amend the July 1, 2013 Work Session Minutes by striking “was” on Line 62, and inserting “were.”
- *Resolution No. 2303* – approving the appointment of Jacob T. Holloway to the Central City District Commission
- *Resolution No. 2304* – approving the appointment of Rev. Ryan Weaver to the Central City District Commission
- *Resolution No. 2305* – accepting a private donation from Hope and Douglas Walker for the City Parks

Mr. Spies thanked the members of the public who serve on City Boards and Committees and Ms. Cohen thanked the Walkers for their donation to the City Park.

AWARD OF BIDS – presented by Internal Services Director Keith Cordrey

The following items were unanimously approved on a motion by Mrs. Shields and seconded by Mrs. Mitchell:

- *Change Order #2 to Contract 101-13 Garage Waterproofing Membrane - \$62,850.00*

RESOLUTIONS – presented by Acting City Administrator Tom Stevenson

Resolution No. 2306 – adopting a Public Works Mutual Aid agreement

Mr. Spies moved, Mrs. Shields seconded, and the vote was unanimous to approve Resolution No. 2306.

Resolution No. 2307 – to sign a Memorandum of Understanding and accept a donation from the Delmarva Zoological Society and Zoo Commission for the Salisbury Zoological Park Animal Health Building

Mrs. Mitchell moved and Mrs. Shields seconded to approve Resolution No. 2307.

Mrs. Mitchell moved and Mr. Spies seconded to amend Resolution No. 2307 by inserting "in the amount of \$600,000" on Line 25 after "Commission."

Council approved the amendment by a unanimous vote in favor, and Resolution No. 2307 was unanimously approved.

Resolution No. 2308 - supporting grant submissions by Wicomico County Historical Properties, Inc. to any state, federal and non-profit grantors for the purpose of rehabilitating the property known as 501-503 Poplar Hill Avenue

Mrs. Mitchell moved and Ms. Cohen seconded to approve Resolution No. 2308.

Ms. Cohen moved to amend Resolution No. 2308 by striking "and/or Council" on Line 24. Mrs. Mitchell seconded, the vote was unanimous to amend, and Resolution No. 2308, as amended, was unanimously approved.

Resolution No. 2309 – accepting grant funding from the Governor's Office of Crime Control and Prevention (GOCCP) under the "Stop Gun Violence Reduction Grant – Cease Fire Council" program which is specifically intended to reduce gun related crimes and target wanted offenders in the City of Salisbury

On a motion and seconded by Ms. Cohen and Mrs. Mitchell, respectively, the vote was unanimous to approve Resolution No. 2309.

ORDINANCES – presented by City Attorney Mark Tilghman

- *Ordinance No. 2256 – 2nd reading – approving an amendment of the FY13 General Fund Budget to appropriate funds to cover the City's employee retirement match*

Mrs. Mitchell moved and Mrs. Shields seconded to approve Ordinance No. 2256.

Ordinance No. 2256 for second reading was amended on the following motions and seconds, and each by unanimous votes in favor:

- *Mr. Spies moved and Mrs. Shields seconded to strike "for" on Line 12*
- *Ms. Cohen moved and Mrs. Shields seconded to strike "does" and insert "did" on Line 22*
- *Mr. Spies moved and Mrs. Shields seconded to strike "offers" and insert "offered" on Line 9*

Ordinance No. 2256 for second reading, as amended, was unanimously approved.

- Ordinance No. 2257 – 1st reading – approving a budget amendment of the FY2014 General Fund to appropriate funds for the addition of a Network Administrator position to the Department of Information Technology

Mrs. Shields moved and Mrs. Mitchell seconded to approve Ordinance No. 2257.

Mr. Spies moved, Mrs. Shields seconded, and the vote was unanimous to amend Ordinance No. 2257 by inserting "Information Technology" after "of" on Line 9.

Ordinance No. 2257 for first reading, as amended, was unanimously approved.

- Ordinance No. 2258 – 1st reading – adjusting water or sewer charges in accordance with Chapter 13.04.090 of the City Code

Mrs. Shields moved and Mrs. Mitchell seconded to approve Ordinance No. 2258.

Mrs. Mitchell moved to table Ordinance No. 2258 to the August 5, 2013 Work Session for further discussion, and to return the ordinance to the Legislative Session on August 12, 2013 for first reading. Mrs. Cohen seconded, and the vote was unanimous.

- Ordinance No. 2259 - an ordinance amending and supplementing Ordinance No. 2044, passed by the Council on December 17, 2007, approved by the Mayor on December 19, 2007 and effective on December 19, 2007, as amended and supplemented by Ordinance No. 2069, passed by the Council on January 12, 2009, approved by the Mayor on January 13, 2009 and effective on January 13, 2009, as further amended and supplemented by Ordinance No. 2139, passed by the Council on February 28, 2011, approved by the Mayor on March 1, 2011, and effective on March 1, 2011, in order to authorize and empower City of Salisbury to use and apply a portion of the proceeds of the \$3,605,000 City of Salisbury Public Improvements Bond of 2008 issued on January 22, 2008 (the "2008 bond") originally allocated to a project identified therein as "Waverly Drive Storm Sewer Project" to a project identified herein as "Salisbury Zoo – Animal Health Building Construction" as further described herein; providing that this title is a fair statement of the substance of this ordinance; and otherwise generally relating to the use of proceeds of the 2008 Bond

Mrs. Shields moved and Mrs. Mitchell seconded to approve Ordinance No. 2259.

Mrs. Mitchell moved and Mr. Spies seconded to amend Ordinance No. 2259 by making the following changes:

- *Line 33 – strike "(the "Original Ordinance")" and insert "(Ordinance No. 2044)"*
- *Lines 41 and 42 – strike "(the "Original Resolution")" and insert "(Resolution*

No. 1620")

- Line 211 – strike “Waverly Drive Storm Sewer Project” and insert “Riverwalk – Engineering and Construction for repairs along the Wicomico River East Prong”

Ordinance No. 2259 for first reading, as amended, was unanimously approved.

ADJOURNMENT

There being no public comments, prior to the adjournment, Mr. Spies moved, Mrs. Shields seconded, and the vote was unanimous to convene in Closed Session for the purpose of discussing and consulting with Legal Counsel on two personnel matters as permitted under §10-508(a)(1)(7). The Closed Session began at 8:15 p.m.

Following the conclusion of the Closed Session, President Day adjourned the Legislative Session at 9:10 p.m.

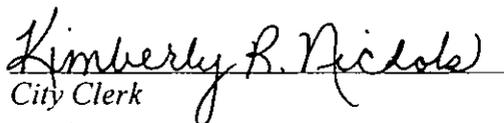
CITY OF SALISBURY, MARYLAND
CLOSED SESSION
JULY 22, 2013

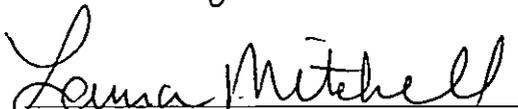
TIME & PLACE: 8:15 p.m., Government Office Building – Council Chambers, Room 301
PURPOSE: to consult with Legal Counsel on two separate personnel matters
VOTE TO CLOSE: Unanimous
CITATION: Annotated Code of Maryland Sections 10-508(a)(1)(7)
PRESENT: Council President Jacob R. Day, Council Vice President Laura Mitchell (left at 8:50 p.m.), Councilwoman Eugenie P. Shields, Councilwoman Terry E. Cohen, Councilman Timothy K. Spies, City Clerk Kimberly Nichols, Interim City Administrator M. Thomas (Tom) Stevenson, Jr. (left at 8:30 p.m.), and City Attorney Mark Tilghman

During City Council's July 22, 2013 Legislative Session, Mr. Spies moved and Mrs. Shields seconded to go into Closed Session for the purpose of consulting with Legal Counsel on two personnel matters as permitted under the Annotated Code of Maryland Section 10-508(a)(1)(7). At 8:15 p.m., the vote was unanimous to go into closed session.

Council discussed letters from two former City employees and reached unanimous consensus for Mr. Tilghman to respond accordingly and as directed by Council.

At 9:10 p.m., the vote was unanimous to adjourn the closed session on a motion and seconded by Ms. Cohen and Mrs. Shields, respectively, and thereafter, President Day reported the statement out to the public.


City Clerk


Council Vice President

City of Salisbury



MARYLAND

JAMES IRETON, JR.
MAYOR

M. THOMAS STEVENSON, JR.
ACTING CITY ADMINISTRATOR

LORÉ L. CHAMBERS, Ph.D
ASSISTANT CITY ADMINISTRATOR

Salisbury



2010

125 NORTH DIVISION STREET
SALISBURY, MARYLAND 21801
Tel: 410-548-3190
Fax: 410-548-3192

KEITH CORDREY
DIRECTOR OF INTERNAL SERVICES
PROCUREMENT DIVISION

COUNCIL AGENDA

July 22, 2013

- | | | |
|----|--|-------------|
| 1. | Change Order #2 to Contract 101-13 Garage Waterproofing Membrane | \$62,850.00 |
|----|--|-------------|

City of Salisbury



MARYLAND

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LORÉ L. CHAMBERS, Ph.D
ASSISTANT CITY ADMINISTRATOR

COUNCIL AGENDA

July 22, 2013

TO: Mayor and City Council

SUBJECT: Change Order #2 to Contract #101-13

Garage Waterproofing Membrane

The Procurement Department received a request from the Parking Authority to process Change Order #2 for Contract No. 101-13 Garage Waterproofing Membrane in the amount of \$62,850.00; with Concrete Protection and Restoration ("CPR"). This Change Order proposes to complete Phase II of the membrane project. Additional details are noted in the department memo.

Funds are available in account number 31154-577015 "Buildings".

The Procurement Department requests Council's approval to approve Change Order #2 as noted above to CPR in the amount of \$62,850.00.

Thank you,

Catrice L. Parsons

Assistant Director Internal Services-Procurement and Parking

City of Salisbury

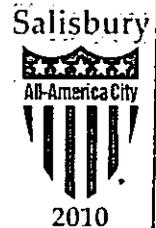


MARYLAND

JAMES IRETON, JR.
MAYOR

TOM STEVENSON
ACTING CITY ADMINISTRATOR

LORÉ L. CHAMBERS
ASSISTANT CITY ADMINISTRATOR



125 NORTH DIVISION STREET
SALISBURY, MARYLAND 21801
Tel: 410-548-3190
Fax: 410-548-3192

KEITH CORDREY
DIRECTOR OF INTERNAL SERVICES
PROCUREMENT DIVISION

To: Catrice Parsons, Assistant Director Internal Services - Procurement
From: Keith Cordrey, Director of Internal Services
Subject: Change Order No. 2 - Contract No. 101-13- P.O. 02130239
Parking Garage Vehicular Traffic Membrane

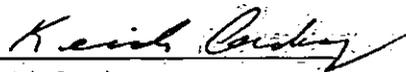
Salisbury Parking Authority requests the City of Salisbury Internal Services-Procurement Department to process Change Order #2, in the amount of \$62,850.00. This contract is to protect the garage from water damage. Currently without this protection water is leaking down through the floor to the T-stems and spandrel connections which reduces the life span of the parking garage.

These services were bid in FY13 and awarded to Concrete Protection and Restoration. In the FY13 budget, \$66,000.00 was budgeted for the parking garage vehicular traffic membrane and \$66,000.00 was budgeted for FY14. This is phase two of three, phase three will be done in FY15.

Funds will be encumbered from the following account for the work mentioned above:

31154-577015 (Buildings) \$62,850.00

Approved By:


Keith Cordrey
Director Internal Services

CHANGE ORDER

#2

PROJECT: **Contract 101-13**
Parking Garage Vehicular Traffic Membrane

P.O. NO: **2130239**

TO: **Concrete Protection & Restoration, Inc.**
6737 Dogwood Road
Baltimore, MD 21207

CHANGE ORDER NO: 2
INITIATION DATE: 7/1/13
CONTRACT DATE: 12/20/12
ACCOUNT NO: 31154-577015

You are directed to make the following changes in this contract:

- 1. Install Vehicular Traffic Membrane in Sections 3 & 4 of contract drawings. \$ 60,000
- 2. Allowance for concrete spall repair. Eight (8) Sq.ft. @\$50.00/Sq.ft. \$ 400
- 3. Allowance for crack repairs less than 1/16" width. 500L.f. @ @2.90/lf. \$ 1,450
- 4. Allowance for crack repairs greater than 1/16" width. 200 L.F. @ \$5.00/lf. \$ 1,000

Not valid until signed by the Owner and Department Head.

Signature of the Contractor indicates his agreement herewith, including any adjustment in the Contract Sum or Contract Time.

The original Contract Sum was	\$ <u>68,054.50</u>
Net change by previously authorized Change Orders	\$ <u>0.00</u>
The Contract Sum prior to this Change Order was	\$ <u>68,054.50</u>
The Contract Sum will be (increased), (decreased), (unchanged) by this Change Order	\$ <u>62,850.00</u>
The new Contract Sum including this Change Order will be	\$ <u>130,904.50</u>
The Contract Time will be (increased), (decreased), (unchanged) by this Change Order by () days or (16) weeks	
The date of substantial completion as of the date of this Change Order	
therefore is	<u>August 31, 2013</u>

AUTHORIZED:

BY: <u>Amanda H. Pollack, P.E.</u> Acting Director of Public Works DATE: _____	Vendor: _____ BY: _____ Printed name _____ Title	BY: <u>Catrice Parsons, CPSM Assistant</u> Director of Internal Services-Procurement Division DATE: _____
BY: <u>Keith A. Cordrey</u> Director of Internal Services DATE: _____	BY: _____ Sign for Identification DATE: _____	Funding/Bid Award As Approved by City Council By: <u>Jacob R. Day</u> President, City Council DATE: _____
BY: <u>Mark Tilghman</u> City Solicitor DATE: _____	DATE: _____	_____