

CITY OF SALISBURY, MARYLAND

REGULAR MEETING

NOVEMBER 12, 2013

PUBLIC OFFICIALS PRESENT

*Council President Jacob R. Day Council Vice President Laura Mitchell
Mayor James P. Ireton, Jr. (left 6:10 p.m.) Councilwoman Eugenie P. Shields
Councilwoman Terry E. Cohen Councilman Timothy K. Spies*

IN ATTENDANCE

City Clerk Kimberly R. Nichols, CMC, City Attorney Mark Tilghman, Building, Permitting, and Inspections Director Bill Holland, Public Works Director Mike Moulds, Public Works Deputy Director Amanda Pollack, Internal Services Director Keith Cordrey, Deputy Director Internal Services – Procurement Jennifer Miller, 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. Council President Day called the meeting to order: a moment of silent mediation was held followed by the Pledge of Allegiance.

PROCLAMATION – presented by Mayor James P. Ireton, Jr.

Mayor Ireton presented a proclamation to partner with Maryland Municipal League in promoting the awareness and interest in the City of Salisbury’s local government by proclaiming November, 2013 as Municipal Government Works Month in the City of Salisbury.

COMMUNITY ORGANIZATION PRESENTATION – Public Access Channel 14 (PAC14)
- presented by PAC14 Executive Director Creig Twilley

Mr. Creig Twilley joined Council at the podium to share a video produced by PAC14 on things the organization is involved in and services available to the public. He gave the new website address (PAC14.org), discussed Video on Demand, Community Calendar, 3rd Friday, SWAC events, and spoke about donations to the Community Foundation of the Eastern Shore to ensure the future of PAC14. Mr. Twilley reminded the public that PAC14 publicizes local non-profit organizations and is always on the lookout for local producers and training people to produce shows.

ADOPTION OF LEGISLATIVE AGENDA

On a motion and seconded by Ms. Cohen and Mrs. Shields, respectively, the legislative agenda was unanimously adopted as presented.

CONSENT AGENDA – presented by City Clerk Kim Nichols

The Consent Agenda, consisting of the following items, was unanimously approved on a motion by Mrs. Mitchell that was seconded by Ms. Cohen:

- October 21, 2013 work session minutes
- October 21, 2013 closed session minutes
- October 28, 2013 regular meeting minutes
- November 4, 2013 work session minutes

AWARD OF BIDS – presented by Deputy Director Internal Services – Procurement Jennifer Miller

The Award of Bids, consisting of the following items, was unanimously approved on a motion by Mrs. Mitchell and seconded by Mrs. Shields:

- Lease Services for Refuse Truck Contract RFP 01-14 - \$261,629.65
- Purchase of Refuse Truck - \$247,062.93

Ms. Miller noted that the account number 86085-57725 for the purchase of the Refuse Truck in the award of bids was incorrect, and provided 32061-57725 as the correct account number.

CHARTER RESOLUTION/PUBLIC HEARING – presented by Interim City Administrator Tom Stevenson

- Resolution No. 2348 – to amend the Charter of the City of Salisbury, Maryland by establishing a Small Business, including Veteran-Owned Small Businesses and Service-Disabled Veteran-Owned Small Businesses, Procurement Preference to the Charter of the City of Salisbury under § SC16-3

Ms. Cohen moved and Mrs. Mitchell seconded to approve Charter Resolution No. 2348.

President Day opened the public hearing for Resolution No. 2348. There being no members of the public wishing to speak, Mr. Day then closed the public hearing.

Mr. Stevenson presented Charter Resolution No. 2348, but recommended to Council to return the resolution to Work Session to discuss the establishment of a cap for the percentage.

Ms. Cohen moved, Mr. Spies seconded, and the vote was unanimous to return Charter Resolution No. 2348 to the November 18, 2013 Work Session.

ORDINANCES – presented by City Attorney Mark Tilghman

- Ordinance No. 2263 – 2nd reading – approving an amendment of the FY14 General Fund budget to revise positions in the Internal Services Department

Ms. Cohen moved, Mrs. Mitchell seconded, and the vote was unanimous to approve Ordinance No. 2263 for second reading.

- Ordinance No. 2265 – 2nd reading – amending Chapter 15.27 Property Maintenance Habitual Offender of the Salisbury Municipal Code. These amendments strengthen the original legislation by lowering the threshold by which a property owner can be designated a chronic nuisance property owner.

Ms. Cohen moved and Mrs. Shields seconded to approve Ordinance No. 2265 for second reading.

Mr. Spies moved, Ms. Cohen seconded and the vote was unanimous to amend Line 110 as follows:

- strike “as”, insert “in which”
- strike “city”, insert “real estate”
- insert “are collected” after “taxes”

Line 110 was amended to read “manner in which real estate taxes are collected.”

Mrs. Mitchell moved, Mr. Spies seconded, and the vote was unanimous to amend Line 194 by striking the period and inserting “, and shall take effect January 1, 2014.”

Mrs. Mitchell moved, Mrs. Shields seconded, and the vote was unanimous to amend the ordinance with the following:

- Line 98 – strike “owner of the”
- Line 104 – after “writing” insert “, within five (5) business days”

Mrs. Mitchell moved, Ms. Cohen seconded, and the vote was 0-5 to amend the ordinance by striking all references to the term “housing official.” All Councilmembers voted “nay” after discussing the ordinance with Mr. Tilghman.

Mr. Spies moved, Mrs. Mitchell seconded, and the vote was unanimous to amend Line 158 by striking “the owner of” and inserting “owner” after “property.”

Ordinance No. 2265, as amended for first and second reading, was unanimously passed.

- Ordinance No. 2266 – 2nd reading – approving an amendment of the FY14 General Fund budget to adjust the City’s Pay Plan with new rates assigned to grades and steps

On a motion and seconded by Mrs. Shields and Mrs. Mitchell, respectively, Ordinance No. 2266 for second reading was unanimously passed.

- Ordinance No. 2267 – 2nd reading – approving an amendment of the FY14 General Fund budget to adjust position grade assignments

Mrs. Shields moved, Ms. Cohen seconded, and the vote was unanimous to approve Ordinance No. 2267 for second reading.

- Ordinance No. 2268 – 2nd reading – approving an amendment of the FY14 General Fund, Water & Sewer Fund, and Parking Fund budgets to appropriate funds to cover increases in employee compensation

On a motion and seconded by Mrs. Shields and Mrs. Mitchell, respectively, Ordinance No. 2268 for second reading was unanimously passed.

- Ordinance No. 2269 – 1st reading – amending section 15.040.010 of Chapter 15.04 Building Code of the Salisbury Municipal Code to update the reference to the International Energy Conservation Code to the 2012 Edition

Ms. Cohen moved and Mrs. Mitchell seconded to approve Ordinance No. 2269 for first reading.

Mrs. Mitchell moved, Mr. Spies seconded, and the vote was unanimous to amend Ordinance No. 2269 as follows:

- *Lines 5, 20, and 25 – strike the second zero (0) in 15.040.010 to become 15.04.010*
- *Line 40 – strike 2013 and insert 2014*
- *Lines 5, 14, and 17 – correct spacing errors*

Ordinance No. 2269, as amended for first reading, was unanimously approved.

- Ordinance No. 2270 – 1st reading – modifying the language of the Garbage, Rubbish and Refuse Code in accordance with Chapter 8.16 of the City Code

Mrs. Shields moved and Ms. Cohen seconded to approve Ordinance No. 2270 for first reading.

Mr. Spies moved, Ms. Cohen seconded, and the vote was unanimous to amend Ordinance No. 2270 as follows:

- *Line 43 – strike the second “solid” and “used in heating or cooking as occurring in households.”*

Line 43 was amended to read, “Ashes” means the solid residue of the combustion of fuels.”

Mrs. Mitchell moved, Ms. Cohen seconded, and the vote was unanimous to amend the ordinance on Line 337 by striking “occupant(s) residing at their property locations” and

insert "tenants responsible for the property."

Mr. Spies moved, Mrs. Mitchell seconded, and the vote was unanimous to amend the ordinance as follows:

- Line 337 – strike "occupant(s) residing at their property locations"; insert "tenants"
- Line 50 – strike "fabrics" and insert "textiles"
- Line 50 – strike "and"
- Line 51 – insert "and glass" in front of "containers" and insert "explosive, corrosive," after "of"
- Line 51 – strike "containers, bottles, crockery" and "other"
- Line 52 – insert "or" in front of "hazard"; strike "hazard of explosion;" and "or" after "conflagration"
- Line 52 – insert an "s" to make "hazard" plural and strike "to collection personnel."

Therefore, Lines 336 and 337 were amended to read, "When requested by City enforcement personnel, Owners shall provide names of all tenants responsible for the property."

Lines 50 through 52 were amended to read, "waste foodstuffs of vegetable or animal origin, paper products, textiles, plastic, metal and glass, and similar materials, free of explosive, corrosive, or conflagration hazards."

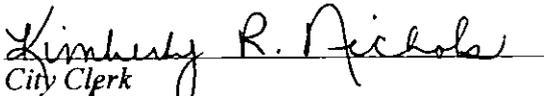
PUBLIC COMMENTS

One member of the public provided the following comments:

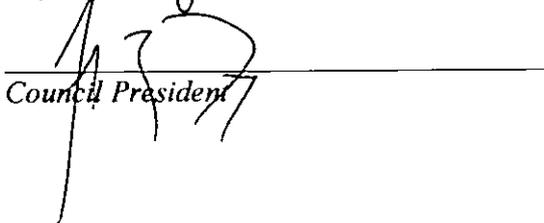
- How will the City employee pay/grade increase be paid for in 2015?
- City taxpayers are under extreme stress
- Do not increase property taxes to fund raises (asked Council to pledge not to increase taxes)
- Will City create "garbage police" position to monitor the garbage?

ADJOURNMENT

After receiving no further comments from the public, President Day adjourned the Legislative Session at 7:58 p.m.



City Clerk



Council President

City of Salisbury



MARYLAND

JAMES IRETON, JR.
MAYOR

M. THOMAS STEVENSON, JR.
INTERIM CITY ADMINISTRATOR

VACANT
ASSISTANT CITY ADMINISTRATOR

Salisbury



2010

125 NORTH DIVISION STREET
SALISBURY, MARYLAND 21801

Tel: 410-548-3190
Fax: 410-548-3192

KEITH A. CORDREY
DIRECTOR OF INTERNAL SERVICES
PROCUREMENT DIVISION

COUNCIL AGENDA

November 12, 2013

- | | |
|---|--------------|
| 1. Lease Services for Refuse Truck Contract RFP 01-14 | \$261,629.65 |
| 2. Purchase of Refuse Truck | \$247,062.93 |

City of Salisbury



MARYLAND

COUNCIL AGENDA

November 12, 2013

JAMES IRETON, JR.
MAYOR

M. THOMAS STEVENSON, JR.
INTERIM CITY ADMINISTRATOR

VACANT
ASSISTANT CITY ADMINISTRATOR

Salisbury



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KEITH A. CORDREY
DIRECTOR OF INTERNAL SERVICES
PROCUREMENT DIVISION

TO: Mayor and City Council

SUBJECT: Recommendation of Award Contract RFP 01-14
Escrow Lease Services

The Procurement Department received a request from the Internal Services Department to obtain lease services for one (1) replacement Refuse Truck which was approved by Council in the FY2014 budget.

The Procurement Department followed standard bid practices by advertising in the Daily Times, on the City of Salisbury's website, utilizing the City's vendor list, and advertising on the State of Maryland's website; eMaryland Marketplace. A total of five (5) vendors were sent bid packages with two (2) vendors submitting a bid by the due date and time, October 3, 2013 at 2:30 P.M., as noted below.

Vendor	7 Year Rate	Yearly Payment	7 Year Total Payments	Fee	7 Year Total	Prepayment Penalty
SunTrust	1.92%	\$37,339.95	\$261,379.65	\$250	\$261,629.65	102% of balance
BB&T	2.37%	\$37,822.58	\$264,758.06	0.00	\$264,758.06	101% of balance

The City has used SunTrust in the past for lease purchases and values them as a reputable vendor. There are sufficient funds to cover this lease purchase in account 32061-558600 "New Lease Payments"

After review of the submitted bid, the Procurement Department requests Council's approval to accept the bid as noted above from SunTrust. Additional details are noted in the department memo.

Thank you,

Jennifer L. Miller
Assistant Director of Internal Services-Procurement & Parking Division

City of Salisbury



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MAYOR

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INTERIM CITY ADMINISTRATOR

VACANT
ASSISTANT CITY ADMINISTRATOR

KEITH A. CORDREY
DIRECTOR OF INTERNAL SERVICES
PROCUREMENT DIVISION

To: Tom Tengman, Acting Assistant Director of Internal Services-Procurement & Parking

From: Keith Cordrey, Director of Internal Services

Date: October 15, 2013

Re: Contract for Escrow Leases Services RFP 01-14

Under RFP 01-14, the Procurement Division requested proposals for lease funding for one (1) refuse truck. The analysis of the bid documents has been completed and the results appear in the Table below.

SunTrust has the best rate and the least cost over the life of the lease. The advantages of the lower cost, due to lower rate, offset the disadvantage of the prepayment penalty provision in the SunTrust lease.

The Department of Internal Services recommends awarding the bid to SunTrust; a 7 Year lease for refuse truck.

Table A- Summary

Item	GL Account	FY14 Budget*	Total Cost
Refuse Truck	32061-558600	\$41,896.00	\$261,379.65

*The FY14 Budget amount is that which is shown in MUNIS as available on 10/14/13. The SunTrust annual payment of \$37,339.95 for the 7 year lease is less than the funds budgeted for 32061-558600 for FY14 (\$41,896).

Table B - RFP Comparison

Vendor	7 Year Rate	Annual Payment	7 Year Payments	Fees	Total	Prepayment Penalty
SunTrust	1.92%	\$37,339.95	\$261,379.65	\$250	\$261,629.65	102% of balance
BB&T	2.37%	\$37,822.58	\$264,758.06	0.00	\$264,758.06	101% of balance

Approved: _____

Keith Cordrey

Keith A. Cordrey-Director of Internal Services

City of Salisbury



MARYLAND

COUNCIL AGENDA

November 12, 2013

JAMES IRETON, JR.
MAYOR

M. THOMAS STEVENSON, JR.
INTERIM CITY ADMINISTRATOR

VACANT
ASSISTANT CITY ADMINISTRATOR

Salisbury



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KEITH A. CORDREY
DIRECTOR OF INTERNAL SERVICES
PROCUREMENT DIVISION

TO: Mayor and City Council

SUBJECT: Recommendation for Acquisition
Refuse Truck

The City of Salisbury Internal Services Department-Procurement Division received a request from Salisbury Public Works to lease purchase a Refuse Truck. This memo supports the lease purchase of the Refuse Truck; the purchase price is \$247,062.93.

The City will use the National Joint Purchase Alliance (NJPA) Contract 060612-ESG with Mid-Atlantic Waste Systems of Easton, MD. The Procurement Division requests Council's approval to award the lease purchase of the Refuse Truck to Mid-Atlantic Waste Systems of Easton, MD, in the amount of \$247,062.93.

There are sufficient funds to cover this purchase in account number ~~86085-577025~~ "Vehicles", upon award of Escrow Lease RFP 01-14.

- 32061-577025 -

Additional details are noted in the Department memo.

Thank you,

Jennifer L. Miller
Assistant Director of Internal Services-Procurement & Parking

City of Salisbury



MARYLAND

JAMES IRETON, JR.
MAYOR

TOM STEVENSON
ACTING CITY ADMINISTRATOR

Salisbury



2010

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SALISBURY, MARYLAND 21801
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Fax: 410-548-3107

MICHAEL S. MOULDS, P.E.
DIRECTOR OF PUBLIC WORKS

To: Tom Tengman
Interim Assistant Director Internal Services
Procurement Division

From: Howard, Landon, Director of Operations

Date: Sept. 4, 2013

RE: Acquisition for New Refuse Truck- SAN-7

The Sanitations Department's approved FY2014 budget includes the purchase of a automated refuse truck at an estimated cost of \$250,000.00. The City has secured the funding in this amount for the project and the Sanitation Department is prepared to proceed with the acquisition of this vehicle.

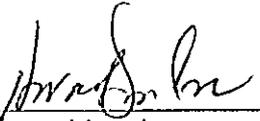
The new automated side loader would pick up trash daily, 90 & 330 gallon cans at residential and apartments complexes.

In the Salisbury Charter, Article XVI, Purchases and Sales; City Property Inventory of the City Charter, Section 16-3 A.(9) General policy of competitive bidding; exceptions provides for exceptions to the City's competitive bidding processes for contracts negotiated by another government agency. The City of Salisbury is currently piggy backing off of a NJPA awarded contract, Contract #060612-ESG.

Based on this information, we would like to request that a Purchase Transaction be initiated with Mid-Atlantic Waste Systems of Easton, MD, to complete the procurement of the new refuse truck for the purchase price of \$247,062.93. Funding for the project is available in the FY2014 Budget Account #32061-577025.

Project #: VEH0014

Should you have any questions or require additional information, please feel free to contact me immediately.



Howard Landon
Director of Operations

9-9-13

Date



Michael Moulds, P.E.
Director of Public Works

9/5/13

Date



PROPOSAL

Remittance Address
 P.O. Box 64104
 Baltimore, MD 21264-4104

Division of THC Enterprises, Inc.
 Easton, MD * Baltimore, MD * Bedford, VA * Chesapeake, VA
 Chester, PA * Clinton, MD * Cheswick, PA
 Phone 800-338-7274 Fax 410-820-9916
 Visit us on the web! www.mawaste.com

SOLD TO
 Salisbury, City of
 Ben Baker
 500 Lake and Mack Street
 Service Center
 Salisbury, MD 21801

SHIP TO
 Salisbury, City of
 Ben Baker
 500 Lake and Mack Street
 Service Center
 Salisbury, MD 21801

Quote #	RSSQ20714
Account	
Terms	
Date	08/29/13

410-548-3177

410-548-3177

Sales Rep Jack Mason

QTY	DESCRIPTION	UNIT PRICE	EXT PRICE
<i>NJPA CONTRACT #060612-ESG, CITY OF SALISBURY MEMBERSHIP # 2425</i>			
1	Continuous Pack Automated Side Loader Rapid Rail 22 Cubic Yard Dump; 3.0 Cubic Yard Hopper, Self Cleaning; 96" Lift Reach; 1,600 lb Lift Capacity; Body Service Props; Tailgate Service Props; Fully Automatic Tailgate Latches; Grease Zerks - For Entire System Only; OIGAI Front Mount Tandem Vane Pump System; Lift Cylinders Cushioned Up & Down with Chrome Plated Rods; Chassis Frame Mounted Oil Tank with Level/Temperature Gauge & Oil Suction Shut-Off Valve; 3 Micron Return Line Filter with Magnetic Trap & In-Cab Filter Bypass Monitor; 140 Micron Suction Line Strainer; Fabric Guard Hose Protection for all High Pressure Hoses; In-Cab Packing Controls, Electric; Electric In-Cab Lift Controls, Rocker Style; Electric In-Cab Hoist Controls; Cortex Controller with InSight Diagnostic Display; In-Cab Tailgate Controls, Electric; In-Cab Function & Indicator Lights; Lift Reach Warning; Backup Alarm; Backup & License Plate Lights; Center Mounted Brake Light; Duplicate High & Low Mount Stop, Turn, & Tail Lights; Mid-Body Turn Signals; FMVSS #108 Clearance Lights & Reflectors; ICC Reflective Tape; Rear Mud Flap- Anti-Sail/Anti-Splash; Rear Underride Guard; Rear Camera Bracket & Flood Lights- Reverse Activated; Customer's Choice of One Color Finish Paint; Standard One (1) Year (2,000 Hours of Operation) Warranty; ANSI Z 245.1-1999 Compliant; Cavity Coat and Joint Sealer; Inside-body Front Closure; Outside Mounted Upper Packer Lube Line	\$106,977.60	\$106,977.60
1	New 2014 Peterbilt Model 320 Right Hand Drive X12 Engine: Cummins Paccar ISX12 Transmission: Allison Automatic 4500 RDS-P Front Axle: 20,000 lbs Rear Axle: 26,000 lbs Color: Gray	\$130,332.33	\$130,332.33
1	Universal Belt Grabbers with Spring Loaded Inner Arm- To Accommodate 90-300 Gallon Round Automated Barrels		
1	Full Factory Mount		
1	PB 10-02 Peterbilt chassis body builder harness		
1	Operate-in-gear-at-idle (OIGAI) Remote Mount Tandem Vane Pump with Transmission Driven, Constant Duty PTO		
1	Hopper & Lift Work Light Kit- Two Lights- In-Cab Switch		

QTY	DESCRIPTION	UNIT PRICE	EXT PRICE
1	Peterson Multi-Function (SMART) LED Strobe / Turn Lamps- Includes LED Light Package for Entire Unit		
1	Strobe Light, Amber- In-Cab Switch- Mounted Mid Tailgate		
1	Dual High Pressure Filter Kit		
1	Continuously Welded Body Interior		
1	20 lb Fire Extinguisher with Bracket		
1	Customized Paint color - Paint Color Code NOT included in the ColorSmart Brochure		
1	Heil to add tow hooks to rear of unit		
1	Safety Vision Double Camera with Heaters & LCD Color Moinitor Camera 1 Location Mounted on Tailgate Facing Rear Camera 2 Location Hopper with Cage	\$2,573.00	\$2,573.00
1	Motorola CM200 VHF Moblie Radio/Antenna/Installed	\$925.00	\$925.00
1	Extended 5 year Trans Warranty	\$930.00	\$930.00
1	Extended 5 Year, 300,000 miles Engine Warranty	\$1,950.00	\$1,950.00
1	Extended 5 Year, 300,000 miles Engine Aftertreatment Warranty	\$825.00	\$825.00
1	Freight-Mounted Units Easton MD-Driveaway	\$2,550.00	\$2,550.00

Price includes one standard color paint. Additional charges will apply if not a standard color paint from paint brochure or a metallic paint.

All built per manufacturer's standard specifications.

No title or tag fees included.

Due to the volatility of the fuel and steel markets, prices are subject to change without notice.

Price does not include any local, state, or federal excise tax.

Approximate Delivery: 120-160 Days After Receipt of Signed Sales Order and Deposit (if applicable).

Price includes freight.

Terms: Net 30 Days

Subtotal	\$247,062.93
Federal Excise Tax	
Sales Tax	
TOTAL*	\$247,062.93

**total does not include optional items*