

CITY OF SALISBURY, MARYLAND

REGULAR MEETING

MARCH 14, 2011

PRESENT

*Council President Louise Smith
Councilwoman Deborah S. Campbell
Councilwoman Eugenie P. Shields*

*Council Vice President Gary A. Comegys
Councilwoman Terry E. Cohen*

ABSENT

Mayor James Ireton, Jr.

IN ATTENDANCE

City Clerk Brenda Colegrove, MMC, City Administrator John Pick, ICMA-CM, Assistant City Administrator Loré Chambers, City Attorney Paul Wilber, Public Works Director Teresa Gardner, Internal Services Director Pam Oland, Neighborhood Services and Code Compliance Director Tom Stevenson, and interested Citizens and Members of the Press.

CONVENING - ADOPTION OF AGENDA

The City Council met in regular session at 6:00 p.m. in Council Chambers. Council President Smith called the meeting to order. The Lord's Prayer and the Pledge of Allegiance were recited.

Ms. Cohen moved and Mr. Comegys seconded to adopt the agenda as presented. Mr. Comegys moved to amend the agenda by removing Resolution No. 2039 (approving a lease with Shore Fresh Growers and Urban Salisbury, Inc.) from the Consent Agenda for discussion immediately following the Consent Agenda. Mrs. Campbell seconded and the amendment passed unanimously.

Mrs. Shields moved to remove the Gannett Co., Inc. manufacturing exemption request from the Consent Agenda for discussion following Resolution No. 2039. Mr. Comegys seconded and the amendment passed unanimously.

Ms. Cohen moved and Mrs. Campbell seconded to remove Resolution No. 2040 from the agenda. The motion failed to pass. Ms. Cohen and Mrs. Campbell voted aye and Mrs. Shields, Mrs. Smith and Mr. Comegys voted nay.

The agenda, as amended, was unanimously adopted.

CONSENT AGENDA – presented by City Clerk Brenda Colegrove

The Consent Agenda, consisting of the following items, was unanimously approved on a motion by Mr. Comegys and seconded by Ms. Cohen:

- February 25, 2011 special meeting minutes
- February 28, 2011 minutes
- Resolution No. 2037 - reappointment of Ramon J. Matheu to the GASB 45 Trust as a community member for a term ending February 2014
- Resolution No. 2038 – accepting gift of a serpentine garden project (including shrubbery, a foundation, a serpentine brick path and bamboo fencing) on the back lawn of Poplar Hill Mansion from the Friends of Poplar Hill Mansion

RESOLUTION NO. 2039 - APPROVING A LEASE WITH SHORE FRESH GROWERS ASSOCIATION AND URBAN SALISBURY, INC. FOR THE PURPOSE OF OPERATING A PRODUCER'S FARMERS' MARKET IN DOWNTOWN SALISBURY – presented by City Administrator John Pick

Mr. Comegys moved and Mrs. Shields seconded to approve Resolution No. 2039. On the recommendation of the City Administrator, Mr. Comegys moved to amend Resolution No. 2039 by changing the time period of April to September in the third Whereas paragraph to April to November. Ms. Cohen seconded and the amendment passed unanimously. Resolution No. 2039, as amended, was unanimously approved.

MANUFACTURING EXEMPTION REQUEST FOR GANNETT CO., INC. – presented by Internal Services Director Pam Oland

Mr. Comegys moved and Ms. Cohen seconded to approve Gannett Co., Inc.'s manufacturing exemption request for an exemption from personal property for a total savings of \$397,756 (one year exemption for equipment purchased in 2005; two year exemption for equipment purchased in 2006; three year exemption for equipment purchased in 2007; and five year exemption for equipment purchased in 2008).

All voted in favor of approving Gannett Co., Inc.'s manufacturing exemption request with the exception of Mrs. Shields' abstention.

AWARD OF BIDS - presented by Internal Services Director Pam Oland

The following item was unanimously approved on a motion by Mr. Comegys and seconded by Mrs. Shields:

Change Order to Contract RFP 10-09	\$19,850.00
Engineering Services for Salisbury Potable Water Storage Tank	
George, Miles & Buhr	
Acct. No. 30200-513020-48010	

PUBLIC HEARING – presented by City Attorney Paul Wilber

Ordinance No. 2137 – authorizing Word of Life Center to operate a church at 504 Delaware Avenue in an Industrial District as required by Section 17.72.040K of the Salisbury Municipal Code

No public comments were received.

ORDINANCES – City Attorney Paul Wilber

- *Ordinance No. 2140 - 2nd reading - FY11 General Obligation Bond issuance (\$7,700,000) for the Riverwalk Repairs, E. Main Street Water Valve, Isabella Street Water, E. Main Street Sewer, Isabella Street Sewer, Lift Station pump replacement, N. Division Street Sewer, Wastewater Treatment Plant Upgrade projects and costs of issuance*

Ordinance No. 2140 for second reading passed unanimously on a motion by Mr. Comegys and seconded by Ms. Cohen.

- *Ordinance No. 2141 - 1st reading - amending FY11 General Fund Budget to appropriate additional funds (\$40,000) to pay City's unemployment costs*

On a motion by Mr. Comegys and seconded by Ms. Cohen, Ordinance No. 2141 for first reading passed unanimously.

- *Ordinance No. 2142 - 1st reading - amending FY11 Marina Fund Budget and FY11 General Fund Budget to appropriate additional funds (\$18,000) to pay the projected cost of electricity usage during the remaining half of FY11 and to purchase electric meters for live-aboard customers to reduce excessive electricity usage and charges*

Ordinance No. 2142 for first reading passed unanimously on a motion and a second by Ms. Cohen and Mr. Comegys, respectively.

- *Ordinance No. 2143 - 1st reading - amending FY11 Street Lighting budgetary account and FY11 General Fund Budget to appropriate additional funds (\$32,100) to pay the projected cost of lighting facilities maintenance and electricity usage during the remaining half of FY11*

Ordinance No. 2143 for first reading passed unanimously on a motion by Mr. Comegys and seconded by Ms. Cohen.

- *Ordinance No. 2144 - 1st reading - amending FY11 General Fund Budget to appropriate funds (\$1,900) received from the recovery and recycling of brass shell casings at the Salisbury Police Range to purchase service weapons*

On a motion by Mr. Comegys and seconded by Ms. Cohen, Ordinance No. 2144 for first reading passed unanimously.

- *Ordinance No. 2145 - 1st reading - amending Section 15.24, Method of Service of the Salisbury Municipal Code, requiring owner of a vacant building, who is not domiciled in Wicomico County, to have a local designated agent who is a permanent resident of Wicomico County*

Ms. Cohen moved and Mrs. Campbell seconded to approve Ordinance No. 2145 for first reading. Ordinance No. 2145 for first reading passed on a 4-1 vote with Mrs. Smith casting the nay vote.

RESOLUTION – presented by City Administrator John Pick

- *Resolution No. 2040 – approving a Department of Housing and Community Development grant application for funds (\$150,000) to provide for predevelopment costs for the renovation of the Richardson apartment house known as “The Bricks” located at 432-434 E. Church Street*

Mr. Comegys moved and Mrs. Shields seconded to approve Resolution No. 2040. Mrs. Campbell moved to take Resolution No. 2040 to a work session for further discussion. Ms. Cohen seconded the motion. The motion failed to pass with Mrs. Campbell and Ms. Cohen voting aye and Mrs. Shields, Mrs. Smith and Mr. Comegys voting nay.

Resolution No. 2040 passed on a 3-2 vote. Mrs. Shields, Mrs. Smith and Mr. Comegys voted aye. Mrs. Campbell and Ms. Cohen voted nay.

PUBLIC COMMENTS

No public comments were received.

The meeting adjourned at 7:19 p.m.

Brenda J. Colegrove
City Clerk

Louis Smith
Council President

City of Salisbury



MARYLAND

Salisbury



2010

125 NORTH DIVISION STREET
SALISBURY, MARYLAND 21801

Tel: 410-548-3190

Fax: 410-548-3192

JAMES IRETON, JR.
MAYOR

JOHN R. PICK
CITY ADMINISTRATOR

LORE L. CHAMBERS
ASSISTANT CITY ADMINISTRATOR

PAMELA B. OLAND
DIRECTOR OF INTERNAL SERVICES
PROCUREMENT DIVISION

COUNCIL AGENDA

March 14, 2011

Change Order to Contract RFP 10-09 Engineering Services for
Salisbury Potable Water Storage Tank.

\$19,850.00

City of Salisbury



MARYLAND COUNCIL AGENDA



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

PAMELA B. OLAND
DIRECTOR OF INTERNAL SERVICES
PROCUREMENT DIVISION

JAMES IRETON, JR.
MAYOR

JOHN R. PICK
CITY ADMINISTRATOR

LORÉ L. CHAMBERS
ASSISTANT CITY ADMINISTRATOR

March 14, 2011

TO: Mayor and City Council

SUBJECT: Change Order #5 RFP 10-09

The City of Salisbury Internal Services Department, Procurement Division, received a request from Salisbury Public Works (SPW) to process Change Order #5 for Contract RFP 10-09 *Engineering Services for Salisbury Potable Water Storage Tank* in the amount of \$19,850.00. The contractor was late in completing the project thus requiring additional inspection hours by the city's engineering company. The Contractor has agreed to pay the City the additional costs. Additional details are noted in the department memo.

Funds will be available in the Project Account 30200-513020-48010, Engineering Architectural Salisbury Potable Water Tank.

The Department of Internal Services-Procurement Division requests Council's approval to approve Change Order #5 as noted above to George, Miles & Buhr, the city's engineer, in the amount of \$19,850.00.

Thank you.

Thomas Tengman

Acting Assistant Director of Internal Services-Procurement Division

City of Salisbury



JAMES IRETON, JR.
MAYOR

JOHN R. PICK
CITY ADMINISTRATOR

LORE CHAMBERS
ASSISTANT CITY ADMINISTRATOR

125 NORTH DIVISION STREET
SALISBURY, MARYLAND 21801
Tel: 410-548-3170
Fax: 410-548-3107

MARYLAND

PUBLIC WORKS
TERESA GARDNER, P.E.
DIRECTOR

TO: Tom Tengman, Acting Assistant Director of Internal Services, Procurement Division
FROM: Jana Potvin, Project Engineer
DATE: March 3, 2011
SUBJECT: Change Order No. 5
RFP 10-09
Purchase Order No. 02090314-01
Salisbury Potable Water Storage Tank

The contractor was not able to meet substantial completion by the contract date. As such, additional inspection time by the City's engineering consultant was needed. Through several meetings between the contractor and the City of Salisbury, it was agreed that the contractor would reimburse the City for the additional inspection services. The contractor provided a check in the amount of \$19,850 in February 2011. These funds have been deposited and will be placed into the project account upon approval of the change order.

The cost to provide the additional inspection and contract administration services is \$19,850.00.

Funds to accomplish these tasks will be available the Project Account No.: 30200-513020-48010. Please contact my office if you need additional information.

Jana Potvin
Project Engineer

Approved: Teresa Gardner, P.E.

CHANGE ORDER

PROJECT: P.O. NO: 02090314-01
RFP 10-09
Salisbury Potable Water Storage Tank

CHANGE ORDER NO: 5
INITIATION DATE: March 3, 2011
CONTRACT DATE: January 13, 2009

TO: George, Miles and Buhr
300 West Main Street
Salisbury, MD 21801

ACCOUNT NO:
30200-513020-48010

You are directed to make the following changes in this contract in order to fund an additional three months of contract administration and inspection for the Salisbury Potable Water Storage Tank project.

Increase Task 400 Inspection Services by \$19,850. The contractor has paid the City \$19,850 to cover the cost of additional inspection. The 38 day delay in the substantial completion milestone by the contractor necessitates an extension in the engineering contract time. With final inspections and as-builts, the engineering contract time is to be extended 60 days.

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.

The original Contract Sum was.....	\$ 347,732.00
Net change by previously authorized Change Order(s).....	\$ 15,500.00
The Contract Sum prior to this Change Order was	\$ 363,232.00
The Contract Sum will change by this	
Change Order	\$ 19,850.00
The new Contract Sum including this Change Order will be	\$ 383,082.00
The Contract Time will be extended 60 calendar days by this Change Order.	
The date of substantial completion as of the date of this Change Order therefore is	<u>May 30, 2011</u>

AUTHORIZED:

BY _____
Teresa Gardner, P.E.
Director of Public Works

BY _____
George, Miles and Buhr
Consultant

BY _____
Pamela B. Oland
Director of Internal Services

DATE _____

BY _____
Title

DATE _____

BY _____
Thomas Tengman
Acting Assistant Director of Internal Services
Procurement

DATE _____

BY _____
Louise Smith
President, City Council

DATE _____

DATE _____

BY _____
Paul D. Wilber
City Solicitor

DATE _____