

CITY OF SALISBURY, MARYLAND

REGULAR MEETING

MARCH 26, 2012

PRESENT

*Council President Terry E. Cohen
Councilwoman Eugenie P. Shields*

*Councilwoman Laura Mitchell
Councilman Timothy K. Spies*

Mayor James Ireton, Jr.

ABSENT

Council Vice President Deborah S. Campbell

IN ATTENDANCE

City Clerk Kimberly R. Nichols, CMC, City Administrator John Pick, ICMA-CM, City Attorney Mark Tilghman, Colonel Ivan Barkley, Public Works Director Teresa Gardner, Assistant Internal Services – Procurement Director Catrice Parsons, Acting Fire Chief Rick Hoppes, Zoo Director Joel Hamilton 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. Council President Cohen called the meeting to order. A moment of silent meditation was held followed by the Pledge of Allegiance. Ms. Cohen announced that Assistant City Clerk Kimberly R. Nichols had been selected to fill the position of City Clerk, effective March 22, 2012. Wendy Restein, Chief Deputy of the Circuit Court, attended and administered the oath of office to Mrs. Nichols for the public's witnessing, but it was noted that Mrs. Nichols had taken the oath of office on March 22 with Clerk of the Circuit Court Mark Bowen officiating in order to fulfill her official duties immediately.

ADOPTION OF LEGISLATIVE AGENDA

Mrs. Shields moved and Mrs. Mitchell seconded to adopt the legislative agenda as presented. Mrs. Mitchell moved to amend the agenda by removing the February 24, 2012 closed session minutes from the Consent Agenda for correction, to follow immediately after the Consent Agenda. On a second by Mrs. Shields, the amendment passed unanimously. The legislative agenda, as amended, was unanimously adopted.

CONSENT AGENDA – presented by City Clerk Kim Nichols

The Consent Agenda, consisting of the following items, was unanimously approved on a motion

by Mr. Spies and seconded by Mrs. Shields:

- February 24, 2012 open session minutes
- February 27, 2012 closed session minutes
- February 27, 2012 regular meeting minutes
- March 5, 2012 special meeting minutes
- Resolution No. 2151 – appointment of William J. Powell to the Marina Committee

MINUTES

- February 24, 2012 closed session minutes

Mrs. Mitchell moved to amend the February 24, 2012 closed session minutes by replacing the word "only" with the word "under" in line 53. Mr. Spies seconded and the amendment passed unanimously. The February 24, 2012 closed session minutes, as amended, passed unanimously.

AWARD OF BIDS – presented by Assistant Internal Services – Procurement Director Catrice Parsons

The following item was unanimously approved on a motion by Mrs. Mitchell, which was seconded by Mr. Spies:

- Change Order #4 to Contract RFP17-08 Parkside High School Lift station

RESOLUTIONS – presented by City Administrator John Pick

- Resolution No. 2152 – designating the City of Salisbury as Sustainable Communities Area and adopting the Sustainable Communities Plan

On a motion and a second by Mrs. Shields and Mrs. Mitchell, respectively, Resolution No. 2152 passed unanimously.

- Resolution No. 2153 – accepting Wicomico County Narcotics Task Force (WINTF) grant for the Salisbury Police Department

Resolution No. 2153 passed unanimously on a motion by Mr. Spies and seconded by Mrs. Mitchell.

- Resolution No. 2154 – accepting Organized Crime Drug Enforcement Task Forces (OCDETF) grant for the Salisbury Police Department

On a motion and a second by Mrs. Shields and Mrs. Mitchell, respectively, Resolution

No. 2152 passed unanimously.

ORDINANCES – presented by City Attorney Mark Tilghman

- *Ordinance No. 2195 - 2nd reading – FY12 budget amendment to appropriate the funds received from LGIT for damage incurred by a lightning strike to the Salisbury Zoo's telephone and Internet systems*

On a motion and a second by Mrs. Mitchell and Mr. Spies, respectively, Ordinance No. 2195 for 2nd reading passed unanimously.

- *Ordinance No. 2196 – 1st reading – FY12 budget amendment to transfer insurance funds received by the City to the Fire Department operating budget from the General Fund revenue received for the replacement of two (2) portable radios*

On a motion by Mrs. Shields, seconded by Mrs. Mitchell, Ordinance No. 2196 for first reading passed unanimously.

PUBLIC COMMENTS

Highlights of comments received from two citizens:

- *defibrillator units in the Government Office Building and training for personnel*
- *information on Parkinson's Disease*
- *recent tax differential meeting and duplication of services*

ADJOURNMENT

The meeting adjourned at 6:47 p.m.

CITY OF SALISBURY, MARYLAND
CLOSED SESSION
MARCH 19, 2012

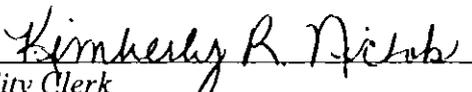
TIME & PLACE: 4:34 p.m., Government Office Building – Conference Room #306
PURPOSE: Personnel matter (city clerk position) and to consult with counsel and staff on the acquisition of real property for a public purpose
VOTE TO CLOSE: Unanimous
CITATION: Annotated Code of Maryland Sections 10-508(a)(1)(i)(3)
PRESENT: Council President Terry E. Cohen, Council Vice President Deborah S. Campbell, Councilwoman Laura Mitchell, Councilwoman Eugenie "Shanie" P. Shields, Councilman Timothy K. Spies (for both parts of session), Mayor James P. Ireton, Jr., (for second part of session), Executive Office Associate Jessie Cocci (for first part of session), and for second part of session, the following: Acting City Clerk Kim Nichols, City Administrator John Pick, Public Works Director Teresa Gardner, Acting Deputy Public Works Director Dale Pusey, Planning & Zoning Director Jack Lenox

At 4:34 p.m. in Conference Room #306 of the Government Office Building, during work session, Mr. Spies moved and Mrs. Mitchell seconded to go into closed session for the purpose of discussing a personnel matter (city clerk position) and to consider the acquisition of real property for a public purpose as permitted under the Annotated Code of Maryland Section 10-508(a)(1)(i)(3). The vote was unanimous to go into closed session.

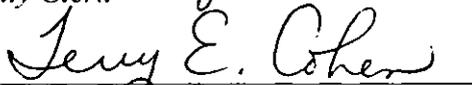
The Council referenced additional personnel documents and unanimously agreed to move forward promptly with an official written offer to the selected candidate for city clerk with an associated salary.

After receiving information on the property available for purchase and holding discussion, unanimous consensus was reached to make an offer on the purchase of the property

At 4:58 p.m., the vote was unanimous to adjourn the closed session on a motion and a second by Mrs. Shields and Mr. Spies, respectively, and to return to work session.



City Clerk



Council President

City of Salisbury



MARYLAND

JAMES IRETON, JR.
MAYOR

JOHN R. PICK
CITY ADMINISTRATOR

LORÉ L. CHAMBERS
ASSISTANT CITY ADMINISTRATOR

Salisbury



2010

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

GERRI L. MOORE
ACTING DIRECTOR OF INTERNAL
SERVICES
PROCUREMENT DIVISION

COUNCIL AGENDA

March 26, 2012

1. Change Order #4 to Contract RFP 17-08 Parkside High School Lift Station \$6,440.00

City of Salisbury



MARYLAND

Salisbury



2010

125 NORTH DIVISION STREET
SALISBURY, MARYLAND 21801
Tel: 410-548-3190
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JAMES IRETON, JR.
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ASSISTANT CITY ADMINISTRATOR

COUNCIL AGENDA

March 26, 2012

TO: Mayor and City Council

SUBJECT: Change Order #4 to Contract RFP 17-08
Parkside High School Lift Station

The City of Salisbury Internal Services Department, Procurement Division, received a request from Salisbury Public Works (SPW) to process Change Order #4 for Contract RFP 17-08 *Parkside High School Lift Station* in the amount of \$6,440.00; with George, Miles, and Buhr. This Change Order proposes to add the development of traffic control and bypass pumping plans to the original engineering design contract. Additional details are noted in the department memo.

Funds are available in the Project Account 84080-513020 "*Sewer: Engineering/Architectural*". The Department of Internal Services-Procurement Division requests Council's approval to approve Change Order #4 as noted above to George, Miles, and Buhr in the amount of \$6,440.00.

Thank you,

Catrice L. Parsons

Assistant Director Internal Services-Procurement and Parking

City of Salisbury



MARYLAND

Salisbury



2010

125 NORTH DIVISION ST., RM 202
SALISBURY, MARYLAND 21801

Tel: 410-548-3170

Fax: 410-548-3107

PUBLIC WORKS
TERESA GARDNER, P.E.
DIRECTOR

March 12, 2012

JAMES IRETON, JR.
MAYOR

JOHN R. PICK
CITY ADMINISTRATOR

LORÉ L. CHAMBERS
ASSISTANT CITY ADMINISTRATOR

MEMORANDUM

TO: Catrice Parsons - Assistant Director of Internal Services
Procurement Division

FROM: Dallas Baker, P.E.
Acting Supervisory Civil Engineer

SUBJECT: Parkside High School Lift Station
Changer Order No. 4
Contract No. RFP 17-08

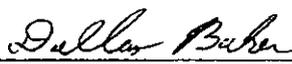
CC: Teresa Gardner
File

Please process change order no. 4 for the Delmarva Power & Parkside High School Lift Station project. This change order increases the contract cost by \$6,440 and adds the development of temporary traffic control plans and bypass pumping plans to the engineering contract.

When the Parkside High School Lift Station project was advertised in 2008, the City placed the responsibility of developing temporary traffic control plans and bypass pumping plans on construction contractors. However, it has been SPW's experience that contractors lack the equipment and technical expertise to produce acceptable plans. Therefore, the procedure has been revised to require the designing engineer to develop the necessary plans. The additional \$6,440 will be used in a change order to George, Miles, & Buhr to revise their scope of work to include the development of the temporary traffic control plan and bypass pumping plan.

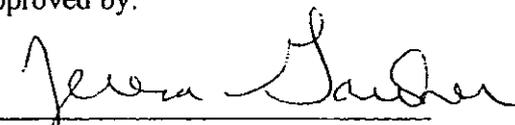
Funds are available in account 84080-513020 Sewer: Engineering / Architectural to cover the additional work. Please let me know if there are any questions.

Prepared by:



Dallas Baker, P.E.
Acting Supervisory Civil Engineer

Approved by:



Teresa Gardner, P.E.
Director

CHANGE ORDER

PROJECT Contract RFP 17-08
DPL & Parkside Lift Station

P.O. NO: 02080484-00
CHANGE ORDER NO: 4

TO: (Contractor)
George Miles & Buhr
206 West Main Street
Salisbury, MD 21801

DATE: 3/12/12
CONTRACT DATE: 5/13/08
ACCOUNT NO: 84080-513020

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

Add line item 2.c. –Temporary Traffic Control Plan to the scope of work for the Parkside High School lift station to develop a temporary traffic control plan for lump sum cost of \$3,690.00 per the cost estimate and work description included in the Contractor’s letter and attachments dated January 5, 2012; Add line item 2.d. – Bypass Pumping Plan to the scope of work for the Parkside High School lift station to develop a bypass pumping plan for lump sum cost of \$2,750.00 per the cost estimate and work description included in the Contractor’s letter and attachments dated January 5, 2012

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>191,560.00</u>
Net change by previously authorized Change Order(s).....	\$ <u>(1) 55,895.00</u>
	\$ <u>(2) 3,500.00</u>
The Contract Sum prior to this Change Order was	\$ <u>250,955.00</u>
The Contract Sum will be increased by this Change Order	\$ <u>6,440.00</u>
The new Contract Sum including this Change Order will be.....	\$ <u>257,395.00</u>
The Contract Time will be increased by this Change Order.	<u>0 days</u>
The date of substantial completion as of the date of this Change Order therefore is	<u>December 28, 2012</u>

AUTHORIZED:

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

George Miles & Buhr, LLC
Contractor:

BY _____
Catrice Parsons
Assistant Director of Internal
Services-Procurement

BY _____
Gerri Moore
Acting Director of Internal Services

BY _____

BY _____
Terry Cohen
President, City Council

BY _____
Mark Tilghman
City Solicitor

Title

DATE _____

DATE _____

DATE _____