

CITY OF SALISBURY, MARYLAND

REGULAR MEETING

MARCH 28, 2011

PRESENT

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

*Council Vice President Gary A. Comegys
Councilwoman Terry E. Cohen
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, Police Chief Barbara Duncan, Public Works Director Teresa Gardner, Internal Services Director Pam Oland, Fire Chief Jeff Simpson, Neighborhood Services and Code Compliance Director Tom Stevenson, Planning, Zoning and Community Development Director Jack Lenox, 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.

Mr. Comegys moved and Mrs. Campbell seconded to adopt the agenda as presented. Mrs. Shields moved to remove Ordinance No. 2149 (amending Chapter 15.26 Rental of Residential Premises of the Salisbury Municipal Code to require a Crime-Free Lease Addendum) from the agenda for discussion at a future work session. Mrs. Campbell seconded and the amendment passed unanimously. 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:

- *March 14, 2011 minutes*
- *Resolution No. 2041 - appointment of Katherine Crowell Gunby to the City Park Committee for a term ending December 31, 2014*
- *Resolution No. 2042 – accepting donation of an air light unit (anticipated project total of \$277,000) for the Salisbury Fire Department from the volunteers of Salisbury Fire Department, Inc., Company No. 1 (Fire Station #1)*

AWARD OF BIDS - presented by Internal Services Director Pam Oland

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

- *Property Room evidence locker (unbudgeted capital expenditure) \$14,306.00*
National Office Systems
Acct. No. 21021-577030
- *Computer System for Automated License Plate Recognition System \$17,147.70*
(unbudgeted capital expenditure)
Breckford (piggyback State of Maryland contract) - \$8,682; Wicomico
County contract - \$7,662.70; GovConnection - \$803

PUBLIC HEARING – presented by City Attorney Paul Wilber; oath administered by City Clerk Brenda Colegrove

- *Ordinance No. 2145 - 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*

One citizen recommended that the language include adjacent counties.

ORDINANCES – City Attorney Paul Wilber

- *Ordinance No. 2137 - 2nd reading - 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*

Ordinance No. 2137 for second reading passed unanimously on a motion by Mr. Comegys and seconded by Mrs. Shields.

- *Ordinance No. 2141 - 2nd reading - amending FY11 General Fund Budget to appropriate additional funds (\$40,000) to pay City's unemployment costs*

On a motion and a second by Mr. Comegys and Ms. Cohen, respectively, Ordinance No. 2141 for second reading was unanimously approved.

- *Ordinance No. 2142 - 2nd 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 second reading passed unanimously on a motion by Mr. Comegys and seconded by Ms. Cohen.

- Ordinance No. 2143 - 2nd 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 second reading passed unanimously on a motion by Mrs. Campbell and seconded by Ms. Cohen.

- Ordinance No. 2144 - 2nd 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 second reading passed unanimously.

- Ordinance No. 2146 - 1st reading - amending Chapter 15.24 Housing Standards, Article XXVI Accumulation of Rubbish Prohibited, of the Salisbury Municipal Code

Ms. Cohen moved and Mrs. Campbell seconded to approve Ordinance No. 2146 for first reading. As recommended by City Attorney Paul Wilber, Ms. Cohen moved to amend Ordinance No. 2146, Section 15.24.1370, by adding the following phrase:

“and said cost, fees and interest shall be collectable in the same manner as real estate taxes are collected.”

Mrs. Campbell seconded and the amendment passed unanimously. Mrs. Campbell moved to return Ordinance No. 2146 back to a work session for further discussion. Mr. Comegys seconded and the motion passed unanimously.

- Ordinance No. 2147 - 1st reading - adding Section 8.09, Tree and Plant Trimming or Removal, to the Salisbury Municipal Code, to provide departmental authority to examine nuisance tree, shrub or other plant growth

Ms. Cohen moved and Mrs. Campbell seconded to approve Ordinance No. 2147 for first reading. Ordinance No. 2147 passed on a 4-1 vote with Mrs. Smith casting the nay vote.

- Ordinance No. 2148 - 1st reading - amending Chapter 10.08 General Traffic Regulations, of the Salisbury Municipal Code, to include the use of speed monitoring devices, setting fees for exceeding speed limits and penalties for violation of Chapter 10.08

On a motion by Mrs. Campbell and seconded by Ms. Cohen, Ordinance No. 2148 for first reading passed unanimously.

RESOLUTION – presented by City Administrator John Pick

- *Resolution No. 2043 – allowing the City to enter into a license agreement with the United States Marshal's Service to modify and repair the City's property at 311 W. Isabella Street for the purpose of housing the Capital Area Regional Fugitive Task Force (CARFTF) for a three year period*

Resolution No. 2043 passed unanimously on a motion by Ms Cohen and seconded by Mrs. Campbell.

PUBLIC COMMENTS

Six citizens commented on the following issues:

- *Wastewater Treatment Plant status*
- *trash in the City*
- *City elections (moving to November and only one election)*
- *City investing money in community programs*
- *Crime-Free Lease Addendum*

MOTION TO CONVENE IN CLOSED SESSION

At 7:25 p.m., Mr. Comegys moved to convene in closed session to consult with legal counsel on potential litigation as permitted under the Annotated Code of Maryland Sections 10-508(a)(7)(8). Mrs. Shields seconded and the vote was unanimous.

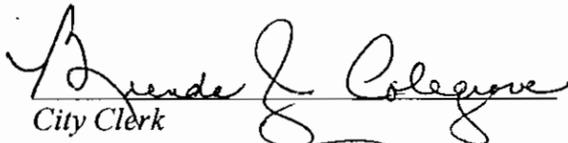
The regular meeting adjourned at 7:26 p.m.

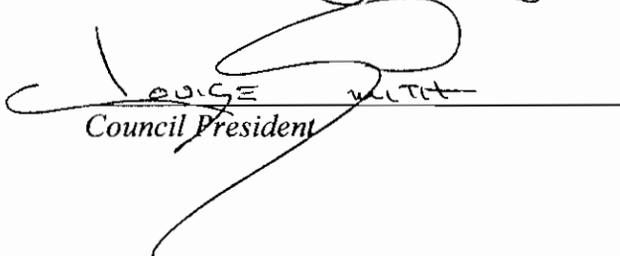
CITY OF SALISBURY, MARYLAND
CLOSED SESSION
MARCH 28, 2011

TIME & PLACE: 7:25 p.m. - Council Chambers, Government Office Building
PURPOSE: Consult with legal counsel/pending litigation
VOTE TO CLOSE: Unanimous
CITATION: Annotated Code of Maryland Sections 10-508(a)(7)(8)
PRESENT: Council President Louise Smith, Council Vice President Gary Comegys, Councilwoman Deborah Campbell, Councilwoman Terry Cohen, Councilwoman Eugenie Shields, Mayor James Ireton, Jr., City Clerk Brenda Colegrove, City Administrator John Pick, Assistant City Administrator Loré Chambers, City Attorney Paul Wilber, Public Works Director Teresa Gardner, Internal Services Director Pam Oland, Acting Assistant Internal Services Director-Procurement Tom Tengman, Howard Landon, Billy Sterling

At 7:25 p.m., in Council Chambers, Mr. Comegys moved to convene in closed session to consult with legal counsel on potential litigation as permitted under the Annotated Code of Maryland Sections 10-508(a)(7)(8). Mrs. Shields seconded and the vote was unanimous. City Attorney Paul Wilber briefed the Council on a potential litigation issue involving a contract on a City project. The Council concurred with the recommended course of action.

On a motion and a second by Mrs. Shields and Mr. Comegys, respectively, the closed session adjourned at 8:05 p.m.


City Clerk


Council President

STATEMENT FOR CLOSING A MEETING

Location: Rm 301 G.O.B

Date: 3-28-11

Time: 7:25 pm

Motion: Comegys

Seconded By: Shields

Vote to Close Session:

	AYE	NAY	ABSTAIN	ABSENT
Deborah S. Campbell	{✓}	{ }	{ }	{ }
Terry E. Cohen	{✓}	{ }	{ }	{ }
Gary A. Comegys	{✓}	{ }	{ }	{ }
Eugenie P. Shields	{✓}	{ }	{ }	{ }
Louise Smith	{✓}	{ }	{ }	{ }

STATUTORY AUTHORITY TO CLOSE SESSION

State Government Article §10-508(a):

- (1) To discuss:
 - { (i) The appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; or
 - { (ii) Any other personnel matter that affects one or more specific individuals.
- (2) {} To protect the privacy or reputation of individuals with respect to a matter that is not related to public business.
- (3) {} To consider the acquisition of real property for a public purpose and matters directly related thereto.
- (4) {} To consider a preliminary matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State.
- (5) {} To consider the investment of public funds.
- (6) {} To consider the marketing of public services.
- (7) {✓} To consult with counsel to obtain legal advice on a legal matter.
- (8) {✓} To consult with staff, consultants, or other individuals about pending or potential litigation.

City of Salisbury



MARYLAND

Salisbury



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

COUNCIL AGENDA

March 28, 2011

- | | | |
|----|--|-------------|
| 1. | Property Room evidence locker (unbudgeted capital expenditure). | \$14,306.00 |
| 2. | Computer System for Automated License Plate Recognition System (unbudgeted capital expenditure). | \$17,147.70 |

City of Salisbury



MARYLAND



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

COUNCIL AGENDA

March 28, 2011

TO: Mayor and City Council

SUBJECT: Unbudgeted Capital Expenditure-Evidence Lockers

The Department of Internal Services-Procurement Division received a request from Salisbury Police Department (SPD) to replace existing evidence lockers. This purchase meets the requirements for an unbudgeted capital expenditure. Additional details are in the department memo.

The Department of Internal Services-Procurement Division requests City Council's approval to purchase the evidence lockers from the sole source vendor, National Office Systems in the amount of \$14,306.00. Funds are available from account 21021-501002 Salaries non-clerical to be transferred to 21021-577030-Equipment in the amount of \$14,306.00 if Council approves the purchase.

Thank you.

A handwritten signature in black ink that reads "Thomas Tengman".

Thomas Tengman

Acting Assistant Director of Internal Services-Procurement Division

City of Salisbury



MARYLAND

JAMES IRETON, JR.
MAYOR

JOHN R. PICK
CITY ADMINISTRATOR

LORÉ CHAMBERS
ASSISTANT CITY ADMINISTRATOR

699 W. SALISBURY PARKWAY
SALISBURY, MARYLAND 21801
Tel.: 410-548-3165
Fax: 410-548-5173

BARBARA DUNCAN
CHIEF OF POLICE
SALISBURY POLICE DEPARTMENT

March 9, 2011

TO: Tom Tengman
Acting assistant Director Internal Services

FROM: Major David Meienschein

SUBJECT: Replacement of Evidence/Property Lockers

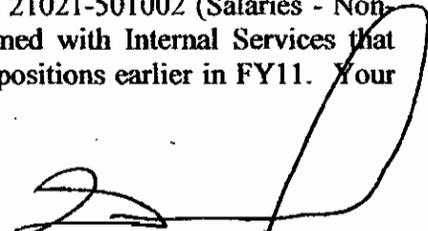
The Police Department is requesting approval for property room evidence lockers in the amount of \$14,306.00. This purchase meets the threshold for unbudgeted capital expenditures. Surplus funds are available in Acct. 21021-501002 (Salaries - Non-Clerical) due to vacant positions earlier in FY11.

The evidence and property lockers were initially installed in 1996 when the Police Department was built. Fifteen years has taken its toll on the structure and at this time many of the hinges and lock & key mechanisms are worn out. We have made repairs, as needed, over the last several years however, the locker system has reached a point where repairs are ineffective and just a temporary fix. These lockers are a critical component relating to accountability and chain of custody of property and evidence in criminal cases. The structural integrity and security of property and important evidence is a risk. This new locker system is projected to be effective for the next 20+ years.

National Office Systems is a sole source provider of this product and it meets the needs of the police department. SPD recommends National Office Systems be awarded this bid.

A transfer of \$14,306.00 is requested from Acct. 21021-501002 (Salaries - Non-Clerical) to Acct. 21021-577030 (Equipment). I have confirmed with Internal Services that surplus funds are available in the salary account due to vacant positions earlier in FY11. Your consideration regarding this transfer is appreciated.




Major David Meienschein
Administrative Commander

City of Salisbury



MARYLAND

Salisbury



2010

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

TO: Mayor and City Council

SUBJECT: Unbudgeted Capital Expenditure-Computer System

The Procurement Division received a request from Salisbury Police Department (SPD) to purchase a computer system in the amount of \$17,147.70. This system will be used to operate an Automated License Plate Recognition System and a Panasonic Arbitrator Mobile Digital Video System. This purchase meets the requirements for an unbudgeted capital expenditure. Additional details are in the department memo.

The Procurement Division requests Council's approval to purchase the computer system in the amount of \$17,147.70 from the following vendors: Breckford (piggy back State of Maryland contract 050B8800003, 2 lap-top computers, in the amount of \$8,862, GHA Technologies, 1 server, Wicomico County contract in the amount of \$7,662.70, and GovConnection, 1 APC Smart-UPS Power Supply, low quote, in the amount of \$803.00. Funds are available from account 21021-501002 Salaries non-clerical to be transferred to 21021-577035-Computer Hardware in the amount of \$17,147.70 if Council approves the purchase.

Thank you.

A handwritten signature in cursive script that reads "Thomas Tengman".

Thomas Tengman

Acting Assistant Director of Internal Services-Procurement Division

City of Salisbury



JAMES IRETON, JR.
MAYOR

JOHN R. PICK
CITY ADMINISTRATOR

LORÉ CHAMBERS
ASSISTANT CITY ADMINISTRATOR

MARYLAND

February 18, 2011

699 W. SALISBURY PARKWAY
SALISBURY, MARYLAND 21801

Tel.: 410-548-3165

Fax: 410-548-5173

BARBARA DUNCAN
CHIEF OF POLICE
SALISBURY POLICE DEPARTMENT

TO: John Pick
FROM: Major David Meienschein
SUBJECT: Transfers

The following items are needed to support the two automated license plate recognition systems which we are purchasing through the Homeland Security funding which has been approved by the City Council. The Police Department is requesting approval for a transfer of funds to cover the cost of two (2) Toughbook computers, one (1) power edge server and one (1) PC Smart-UPS power supply in the amount of \$17,148.00. This purchase meets the threshold for unbudgeted capital expenditures. Surplus funds are available in Acct. 21021-501002 (Salaries Non-Clerical) due to vacant positions earlier in FY11. We are requesting a transfer of funds from Acct. 21021-501002 to Acct. 21021- 546011 to cover the cost of these items.

- Panasonic CF-31 Toughbook Computers – Two (2) Panasonic CF-31 ruggedized lap-top computers to be installed for use by the Patrol Squads for the operation of our two automated license plate recognition systems.
- Dell R510 Power-Edge Server – This server would be utilized for two purposes. The first is for the running of the software and the storage needs of the automated license plate recognition systems. The second is for the running of the software and storage needs of the Panasonic Arbitrator Mobil Digital Video Systems that we obtained through a federal grant.
- PC Smart-UPS 2200 Rack-Mount Power Supply – The purchase of this power supply is based on the fact that the current power supply in the Department's server room are at maximum capacity and this power supply is needed to handle the previously listed Dell server as well as any additional equipment that would be housed in the server room.

Salisbury



2010

The Police Department received quotes from Breckford on State Contract 050B8800003 for the two (2) Toughbook Computers in the amount of \$8,682.00, from GHA, the City's primary government supplier of servers, in the amount of \$7,662.70 and from Gov Connection for the power supply in the amount of \$803.00. The total package amount is \$17,148.00