

CITY OF SALISBURY, MARYLAND

#1 MEETING

JANUARY 11, 2010

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, Acting Police Chief Ivan Barkley, Internal Services Director Pam Oland, Neighborhood Services and Code Compliance Director Tom Stevenson, and Members of the Press.

CONVENING - ADOPTION OF AGENDA

The City Council met in regular session at 6:00 p.m. in Council Chambers of the City/County Government Office Building. 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 adding Resolution No. 1882, accepting Safe Streets grant funds (insert after Resolution No. 1881). Ms. Cohen seconded and the amendment passed unanimously.

Ms. Cohen moved to amend the agenda by removing Resolution No. 1875, accepting grant funds to remove abandoned, submerged vessels, from the Consent Agenda (insert for discussion after the Consent Agenda). Mrs. Campbell seconded and the amendment passed unanimously.

The agenda, as amended, was unanimously adopted.

PROCLAMATION/CERTIFICATES – presented by Mayor James Ireton, Jr.

Mayor Ireton proclaimed the month of January as "Mentoring Month" in the City of Salisbury. Mr. William "Bill" Briddell, Sr. received a Certificate of Appreciation for his years of loyal and dedicated service to the Parking Authority and the Mayor's Neighborhood Roundtable.

Principal Amy Eskridge and Director Howard Snow from the Salisbury Middle School were recipients of Certificates of Recognition for winning the Pocomoke City Parade competition in 2009.

CONSENT AGENDA – presented by City Clerk Brenda Colegrove

On a motion and a second by Mr. Comegys and Mrs. Shields, respectively, the Consent Agenda consisting of the following items was unanimously approved:

- December 14, 2009 minutes
- December 21, 2009 Special Meeting minutes
- Resolution No. 1876 – accepting grant funds of \$41,561 from the State Domestic Preparedness Grant and Equipment Program to purchase radios and a new security system for the Police Department
- Resolution No. 1877 – reappointment of Michael Murray and Jane Ellen Mengason to the Marina Committee for terms ending December 31, 2012
- Resolution No. 1878 – reappointment of Ronald Alessi, George Mengason and J. P. Dubuque to the Zoo Commission for terms ending December 31, 2012

RESOLUTION NO. 1875 – accepting Waterway Improvement Fund grant of \$100,000 to remove abandoned, submerged vessels located in the north prong area

Resolution No. 1875 was unanimously approved on a motion by Mr. Comegys and seconded by Mrs. Shields.

AWARD OF BIDS – presented by Internal Services Director Pam Oland

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

- Recommendation of Award \$126,953.00
Motorola MTC 3600 Radio Communications System Site Controller
Account No. 10500-577035-22016
Motorola, Inc.
- Recommendation of Award Contract #A-19-10 \$224,436.18
Poly Aluminum Chloride (PAC)
Account No. 86083-546004
Delta Chemical Corporation

PUBLIC HEARING – presented by City Attorney Paul Wilber

- Ordinance No. 2095 – amending Section 5.22.270(A) of the Salisbury Municipal Code to increase the percentage of the cable television franchise fee that is dedicated for the Public, Educational and Governmental (PEG) channel

No public comments were received.

ORDINANCES – presented by City Attorney Paul Wilber

- Ordinance No. 2097 – 1st reading – approving an amendment (\$186,000) to the FY10 Sewer Fund budget (chemical costs)

Ordinance No. 2097 for first reading passed unanimously on a motion by Mr. Comegys and seconded by Mrs. Campbell.

- Ordinance No. 2098 – 1st reading – approving an amendment (\$1,670,999) to the FY10 General Fund budget to budget the expense for several vehicles that were budgeted in FY09 but not delivered and paid for until FY10 and to budget for a replacement for a fire destroyed vehicle

Mr. Comegys moved and Mrs. Shields seconded to approve Ordinance No. 2098 for first reading. Ms. Cohen moved and Mrs. Campbell seconded to remove the 3-ton dump truck from the Ordinance and adjust the figures accordingly for consideration at a later time pending questions raised. The motion failed with Mrs. Campbell and Ms. Cohen voting aye. Mrs. Shields, Mrs. Smith and Mr. Comegys voted nay.

Ordinance No. 2098 for first reading failed to pass with Mrs. Shields, Mrs. Smith and Mr. Comegys voting aye and Mrs. Campbell and Ms. Cohen voting nay (required four affirmative votes to pass).

RESOLUTIONS – presented by City Administrator John Pick

- Resolution No. 1879 – rescinding Resolution No. 1470, which adopted an Annexation Fee Schedule, and adopting a new Annexation Fee Schedule

Mr. Comegys moved and Mrs. Shields seconded to approve Resolution No. 1879. Mrs. Campbell moved to take Resolution No. 1879 back to a work session for further discussion. Ms. Cohen seconded and the motion passed unanimously.

- Resolution No. 1880 – adopting policies on the uses for annexation funds generated for neighborhood reinvestment and workforce housing

Mrs. Campbell moved and Mr. Comegys seconded to approve Resolution No. 1880. Mrs. Campbell moved to amend the last line in the Purpose paragraph of the Neighborhood Reinvestment Annexation Funds Policy to read as follows:

“The source of the funds, which are derived from annexation agreements, will also be utilized to leverage other funds, but not limited to, state and federal funds.”

Ms. Cohen seconded and the amendment passed unanimously. Mrs. Campbell moved to take Resolution No. 1880 back to a work session for further discussion. Ms. Cohen seconded and the motion passed unanimously.

- *Resolution No. 1881 – authorizing two metered parking spaces on the east side of Court Street and installing two 20-minute meters*

On a motion by Mr. Comegys and seconded by Mrs. Campbell, Resolution No. 1881 was unanimously approved.

- *Resolution No. 1882 – accepting \$156,261 in state grant funds awarded through the Governor's Office of Crime Control and Prevention entitled "Safe Streets-MSSP"*

Resolution No. 1882 was unanimously approved on a motion by Mr. Comegys and seconded by Mrs. Shields.

PUBLIC COMMENTS

Three citizens commented on the crime problems in the City (i.e., proposed combining City Police Department with Sheriff's Department and a Metro Core Community Watch Program).

CONVENE IN CLOSED SESSION

At 8:14 p.m., Mr. Comegys moved to convene in closed session for a litigation matter as permitted under the Annotated Code of Maryland Section 10-508(a)(7)(8). Mrs. Shields seconded and the vote was unanimous.

The regular meeting adjourned at 8:15 p.m.

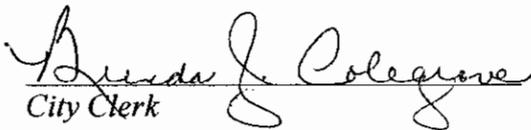
CITY OF SALISBURY, MARYLAND
CLOSED SESSION
JANUARY 11, 2010

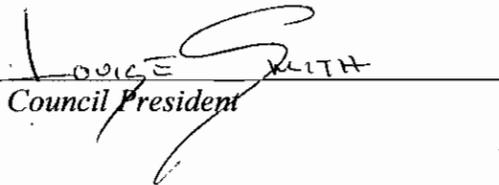
TIME & PLACE: 8:14 p.m. – Council Chambers - Government Office Building
PURPOSE: Litigation matter
VOTE TO CLOSE: Unanimous
CITATION: Annotated Code of Maryland Section 10-508(a)(7)(8)
PRESENT: Council President Louise Smith, Council Vice President Gary Comegys, Councilwoman Deborah Campbell, Councilwoman Terry Cohen, Councilwoman Eugenie Shields, Mayor James Ireton, Jr., City Clerk Brenda Colegrove, City Administrator John Pick, City Attorney Paul Wilber, Chip MacLeod, Carla Burke

At 8:14 p.m., in Council Chambers, Mr. Comegys moved to convene in closed session for a litigation matter as permitted under the Annotated Code of Maryland Section 10-508(a)(7)(8). Mrs. Shields seconded and the vote was unanimous.

Ms. Burke and Mr. MacLeod provided an overview of the issue. After discussion, a consensus (unanimous) was given by Council to move forward with the litigation.

At 9:19 p.m., on a motion and a second by Mr. Comegys and Mrs. Shields, respectively, the closed session adjourned.


City Clerk


Council President

STATEMENT FOR CLOSING A MEETING

Location: Council Chambers

Date: 1/11/10

Time: 8:14 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



PAMELA B. OLAND
DIRECTOR OF INTERNAL SERVICES

PURCHASING DIVISION
DEPARTMENT OF INTERNAL SERVICES
125 N. DIVISION STREET, ROOM 104
SALISBURY, MD 21801
410-548-3190
FAX: 410-548-3192

MARYLAND

COUNCIL AGENDA

January 11, 2010

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| 1. | Recommendation of Award
Motorola MTC 3600 Radio Communications
System Site Controller (Acct. No. 10500-577035-22016) | \$126,953.00 |
| 2. | Recommendation of Award Contract # A-19-10
Poly Aluminum Chloride (PAC)
(Acct. No. 86083-546004) | \$224,436.18 |

City of Salisbury



MARYLAND

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COUNCIL AGENDA

January 11, 2010

TO: Mayor and City Council

SUBJECT: Recommendation of Award
Motorola MTC 3600 Radio Communications System Site Controller

The City of Salisbury Internal Services Department, Procurement Division, received a request from the Salisbury Police Department (SPD) to approve the updated replacement of the Site Controller required for the SPD Motorola radio system. The current Site Controller is no longer supported by Motorola and an upgraded controller is required to ensure the radio system remains operable until a scheduled replacement of the entire system, as discussed in a recent City Council work session.

This component replacement is a sole source procurement through Motorola to upgrade the SPD radio system, at a cost of \$126,953.00. There are sufficient funds in Account # 10500-577035-22016 (JAG-Computer Hardware) to cover this purchase at \$126,953.00. After review of the submitted bid, the Department of Internal Services-Procurement Division requests Council's approval to accept the bid as noted above from Motorola, Inc., in the amount of \$126,953.00.

Thank you.

Karen D. Reddersen
Assistant Director of Internal Services-Procurement Division



147th

POLICE DEPARTMENT

ALLAN J. WEBSTER, SR.
Chief of Police

City of Salisbury



45th

699 W. SALISBURY PARKWAY
SALISBURY, MARYLAND 21801

410-548-3165

December 10, 2009

Karen Reddersen
Assistant Director of Internal Services
Procurement Division

Re: MTC 3600 Radio Communications System Site Controller

Dear Ms. Reddersen,

The Salisbury Police Department has been informed by Motorola, Inc. that parts replacement for our existing System Site Controller will no longer be available through Motorola. A new up-dated Site Controller must be ordered and installed in order to minimize the impact of system failure. If the current Site Controller fails it will have a direct impact on public safety as the radio system will not function properly. Parts for the new Site Controller in the event of failure will be readily available and repair time would be greatly minimized.

The Salisbury Police Department was waiting until the city council work session held on December 7, 2009 in order to determine a direction for our aging radio system. The decision was made at the work session to proceed forward with the new Site Controller component and to press forward with planning for the purchase of a new radio System in 2013, due to several other aging components of the radio system making it a more logical and cost effective move at that time.

The Salisbury Police Department received a price from Motorola, Inc. that a new Site Controller component, including installation, will cost \$126,953.00. SPD currently has Grant funding that has already been accepted by the City Council referring to Resolution #1827, Federal Grant #2009-SB-B9-3327, and Salisbury Account #10500-577035-22016, in the total amount of \$335,531. SPD has allocated a portion of that funding to cover the cost of the new Site Controller.

The Radio Site Controller sold by Motorola, Inc. in this case is a sole source item. Our Radio System is manufactured by Motorola and was installed in 1996. Only Motorola parts can be used and Motorola will be responsible for the installation, service and warranty of this item.

Thank you in advance for your time and attention regarding this matter.


Captain David Meienschein
Operations Commander



MOTOROLA

December 11, 2009

Chief Allan Webster
Capt. David Meienschein
Salisbury Police Dept.
699 W. Salisbury Parkway
Salisbury, MD 21801

Subject: MTC3600 Replacement Controller

Gentlemen,

Motorola, Inc. is pleased to present the following pricing to replace your existing radio communications system site controller. The enclosed pricing proposal includes Motorola single site controller equipment necessary to accommodate the replacement. The installation and services to complete equipment installation, controller configuration and system optimization have been included as well. Please refer to the enclosed Equipment List and Cost Proposal for more detailed information. It is important to note that the existing 6809 single site controller is no longer supported.

Should the scope of work for the project change for any given reason, Motorola will provide the City of Salisbury with updated pricing. Motorola's proposal is valid for 60 days from the date of this letter.

Motorola would like to sincerely thank the City of Salisbury for this opportunity. We understand the importance of mission critical communications for community policing and look forward to a continuing relationship by ensuring that we meet your wireless communications needs for today as well as into the future. If you have any questions or need additional information please contact me at 410.794.6636 or danielpohl@motorola.com.

Sincerely,

A handwritten signature in black ink, appearing to read 'Dan Pohl', with a long horizontal flourish extending to the right.

Dan Pohl
Account Manager
Motorola, Inc.

Cost Proposal

EQUIPMENT**Quantity**

MTC3600 Single Site Controller

1

SERVICES PROVIDED

Relocate Existing 6809 Controller w/o Disconnecting
Install New MTC3600 Controller
Run New RF Station Cables
Install and Configure New TIMI Modems
Configure New Controller
Program SAC and Talkgroups
Cut-Over New Controller

PROPOSAL TOTAL**\$126,953.00***October 20, 2009*

Equipment List

<u>Qty</u>	<u>Model No.</u>	<u>Description</u>
1	SQM01SUM0070	MTC3600 SINGLE SITE CONTROLLER
1	D179CF	ADD: MTC3600 SINGLE SITE SPARES
1	D313AG	ADD: CONSOLE INTERFACE SPARES
1	D431AJ	ADD: CONSOLE INTERFACE
1	D275AK	ADD: REDUNDANT 110/220 VAC POWER SUPPLY
1	6881000Y92	MTC3600 OPERATIONS MANUAL
4	L3174	3810 PLUS MODEM S/A V.34 PROTOCOL
5	3083704X12	SHIELDED REPEATER CABLE, 25 FT.
1	3082844X05	CABLE, PAM CARD TO RIC CARD
1	3083154X13	CABLE W/MODULAR PLUG
1	3083154X11	CABLE, PRIME PAM CARD TO REDUNDANT PAM CARD, 15 FT.
1	3085395U12	CABLE, NPAM TO CHANNEL BANK, 25 FT.
1	0185571U06	CABLE, SERIAL FROM MCP750 TO PC OR TERMINAL
1	0185571U05	CABLE, DB9F TO RJ45, 10 FT.

October 20, 2009

City of Salisbury



MARYLAND

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DEPARTMENT OF INTERNAL SERVICES
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COUNCIL AGENDA

January 11, 2010

TO: Mayor and City Council

SUBJECT: Recommendation of Award Contract # A-19-10
Poly Aluminum Chloride (PAC)

The City of Salisbury Internal Services Department, Procurement Division, received a request from Salisbury Public Works (SPW), Wastewater Treatment Plant (WWTP) to solicit bids to furnish and deliver a ten (10) month supply of Poly Aluminum Chloride (PAC), totaling 1,811,430 lbs., needed for plant operations.

Under Contract A-19-10, the Procurement Division requested bids for this project. The Procurement Division 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 seven (7) vendors were sent proposal packages with four (4) vendors submitting a proposal by the due date and time, December 22, 2009 at 2:30 p.m.

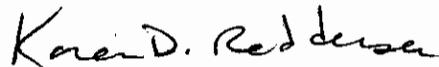
Bid results for the project are as follows:

Vendor	Base Bid
Thatcher Company of New York	\$222,805.89
Delta Chemical Corporation	\$224,436.18
Gulbrandsen Technologies, Inc.	\$249,977.34
Kemira Water Solutions, Inc.	\$249,977.34

An analysis of the bid documents was conducted by SPW with a recommendation to award Contract A-19-10 to the second lowest bid, received from Delta Chemical Corporation, in the amount of \$224,436.18. Upon contacting the references provided by the low bidder, Thatcher Company of New York, a poor recommendation was received related to the quality of the product, resulting in the inability of the user to maintain consistent chemical feed rates critical to the process. Delta Chemical received outstanding references and has successfully completed chemical orders of a related nature for the City of Salisbury-WWTP in the past. The contract amount represents a fair market value for the product related to the market environment bid results, thus the purchase is financially feasible and cost effective.

There are sufficient funds in Account # 86083-546004 (WWTP-Chemicals) to cover this purchase at \$224,436.18. After review of the submitted bids, the Department of Internal Services-Procurement Division requests Council's approval to accept the bid as noted above from Delta Chemical Corporation, in the amount of \$224,436.18.

Thank you.



Karen D. Reddersen

Assistant Director of Internal Services-Procurement Division

CITY OF SALISBURY
DEPARTMENT OF PUBLIC WORKS

December 23, 2009

TO: Karen Reddersen – Assistant Director of Internal Service

FROM: Newell W. Messick III, P.E. – Acting Director of Public Works

SUBJECT: Recommendation for Award
Contract No. A-19-10
Poly Aluminum Chloride (PAC) – Wastewater Treatment Plant (WWTP)

Bids were opened December 22, 2009 from four (4) different vendors. Bidders responded as follows to furnish and deliver a ten (10) month supply of PAC to the WWTP as requested per the specifications and bid documents for Contract No. A-19-10:

PAC 1,811,430 LBS

- Thatcher Company of New York \$222,805.89
- Delta Chemical Corporation \$224,436.18
- Gulbrandsen Technologies, Inc. \$249,977.34
- Kemira Water Solutions, Inc. \$249,977.34

Salisbury Public Works, upon review and evaluation of the bids submitted, recommends the contract be awarded to Delta Chemical Corporation in the amount of \$224,436.18 for furnishing and delivering PAC to the WWTP.

The bid amount, \$224,436.18 is the second lowest bid. Upon contacting references provided by Thatcher Company of New York (the lowest bidder), a poor recommendation was received. A current user has experienced many problems with the quality of their product, to the point that an alternate chemical supplier has been utilized. Thatcher was unable to provide PAC meeting the required specification/quality, resulting in an inability to maintain consistent chemical feed rates by the user.

In contrast, all references received for Delta Chemical Corporation were excellent. Our experience utilizing Delta Chemical PAC has been very good, as well. Given the bidding environment, this cost represents a fair market value for the chemical. All bid packages have been reviewed for their completeness and checked for math errors and irregularities. All bids were complete with regard to signing/dating each page of the bid form package, and complete affidavits.

Upon review, evaluation, and comparison of the bids by Salisbury Public Works, it was found that Delta Chemical Corporation met all of the requirements of the specifications with no exceptions.

No additional funds appropriation is required for this purchase, since funds are available within the WWTB budget.

Funds are available to cover the cost of the above chemical from Account No. 86083-546004.

Dale Pusey

Newell W. Messick III, P.E.
Acting Director