

**CITY OF SALISBURY, MARYLAND**

**REGULAR MEETING**

**May 23, 2016**

**PUBLIC OFFICIALS PRESENT**

*Council President John "Jack" R. Heath  
Council Vice-President Laura Mitchell  
Councilman James Ireton, Jr.*

*Mayor Jacob R. Day  
Councilman Muir Boda  
Councilwoman April Jackson*

**IN ATTENDANCE**

*Assistant City Clerk Diane C. Nelson, Assistant City Administrator Julia Glanz, City Attorney Mark Tilghman, Internal Services Director Keith Cordrey, Deputy Director Internal Services – Procurement Jennifer Miller, Fire Chief Rick Hoppes, Public Works Director Mike Moulds, Neighborhood Services & Code Compliance Director Susan Phillips, 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 Heath called the meeting to order and invited Pastor Bill Littleton from Washington United Methodist Church to deliver the City Invocation; thereafter, the Pledge of Allegiance was recited.*

**ADOPTION OF LEGISLATIVE AGENDA**

*Mrs. Mitchell moved, Mr. Boda seconded, and the vote was unanimous to approve the legislative agenda as presented.*

**CONSENT AGENDA** – presented by Assistant City Clerk Diane Nelson

*The Consent Agenda consisting of the following items was approved on a unanimous vote in favor on a motion by Mrs. Mitchell that was seconded by Ms. Jackson:*

- *April 18, 2016 Closed Session Minutes*
- *April 25, 2016 Council Meeting Minutes*
- *May 2, 2016 Work Session Minutes*
- *May 9, 2016 Council Meeting Minutes*
- *Resolution No. 2633 – to combine the Recycling Advisory Committee and the*

*Sustainability Advisory Committee (Green Team) into one advisory committee that retains the title of the Sustainability Advisory Committee*

- *Resolution No. 2634 – to establish a Youth Development Advisory Committee*
- *Resolution No. 2635 – approving the appointment of James Buss to the Sustainability Advisory Committee – GREEN TEAM for the term ending May 2019*
- *Resolution No. 2636 – approving the initial appointment of individuals to the Youth Development Advisory Committee for the term ending May 2019 as follows:  
Bishop Jesse Abbott, Gaylena Bivens, Joann Blackmon, Tom Brown, Mandel Copeland,  
Alexis Dashield, Zach Davis, Aaron Deal, Debbie Donaway, Mike Dunn, Harlan Eagle,  
Tom Evans, Kim Gillis, Amber Green, Terry Greenwood, Donna Hanlin, Dr. Ray Hoy, Michele Hughes, Josh James, Erica Joseph, Kevin Lindsay, Matt Maciarello, Jermichael Mitchell, Kathleen Momme, Walt Moore, Bryan Murfree, Pamela Patey, Jennifer Shahan, Erin Sheehan, Robby Sheehan, Lisa Simone, Jessica Sims, Jim Thomas, Mark Thompson, Major Vic Tidman, Ed Urban, and Robert Williams*

**AWARD OF BIDS** – presented by Assistant Director of Internal Services – Procurement & Parking Jennifer L. Miller

*Mrs. Mitchell moved and Mr. Boda seconded to approve the Award of Bids consisting of the following items:*

- *Contract 119-16* *\$ 586,900.00*  
*Beaverdam Creek Tidal Dam and Spillway Reconstruction*
- *Change Order #8* *\$ 109,274.98*  
*Contract A-07-14*  
*Street Improvements – Curb, Gutter & Sidewalk Construction*

*After discussion, the Award of Bids was unanimously approved as presented.*

**ORDINANCES** – presented by City Attorney Mark Tilghman

- **Ordinance No. 2385** – *2<sup>nd</sup> reading- appropriating the necessary funds for the operation of the government and administration of the City of Salisbury, Maryland for the period July 1, 2016 to June 30, 2017, establishing the levy for the General Fund for the same fiscal period and establishing the appropriation for the Water and Sewer, Parking Authority, City Marina, and Storm Water Funds*

*Mrs. Mitchell moved, Ms. Jackson seconded, and the vote was unanimous to approve Ordinance No. 2385 for second reading.*

- **Ordinance No. 2386** – 2<sup>nd</sup> reading- to amend Water and Sewer rates to increase rates by 2% and making said changes effective for all bills dated October 1, 2016 and thereafter unless and until subsequently revised or changed

*Ms. Jackson moved, Mr. Ireton seconded, and the vote was unanimous to approve Ordinance No. 2386 for second reading.*

- **Ordinance No. 2387** – 2<sup>nd</sup> reading- approving an amendment of the FY 2016 General Fund Budget to appropriate funding a transfer to Capital Projects Fund to be used for demolition and curbing required for Fire Station 2

*Mrs. Mitchell moved, Mr. Boda seconded, and the vote was unanimous to approve Ordinance No. 2387 for second reading.*

- **Ordinance No. 2388** – 1<sup>st</sup> reading - to amend Chapter 2.14 Administration and Personnel of the Salisbury City Code to change the name of the Department of Neighborhood Services & Code Compliance to Housing and Community Development Department effective July 1, 2016

*Mrs. Mitchell moved, Ms. Jackson seconded, and after discussion, the vote was unanimous to approve Ordinance No. 2388 for first reading.*

*Closing comments by Mayor and Council included appreciation for all the time and effort put forth by Administration and Council, which jointly contributed to a successful FY17 Budget Process.*

*President Heath reminded all of the free Community presentation by Tony Hoffman scheduled for Wednesday, June 1, 2016 at 7:00 p.m. in the Wicomico Room at Salisbury University.*

*With no Public Comments or further business to discuss, on a motion by Mrs. Mitchell, seconded by Mr. Boda and approved on a unanimous vote in favor, President Heath adjourned the Legislative Session at 6:30 p.m.*

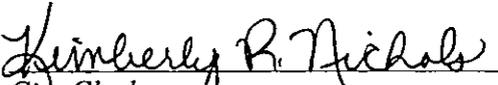
CITY OF SALISBURY, MARYLAND  
CLOSED SESSION  
MAY 16, 2016

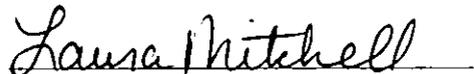
**TIME & PLACE:** 4:52 p.m., Government Office Building – Room 301  
**PURPOSE:** To consult with counsel to obtain legal advice on a legal matter; to consult with staff, consultants, or other individuals about pending or potential litigation; and before a contract is awarded or bids are opened, to discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process  
**VOTE TO CLOSE:** Unanimous (4-0)  
**CITATION:** Annotated Code of Maryland §10-508(a)(7)(8)(14)  
**PRESENT:** Council President John R. Heath, Mayor Jacob R. Day, Councilman Muir Boda, Councilwoman April Jackson, Councilman James Ireton, Jr., Assistant City Administrator Julia Glanz, City Attorney Mark Tilghman (arr. 5:18 p.m.), City Clerk Kimberly R. Nichols  
**ABSENT:** Council Vice-President Laura Mitchell,

\*\*\*\*\*  
The City Council convened in Work Session in Room 301 in the Government Office Building at 4:30 p.m. At 4:52 p.m., President Heath called for a motion to convene in Closed Session to consult with counsel, staff, consultants, or other individuals about pending or potential litigation and before a contract is awarded or bids are opened, to discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process in accordance with the Annotated Code of Maryland §10-508(a)(7)(8)(14). Council immediately convened in Closed Session thereafter upon a motion and seconded by Mr. Boda and Ms. Jackson, respectively, and by unanimous vote in favor.

At 6:12 p.m., the Closed Session adjourned on a motion by Mr. Ireton, which was seconded by Ms. Jackson and approved by a 4-0 vote in favor. Council immediately convened in Open Session at which time Mr. Heath reported to the public that Council had obtained legal advice from counsel on a legal matter and received an update on pending litigation.

Thereafter the Open Session adjourned at 6:14 p.m.

  
City Clerk

  
Council Vice-President

# City of Salisbury



JACOB R. DAY  
MAYOR

M. THOMAS STEVENSON, JR.  
CITY ADMINISTRATOR

JULIA GLANZ  
ASSISTANT CITY ADMINISTRATOR

MARYLAND

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

KEITH A. CORDREY  
DIRECTOR OF INTERNAL SERVICES

JENNIFER MILLER  
ASST. DIRECTOR OF INTERNAL  
SERVICES

## COUNCIL AGENDA – Award of Bids

May 23, 2016

- |  |              |
|--|--------------|
| 1. Contract 119-16<br>Beaverdam Creek Tidal Dam and Spillway Reconstruction                          | \$586,900.00 |
| 2. Change Order #8<br>Contract A-07-14<br>Street Improvements – Curb, Gutter & Sidewalk Construction | \$109,274.98 |

# City of Salisbury

JACOB R. DAY  
MAYOR

M. THOMAS STEVENSON, JR.  
CITY ADMINISTRATOR

JULIA GLANZ  
ASSISTANT CITY ADMINISTRATOR



MARYLAND

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

KEITH A. CORDREY  
DIRECTOR OF INTERNAL SERVICES

JENNIFER MILLER  
ASST. DIRECTOR OF INTERNAL  
SERVICES

## Council Agenda

May 23, 2016

TO: Mayor and City Council

SUBJECT: Award of Bid  
Contract 119-16  
Beaverdam Creek Tidal Dam and Spillway Reconstruction

The City of Salisbury Internal Services Department, Procurement Division, received a request from the Department of Public Works to solicit bids for Contract 119-16 Beaverdam Creek Tidal Dam and Spillway Reconstruction. The scope of work for this bid solicitation will furnish all of the labor, materials and equipment necessary for repair of existing Beaverdam Creek Dam and installation of a new permanent dam and spillway upstream of the existing dam.

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 two (2) vendors submitted a bid by the due date and time of Tuesday, May 10, 2016 at 2:30 p.m.

Vendor	Total Bid
Rehak's Contracting, LLC	\$586,900.00
Murtech, Inc.	\$782,417.00

Both bid responses were determined to be responsive and responsible, and Rehak's Contracting, LLC. was the apparent low bidder. The Department of Public Works performed several reference checks and performed cost estimation analysis on select tasks to confirm bid pricing. There are sufficient funds to cover this purchase in project account 98116-513026-48301.

The Procurement Department concurs with the recommendation submitted by the Department of Public Works and thereby requests Council's approval to award Contract 119-16 Beaverdam Creek Tidal Dam and Spillway Reconstruction to Rehak's Contracting, LLC., in the amount of \$586,900.00.

Sincerely,

Jennifer Miller  
Assistant Director of Internal Services – Procurement and Parking



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

JACOB R. DAY  
MAYOR

M. THOMAS STEVENSON, JR.  
CITY ADMINISTRATOR

JULIA GLANZ  
ASSISTANT CITY ADMINISTRATOR

MARYLAND

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

To: Jennifer Miller, Asst. Director of Internal Services – Procurement  
From: Michael Moulds, Director of Public Works  
Date: May 11, 2016  
Re: Contract 119-16 Beaverdam Creek Tidal Dam and Spillway Reconstruction

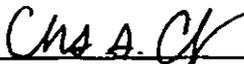
Salisbury Public Works recently advertised a bid for the Beaverdam Creek Tidal Dam and Spillway Reconstruction. The reconstruction includes the furnishing of all labor, materials, and equipment necessary for repair of the existing Beaverdam Creek Dam and installation of a new permanent dam and spillway upstream of the existing dam as indicated on the Contract Drawings. Additionally, the reconstruction involves repairs and/or replacement to any property or landscaping damaged as a result of construction during this project. Work within the waters of the Beaverdam Creek may not begin until June 15, 2016 due to trout stocking in this part of the creek.

Bids were opened on Tuesday, May 10, 2016 at 2:30 p.m. for Contract 119-16, Beaverdam Creek Tidal Dam and Spillway Reconstruction. Two (2) responses to this contract were received, as summarized below:

Company	Total Bid
Rehak's Contracting, LLC	\$586,900.00
Murtech, Inc.	\$782,417.00

SPW reviewed the bids in accordance with the contract documents. Rehak's Contracting, LLC is the lowest responsive bidder. Additionally, SPW has called multiple references and all have had a positive response to the work completed by Rehak's Contracting, LLC. SPW recommends awarding the contract to Rehak's Contracting, LLC in the amount of \$586,900.00. There is funding available for the Beaverdam Creek Tidal Dam and Spillway Reconstruction project in account number 98116-513026-48301.

Please issue a Purchase Order to Rehak's Contracting, LLC in the amount of \$586,900.00 for the scope of work specified in Contract 119-16.

  
Christopher S. Glasing  
Project Engineer

  
Michael S. Moulds, P.E.  
Director of Public Works

# City of Salisbury



MARYLAND

JACOB R. DAY  
MAYOR

M. THOMAS STEVENSON, JR.  
CITY ADMINISTRATOR

JULIA GLANZ  
ASSISTANT CITY ADMINISTRATOR

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

KEITH A. CORDREY  
DIRECTOR OF INTERNAL SERVICES

JENNIFER MILLER  
ASST. DIRECTOR OF INTERNAL  
SERVICES

## Council Agenda

May 23, 2016

TO: Mayor and City Council

SUBJECT: Change Order #8 to Contract A-07-14  
Street Improvements – Curb, Gutter & Sidewalk Construction

The City of Salisbury Internal Services Department, Procurement Division, received a request from the Department of Public Works to process Change Order #8 in the amount of \$109,274.98 for Contract A-07-14 Street Improvements – Curb, Gutter & Sidewalk Construction. Sidewalk construction is necessary for the following projects or areas:

- To accompany work as part of the 2016 Street Program
- South Division Street (near Salisbury University)
- Power Street (near Salisbury University)

Funds are available in the accounts noted below, with the expectation for reimbursement from Salisbury University for the work on Power Street (\$30,000):

31000-534318	\$65,000.00
98102-513026-10008	<u>\$44,274.98</u>
	\$109,274.98

The Department of Internal Services, Procurement Division, requests Council's approval for Change Order #8 as noted above to Malone and Phillips, Inc., in the amount of 109,274.98.

Sincerely,

Jennifer Miller  
Asst. Director of Internal Services – Procurement and Parking

JACOB R. DAY  
MAYOR

M. THOMAS STEVENSON, JR.  
CITY ADMINISTRATOR

JULIA GLANZ  
ASSISTANT CITY ADMINISTRATOR

# City of Salisbury



MARYLAND



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

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

To: Jennifer Miller, Assistant Director of Internal Services - Procurement Division  
From: Michael S. Moulds, Director of Public Works *MSM*  
Date: May 3, 2016  
Subject: Change Order No. 8 - Contract No. A-7-14  
P.O. 02150099  
Citywide Concrete Program

The Public Works Department of the City of Salisbury has been contacted by the Wicomico County Public Works Department and Salisbury University regarding the creation of ADA-compliant sidewalk paths along South Division & Power Street in the proximity of Salisbury University. This is for the purposes of creating a safe pedestrian pathway for students and residents as they attempt to negotiate this stretch of public infrastructure that carries heavy amounts of vehicular traffic.

The Citywide Concrete Program and South Division Street Corridor Funds are recommended to be used for the sidewalk on Division Street. Salisbury University will be reimbursing the City of Salisbury for the sidewalk to be constructed on Power Street, the ideal timeline would be during the summer when the area is less active.

Salisbury Public Works requests the City of Salisbury Internal Services Department, Procurement Division process Change Order #8, in the amount of \$109,274.98. This contract is a yearly contract and is utilized as funds are made available for requested projects. This request does include a time extension to allow for the processing of the change order as well as the extra time to perform the work. There is funding available from the projects are listed below.

- |  |                         |                    |
|--|-------------------------|--------------------|
| 1. Concrete work associated with the additional work done under the 2016 Street Program. | 31000-534318.....       | \$35,000.00        |
| 2. Construction of sidewalk Adjacent to South Division Street in area of University.     | 98102-513026-10008..... | \$44,274.98        |
| 3. Construction of sidewalk on Power Street in area of University.                       | 31000-534318.....       | <u>\$30,000.00</u> |
|  |                         | \$109,274.98       |