



CITY OF SALISBURY

CITY COUNCIL AGENDA

January 28, 2019
Government Office Building

6:00 p.m.
Room 301

Times shown for agenda items are estimates only.

- 6:00 p.m. CALL TO ORDER
- 6:01 p.m. WELCOME/ANNOUNCEMENTS
- 6:02 p.m. CITY INVOCATION – Rev. John Wright, Unitarian Universalist Fellowship at Salisbury
- 6:04 p.m. PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA
- 6:05 p.m. PRESENTATION TO THE CITY
- LGIT Risk Management Services Award
- 6:10 p.m. ADOPTION OF LEGISLATIVE AGENDA
- 6:11 p.m. CONSENT AGENDA – City Clerk Kimberly Nichols
- **December 3, 2018** Work Session Minutes
 - **December 3, 2018** Closed Session Minutes (separate envelope)
 - **December 10, 2018** Regular Meeting Minutes
 - **December 17, 2018** Work Session Minutes
 - **December 17, 2018** Closed Session Minutes (separate envelope)
 - **Resolution No. 2905**- approving the appointment of Matthew Heim to the Sustainability Advisory Committee for term ending January 2022
- 6:15 p.m. AWARD OF BIDS – Procurement Director Jennifer Miller
- RFP 12-17 GESPC Guaranteed Energy Savings Performance Contract
 - ITB 19-115 Side Loader Refuse Truck
 - ITB 19-114 Street Sweeper
 - ITB 19-108 Parking Garage Structural Rehabilitation
 - ITB 19-116 CBG Neighborhood Sidewalk Construction
- 6:30 p.m. RESOLUTION – City Administrator Julia Glanz
- **Resolution No. 2906**- accepting an ice skating rink and associated supplies, as well as a monetary donation, in exchange for naming rights to the Riverwalk Amphitheater and Ice Skating Rink from Pohanka of Salisbury, Inc.

6:35 p.m. ORDINANCES – presented by City Attorney Mark Tilghman

- **Ordinance No. 2518**- 2nd reading- authorizing the Mayor to enter into a contract with the Maryland Department of Housing and Community Development (DHCD) for the purpose of accepting grant funds in the amount of \$25,000, authorizing the Mayor to enter into a sub-recipient agreement with the Salisbury Arts & Entertainment District, Inc. and approving a budget amendment to the FY 2019 grant fund to appropriate funds for the 2019 National Folk Festival
- **Ordinance No. 2519**- 2nd reading - granting a utility easement to Delmarva Power & Light Company across City owned property, being portions of the alley-way located off of Baptist Street and running along the northerly side of the City Parking Garage
- **Ordinance No. 2520**- 2nd reading- approving a budget amendment of the FY2019 Stormwater Fund to appropriate funds for a new street sweeper
- **Ordinance No. 2521**- 2nd reading- approving an amendment of the City's General Capital Project Fund and Water Sewer Capital Project Fund to appropriate funding for Honeywell Building Solutions energy savings projects
- **Ordinance No. 2522**- 2nd reading- amending the FY2019 General Fund budget to adjust the Salisbury Fire Department's Pay Plan for the purpose of recruiting and retaining experienced officers and to be competitive with area agencies
- **Ordinance No. 2523**- 2nd reading- to amend Chapter 8.11 – The Fire Prevention Code, Sections.020 and .060 of the City of Salisbury Municipal Code by updating the reference to the State Fire Prevention Code, adding new permits that are required to be obtained from the Fire Marshal, and replacing the enforcement and assistance requirements in 8.11.060 with third-party inspection requirements
- **Ordinance No. 2524**- 2nd reading- approving an amendment of the City's Water Sewer Capital Project Fund Budget to reallocate bond funds previously allocated to the Wastewater Treatment Plant upgrade project included in the FY13 bond

6:55 p.m. PUBLIC COMMENTS

7:00 p.m. ADJOURNMENT – (WORK SESSION TO IMMEDIATELY FOLLOW LEGISLATIVE SESSION)

7:00 p.m. WORK SESSION – (SEE WORK SESSION AGENDA)

8:00 p.m. MOTION TO CONVENE IN CLOSED SESSION - To consult with staff, consultants, or other individuals about pending or potential litigation in accordance with the Annotated Code of Maryland §3-305(b)(8)

ADJOURNMENT / CONVENE IN OPEN SESSION / REPORT TO PUBLIC

Copies of the agenda items are available for review in the City Clerk's Office, Room 305– City/County Government Office Building, 410-548-3140 or on the City's website www.salisbury.md. City Council meetings are conducted in open session unless otherwise indicated. All or part of the Council's meetings can be held in Closed Session under the authority of the Maryland Open Meetings Law, Annotated Code of Maryland General Provisions Article § 3-305(b), by vote of the City Council.

NEXT COUNCIL MEETING – February 11, 2019

- Resolution No. __ - accepting the Capital Improvement Plan
- Resolution No. __ - approving the extension of a moratorium for building permit fees, plan review fees, plumbing permit fees, mechanical permit fees, capacity fees, and central line fees for single family owner occupied detached dwellings

CITY OF SALISBURY
WORK SESSION
DECEMBER 3, 2018

Public Officials Present

Council President John R. “Jack” Heath
Councilman James Ireton, Jr.

Council Vice President Muir Boda

Public Officials Not Present

Mayor Jacob R. Day
Councilman R. Hardy Rudasill

Councilwoman April Jackson

In Attendance

City Administrator Julia Glanz, Assistant Director of Finance Sandra Green, Pam Baker of Barbacane, Thornton & Company, LLP, National Folk Festival Manager Caroline O’Hare, City Clerk Kim Nichols, City Attorney Mark Tilghman, interested citizens and members of the press.

On December 3, 2018, Salisbury City Council convened in a Work Session at 4:36 p.m. in Council Chambers, Room 301 of the Government Office Building following a webinar provided by Municode for staff and Council regarding the City’s online code. The following is a synopsis of the topics discussed in the Work Session.

Presentation – FY17 Audit

Auditor Pam Baker of Barbacane, Thornton & Company, LLP joined Council to discuss the FY18 audit and financial statements. Ms. Baker handed out draft Audit Reports and the Single Audit Reports. The following is a recap of the audit highlights provided by Ms. Baker:

- Independent Auditor’s Report
 - The auditors issued an unmodified or clean audit opinion on governmental activities, business-type activities, all funds and funds and account groups. No recommendations were found this year.
 - Emphasis of Matter – The post-employment benefits implementation was similar to last year’s pension standard. It did not have nearly the impact that the pension standard had because the City was already recording portions of the post-employment benefit. It was new, but did not dramatically impact the financial statements. It has also been successfully implemented and reported as required.
- Management’s Discussion and Analysis- Unaudited – Changes in Net Position
 - Governmental Activities- In Water and Sewer and Governmental Activities, many ongoing projects caused Capital to go up and bolster the Balance Sheet. The City is building Capital and there are many projects, but Noncurrent Liabilities is not going up. Many projects are funded with existing resources and prior year debt.
 - Net Position went from \$4.4 million to \$6.6 million. Investing in long term assets is growing the Net Position since the City is not increasing debt at the same rate.

- Business-Type Activities- Water and Sewer cash position has gone up from \$5.8 million to \$7.6 million, the effort to try to accumulate as many resources in terms of cash and investments to help mitigate some of the costs and keep borrowing down, as there have been many capital projects in Water and Sewer.
- Noncurrent Assets- Due to the large capital project, the Wastewater Treatment Plant (WWTP) Noncurrent Assets went from \$143 million to \$153 million.
- Noncurrent Liabilities increased as the capital projects are ongoing; some is debt the City entered into the prior years but is being drawn as it is being spent. The City's net position is up last year from \$68 million to \$77 million, which speaks to the City's capital investments that support the City's future long-term operations. Ms. Baker referred to the City's ongoing projects listed on page 11 in the Draft Audit Report.
- General Fund
 - Revenues were \$37 million (slightly over budget), Expenditures were \$39 million, and the Net Change in Fund Balance was -\$1.7 million due to a transaction to pay for capital at the end of last year but came in this year causing a skew. This caused the skewed swing; therefore, the \$1.7 million difference was not a shock.
 - The Unassigned Fund Balance is \$7.4 million, up from last year's \$6.6 million. The plan for the City to get the unassigned fund balance up was successful.
- Foot Notes to Financial Statements
 - Note 11 Commitments and Contingent Liabilities (Outstanding Commitments) - The City has committed \$17.3 million dollars to the following projects: Main Street Master Plan, Riverwalk Repairs, Main Street Broadband, Police Communication, Amphitheater, East Main Street Storm. \$7 million dollars has been completed as of June 30, 2018, so there is \$10 million left to go to finish those projects. In Business-type Activities, the biggest is the WWTP upgrade, but other projects include Paleo Well, Park Well, Hampshire Road Lift Station, East Main Street Sewer, and Fitzwater Pump Station. \$49 million was committed to the projects; \$30.8 million has been completed through June 30, 2018, with \$18 million left. In the MD&A, the City's borrowing base capacity is well below the legal limit for debt.
 - Note 13 Fund Balances- The Unassigned Fund Balance is \$7.4 million with some outstanding encumbrances. There are committed funds for Health Care and non-spendable items such as salaries. Capital Improvements is restricted.
 - Note 14 Tax Abatement- The City has abated property taxes of \$85,000 related to the Enterprise Zone.
- Required Supplementary Information
 - Schedule of Proportionate Share of the Net Pension Liability- Employee Plan
As of June 30, 2017, the net position as a percentage of liability is 69% (meaning the pension is 69% funded) and will hopefully improve as the market improves.
- Single Audit Report
 - The City is still working on the WWTP, in which funding was received from the Federal Government in the amount of \$6.6 million this year. Compliance and financial controls were reviewed and the City received a clean report. The City was a high-risk auditee in the past and is now considered a low-risk auditee.
 - Capital related items were focused on this year as a high-risk area. All of the City's significant controls (cash, procurement, payroll, receipts, and disbursements) were examined and tested. There were no findings or recommendations this year. Ms. Baker

reported the firm worked with Mr. Cordrey on an ongoing basis with anything new, different or abnormal. The auditing firm had a new team with new perspective and remarked the City controls are well and the staff does a great job.

Ms. Baker said that Timothy Sawyer from the auditing firm would join Council next week at the Legislative Session to present the final auditing report for Council approval.

National Folk Festival Debriefing

City Administrator Julia Glanz and National Folk Festival (NFF) Manager Caroline O'Hare joined Council at the table and reported on the numbers of attendees; volunteers; artists; crafts people, demonstrators and artisans; food vendor trucks, trailers and booths; stages; and areas.

Ms. O'Hare explained the unique, never before used method in which the City of Salisbury's Information Services Department used cell phone data to track unique ID's to make the accurate estimate of 63,000 attendees. The rains hit the NFF at the end of the event and kept many attendees away, however the numbers were quite astounding considering it was year one and had a rainy forecast. Field study surveys were done over the course of the weekend to gather much of the data. There was a total transactional impact of \$18 million over the course of the NFF weekend. Forecasts for next year and future NFF events include an audience of 150,000 with a transactional impact of \$45 million.

The event had 58 sponsors and partners, over 150 Legacy Society Members and on-site donations of \$20,982.72. Ms. O'Hare also discussed beer and wine sales (\$89,000); the great job Field Ops did before, during and after the festival; volunteers; the Green Team's (10) Eco-Stations, compost and recycling bins for each food vendor; signage; Satellite Shuttle Service.

The next National Folk Festival will be held September 6-8, 2019. The handout provided to Council, 2018 Festival Snapshot, is attached and included as part of the minutes.

Budget Amendment for Downtown Visitors Center- Merchandise Sold

Business Development Director explained the Downtown Salisbury Visitor Center sold \$1244.44 worth of merchandise, which was remitted to the General Fund. In order to keep the Center's merchandise well stocked, she would like to employ regular quarterly budget amendments based on the sales number to put funds back into the Visitor Center Marketing Account.

Council reached unanimous consensus to advance the budget amendment to legislative agenda.

US 13 North PennTex Phase II Annexation

Building Official Bill Holland, PennTex Ventures Executive Vice President Ted Donald, Becker Morgan Group Senior Associate Jeff Harman and City Consultant Mike Sullivan joined Council to present the US 13 North/PennTex Phase II Annexation.

Mr. Holland explained the property, adjacent to Aldi, was approximately two and a half acres, and consisted of three parcels. At the current tax rate, the property's estimated value would be \$2.3 million and would generate \$22,000 estimated tax revenue per year, with a positive fiscal impact of \$9,300. He reported the annexation plan went before the Planning Commission on July 19, 2018 and was zoned General Commercial. Once the property is developed, it will be subdivided into two lots containing two proposed restaurants, with the one in the rear area being an upper scale eatery. The City's Public Hearing will be held on January 14, 2019.

Mr. Boda asked if there were traffic issues with the opening of Aldi's, and said two more businesses will now be located in that tight spot. He asked if there was a plan for the increased traffic on Dagsboro Road, and if the restaurants would be connected. Mr. Holland said the Maryland Department of Transportation (MDT) did a traffic study that he would email to Mr. Boda. Mr. Boda also asked why one of the restaurants was being placed near Rt. 13 and not towards the other parking area, and would it make better sense to have the majority of the parking for both businesses in between. Mr. Harman said they looked at about 15 different layouts for the site to find the best one for the oddly shaped parcel. A visibility problem for Aldi and the restaurant to the rear was created with the other scenarios. This layout gives a more open feel to the site with better visibility and better circulation of traffic.

Mr. Ireton asked if there could be another way out of the development other than Dagsboro Road. Mr. Donald said that opening Aldi without having the Rt. 13 access presented a real design problem. PennTex Ventures did traffic studies which were submitted to State Highway Administration (SHA). SHA will not issue a permit without adequate traffic movement. He said they placed the entrance on Phase II directly in accord with their desires, and PennTex Ventures would bring their studies, SHA comments, and their traffic engineer to the Public Hearing.

Mr. Ireton asked if the proposed parking spaces were larger than the ones at Aldi's. Mr. Donald thought the spaces were "to code" and since they did not get a variance to shrink them in size, he thought the exact stall width and size were proposed as required. On their initial concept site plans, the entrance roads are wider than required (30-35 feet rather than 24 feet). There is more proposed parking than required, but the final count will be determined once the architectural is done and there is an exact number of seats in the building.

President Heath asked if the access was the same as discussed at the Planning Commission meeting. Mr. Harman said this was the right in, right out entrance nearing 40 feet in width, and does not get to 24 feet until it gets to the outskirts of the parking lot.

President Heath stated the annexation had to return to the Planning Commission after the City's January 14, 2019 Public Hearing. The Public will be able to ask questions and give comments.

Text Amendment allowing Hairdresser Shops in Light Industrial District

City Planner Anne Roane reported Davis Simpson Holdings LLC was approached by a potential tenant to place a hairdresser shop on a property zoned Light Industrial. After staff discussed the

amendment, they determined that type of destination use as service in employer/ employment districts, and felt it could be applicable in all the other zones where there are vacant buildings for daycares, hairdressers, etc. that serve the employees in the area. The amendment to allow hairdresser shops in the Light Industrial District requires two Public Hearings. The Planning Commission held the first one on October 18, 2018 and received a favorable recommendation.

Council reached unanimous consensus to advance the legislation to legislative session.

500 Riverside Drive Soil Memorandum of Understanding (MOU)

Department of Infrastructure and Development Director Amanda Pollack presented the request to enter into a MOU with the owners of 500 Riverside Drive for excess soil from the Wastewater Treatment Plant (WWTP). The property owner would be required to load, transport, and spread it. The soil is being offered “as is” since there are clumps of clay that would need to be screened out. They can leave their equipment on site at their own risk.

The property owners need approximately 18,000 cubic yards, and the City’s pile is about 70,000 cubic yards. This would raise the Riverside Drive site an additional 3 ½ to 4 feet. Before they can begin filling, the owners have to obtain Critical Area Commission approval and the joint permit application through the State of Maryland and the Corp because it is in the Flood Plain. The existing bulkhead will be raised 30 inches and 270 feet of new bulkhead will be built.

Council reached unanimous consensus to advance the resolution to legislative agenda.

Motion to Convene in Closed Session

At 5:45 p.m., Mr. Heath called for a motion to convene in Closed Session to consider the acquisition of real property as permitted under the Annotated Code of Maryland §3-305(b)(3). Mr. Boda moved, Mr. Ireton seconded, and the vote was unanimous to convene in Closed Session.

Motion to end Closed Session / Reconvene in Open Session / Report to Public

At 6:05 p.m., upon a motion and seconded by Mr. Boda and Mr. Ireton, the vote was unanimous to close the Closed Session. Council convened in Open Session and President Heath reported to the Public that Council had discussed the acquisition of real property for a public purpose.

The Open Session was then adjourned.

City Clerk

Council President



THE NATIONAL
FOLK FESTIVAL
WILL RETURN

Sept 6 - 8, 2019

MUSIC • DANCE • ART • FOOD • FUN & MORE!

Looking ahead to 2019



- Site layout improvements
- Volunteer website and sign-ups posted earlier
- Green language going out to vendors now
- New website is more mobile friendly
- Possible legislation to tow
- More signage on Route 50 for Satellite Parking Lot
- Non-Profit Village
- Rain insurance
- Additional areas and levels of contributions

Overwhelming Success!



This has been a time of our lives!! All the music is so great. The street performers are absolutely amazing! The food is great! My family and I are looking forward to every year for The Folk Festival here on out!

- Carolyn Wilkins

I go to multiple festivals each year and let me tell you this one was great! The festival was diverse and had something for everyone. I will definitely be attending next year.

- Daronn Wright

Overwhelming Success!



It was absolutely amazing. There many different performances going on and there was great music, good food, and quality people there. Can't wait until next year!

- Syllia Jasmil Newstead

Loved every minute. Kid-friendly and the layout was comfortably walkable. Musicians and other acts were talented and so entertaining... the showmanship was top notch.

- Amy Luppens

This was awesome! We enjoyed the festival all three days! Thank you for coming to Salisbury, and we look forward to next year's festival!!

- Robin Stegman

Overwhelming Success!



Best event I've ever attended on the entire Eastern Shore!

- Andrew Heath

We couldn't stop smiling the whole weekend.

- Barbara Gail

This is absolutely the most exciting event Salisbury has ever featured! There is something for everyone!

- Jon Spicer

Salisbury's cool points just went through the roof.

- Erica T. Dennis



ARTISTS IN SCHOOLS PROGRAM

1 day * 11 schools * 12 performing groups * 18 shows * 3200 children



Satellite Shuttle System



- Shuttle system had a supervisor on each end of the route
 - Scouts provided volunteer support to help guide cars and riders
 - Wicomico County provided 1-2 sheriff deputies in the area for all three days
 - Ample ADA parking & all shuttles were ADA accessible
-
- Friday Shuttle ridership: 1016
 - Saturday shuttle: 2972
 - Sunday shuttle: 603
-
- Site was prepped by Field Ops
 - Lighting and signage installed
 - Waste cans available



Volunteers

1596.96 hours posted which
had an impact value of
\$43,908.98

83% rated their experience a 4
or 5 out of five stars

97.51% of volunteers surveyed
said they will sign up again next
year.



Green Team

- Volunteers manned 10 ECO Stations to help the Festival divert waste away from the county landfill
- Compost and Recycling available to festival goers AND food vendors
- Food vendor oil waste recycled by Valley Proteins
- Water Bottle refilling stations built by Field Ops
- 2019 will continue Green initiatives and grow these programs



In addition to the containers located at the ECO stations we also deployed:

45 – 95 gallon trash cans

38 Clear Stream recycling

30 – 35 gallon compost only cans

68 – 18 gallon recycle bins

We collected:

720 lbs of cardboard = .36 tons

1,340 lbs of compost = .67 tons

9,460 lbs of trash = 4.73 tons

8,80 lbs of recyclables = .44 tons

Improvements to Downtown spurred by NFF

- Permanent electrical drops
- Water hookups
- Parking garage improvements
- Riverwalk extension & improvements
- Landscaping
- Signage – big & small
- Amphitheatre
- Old Mall lot cleanup





Bud Light
American Light lager

Stella Artois
Belgian Pilsner

Evolution Lot #3
American IPA

Guinness Blonde
Blonde American Lager

Hoop Tea
White Mango
Fruity Malt Tea

Spiked Seltzer
Cape Cod Cranberry
Citrus Spiked Seltzer

OVER 3 DAYS WE SOLD:

73 kegs of beer

50 cases of Hoop Tea

30 cases of spiked seltzer

23 cases of wine

OVER \$89,000
in sales



Lazy Day White
Semi-Sweet White

Farm White
Dry White

Chambourcin
Dry Red

Lazy Day Rosé
Off Dry Rosé

58 Sponsors & Partners

150+ Legacy Society Members

\$20,000+ in on site donations

CELEBRATING AMERICA'S CULTURE Fits Nicely With Our Culture

While not everyone on this list plays an instrument, all were instrumental in bringing the National Folk Festival to you. Join us on September 7th, 8th, and 9th for three days of discovery, enrichment and fun.



58 Sponsors &
Partners

150+ Legacy
Society Members

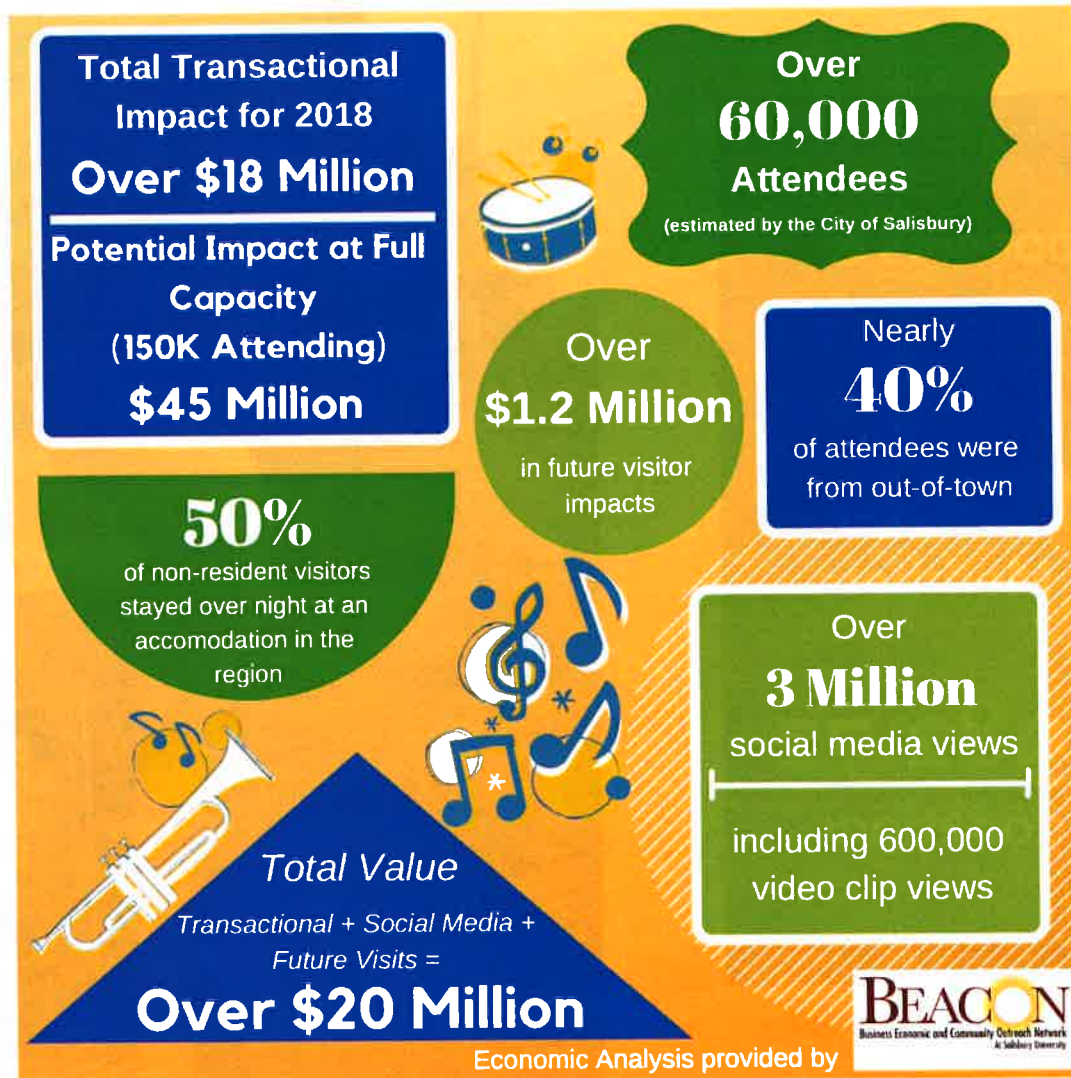
\$20,982.72
On site donations



2018 Economic Impact

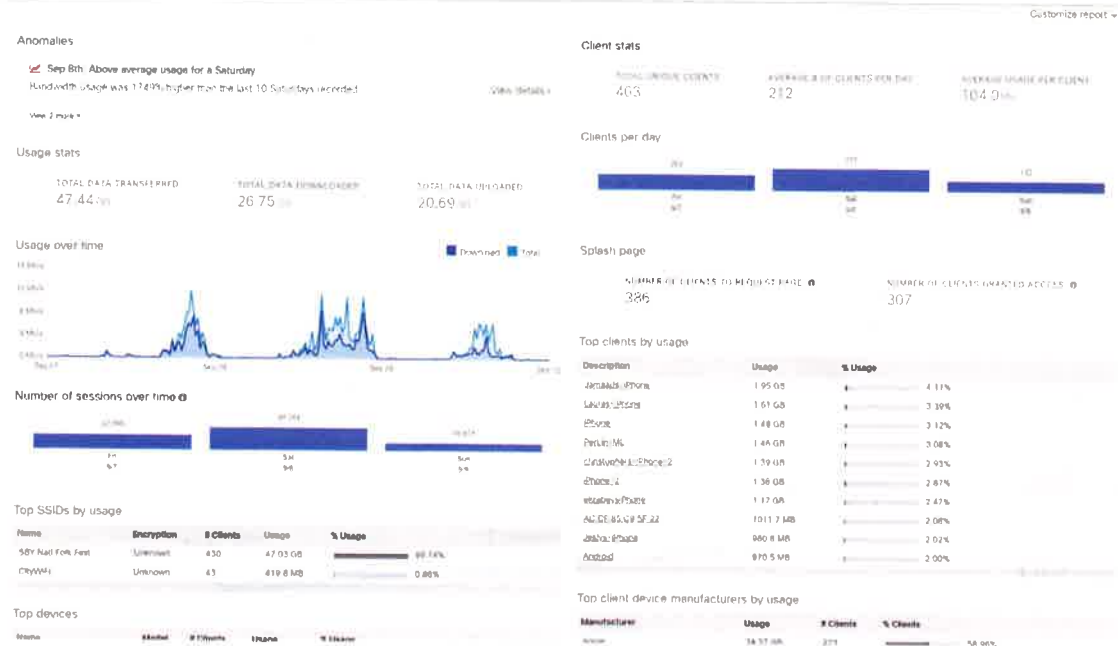
\$18 Million

TOTAL TRANSACTIONAL
IMPACT OVER COURSE
OF FESTIVAL WEEKEND





Total Device Count for Folk Festival Weekend

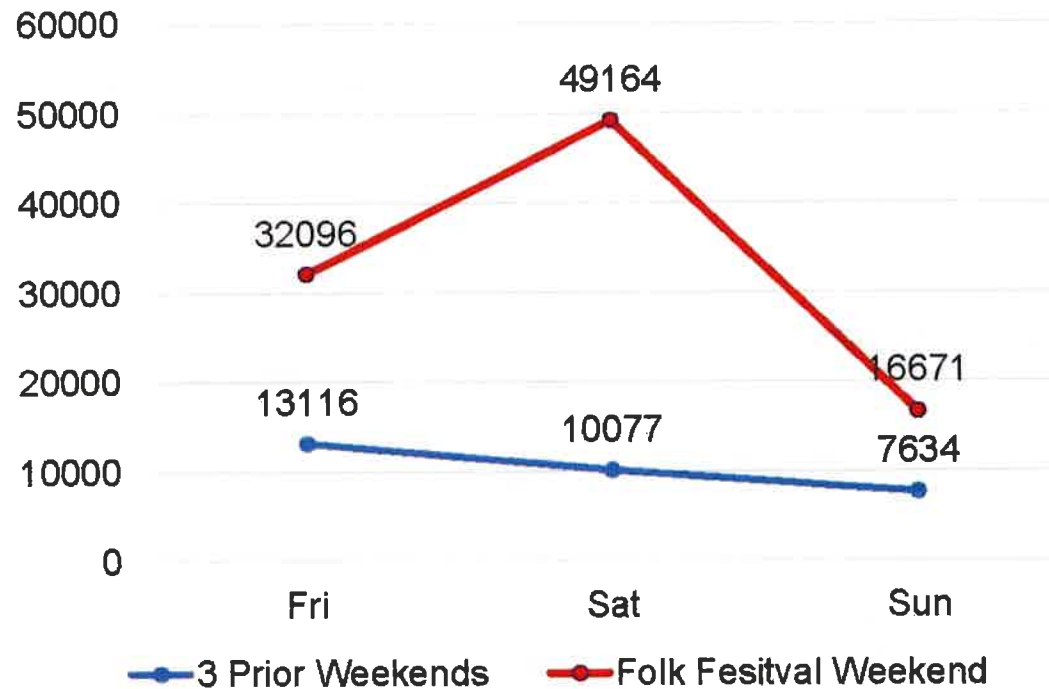


Gross Total of Devices – 97,931 in the footprint during the 3 day festival.

Net Total of Devices (Removing average count of 30,827 from prior 3 weekends) – 67,104 new devices detected over the Folk Festival Weekend.



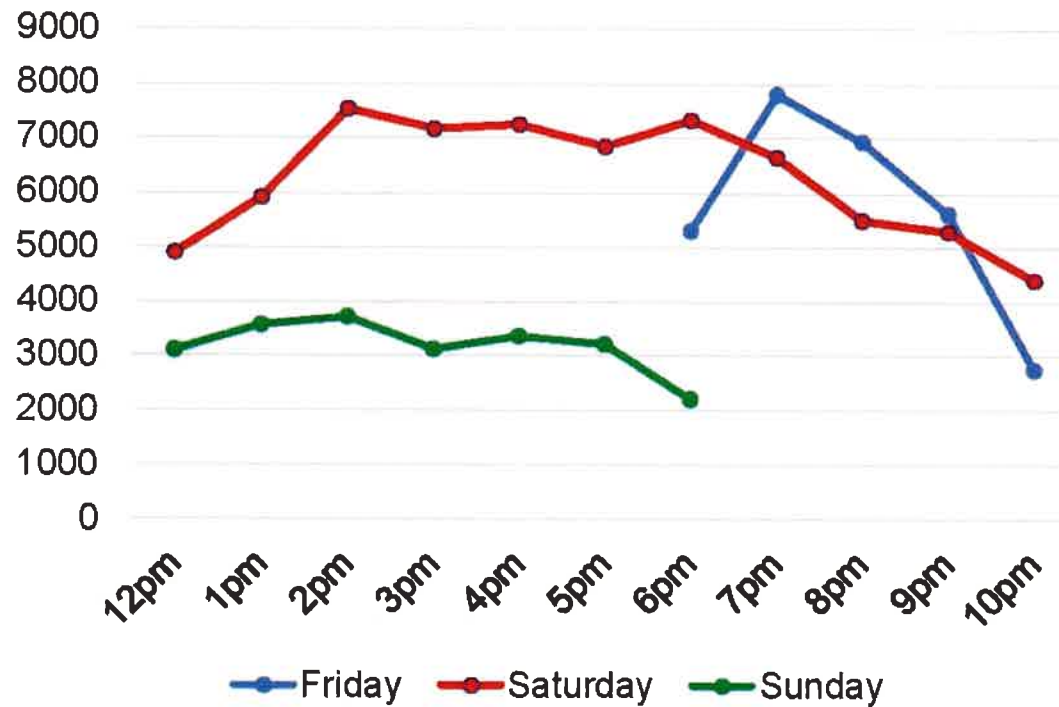
Total Devices in Folk Festival Footprints 5+ Minutes





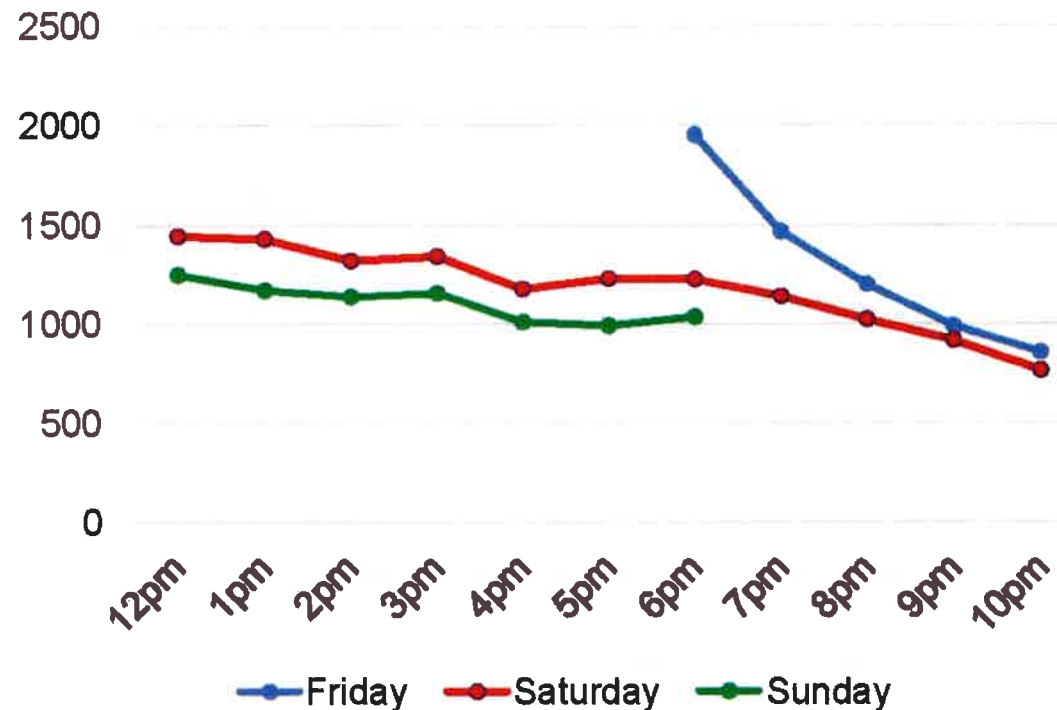
Progress Brief

Average Devices In Folk Festival Footprint By Hour
Folk Festival Weekend





Average Devices In Folk Festival Footprint By Hour
Weekends of 8/17-19, 8/24-26 and 8/31-9/2



2018
Attendance
63,000



- Devices connected for a minimum of 5 uninterrupted minutes in order to account for any traffic or passersby that were not attending the festival. Across the entire weekend, we detected just under 100,000 devices across the footprint that met these criteria.
- Using a standard deviation formula for the sample, Information Services were able to account for the outlying fringes; those without mobile devices such as small children, or those with multiple Wi-Fi enabled devices on them such as multiple phones, smart watches, and the like.
- Historical information was gathered from the 3 weeks prior to the festival when the hardware was deployed and tested. This information allowed the team to eliminate all devices that belong to businesses, residences, the medical centers within range, and people who work in the area each weekend from our total.
- While the total attendance number also accounts for volunteers and employees, it provides a very good estimation of the total attendance over the 3-day festival.

2018
Attendance
63,000



- The City of Salisbury's Information Services Department used cell phone data to track unique ID's, making for a more accurate headcount than was previously possible.
- An enterprise mesh Wi-Fi system was deployed across the entire footprint.
- Even when the user did not use the dedicated NFF Wi-Fi, as long as they were within range, the system sent a constant stream of offers to use the NFF system – This let us know the total number of devices in range at any time that were seen by the system.

FESTIVAL BY THE NUMBERS



- 2018 Festival attendance approximately 63,000
- 1200+ volunteers
- 350+ artists, craftspeople, and demonstrators
- 29 Maryland and Delmarva artisans in the Marketplace
- 25 food vendor trucks, trailers and booths
- 7 stages and areas





2018 Festival Snapshot

CITY OF SALISBURY, MARYLAND

REGULAR MEETING

DECEMBER 10, 2018

PUBLIC OFFICIALS PRESENT

Council President John “Jack” R. Heath

Mayor Jacob R. Day

Council Vice-President Muir Boda

Councilwoman April Jackson

Councilman R. Hardy Rudasill (arrived 6:04 p.m.)

PUBLIC OFFICIALS NOT PRESENT

Councilman James Ireton, Jr.

IN ATTENDANCE

City Administrator Julia Glanz, Delegate Carl Anderton, Deputy City Administrator Andy Kitzrow, Fire Chief John Tull, City Clerk Kim Nichols, City Attorney Mark Tilghman, and interested citizens.

CITY INVOCATION – PLEDGE OF ALLEGIANCE

The City Council met in regular session at 6:00 p.m. in Council Chambers. Council President John R. Heath called the meeting to order and invited Pastor Greg Carlson from Park Seventh Day Adventist Church to the podium to provide the City Invocation, followed by the Pledge of Allegiance to the flag of the United States of America.

PRESENTATIONS

Mayor Jacob R. Day invited Fire Chief John Tull to the podium. Chief Tull spoke about Cardiopulmonary resuscitation (CPR) and cardiovascular disease, which accounts for nearly 837,000 deaths in the United States and is the leading global cause of deaths (17 million per year). About 2,300 Americans die of cardiovascular disease each day (1 death per 38 seconds). Over 350,000 people experience sudden cardiac arrest each year, and 92% of them die before reaching the hospital. Statistics prove that if more people knew CPR, more lives could be saved. Immediate CPR and access to an AED can double or triple the victim’s chance for survival.

Chief Tull said that Dr. Richard Goodin was alive because of the actions of those present. The following two awards were presented to each life saver: 1) City of Salisbury Fire Department CPR Awards were awarded in recognition of aiding in the saving of a life by initiating or performing CPR on a patient, and 2) the American Heart Association’s Heart Saver Hero Award in recognition of advancing the mission of the American Heart Association and emergency cardiovascular care through a courageous act in the effort to save a life.

Those civilians who received awards were: Dr. Andras Kovacs, Murayah Nieves, Eric Brumburgh, and Megan Evans. Awards were presented to the following Fire Department

members: Lt. Brian Lewis, FF/PM Tom Moore, FF/PM Matt McCormick, FF/EMT Michael Ozman, FF/EMT David Hoster, and FF/EMT Cameron Chance.

ADOPTION OF LEGISLATIVE AGENDA

Ms. Jackson moved and Mr. Rudasill seconded to approve the legislative agenda.

Mr. Boda moved to amend the agenda by adding Resolution No. 2896- to purchase improved real property, located at 610 Pearl Street, from Renya Ventura for rehabilitation and return to the City tax rolls, to the agenda directly following Resolution No. 2895. Ms. Jackson seconded, and the amendment to the agenda was unanimously approved on a 4-0 vote.

The legislative agenda, as amended, was adopted by unanimous vote in favor (4-0 vote).

CONSENT AGENDA – presented by City Clerk Kim Nichols

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

- **November 13, 2018** Council Meeting Minutes
- **November 13, 2018** Closed Session Minutes (separate envelope)
- **November 26, 2018** Council Meeting Minutes
- **Resolution No. 2886**- approving the appointment of Dr. Brante' C. Dashiell to the Parks and Recreation Committee for term ending December 2021
- **Resolution No. 2887**- approving the reappointment of Lee Beauchamp to the Salisbury Zoo Commission for term ending December 2021
- **Resolution No. 2888**- approving the reappointment of Ronald G. Alessi, Sr. to the Salisbury Zoo Commission for term ending December 2021
- **Resolution No. 2889**- approving the reappointment of Jeanne Mears to Friends of Poplar Hill Mansion Board of Directors for term ending December 2021
- **Resolution No. 2890**- approving the reappointment of Charles R. "Chip" Dashiell to Salisbury Wicomico Planning & Zoning Commission for term ending December 2023
- **Resolution No. 2891**- approving the reappointment of Timothy Meagher to the Disability Advisory Committee for term ending December 2021
- **Resolution No. 2892**- declaring that Pure Fitness LLC is eligible to receive Enterprise Zone benefits for property located at 600 Glen Avenue, Salisbury, Maryland
- **Resolution No. 2893**- authorizing an amendment to Resolution 2831 to amend a wording error

President Heath thanked Dr. Brante' C. Dashiell, Lee Beauchamp, Ronald G. Alessi, Sr., Jeanne Mears, Charles R. "Chip" Dashiell, and Timothy Meagher for serving on a board or committee.

AWARD OF BIDS – presented by Procurement Director Jennifer Miller

The Award of Bids, consisting of the following items, was unanimously approved (4-0 vote) on a motion by Mr. Boda that was seconded by Mr. Rudasill:

- *ITB A-19-106, Waverly Drive Cycle Truck and City-Wide Street Striping*
(*Estimate for bid comparison purposes; POs issued as needed and funded) \$1,263,048.50
- *ITB 19-112 Dump Truck* \$ 134,595.00

APPROVAL OF FY18 AUDIT – presented by Timothy Sawyer of Barbacane, Thornton & Company, LLP

Mr. Timothy Sawyer from the auditing firm Barbacane, Thornton & Company, LLP and Finance Director Keith Cordrey joined Council at the podium. Mr. Sawyer summarized the results of the City's Audit Report as of June 30, 2018 with an unqualified or clean audit opinion rendered by the auditing firm. There was an emphasis of matter paragraph in the report due to a new governmental accounting standard implementation required this year, implemented and included in the City's financial statements. Internal control cycles tests included water and sewer billing and payroll transactions, all found to be operating as designed and effective. Last year, a test on cash disbursements was performed and updated this year to ensure controls were still operating as designated. All internal controls were working as designed.

The Single Audit Report examines the City's compliance related to federal expenditures. No compliance issues were found, and an unmodified or clean audit opinion was rendered for the year.

President Heath asked about the impact of the Post Employment Benefits implementation. Mr. Sawyer said that most municipalities have been picking up a piece over the past several years, and the impact was not as significant as the pension implementation that happened several years ago.

President Heath applauded the Finance Department staff for the improvements in the systems and budget presentations over the past three years.

Mayor Day said it was not often the City has the opportunity to applaud the Finance Team. This is not only the second year in row the City has had an audit with no findings, but there are also no single management comments. Since Mr. Cordrey has been with the City, the audits have gotten increasingly better because of him and his staff.

Mr. Boda said that over the past two years with the structural changes (departments merging and changing), the City had no performance issues. He said it was a significant achievement, especially considering what took place within the department.

President Heath called for a motion to accept the audit as presented. Mr. Boda moved, Ms. Jackson seconded, and the vote was unanimous (4-0).

RESOLUTIONS – presented by City Administrator Julia Glanz

- **Resolution No. 2855-** *proposing the annexation to the City of Salisbury of certain area of land contiguous to and binding upon the Northerly Corporate Limit of the City of Salisbury to be known as the "Route 13 North-PennTex 2 Property Annexation" beginning for the same at a point on the Corporate Limit, said point lying on the easterly right-of-way line of*

U.S. Route 13 North Salisbury Boulevard, thence by and with the northerly line of the land of PTV I, LLC

Ms. Jackson moved, Mr. Boda seconded, and the vote was unanimous to approve Resolution No. 2855.

President Heath switched seats with Vice-President Boda, who then presided over the remainder of the meeting.

- **Resolution No. 2856-** adopting an annexation plan for a certain area of land contiguous to and binding upon the Northerly Corporate Limit of the City of Salisbury to be known as the “Route 13 North-PennTex 2 Property Annexation” beginning for the same at a point on the Corporate Limit, said point lying on the easterly right-of-way line of U.S. Route 13 North Salisbury Boulevard, thence by and with the northerly line of the land of PTV I, LLC

Ms. Jackson moved, Mr. Heath seconded, and the vote was unanimous to approve Resolution No. 2856.

- **Resolution No. 2894-** accepting donations from the Bless Our Children Campaign for the Santa’s Workshop Program and approving such donations to a special purpose revenue fund

Mr. Rudasill moved, Ms. Jackson seconded, and the vote was unanimous to approve Resolution No. 2894.

Resolution No. 2895- 2nd reading- to remove parking from Waverly Drive between Carroll Street and South Boulevard

Mr. Rudasill moved, Ms. Jackson seconded, and the vote was unanimous to approve Resolution No. 2895.

- **Resolution No. 2896-** to purchase improved real property, located at 610 Pearl Street, from Renya Ventura for rehabilitation and return to the City tax rolls

Mr. Heath moved, Ms. Jackson seconded, and the vote was unanimous to approve Resolution No. 2896.

ORDINANCES – presented by City Attorney Mark Tilghman

- **Ordinance No. 2514-** 2nd reading- authorizing the Mayor to enter into a contract with the Maryland Department of Planning for the purpose of accepting grant funds in the amount of \$50,000, authorizing the Mayor to enter into a sub-recipient agreement with the Salisbury Arts & Entertainment District, Inc. and approving a budget amendment to the FY2019 grant fund to appropriate funds to for the 2018 National Folk Festival

Ms. Jackson moved, Mr. Heath seconded, and the vote was unanimous to approve Ordinance No. 2514 for second reading.

- **Ordinance No. 2515**- 1st reading- approving a budget amendment of the Grant Fund and General Fund to appropriate funds from the United States Department of Homeland Security, Staffing for Adequate Fire & Emergency Response (SAFER) Grants Program, for the hiring of additional firefighting personnel to be used by the Fire Department in the protection and delivery of emergency services to the citizens of the Salisbury Fire District

Ms. Jackson moved, Mr. Heath seconded, and the vote was unanimous to approve Ordinance No. 2515 for first reading.

- **Ordinance No. 2516**- 1st reading- pursuant to Chapter 17.228 of Title 17, Zoning of the Salisbury Municipal Code and Section 4-203 of the Land Use Article of the Annotated Code of Maryland for the purpose of amending Section 17.76.020 a., to add Hairdresser Shop as a permitted use in the Light Industrial District

Ms. Jackson moved, Mr. Heath seconded, and the vote was unanimous to approve Ordinance No. 2516 for first reading.

- **Ordinance No. 2517**- 1st reading- approving an amendment of the FY 2019 General Fund Budget to appropriate funding to the Business Development Marketing Fund

Ms. Jackson moved, Mr. Heath seconded, and the vote was unanimous to approve Ordinance No. 2517 for first reading.

PUBLIC COMMENTS

Delegate Carl Anderson announced this would be the last Council Meeting he would attend until April due to the upcoming Sessions in Annapolis. He thanked the Public for allowing him to represent Salisbury for the past four years and talked about some of the highlights during his last term (Highway User Revenues, wins in the Capital Budget for the City including Main Street and the Amphitheater, and the relationship built with Governor Hogan on projects such as the National Folk Festival). He wished everyone a great holiday season.

Vice-President Boda announced there would be a Work Session on December 17, 2019 and City Offices would be closed on December 24, 2018 for the holiday.

ADJOURNMENT

The Legislative Session adjourned at 6:57 p.m.

CITY OF SALISBURY, MARYLAND
CLOSED SESSION
DECEMBER 3, 2018

TIME & PLACE: 5:45 p.m., Government Office Building – Room 301
PURPOSE: To consider the acquisition of real property for a public purpose and matters directly related thereto
VOTE TO CLOSE: Unanimous (3-0)
CITATION: Annotated Code of Maryland §3-305(b)(3)
PRESENT: Council President John R. Heath, Council Vice-President Muir Boda, Councilman James Ireton, Jr., City Administrator Julia Glanz, Deputy City Administrator Andy Kitzrow, Department of Housing and Community Development Director Everett Howard, City Attorney Mark Tilghman, and City Clerk Kim Nichols
ABSENT: Mayor Jacob R. Day, Councilwoman April Jackson, and Councilman R. Hardy Rudasill

The City Council convened in Work Session in Room 301 in the Government Office Building at 4:36 p.m. At 5:45 p.m., President Heath called for a motion to convene in Closed Session to discuss the acquisition of real property for a public purpose in accordance with the Annotated Code of Maryland §3-305(b)(3).

Department of Housing and Community Development (DHCD) Director Everett Howard provided an in-depth description and assessment of the property considered for acquisition, and together with Council discussed the price, possible demolition options, and various ways in which the City could use the property for public use.

Council directed Administration and Mr. Howard to proceed with the acquisition of the property.

At 6:05 p.m. upon a motion and seconded by Mr. Boda and Mr. Ireton, respectively, and approved by unanimous vote in favor (3-0), the Closed Session adjourned.

Council immediately convened in Open Session and President Heath then reported that while in Closed Session Council had discussed the acquisition of real property for a public purpose.

Thereafter, with no further business to discuss, the Open Session adjourned at 6:06 p.m.

City Clerk

Council President

CITY OF SALISBURY
WORK SESSION
DECEMBER 17, 2018

Public Officials Present

Council President John R. “Jack” Heath	Mayor Jacob R. Day
Council Vice-President Muir Boda	Councilman James Ireton, Jr.
Councilwoman April Jackson	Councilman R. Hardy Rudasill (arr. 4:57 p.m.)

In Attendance

Deputy City Administrator Andy Kitzrow, Fire Chief John Tull, Deputy Fire Chiefs Darrin Scott and James Gladwell, Salisbury Fire Marshall Eric Cramer, City Clerk Kim Nichols, City Attorney Mark Tilghman, interested citizens and members of the press.

On December 17, 2018, Salisbury City Council convened in a Work Session at 4:30 p.m. in Council Chambers, Room 301 of the Government Office Building. The following is a synopsis of the topics discussed in Work Session.

Municipal Code Revisions

Fire Chief John Tull and Fire Marshall Eric Cramer joined Council at the table to discuss revisions to the Fire Prevention Code. Chief Tull said the City had been conducting fire prevention and fire marshall services for over a year, and as the current code was applied, Fire Marshall Cramer identified sections needing modification in the areas of permits and third party inspections. The requested changes included: Subsection 0.20 (5) – clarifying open burn; Subsection .020 (6) – adding specific list of permit requirements; Subsection 060 – Eliminating enforcement and assistance; and Subsection 0.60 – adding third party inspections.

Council reached unanimous consensus to advance the ordinance to legislative session.

Salisbury Fire Department Pay Plan Revision

Chief Tull reported that during the FY19 budget process the personnel committee, along with the Mayor and Fire Chief developed career ladder opportunities for the Fire Department in order to give years of service and advancement opportunities. Once it was implemented with the passing of the budget, they started moving forward implementing the pay grade increases and position titles, while at the same time applying for the SAFER positions. Through the process it was determined that more first line supervisors were needed to handle the additional shifts at Station 2. The request was to change some titles of the Pay Plan, and add an additional line, as follows:

- Replace Senior FF/EMT with Driver Operator/EMT
- Replace Senior FF/PM with Driver Operator.PM
- Replace Engineer with Sergeant/EMT

- Create the additional line entitled “Sergeant/PM”

The changes come with no additional cost or monetary change in the FY19 Budget.

Council reached consensus to advance the proposed legislation to legislative agenda.

Approving 2019 Council Meeting Dates

City Clerk Kim Nichols discussed the proposed 2019 Council Meeting (2nd and 4th Mondays) and Work Session (1st and 3rd Mondays) dates. Mr. Boda asked whether the November 2019 reorganization meeting was accurate. City Clerk Nichols would check the Charter to clarify when the reorganization meeting was required and report to the next Work Session.

On December 19, 2018, Mrs. Nichols contacted President Heath with the following information from the Charter, and it was decided that the topic did not have to be returned for discussion, and the reorganization meeting would be set for November 18, 2019:

§ SC2-4. - Meetings. The newly elected Council shall meet on the second Monday evening following its election for the purpose of organization, after which the Council shall meet regularly at such times as may be prescribed by its rules but not less frequently than twice a month, except the Council may meet once during the months of June, July, August and December. Special meetings may be called in writing by the Mayor or by a majority of the members of the Council as often as necessary for the transaction of business.

Motion to Convene in Closed Session

At 4:46 p.m. President Heath called for a motion to convene in Closed Session to consult with staff, consultants, or other individuals about pending or potential litigation as permitted under the Annotated Code of Maryland §3-305(b)(8). Mr. Boda moved, Ms. Jackson seconded, and the vote was unanimous (5-0) to convene in Closed Session.

Motion to end Closed Session / Reconvene in Open Session / Report to Public

At 5:10 p.m., Mr. Boda moved to close the Closed Session, Mr. Ireton seconded, and the vote was unanimous (5-0). Council immediately convened in Open Session whereby President Heath reported that Council had discussed a pending lawsuit in Closed Session.

There being no further business to discuss, Council adjourned at 5:11 p.m.

City Clerk

Council President



City of
Salisbury
Jacob R. Day, Mayor

MEMORANDUM

To: Julia Glanz, City Administrator
From: Laura Baasland, Administrative Office Associate
Subject: Appointment to the Sustainability Advisory Committee
Date: January 24, 2019

Mayor Day would like to appoint the following person to the Sustainability Advisory Committee for the term ending as indicated.

<u>Name</u>	<u>Term Ending</u>
Matthew Heim	January 2022

Attached you will find information from Matthew Heim and the resolution necessary for his appointment. Please forward this information to the City Council so it may be placed on their agenda at the next Council meeting. Please let me know if you have any questions.

Attachment

cc: Mayor Day

Matthew Heim
5612 Spinnaker Dr
Salisbury, MD 21801
443-827-5596
Heim.MatthewR@gmail.com

Mayor Jacob Day
City of Salisbury
125 N. Division St.
Salisbury, MD 21801

1/17/2019

Dear Mayor Day,

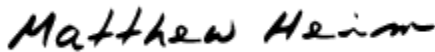
I am writing to express my interest in joining the City of Salisbury Green Team.

Having grown up in Salisbury, I must commend the action the City has taken under your leadership regarding stewardship of the Wicomico River and the surrounding watershed. These actions are long overdue. It would be an honor to join the City as a member of the Green Team and assist in the City's efforts to educate, protect, and restore the natural resources of our community.

Having worked in the environmental non-profit field for the last decade, I have a wealth of experience in developing environmental educational programing, writing and managing grants, and overseeing collaborative projects that could be of great benefit to the Green Team. I also have an extensive network of contacts within the local environmental community that would be of aid in facilitating better coordination and collaboration between the City and area NGOs.

I wish you all the best and look forward to the possibility of joining the Green Team in the future.

Sincerely yours,

A handwritten signature in black ink that reads "Matthew Heim". The script is cursive and fluid, with the first name "Matthew" being larger and more prominent than the last name "Heim".

Matthew Heim

Matthew R. Heim
5612 Spinnaker Dr.
Salisbury, MD 21801
Heim.matthewR@gmail.com
443-827-5596

Education

M.A. Chesapeake Studies 2008
Salisbury University Department of History
Salisbury, MD

B.S. History 2006
Minor: Political Science
Towson University

Relevant Work Experience

Oceana, Inc.

Mid-Atlantic Campaign Organizer

Remote Position

0/3/18- Present

- Educate and empower citizens to engage and advance federal policy goals in defense of the world's oceans. Specific campaigns include preventing offshore oil and gas development in the Atlantic and banning the sale of shark fins in the United States.
- Develop educational programming that translates complex federal policies in a manner that is approachable for everyday citizens and clearly articulates opportunity for civic engagement.
- Build diverse grassroots coalitions that include non-traditional partners such as the business, faith, political, and fishing communities.

Assateague Coastal Trust

Administration and Communications Director

Berlin, MD

06/13-03/18

Outreach Duties:

- Developed and led coordinated campaign to educate and engage the coastal Delmarva community about proposed oil and gas development in the Mid-Atlantic region. The Campaign resulted in 11 municipalities passing resolutions opposing offshore drilling in the Atlantic and played a key role in convincing both of Delaware's U.S. Senators and Maryland's 1st District U.S. Representative to oppose offshore drilling in the Mid-Atlantic region.
- Developed and coordinated a service learning partnership between Assateague Coastal Trust, the Town of Berlin, and Stephen Decatur Middle School that resulted in the construction of 4 raingardens and 3 waterway cleanup events.
- Coordinated the establishment of a network of faith leaders and communities with the purpose of providing environmental education, advocacy and reflection within the Wicomico County region.

Communication Duties:

- Led effort to create a new website for the organization to include researching hosting platforms, developing layout of new website, and creating content.
- Wrote and designed monthly electronic newsletter for organization's membership.
- Coordinated the production of the organization's bi-annual multi-page print newsletter.
- Developed all graphic promotional material for campaigns and events to include print ads for media outlets, posters, online social media posts, and website materials.

Administrative Duties:

- Managed the organization's finances to include writing and tracking grants, creating and adjusting budgets, preparing for the yearly financial audit, and general bookkeeping duties.
- Wrote contracts and memorandums of understanding for subcontractors and grant partners.
- Updated and managed the organization's Salesforce's Watergrass non-profit CRM database.

**GrowMemphis
Program Manager**

**Memphis, TN
11/11-05/13**

- Managed a community garden program consisting of 25 urban gardens and over 300 volunteers. The program collectively sold produce at a local farmers market and I developed and oversaw internal financial tracking procedures for the sale of produce and distribution of income.
- Developed a new volunteer orientation program for the organization's community garden program.
- Developed, organized, and led monthly educational gardening workshops that covered such topics as volunteer management, composting, urban chicken keeping, soil management plans, and crop rotations.
- Supervised a staff of 3 undergraduate interns during the growing season to include developing and leading an orientation program, making schedules, and providing hands-on training in both volunteer management and organic gardening
- Served as a fellowship adviser for a graduate student from the University of California Irvine who created a manual on community gardening for the Memphis region.

**Local Eastern Shore Sustainable Organic Network
Project Manager**

**Salisbury, MD
08/10-09/11**

- Oversaw the Medora Harvest Fund which purchased Community Supported Agriculture (CSA) shares for low-income individuals. My duties included soliciting donations to support the fund, educating the public about the program, identifying recipients, and coordinating payments to local farms for the CSA share.
- Partnered with University of Maryland Eastern Shore to host a one-day workshop about economic opportunities for small farms on the Eastern Shore.
- Organized and held an educational farm field day in partnership with the University of Maryland Eastern Shore and CASA Future Harvest at Greenbranch Organic Farm in Salisbury, MD.
- Worked to organize and build a stronger network of independent small farms on Maryland's Eastern Shore.

**Nanticoke Watershed Alliance
Volunteer Coordinator, Volunteer Maryland AmeriCorps**

**Vienna, MD
09/09-09/10**

- Oversaw the organization's Creek Watcher citizen-scientist water monitoring program. Duties included recruiting and educating volunteers in water monitoring procedures, maintaining and tracking all equipment, ensuring all data sheets and samples were collected in a timely manner, entering water monitoring data into a spreadsheet, and assisting in the creation of the annual Nanticoke River Report Card.
- Developed and delivered educational programming about the natural and cultural heritage of the Nanticoke River watershed.

**National Park Service, Assateague Island National Seashore
Park Ranger (Seasonal)**

**Berlin, MD
06/06-09/09**

- Developed and led educational interpretive programming about the natural and cultural heritage of Assateague Island National Seashore.
- Led outdoor experiential learning opportunities including kayak, hiking, and cycling trips.

Matthew R. Heim
Heim.matthewR@gmail.com
443-827-5596

Successful Grant Applications

- Chesapeake Bay Funders Network Capacity Building Initiative – 2016, 2017
- Town Creek Foundation People's Climate March Funding Initiative – 2017
- Chesapeake Bay Trust Mini Grant - 2016
- WATERKEEPER Alliance Offshore Drilling Initiative Grant - 2015
- Community Foundation of the Eastern Shore Community Needs Grant - 2011
- Community Foundation of the Eastern Shore National Volunteer Week Grant- 2010
- Chesapeake Bay Trust Mini Grant - 2010
- Salisbury University Research Grant - 2007
- Towson University Undergraduate Research Grant - 2005

Skills

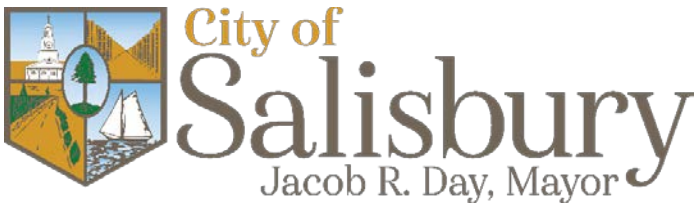
- Non-profit leadership and administration
- Project management
- Public speaking
- Community organizing
- Educational programing
- Event planning
- Volunteer recruitment and management
- Bookkeeping
- Grant writing and management
- Print media design
- Adobe Photoshop
- Microsoft Office
- Intuit QuickBooks
- Constant Contact
- Salesforce

References

Richard Nieman, Former Treasurer, Assateague Coastal Trust
410-208-1515
Crossidcricket@verizon.net

Bill Nelson, Former Board Member, Assateague Coastal Trust
302-856-3300
B.Nelson@JeffersonSchool.com

John Groutt, Co-Chair, Wicomico Interfaith Partners for Creation Stewardship
410-548-2563
JWGroutt@hotmail.com



COUNCIL AGENDA – Award of Bids

January 28, 2019

- | | |
|--|----------------|
| 1. RFP 12-17
GESPC Guaranteed Energy Savings Performance Contract | \$1,722,689.00 |
| 2. ITB 19-115
Side Loader Refuse Truck | \$ 279,864.16 |
| 3. ITB 19-114
Street Sweeper | \$ 245,575.00 |
| 4. ITB 19-108
Parking Garage Structural Rehabilitation | \$ 156,409.00 |
| 5. ITB 19-116
CDBG Neighborhood Sidewalk Construction | \$ 135,443.72 |



City of
Salisbury
Jacob R. Day, Mayor

To: Mayor and City Council
From: Jennifer Miller
Director of Procurement
Date: January 28, 2019
Subject: Award of Bid
RFP 12-17 GESPC Guaranteed Energy Savings Performance Contract

The Department of Procurement received a request from the Administrative Office to solicit proposals from qualified and experienced firms to perform an Investment Grade Energy Audit (IGA) that would propose energy conservation measures to be implemented and achieved through guaranteed savings provisions of a Guaranteed Energy Savings Performance Contract. The driving force behind the GESPC initiative was the Salisbury Police Department (SPD) headquarters building, where a significant capital investment is necessary to replace an end-of-life HVAC system which includes a chiller, cooling tower and air handling unit.

The City followed standard competitive bidding practices by advertising in the Daily Times, posting the solicitation on the City of Salisbury's Procurement Portal, and advertising on the State of Maryland's website, eMaryland Marketplace. Six (6) vendors submitted proposals by the due date and time of June 23, 2017, at 2:30 p.m., and three were qualified for interviews and submittal of "Best and Final" (BAFO) pricing.

Vendor	Final Score	BAFO Pricing*
Honeywell Building Solutions	4.17	\$97,552
Siemens Industry, Inc	3.69	\$117,320
Energy Systems Group	3.61	\$111,000
Constellation New Energy, Inc.	2.73	N/A
Johnson Controls, Inc.	2.71	N/A
Ameresco	2.55	N/A

*Pricing comparison includes the Investment Grade Audit fee, Project Management Fee and M&V Services fee

In December 2017, the City awarded a portion of Contract RFP 12-17 to Honeywell Building Solutions Energy Services Group to perform an Investment Grade Energy Audit. Honeywell has since completed the IGA by performing building surveys, conducting site visits and preparing a comprehensive street lighting inventory of City-owned fixtures. Additionally, they have generated and presented ECM reviews at the 30%, 60% and 90% levels, and in early December 2018 met with City staff for a presentation of the final project and open book pricing. A summary of the project is presented here for reference:

Project Description	Facilities	Project Amount
ECM 1 – Building Lighting & Controls, Vending Misers and Street Lighting	SFD 1, 2, 16; SPD; Service Center; WWTP; Park & Paleo WTP; Zoo; select City-owned Street Lighting	\$746,138
ECM 2 – Mechanical: Chiller, Cooling Tower, Air Handling Unit and Piping Insulation	SPD	\$687,403
ECM 3 – Building Management System	SPD	\$183,237
ECM 4 – Building Envelope	SFD 16; SPD; Service Center	<u>\$105,911</u>
Total Project:		\$1,722,689

Department of Procurement
125 N Division St., #104 Salisbury, MD 21801
410-548-3190 (fax) 410-548-3192
www.salisbury.md



City of
Salisbury
Jacob R. Day, Mayor

With the scope of work and cost negotiations now finalized, the City desires to enter into a Guaranteed Energy Savings Performance Contract (GESPC) with Honeywell Building Solutions. We request Council's approval of award in the amount of \$1,722,689, upon Council consent of Budget Amendment Ordinance 2521 which provides the funding for this project.



City of
Salisbury
Jacob R. Day, Mayor

To: Mayor and City Council
From: Jennifer Miller
Director of Procurement
Date: January 28, 2019
Subject: Award of Bid
ITB 19-115 Side Loader Refuse Truck

The Department of Procurement received a request from the Department of Field Operations to purchase a Side Loader Rapid Rail 22 CY Dump Truck (with a HEIL body and Peterbuilt chassis) through Mid-Atlantic Waste Systems utilizing a contract secured by Sourcewell (formerly National Joint Powers Alliance), #112014-THC.

Per Section SC 16-3 "General Policy of Competitive Bidding, Exceptions" of the City of Salisbury Charter, competitive bidding procedures performed by the City of Salisbury are not necessary or appropriate in the following circumstance:

"(9) Contracts in which the City receives a contract price negotiated by the State, County, or other governmental entity pursuant to a valid contract."

This Charter designation allows the City of Salisbury to participate in cooperative purchasing activities conducted by, or on behalf of, one or more Public Procurement Units as defined by the American Bar Association Model Procurement Code for State and Local Governments. Sourcewell was created by state law as a service cooperative and is authorized to establish competitively awarded cooperative purchasing contracts on behalf of itself and its member agencies in education and government. It is a local government unit, public corporation and public agency pursuant to the Minnesota Constitution and enabling law Minnesota Statute § 123A.21.

Sourcewell follows the competitive contracting law process to solicit, evaluate and award cooperative purchasing contracts for goods and services, and these contracts are then made available through the joint exercise of powers law Minnesota Statute § 471.59 to member agencies, of which the City of Salisbury has been a long-standing member with the former National Joint Powers Alliance.

The Department of Procurement has confirmed with Sourcewell the validity of the contract, including the terms, pricing and expiration date, and the prices quoted by Mid-Atlantic are in accordance with Sourcewell contract prices. Since neither HEIL nor Peterbuilt sell direct, purchases are made through its dealer network such as Mid-Atlantic Waste Systems.

There are sufficient funds in account 32061-577025 (Waste Collection - Vehicles).

The Department of Procurement requests Council's approval to award Contract ITB 19-115 to Mid-Atlantic Waste Systems, in the amount of \$279,864.16.



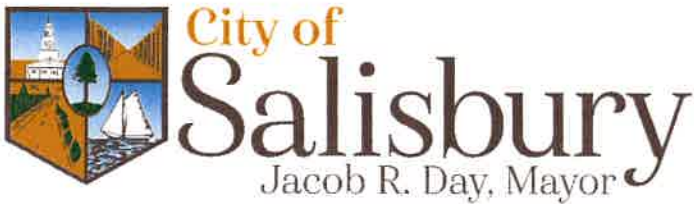
MEMORANDUM

To: Jennifer Miller, Director of Procurement
From: Tom Stevenson, Director of Field Operations
Subject: Recommendation for Award of Bid for a 2019 Refuse Truck
Date: January 16, 2019

During the FY19 budget process, funding was approved for Collection & Distribution Sanitation to purchase one (1) refuse truck. A bid proposal was submitted by Mid Atlantic Waste, in accordance to Sourcewell Contract # 112014-THC.

Please allow this memorandum to serve as the formal department recommendation to award the bid to Houston Freightliner, Inc. in the amount of \$279,864.16 to purchase one (1) Peterbilt Model 520 with a Heil refuse side loader body. Funding for this project can be found in account number 32061 577025.

Please add this to the award of bids content for the earliest possible Council Legislative Agenda.



To: Mayor and City Council
From: Jennifer Miller
Director of Procurement
Date: January 28, 2019
Subject: Award of Bid
ITB 19-114 2019 Tymco Street Sweeper

The Department of Procurement received a request from the Department of Field Operations to purchase a 2019 Tymco Street Sweeper through Tymco utilizing a cooperative purchasing program, HGACBuy.

Per Section SC 16-3 "General Policy of Competitive Bidding, Exceptions" of the City of Salisbury Charter, competitive bidding procedures performed by the City of Salisbury are not necessary or appropriate in the following circumstance:

"(9) Contracts in which the City receives a contract price negotiated by the State, County, or other governmental entity pursuant to a valid contract."

This Charter designation, therefore, allows the City of Salisbury to participate in cooperative purchasing activities, such as HGACBuy. The Houston-Galveston Area Council (H-GAC) is a unit of local government and a political subdivision of the State of Texas. All products offered through HGACBuy have been awarded by virtue of a public competitive process. The contracts awarded by the H-GAC Board are then made available to local governments nationwide through the HGACBuy Cooperative Purchasing Program. The City of Salisbury has previously purchased items utilizing this program through the execution of an Interlocal Contract, which sets out the conditions, requirements and processes of the procurement.

The Procurement Division has verified the contract pricing, terms and conditions with a representative from HGACBuy (Contract # SW04-18), and upon Council approval of Ordinance 2520 for a Budget Amendment, there will be sufficient funds in account 60820-577025 (Vehicles) to purchase the requested truck.

The Procurement Department requests Council's approval to award Contract ITB 19-114 to Tymco, in the amount of \$245,575.00.



City of
Salisbury
Jacob R. Day, Mayor

MEMORANDUM

To: Jennifer Miller, Director of Procurement
From: Tom Stevenson, Director of Field Operations
Subject: Recommendation for Award of Bid for a 2019 Street Sweeper
Date: December 10, 2018

During the FY19 budget process, funding was approved for Storm Water Utility, to purchase one (1) Street Sweeper. A bid proposal was submitted by Tymco Inc., in accordance to HGACBUY Contract # SW04-18.

Please allow this memorandum to serve as the formal department recommendation to award the bid to Tymco, Inc., in the amount of \$245,575.00 to purchase one (1) International model 4300 with a Tymco model 600 sweeper body. Funding for this project can be found in account number 60820 577025.

Please add this to the award of bids content for the earliest possible Council Legislative Agenda.



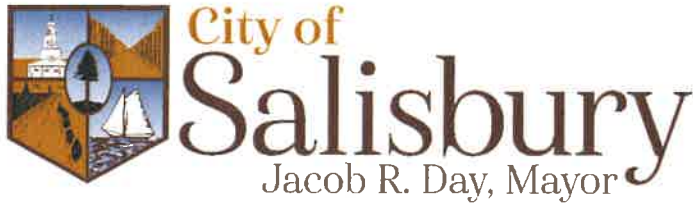
City of
Salisbury
Jacob R. Day, Mayor

To: Mayor and City Council
From: Jennifer Miller
Director of Procurement
Date: January 28, 2019
Subject: Award of Bid
ITB 19-108 Parking Garage Structural Rehabilitation

The Department of Procurement received a request from the Department of Infrastructure and Development to solicit bids for qualified and experienced contractors to make structural repairs to the City Parking Garage.

The City followed standard bidding practices by advertising in the Daily Times, posting the solicitation on the City of Salisbury's Procurement Portal, notifying the City's bidder list, and advertising on the State of Maryland's website, eMaryland Marketplace. Six (6) vendors submitted a bid by the due date and time of January 3, 2019, at 2:30 p.m., with Quinn Construction, Inc. submitting the lowest responsible and responsive bid (bid pricing is referenced in the departmental memo).

The Department of Procurement hereby requests Council's approval to award Contract ITB 19-108 to Quinn Construction, Inc. in the amount of \$156,409.00, which includes all structural repairs noted in the solicitation plus Contingent Item #201, the cleaning of floor drain piping on all levels of the garage structure. Funding is available in the FY19 Parking Capital Project account 94003-513026-43018.



To: Jennifer Miller, Director of Procurement
From: Amanda H. Pollack, P.E., Director of Infrastructure and Development
Date: January 8, 2019
Re: ITB 19-108 Parking Garage Structural Rehabilitation

Salisbury Department of Infrastructure and Development recently advertised ITB 19-108 Parking Garage Structural Rehabilitation. ITB 19-108 includes making structural repairs to the City of Salisbury's Parking Garage. The work will include overhead floor repair, overhead beam repair, vertical repair, tee stem bearing repair, tee steam bearing pad replacement, tee to tee join connection repair, sealant replacement, supplemental floor drain installation, static floor crack repair, slab on grade rough finish repair and galvanic anode installation.

Bids were opened on Thursday, January 3, 2019 at 2:30 p.m. for ITB 19-108 Parking Garage Structural Rehabilitation. Six (6) responses to this contract were received, as summarized below:

Company	Bid	Contingent Items
Quinn Construction, Inc.	\$152,143.00	\$4,266.00
Atlantic Concrete Group LLC.	\$162,117.50	12,000.00
Contracting Specialist, Inc.	\$173,394.16	\$2,781.00
Allegheny restoration Inc.	\$241,110.00	\$7,500.00
Eastern Waterproofing and restoration of Virginia, LLC.	\$248,030.00	\$11,143.00
Jones masonry Restoration Corporation	\$605,000.00	\$10,000.00

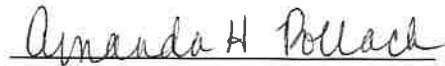
TimHaahs conducted a technical review of all the bids. TimHaahs recommended to award the bid to Quinn Construction, Inc. TimHaahs stated they have worked successfully with Quinn Construction on many similar project in the past.

Salisbury Department of Infrastructure and Development reviewed the bids in accordance with the contract documents. Quinn Construction, Inc. is the lowest responsive bidder. Additionally, Department of Infrastructure and Development has called multiple references and all have had a positive response to the work completed by Quinn Construction, Inc. Salisbury Department of Infrastructure and Development recommends awarding the contract to Quinn Construction, Inc. in the amount of \$156,409.00. There is funding available for the Parking Garage Structural Rehabilitation in account number 94003-513026-43018.

Please issue a Purchase Order to Quinn Construction, Inc. in the amount of \$156,409.00 for the scope of work specified in ITB 19-108



Michael Zimmerman
Project Engineer



Amanda H. Pollack, P.E.
Director of Infrastructure and Development



City of
Salisbury
Jacob R. Day, Mayor

To: Mayor and City Council
From: Jennifer Miller
Director of Procurement
Date: January 28, 2019
Subject: Award of Bid
ITB 19-116 CDBG Neighborhood Sidewalk Construction

The Department of Procurement received a request from the Department of Infrastructure and Development to solicit bids for qualified and experienced contractors to furnish all labor, material and equipment necessary for the construction of sidewalk, curb and gutter in the CDBG (Community Development Block Grant) Target Areas.

The City followed standard bidding practices by advertising in the Daily Times, posting on the City of Salisbury's procurement portal, and advertising on the State of Maryland's website, eMaryland Marketplace. Three (3) vendors submitted a bid by the due date and time of January 10, 2019, at 2:30 p.m., with ECM Corporation submitting the lowest responsible and responsive bid:

Vendor	Total Price (based on estimated quantities, for bid comparison only)
ECM Corporation	\$113,600.00
Barker's Landing Excavation, LLC	\$117,495.00
Cornish Concrete Construction	\$135,588.00

The bid prices noted above were based on the estimated quantities needed to complete curb, gutter and sidewalk in the Church Street-Doverdale neighborhood, for bid comparison purposes. Due to the favorable unit prices received as a result of this competitive bid, the City will be able to utilize the CDBG grant funds to complete but additional work in CDBG Target Areas.

The Department of Procurement hereby requests Council's approval to award a contract for this project to ECM Corporation in the amount of \$135,443.72, which is the current amount of funding available in account 12800-546006-70062 Low-Mod Income Neighborhood Sidewalk Creation 2019.



City of
Salisbury
Jacob R. Day, Mayor

To: Jennifer Miller, Director of Procurement
From: Amanda Pollack, P.E., Director of Infrastructure and Development *AP*
Date: January 16, 2019
Re: Award of Bid for ITB 19-116 City of Salisbury CDBG Neighborhood Sidewalk Construction

ITB 19-116 bids were opened Thursday, January 10, 2019 at 2:30 P.M. Bids were from 3 Concrete Contractors. Bidders responded as follows to construct concrete curb, gutter and sidewalk at various locations within the limits of the Church Street-Doverdale CDBG neighborhoods. The bid quantities for this contract were for reference only; therefore, the actual awarded contract amount will differ from the bid amount.

1. ECM Corporation\$113,600.00
2. Barker's Landing Excavation, LLC\$117,495.00
3. Cornish Concrete Construction.....\$135,588.00

The lowest bidder, ECM Corporation, submitted a bid in the amount of \$113,600.00 which is lower than the bid submitted by the next lowest bidder, Barker's Landing Excavation, by 2.9%. ECM Corporation is a new contractor to the City, however, their references provided good feedback on their performance and cited no concerns.

The City of Salisbury utilizes federally awarded CDBG funds that are utilized to install new curb, gutter and sidewalk in areas lacking safe pedestrian paths and to update ADA facilities as necessary in designated CDBG neighborhoods. The funding for this work is held in a grant accounts.

Department of Infrastructure & Development, upon review and evaluation of the responsive and responsible bids submitted, recommends this contract be awarded ECM Corporation, the lowest bidder, in the amount of \$135,443.72, which is the funding available for CDBG in Fiscal Year 2019.

Please award the contract for ITB 19-116 utilizing account 12800-546006-70062 in the amount of \$135,443.72.

Amanda H. Pollack

Amanda H. Pollack, P.E.
Director of Infrastructure & Development



City of
Salisbury
Jacob R. Day, Mayor

MEMORANDUM

To: City Council
From: Julia Glanz, City Administrator *JG*
Subject: Pohanka Riverwalk Amphitheater
Date: January 9, 2019

Pohanka Automotive Group of Salisbury has generously offered to make a sizable donation in total of \$100,000 for the naming rights of the Riverwalk Amphitheater. Part of their contribution was in the form of an ice rink, and related equipment, valued at \$26,000. The remainder of their donation will be paid over three years, 2019-2021, directly to the City. Attached you will find an MOU outlining the agreement and a resolution to accept the ice rink, related equipment, and the remainder of the donation.

Pohanka has been a constant community partner to nearly 1,000 different organizations throughout the community through their "Pays It Forward" program. We appreciate their kind donation and look forward to partnering with them in the future.

Should you have questions, please do not hesitate to contact me.

1 RESOLUTION NO. 2906

2
3 A RESOLUTION OF THE CITY OF SALISBURY, MARYLAND ACCEPTING AN ICE
4 SKATING RINK AND ASSOCIATED SUPPLIES, AS WELL AS A MONETARY
5 DONATION, IN EXCHANGE FOR NAMING RIGHTS TO THE RIVERWALK
6 AMPHITHEATER AND ICE SKATING RINK FROM POHANKA OF SALISBURY.
7

8 WHEREAS, the Council of the City of Salisbury is interested in supporting the
9 acceptance of a donation from a local business Pohanka of Salisbury, Inc. for the operation
10 of a seasonal ice skating rink and supplies associated with the rink; and
11

12 WHEREAS, Pohanka of Salisbury, Inc. desires to donate supplies and funding to
13 the City, totaling \$100,000.00, in exchange for having its business name affiliated with the
14 City of Salisbury Riverwalk Amphitheater and seasonal ice skating rink; and
15

16 WHEREAS, terms and conditions of the donation are contained in a Memorandum
17 of Understanding (MOU), which the Mayor is authorized to sign with Pohanka of
18 Salisbury, Inc.
19

20 NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Salisbury,
21 Maryland does hereby accept the donation of the ice skating rink, associated supplies, and
22 the monetary amount listed in the attached MOU in exchange for Pohanka of Salisbury, Inc.
23 being named as the sponsor of the Amphitheater and skating rink during the donation
24 period and hereby authorizes the Mayor to sign the attached MOU.
25

26 THE ABOVE RESOLUTION was introduced and duly passed at a meeting of the
27 Council of the City of Salisbury, Maryland held on _____, 2019 and is effective
28 immediately upon adoption.
29

30 ATTEST:
31
32

33 _____
34 Kimberly R. Nichols
35 CITY CLERK
36
37

John R. Heath
PRESIDENT, City Council

38 APPROVED by me this _____ day of _____, 2019
39
40

41 _____
42 Jacob R. Day
MAYOR, City of Salisbury

1 **MEMORANDUM OF UNDERSTANDING BETWEEN**
2 **POHANKA OF SALISBURY, INC. AND**
3 **THE CITY OF SALISBURY**
4

5 **This Agreement** is made by and between Pohanka of Salisbury, Inc.
6 (“Pohanka”), a Maryland corporation and the City of Salisbury (“City”) a municipal
7 corporation incorporated under the laws of the State of Maryland.
8

9 **WHEREAS**, Pohanka has offered to fund the provision of an ice skating rink and
10 associated supplies; and
11

12 **WHEREAS**, Pohanka desires to have its name associated with the Riverwalk
13 Amphitheater and ice skating park in exchange for its four year funding commitment of
14 the ice skating venue; and
15

16 **WHEREAS**, the City by accepting the donation from Pohanka will be able to
17 guarantee for the public, access and availability to ice skating in the City during the
18 holiday season.
19

20 **THEREFORE**, based on the foregoing, the parties enter into the following
21 Agreement.
22

23 **SECTION 1. POHANKA REPRESENTATIONS.**
24

25 Pohanka represents, acknowledges, and agrees that it purchased an ice skating
26 rink and associated supplies in 2018 for \$26,000.00 to be used by the City. Pohanka
27 further represents, acknowledges, and agrees that it will pay an additional \$74,000.00 to
28 the City over three years (2019-2021). The City will maintain the ice rink during its
29 useful life.
30

31 **SECTION 2. CITY REPRESENTATIONS.**
32

33 The City represents, acknowledges, and agrees that in exchange for Pohanka’s
34 multi-year financial donation, the City will name the Riverwalk Amphitheater the
35 Pohanka Riverwalk Amphitheater. Pohanka may continue to utilize its name at the
36 Amphitheater and the skating rink as its sponsor so long as the amphitheater and skating
37 rink remain economically viable, in existence, and in the current location. The City shall
38 review and approve the utilized names and signs before any signs are erected in
39 connection with the Amphitheater and skating rink. This sponsorship does not include the
40 National Folk Festival naming rights of the stage that is located at the Amphitheater.
41

42 **SECTION 3. ENTIRE AGREEMENT.**
43

44 This Agreement represents the parties’ entire agreement with respect to the
45 matters specified herein.
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SECTION 5. SEVERABILITY.

Any provision of the Agreement which is prohibited or unenforceable shall be ineffective only to the extent of such prohibition or unenforceability without invalidating the remaining provisions thereof.

SECTION 6. TERMINATION.

SECTION 7. NON-APPROPRIATION.

THIS AGREEMENT is hereby executed by the duly authorized representatives of the parties as of this day of , 2019.

By _____

(Printed)

(Title)

City of Salisbury

By _____

(Printed) _____

(Title) _____

ORDINANCE NO. 2518

AN ORDINANCE OF THE CITY OF SALISBURY AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE MARYLAND DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (DHCD) FOR THE PURPOSE OF ACCEPTING GRANT FUNDS IN THE AMOUNT OF \$25,000, AUTHORIZING THE MAYOR TO ENTER INTO A SUB-RECIPIENT AGREEMENT WITH THE SALISBURY ARTS & ENTERTAINMENT DISTRICT, INC. AND APPROVING A BUDGET AMENDMENT TO THE FY 2019 GRANT FUND TO APPROPRIATE FUNDS FOR THE 2019 NATIONAL FOLK FESTIVAL.

WHEREAS, the Department of Housing & Community Development (DHCD) has an Operating Assistance Grant program; and

WHEREAS, the purpose of the grant program is to provide financial assistance in carrying out community development activities; and

WHEREAS, the City of Salisbury has committed to hosting the 2018-2020 seasons of the National Folk Festival in order to celebrate our community's local heritage, culture, and art; and

WHEREAS, the City of Salisbury submitted a grant application for funding to DHCD to support the 2019 National Folk Festival; and

WHEREAS, DHCD has awarded the City funds in the amount of \$25,000; and

WHEREAS, all funds shall be used to support costs associated with office expenses and event coordinators and activities associated with each coordinator's responsibilities related to the 2019 National Folk Festival; and

WHEREAS, the City of Salisbury has designated the Salisbury Arts & Entertainment District, Inc. as its financial agency for the 2018-2020 National Folk Festivals; and

WHEREAS, the City of Salisbury is sub-granting the awarded \$25,000 to the Salisbury Arts & Entertainment District, Inc.; and

WHEREAS, the City of Salisbury must enter into a sub-recipient agreement with the Salisbury Arts & Entertainment District, Inc. defining how these funds must be expended; and

WHEREAS, § 7-29 of the Salisbury City Charter forbids contracts requiring an expenditure in excess of the amount appropriated for that general classification or expenditure, and forbids any office, department, or agency from expending funds not appropriated; and

WHEREAS, appropriations necessary to execute the purpose of this grant must be made upon the recommendation of the Mayor and the approval of four-fifths of the Council of the City of Salisbury.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SALISBURY, MARYLAND, THAT the Council of the City of Salisbury, Maryland, hereby authorizes Mayor Jacob R. Day to enter into a grant agreement with the Maryland Department of Planning for acceptance of these funds; and

BE IT FURTHER ORDAINED that the Council of the City of Salisbury, Maryland hereby authorizes Mayor Day to negotiate and enter into a sub-recipient agreement with the Salisbury Arts & Entertainment District, Inc. for the purpose of expending these funds; and

BE IT FURTHER ORDAINED that the City's Fiscal Year 2019 Grant Fund Budget is hereby amended as follows:

- 1) Increase FY19 TAG Grant Revenue account (10500-423601-XXXXX) by \$25,000

1 2) Increase Sub-Recipient – SBY Arts & Entertainment District, Inc. account (10500-569301-
2 XXXXX) by \$25,000; and
3

4 BE IT FURTHER ORDAINED that this Ordinance shall take effect from and after the date of its final
5 passage.
6

7 THIS ORDINANCE was introduced and read at a meeting of the Council of the City of Salisbury
8 held on this 14th day of January 2019, and thereafter, a statement of the substance of the Ordinance having
9 been published as required by law, was finally passed by the Council on the ____ day of _____, 2019.
10

11
12 **ATTEST:**
13

14
15 _____
16 Kimberly R. Nichols, City Clerk
17

18
19 _____
20 John R. Heath, President
21 Salisbury City Council
22

23
24 APPROVED BY ME THIS ____ day of _____, 2019.
25

Jacob R. Day, Mayor

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THE SALISBURY ARTS AND
ENTERTAINMENT DISTRICT, INC.

35
36
37

Chairman

38 ATTEST:

THE CITY OF SALISBURY

39 _____

40 Name:

Jacob R. Day, Mayor

41

42 _____

43 Name:

Caroline O'Hare, Local Festival Manager

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WHEREAS, the City of Salisbury owns all that real property described in Item One and two, set forth in Schedule A of the Utility Easement Agreement by and between the City of Salisbury and Delmarva Power & Light Company (the “Utility Easement”), attached to this ordinance; and

WHEREAS, before commencing work to bury such existing aerial electric facilities, Delmarva Power & Light Company (“Delmarva Power”) has requested the City of Salisbury enter into the Utility Easement attached hereto, granting Delmarva Power the right to construct, operate and maintain the infrastructure associated with the electric facilities that will be buried by Delmarva Power in connection with First Move’s redevelopment of 132 East Main Street.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SALISBURY, MARYLAND, THAT the City of Salisbury allows Delmarva Power and Light Company to construct, operate and maintain the electric facility infrastructure located on and within the real property described in Schedule A of the Utility Easement, by and between Delmarva Power & Light Company and the City of Salisbury, attached hereto, and that the Mayor is hereby authorized to execute the attached Utility Easement for and on behalf of the City of Salisbury; and

- 1) That each provision of this Ordinance shall be deemed independent of all other provisions herein;
- 2) That if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged invalid, unconstitutional or otherwise unenforceable under applicable state or federal law, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged and all other provisions of this Ordinance shall remain valid and enforceable;
- 3) That the recitals set forth hereinabove are incorporated into this section of this Ordinance as if specifically set forth at length herein; and
- 4) That, upon its final passage, this Ordinance shall not be codified.

45 **BE IT FURTHER ORDAINED** that this Ordinance shall take effect from and after the
46 date of its final passage.
47

48 **THIS ORDINANCE** was introduced and read at a meeting of the Council of the City of
49 Salisbury held on the 14th day of January 2019, and thereafter, a statement of the substance of
50 this Ordinance having been published as required by law, was finally passed by the Council on
51 the _____ day of _____ 2019.
52

53
54 **ATTEST:**
55
56
57

58 _____
59 Kimberly R. Nichols
60 City Clerk
61

John R. Heath, President
Salisbury City Council

62 Approved by me this ____ day of _____, 2019.
63
64

65 _____
66 Jacob R. Day
Mayor of the City of Salisbury

Tax Parcel No.: MAP 107 PARCEL 880

Prepared By Delmarva Power & Light Company
& Return to: Right-of-Way Department
 2530 N. Salisbury Blvd.
 Attn. Real Property
 Salisbury, Maryland 21801

UTILITY EASEMENT AGREEMENT

THIS EASEMENT AGREEMENT, made this _____ day of _____, between CITY OF SALISBURY, **A MARYLAND MUNICIPAL CORPORATION** ("Grantor") and DELMARVA POWER & LIGHT COMPANY, a corporation of the State of Delaware and the Commonwealth of Virginia ("Delmarva").

WITNESSETH:

WHEREAS, Grantor is the owner of land located in the State of **MARYLAND**, the County of **Wicomico County**, as more particularly described in Schedule A, Items One and Two, attached hereto and incorporated herein by reference (the land described in Schedule A, Items One and Two, which is the subject of this Easement Agreement is hereinafter referred to collectively as the "**Easement Area**").

For and in consideration of the payment by Delmarva of the sum of one dollar (\$1.00) and other valuable consideration, the receipt of which is hereby acknowledged, Grantor grants to Delmarva a perpetual easement and right of way on, along, under and across the Easement Area and agrees as follows:

1. Delmarva shall have the right to install, operate, maintain, add to, extended, relocate and remove its ELECTRIC (X), GAS (), COMMUNICATION (), and other appropriate facilities, and accessories and appurtenances thereto to extend Delmarva's systems and to provide services to Delmarva's service areas; including any other cables, conduits, fiber optic cables and wires on, over, under and across Grantor's land which may become necessary to provide such services.
2. The facilities installed pursuant to this agreement shall remain the property of Delmarva and all maintenance, repairs and removals of said facilities shall be the responsibility of Delmarva.
3. Delmarva shall have the right to rim, remove, and/or otherwise maintain all trees and underbrush located 15 feet on each side of the centerline of Delmarva's facilities.
4. Delmarva shall have the rights of ingress, egress and regress to and over Grantor's land as necessary for the enjoyment of the rights granted herein.
5. Grantor agrees not to place any improvements, including trees or other foliage, within 10 feet of the opening side of any enclosed equipment installed under the terms of this Agreement and shall not construct any structures or improvements over or under the utility facilities permitted by this Agreement.
6. Grantor shall have the right to use the land covered by this Agreement for any lawful purpose not inconsistent with or in contravention of the rights of Delmarva.
7. Grantor covenants that it is seized of and has the right to convey the foregoing easement, rights and privileges; agrees that Delmarva shall have quiet and peaceable possession, use and enjoyment of the aforesaid easement, rights and privileges.
8. Grantor agrees that this Utility Easement Agreement shall be binding upon and inure to the benefit of Grantor and Delmarva and their respective heirs, personal representatives, administrators, successors and assigns.

9. Grantor hereby certifies that the actual monetary consideration paid for this Agreement is \$1.00.
10. Delmarva's utility facilities installed hereunder may, without further consideration, be relocated to conform to new or reestablished highway limits.
11. Delmarva shall restore the surface of the Grantor's property to its original condition upon completion of any said installation, operation and maintenance.

As agent on behalf Delmarva, I certify that this document was prepared by Delmarva.

Name: Antoine Horsey
Title: Engineering Fieldman

WITNESS our hands and seals the day and year aforesaid.

CORPORATE GRANTOR:

ATTEST: (AFFIX CORPORATE SEAL)

CITY OF SALISBURY

Print Name

Title

By: _____(SEAL)

Print Name

Title

AREA INTENTIONALLY LEFT BLANK

SCHEDULE A

ITEM ONE:

Beginning at Delmarva Power & Light Company ("Delmarva") Pole No. 46877/93138 located at the northeast corner of a public right-of-way and running westerly along the southern boundaries of those certain properties situate on East Main Street, Salisbury, Maryland to the north identified as Map 107 Parcel 858, continuing west to the southwest corner of that certain lot and parcel of land identified as Map Parcel 853; thence running south to a point on the northern side of that certain lot and parcel of land identified as Parcel 881 equal distance from the northwesterly most corner of said Parcel 881 that would intersect with the southerly extension of the western boundary of that certain lot and parcel of land identified as Map 107 Parcel 126 to the northwestern boundary of Parcel 881, being a distance of forty-five feet (45'), more or less, east of the northwesterly-most corner of Parcel 881; thence running along the northern boundaries of those certain lots and parcels of land to the south identified as Map 107 Parcels 881, 880, 878 and 875 to a point at the northwestern corner of Parcel 875; thence running north to the point of beginning. (For purposes of this Schedule all of that certain real property described in this Item One is referred to as the "Alley-Way.")

ITEM TWO:

Beginning at the northeast corner of that certain lot and parcel of land identified as Map 107 Parcel 880, thence running, in a southerly direction, along the eastern boundary of said Parcel 880, a distance of forty-five feet (45'), more or less; thence running west, along a line parallel to the northerly-most boundaries of said Parcel 880 and that certain lot and parcel of land identified as Map 107 Parcel 881, to a point at which said line would intersect with the extension of the western boundary line of said Parcel 881 that abuts the Alley-Way, continuing south, from the northwesterly-most corner of Parcel 881, a distance of forty-five feet (45'), more or less; thence running north, from the aforesaid point of intersection, a distance of forty-five feet (45'), more or less; thence running east along the southern boundary of the Alley-Way to the point of beginning.

STATE OR COMMONWEALTH OF

)
) SS
)

COUNTY OF

BE IT REMEMBERED, That on the _____ day of _____, _____, personally came before me, a notary public, the within name Grantor, _____, party(ies) to this indenture and known to me personally to be such, and acknowledged said Agreement to be his/her act of said individual(s) or the act and deed of the corporation or partnership for which he/she signed.

My commission expires: _____

Notary Public

Notary
Seal/Stamp Here

Print Name: _____

FOR DELMARVA USE ONLY

Secured by: Antonie Horsey	Job Order Number: 6182235
Address: SALI District Engineering	District/Hundred: _____
Map Number: 107	Parcel Number: 880
Coordinates Covered: 46868/93134	

ORDINANCE NO. 2520

AN ORDINANCE OF THE CITY OF SALISBURY, MARYLAND APPROVING A BUDGET AMENDMENT OF THE FY2019 STORMWATER FUND TO APPROPRIATE FUNDS FOR A NEW STREET SWEEPER.

WHEREAS, the City of Salisbury has projected the amount to purchase a new street sweeper for FY 2019; and

WHEREAS, the City of Salisbury's projection indicates that an increase of \$24,250 in FY19 appropriations is needed in account 60820-577025, Street Sweeping Vehicles, in order to meet a change in emission requirements from a Tier III engine to a Tier IV engine; and

WHEREAS, appropriations must be made upon the recommendation of the Mayor and the approval of four-fifths of the Council of the City of Salisbury;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND, THAT THE City's Fiscal Year 2019 Storm Water Fund Budget be amended as follows:

- 1) Increase Current Year Surplus (60800-469810) by \$24,250
- 2) Increase Street Sweeping Vehicles (60820-577025) by \$24,250

THIS ORDINANCE was introduced and read at a meeting of the Council of the City of Salisbury held on this 14th day of January 2019, and thereafter, a statement of the substance of the Ordinance having been published as required by law, was finally passed by the Council on the ____ day of _____, 2019.

ATTEST:

Kimberly R. Nichols, City Clerk

John R. Heath, President
Salisbury City Council

APPROVED BY ME THIS ____ day of _____, 2019.

Jacob R. Day, Mayor

ORDINANCE NO. 2521

AN ORDINANCE OF THE CITY OF SALISBURY APPROVING AN AMENDMENT OF THE CITY'S GENERAL CAPITAL PROJECT FUND AND WATER SEWER CAPITAL PROJECT FUND TO APPROPRIATE FUNDING FOR HONEYWELL BUILDING SOLUTIONS ENERGY SAVINGS PROJECTS.

WHEREAS, the City has determined that improvements to the HVAC system are required at the Salisbury Police Department building; and

WHEREAS, the City has determined that an investment in the conversion of various building and street lighting to LED lighting will save the City energy costs over time; and

WHEREAS, the City has reviewed a Guaranteed Energy Savings Performance Contract proposal from Honeywell Building Solutions and has determined that entering into an agreement with them to deliver these solutions is beneficial to the City; and

WHEREAS, the City's Capital Project budgets do not contain an appropriation sufficient to fund the award of a contract to Honeywell Building Solutions to fund the projects described in the attached Schedule B and Schedule C; and

WHEREAS, § 7-29 of the Salisbury City Charter forbids contracts requiring an expenditure in excess of the amount appropriated for that general classification or expenditure, and forbids any office, department, or agency from expending funds not appropriated; and

WHEREAS, appropriations necessary to execute the purpose of this contract must be made upon the recommendation of the Mayor and the approval of four-fifths of the Council of the City of Salisbury.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SALISBURY, MARYLAND THAT THE City's Capital Project Budget be and hereby is amended so that the funds for the projects listed in Schedule B – Capital Project Fund Appropriations and Schedule C – Water Sewer Capital Project Fund Appropriations are hereby appropriated for Capital Projects.

THIS ORDINANCE was introduced and read at a meeting of the Council of the City of Salisbury held on this 14th day of January 2019, and thereafter, a statement of the substance of the Ordinance having been published as required by law, was finally passed by the Council on the ____ day of _____, 2019.

ATTEST:

Kimberly R. Nichols, City Clerk

John R. Heath, President
Salisbury City Council

APPROVED BY ME THIS ____ day of _____, 2019.

Jacob R. Day, Mayor

Schedule B – Capital Project Fund Appropriations

Honeywell Guaranteed Energy Savings Performance Contract

Project Description	Project Amount	Funding Source				
		Bond Issuance	Grants	Donation	Transfer/Pay Go	Funds On Hand
Building Lighting and Controls (ECM 1)						
Salisbury Fire Department Station 1	26,653	26,653				
Salisbury Fire Department Station 2	925	925				
Salisbury Fire Department Station 16	119,040	119,040				
Salisbury Police Department Headquarters	128,934	128,934				
Salisbury Service Center Administration Bldg	925	925				
Salisbury Service Center Warehouse	17,328	17,328				
Salisbury Zoo	37,996	37,996				
Street Lighting	379,625	379,625				
Mechanical (ECM 2)						
Salisbury Police Department Headquarters*	387,403	387,403				
Building Management Systems (ECM 3)						
Salisbury Police Department Headquarters	183,237	183,237				
Building Envelope Improvement (ECM 4)						
Salisbury Fire Department Station 16	10,777	10,777				
Salisbury Police Department Headquarters	30,818	30,818				
Salisbury Service Center Administration Bldg	28,581	28,581				
Salisbury Service Center Traffic, Carpentry & Meter	24,631	24,631				
Salisbury Service Center Warehouse	11,104	11,104				
Total	1,387,997	1,387,977				

*An additional \$300,000 was appropriated for the Salisbury Police Department Chiller in the FY19 Budget Ordinance.

Schedule C – Water Sewer Capital Project Fund Appropriations

Honeywell Guaranteed Energy Savings Performance Contract

Project Description	Project Amount	Funding Source				
		Bond Issuance	Grants	Donation	Transfer/Pay Go	Funds On Hand
Building Lighting and Controls (ECM 1)						
Salisbury Waste Water Treatment Plant	925	925				
Salisbury Water Treatment Plant (Paleo)	28,312	28,312				
Salisbury Water Treatment Plant (Park)	5,475	5,475				
Total	34,712	34,712				

ORDINANCE NO. 2522

AN ORDINANCE OF THE CITY OF SALISBURY APPROVING AN AMENDMENT OF THE FY2019 GENERAL FUND BUDGET TO ADJUST THE SALISBURY FIRE DEPARTMENT'S PAY PLAN FOR THE PURPOSE OF RECRUITING AND RETAINING EXPERIENCED OFFICERS AND TO BE COMPETITIVE WITH AREA AGENCIES.

WHEREAS, the Salisbury Fire Department has the need to provide firefighting personnel with personal growth and career development; and

WHEREAS, a career development program provides trained and experienced firefighting personnel with skill enhancement opportunities; and

WHEREAS, this Department desires to provide every employee with the opportunity to realize professional fulfillment through personal and professional growth; and

WHEREAS, the Salisbury Fire Department needs to offer a competitive salary pay scale and career advancement program to retain experienced firefighting professionals who are committed to increasing the Department's ability to maintain a high level of operational readiness; and

WHEREAS, an adjustment of the Fire Department's salary pay scales would result in better recruitment and better retention of experienced firefighting professionals.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF SALISBURY, MARYLAND, that the City's Fiscal Year 2019 Adopted Fire Department's Pay Scale be and hereby is amended as follows:

Current Title	Grade	Min Step 1	Mid Step 13	Max Step 30
Probationary FF/EMT	1	37,500	N/A	N/A
Probationary FF/PM	1P	42,900	N/A	N/A
FF/EMT 1	2	39,375	49,937	69,924
FF/PM 1	2P	45,045	57,128	79,993
Senior FF/EMT <i>Driver Operator/EMT</i>	3	40,556	51,435	72,022
Senior FF/PM <i>Driver Operator/PM</i>	3P	46,396	58,842	82,393
Engineer <i>Sergeant/EMT</i>	4	<u>42,584</u>	<u>54,007</u>	<u>75,623</u>
<i>Sergeant/PM</i>	<u>4P</u>	48,716	61,784	86,512
Lieutenant	5	51,639	65,491	91,703
Captain	6	54,841	69,551	97,389
Assistant Chief	7	58,131	73,724	103,232
Deputy Chief	8	61,619	78,148	109,426
Fire Chief	9	65,316	82,837	115,991

* ITALICIZED AND UNDERLINED PRINT INDICATES MATERIAL ADDED TO EXISTING PAY PLAN.

Bold and strikethrough language indicates material deleted from the existing.

33 AND BE IT FURTHER ORDAINED AND ENACTED BY THE CITY OF
34 SALISBURY, MARYLAND, THAT the City's Fire Department's Pay Plan be amended, and
35 this ordinance shall take effect immediately upon adoption.
36

37 THIS ORDINANCE was introduced and read at meetings of the Council of the City of
38 Salisbury held on the 14th day of January, 2019 and, thereafter, a statement of the substance of
39 the Ordinance having been published as required by law, was finally passed by the Council on
40 the _____ day of _____, 2019.
41

42
43 ATTEST:
44

45 _____
46 Kimberly R. Nichols, City Clerk
47

John R. Heath, President
Salisbury City Council
48

49
50 APPROVED BY ME THIS:
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52 _____ day of _____, 2019
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55 _____
56 Jacob R. Day, Mayor

[illegible]

1. Fire prevention fees shall be established by resolution of the City Council.

B. The National Fire Protections Association Fire Code 1 as referenced, amended, and promulgated by the State Fire Prevention Commission is adopted by the City with the following local amendments:

1. The board of appeals shall be the building board of adjustments and appeals.
2. Any person who fails to comply with the provisions of the Code or who fails to carry out an order made pursuant to this Code or violates any condition attached to a permit, approval, or certificate may be subject to a municipal infraction not to exceed five hundred dollars (\$500.00) each day the violation continues.
3. Failure to comply with the time limits of an abatement notice or other corrective notice issued by the authority having jurisdiction may result in municipal infractions not to exceed five hundred dollars (\$500.00) each day the violations/s continue and the jurisdiction shall have authority as provided by law to evacuate, vacate and order such building or structure to be closed to the public.
4. Include Annex E: Fire Fighter Safety Building Marking System, with local amendments.
 - a. Local amendments to Annex F are:
 - i. Add E. 1.3.6.1. The following letters shall be used to indicate special hazards assigned to the center of the Maltese cross:
 - A) "F" — Floor hazard
 - B) "R" — Roof hazard
 - C) "W" — Wall hazard
 - D) "H" — Holes in structure
 - E) "S" — Stairs compromised
 - F) "M" — Maze like, confusing layout
 - ii. Add E. 1.3.6.2. Where the AHJ determines the conditions to be severe enough to limit all operational activity to a defensive mode only, a red "X" shall be placed through the center section of the Maltese cross.
5. Replace Subsection '10.10.1 Permits.' with 10.10.1 Open Burning Prohibited. Open burning, other than cooking and recreational fires compliant with the provisions of this Code, is prohibited.
6. Permits from the Fire Marshal are required for the following:
 - a. Installation/Modification of fire alarm and detection systems;
 - b. Installation/Modification of sprinkler or water spray systems;
 - c. Installation/Modification of standpipe systems;
 - d. Installation/Modification fire pumps;
 - e. Installation/Modification of water storage tanks for fire protection;

- f. Installation/Modification of gaseous and chemical extinguishing systems;*
- g. Installation/Modification of foam systems;*
- h. Installation/Modification of smoke control systems;*
- i. Installation/Modification of flammable and combustible liquid storage tanks;*
- j. Installation/modification of emergency generators for fire protection systems.*

C. The International Building Code is incorporated by reference, and is adopted with state and local amendments.

8.11.030 - Authority having jurisdiction.

The Chief of the Fire Department (CoF) shall serve as the Authority Having Jurisdiction over the Fire Prevention Code.

8.11.040 - Inspections.

A. To the full extent permitted by law, the Fire Department and the Housing and Community Development Department shall have the authority to enter and examine, at all reasonable times, any building, structure, marine vessel, vehicle or premises for the purpose of making fire safety inspections.

Exception: One and two family dwelling units.

B. Personnel responsible for administering and enforcing this code shall be trained to a minimum level of Fire Inspector I in accordance with the National Fire Protection Code.

C. Personnel will periodically inspect all buildings and structures as herein set forth in this code on a schedule derived from life safety and fire risk assessment.

8.11.050 - Setbacks.

Outside above-ground unprotected flammable liquid storage tanks shall be separated from lot lines and public ways by a minimum of seventy-five (75) feet.

8.11.060 ~~Enforcement and assistance.~~ *Third-Party Inspections*

~~When conducting plan review and pre-occupancy inspections, the County Department of Planning, Zoning and Community Development—Fire Protection Division shall have authority to enforce this code when requested to do so by and in coordination with the Director of the Department of Infrastructure and Development.~~

~~When conducting post-occupancy inspections, the County Department of Planning, Zoning and Community Development—Fire Protection Division shall have authority to enforce this code in coordination with the Director of the Department of Housing and Community Development.~~

138 A report of all third party inspections required by this code shall be submitted to the Fire
139 Marshal's office for review. A third-party or vendor system data collection agency/company may
140 be utilized for the collection of completed third-party inspection reports and associated
141 collection filing fees.
142
143

144 Explanation:
145

146 * ITALICIZED AND UNDERLINED PRINT INDICATES MATERIAL ADDED TO
147 EXISTING LAW.

148 Bold and strikethrough language indicates material deleted from the existing.
149
150

151 AND BE IT FURTHER ORDAINED AND ENACTED BY THE CITY OF
152 SALISBURY, MARYLAND, THAT this ordinance shall take effect immediately upon adoption.
153

154 THIS ORDINANCE was introduced and read at a meeting of the Council of the City of
155 Salisbury held on this 14th day of January 2019, and thereafter, a statement of the substance of
156 the Ordinance having been published as required by law, was finally passed by the Council on
157 the ____ day of _____, 2019.
158

159 ATTEST:
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161 _____
162 Kimberly R. Nichols
163 CITY CLERK
164

John R. Heath
PRESIDENT, City Council

165
166 APPROVED BY ME THIS _____ day of _____, 2019
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168 _____
169 Jacob R. Day, Mayor

ORDINANCE NO. 2524

AN ORDINANCE OF THE CITY OF SALISBURY APPROVING AN AMENDMENT OF THE CITY'S WATER SEWER CAPITAL PROJECT FUND BUDGET TO REALLOCATE BOND FUNDS PREVIOUSLY ALLOCATED TO THE WWTP UPGRADE PROJECT INCLUDED IN THE FY13 BOND.

WHEREAS, Ordinance No. 2482, the FY19 Budget Ordinance, included Schedule B which created appropriations in the Water Sewer Capital Project fund for the projects listed below:

Project	Amount
Pump Station Improvements	555,000
Park Water Treatment Plant Electrical Gear Replacement	245,000
Sewer Infiltration & Inflow Remediation	450,000

WHEREAS, the funding for the above projects was determined to be reallocation of existing unused bond proceeds; and

WHEREAS, previously the City has not identified which projects the funding would be reallocated from; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SALISBURY, MARYLAND THAT THE City's Capital Projects Fund Budget be and hereby is amended as follows:

Project Description	Account Description	Account	Amount
Revenues:			
WWTP Upgrade	FY13 Bond Proceeds	96013-469312-55512	-1,250,000
Pump Station Improvements	FY13 Bond Proceeds	96013-469312-55034	555,000
Park Water Treatment Plant Electrical Gear Replacement	FY13 Bond Proceeds	96013-469312-50035	245,000
Sewer Infiltration & Inflow Remediation	FY13 Bond Proceeds	96013-469312-55019	450,000
Expenditures:			
WWTP Upgrade	Construction	96113-513026-55512	-1,250,000
Pump Station Improvements	Construction	96113-513026-55034	555,000
Park Water Treatment Plant Electrical Gear Replacement	Construction	96113-513026-50035	245,000
Sewer Infiltration & Inflow Remediation	Construction	96113-513026-55019	450,000

1 THIS ORDINANCE was introduced and read at a meeting of the Council of the City of
2 Salisbury held on this 14th day of January 2019, and thereafter, a statement of the substance of the
3 Ordinance having been published as required by law, was finally passed by the Council on the ____
4 day of _____, 2019.

5
6 **ATTEST:**

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8 _____
9 Kimberly R. Nichols, City Clerk

John R. Heath, President
Salisbury City Council

10
11
12 APPROVED BY ME THIS ____ day of _____, 2019.

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14 _____
15 Jacob R. Day, Mayor