

CITY OF SALISBURY

CITY COUNCIL AGENDA

OCTOBER 24, 2022 6:00 p.m. Government Office Building, Room 301, Salisbury, Maryland and Zoom Video Conferencing

Times shown for agenda items are estimates only.

- 6:00 p.m. CALL TO ORDER
- 6:01 p.m. WELCOME/ANNOUNCEMENTS/PLEDGE
- 6:02 p.m. CITY INVOCATION- Rev. Tyquan Alston, Pastor, St. Paul A.M.E. Zion Church
- 6:04 p.m. PRESENTATION- Offshore Wind- Dave Wilson, Maryland Developmental Manager, US Wind
- 6:19 p.m. ADOPTION OF LEGISLATIVE AGENDA

6:20 p.m. CONSENT AGENDA- City Clerk Kimberly Nichols

- September 6, 2022 Work Session Minutes
- September 6, 2022 Special Meeting Minutes
- September 12, 2022 Council Meeting Minutes
- September 12, 2022 Closed Session Minutes (emailed separately)
- September 19, 2022 Work Session Minutes
- September 19, 2022 Special Meeting Minutes
- September 26, 2022 Council Meeting Minutes
- <u>Resolution No. 3195</u>- to approve the appointment of Thashana McKinney to the Youth Development Advisory Committee for term ending October 2025
- <u>Resolution No. 3196</u>- declaring Westwood Acquisition Partners eligible to receive enterprise zone benefits for property located at 1865 West Road, Salisbury, MD

6:24 p.m. AWARD OF BIDS- Procurement Director Jennifer Miller

Award of Bids

- 1. ITB A-23-104 Dark Fiber Optic Cable Installation/Maintenance \$497,520.00 (20 yr term)
- 2. ITB A-23-105 Zinc Pyrophosphate for Corrosion Control \$198,300.00
- 3. ITB 23-103 Waterside Park \$167,136.72

Approval of Tier 6 Change Order

1. RFP 03-14 Skatepark Design/Build – Change Order #10 \$26,780.48

Declaration of Surplus

- 1. Salisbury Police Department
 - a. Vehicles #1476 & #1487
 - b. Duty weapon

6:34 p.m. ORDINANCES- City Attorney Ashley Bosche

- Ordinance No. 2744 2nd reading- approving an amendment of the City's FY2023 General Fund Budget to provide funds for red light camera administration
- Ordinance No. 2745- 2nd reading- approving an amendment to the General Fund Budget reflecting the acceptance of grant funds from the Wicomico County Circuit Court and further appropriating funds for overtime pay of officers of the Salisbury Police Department
- Ordinance No. 2747- 2nd reading- approving a budget amendment of the FY2023 General Fund Budget to appropriate funds to the Salisbury Fire Department's Operating Budget
- <u>Ordinance No. 2748</u>- 2nd reading- to amend Chapter 1.16 of the Salisbury City Code, entitled "Infractions and Civil Zoning Violations", to grant authority to issue citations for municipal infractions or civil zoning violations to the City's Deputy Fire Marshal and Fire Inspector
- Ordinance No. 2749- 2nd reading- authorizing the Mayor to enter into a contract with the Community Foundation of the Eastern Shore for the purpose of accepting grant funds in the amount of \$2,500, and to approve a budget amendment to appropriate those grant funds for the Salisbury-Wicomico Integrated Firstcare Team (SWIFT)
- <u>Ordinance No. 2746</u>- 1st reading- approving a budget amendment of the FY2023 General Fund Budget and Water and Sewer Fund Budget to appropriate funds to the Operating Budget of the Department of Field Operations and the Operating Budget of the Department of Water Works
- Ordinance No. 2751- 1st reading- approving a budget amendment of the FY2023 General Fund Budget to appropriate funds to customize Salisbury Police Department vehicles with proper police equipment Ordinance No. 2752- 1st reading- approving an amendment to the General Fund Budget reflecting the acceptance of grant funds from the State of Maryland, Governor's Office of Crime Control and Prevention and further appropriating such
- funds to purchase "EZ Child ID Complete EZ Turnkey System."
 Ordinance No. 2753- 1st reading- authorizing the Mayor to appropriate additional funds for the Paleo Well # 3 project
- Ordinance No. 2754-1st reading- approving an amendment to the General Capital Project Fund Budget to appropriate additional funds required for construction of the Zoo Administration Building
- **Ordinance No. 2755** 1st reading- approving an amendment of the FY2023 General Fund Budget to appropriate additional funds required for Field Operations

7:05 p.m. PUBLIC COMMENTS

7:10 p.m. ADMINISTRATION and COUNCIL COMMENTS

7:15 p.m. ADJOURNMENT

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 <u>www.salisbury.md</u>. 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 – NOVEMBER 14, 2022

- Resolution- Lot 10 settlement
- Resolution No._- to appoint Jon Wilson to the Parks & Recreation Committee
- Ordinance No. 2746- 2nd reading- approving a budget amendment of the FY2023 General Fund Budget and Water and Sewer Fund Budget to appropriate funds to the Operating Budget of the Department of Field Operations and the Operating Budget of the Department of Water Works
- Ordinance No. 2751- 2nd reading- approving a budget amendment of the FY2023 General Fund Budget to appropriate funds to customize Salisbury Police Department vehicles with proper police equipment
- Ordinance No. 2752- 2nd reading- approving an amendment to the General Fund Budget reflecting the acceptance of grant funds from the State of Maryland, Governor's Office of Crime Control and Prevention and further appropriating such funds to purchase "EZ Child ID Complete EZ Turnkey System."
- Ordinance No. 2753- 2nd reading- authorizing the Mayor to appropriate additional funds for the Paleo Well # 3 project
- Ordinance No. 2754- 2nd reading- approving an amendment to the General Capital Project Fund Budget to appropriate additional funds required for construction of the Zoo Administration Building
- Ordinance No. 2755- 2nd reading- approving an amendment of the FY2023 General Fund Budget to appropriate additional funds required for Field Operations
- Ordinance No._- 1st reading- comprehensive plastic bag reduction
- Ordinance No._- 1st reading- budget amendment for NFF and MDFF

Join Zoom Meeting https://us02web.zoom.us/j/88186172560 Meeting ID: 881 8617 2560 Phone: 1.301.715.8592

1 2	CITY OF SALISBURY WORK SESSION		
3 4	SEPTEMBER 6, 2022		
- 5 6	Public Officials Present		
7	Council President John "Jack" R. Heath Council Vice-President Muir Boda Councilmember Michele Gregory (via Zoom)Mayor Jacob R. Day Councilmember Angela M. Blake Councilmember April Jackson (via Zoom)		
8 9	In Attendance		
J LO L1 L2 L3 L4	City Administrator Julia Glanz, Deputy City Administrator Andy Kitzrow, Department of Infrastructure & Development (DID) Director Rick Baldwin, City Planner Brian Soper, Fire Chief John Tull, Deputy Chief Chris O'Barsky, City Clerk Kim Nichols, Attorney Ashley Bosche and members of the public.		
L5 L6 L7	On September 6, 2022 the Salisbury City Council convened at 4:30 p.m. in a hybrid Work Session in Conference Room #306 and on Zoom Video Conferencing.		
18	Ordinance to accept Skatepark donation		
19 20 21 22 23 24	Deputy City Administrator Andy Kitzrow explained that with the Skatepark Phase 2B, a change order was received that exceeded the allowable budget by \$9,500. The Salisbury Skatepark Committee offered to donate the additional funds. Once the donation was received there would be enough money to fund the final phase of the skatepark.		
25 26	Council reached unanimous consensus to advance the legislation to legislative agenda.		
.7 .8	Resolution to close Paper Streets- Johnson Road & Summersgate		
29 30 31 32 33 34 35	City Planner Brian Soper said that Johnson Road and Summersgate were initially deeded to the City as part of a proposed realignment of Johnson Road at the time Summersgate redevelopment was planned. Since it was done, State Highway did not intent to require the City to realign Johnson Road. The City felt they no longer needed to have it. The deeds would transfer the right of ways for Johnson Rd realignment and the unfinished section of Summersgate back to Vantage Point Partners.		
36 37	Council reached unanimous consensus to advance the legislation to legislative agenda.		
38 39	Ordinance to permit Animal Hospitals in Shopping Centers		
40 41 42	Mr. Soper said Banfield Hospital was located within PetSmart but were looking for a new building and found one located within a General Commercial Zoning District. Following staff review the amendment to section 17.212.030 was prepared by the City		

43 Attorney. The Planning Commission held a public hearing and forwarded a favorable

be confused with Pets ER, it was why the language was written to prevent overnight care 46 47 and not to be open 24 hours with outside runs. And it was compatible with other uses in the Shopping Centers. 48 49 50 Council reached unanimous consensus to advance the ordinance to legislative agenda. 51 52 **Budget Amendment to fund changes for overtime & incentives** 53 54 Deputy Chief Chris O'Barsky said the call volume had increased and itsurpassed the Fire Department's ability to cover all the calls with just three EMS units. They were changing 55 56 the response model to try to accommodate the influx of calls. Deputy Chief O'Barsky 57 compared the number of units the City ran to competitive area departments. 58 59 Mr. Boda said the market was very competitive nationwide, and whatever the City could 60 do to help retainment, he would support. 61 62 Ms. Blake asked if the incentives would create compression moving forward and Mayor 63 Day and Mr. Kitzrow said they would not. Ms. Gregory said we had to take care of them. 64 65 President Heath said that public safety was number one and asked out of the 15,000 calls 66 the City had, how many were outside the City's district and how many Fire Fighters/ EMS the City lost over the past two years. Deputy Chief O'Barsky would provide the 67 68 information. He asked for the time period associated with the \$10,000 bonus and Mr. 69 O'Barsky answered two years. 70 Council reached unanimous consensus to advance the ordinance to legislative agenda. 71 72 73 **Budget Amendment for SFD Station 16 HVAC** 74 75 Deputy Chief O'Barsky explained they added an HVAC unit to the CIP for the Fire 76 House side of Station 16. A Declaration of Official Intent was approved for this project 77 to be funded from a future bond issuance planned for FY2024. Due to rising cost for 78 materials, the quote received was over the approved amount by \$1,120. Based on 79 consultation with the Finance Department, the best solution for the small amount 80 required was to transfer from the Fire Department's Building Account. 81 82 Council reached unanimous consensus to advance the ordinance to legislative agenda. 83 84 Charter Amendment Resolution 2022-4 to provide for collective bargaining for certain employees of the City of Salisbury 85 86 87 City Attorney Ashley Bosche explained the discussion was on Work Session agenda 88 previously and there was consensus to move forward with collective bargaining. There were concerns with binding arbitration, and after meeting and discussing it the Charter 89

recommendation to the City on July 21, 2022. There was some discussion about the

operation of animal hospitals since it has a broad definition in the Zoning Code. Not to

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. 1	Amendment was revised to clarify the City was permitting binding arbitration as defined by the forthcoming Labor Code. This was the first step to collective bargaining and states what the Labor Code would address and not address. It would include a binding
	states what the Labor Code would address and not address. It would include a binding arbitration provision defined through the Labor Code.
i 8	Council reached unanimous consensus to advance the charter amendment to legislative agenda.
	Ordinance to fund construction of the Waterside parking lot
. V 2 1	Mr. Kitzrow reported the City received a FY2019 Community Parks and Playground Grant for Waterside Park improvements including the construction of a parking lot. Due to increases to abor and materials the award did not cover the total project. The request was to reallocate the FY18 Pay Go funds (Energy Performance Consulting) no longer needed.
(Council reached unanimous consensus to advance the ordinance to legislative agenda.
]	Fo accept and surplus MTA buses
c r v	City Administrator Julia Glanz reported the resolution was to officially accept five MTA buses donated by Maryland Transit Administration in 2018. There was an oversight and the City did not formally accept the buses. They were needed to help with the National Folk Festival, but were not financially feasible to be used for transit purposes and were too large for City streets. The resolution was to accept the buses and Council would also be asked to surplus them.
(Council reached unanimous consensus to advance the resolution to legislative agenda.
]	Resolution to adopt the Wicomico County Multi-Hazard Mitigation Plan
V N a H	Ms. Glanz invited Lorenzo Cropper from Wicomico County to the table. Every five years Wicomico County and its municipalities were required to update and adopt the Hazard Mitigation Plan including the Resilience Plan this year. The planning process included the City along with 100 other individuals representing government, residents and businesses. President Heath said the document was done extremely well and was able to attend two of the meetings as an observer. The document itself was extremely detailed for a document of that type.
(Council reached unanimous consensus to advance the resolution to legislative agenda.
I	Adjournment
	With no further business to discuss, President Heath adjourned the Work Session at 5:07 p.m. Council immediately convened in the previously scheduled Special Meeting.
Ţ	City Clerk
Ō	Council President

CITY OF SALISBURY, MARYLAND

SPECIAL MEETING

SEPTEMBER 6, 2022

PUBLIC OFFICIALS PRESENT

Council President John "Jack" R. Heath Council Vice President Muir Boda Councilwoman Michele Gregory (via Zoom) Mayor Jacob R. Day Councilwoman Angela M. Blake Councilwoman April Jackson (via Zoom)

IN ATTENDANCE

City Administrator Julia Glanz, Deputy City Administrator Andy Kitzrow, City Attorney Ashley Bosche, City Clerk Kimberly Nichols

The City Council convened in a Work Session at 4:30 p.m. At 5:02 p.m. the Work Session adjourned and Council immediately convened in the Special Meeting.

ADOPTION OF LEGISLATIVE AGENDA

Mr. Boda moved, *Ms.* Jackson seconded, and the vote was unanimous (5-0 vote) to approve the Special Meeting agenda as presented.

ORDINANCES- presented by City Attorney Ashley Bosche

• <u>Ordinance No. 2735- 1st reading</u>- to approve a budget amendment of the FY2023 General Fund Budget to appropriate funds to the Salisbury Fire Department's Operating Budget

Ms. Blake moved, Ms. Jackson seconded, and the vote was unanimous (5-0 vote) to approve Ordinance No. 2735 for first reading.

• <u>Ordinance No. 2736- 1st reading</u>- approving an amendment of the City's FY2023 Fire Department Budget and the General Capital Project Fund Budget to provide funds for the Fire Station #16 HVAC project

Ms. Jackson moved, Ms. Blake seconded, and the vote was unanimous (5-0 vote) to approve Ordinance No. 2735 for first reading.

ADMINISTRATION and COUNCIL COMMENTS

Mayor Day said nice job to the team and thanked Council's participation in the National Folk Festival. He looked forward to making it the Maryland Folk Festival next year.

Mr. Boda asked about attendance and Mayor Day said the numbers were not out yet. Mr. Boda said he helped out backstage and it was a great time had by all. NC Ribs on Wheels had some

legit NC barbeque and sweet tea. He looked forward to next year's Maryland Folk Festival.

Ms. Jackson said she enjoyed the Folk Festival with her family. A lot of people stopped by the booth and asked many questions. She was thankful for the prayers for her mother, who was improving. She asked everyone to be safe, conscience and kind.

Ms. Blake said the Folk Festival was fantastic. She got some ice cream and it was nice. She said that beginning next week she was taking on another shift at the Counseling Services and needed to see if anyone could help by taking over the Library Committee as Council Representative because their meetings conflicted with her work schedule. The next meeting was October 18 from 4pm to 6pm. She could still do the Human Rights Committee because they started at 6pm. Mr. Heath said someone could switch with her as long as the time matches. If you could help that would be great. It was the first day of school for many students and she was looking forward to having a good year at Choices Academy. Please stop for the school buses. And if you're healthy enough please donate blood.

Ms. Gregory said COVID was still there and has hit her home this week. There's a new booster that's been released to deal with the more recent strains. If you are eligible please get it.

President Heath said that every year he had more fun at the Folk Festival. He echoed Ms. Blake about the blood situation. The COVID rate for Wicomico County was 12.1% only slightly higher than the state.

ADJOURNMENT

With no further business to discuss, the Special Meeting adjourned at 5:22 p.m.

City Clerk

Council President

CITY OF SAL	LISBURY, MARYLAND	
REGULAR MEETING	SEPTEMBER 12, 2022	
<u>PUBLIC OI</u>	FFICIALS PRESENT	
Council President John "Jack" R. Heath Councilwoman Angela M. Blake Councilwoman April Jackson	Council Vice-President Muir Boda (Zoom) Councilwoman Michele Gregory (Zoom)	
-	TELCIAL GARGENT	
PUBLIC O	<u>OFFICIALS ABSENT</u>	
Mayor Jacob R. Day		
<u>IN A</u>	TTENDANCE	
Deputy Chief Chris O'Barsky, Procurement Assistant Jessie Turner, City Attorney Ashle of the public	y Administrator Andy Kitzrow, Fire Chief John Tull, t Director Jennifer Miller, Executive Administrative ey Bosche, City Clerk Kimberly Nichols, and members	

<u>CITY INVOCATION – PLEDGE OF ALL</u>	<u>LEGIANCE</u>	
John R. "Jack" Heath called the meeting to	6:00 p.m. via Zoom and in person. Council President o order. After the recital of the pledge to the flag, iversalist Fellowship provided the invocation.	
PROCLAMATION- City Administrator Jul	lia Glanz	
National Sickle Cell Disease Awareness Mc	onth	
proclamation. The disease refers to a group produces abnormally shaped red blood cells normal round red blood cells causing sever organ can be affected and patients experien infections, and pulmonary embolism, and he disorder affects approximately 100,000 prim	he National Sickle Cell Disease Awareness Month o of inherited disorders in which a person's body is that resemble a sickle and do not last as long as we pain, serious infection, and organ damage. Any nee many severe complications including stroke, ave a shorter life expectancy than normal. This marily African-Americans and Hispanic-Americans. I all citizens to learn more about Sickle Cell Disease a cure.	
ADOPTION OF LEGISLATIVE AGEND.	<u>A</u>	
Ms. Jackson moved, Ms. Gregory seconded, legislative agenda as presented.	, and the vote was unanimous (5-0) to approve the	
<u>CONSENT AGENDA</u> - presented by City C	Clerk Kimberly Nichols	

- 48
- 49 The consent agenda, consisting of the following items, was unanimously approved (5-0 vote) on
- 50 a motion and seconded by Mr. Boda and Ms. Blake, respectively:
- 51
- <u>August 1, 2022</u> Closed Session Minutes (separate email)
- <u>August 8, 2022</u> Legislative Session Minutes
- August 15, 2022 Work Session Minutes
- August 22, 2022 Legislative Session Minutes
- 52
- 53 <u>AWARD OF BIDS</u>- presented by Procurement Director Jennifer Miller
- 54
- 55 Ms. Blake moved and Ms. Jackson seconded to approve the Award of Bids. Mr. Boda motioned
- 56 *amend the Award of Bids by striking the surplus of the duty weapon from the agenda.*

57

58 *The Award of Bids, as amended, was approved by unanimous vote in favor.*

59

- Award of Bid(s)
 - ITB 23-109 SFD #16 HVAC Replacement

Declaration of Surplus

- Salisbury Police Department
 - a. Fine Jewelry
 - b. Bicycles
- Department of Field Operations- New Flyer mass transit buses

60 61

- *<u>RESOLUTIONS</u>* presented by City Administrator Julia Glanz
 62
 - <u>Resolution No. 3184</u>- accepting five, 40-foot Maryland Transit Administration buses

Mr. Boda moved, Ms. Jackson seconded, and the vote was unanimous to approve Resolution No. 3184.

• <u>Resolution No. 3185</u>- adopting the Wicomico County Hazard Mitigation & Resilience plan

Ms. Jackson moved, Ms. Blake seconded, and the vote was unanimous to approve Resolution No. 3185.

• <u>*Resolution No. 3186-</u>* to authorize the Mayor to enter into, on behalf of the City of Salisbury, a deed for the abandonment of an unimproved Paper Road and a corresponding easement</u>

Ms. Blake moved, Ms. Jackson seconded, and the vote was unanimous to approve Resolution No. 3186.

• <u>*Resolution No. 3187-</u>* to authorize the Mayor to enter into, on behalf of the City of Salisbury, a deed for the abandonment of an unimproved Paper Road</u>

Ms. Jackson moved, Ms. Gregory seconded, and the vote was unanimous to approve Resolution No. 3187.

• <u>*Resolution No. 3188-*</u> making a Declaration Of Official Intent regarding City of Salisbury's reasonable expectation to reimburse from proceeds of a future borrowing project expenditures

made in connection with two separate projects generally identified as Townsquare and Downtown Street Scaping

Ms. Blake moved, Mr. Boda seconded, and the vote was unanimous to approve Resolution No. 3188.

<u>PUBLIC HEARING</u>- City Administrator Julia Glanz

• <u>CHARTER AMENDMENT RESOLUTION NO. 2022-4</u>- to amend the Charter of the City of Salisbury, MD by adding Article XXIII to provide for Collective Bargaining

Mr. Boda moved and Ms. Jackson seconded to approve Charter Amendment Resolution (CAR) No. 2022-4. Ms. Glanz then presented the CAR.

President Heath opened the Public Hearing at 6:29 p.m. and as no one requested to speak, immediately closed the Public Hearing.

Charter Amendment Resolution No. 2022-4 was then approved by unanimous vote in favor.

ORDINANCES

• <u>Ordinance No. 2735</u>- 2nd reading- to approve a budget amendment of the FY2023 General Fund Budget to appropriate funds to the Salisbury Fire Department's Operating Budget

Ms. Jackson moved, Ms. Blake seconded, and the vote was unanimous to approve Ordinance No. 2735 for second reading.

• <u>Ordinance No. 2736</u>- 2nd reading- approving an amendment of the City's FY2023 Fire Department's Budget and the General Capital Project Fund Budget to provide funds for the Fire Station #16 HVAC project

Ms. Jackson moved, Mr. Boda seconded, and the vote was unanimous to approve Ordinance No. 2736 for second reading.

• <u>Ordinance No. 2737-1st reading</u>- amending Section 17.212.030 of the Salisbury City Code to add Animal Hospitals to the category of uses permitted in Shopping Centers

Mr. Boda moved, Ms. Jackson seconded, and the vote was unanimous to approve Ordinance N 2737 for first reading.

• <u>Ordinance No. 2738-1st reading</u>- approving an amendment of the City's General Capital Project Fund Budget to provide funds for the Waterside Parking Lot Project

Ms. Jackson moved, Ms. Gregory seconded, and the vote was unanimous to approve Ordinance No. 2738 for first reading.

• <u>Ordinance No. 2739-1st reading</u>- to accept a donation in the amount of \$9,500 from the Salisbury Skatepark Committee, Inc. and to simultaneously approve a budget amendment to the Grant Fund Budget to appropriate these funds for eligible expenses associated with the construction of Phase 2b of the Salisbury Skatepark

Ms. Blake moved, Ms. Jackson seconded, and the vote was unanimous to approve Ordinance No. 2739 for first reading.

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64 **<u>PUBLIC COMMENTS</u>**

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There were no requests for public comments.

68 ADMINISTRATION AND COUNCIL COMMENTS

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Ms. Blake said that Salisbury University offered Macro in Social Work now. She introduced her
intern Ms. Monica Chase. She would be working and attending future meetings.

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Vice-President Boda announced that on September 27, 2022 at 5:00 p.m. the City was holding the
"Stam Slam" at the Skate Park and would be doing groundbreaking for Phase III of the Skate Park.

- 75
 76 *Ms. Gregory announced there would be a free bulk pick up for City residents coming up at the end*77 *of the month. Check the Facebook page and get on the list.*
- 78

79 Ms. Glanz thanked Council for recognizing "Stam Slam." On September 13, 2022 the Company

80 Palette would be on site at the Anne Street Village to erect each of the units. The public was

81 welcome to observe. Next Tuesday, September 20^{th} the City planned a Neighborhood Walk in the

82 Church Street Neighborhood for the purpose of educating the community on Anne Street Village.

83 The new booster was available and clinics were being conducted on Mondays and Wednesdays.

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85 President Heath asked those healthy enough to please give blood as the community was still low.

86 87 <u>ADJOURNMENT</u>

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89 With no further business to discuss, the meeting adjourned at 6:49 p.m.

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91 MOTION TO CONVENE IN CLOSED SESSION

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93 President Heath called for a motion to convene in Closed Session under the authority of the

94 Maryland Open Meetings Law, Annotated Code of Maryland General Provisions Article § 3-

95 305(b)(7)(8). Ms. Jackson moved, Ms. Gregory seconded, and the vote was unanimous to convene 96 in Closed Session.

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98 <u>ADJOURN IN OPEN SESSION / REPORT TO PUBLIC</u>

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At 7:12 p.m. Council reconvened in Open Session and President Heath reported that Council had
 just come out of Closed Session for the purpose of Council obtaining legal advice on a legal matter.
 The Open Session was then immediately adjourned.

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105 *City Clerk*

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108 *Council President*

1 2 3	CITY OF SALISBURY WORK SESSION SEPTEMPER 10, 2022		
5 4	SEPTEMBER 19, 2022		
5	Public Officials Present		
6 7	Council President John "Jack" R. Heath Council Vice-President Muir Boda Councilwoman April Jackson	Mayor Jacob R. Day Councilwoman Angela M. Blake Councilwoman Michele Gregory	
8	In A	ttendance	
9 10 11 12 13	Infrastructure and Development Director Rick Baldwin, Field Operations Director Jana Potvin, Housing and Community Development Director Ron Strickler, Assistant City Clerk Julie English, Attorney Ashley Bosche, and members of the public.		
14 15	On September 19, 2022 the Salisbury City Council convened at 4:30 p.m. in a hybrid Work Session in Council Chambers and on Zoom Conferencing Video.		
16 17 18	<u>Budget Amendment to appropriate addi at the Marina</u>	tional funds for fuel and emergency repairs	
19 20 21 22 23 24 25 26	Field Operations Director Jana Potvin explained the need for additional fuel funds in the Marina budget to keep up with inflation. She projected an increase of \$10,000 would allow the Marina to operate through the rest of the current fiscal year. She also requested an additional \$10,000 to cover the water service. Ms. Potvin was hopeful that the money would cover the fuel for the remainder of the fiscal year. She responded to a question by Mr. Boda that they would use the City's current contractor for the work on the sidewalk.		
27 28 29 30	Mayor Day clarified that the good news and bad news was when expenses rise there was revenue associated with it for fuel and it is a budgeting challenge; however, the City remained the only consistent destination for getting fuel on the Wicomico River.		
31	Council reached unanimous consensus to a	dvance the legislation to legislative agenda.	
32 33 34	Resolution to execute a Quit Claim Deed	l with respect to Victoria Park Drive	
35 36 37 38 39		1	
40 41	Council reached unanimous consensus to a	dvance the legislation to legislative agenda.	
42 43	<u>Budget Amendment for additional funds</u> <u>Circle project</u>	s to construct the Street Scaping Division	

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- 45 Mr. Baldwin explained that additional funds were needed to get the Townsquare portion of the Circle and Division project put out for bid. The original funding was \$1.7 million 46 47 and in the FY23 CIP there was \$900,000. This amendment would move a total of 48 \$533,000 of unused funds from the Main Street project account and the Urban Greenway 49 project account. With the additional funds, the total construction costs would be an 50 estimated 3.2 million dollars. 51 52 At President Heath's request, Mr. Baldwin explained that Townsquare would be located 53 at the top portion of Lot 1 directly across from the parking deck. It would go down to the 54 canopy of the Gateway building. 55 56 Mr. Boda noted that this was an example of how well past projects were managed that it 57 allowed the remaining funds to be used on current projects. 58 59 Mayor Day acknowledged the Eastern Shore Delegation and Governor Hogan for 60 contributing to the projects mentioned above. 61 62 President Heath stated it was good to see tax dollars coming back to the Eastern Shore of 63 Maryland. 64 65 Council reached unanimous consensus to advance the legislation to legislative agenda. 66 67 Ordinance to accept grant funds for the Homeless Services Case Specialist Position 68 69 Housing and Community Development Director Ron Strickler addressed Council to accept funds from a Community Block Grant through the Wicomico County Local 70 71 Behavioral Health Authority. The funds, in the amount of \$45,244, would be used to 72 support the current position of Case Specialist and be transferred into a FY23 account. 73 74 Mr. Strickler shared that the target date to open Anne Street Village was the end of 75 October. 76 77 Council reached unanimous consensus to advance the legislation to legislative agenda. 78 79 Ordinance to amend Chapter 2.04 of the Salisbury City Code entitled "Ethics" 80 81 City Attorney Ashley Bosche briefed Council on the Ethics Code amendment. After 82 meeting with the City of Salisbury Ethics Commission and receiving preliminary approval from the Maryland State Ethics Commission, she presented the ordinance with 83 84 amendments to Chapter 2.04 of the Salisbury City Code. The primary changes included 85 the addition of prevention of the use of retaliation tactics if someone were to file a complaint, as well as tidying up lobbying, gifts, and disclosures. 86 87 88 Ms. Bosche confirmed that she was working on updating the current financial disclosure
- 89 form to reflect changes made to the code.

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91	Ms. Bosche shared the City of Salisbury's Ethics Commission's request to have a public		
92	informative session and President Heath requested a presentation be made at a future		
93	meeting to better inform the Council and the public.		
94			
95	Council reached unanimous consensus to advance the ordinance to legislative agenda.		
96			
97	Administration and Council Comments		
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99	Mayor Day expressed his appreciation to the Council members, staff, and volunteers who		
100	came out to the community build and noted that there would be more opportunities for		
101	volunteers to assist.		
102			
103	Mr. Boda said he stopped by Anne Street over the weekend and was pleased with		
104	everything. He encouraged everyone to keep their dogs on a leash as some people have		
105	had their animals attacked by unleashed dogs. Not leashing your dog puts them in danger		
106	of being struck by a car. Lastly, he asked that people would pick up after their dogs.		
107			
108	Ms. Jackson apologized for not making it out to the build; she hadn't been feeling well.		
109	She concurred with Mr. Boda that in the downtown area people were not picking up after		
110	their dogs. She also asked for continued prayers for her mother as she was still not well.		
111			
112	Ms. Blake asked for anyone who was healthy enough to please donate blood.		
113			
114	Ms. Gregory was amazed at how many people showed up to assist with the Anne Street		
115	project. She encouraged everyone to go get the booster that was available.		
116			
117	President Heath added that you could register online with Wicomico County Health		
118	Department on Monday, Wednesday, and Friday for the booster. He seconded Ms. Blake		
119	as the blood supply was not where it should be and asked those that could to give blood.		
120	He shared his experience at Anne Street and was pleased to see that community members		
121	felt the same. The project made it easier for those needing an address to find a job.		
122			
123	Ms. Jackson asked the parents of underaged children riding BIRD scooters to pay		
124	attention to what their children were doing. She pleaded for parents not to give them		
125	permission to ride these scooters as that would set a trap for them.		
126			
127	Adjournment/Convene in Special Meeting		
128			
129	With no further business to discuss, President Heath adjourned the Work Session at 4:55 p.m.		
130	and Council immediately convened in the Special Meeting.		
131			

City Clerk 134 Council President

CITY OF SALISBURY, MARYLAND		
SPECIAL MEETING	SEPTEMBER 19, 2022	
PUBLIC OFFICIALS PRESENT		
Council President John ''Jack'' R. Heath Council Vice President Muir Boda Councilwoman Angela M. Blake	Mayor Jacob R. Day Councilwoman April Jackson Councilwoman Michele Gregory	
C C	<u>ENDANCE</u>	
	ENDANCE	
City Attorney Ashley Bosche an	d Assistant City Clerk Julie English	
***********	************	
The City Council convened in a Work Session a adjourned and Council immediately convened		
ADOPTION OF LEGISLATIVE AGENDA		
<i>Ms. Jackson moved, Ms. Gregory seconded, ar the Special Meeting agenda as presented.</i>	nd the vote was unanimous (5-0 vote) to approve	
ORDINANCE - presented by City Attorney Asl	hley Bosche	
• <u>Ordinance No. 2740- 1st reading</u> - appr the construction of the Street Scaping L	oving a budget amendment to appropriate funds for Division Circle project	
<i>Mr. Boda moved, Ms. Jackson seconded, and the vote was unanimous (5-0 vote) to approve Ordinance No. 2740 for first reading.</i>		
	nding Chapter 2.04 of the Salisbury City Code corporating amendments enacted by the Maryland	
Ms. Jackson moved, Ms. Gregory secon approve Ordinance No. 2741 for first r	nded, and the vote was unanimous (5-0 vote) to reading.	
<u>ADJOURNMENT</u>		
With no further business to discuss, the Specia	l Meeting adjourned at 5:05 p.m.	
City Clerk		
Council President		

1	CITY OF SALISH	BURY, MARYLAND	
2 3	REGULAR MEETING	SEPTEMBER 26, 2022	
4 5	PUBLIC OFFICIALS PRESENT		
6 7 8 9	Council President John "Jack" R. Heath Council Vice-President Muir Boda (Zoom) Councilwoman Michele Gregory	Mayor Jacob R. Day Councilwoman Angela M. Blake Councilwoman April Jackson	
10 11	<u>IN ATTI</u>	ENDANCE	
12 13 14 15 16 17	City Administrator Julia Glanz, Deputy City Administrator Andy Kitzrow, Field Operations Director Jana Potvin, Contract Specialist Michael Lowe, Master Police Officer Barry Tucker, Housing and Community Development Director Ron Strickler, Executive Administrative Assistant Jessica Turner, Mayor's Office Intern Ayotomiwa "Tommy" Fashola, City Attorney Ashley Bosche, Assistant City Clerk Julie English, and members of the public		
18 19	<u>CITY INVOCATION – PLEDGE OF ALLEG</u>	**************************************	
20 21 22 23 24 25	The City Council met in regular session at 6:00 p.m. via Zoom and in person. Council Presider John R. "Jack" Heath called the meeting to order. After the recital of the pledge to the flag, Re Anthony Dickerson of the Greater Mt. Olive Full Gospel Baptist Church provided the invocation <u>ADOPTION OF LEGISLATIVE AGENDA</u>		
26 27 28	Ms. Jackson moved, Ms. Gregory seconded, and the vote was unanimous (5-0) to approve the legislative agenda as presented.		
29 30	AWARD OF BIDS- presented by Contract Specialist Michael Lowe		
31 32 33 34	<i>The following items were unanimously approve</i> <i>Ms. Blake, respectfully:</i>	d on a motion and seconded by Ms. Jackson and	
35 36 37	 ITB 23-101 SPD Ford Police Intercep Declarations of Surplus- SPD Lawn E 		
38 39 40 41	After a question from Ms. Jackson, Ms. Glanz r worked with to donate surplus bicycles. There v with Parkside High School students who would		
42 43 44	Mr. Boda asked for a timeframe for delivery of were planned for February 2023 production, so	the police vehicles. Mr. Lowe explained that they odelivery was estimated to be Spring of 2023.	
45 46	<u>RESOLUTION-</u> presented by City Administrat	or Julia Glanz	
40 47	• <u>Resolution No. 3189</u> - to execute a Qu	it Claim Deed with respect to Victoria Park Drive	

,	A last and Mc Current accorded and the sector was a minimum to any sector
	<i>As. Jackson moved, Ms. Gregory seconded, and the vote was unanimous to approve</i> Resolution No. 3189.
PUBL	IC HEARINGS- presented by City Attorney Ashley Bosche
	ance No. 2734- permitting townhouse development in General Commercial districts
Ms. Gi	regory moved and Ms. Jackson seconded to approve Ordinance No. 2734.
City A	ttorney Ashley Bosche presented Ordinance No. 2734.
	ent Heath invited anyone wishing to speak during either of the public hearings to please and be sworn in by Assistant City Clerk Julie English. One person was sworn in.
	<i>1 p.m. President Heath opened the Public Hearing. Having no comments, President Heath the hearing at 6:13 p.m.</i>
Ordina	ance No. 2734 was approved by unanimous vote in favor.
-	ance No. 2737- amending Section 17.212.030 of the Salisbury City Code to add Animal tals to the category of uses permitted in shopping centers
nospu	uis to the category of uses permitted in shopping centers
Ms. Bl	ake moved and Mr. Boda seconded to approve Ordinance No. 2737.
City A	ttorney Ashley Bosche presented Ordinance No. 2737.
this to amena norma	4 p.m. President Heath opened the Public Hearing. He asked if anyone wished to speak on pic. One person approached the podium and shared that his client requested the text ment. He was available to answer any questions and added that his client operated during l business hours and did not participate in overnight boarding or 24-hour emergency care. irrored other businesses permitted to operate in shopping centers.
Having	g no further comments or questions from the Council, President Heath closed the Public
	ng at 6:16 p.m.
Ordine	ance No. 2737 was approved by unanimous vote in favor.
<u>ORDI</u>	NANCES- presented by City Attorney Ashley Bosche
•	Ordinance No. 2738 - 2 nd reading- approving an amendment of the City's General Capital Project Fund Budget to provide funds for the Waterside Parking Lot Project
	Ms. Jackson moved, Ms. Blake seconded, and the vote was unanimous to approve Ordinance No. 2738 for second reading.
•	<u>Ordinance No. 2739</u> - 2 nd reading- to accept a donation in the amount of \$9,500 from the Salisbury Skatepark Committee, Inc. and to simultaneously approve a budget amendment to

95 96	the Grant Fund Budget to appropriate these funds for eligible expenses associated with the construction of Phase 2b of the Salisbury Skatepark
97 08	Ma Plake moved Ma Creacon seconded and the vote was unanimous to approve
98 99	<i>Ms. Blake moved, Ms. Gregory seconded, and the vote was unanimous to approve</i> <i>Ordinance No. 2739 for second reading.</i>
99 100	Orainance No. 2759 for second redaing.
100	• <u>Ordinance No. 2740-</u> 2 nd reading- budget amendment to appropriate additional funds for
101 102 103	the construction of the Street Scaping Division Circle project
103	Ms. Gregory moved, Ms. Jackson seconded, and the vote was unanimous to approve
105	Ordinance No. 2740 for second reading.
106	orumance no. 27 to jor secona reading.
107	• <u>Ordinance No. 2741</u> - 2 nd reading- amending Chapter 2.04 of the Salisbury City Code
108	entitled "Ethics" for the purpose of incorporating amendments enacted by the Maryland
109	General Assembly
110	
111	Ms. Jackson moved, Ms. Gregory seconded, and the vote was unanimous to approve
112	Ordinance No. 2741 for second reading.
113	
114	• <u>Ordinance No. 2742</u> - 1 st reading- budget amendment to appropriate additional funds for
115 116	fuel and emergency repairs at the Marina
117	Ms. Jackson moved, Ms. Gregory seconded, and the vote was unanimous to approve
118	Ordinance No. 2742 for first reading.
119	
120	• <u>Ordinance No. 2743</u> - 1 st reading- accepting grant funds for the Homeless Services Case
121 122	Specialist Position
123	Ms. Blake moved, Ms. Jackson seconded, and the vote was unanimous to approve Ordinance
124	No. 2743 for first reading.
125	
126	PUBLIC COMMENTS
127	
128	There were no requests for public comments.
129	
130	ADMINISTRATION AND COUNCIL COMMENTS
131	
132	Mayor Day pointed out that the current Mayor's Office intern, Ayotomiwa "Tommy" Fashola, was
133	in attendance at the meeting and thanked her. He encouraged everyone to attend Stam Slam to
134	acknowledge retired employee Deborah Stam for all her work with the Skatepark.
135	
136	Mr. Boda shared that he had been out and about in the city, talked with people and addressed
137	concerns.
138	
139	Ms. Jackson reiterated that there are still underage riders on the scooters. She stated the parents
140	and guardians were responsible for what happened to them. She also sent condolences to the

Joynes family for the loss of their 15 year old son. Ms. Jackson reminded everyone that Covid was
still here and encouraged them to get their booster.

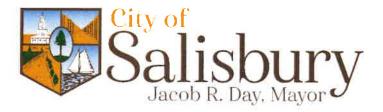
- 143
- Ms. Blake addressed a letter than City Council received from Mr. Sarbanes regarding the condition
 of Schumaker Pond.
- 146
- Mayor Day responded that the City of Salisbury already met with those involved and all were in
 agreement to address the issue except for Wicomico County. Mayor Day encouraged Mr. Sarbanes
 to focus his efforts on the County.
- 150

Ms. Blake added that, for the second time, she was able to donate blood and encouraged all who were healthy enough to do the same. She informed everyone that one pint of blood was enough to help two to three people.

- 154
- Ms. Gregory reiterated that the new booster was out and encouraged all to get it. She shared that at noon on October 8th there would be an event to repaint the rainbow crosswalk.
- 157
- President Heath echoed what Ms. Blake shared about the desperate need for blood and encouraged
 those who are healthy enough to please give blood.

160161 <u>ADJOURNMENT</u>

- 162
- 163 With no further business to discuss, the meeting adjourned at 6:37 p.m.
- 164 165
- 166 *City Clerk*
- 167
- 168
- 169 *Council President*



MEMORANDUM

To: Jacob R. Day, Mayor

From: Jessie Turner, Administrative Assistant

Subject: Appointment to the Youth Development Advisory Committee

Date: October 7, 2022

The following person has applied for appointment to the Youth Development Advisory Committee for the term ending as indicated:

> <u>Name</u> Thashana McKinney

<u>Term Ending</u> October 2025

Attached is the applicant's information and the resolution necessary for her appointment. If this appointment is approved, it will be placed on the next City Council agenda for review.

Attachments

RESOLUTION NO. 3195		
	y of Salisbury, Maryland that the following buth Development Advisory Committee for the	
Name	Term Ending	
Thashana McKinney	October 2025	
THE ADOVE DECOLUTION	·	
THE ABOVE RESOLUTION was introduced and duly passed at a meeting of the Council of the City of Salisbury, Maryland held on October, 2022.		
5 57 5		
ATTEST:		
Kimberly R. Nichols	John R. Heath	
CITY CLERK	PRESIDENT, City Council	
APPROVED BY ME THIS		
day of, 2022		
Jacob R. Day, Mayor		

INTER

OFFICE

MEMO

To:City CouncilFrom:Laura SoperSubject:Enterprise Zone Eligibility – Westwood Acquisition PartnersDate:October 19, 2022

Attached is a copy of the application requesting Enterprise Zone designation for Westwood Acquisition Partners that I received from Matthew Leone. I have reviewed this application and, to the best of my knowledge, this establishment meets all of the qualifications to be so designated. This property is located within the boundaries of the City's Enterprise Zone, and this company has invested more than \$50,000 in the property and/or has hired (or will hire) two or more NEW full time employees since locating in the Enterprise Zone.

I recommend that the City Council adopt the attached resolution designating Westwood Acquisition Partners located at 1865 West Road, eligible to receive the benefits of the Enterprise Zone.

As a reminder, companies that are declared eligible for enterprise zone benefits are able to receive either a one time Income Tax Credit of \$1,000 per new employee hired or a 10 year Property Tax Credit. The purpose of this program is to encourage industries to locate in areas identified as enterprise zones and to reinvest in such properties.

Attachments

RESOLUTION NO. 3196

A RESOLUTION OF THE CITY OF SALISBURY, MARYLAND DECLARING Westwood Acquisition Partners ELIGIBLE TO RECEIVE ENTERPRISE ZONE BENEFITS FOR PROPERTY LOCATED AT 1865 West Road, SALISBURY, MD.

WHEREAS, the City of Salisbury, Maryland and Wicomico County created an Enterprise Zone on June 6, 1983 for the purpose of encouraging economic development of the area encompassed within the boundaries of such zone; and

WHEREAS, the Enterprise Zone was created under authority granted by the State of Maryland; and

WHEREAS, the Maryland Code permits certain benefits to be extended to businesses that locate or expand in the Enterprise Zone provided that they meet certain standards; and

WHEREAS, the City of Salisbury and Wicomico County have also established certain standards, which must be met in order for a business to be deemed eligible to receive Enterprise Zone benefits; and

WHEREAS, Westwood Acquisition Partners meets the standards set forth in the Maryland Code and in local regulations to be eligible to receive Enterprise Zone benefits; and

WHEREAS, Westwood Acquisition Partners has requested that the company be designated as eligible for Enterprise Zone benefits because of its investment of more than \$50,000 in the property located in the Enterprise Zone at 1865 West Road Salisbury, MD and/or for hiring two or more new full-time employees.

29 NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF 30 SALISBURY, MARYLAND, as follows:

31 <u>Section 1.</u> Westwood Acquisition Partners shall be designated as eligible to receive the benefits of
 32 the Enterprise Zone effective upon the adoption of this Resolution.

33 <u>Section 2</u>. It is the intention of the Mayor and Council of the City of Salisbury that each provision
 34 of this Resolution shall be deemed independent of all other provisions herein.

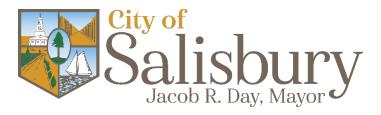
35 <u>Section 3.</u> It is further the intention of the Mayor and Council of the City of Salisbury that if any 36 section, paragraph, subsection, clause or provision of this Resolution shall be adjudged invalid, 37 unconstitutional or otherwise unenforceable under applicable Maryland or federal law, such adjudication 38 shall apply only to the section, paragraph, subsection, clause or provision so adjudged and all other 39 provisions of this Resolution shall remain and shall be deemed valid and enforceable.

40 <u>Section 4.</u> The recitals set forth hereinabove are incorporated into this section of the Ordinance as 41 if such recitals were specifically set forth at length in this Section 4.

THE ABOVE RESOLUTION was introduced and read and passed at the regular meeting of the
 Council of the City of Salisbury held on this _____ day of _____, 2022 and is to become effective
 immediately upon adoption.

45		
46	ATTEST:	
47		
48		
49		
50	Kimberly R. Nichols, City Clerk	John R. Heath, City Council President
51	•	
52		

1	Approved by me, this	day of	, 2022.
2			
3			
4			
5			
6	Jacob R. Day, Mayor	· · · · · · · · · · · · · · · · · · ·	
7			



COUNCIL AGENDA – Department of Procurement

October 24, 2022

Award of Bid(s)

1.	ITB A-23-104 Dark Fiber Optic Cable Installation/Maintenance	\$ 497,520.00 (20 yr term)
2.	ITB A-23-105 Zinc Pyrophosphate for Corrosion Control	\$ 198,300.00
3.	ITB 23-103 Waterside Park	\$ 167,136.72

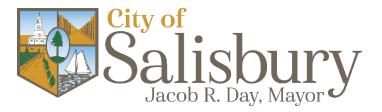
Approval of Tier 6 Change Order

1. RFP 03-14 Skatepark Design/Build – Change Order #10 \$ 26,780.48

Declaration of Surplus

1. Salisbury Police Department

- a. Vehicles #1476 & #1487
- b. Duty weapon

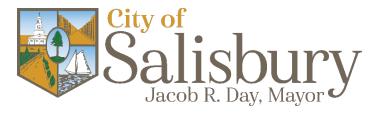


То:	Mayor and City Council
From:	Jennifer Miller
	Director of Procurement
Date:	October 24, 2022
Subject:	Award of Bids, Change Order and Declaration of Surplus

The Department of Procurement seeks Award of Bid approval from City Council for the solicitations as defined herein. The City followed required bidding practices by publicly posting these solicitations on the City of Salisbury's Procurement Portal and the State of Maryland's procurement website, eMaryland Marketplace Advantage.

ITB A-23-104 Dark Fiber Optic Cable Installation and Maintenance Services

- Scope of Work: Provide a 20-year service agreement for dark fiber optic cable service (installation, maintenance and yearly lease) to the following City facilities:
 - 100 Delaware Avenue (pump station)
 - 1100 Beaglin Park Drive (Fire Station 1)
 - 409 Naylor Street (Fire Station 2)
 - o 506 West Main Street (Salisbury Marina)
 - o 2232 Scenic Drive (Paleo Water Plant)
 - 1142 Marine Road (WWTP)
 - o 755 South Park Drive (Salisbury Zoo)
- Bid date: 09/01/22
- Bid opening: 10/05/22
- Total bids received: 2
- Lowest responsive & responsible bidder: Simple Fiber (Salisbury, MD)
- Cost: \$2,073 per month for all seven (7) locations as defined above (\$497,520 over 20 yr. term)
- GL Account(s):
 - \circ ~ To be determined on a per-department basis prior to location installation and usage
- Term:
 - The maximum term of the agreement shall be 20 years, renewable each year in one (1) year increments after the first 12 months; contract shall include a non-appropriation clause.



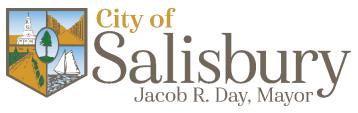
ITB A-23-104 Dark Fiber Optic Cable Installation and Maintenance Services (cont'd)

- Notes:
 - Non-Appropriation. This Agreement shall be deemed executor only to the extent of 0 monies appropriated and no liability on account thereof shall be incurred beyond the amount of such appropriated funds. Notwithstanding anything to the contrary in this Agreement, it is the present intention and expectation of the City that the applicable budgetary entity, within the limits of available funds and revenues, will make an appropriation of a sufficient amount to fund the City's obligations hereunder during each fiscal year of the term of the Agreement. The City shall use reasonable good faith efforts to have funds properly budgeted, appropriated, allotted, or otherwise made available for this Agreement (Including obtaining legislative and other authorizations for use of such funds) and to satisfy such conditions in a timely manner. If an appropriation for this Agreement is not made for the City's obligations under this Agreement by the applicable budgetary entity for any fiscal year for which the City is obligated during the term of the Agreement (a "Non-Appropriation Event"), the City shall promptly give written notice of such Non-Appropriation Event (the "Non-Appropriation Notice"). Immediately upon mailing of the Non-Appropriation Notice this Agreement shall be terminated and neither Party shall have any further liability to the other Party, except of liabilities that arose prior to the termination."

ITB A-23-105 Zinc Pyrophosphate for Corrosion Control

- Department: Water Works
- Specifications: Supply and delivery for twelve (12) months of Zinc Pyrophosphate to City's municipal water plants for the purpose of providing continuous corrosion control and the sequestering of iron throughout the City's water distribution system
- Bid date: 09/12/22
- Bid opening: 10/13/22
- Total bids received: 2
- Lowest responsive & responsible bidder: Klenzoid, Inc. (Conshohocken, PA)
- Cost: approx. \$198,300.00 for 12 months (\$13.22 per gallon)
- GL Account(s):
 - o 82075-546004 (Chemicals)
- Notes:
 - Contract includes a renewal clause: "The City reserves the right to renew all or portions of this contract with the same prices, terms and conditions as the original contract for two (2) one-year terms, contingent upon mutual agreement between the City and the supplier."

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



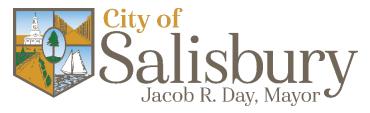
ITB 23-103 Waterside Park

- Department: Infrastructure and Development
- Scope of Work: Construct a twenty-five (25) space parking lot, new driveway entrance and storm water management infiltration basin at Waterside Park (Fitzwater St. and Parsons Rd)
- Bid date: 07/01/22
- Bid opening: 08/10/22
- Total bids received: 1
- Lowest responsive & responsible bidder: Stratified, Inc. (Washington, D.C.)
- Cost: \$167,136.72 (includes scope reductions)
- GL Account(s):
 - o 12800-513026-73024 (FY19 Waterside Park Improvements) \$111,260.00
 - o 60850-513026 (Storm Water Construction) \$ 21,476.72
 - 98118-513026-48040 (Waterside Parking Lot)
 \$ 34,400.00

The Department of Procurement seeks approval from City Council to initiate the following contract change order, pursuant to Section 2.32.085 of the Salisbury, Maryland – Municipal Code:

RFP 03-14 Skatepark Design/Build – Change Order #10

- Department: Infrastructure and Development
- Scope of Work: Provide design and construction services for a poured-in-place concrete skatepark at 921 South Park Drive, with services including the production of conceptual designs, obtaining community design input, preparing final design plans and construction documents, obtaining permits and constructing a non-supervised public skatepark
- Vendor: Adira Construction, Inc. (Chesapeake, VA)
- Amount of change order: \$26,780.48
- GL Account(s):
 - o 12800-513026-73039 (FY21 SBY Skatepark Phase 2B) \$ 26,780.48
- Description of change order: additional funds needed to offset increased construction costs and to construct additional skatepark features
- Notes:
 - Salisbury, Maryland Municipal Code 2.32.085 Change orders City Council approval is required for any Change Order of a contract that has an original award amount in excess of \$100,000.00, and that results in a cumulative increase of the original contract of 20% or greater.

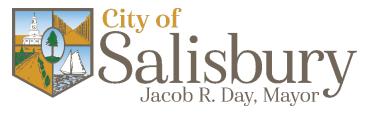


The Department of Procurement seeks approval from City Council to declare the following items as surplus and to dispose of the items as indicated:

Salisbury Police Department

- Item(s): Vehicle #1476 and Vehicle #1487
- Method of disposal: Salvage and insurance claim
- Item(s): Duty weapon
- Method of disposal: retirement gift

Additional details regarding the items can be found in the departmental memo(s).



Memo

To: Jennifer Miller, Director of Procurement

From: Bill Garrett, Director of I.S.

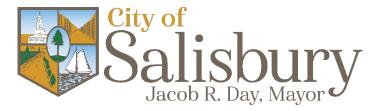
Date: 10/17/22

William I hat

Re: Award of Bid – Simple Fiber

In order to save money on monthly network costs, the City recently issued ITB A-23-104 to secure long-term pricing to establish dark fiber optic network connectivity to multiple physical locations.

Based on these received bids, we recommend a proceeding with the proposal by Simple Fiber, as it will be the lowest cost of any options, and provide an overall savings from the current vendor used.



MEMORANDUM

To:	Jennifer Miller, Director of Procurement
From:	Cori Cameron, Director of Water Works
Subject:	Recommendation for Awards Contract No. ITB A-23-105 Zinc Pyrophosphate
Date:	October 19, 2022

Bids for the chemical Zinc Pyrophosphate for the Department of Water Works were opened on October 13, 2022 at 2:30pm for contract number ITB A-23-105. Two bidders responded with bids.

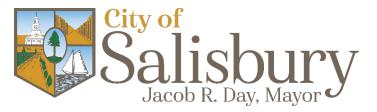
Upon review and evaluation of the bids submitted, the Department recommends the contract be awarded to the low bidder Klenzoid Inc. The Department of Water Works has worked with this chemical supplier before and have been pleased with their product and delivery service.

Funds are available in the Water Works Water Treatment Plant Chemical account # 82075-546004, for the amount of \$198,300.00 for the FY23 fiscal year. These funds are to furnish and deliver 15,000 gallons of corrosion inhibitor (Zinc Pyrophosphate) at the unit price of \$13.22 per gallon.

Please reach out to me with any questions you may have regarding these bid awards.

mero

Cori Cameron, Director



To:Jennifer Miller, Director of ProcurementFrom:Richard D. Baldwin, Director of Infrastructure & DevelopmentDate:October 14, 2022Re:ITB 23-103 Waterside Park Improvements

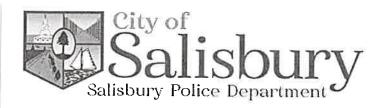
Through ITB 23-103 Waterside Park Improvements the City solicited bids to construct a 25-space parking lot with related Storm-water improvements. The Schedule for this project is to have final acceptance within 180-days of the Notice to Proceed date.

One (1) firm submitted a bid for Invitation to Bid (ITB) ITB 23-103 Waterside Park Improvements on Wednesday August 10, 2022 at 2:30 PM. The bid received from Stratified, Inc. was for \$244,544.30. As this bid exceeded available budget, and there was only one bidder, the City was able to negotiate with the bidder and came to an agreement on reduced scope at a contract value of \$167,136.72.

The Department of Infrastructure and Development reviewed the bids and found that Stratified, Inc. presented a bid that is consistent with the bid documents. The Stratified, Inc. reference reached was complimentary of the work performed and would hire the contractor again.

Please issue a Purchase Order to Stratified, Inc. in the amount of \$167,136.72. Funds are available in the following accounts:

12800-513026-73024	\$111,260.00
60850-513026	\$ 21,476.72
98118-513026-48040	\$ 34,400.00



DATE:	October 5, 2022
TO:	Jennifer Miller Director of Procurement
FROM:	Kenneth D. Wilson #2784

Quartermasters Office

SUBJECT: SURPLUS VEHICLE 1476 – DECLARED TOTALED

The Salisbury Police Department is requesting that Patrol vehicle #1476, a 2014 Chevrolet Caprice, (VIN:6G3NS5U39EL962792) be declared as surplus since it is no longer able to be put into service. An approximate cash value of this vehicle is \$7,340.00. This vehicle was in an accident on September 24, 2022 causing major damage to the operating systems and equipment in this vehicle.

LGIT has declared this vehicle totaled and it is no longer useable by the Salisbury Police Department. LGIT will pay the city \$7,340.00 for this vehicle once the title is released and they have claimed this vehicle for salvage.

Respectfully Submitted,

Kenneth D. Wilson #2784 Quartermasters Office

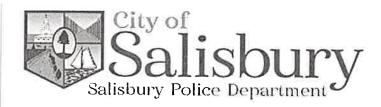
CEA

Approved:

Chief Barbara Duncan Chief of Police Davi D MEJEJSCHERN Official chief







DATE:	October 5, 2022
TO:	Jennifer Miller Director of Procurement
FROM	Kenneth D Wilson #2784 Quartermasters Office

SUBJECT: SURPLUS VEHICLE 1487 – DECLARED TOTALED

The Salisbury Police Department is requesting that Patrol vehicle #1487, a 2014, Chevrolet Caprice (VIN: 6G3NS5U30EL940020) with over 148k miles be declared as surplus, since it is no longer able to be put into service. In September of 2022 vehicle 1487 broke down in the roadway and unit was towed to a repair shop for evaluation. Hertrich Chevrolet inspected the vehicle and determined the drive shaft, transmission and several other internal parts would need to be replaced at a cost exceeding \$8,000. SPD supervision reviewed the maintenance records on the vehicle and determined that further maintenance funds should not be spent on unit #1487 and that the vehicle would be surplused.

Respectfully Submitted,

27924

Kenneth D Wilson #2784 Quartermasters Office Administrative Division

Approved:

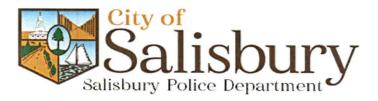
Chief Barbara Duncan

Chief of Police DAUD Mirwisch 5mil Assistant Christ









DATE: September 29, 2022

TO: Jennifer Miller Director - Procurement

FROM: Lt. C. Devoe

SUBJECT: SURPLUS WEAPON – MPO B. Tucker #1190

The Salisbury Police Department has a history of giving retiring Police Officers their duty weapon as a retirement gift. Therefore, I request permission to send the appropriate paperwork to the Purchasing Agent to declare, as surplus, one Glock Auto Pistol, 45 Caliber Model 21 Gen 4 with serial number BFRA690 for MPO B. Tucker #1190, who retired from the Salisbury Police Department on September 30,2022. This weapon is valued at \$479.00.

Respectfully Submitted,

C. Delas, 1171

Lt. C. Devoe Quartermasters Office Administrative Division

Approved:

Chief Barbaca Duncan Chief of Police





ORDINANCE NO. 2744

AN ORDINANCE OF THE CITY OF SALISBURY APPROVING AN AMENDMENT OF THE CITY'S FY2023 GENERAL FUND BUDGET TO PROVIDE FUNDS FOR RED LIGHT CAMERA ADMINISTRATION.

WHEREAS, the City of Salisbury recently determined participation in a Red-Light Camera program will enhance public safety by reducing the risk of motor vehicle and pedestrian collisions; and

WHEREAS, the City estimates \$239,000 in administrative fees will be incurred in fiscal year 2023 as a result of the Red-Light Camera program, which will be covered by revenue from the Program; and

WHEREAS, the City estimates it will receive \$75.00 for every citation paid by the violator of which the City will incur \$26.50 in administration costs and retain \$48.50 as revenue, which will be used to further enhance public safety measures in the city of Salisbury; and

WHEREAS, the appropriations necessary to execute the purpose of the \$239,000 estimated funds, as provided hereinabove, 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 ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND, as follows:

Section 1. Mayor Jacob R. Day is hereby authorized to appropriate funds in the General Fund in the amount of \$239,000.

BE IT FURTHER ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND, as follows:

Section 2. The City of Salisbury's FY23 General Fund Budget be and hereby is amended as follows:

Increase Decrease	Account Type	Project Description	Account Description	Account	Amount
Increase	Revenue	None	Red Light Camera Fines	01000-469810	239,000
Increase	Expense	None	Red Light Camera Admin.	90500-502045	239,000

BE IT FURTHER ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND, as follows:

36 <u>Section 3</u>. It is the intention of the Mayor and Council of the City of Salisbury that each provision
 37 of this Ordinance shall be deemed independent of all other provisions herein.

38 <u>Section 4.</u> It is further the intention of the Mayor and Council of the City of Salisbury that if any 39 section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged invalid, 40 unconstitutional or otherwise unenforceable under applicable Maryland or federal law, such adjudication 41 shall apply only to the section, paragraph, subsection, clause or provision so adjudged and all other 42 provisions of this Ordinance shall remain and shall be deemed valid and enforceable.

43 <u>Section 5.</u> The recitals set forth hereinabove are incorporated into this section of the Ordinance as
 44 if such recitals were specifically set forth at length in this Section 5.

 Section 6. This Ordinance shall take effect from and after the date of its final passage.

47 THIS ORDINANCE was introduced and read at a Meeting of the Mayor and Council of the City of
 48 Salisbury held on the 10th day of October, 2022 and thereafter, a statement of the substance of the Ordinance

49 50 51	having been published as required by la of Salisbury on the 24 th day of October,	aw, in the meantime, was finally passed by the Council of the City, 2022.
52	ATTEST:	
53		
54 55		
56 57 58	Kimberly R. Nichols, City Clerk	John R. Heath, City Council President
59 50 51 52 53	Approved by me, thisday of	, 2022.
55 54 55 56	Jacob R. Day, Mayor	

1	ORDINANCE NO. 2745			
2 3 4 5 6 7 8	AN ORDINANCE OF THE CITY OF SALISBURY APPROVING AN AMENDMENT TO THE GENERAL FUND BUDGET REFLECTING THE ACCEPTANCE OF GRANT FUNDS FROM THE WICOMICO COUNTY CIRCUIT COURT AND FURTHER APPROPRIATING FUNDS FOR OVERTIME PAY OF OFFICERS OF THE SALISBURY POLICE DEPARTMENT.			
9 10 11 12 13	WHEREAS , the Wicomico County Circuit Court through the FY23 Office of Problem Solving Courts Discretionary Grant Adult Drug Court program "(" Drug Court ") has awarded grant funds in the amount of Five Thousand Dollars (\$5,000.00) to be allocated to overtime pay for officers of the Salisbury Police Department (" SPD "); and			
14 15 16 17 18	WHEREAS , in accordance with past practices, the City of Salisbury (the " City ") will provide a partial match of funds in the amount of Four Thousand Four Hundred Dollars (\$4,400.00) to cover the cost of the fringe amounts associated with the increased officer pay, including but not limited to FICA, workers compensation, retirement, health and life insurance contributions; and			
19 20 21	WHEREAS, the City has surplus funds available in current year operating accounts to accomplish this partial grant match; and			
22 23 24 25 26 27	WHEREAS, the combined grant and matching funds in the amount of Nine Thousand Hundred Dollars (\$9,400.00) of overtime pay and fringe benefits will be used for officers conducting cura and contract compliance checks on Drug Court participants, in efforts to reduce the number of repeat crimes committed by addicted drug offenders and to increase the completion percentage of those who court ordered into substance abuse treatment; and			
28 29 30	WHEREAS, the use of the overtime pay will further provide for effective court supervision and return repeat offenders to the community as productive law-abiding citizens; and			
31 32 33	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.			
34 35 36	NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND, as follows:			
30 37 38	Section 1. The City of Salisbury's Grant Fund Budget be and hereby is amended as follows:			
39 40 41 42 43	 Increase Circuit Court Revenue budget 10500-424350-xxxxx by \$5,000 Increase City Grant Match Revenue budget 10500-499000-xxxxx by \$4,400 Increase Overtime Salary Expense budget 10500-501021-xxxxx by \$5,000 Increase Various Fringe Expense Budgets 10500-5020xx-xxxxx by \$4,400 			
44 45 46	Section 2. The City of Salisbury's FY23 General Fund Budget be and hereby is amended as follows:			
47 48 49	 Increase Revenue 01000-469810 Use of Surplus by \$4,400 Increase Expense 91001-599121 Grant Match Police Department by \$4,400 			
50 51	BE IT FURTHER ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND, as follows:			

52 53	<u>Section 3</u> . It is the intention of the Mayor and 0 of this Ordinance shall be deemed independent of all ot	Council of the City of Salisbury that each provision her provisions herein.	
54 55 56 57 58	<u>Section 4</u> . It is further the intention of the Mayor and Council of the City of Salisbury that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged invalid, unconstitutional or otherwise unenforceable under applicable Maryland 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 and shall be deemed valid and enforceable.		
59 60	Section 5. The recitals set forth hereinabove ar if such recitals were specifically set forth at length in th	e incorporated into this section of the Ordinance as is Section 5.	
61 62 63	Section 6. This Ordinance shall take effect fro	m and after the date of its final passage.	
64 65 66 67 68 69	THIS ORDINANCE was introduced and read of Salisbury held on the 10 th day of October, 2022 an Ordinance having been published as required by law, in of the City of Salisbury on the 24 th day of October, 2022	n the meantime, was finally passed by the Council	
70 71 72	ATTEST:		
73 74 75 76	Kimberly R. Nichols, City Clerk	John R. Heath, City Council President	
77 78 79 80 81	Approved by me, thisday of	_, 2022.	
82 83 84 85	Jacob R. Day, Mayor		

1 2	1 ORDINANCE NO. 2747		
2 3 4 5 6	AN ORDINANCE OF THE CITY OF SALISBURY APPROVING A BUDGET AMENDMENT OF THE FY2023 GENERAL FUND BUDGET TO APPROPRIATE FUNDS TO THE SALISBURY FIRE DEPARTMENT'S OPERATING BUDGET.		
0 7 8	WHEREAS, th has been sold at auction	e City has declared a 2012 International Terrastar Horton Ambulance as surplus and the vehicle : and	
9	WHEREAS, th	is vehicle was operated by the Salisbury Fire Department; and	
10 11	WHEREAS, the placed the funds in the Q	e City has received a total of \$17,205.00 from the proceeds generated from the auction sale and City General Fund; and	
12 13		he Fire Department has use for the funds received and requests that the funds of \$17,205.00 be Department Operating Budget for FY2023; and	
14 15		he budget amendment as provided herein must be made upon the recommendation of the Mayor -fifths of the Council of the City of Salisbury.	
16 17 18 19	NOW, THERI SALISBURY, MARY	EFORE, BE IT ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF LAND, as follows:	
20	Section 1. The	City of Salisbury's Fiscal Year 2023 General Fund Budget be and is hereby amended as follows:	
21	(a)	Increase the Sale of Fixed Assets Account (01000-469200) by \$17,205.00	
22 23 24	(b)	Increase the Salisbury Fire Department's Building Account (24035-534301) by \$17,205.00	
25 26	BE IT FURTH MARYLAND, as follo	ER ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY , ws:	
27 28		s the intention of the Mayor and Council of the City of Salisbury that each provision of this ned independent of all other provisions herein.	
29 30 31 32 33	paragraph, subsection, unenforceable under ap	s further the intention of the Mayor and Council of the City of Salisbury that if any section, clause or provision of this Ordinance shall be adjudged invalid, unconstitutional or otherwise plicable Maryland or federal law, such adjudication shall apply only to the section, paragraph, ovision so adjudged and all other provisions of this Ordinance shall remain and shall be deemed	
34 35		recitals set forth hereinabove are incorporated into this section of the Ordinance as if such recitals that length in this Section 4.	
36	Section 5. Thi	s Ordinance shall take effect from and after the date of its final passage.	
37 38 39 40 41 42 43	held on the 10 th day of C	ANCE was introduced and read at a Meeting of the Mayor and Council of the City of Salisbury October, 2022 and thereafter, a statement of the substance of the Ordinance having been published e meantime, was finally passed by the Council of the City of Salisbury on the 24 th day of October,	
44	[TH	E REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANKJ	
45		[SIGNATURES APPEAR ON THE PAGE THAT FOLLOWS]	
46 47 48	ATTEST:		

Kimberly R. Nichols, City Clerk	John R. Heath, City Council Presiden
Approved by me, thisday of	, 2022.
Jacob R. Day, Mayor	_

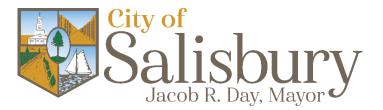
1	ORDINANCE NO. 2748				
2 3 4 5 6 7 8	AN ORDINANCE OF THE CITY OF SALISBURY TO AMEND CHAPTER 1.16 THE SALISBURY CITY CODE, ENTITLED "INFRACTIONS AND CIVIL ZONI VIOLATIONS", TO GRANT AUTHORITY TO ISSUE CITATIONS F MUNICIPAL INFRACTIONS OR CIVIL ZONING VIOLATIONS TO THE CIT DEPUTY FIRE MARSHAL AND FIRE INSPECTOR.	NG OR			
8 9 10	WHEREAS, the ongoing application, administration and enforcement of the Salisbury City Co the need for periodic review, evaluation and amendment; and	de demonstrates			
11	WHEREAS, the City of Salisbury has adopted the State Fire Prevention Code subject to local amendments; and				
12 13	WHEREAS, the City of Salisbury employs a Deputy Fire Marshal and Fire Inspector to enforce the City Fire Prevention Code; and				
14 15 16	WHEREAS, the City of Salisbury desires to amend Chapter 1.16.100 of the Salisbury City Code for the purpose of granting the authority to issue citations for municipal infractions or civil zoning violations to the City Deputy Fire Marshal and to Fire Inspector.				
17 18 19	NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE COUNCIL OF SALISBURY, MARYLAND, as follows:	THE CITY OF			
20 21 22	Section 1. Chapter 1.16 of the Salisbury City Code, entitled "Infractions and Civil Zoning Vi is hereby amended by repealing the crossed-out language and adding the bolded and underlined language				
23	Chapter 1.16 - INFRACTIONS AND CIVIL ZONING VIOLATIONS				
24 25 26	1.16.100 - Waiver of fines—Authority to issue citations—Violations and penalties—Repealer.				
27 28 29	A. Those directors of departments authorized to administer and enforce this chapter have waive any fine contained herein not imposed by any court if it can be established by evidence that the citation for the offense was issued erroneously.				
30 31	B. The following persons shall have the authority to issue citations for municipal infraction violations:	ns or civil zoning			
32	1. Director of the department of Infrastructure and Development and any designee of	the Director;			
33 34	 Director of the Housing and Community Development Department and any design Director; 	nee of the			
35	3. Director of the department of Water Works and any designee of the Director;				
36	4. Housing supervisor;				
37	5. Building inspector;				
38	6. Housing inspector;				
39	7. Zoning administrator;				
40	8. Plan examiner;				
41	9. Plumbing inspector;				
42	10. All city police officers;				
43	11. Director of the Department of Field Operations and any designee of the Director;				
44	12. Traffic superintendent;				

45		13. Operations and maintenance superintendent;
46		14. Sanitation superintendent;
47		15. Safety Manager;
48		16. Chief or deputy chief of the city fire department;
49		17. Fire Marshal- <u>:</u>
50		18. Deputy Fire Marshal; and
51		19. <u>Fire Inspector.</u>
52 53 54 55	C.	The violations of the following codes and ordinances are declared to be an infraction, and the penalty for such violation shall not exceed five hundred dollars (\$500.00) for each initial offense and shall not exceed one thousand dollars (\$1.000.00) for each repeat offense, and each day the violation continues shall constitute a separate offense:
56		1. International Building Code (2015) (IBC);
57		2. International Residential Code (2015) (IRC);
58		3. International Energy Conservation Code (2015) (IECC);
59		4. International Mechanical Code (2015) (IMC);
60		5. International Plumbing Code (2015) (IPC);
61		6. International Fuel Gas Code (2015) (IFGC);
62		7. International Existing Building Code (2015) (IEBC); and
63		8. The city fire prevention code.
64 65 66	D.	The violations of the following codes and ordinances are declared to be civil zoning violations, and the penalty for such violation shall be five hundred dollars (\$500.00) for each initial offense and five hundred dollars (\$500.00) for each repeat offense:
67		1. Business, commercial or industrial use violations of the zoning code.
68 69	E.	The penalty provisions of any of the codes, ordinances or laws referred to in this section inconsistent with the penalty provisions of this chapter are repealed.
70 71	BE IT MARYLAND	C FURTHER ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY , D , as follows:
72 73		<u>n</u> 2. It is the intention of the Mayor and Council of the City of Salisbury that each provision of this ll be deemed independent of all other provisions herein.
74 75 76 77 78	paragraph, sub unenforceable	on 3. It is further the intention of the Mayor and Council of the City of Salisbury that if any section, section, clause or provision of this Ordinance shall be adjudged invalid, unconstitutional or otherwise under applicable Maryland or federal law, such adjudication shall apply only to the section, paragraph, ause or provision so adjudged and all other provisions of this Ordinance shall remain and shall be deemed receable.
79 80		n 4. The recitals set forth hereinabove are incorporated into this section of the Ordinance as if such recitals lly set forth at length in this Section 4.
81 82	<u>Sectio</u>	on 5. This Ordinance shall take effect from and after the date of its final passage.
82 83 84		ORDINANCE was introduced and read at a Meeting of the Mayor and Council of the City of Salisbury ^h day of October, 2022 and thereafter, a statement of the substance of the Ordinance having been published

85 86 87	as required by law, in the meantime, was finally p 2022.	bassed by the Council of the City of Salisbury on the 24 th day of October,
88		
89	ATTEST:	
90		
91		
92		
93 94	Kimberly R. Nichols, City Clerk	John R. Heath, City Council President
94 95		
96		
97	Approved by me, this day of	, 2022.
98		, _ *
99		
100		
101		_
102	Jacob R. Day, Mayor	
103		

1	ORDINANCE NO. 2749
2 3 4 5 6 7 8 9 10	AN ORDINANCE OF THE CITY OF SALISBURY AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE COMMUNITY FOUNDATION OF THE EASTERN SHORE FOR THE PURPOSE OF ACCEPTING GRANT FUNDS IN THE AMOUNT OF \$2,500, AND TO APPROVE A BUDGET AMENDMENT TO APPROPRIATE THOSE GRANT FUNDS FOR THE SALISBURY-WICOMICO INTEGRATED FIRSTCARE TEAM (SWIFT).
10	WHEREAS, the Community Foundation of the Eastern Shore (CFES) has a Mini Grant program; and
12 13	WHEREAS, the purpose of the grant program is to benefit organizations that serve health and human services, education, arts and culture, community development, environment and historical preservation; and
14 15	WHEREAS, the City of Salisbury submitted a grant application to CFES for funding to support the Salisbury-Wicomico Integrated Firstcare Team (SWIFT); and
16	WHEREAS, CFES has awarded the City a grant in the amount of \$2,500; and
17 18	WHEREAS, the City of Salisbury must enter into a grant agreement with CFES defining how \$2,500 in grant monies must be expended; and
19 20	WHEREAS, all grant funds shall be used to provide medical transportation for SWIFT patients who are otherwise unable to attend necessary medical appointments and meetings; and
21 22	WHEREAS, § 7-29 of the Salisbury City Charter prohibits the City from entering into a contract that requires an expenditure not appropriated or authorized by the Council of the City of Salisbury; and
23 24 25	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.
25 26 27 28	NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND, as follows:
29 30 31 32	Section 1. Mayor Jacob R. Day is hereby authorized to enter into a grant agreement with the Community Foundation of the Eastern Shore (CFES), on behalf of the City of Salisbury, for the City's acceptance of grant funds in the amount of \$2,500.
33 34 35	BE IT FURTHER ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND, as follows:
36	Section 2. The City of Salisbury's Grant Fund Budget be and hereby is amended as follows:
37	(a) Increase CFES Revenue Account No. 10500–426100–XXXXX by \$2,500.
38	(b) Increase SWIFT Operating Expense Account No. 10500–546006–XXXXX by \$2,500.
39 40 41	BE IT FURTHER ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND, as follows:
42 43	<u>Section 3</u> . It is the intention of the Mayor and Council of the City of Salisbury that each provision of this Ordinance shall be deemed independent of all other provisions herein.
44 45	<u>Section 4</u> . It is further the intention of the Mayor and Council of the City of Salisbury that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged invalid, unconstitutional or

46 47 48		aryland or federal law, such adjudication shall apply only to the sion so adjudged and all other provisions of this Ordinance shall able.
49 50	Section 5. The recitals set forth herein recitals were specifically set forth at length in	above are incorporated into this section of the Ordinance as if such this Section 5.
51 52 53 54 55 56	THIS ORDINANCE was introduced an Salisbury held on the 10 th day of October, 202	effect from and after the date of its final passage. nd read at a Meeting of the Mayor and Council of the City of 22 and thereafter, a statement of the substance of the Ordinance the meantime, was finally passed by the Council of the City of
57 58 59 60 61	ATTEST:	
62 63 64 65	Kimberly R. Nichols, City Clerk	John R. Heath, City Council President
66 67 68 69 70	Approved by me, thisday of	, 2022.
70 71 72 73	Jacob R. Day, Mayor	



To: Julia Glanz, City Administrator
 From: Jana Potvin, Director of Field Operations Cori Cameron, Director of Water Works
 Subject: Budget Amendment-CDL Bonus Incentive
 Date: September 27, 2022

Together the Departments of Field Operations and Water Works are requesting the approval of a budget amendment (\$96,400.00 and \$71,800.00, respectively) to fund a new commercial driver's license (CDL) bonus incentive program.

Given the changes made by the Federal Motor Carrier Safety Administration in February 2022 which impacted the city's ability to train staff in house and subsequent nationwide shortage of commercial drivers, the Department of Field Operations and Department of Water Works are experiencing difficulty in recruiting, training and retaining commercially licensed drivers. By offering a one-time incentive of \$2,000.00 for a CDL-B or \$2,500.00 for a CDL-A to qualified staff and new hires, we anticipate that our competitiveness will improve.

The attached agreement outlines the eligibility requirements and employment commitments for the bonuses. In addition to the bonuses, a portion of the requested funds (\$14,400 FO and \$22,800 WW) will be used to provide offsite training if needed.

Thank you for your consideration on this request.

CDL BONUS REIMBURSEMENT AGREEMENT AND WAGE DEDUCTION AUTHORIZATION

THIS CDL BONUS REIMBURSEMENT AGREEMENT ("Agreement"), made this __day of _____ 2022, by and between the City of Salisbury, Maryland, a municipal corporation of the State of Maryland (hereinafter referred to as the "City"), and _____ (hereinafter referred to as "Employee").

WITNESSETH:

WHEREAS, Employee has successfully completed the probationary period of employment with the Department of Field Operations (the "Department"); and

WHEREAS, the Department wishes to bestow upon Employee a one-time bonus (the "**CDL Bonus**") as an incentive for Employee to remain employed by the Department for a least twenty-four (24) months; and

WHEREAS, Employee acknowledges that the City will incur substantial expense through its award of the CDL Bonus to qualifying employees; and

WHEREAS, Employee acknowledges that these expenses are expected to be recaptured through the Department employees' ongoing employment with the City after the award of the CDL Bonus and the City will suffer a loss if an Employee's employment is terminated with or without cause before the expiration of the time period as set out in this Agreement.

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, including the City's employment of the Employee, the parties agree as follows:

- 1. <u>Recitals</u>. The above recitals are incorporated herein by reference as if fully set forth.
- 2. <u>Twenty-Four (24) Month Employment Commitment</u>. In consideration of the agreement by the City to award Employee a CDL Bonus in the amount and within the time period set forth on **Exhibit** A attached hereto and made a part hereof, said Employee agrees to accept and/or continue employment with the Department for a period of not less than twenty-four (24) months from the date of this Agreement. Any absence from work due to illness, non-duty related injury or other cause for a period of greater than ten (10) consecutive days shall be excluded from the period of continuous employment for which credit shall be given. Additionally, any absence from work due to illness, non-duty related injury or other cause for a period of greater than ten (10) consecutive days shall delay the CDL Bonus payment schedule for a commensurate time period. For example, if Employee is injured during the tenth (10th) month of employment and is placed on leave for three (3) months, the portion of the CDL Bonus payable after the twelfth (12th) month will be delayed an additional three (3) months, and paid on the fifteenth (15th) month of employment.
- 3. <u>Reimbursement Obligation</u>. In the event that, prior to the expiration of the twenty-four (24) month period mentioned above, Employee's employment ceases due to any cause other than discontinuance of employment due to injury, illness or death resulting in Employee's inability to perform the normal duties of the position held by Employee at the time of the commencement of such injury, illness or death, Employee shall reimburse the City for all portions of the CDL Bonus paid to Employee.

In the event Employee leaves the Department for another department within the City of Salisbury during the twenty-four (24) month period of continuous employment set forth in the above Paragraph 2,

Employee shall advise the department to which Employee is transferring (the "**New Department**") of Employee's receipt of the CDL Bonus and request repayment assistance from the New Department. The New Department and the Department shall negotiate in good faith for the repayment of the CDL Bonus by the New Department. Employee remains obligated to reimburse the Department for the CDL Bonus unless and until the New Department agrees in writing to reimburse the Department.

4. <u>Terms of Repayment</u>. In the event that Employee is required to reimburse the City, City shall withhold payment of vacation time, compensatory time, wages, and any other compensation. to apply toward the reimbursement obligation and Employee expressly authorizes the City to automatically withhold money from Employee's final paycheck(s) to go toward the remaining amount owed to City under this Agreement. Complete repayment of the remaining reimbursement obligation shall be made within thirty (30) days of cessation of employment. After thirty (30) days, any unpaid balance shall accrue interest at the rate of one percent (1%) per month [annual rate equals twelve percent (12%)].

(Employee must initial this section giving consent to the City to withhold money from Employee's final paycheck(s), including but not limited to the withholding of vacation time, compensatory time, wages, and any other compensation as outlined above).

*Upon approval by the City, reimbursement in monthly installments of not less than one-twelfth (1/12) of the total reimbursement amount may be made within one (1) year of cessation of employment and installments are payable on or before the first day of each month, beginning on the first day of the month for the first full month following cessation of employment. Interest during said installment payment period shall accrue at the rate of one percent (1%) per month [annual rate equals twelve percent (12%)].

Employee agrees that in the event the City incurs legal fees or other costs of collection in an effort to collect any delinquent sums owed pursuant to this Agreement, Employee shall pay all such actual reasonable legal expenses incurred by the City in addition to the reimbursement obligation.

- 6. <u>Right to independent legal advice</u>. Employee understands that he/she has the right to have this agreement reviewed by his/her own attorney prior to signing.
- 7. <u>Term</u>. This Agreement shall remain in effect until the earliest of: (a) the expiration of the twenty-four (24) months of continuous employment, as per the terms of Paragraph 2, or (b) payment in full of the Employee's reimbursement obligations under this agreement, or (c) Employee's employment ceases due to injury, illness or death resulting in Employee's inability to perform the normal duties of the position held by Employee.
- 8. <u>Venue/Jurisdiction</u>. The parties agree that any actions between the parties that arise in connection with this Agreement shall be brought in and vest jurisdiction and venue solely in the District or Circuit Court for Wicomico County, State of Maryland.
- 9. <u>Governing Law</u>. This Agreement shall be governed by, and construed and interpreted in accordance with, the laws of the State of Maryland, without regard to applicable conflicts of law principles.
- 10. <u>Entire Agreement</u>. This Agreement contains the entire agreement of the parties. It may not be changed orally, but only by the Agreement in writing signed by both parties.
- 11. <u>Severability</u>. This Agreement shall be governed by the laws of the State of Maryland. Should any provision of this Agreement be found, held, or deemed to be unenforceable, invalid, voidable or void, as

contrary to law or public policy the parties intend that the remaining provisions of this Agreement shall nevertheless continue in full force and be binding upon them.

12. <u>General Provisions</u>. Neither this Agreement, nor any portion of it, shall be construed against either party because that party or that party's agent or attorney drafted it. To the extent implementation of this Agreement requires the taking of further actions or the execution of additional documents, the parties will take such further actions and/or execute such additional documents. This Agreement cannot be modified except through a document signed by all parties. This Agreement sets forth the entire agreement of the parties concerning its subject matter, and there are no other agreements, contracts, promises, pledges, representations, warranties, covenants, or understandings between the parties concerning this subject matter. This Agreement shall be governed by the laws of Maryland, except that Federal rights, claims and defenses shall be governed by the applicable Federal law. The parties for themselves and for their respective successors and permitted assigns, without regard to domicile, citizenship or residence, hereby expressly and irrevocably consent to and subject themselves to the jurisdiction of Maryland courts and to venue in Wicomico County, Maryland with respect to any matter arising from or in connection with this Agreement.

WITNESS:

(SEAL) Employee Signature

Employee Printed Name:

Date

Address

CITY OF SALISBURY

BY:

EXHBIT A

CDL BONUS

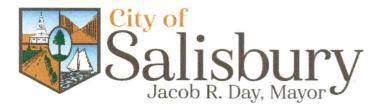
The City, acting through the Department, will award the Employee an incentive bonus for obtaining a CDL Class (A or B) License as follows:

CLASS A - \$2,500.00 CLASS B - \$2,000.00

Employees are only eligible for one (1) bonus; the incentives cannot be combined. Fifty percent (50%) of the authorized CDL Bonus will be paid as of date of this Agreement. The remainder of the CDL Bonus will be paid upon successful completion of twelve (12) months of continuous employment, as per the terms of Paragraph 2 of the Agreement. The City of Salisbury will apply all required federal and state tax deductions, including but not limited to tax withholdings, and will report all payments identified above as required by federal and state law. The payments identified above will be reported as income on the Employee's Form W-2. The payments identified above are not considered "salary" and will not be included for purposes of retirement benefit calculations or salary increases

1	ORDINANCE NO. 2746		
2 3 4 5 6 7 8	AN ORDINANCE OF THE CITY OF SALISBURY APPROVING A BUDGET AMENDMENT OF THE FY2023 GENERAL FUND BUDGET AND WATER AND SEWER FUND BUDGET TO APPROPRIATE FUNDS TO THE OPERATING BUDGET OF THE DEPARTMENT OF FIELD OPERATIONS AND THE OPERATING BUDGET OF THE DEPARTMENT OF WATER WORKS.		
9 10 11 12 13	WHEREAS, the Department of Field Operations and Department of Water Works (the "Departments") provide a number of services to the community that involve the use of vehicles which require operators with Commercial Driver's Licenses ("CDLs"); and		
14 15 16	WHEREAS, the Departments are presently experiencing staffing shortages, particularly in the area of staff who have CDLs; and		
17 18 19	WHEREAS, the Departments wish to provide incentive bonuses to recruit and retain employees with CDLs; and		
20 21 22 23	WHEREAS, there are insufficient funds available in the FY23 Field Operations Budget and Water and Sewer Fund Budget to cover the incentive and training costs, and accordingly, a budget amendment is required; and		
24 25 26	WHEREAS , the budget amendment as provided herein must be made upon the recommendation of the Mayor and the approval of four-fifths of the Council of the City of Salisbury.		
20 27 28 29	NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND, as follows:		
30 31	Section 1. The City of Salisbury's Fiscal Year 2023 General Fund Budget and Water Sewer Fund Budget be and is hereby amended as follows:		
32 33 34 35	 (a) Increase the General Fund Current Year Surplus Account (01000-469810) by \$96,400.00; (b) Increase the Water Sewer Fund Current Year Surplus Account (60100-469810) by \$71,800.00; (c) Increase the Department of Field Operations Salaries-Bonus Account (30000-501014) by \$96,400.00; and 		
36 37	(d) Increase the Department of Water Works Salaries-Bonus (83000-501014) by \$71,800.00.		
38 39 40	BE IT FURTHER ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND , as follows:		
41 42 43	Section 2. It is the intention of the Mayor and Council of the City of Salisbury that each provision of this Ordinance shall be deemed independent of all other provisions herein.		
44 45 46 47 48 49	<u>Section 3</u> . It is further the intention of the Mayor and Council of the City of Salisbury that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged invalid, unconstitutional or otherwise unenforceable under applicable Maryland 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 and shall be deemed valid and enforceable.		
50 51 52	Section 4. The recitals set forth hereinabove are incorporated into this section of the Ordinance as if such recitals were specifically set forth at length in this Section 4.		
53 54	Section 5. This Ordinance shall take effect from and after the date of its final passage.		

55 56	Salisbury held on the24th of	lay of October, 2022 a	read at a Meeting of the Mayor and Council of the City of and thereafter, a statement of the substance of the Ordinance
57			he meantime, was finally passed by the Council of the City
58	of Salisbury on the	day of	, 2022.
59			
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61	ATTEST:		
62			
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64			
65 66	Kimberly R. Nichols, Ci	ty Clerk	John R. Heath, City Council President
67			
68	Approved by me, this	day of	, 2022.
69			
70			
71			
72	Jacob R. Day, Mayor		
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September 30, 2022

TO: City Council

FROM: Colonel David Meienschein

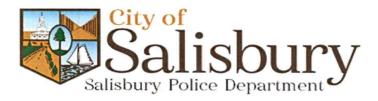
SUBJECT: Ordinance - Up Fitting of Ten Police Vehicles.

Attached, please find an ordinance to authorize the appropriation of \$243,000 of court ordered forfeited funds to equip ten police vehicles for the Salisbury Police Department. Funds will be transferred to the SPD vehicle purchase account to cover the cost.

David Meienschein Assistant Chief of Police

1 2	ORDINANCE NO. 2751
2 3 4 5 6 7	AN ORDINANCE OF THE CITY OF SALISBURY APPROVING A BUDGET AMENDMENT OF THE FY2023 GENERAL FUND BUDGET TO APPROPRIATE FUNDS TO CUSTOMIZE SALISBURY POLICE DEPARTMENT VEHICLES WITH PROPER POLICE EQUIPMENT.
8 9 10	WHEREAS, the City of Salisbury (the "City") maintains an account in its General Fund in which it deposits monies seized by the Salisbury Police Department ("SPD") and later forfeited to the City in related court proceedings (the "Forfeited Funds"); and
11 12	WHEREAS, the SPD desires to utilize the Forfeited Funds to customize, or "upfit", ten (10) police vehicles with proper police equipment; and
13 14	WHEREAS, enhancement of SPD vehicles will improve response time, communications by and between officers, overall efficiency of the SPD and can also be utilized in SPD recruitment and retention efforts; and
15 16 17 18	WHEREAS, SPD requests the transfer of Two Hundred Forty-Three Thousand Dollars (\$243,000.00) from the Forfeited Funds account into its Vehicle Purchase account.
19 20 21	NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND, as follows:
22	Section 1. The City of Salisbury's Forfeited Fund Budget be and is hereby amended as follows:
23	(a) Increase the Current Year Surplus Account (10200-469810) by \$243,000.00; and
24	(b) Increase the Vehicle Purchase Account (21022-577025) by \$243,000.00.
25 26 27	BE IT FURTHER ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND , as follows:
28 29	<u>Section 2</u> . It is the intention of the Mayor and Council of the City of Salisbury that each provision of this Ordinance shall be deemed independent of all other provisions herein.
30 31 32 33 34	<u>Section 3</u> . It is further the intention of the Mayor and Council of the City of Salisbury that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged invalid, unconstitutional or otherwise unenforceable under applicable Maryland 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 and shall be deemed valid and enforceable.
35 36	Section 4. The recitals set forth hereinabove are incorporated into this section of the Ordinance as if such recitals were specifically set forth at length in this Section 4.
37 38 39	Section 5. This Ordinance shall take effect from and after the date of its final passage.
40 41 42 43 44 45 46 47 48 49	THIS ORDINANCE was introduced and read at a Meeting of the Mayor and Council of the City of Salisbury held on the day of, 2022 and thereafter, a statement of the substance of the Ordinance having been published as required by law, in the meantime, was finally passed by the Council of the City of Salisbury on the day of, 2022.

) ATTEST:	
Kimberly R. Nichols, City Clerk	John R. Heath, City Council President
Approved by me, thisday of	, 2022.
Jacob R. Day, Mayor	



October 5, 2022

TO: Julia Glanz

FROM: Colonel David Meienschein

SUBJECT: Ordinance – Acceptance of Grant Funds for Mobile Fingerprint Scanner

Attached, please find a Resolution to accept \$5,728.00 in grant funds from the State of Maryland, awarded through the Governor's Office of Crime Control and Prevention, Youth, and Victim Services to be used for the purchase of the EZ Child ID - Complete EZ Turnkey System. This equipment will be utilized by members of the Salisbury Police Department to capture digital information related to finger prints and photographs to create ID kits for children. With this devise, officers will be able to quickly identify children involved in missing or abducted child investigations or other emergencies. When combined with an EZ Child ID, we can quickly share a child's picture, fingerprints and other vital information to agencies across the state if an emergency is reported.

Unless you, or the Mayor, have further questions, please forward this ordinance to the City Council.

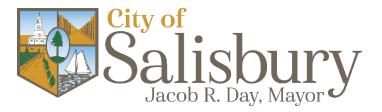
Colonel David Meienschein

Colonel David Meienschein Assistant Chief of Police



1	ORDINANCE No. 2752
2 3 4 5 6 7 8 9	AN ORDINANCE OF THE CITY OF SALISBURY APPROVING AN AMENDMENT TO THE GENERAL FUND BUDGET REFLECTING THE ACCEPTANCE OF GRANT FUNDS FROM THE STATE OF MARYLAND, GOVERNOR'S OFFICE OF CRIME CONTROL AND PREVENTION AND FURTHER APPROPRIATING SUCH FUNDS TO PURCHASE "EZ CHILD ID - COMPLETE EZ TURNKEY SYSTEM."
10 11 12 13 14	WHEREAS, the Governor's Office of Crime Control and Prevention has awarded the Salisbury Police Department (" SPD ") grant funds in the amount of Five Thousand Seven Hundred Twenty-Eight Dollars (\$5,728) to purchase an EZ Child ID - Complete EZ Turnkey System, to assist the SPD with the creation of child identification kits; and
15 16 17 18 19	WHEREAS, this technology gives the SPD the ability to create identification kits containing a child's digital fingerprints, photograph, and personal information to be utilized by family members in efforts to quickly identify children involved in missing or abducted child investigations or other emergencies;
20 21	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.
22 23	NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND, as follows:
24 25	Section 1. The City of Salisbury's Grant Fund Budget be and hereby is amended as follows:
26 27	 Increase Governor's Office of Crime Control and Prevention Revenue Account No. 10500-425100-xxxx by \$5,728.
28	(b) Increase Operating Expense Account No. 10500-546006-xxxx by \$5,728.
29 30 31	BE IT FURTHER ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND, as follows:
32 33	Section 2. It is the intention of the Mayor and Council of the City of Salisbury that each provision of this Ordinance shall be deemed independent of all other provisions herein.
34 35 36 37 38	<u>Section 3</u> . It is further the intention of the Mayor and Council of the City of Salisbury that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged invalid, unconstitutional or otherwise unenforceable under applicable Maryland 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 and shall be deemed valid and enforceable.
39 40	<u>Section 4</u> . The recitals set forth hereinabove are incorporated into this section of the Ordinance as if such recitals were specifically set forth at length in this Section 4.
41	Section 5. This Ordinance shall take effect from and after the date of its final passage.
42 43 44 45	THIS ORDINANCE was introduced and read at a Meeting of the Mayor and Council of the City of Salisbury held on the day of, 2022 and thereafter, a statement of the substance of the Ordinance having been published as required by law, in the meantime, was finally passed by the Council of the City of Salisbury on the day of, 2022.

John R. Heath, City Council President
, 2022.
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To: Julia Glanz, City Administrator
From: Richard Baldwin, Director of Infrastructure & Development Date: October 10, 2022
Re: Budget Amendment for Paleo Well #3

Council recently approved award of contract ITB 23-102 Paleo Well #3 Construction Completion at a total contract value of \$2,253,784.95. At that time an initial contract award of \$1,847,681.00 was made as the balance of \$404,027.33 were not in a proper account for award to Paleo Well #3 Construction Completion.

The Department of Infrastructure and Development (DID) is requesting approval of a budget amendment in the amount of \$404,027.33 to provide the balance of funds. No new funds are being requested in the budget amendment, this is simply a reallocation of funds from accounts of completed projects. The source of funds requested are:

- City of Salisbury Water and Sewer Capital projects completed with funds remaining:
 - o 24" Water Main in W. Gordy Road.....\$9,208.20
 - Park Water Treatment Plant Aeration Units...... \$5,500.00
 - Replacement of distribution system piping.....\$23,145.00
 - Fitzwater Street Lift Station Replacement......\$14,080.11
 - Hampshire Road Lift Station Replacement.....\$44,745.15
 - Parkside High School Lift Station Replacement.....\$11,308.77
 - o Sewer Trunk Line Rehabilitation.....\$17,632.50
 - Park Well Upgrade...... \$2,905.04
 - Elevated Water Tank Mixing...... \$19,200.00
 - WWTP Control Building HVAC.....\$9,260.00
- Scenic Drive Water Main Replacement deferred pending non-destructive testing to determine condition prior to proceeding with replacement......\$184,000.00
- Funds remaining following purchase of HV507 Dump Truck......\$2,892.00
- Unassigned Investment Interest......\$60,150.56

Construction of Paleo Well #3 is critical to the reliability of City of Salisbury drinking water. Thank you for your consideration on this request.

1	ORDINANCE NO. 2753
2 3 4 5 6	AN ORDINANCE OF THE CITY OF SALISBURY AUTHORIZING THE MAYOR TO APPROPRIATE ADDITIONAL FUNDS FOR THE PALEO WELL # 3 PROJECT.
0 7 8 9	WHEREAS, the City of Salisbury identified the construction of Paleo Well #3 as vital infrastructure necessary to a reliable water supply; and
9 10 11 12	WHEREAS, construction of Paleo Well #3 was previously awarded to Harper & Sons, Inc. on August 8, 2022; and
12 13 14 15	WHEREAS, additional funds are needed to complete the original scope of the Paleo Well #3 project; and
15 16 17 18 19 20 21 22	WHEREAS, as shown on the attached Schedule A, funds remain available in the Water Sewer Capital Project Fund Budget after completion of the following projects: completion of the 24" water main in W. Gordy Road, replacement of the Park Water Treatment Plant Aeration Units, completion of the Fitzwater Street Lift Station Replacement, completion of the Hampshire Road Lift Station Replacement, completion of the Parkside High School Lift Station Replacement and replacement of the HV507 Dump Truck; and
22 23 24 25 26	WHEREAS, the amendments to the Water Sewer Capital Project Fund Budget identified in the attached Schedule A are needed to provide for \$404,027.33 in expenses associated with construction of Paleo Well #3; and
20 27 28 29	WHEREAS , the budget amendment as provided herein must be made upon the recommendation of the Mayor and the approval of four-fifths of the Council of the City of Salisbury.
30 31	NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND:
32 33 34 35	Section 1. Mayor Jacob R. Day is hereby authorized to appropriate additional funds for the Paleo Well 3 Project in the amount of \$404,027.33.
36 37 38	BE IT FURTHER ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND , as follows:
39 40 41	Section 2. The City of Salisbury's Water Sewer Capital Project Fund Budget be and hereby is amended as presented in Schedule A Schedule of Budget Changes by Account.
42 43 44	BE IT FURTHER ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND , as follows:
45 46 47	Section 3. It is the intention of the Mayor and Council of the City of Salisbury that each provision of this Ordinance shall be deemed independent of all other provisions herein.
48 49 50 51 52 53	<u>Section 4</u> . It is further the intention of the Mayor and Council of the City of Salisbury that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged invalid, unconstitutional or otherwise unenforceable under applicable Maryland 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 and shall be deemed valid and enforceable.

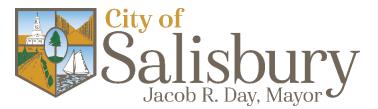
	above are incorporated into this section of the Ordinance as
if such recitals were specifically set forth at leng	gth in this Section 5.
Section 6. This Ordinance shall take e	ffect from and after the date of its final passage.
THIS ORDINANCE was introduced and	read at a Meeting of the Mayor and Council of the City of
	, 2022 and thereafter, a statement of the substance
of the Ordinance having been published as rec	juired by law, in the meantime, was finally passed by the
Council of the City of Salisbury on the	
y y	
ATTEST:	
Kimberly R. Nichols, City Clerk	John R. Heath, City Council President
	, ,
Approved by me, this day of	, 2022.
Approved by me, thisday of	, 2022.
Approved by me, thisday of	, 2022.
Approved by me, thisday of	, 2022.
Approved by me, thisday of	, 2022.

Exhibit A Schedule of Budget Changes by Account

		Account		Project	Account	Increase		
Org.	No	Description	No	Description	Туре	Decrease	Amount	Project \$
97010	456110	Investment Interest		Unassigned	Revenue	Decrease	(60,150.56)	
97010	456110	Investment Interest	49040	Paleo Well 3	Revenue	Increase	60,150.56	
97010	513026	Construction	49040	Paleo Well 3	Expense	Increase	(60,150.56)	60,150.56
97010	456939	Lawsuit Settlement Proceeds	48021	24" W in Gordy Road	Revenue	Decrease	(9,208.20)	
97010	456939	Lawsuit Settlement Proceeds	49040	Paleo Well 3	Revenue	Increase	9,208.20	
97010	513020	Engineering/Architectural	48021	24" W in Gordy Road	Expense	Decrease	(7,971.00)	
97010	513026	Construction	48021	24" W in Gordy Road	Expense	Decrease	(1,237.20)	
97010	513026	Construction	49040	Paleo Well 3	Expense	Increase	9,208.20	9,208.20
97010	469161	Transfers from Water Sewer	50014	Park WTP Aeration Unit	Revenue	Decrease	(5,500.00)	
97010	469161	Transfers from Water Sewer	49040	Paleo Well 3	Revenue	Increase	5,500.00	
97010	513026	Construction	50014	Park WTP Aeration Unit	Expense	Decrease	(5,500.00)	
97010	513026	Construction	49040	Paleo Well 3	Expense	Increase	5,500.00	5,500.00
97010	456110	Investment Interest	50015	Replace Distribution Pipe	Revenue	Decrease	(23,145.00)	
97010	456110	Investment Interest		Paleo Well 3	Revenue	Increase	23,145.00	
97010	513020	Engineering/Architectural	50015	Replace Distribution Pipe	Expense	Decrease	(23,145.00)	
97010		Construction	1	Paleo Well 3	Expense	Increase	23,145.00	23,145.00
97010	456939	Lawsuit Settlement Proceeds	55011	Fitzwater Lift Station	Revenue	Decrease	(14,080.11)	
97010		Lawsuit Settlement Proceeds		Paleo Well 3	Revenue	Increase	14,080.11	
97010		Construction		Fitzwater Lift Station	Expense	Decrease	(14,080.11)	
97010		Construction		Paleo Well 3	Expense	Increase	14,080.11	14,080.11
97010	156020	Lawsuit Settlement Proceeds	55012	Hampshire Rd Lift Station	Revenue	Decrease	(44,745.15)	
97010		Lawsuit Settlement Proceeds		Paleo Well 3	Revenue	Increase	44,745.15	
97010		Construction	****	Hampshire Rd Lift Station	Expense	Decrease	(44,745.15)	
97010		Construction	++	Paleo Well 3	Expense	Increase	44,745.15	44,745.15
97010	456939	Lawsuit Settlement Proceeds	55015	Parkside HS Lift Station	Revenue	Decrease	(11,308.77)	
97010		Lawsuit Settlement Proceeds	+	Paleo Well 3	Revenue	Increase	11,308.77	
97010		Construction		Parkside HS Lift Station	Expense	Decrease	(11,308.77)	
97010		Construction		Paleo Well 3	Expense	Increase	11,308.77	11,308.77
07010	456020	Lowcuit Sottlomont Drocoode	55022	Sower Trunk Line Debeb	Boyonuo	Docroaco	(17 622 50)	
97010 97010		Lawsuit Settlement Proceeds Lawsuit Settlement Proceeds	+	Sewer Trunk Line Rehab. Paleo Well 3	Revenue Revenue	Decrease Increase	(17,632.50) 17,632.50	
97010	******	Construction	+	Sewer Trunk Line Rehab.	Expense	Decrease	(17,632.50)	
97010		Construction		Paleo Well 3	Expense	Increase	17,632.50	17,632.50
07020	400014		40014		Deview	Desires	(104 000 00)	
	3	PayGO - Previous Years	+	Scenic Drive Water Main	Revenue	Decrease	(184,000.00)	
97030		PayGO - Previous Years	+-+	Paleo Well 3	Revenue	Increase	184,000.00	
97030		Engineering/Architectural Construction	1	Scenic Drive Water Main	Expense	Decrease	(34,000.00)	
97030 97030		Construction	+++++++++++++++++++++++++++++++++++++++	Scenic Drive Water Main Paleo Well 3	Expense	Decrease Increase	(150,000.00) 184,000.00	184,000.00
97030		Transfers from Water Sewer		HV507 Dump Truck	Revenue	Decrease	(2,892.00)	
97030		Transfers from Water Sewer		Paleo Well 3	Revenue	Increase	2,892.00	
97030		Vehicles		HV507 Dump Truck	Expense	Decrease	(2,892.00)	
97030	513026	Construction	49040	Paleo Well 3	Expense	Increase	2,892.00	2,892.00
97030	469314	PayGO - Previous Years	49020	Park Well Upgrade	Revenue	Decrease	(2,905.04)	

Exhibit A Schedule of Budget Changes by Account

		Account		Project	Account	Increase		
Org.	No	Description	No	Description	Туре	Decrease	Amount	Project \$
97030	469314	PayGO - Previous Years	49040	Paleo Well 3	Revenue	Increase	2,905.04	
97030	513020	Engineering/Architectural	49020	Park Well Upgrade	Expense	Decrease	(2,905.04)	
97030	513026	Construction	49040	Paleo Well 3	Expense	Increase	2,905.04	2,905.04
97030	469162	Transfers from WS Revolving	50016	Elevated Water Tank Mai	Revenue	Decrease	(19,200.00)	
97030	469163	Transfers from WS Revolving	49040	Paleo Well 3	Revenue	Increase	19,200.00	
97030	513026	Construction	50016	Elevated Water Tank Mai	Expense	Decrease	(19,200.00)	
97030	513026	Construction	49040	Paleo Well 3	Expense	Increase	19,200.00	19,200.00
97030	469161	Transfers from Water Sewer	55519	WWTP Main Building HVAC	Revenue	Decrease	(9,260.00)	
97030	469161	Transfers from Water Sewer	49040	Paleo Well 3	Revenue	Increase	9,260.00	
97030	513026	Construction	55519	WWTP Main Building HVAC	Revenue	Decrease	(9,260.00)	
97030	513026	Construction	49040	Paleo Well 3	Expense	Increase	9,260.00	9,260.00
							Total >>	404,027.33



To:	Julia Glanz, City Administrator
From:	Richard D. Baldwin, Acting Director of Infrastructure & Development
Date:	October 7, 2022
Re:	Budget Amendment – ITB 22-109 Zoo Administration Building

On October 25, 2021 City Council approved contract ITB 22-109 for construction of the Zoo Administration Building. The approved scope of work included design and fabrication delivery and setting of the building. ADA access, utility connections, data and phone lines, electric service and security were items to be completed following building installation.

Previously a total of \$204,000 was appropriated for the Zoo Administration Building. To meet floodplain requirements the building elevation needed to be raised requiring foundations, and site work (dewatering) not in the scope of the original contract. Raising the building height has increased construction and material costs for ADA access, and building skirt. Finally, there is a tree threatening the building originally planned to remain that should be removed. An additional of \$54,000 in funding from City Park Master Plan is requested to address costs associated with raising the building, installing it at the increased elevation and removal of the tree.

Unless you or the Mayor have further questions, please forward a copy of this memo and the ordinance to the City Council.

1	ORDINANCE NO. 2754
2 3 4 5 6	AN ORDINANCE OF THE CITY OF SALISBURY APPROVING AN AMENDMENT TO THE GENERAL CAPITAL PROJECT FUND BUDGET TO APPROPRIATE ADDITIONAL FUNDS REQUIRED FOR CONSTRUCTION OF THE ZOO ADMINISTRATION BUILDING.
7 8	WHEREAS, the City previously approved funding of \$204,000.00 for construction of the Zoo Administration Building; and
9	WHEREAS, American with Disability Act (ADA) access to the building is required: and
10 11	WHEREAS, the specific goals of the City Park Master Plan include rehabilitation of existing facilities to meet ADA requirements; and
12 13	WHEREAS, to meet floodplain requirements the building evaluation must be raised, requiring foundation and site work not in the scope of the original contract; and
14 15	WHEREAS, meeting ADA and floodplain construction requirements has increased the cost of construction for this project by \$54,000; and
16 17	WHEREAS, the Capital Projects Fund Budget must be amended to provide for these unexpected expenses; and
18 19 20	WHEREAS, the budget amendment as provided herein must be made upon the recommendation of the Mayor and the approval of four-fifths of the Council of the City of Salisbury; and
21 22	NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND, as follows:
23 24	Section 1. The City of Salisbury's Capital Projects Fund Budget be and is hereby amended as follows:

Increase Decrease	Account Type	Account Description	Project Description	Account	Amount
Decrease	rease Revenue PayGo		City Park Phase	98119-469313- 48041	54,000
Decrease	Expense	Construction	City Park Phase	98119-513026- 48041	54,000
Increase	Revenue	PayGo	Zoo Admin Office Space	98119-469313- 43022	54,000
Increase	Expense	Construction	Zoo Admin Office Space	98119-513026- 43022	54,000

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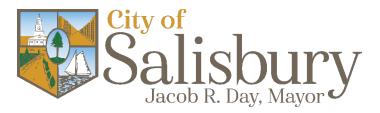
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BE IT FURTHER ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND, as follows:

Section 2. It is the intention of the Mayor and Council of the City of Salisbury that each provision of this Ordinance shall be deemed independent of all other provisions herein.

29 <u>Section 3</u>. It is further the intention of the Mayor and Council of the City of Salisbury that if 30 any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged invalid, 31 unconstitutional or otherwise unenforceable under applicable Maryland or federal law, such 32 adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged 33 and all other provisions of this Ordinance shall remain and shall be deemed valid and enforceable.

34 35	Section 4. The recitals set forth hereinabove are incorporated into this section of the Ordinance as if such recitals were specifically set forth at length in this Section 4.			
36	Section 5. This Ordinance shall take effect from and after the date of its final passage.			
37 38	38 Salisbury held on the day of , 2022 and thereafter, a statement of the substa			
39 40	of the Ordinance having been published as required by law, in the meantime, was finally passed by the Council of the City of Salisbury on the day of, 2022.			
41 42	ATTEST:			
43 44				
45 46 47	Kimberly R. Nichols, City Clerk John R. Heath, City Council President			
48 49 50	Approved by me, this day of, 2022.			
51 52				
53 54	Leash D. Den. Manar			
55 56	Jacob R. Day, Mayor			



То:	Julia Glanz, City Administrator
From:	Jake Pavolik, Asset and Facility Manager Jake Pavolik
Thru:	Jana Potvin, Director of Field Operations Momma
Subject:	Budget Amendment-Transfer Insurance Proceeds
Date:	September 27, 2022

The Department of Field Operations is requesting \$14,150.00 be transferred from the Insurance Proceeds Revenue Account (01000-456935) into the Streets Vehicle Expense Account (31150-577025) to assist purchase and upfit of vehicles.

In FY 22, Field Operations S-12, a Ford F-250 Super Duty Pickup Truck VIN#1FTNF21568EB92274, was wrecked and received a total loss payment of \$14,150.00 from LGIT Claim # 088348. If approved, the Department will use these funds to assist in the purchase and upfit of vehicles budgeted in FY 23, as rising costs will create a shortfall in available funds.

Thank you for your consideration on this request.

1	ORDINANCE NO. 2755		
2 3 4 5 6	AN ORDINANCE OF THE CITY OF SALISBURY APPROVING AN AMENDMENT OF THE FY2023 GENERAL FUND BUDGET TO APPROPRIATE ADDITIONAL FUNDS REQUIRED FOR FIELD OPERATIONS.		
7 8	WHEREAS, in August of 2022, a Ford -250 Super Duty Pickup Truck owned by City's Streets Division was damaged in an accident and later salvaged: and		
9 10	WHEREAS, the City's insurer LGIT made a total loss payment of \$14,150 for the vehicle (the "insurance proceeds"); and		
11 12			
13	WHEREAS, the funds set for vehicles and upfitting in FY23 are no longer adequate due to rising costs;		
14 15 16	WHEREAS, the budget amendment as provided herein must be made upon the recommendation of the Mayor and the approval of four-fifths of the Council of the City of Salisbury.		
17 18 19	NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND, as follows:		
20	Section 1. The City of Salisbury's Fiscal Year 2023 General Fund budget is hereby amended as follows:		
21	(a) Increase the Insurance Proceeds Revenue Account (01000-456935) by \$14,150		
22	(b) Increase the Vehicles Expense Account (31150-577025) by \$14,150		
23 24	BE IT FURTHER ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND, as follows:		
25 26	<u>Section 2</u> . It is the intention of the Mayor and Council of the City of Salisbury that each provision of this Ordinance shall be deemed independent of all other provisions herein.		
27 28 29 30 31	 paragraph, subsection, clause or provision of this Ordinance shall be adjudged invalid, unconstitutional or otherwise unenforceable under applicable Maryland 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 and shall be deemed 		
32 33	<u>Section 4</u> . The recitals set forth hereinabove are incorporated into this section of the Ordinance as if such recitals were specifically set forth at length in this Section 4.		
34	Section 5. This Ordinance shall take effect from and after the date of its final passage.		
35 36 37 38 39 40	THIS ORDINANCE was introduced and read at a Meeting of the Mayor and Council of the City of Salisbury held on the day of, 2022 and thereafter, a statement of the substance of the Ordinance having been published as required by law, in the meantime, was finally passed by the Council of the City of Salisbury on the day of, 2022.		
41 42 43 44	[THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK] [SIGNATURES APPEAR ON THE PAGE THAT FOLLOWS]		
45 46			

7 ATTEST:	
) Kimberly R. Nichols, City Clerk	John R. Heath, City Council President
Approved by me, thisday of	, 2022.
3) Jacob R. Day, Mayor	_