

FRUITLAND CITY COUNCIL
AUGUST 12, 2008
MINUTES

The Fruitland City Council met in regular session at City Hall on Tuesday evening, August 12, 2008, with the following members present: President Gregory J. Olinde, Treasurer Gloria J. Ortiz, Councilman Raymond D. Carey, Councilman Theodore O. Lokey, and Councilman Richard F. Tull. Also present were City Manager John F. McDonnell, City Solicitor Andrew C. Mitchell, Jr., Assistant City Manager/Clerk Joyce E. Crouch, Deputy Treasurer Amy B. Caton, Chief of Police Mike Phillips, Utilities Director Joseph P. Derbyshire, Public Works Director Cooper Townsend, and Code Enforcement Officer Daniel M. Scholl, Jr. Our guests included Diane Nelson, Bob Marvel, Paul Bradshaw, Bill and Peggy Robbins, and John and Deshirl Yesenosky.

President Olinde called the meeting to order at 7:32 p.m. and welcomed all in attendance. Treasurer Ortiz offered a prayer and all recited the Pledge of Allegiance. President Olinde then acknowledged receipt of the unofficial minutes of the regular meeting of July 8, 2008 and asked for any additions or corrections. There being none, Mr. Lokey moved to adopt the minutes as written. Mr. Tull seconded and the motion passed unanimously.

Treasurer Ortiz then presented the Treasurer's Report as follows:

Cash on Hand 7/1/08	\$362,303.60
Deposits	108,375.94
Transfer from Savings	<u>300,000.00</u>
Subtotal	\$770,679.54
Disbursements	<u>(615,689.85)</u>
Total Ending 7/31/08	\$154,989.69

As there were no questions or comments, Mr. Carey moved to accept the Treasurer's Report as presented. Mr. Tull seconded and the motion passed unanimously.

City Manager McDonnell then reported on the Comprehensive Plan Update public input meeting scheduled for August 26, 2008, upcoming meetings and the closing of City offices on Monday, September 1, 2008 in observance of the Labor Day holiday, with trash pick-up proceeding as normal on that day. President Olinde asked if we were still on schedule for completing the Comprehensive Plan to forward to the State by the end of the year. Manager McDonnell advised that after the meeting on August 26, any comments will be taken into account and the draft Plan will then be submitted to the State to begin their review. Mr. Tull then announced that the city manager is now a resident of Fruitland.

Chief Phillips reported on another successful National Night Out and commended officers and staff who planned and worked the event. He also reported that bike patrols would begin the following week.

Code Enforcement Officer Scholl presented his building permit report for July 2008, stating 12 permits were issued for a total value of \$462,599 and \$2,254 collected in fees. He stated one of the permits issued was for a new single-family dwelling.

UNFINISHED BUSINESS

President Olinde acknowledged receipt of the paid bill report and asked if there were any questions or comments. As there were none, Mr. Tull moved to accept the report as presented. Treasurer Ortiz seconded and the motion passed unanimously.

City Solicitor Mitchell read the revised Declaration of Official Intent and described bond requirements and federal tax regulations. He also explained that in order for the City to be reimbursed for expenses already incurred for engineering, legal, advertising, etc., for the new City Hall project, such a Declaration and Resolution must be approved.

Councilman Tull moved to adopt the Declaration of Official Intent. Councilman Lokey seconded and the motion was unanimously approved.

Solicitor Mitchell then read Ordinance No. 237, which authorizes and empowers the City to issue and sell general obligation bonds in regards to the new City Hall project.

With no comments, Councilman Lokey moved to adopt for first reading Ordinance No. 237 and schedule a second reading and public hearing for Tuesday, September 9, 2008 at 8:30 p.m. Councilman Carey seconded and the motion was approved unanimously.

NEW BUSINESS

Manager McDonnell requested the City Council declare two City vehicles as surplus and allow staff to dispose of same. He explained that City mechanic John Phillips advised of the difficulty to find parts for the two vehicles and the excessive cost of repairs for same. The vehicles were identified as the former Police Chief's 1994 Crown Victoria (#501), being used by the Assistant City Manager, and the former City Manager's 1995 Crown Victoria (#120), currently being used for employees to run errands.

Councilman Lokey moved to declare the two identified vehicles as surplus and allow the City Manager and staff to dispose of same in a fashion which will maximize the return of the sale. Councilman Carey seconded and the motion was unanimously approved.

President Olinde advised that the Council members have expressed their desire to table the appointment of a new member to the Noise Control Board so that the Board can meet to recommend the appointment to the City Council.

Councilman Tull moved to table the appointment of a new member to the Board of Noise Control until the Board makes a recommendation. Treasurer Ortiz seconded and the motion was unanimously approved.

Manager McDonnell described a Community Parks and Playground grant being sought for a playground to be installed at the Wicomico Housing Authority lot where the basketball court was once located. The grant application is due August 25, 2008 although the grant period is for Fiscal Year 2010, which begins July 1, 2009. McDonnell requested the Council's approval to seek the grant funding for the project and authorize the proper signature on the application.

Councilman Tull moved to permit staff to apply for the FY 2010 Community Parks and Playground grant and authorize the Council President's signature on the application. Councilman Lokey seconded and the motion was unanimously approved.

It was clarified that although the City does not own the lot, the Housing Authority will sign an agreement to authorize the City's use of the lot. Mr. Bob Marvel asked who will be liable for the lot and Manager McDonnell replied the City will be liable.

Under Public Comment, Mr. John Yesenosky, visiting from Pennsylvania, commented on participation at our meeting being similar as in the township in which he resides, the policing authority on the Wicomico Housing Authority lot previously discussed, and his observance of a small John Deere tractor with two City employees spraying weeds in the cracks of the pavement and sidewalks, sharing his impression of the task appearing to be "busy work". President Olinde asked if he was looking for a response to the weed spraying and Mr. Yesenosky advised he was not.

Having no further comments or business to discuss, President Olinde called for a short recess before going into closed session to discuss two personnel matters.

After a short recess, Treasurer Ortiz moved to suspend the open meeting and convene in closed session. Councilman Tull seconded, the motion passed unanimously and the Council went into closed session at 8:00 p.m..

At 9:20 p.m., the City Council reconvened in open session. President Olinde stated for the record that the Council met with Deputy Treasurer Caton, City Solicitor Mitchell, City Manager McDonnell, and City Clerk Crouch to discuss two personnel matters.

As there was no further business to discuss, Mr. Lokey moved to adjourn. Mr. Carey seconded, the motion passed unanimously, and the meeting was adjourned at 9:20 p.m.

Respectfully submitted,

Joyce E. Crouch
Asst. City Manager/Clerk