

The Fruitland City Council met in Regular Session at City Hall on Tuesday, February 8, 2011 at 7:30 p.m. with the following members present:

President Richard Lee Outen, Jr., Treasurer Darlene Kerr, Councilor Raymond D. Carey, and Councilor Edwin A. Cowell

Also present at the table were:

City Manager Rick D. Konrad, Assistant City Manager / City Clerk Diane C. Nelson, Deputy Treasurer Amy B. Caton, Chief of Police Michael J. Phillips, and City Solicitor Andrew C. Mitchell Jr.

Also present in the audience were:

Code Enforcement Officer Joe Vogel and Wastewater Superintendent George Calloway

Our guests included:

John Kotoski, Joan Strang, Fruitland Volunteer Fire Company Chief Robin Townsend, Bryan Smith, Jessalene Stanley, Susan Megargee, Steve Reddish, Chuck Nichols, Sheila Nichols, Spencer Rains, John E. Bonas, Donald Williams, Blair Rinnier, Ingrid Balea, Erika Campbell, Mark Cotter, Frank Jones and Wicomico County Councilors Bob Caldwell and Bob Culver

President Outen called the meeting to order at 7:35 p.m. and welcomed all in attendance; he then invited all to join him in reciting The Lord's Prayer followed by The Pledge of Allegiance.

President Outen acknowledged receipt of the minutes of the Regular Meeting of January 13, 2011, calling for additions or corrections. As there were none, **Councilor Carey moved to adopt the minutes as presented; Treasurer Kerr seconded and the motion passed on a four to zero vote in favor.**

<u>Treasurer Kerr</u> delivered the Treasurer's Report.	Cash on Hand 1/01/11	\$ 249,605.20
	Deposits	728,437.27
	Transfer from Savings	<u>178,846.16</u>
	Subtotal	\$ 1,156,888.63
	Disbursements	<u>(635,772.03)</u>
	Total Ending 1/31/11	\$ 521,116.60

Councilor Cowell moved to accept the Treasurer's Report as presented. Councilor Carey seconded and the motion passed on a four to zero vote in favor.

City Manager Rick Konrad delivered the City Manager's Report, which was followed by presentation of Departmental Reports from **Chief Phillips, Wastewater Superintendent Calloway, and Code Enforcement Officer Vogel.**

Public Hearing Ordinance No. 253 – Adoption of 2009 Edition of the International Building Code - 7:40 p.m.

At 7:52 p.m. President Outen convened a Public Hearing on Ordinance No. 253, which was given First Reading at the January 13, 2011 Council Meeting, and which repeals Ordinance No. 227 (which adopted the 2003 and 2006 Editions of the International Building Code) and enacts the 2009 Edition of the International Building Code, as amended by the Maryland Building Performance Standards and by the City of Fruitland.

City Solicitor Mitchell then presented Ordinance No. 253 for Second Reading, highlighting proposed amendments as part of his presentation of the Ordinance, after which President Outen opened the floor for public comment; Seven (7) people spoke to the Council and generated discussion from several perspectives which included Two (2) from the Firefighter Community, One (1) from the Sprinkler Installation Industry, and Four (4) from the Real Estate/Developer/Building Industry.

President Outen closed the Public Hearing and yielded the floor to Councilors for comments and discussion prior to calling for the motion; after discussion **on a motion by Councilor Cowell that was seconded by Treasurer Kerr and approved by a four to zero vote in favor, Council deferred the vote on Adoption of Ordinance No. 253 until the March 8, 2011 Council meeting because there was consensus among Councilors that a Work Session should be scheduled during the interim to discuss all information presented during the Public Hearing .**

UNFINISHED BUSINESS

1. Paid Bill Report

President Outen acknowledged receipt of the paid bill report. As there were no questions, **on a motion made by Councilor Carey that was seconded by Councilor Cowell, the paid bills were approved as listed by a four to zero vote in favor.**

2. Maryland Municipal League (MML) Fourth Grade Essay Contest Winners – Action Item

City Manager Konrad reported that although he was prepared to announce the winners this evening, with Council's permission he wished to defer the official announcement until the March 8, 2011 Council meeting so that student presentations could take place first at Fruitland Intermediate School on Monday, February 14, 2011; Council by consensus, but without vote, deferred announcement of the essay contest winners as requested.

3. Crown Sports Center – Update

City Manager Konrad reported that Maryland Department of the Environment (MDE) was in receipt of the Grant Application from the City of Fruitland, as prepared by the City's Engineer, George, Miles and Buhr (GMB), at the expense of Mr. Hearne of Crown Sports Center, to determine if funding was available to offset City costs associated with the Crown Property tying into the City's Sanitary Sewer System; Mr. Konrad also acknowledged receipt of a letter from Wicomico County Executive Pollitt in support of a positive resolution for both the City and Crown Sports Center.

NEW BUSINESS

1. Budget Amendment Request – Chief Phillips – Action Item

Chief Phillips presented a Budget Amendment request to re-allocate Four Thousand dollars (\$4,000.00) from *In-service Training* to *Continuing Education*, summarizing that the re-allocation of funds would better serve the educational and performance standards requirements within the Police Department.

On motion made by Treasurer Kerr which was seconded by Councilor Carey and approved by a four to zero vote in favor, Council granted the Budget Amendment as requested, authorizing Deputy Treasurer Caton to re-allocate the funds from In-Service Training to Continuing Education and then to make the appropriate notations in the General Ledger to the original budget.

2. Resolution 01-11 – Establishing School Zones for purpose of Speed Enforcement

Chief Phillips summarized his strategy and progress thus far, for establishing school zones which are compliant with current laws governing speed enforcement and placement of signs designating the enforcement area, prior to the RedSpeed Camera being back in service.

PUBLIC COMMENT/GENERAL DISCUSSION

An announcement was made from the floor regarding the Fruitland Primary School's Spring Fair scheduled for Friday, May, 6, 2011.

Closing comments from Council included appreciation for all those participating in tonight's Public Hearing and both acknowledgement and appreciation of the Fruitland Volunteer Fire Company.

With no further business to discuss, **Councilor Carey moved to adjourn. Councilor Cowell seconded, and with a four to zero vote in favor, the meeting adjourned at 9:12 p.m.**

Diane C. Nelson

Diane C. Nelson, Asst. City Mgr. / City Clerk

Approved, March 8, 2011 dcn