

The Fruitland City Council met in Regular Session at City Hall on Tuesday, October 8, 2019 at 7:00 p.m. with the following members present:

President Darlene Kerr, Treasurer Ray Carey, Councilor Mark Miciotto, Councilor R. Lee Outen and Councilor Mike Hammond.

Also present at the table were:

City Manager John Psota, Chief Brian Swafford, Deputy Treasurer Mark Swift, City Clerk Raye Ellen Thomas and City Solicitor Andrew Mitchell.

Our guests included:

Public Works Director Michael Gibbons, Katherine McAllister, Bob Marvel, and Coya Dix.

At 7:00 p.m. President Kerr called the regular Council meeting to order. President Kerr led all in prayer, and all recited the Pledge of Allegiance.

President Kerr acknowledged receipt of the minutes of the Regular Meeting of September and called for additions or corrections. As there were none, **Treasurer Carey moved to adopt the minutes as presented; Councilor Miciotto seconded, and the motion passed on a vote of five to zero.**

Reports- Treasurer, City Manager and Department Heads

Treasurer Carey delivered the Treasurer's Report. For September 2019, the City recorded \$233,000 of revenue and \$590,000 of expenses for a net deficit of \$357,000. Year to date the City has recorded \$3.8 Million in revenues and \$1.9 million in expenses for a net surplus of \$1.9 million. **Councilor Hammond moved to accept the Treasurer's Report as presented, Councilor Miciotto seconded, and the motion passed on a vote of five to zero.**

Chief Swafford delivered his report on behalf of the Police Department and Code Enforcement.

- Code Enforcement has completed 669 cases year to date and 185 building inspections year to date.
- There were 20 part one crimes and 840 traffic violations cited. There were 1844 total calls for the month of September.
- The routine of #9 PM is still paying off.
- Extra manpower will be provided for Halloween.
- Officers will also be in the area of the Emmanuel Church for the Trick or Trunk event on Main Street.
- Sergeant Jackson and Officer Weisberg were both recognized by Mothers of Drunk Drivers.

City Manager Psota delivered his report.

- The tree lighting will be held on December 2, 2019.

Deputy Treasurer Swift had no report.

Public Works Director Gibbons delivered his report.

- Water service line replacements on Cartwright Avenue are complete.
- Training was held for the new pipe point repair equipment that was approved last meeting.

UNFINISHED BUSINESS

1. **Paid Bills**
President Kerr acknowledged receipt of the paid bill report. **On a motion made by Councilor Outen and seconded by Councilor Hammond the paid bills were approved by a vote of five to zero.**
2. **Other**
City Solicitor Mitchell provided an update on Tuxent Branch drainage project easements.

NEW BUSINESS

1. **Police Department Vehicle Purchase Approval**
Chief Swafford requested approval to purchase a 2019 Chevrolet Tahoe from I. G. Burton. The price is \$37,581 which is lower than the Maryland State contract price. He also requested that the vehicle be outfitted with a “police package” from Squad Car Supply, which has a contract with the State of Maryland. The cost would be \$10,726. An additional \$5,500 is needed for a Motorola radio. The radio would be from a sole source as it would be purchased through Wicomico County Emergency Services. The total amount of the vehicle to be purchased and equipped would be \$53,807, with an added contingency of \$1,193, for a total amount not to exceed \$55,000. This is a budgeted item with the funds coming from the Breckford account. **On a motion made by Councilor Miciotto to approve the purchase of a 2019 Chevrolet Tahoe from I.G. Burton, outfitted by Squad Car Supply and a Motorola radio from Wicomico County using Brekford funds not to exceed \$55,000, seconded by Treasurer Carey, the motion was approved by a vote of five to zero.**
2. **Repeal Discussion – Ordinance # 239 Open Alcohol Container**
City Solicitor Mitchell advised he was informed of a change in Maryland law by Chief Swafford regarding open alcohol containers. Open alcohol containers and consuming alcohol in public is now a fine instead of a criminal charge for adults. Chief Swafford would like to follow the State law and repeal the City’s ordinance # 122 and # 239 dealing with open containers. City Solicitor Mitchell proceeded to read proposed Ordinance # 295. **On a motion made by Councilor Outen to accept the first reading of Ordinance # 295 which will repeal Ordinance # 239 and # 122 as presented by City Solicitor Mitchell, seconded by Treasurer Carey, the motion was approved by a vote of five to zero.** The second reading/ public hearing will be held on November 12, 2019 at 7:10 p.m.
3. **Annual Production Well Rehab Project Approval**
This item was tabled.

Public Comment/General Discussion

Treasurer Carey asked Chief Swafford how the college students are behaving this year. Chief Swafford advised that since the rules have changed through the University and the penalties have been increased for behavioral matters this has been the best year so far.

Councilor Miciotto asked about the status of the shopping carts and newspapers concerning the recently passed ordinance regarding the same. City Manager Psota advised that the newspapers have not been seen, and there has been very few shopping carts around. City Manager Psota commended the Police Department for the upkeep of the shopping cart ordinance. Chief Swafford advised that those confronted with removing a shopping card from a business property each willingly returned the cart to avoid a citation.

Councilor Hammond asked when the Morris Mill project will be completed. Councilor Outen advised that there is a two-month delay from September deadline.

President Kerr wished everyone a safe and happy Halloween.

With no further business to discuss, **Councilor Hammond made a motion to adjourn at 7:29 p.m., seconded by Treasurer Carey, the motion was approved by a vote of four to zero.**

Raye Ellen Thomas
Raye Ellen Thomas / City Clerk
[Approved, November 12, 2019](#)