

The Fruitland City Council met in Virtual Session on Tuesday, February 9, 2021 at 7:00 p.m. with the following members present by phone:

*President Darlene Kerr, Treasurer Ray Carey, Councilor Mark Miciotto, Councilor Mike Hammond, City Manager Marc Henderson, Chief Brian Swafford, Deputy Treasurer Mark Swift, City Clerk Raye Ellen Thomas, Public Works Director Michael Gibbons and City Solicitor Mitchell.*

*Councilor R. Lee Outen joined in progress.*

Our guests included: Mac Pusey and Mark Harris.

At 7:00 p.m. President Kerr called the Council meeting to order.

President Kerr acknowledged receipt of the minutes of the Regular Meeting of January 12, 2021 and called for additions or corrections. As there were none, **Treasurer Carey moved to adopt the minutes as presented; seconded by Councilor Hammond, the motion passed on a vote of four to zero.**

#### **Reports- Treasurer, City Manager and Department Heads**

**Treasurer Carey delivered** the Treasurer's Report. During the month of January, the City recorded \$1.107 of revenues, including \$238,000 in reimbursements for the Water Treatment Plant and Well project and \$653,000 in quarterly utility billing. The City also recorded \$1.104 of expenses for the month, including \$101,500 for paving, \$154,000 in loan payments, and \$315,500 in retirement contributions, for net income of \$3000. Year to date the City has recorded \$7.6 million in revenues and \$5.2 million in expenses for a net surplus of \$2.4 million. **Councilor Miciotto moved to accept the Treasurer's Report as presented, Councilor Hammond seconded, and the motion passed on a vote of four to zero.**

**Chief Swafford** delivered his report on behalf of the Police Department.

- There were 13 part one crimes. 1001 Traffic violations and 2268 total calls for the month of January.
- Chief Swafford advised that this January was a very low crime month. Crime was down 50%.
- The communications room is almost 80% complete.
- PCO Beth Niblett was promoted to PCO II.

**City Manager Henderson** delivered the Code Enforcement and City Manager's report.

- There were 11 new Code Enforcement cases and 2 closed for the month of January.
- Rental registration renewal is under way currently.
- MDE application for funding an I & II project has been sent to MDE.
- Until the analysis is done for the water treatment capacity there are no EDUs available at this time.

**Public Works Director Gibbons** delivered his report.

- A grant was received from the State to renovate the restrooms at the concession stand and the renovations have begun.
- The bleachers that were purchased through a grant have been received and Public Works will begin installing them.
- A pre-bid meeting will be held tomorrow for the well rehabilitation for well 1 and 2. He will present the results at the next Council meeting.
- McIntyre Electric is procuring the bonds for the Solar Plant project and should be able to start soon.

**Deputy Treasurer Swift** delivered his report.

- Approval was received from FEMA for the reimbursement of COVID related expenses totaling \$26,155.87. 75% will come from FEMA and the remaining from the CARES Act through the County.

## UNFINISHED BUSINESS

### 1. Paid Bills

President Kerr acknowledged receipt of the paid bill report. **On a motion made by Treasurer Carey and seconded by Councilor Hammond the paid bills were approved by a vote of four to zero.**

## NEW BUSINESS

### 1. Fruitland Police Department Annual Report

Chief Swafford advised that he had sent the annual report to the Council members and he would like to highlight a few areas. It is the second straight year with no robberies. Burglary was at the lowest number in the last fifteen years with a 75% drop. There was a 25% drop in part one crimes. Fruitland closed property crime at four times the national average. There were 13,600 total business and property checks for the year. Council President Kerr thanked Chief Swafford for all the hard work done by the Department.

### 2. Resolution 2-2021 General Fund Budget Amendment

Deputy Treasurer Swift read Resolution 2-2021 which amends the general fund budget. **On a motion made by Treasurer Carey to accept Resolution 2-2021 as read by Deputy Treasurer Swift, seconded by Councilor Miciotto, the motion was approved by a vote of four to zero.**

### 3. Resolution 3 – 2021 Utilities Fund Budget Amendment

Deputy Treasurer Swift read Resolution 3-2021 which amends the utilities fund budget. **On a motion made by Councilor Hammond to accept Resolution 3-2021 as read by Deputy Treasurer Swift, seconded by Treasurer Carey, the motion was approved by a vote of four to zero.**

(Councilor Outen joined the meeting)

### 4. Hunt Club Pump Station

Public Works Director Gibbons advised that the Hunt Club Pump Station is approximately 25 years old and needs to be updated with the new alarm system and the station is also showing signs of corrosion. He has obtained an estimate from Shore Rite Control which is a sole source provider in the amount of \$6,802.91. City Manager Henderson acknowledged that Shore Rite Control is the sole source provider. **On a motion made by Councilor Outen to purchase a control panel and alarm system from Shore Rite Control for the Hunt Club Pump Station in the amount of \$6,802.91, seconded by Treasurer Carey, the motion was approved by a vote of five to zero.**

### 5. Other

Council President Kerr advised that a Councilor wanted to discuss a concern with an employee hunting on City property. Councilor Miciotto advised that he was made aware of an employee who was given permission by a former in charge City official to hunt on City property. The employee was using a bow not a firearm; however, he does not think it should be permitted. If it is then all citizens should be permitted to hunt on their property. Councilor Outen advised that this situation has been going on for a long time, the employee has worked for the City for a long time and they hunt with a bow and arrow in the woods behind the Wastewater Treatment Plant. Treasurer Carey advised that he does not see a problem with it. Councilor Hammond does not have a problem with it as long as it is during hunting season and employee has written permission. Council President Kerr advised that her only concern is that,

since it is City property would there be liability. Councilor Miciotto asked if all employees would be allowed to hunt on City property. Council President Kerr advised that it would be for the one employee that has been doing it all along. **On a motion made by Councilor Outen to allow the employee that has permission as of this date to hunt on City property, seconded by Treasurer Carey, the motion was approved by a vote of three to two.**

**Public Comment/General Discussion**

Mac Pusey asked if he is now allowed to shoot a BB gun or a bow on his property. Councilor Outen advised that he would need to check with DNR. City Manager Henderson also advised that there is a City ordinance that you can not shoot a bow within a certain distance from a structure or occupied residence. Council President Kerr advised to keep in mind that it is only during hunting season. Mac will check with DNR.

Councilor Outen advised that it needs to be mentioned that if there are employees that have a problem with a particular issue, they are supposed to follow a chain of command and not just call a Council person.

Council President Kerr advised that the Chamber will hold the Easter parade and the egg hunt will also be held on March 27, 2021.

With no further business to discuss, **Treasurer Carey made a motion to adjourn at 7:40 p.m., seconded by Councilor Hammond, the motion was approved by a vote of five to zero.**

*Raye Ellen Thomas*  
Raye Ellen Thomas / City Clerk  
[Approved, March 9, 2021](#)