

The Fruitland City Council met in Regular Session at City Hall on Tuesday, September 10, 2019 at 7:30 p.m. with the following members present:

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

Also present at the table were:

City Manager John Psota, Lieutenant Dan Holland, Deputy Treasurer Mark Swift, City Clerk Raye Ellen Thomas and City Solicitor Andrew Mitchell.

Our guests included:

Public Works Director Michael Gibbons, Katherine McAllister, J.P. and Stephanie Merritt, Ms. Selleck, Bob Marvel, Edward Hastings, Mr. Pruellier and James Justice.

At 7:30 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 August and called for additions or corrections. As there were none, **Councilor Miciotto moved to adopt the minutes as presented; Treasurer Carey seconded, and the motion passed on a vote of four to zero.**

Reports- Treasurer, City Manager and Department Heads

Treasurer Carey delivered the Treasurer's Report. For August 2019, the City recorded \$156,516 of revenue. The total billed revenues for the fiscal year are \$3.5 million, including real estate taxes and one quarter of utility billing. The City incurred \$388,000 of expenses for the month. The total expenses for the fiscal year to date are \$1.3 million. The net deficit for the City for the month of August is \$230,000 and the net income for the fiscal year is \$2.2 million. **Councilor Outen moved to accept the Treasurer's Report as presented, Councilor Miciotto seconded, and the motion passed on a vote of four to zero.**

Lieutenant Holland delivered his report on behalf of the Police Department and Code Enforcement.

- Code Enforcement had 193 cases for the month of July.
- There were 15 part one crimes and 1069 traffic violations cited. There were 2228 total calls for the month of August.
- The routine of #9 PM is still paying off. College students have moved back into town and were presented with the student package.
- The Custodian position was filled.
- Code Enforcement opened 11 cases and closed 71 cases for the month of August.

City Manager Psota delivered his report.

- City Manager Psota asked Katherine McAllister from GMB, to give an update regarding two ongoing projects.
- The development of the new City website is moving forward, and City employees will be receiving training from Revize in the next couple of weeks. The website should be completed by January.
- Tuxent Branch drainage access agreements are in the process of being completed.
- The MS4 permitting process is continuing and the first phase is due October 31, 2019. City Manager Psota has asked Katherine McAllister from GMB, who has experience in assisting other municipalities with MS4 permitting to work with the City in the process.

- A sustainable community designation meeting date is being efforded with hopes that an early October date can be arranged.
- The street sign replacement project continues along Main and Division Streets.
- City Manager Psota through media examples describing a significant increase in municipal government ransomware attacks, outlined the City's robust efforts at preventing such acts, although not all can be prevented.
- The tree lighting will be held on December 2, 2019.
- The election house painting project continues.

Deputy Treasurer Swift had no report.

Public Works Director Gibbons delivered his report.

- The water service line replacement is progressing on Cartwright Avenue and Squire Court.
- The museum paint has been stripped and will be getting primed by the end of the week.

UNFINISHED BUSINESS

1. **Paid Bills**

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

2. **Other**

City Manager Psota advised that the Morris Mill Dam Project is going well. The road may be open before the end of fall as the project is scheduled to be finished by the end of the year, however that may change.

Public Hearing – Ordinance # 294 Shopping Carts

City Solicitor Mitchell read Ordinance # 294, which is an ordinance of the City Council, declaring the unauthorized removal or abandonment of shopping carts to be a municipal infraction and establishing a procedure for dealing with abandoned carts. Signage will be posted in the City's easements advising of the removal restrictions. There was no discussion from the Council or the audience. **On a motion made by Treasurer Carey to accept Ordinance # 294 as presented by City Solicitor Mitchell, seconded by Councilor Outen, the motion was approved by a vote of four to zero.**

NEW BUSINESS

1. **Underground Pipe Point Repair**

Public Works Director Gibbons requested authorization to purchase equipment to aid City employees work on underground pipes without digging up the streets. He has received four quotes from vendors. The lowest bid was from Hammerhead in the amount of \$9241.44 which includes the equipment and training of employees. He requested that the bid be awarded to Hammerhead. **On a motion made by Councilor Miciotto to award the bid to Hammerhead for the purchase of equipment, materials and training for the underground pipe point repair system in the amount of \$9241.44, seconded by Treasurer Carey, the motion was approved by a vote of four to zero.**

2. **Police Department Vehicle Purchase Approval**

Lieutenant Holland requested the purchase of 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 the police package from Squad Car Supply, which has a contract with the State of Maryland. The cost would be \$10,726. The total amount of the vehicle to be purchased and equipped would be \$48,307, with an added contingency amount of \$1693, for a total amount not to exceed \$50,000. 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 using Brekford funds not to exceed \$50,000, seconded by Treasurer Carey, the motion was approved by a vote of four to zero.

3. Paving Bid Approvals (Squires Court, Cedar Lane, Clyde Avenue and Cartwright Avenue)

Public Works Director Gibbons advised there was a bid opening on September 4 2019 for paving of Squires Court, Cedar Lane, Clyde Avenue and Cartwright Avenue. The low bid for Cartwright Avenue, Clyde Avenue and Cedar Lane was in the amount of \$139,766.60 from ECM Corporation. Public Works Director Gibbons requested approval to award the bid to ECM Corporation with a 10% contingency in the amount of \$154,000. **On a motion made by Councilor Outen to award the bid to ECM Corporation to pave Cartwright Avenue, Clyde Avenue and Cedar Lane not to exceed \$154,000, seconded by Treasurer Carey, the motion was approved by a vote of four to zero.**

Public Works Director Gibbons advised that the low bid for Squires Court was also ECM Corporation in the amount of \$46,031.84. He requested to award the bid to ECM Corporation with a 10% contingency in the amount of \$51,000. **On a motion made by Treasurer Carey to award the bid to ECM Corporation to pave Squires Court not to exceed \$51,000, seconded by Councilor Outen, the motion was approved by a vote of four to zero.**

4. Minor Re-subdivision of Lands (215 and 217 Hayward Avenue)

City Solicitor Mitchell advised this was information for the Council from the Planning Commission. Rodney Long owns two lots on Hayward Avenue that he would like to make into three lots. He has purchased another parcel of lot and now meets all the requirements to make three lots per the Planning Commission.

5. 101 West Cedar Lane Preliminary Development Site Plan (Royal Farms)

City Solicitor Mitchell advised that this item is also informational. Ed Hastings presented the site plans for a new Royal Farms to be located on West Cedar Lane. It had previously been before the Planning Commission. Council Members asked several questions and Mr. Hastings provided the answers.

Public Comment/General Discussion

James Justice from Poplar Street Town Houses approached the Council in reference to a trailer for which he has been issued a citation with direction to remove the trailer by Code Enforcement. He has received several extensions and was told that he could come to the meeting tonight to ask for an extension from the Council. Council President Kerr advised that that he needed to call Code Enforcement in the morning because they are the department that handles this kind of issue. There was a motion made to grant Mr. Justice a 30-day extension, which resulted in a tie vote of 2 – 2 and therefore the Council took no action.

Based on Councilor Outen's suggestion, a discussion was proceeded regarding the possibility of changing the monthly Council meeting start time of 7:30 p.m. As a result, a start at 7:00 p.m. was agreed upon effective with the October 8, 2019 meeting. **On a motion made by Councilor Outen to pass a resolution to change the start time of the Council Meeting to 7:00 p.m. effective with the October 2019 meeting, seconded by Treasurer Carey, the motion was approved by a vote of four to zero.**

With no further business to discuss, **Councilor Outen made a motion to adjourn at 8:40 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, October 8, 2019