

The Fruitland City Council met in Regular Session at City Hall on Tuesday, February 11, 2014 at 7:30 p.m. with the following members present:

President Richard Lee Outen Jr., Treasurer Darlene Kerr, Councilor Gloria Ortiz, and Councilor Raymond Carey.

Also present at the table were:

Chief Michael Phillips, City Manager John Psota, City Clerk Raye Ellen Thomas and City Solicitor Andrew C. Mitchell Jr.

Also present in the audience were:

Our guests included:

Mary Stevens, Daren Disney, Tim Ramia, Eric Davis, Bob Marvel, John T. Cannon, Joe Stuetz, Kris Adams, Kevin Adams, Christopher Adams, Rick Insley, Katherine McAllister, Donna Harrington, Robin Townsend, Tom Maloney, Brett Davis, Chuck Nichols, and two reporters from WMDT.

President Outen called the meeting to order at 7:24 p.m. and welcomed all in attendance; Councilor Ortiz offered prayer and all recited the Pledge of Allegiance.

President Outen acknowledged receipt of the minutes of the Regular Meeting of January 14, and Work Sessions from January 23, and February 6, and called for additions or corrections. As there were none, **Treasurer Kerr moved to adopt the minutes as presented; Councilor Ortiz seconded and the motion passed on a vote with four in favor.**

Treasurer Kerr delivered the Treasurer's Report.	Cash on Hand 01/01/14	\$ 193,173.73
	Deposits	<u>726,840.55</u>
	Subtotal	\$ 920,014.28
	Disbursements	<u>(775,017.43)</u>
	Total Ending 01/31/14	\$ 144,996.85

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

Chief Phillips gave the Police and Code Enforcement reports and City Manager Psota gave the City Manager's report and the Public Works report.

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, which was seconded by Councilor Ortiz, the paid bills were approved as listed by a vote with four in favor.**

7:45 1st Reading of Landlord Licensing Ordinance

City Solicitor Mitchell advised that the Ordinance would not be voted on tonight, it was the first reading only. The Council will accept Public Comments, which will be reviewed and discussed by Council another time. City Solicitor Mitchell then proceeded with reading the proposed Landlord Licensing Ordinance, enacting section 114 of title XI, business regulations of the Fruitland code of ordinances to establish rental dwelling unit owner's license and a rental dwelling unit registration system. **Treasurer Kerr made a motion to accept the 1st Reading of the Landlord Licensing Ordinance, which was seconded by Councilor Ortiz, and accepted by Councilor Carey and President Outen, Councilor Cowell was not present.** Public comments were then accepted. The following Landlords presented comments, Kris Adams, John Cannon, Christopher Adams, Tom Maloney, Brett Davis, Eric Davis, Kevin Adams and Rick Insley. Councilor Ortiz and Treasurer Kerr stated that they will take into consideration the comments the landlords had provided. Council President Outen advised that he feels as though further discussion should be held on the Landlord Licensing, the Council

decided to hold another work session on February 18, 2014 at 11:30 am. City Solicitor Mitchell advised that a Public Hearing will be held on March 11, 2014 at 7:40 pm.

8:54 1st Reading of Amendment to Impact Fees

City Solicitor Mitchell read the proposed amendment to Impact Fees, discontinuing the collection of Impact Fees by the imposition of a moratorium on the enforcement of certain provisions of chapter 54 of the City code of ordinances. **Councilor Ortiz made a motion to accept the 1st reading amending the Impact Fees Ordinance, to discontinue the collection of fees, which was seconded by Treasurer Kerr, Councilor Carey and President Outen both accepted, and Councilor Cowell was not present.** There was a public comment regarding if the Impact Fees have previously been paid would there be a refund, at this time no refunds will be given. City Solicitor Mitchell advised that a Public Hearing will be held on March 11, 2014 at 8:00 pm.

9:03 1st Reading of Amendment to Allocation and Retention of Equivalent Dwelling Units of Water and Sewer.

City Solicitor Mitchell read the proposed ordinance amending the City's code of ordinances, chapter 156, section 156.03: new subdivisions or developments, subsections (C) (5) and (6), dealing with the allocation and retention of equivalent dwelling units of water and sewer. **On a motion made by Treasurer Kerr to accept the 1st reading amending the allocation and retention of Equivalent Dwelling Units, which was seconded by Councilor Carey, Councilor Ortiz and President Outen both accepted, and Councilor Cowell was not present.** Public comments were then accepted and the Council provided the answers to the comments. City Solicitor Mitchell advised that a Public Hearing will be held on March 11, 2014 at 8:15 pm.

NEW BUSINESS

1. East Field HOA – responsibility of ditches

City Manager Psota advised had spoken with Mr. Joe Stuetz about a prior agreement Mr. Stuetz had with Mr. Derbyshire concerning the ditches at East Field. Gary Peek from Public Works will meet with Mr. Stuetz and review any agreements.

2. Fleet Matic Presentation

Chief Phillips advised that a representative from Fleet Matic was supposed to present a power point but was unable to attend. Chief Phillips advised that it is a system used to assist with ways to conserve fuel, and he will present the Council with more information at a later date.

3. Other

Katherine McAllister from GMB reminded everyone that the bids for the ENR upgrade will be opened on March 4, 2014. Katherine is hoping the Council will be able to vote on the bid recommendations at the March 11, 2014 Council Meeting.

Public Comment/General Discussion

Mary Stevens from Church Street advised that she has a community problem with juveniles. Mrs. Stevens is the only homeowner on Church Street, and has had several incidents involving malicious destruction to her home. Mrs. Stevens advised that she had been in contact with Mrs. Dee Gardner from the Maryland Victims of Crime Unit on how to handle the incident and each incident was reported to the City's Police Department. Mrs. Stevens advised one solution to her problem would be to have surveillance cameras installed on the street by the City. Chief Phillips advised that the City had received surveillance cameras on a grant a few years ago, and the quality of the cameras was not adequate. Councilor Ortiz advised that she knew a person who installed cameras and she would provide Mrs. Stevens with the name and number. Chief Phillips advised that he would check into the incidents and see what the outcome was.

Robin Townsend stated that he was glad to see the landlords at the meeting, and he communicates with them regularly because of Fire Company related issues. Robin stated that when he has a problem, the landlords are quick to fix it, and if it does not get resolved then he contacts Code Enforcement, he would like for the Council to listen to the landlords comments concerning the proposed Landlord Licensing Ordinance.

Treasurer Kerr and President Outen both thanked the audience for expressing their comments and concerns.

President Outen expressed his opinion that he is opposed to the Landlord Licensing Ordinance.

With no further comments or discussions, **Councilor Ortiz made a motion to adjourn from Council Meeting at 9:41 pm. and then reconvene for Closed Session regarding Personnel Issues and obtain Legal opinion, Councilor Carey seconded and all approved by a unanimous vote in favor.** The Closed Session reconvened at 9:50 pm., was reopened to the Public at 10:00 pm. and then adjourned at 10:10 pm.

Raye Ellen Thomas

Raye Ellen Thomas / City Clerk

Approved, March 11, 2014