

The Fruitland City Council met in Regular Session at City Hall on Tuesday, July 9, 2019 at 7:30 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, Lois Wagner, J.P. and Stephanie Merritt, Mac Pusey, Robin Townsend, Greg Twigg, Bob Marvel, Dana Stauffer, Officer Hook and his wife.

At 7:30 p.m. President Kerr called the regular Council meeting to order. Pastor Stauffer led all in prayer, and all recited the Pledge of Allegiance.

President Kerr acknowledged receipt of the minutes of the Regular Meeting of May and called for additions or corrections. As there were none, **Treasurer Carey moved to adopt the minutes as presented; Councilor Hammond 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 June 2019, the City recorded \$221,000 of revenues including \$116,000 in income taxes. The total billed revenues for the fiscal year are \$7.1 million, including real estate taxes and four quarters of utility billing. The City incurred \$707,000 of expenses for the month including \$124,000 for water meters. The total expenses for the fiscal year to date are \$7.9 million. The net deficit for the City for the month of June is \$487,000 and the net income for the fiscal year to date is \$760,000. It should also be noted that these figures are unaudited and subject to change pending year-end adjustments and accruals. **Councilor Outen moved to accept the Treasurer's Report as presented, Councilor Hammond 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 had a busy month, there were 137 cases for the month of June.
- There were 31 part one crimes, 26 cleared and over 700 traffic violations cited. There were 1888 total cases in the month of May.
- The routine of #9 PM is still paying off. There will be a drawing for a gas gift card for those sharing the #9PM routine on Facebook.
- National Night Out will be held on August 6, 2019.

City Manager Psota delivered his report.

- Fruitland will be hosting the USSSA tournament this year on July 18 -19, 24-25 and 30-31.
- August 3, 2019 All Church Community will be holding a community day from 10:00 a.m. to 3:00 p.m.
- City Manager Psota pointed out that the garden planted at the Community Center was also in conjunction with the Well-Connected Communities Initiative.

Deputy Treasurer Swift had no report.

Public Works Director Gibbons delivered his report.

- The contractor has finished the pole building at Clyde Avenue.
- Generator work started at Clyde Avenue and should be completed by July 17, 2019.
- Main Street has been paved and the striping should be completed this week.
- Paving is complete at City Hall.
- The Election House was moved on July 2, 2019.

City Manager Psota thanked Public Works Director Gibbons for his work on getting the paving completed and the Election House relocation project. City Manager Psota also thanked the Wicomico Historical Society for paying for the move of the Election House.

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 Outen the paid bills were approved by a vote of five to zero.**

2. Fruitland Volunteer Fire Department Check Presentation

Chief Robin Townsend and President Greg Twigg from the Fruitland Volunteer Fire Company were introduced. Council President Kerr noted that they had been at the January 2019 Council Meeting asking for any financial assistance the City could provide towards the purchase of a new engine tanker for the Fire Company. The Council presented Chief Townsend and President Twigg with a \$100,000 donation towards the new truck in addition to the \$55,000 donation that is given annually. President Twigg presented pictures of the new truck to the Council and Chief Townsend described the truck in detail. The truck should be in Fruitland within the next couple of weeks.

3. Water Allocation Permit Update

City Manager Psota advised that the Water Treatment Plant Upgrade project and the Solar Panel project are both moving forward, with both going to bid next month. City Manager Psota also advised that the City is awaiting MDE Water Allocation Permit approval.

4. Preller Produce Sign Removal Update

City Manager Psota advised that since the last meeting an understanding has been reached allowing Mr. Preller to attach his produce signs to the County Road closure/detour signs that are posted in the State right of way.

First Reading – Ordinance # 293 Prohibit the Delivery of Publications to Private Property Owners Who Have Not Requested the Service

City Solicitor Mitchell read Ordinance #293, which is an ordinance of the City Council, to prohibit the deliver of publications to private property owners who have not requested the service. Several questions from the Council were asked including who would be responsible for assessing the fines; who needs to be called if the newspaper is still being delivered; how to prove the homeowner called to cancel delivery, and how to inform the residents on how to have the deliveries stopped.

On a motion made by Councilor Miciotto to accept the first reading of Ordinance #293, seconded by Treasurer Carey, the motion was approved by a vote of five to zero. A public hearing will be held on August 13, 2019 at 7:40 p.m. City Solicitor Mitchell advised that should changes occur as a result of the public hearing process, that the Council vote could be held at the September Council Meeting to allow each change to be made.

NEW BUSINESS

1. **Swear in Lois Wagner to Supervisors of Elections Board**

City Clerk Thomas administered the oath of office to Lois Wagner as a member of the Supervisors of Election Board.

2. **Swear in Police Officer Hook**

City Clerk Thomas administered the oath of office to Officer Hook, who has graduated from the Police Academy.

3. **Appoint Code Enforcement Appeals Board**

Council President Kerr advised that there is a need for the establishment of a three-member Code Enforcement Appeals Board and nominated Lee Outen, Jr., Derek Bland and Leland Bonneville. **On a motion made by Treasurer Carey to approve the three members, seconded by Councilor Miciotto the motion was approved by a vote of five to zero.** City Solicitor Mitchell advised that the City Ordinance sets out staggered terms. **On a motion made by Councilor Miciotto to appoint to the Code Enforcement Appeals Board Leland Bonneville to serve for one year, Lee Outen Jr. will serve for two years and Derek Bland will serve for two years, seconded by Treasurer Carey, the motion was approved by a vote of five to zero.** After discussion as to whether Councilor Outen could serve, due to his position on Council, it was decided this his appointment would stand awaiting City Solicitor Mitchell's review.

4. **Health Insurance Renewal**

City Manager Psota advised that the City's Health insurance plan for its employees expires on July 31, 2019 and as previously discussed in this year's budget meetings, the City has budgeted for and requests to renew with a continuation of the current plan. City Manager Psota requested the authority to renew the health care plan with the same benefits as previous years, renew with Hollister Benefits Solution as the broker, Integra as the administrator and Cigna to remain as the health care provider. Additionally, City Manager Psota requested the authority to renew the dental and vision plans with Guardian Insurance as the provider. City Manager Psota also request authority to sign any documents or contracts from Hollister, Guardian, Integra, or Cigna after review, if warranted, by the City Solicitor. **On a motion made by Councilor Miciotto to authorize City Manager Psota to proceed as outlined in his summary regarding the insurances for Hollister, Guardian, Integra, or Cigna, health, dental and vision and signing approval, seconded by Councilor Hammond, the motion was approved by a vote of five to zero.**

Public Comment/General Discussion

Mac Pusey spoke concerning proposed Ordinance # 293.

With no further business to discuss, **Treasurer Carey made a motion to adjourn at 8:30 p.m., seconded by Councilor Miciotto, the motion was approved by a vote of five to zero.**

Raye Ellen Thomas
Raye Ellen Thomas / City Clerk
[Approved, July 9, 2019](#)