

The Fruitland City Council met in Regular Session at City Hall on Tuesday, January 12, 2016, at 7:30 p.m. with the following members present:

President Darlene Kerr, Treasurer Gloria Ortiz, Councilor Raymond Carey, Councilor Roland Palmer and Councilor Charles Nichols.

Also present at the table were:

City Manager John Psota, Public Works Director Gibbons, Chief Michael Phillips, City Clerk Raye Ellen Thomas and City Solicitor Andrew Mitchell.

Our guests included:

Bob Marvel.

President Kerr called the regular Council meeting to order at 7:30 p.m. and welcomed all in attendance. Treasurer Ortiz led all in Prayer and all recited the Pledge of Allegiance.

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

Treasurer Ortiz delivered the December Treasurer's Report. For December 2015, the City recorded revenue of \$161,359 \$96,000 of which were police grant revenue and business taxes billed. This brings the total revenues to just under \$6 million for the fiscal year to date, including real estate taxes and two quarters of utility billing. The City has also incurred \$651,209 of expenses for the month of December, including the onetime payment of \$191,221 for the Maryland State Retirement contribution. The total expenses for the fiscal year to date are \$4,124,752 including \$1,687,757 related to the ENR upgrade. This brings the revenue deficit for the City for the month of December to \$489,850 and net income of \$1,807,080 for the fiscal year to date. **Councilor Nichols moved to accept the Treasurer's Report as presented. Councilor Carey seconded and the motion passed on a vote of five to zero.**

Chief Phillips gave the Police and Code Enforcement reports. Council President Kerr asked about the renewal letter that was sent out to landlords. She had received a call asking why the application needed to be filled out entirely again. Chief Phillips will check into the letter and let her know. During the Police report, Chief Phillips advised of an armed robbery that occurred at the Red Fox Market.

City Manager Psota gave the City report. During his report he stated that the quotes pertaining to General Liability and Worker's Compensation had been emailed to the council members, with Travelers being the lowest. He has checked with three other municipalities that use Travelers and all three have had good experiences. City Manager Psota requested ratification of the contract with Travelers for General Liability and Worker's Compensation. On a motion made by Treasurer Ortiz to ratify the new policy with Travelers, seconded by Councilor Palmer, the motion passed on a vote of 5 – 0. City Manager Psota stated that the City was re-designated as an Enterprise Zone for another 10 years.

Public Works Director Mike Gibbons gave the Public Works Department report including the updates on the new water tower, Morris Mill, Water Plant and Waste Water Treatment Plant. A pre-bid meeting will be held on January 21th for the plumbers who will install from the meter pits to the houses. During his report, he asked for approval of repair to a motive pump. The pump is essential to the operation of the SBR. The spare was used to replace this pump, and a spare is needed. Public Works Director Gibbons would like to have Hill's Electric repair the pump and has received an estimate for repair in the amount of \$8847.89, the cost of a new one is \$36,000.00. Councilor Nichols asked if there was preventive maintenance that could be performed while the pump was not being used; Public Works Director Gibbons stated that there is a one year warranty that does not start until the pump is actually used, but that while in operation there are simple maintenance steps which are taken. On a motion made by Treasurer Ortiz to have the motive pump repaired by Hill's Electric, not to exceed \$9000.00, seconded by Councilor Palmer, the motion was approved on a vote of

UNFINISHED BUSINESS

1. Paid Bill Report

President Kerr acknowledged receipt of the paid bill report. **On a motion made by Councilor Carey and seconded by Treasurer Ortiz, the paid bills were approved by a vote of 5 – 0.**

2. Adoption of First Reading – Revised Home Occupation Ordinance # 278

City Solicitor Mitchell read Ordinance #278 with the proposed changes for the first reading. Councilor Palmer asked how the new ordinance would affect yard/garage sales and fruit/vegetable stands. It was decided that if a produce stand existed in the summer of 2015, then it would be grandfathered into this ordinance and if a person holds more than three yard sales a year, it will be considered evidence of it being a business. **On a motion made by Councilor Palmer to accept the first reading, with the changes for yard sales and produce stands, seconded by Councilor Carey, the motion was approved on a vote of 5 – 0.** The Public Hearing will be held on February 9th, 2015 at 7:40 p.m.

3. Other

Chief Phillips stated that the Council had previously voted on to look into the purchase prices of a Tahoe for the Police Department. At this time he has the funds available to make the purchase, with the lowest cost of \$45,320.00 with the complete package needed. **On a motion made by Councilor Carey to permit the purchase of a Tahoe not to exceed \$46,000.00, seconded by Councilor Palmer, the motion was approved on a vote of 5 – 0.**

NEW BUSINESS

1. Charter Amendment – Uncontested Elections

Council President Kerr stated this had been discussed previously and City Solicitor Mitchell reviewed what has to be done regarding changing the charter. After a lengthily discussion about write in candidates, how to select candidates when no one runs and appointed positions, it was the consensus of all Council Members to leave the Election process as it is.

2. 502 Hayward Avenue/Water/Sewer Reserve

This item has been removed from the agenda.

3. Resolution – Debbie Donoway

Chief Phillips stated that the Police Department will be having a retirement party for Debbie Donoway and he would like to present her with a resolution for her fourteen years of service. The Council all approved such a resolution.

Public Comment/General Discussion

With no further business to discuss or comments, **Councilor President Kerr stated that a short adjournment will be held at 8:28 p.m., after the adjournment, Treasurer Ortiz made a motion to go into closed session to discuss personnel matters, seconded by Councilor Nichols. Motion to adjourn closed door, during which the Council discussed and took action in a personnel matter, no other matters were discussed and the motion to return to open session was made by Councilor Palmer at 9:05 p.m., seconded by Councilor Nichols. Since there was no further business to discuss, Treasurer Ortiz made a motion to adjourn at 9:06 p.m, seconded by Councilor Palmer.**

Raye Ellen Thomas

Raye Ellen Thomas / City Clerk

Approved, February 9, 2016
