

The Fruitland City Council met in Regular Session at City Hall on Tuesday, January 13, 2015, at 7:30 p.m. with the following members present:

*President Darlene Kerr, Councilor Nichols and Councilor Palmer.*

Also present at the table were:

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

Our guests included:

Bob Marvel, Cornella Harman, Katherine McAllister, John Palmer, John McIntyre, Katherine McAllister, Ronnie Morris, Brian Mildren and Boy Scout Troop members.

President Kerr called the regular Council meeting to order at 7:30 p.m. and welcomed all in attendance, offered prayer and all recited the Pledge of Allegiance.

President Kerr acknowledged receipt of the minutes of the Regular Meeting of December 9, 2014 and called for additions or corrections. As there were none, **Councilor Palmer moved to adopt the minutes as presented; Councilor Nichols seconded and the motion passed on a vote of three to zero.**

**President Kerr** delivered the December Treasurer's Report.

Cash on Hand 12/01/14	\$ 444,888.00
Deposits	\$ <u>1,199,552.60</u>
Subtotal	\$ 1,644,440.60
Disbursements	\$ <u>(1,163,316.09)</u>
Total Ending 12/31/14	\$ 481,124.51

**Councilor Nichols moved to accept the Treasurer's Report as presented. Councilor Palmer seconded and the motion passed on a vote of three to zero.**

Chief Phillips gave the Police and Code Enforcement reports, City Manager Psota gave his report and Public Works Director Gibbons gave the Public Works report. During City Manager Psota's report he requested approval to allow T K Construction, who submitted the lowest of three quotes received, to replace the sewer line on Williams Avenue due to the line aging and causing sewer backups in residences. On a motion made by Councilor Nichols to award T K Construction to repair and replace sewer line, not to exceed \$8000.00, which was seconded by Councilor Palmer, the motion passed with all in favor. City Manager Psota also requested approval to purchase a lateral four drawer file cabinet, which will be fire proof and locking, for personnel files, ordinances and resolutions. On a motion made by Councilor Palmer to approve purchasing a lateral four drawer file cabinet, not to exceed \$3000.00, which was seconded by Councilor Nichols, the motion passed with all in favor.

## UNFINISHED BUSINESS

### 1. Paid Bill Report

President Kerr acknowledged receipt of the paid bill report; as there were no questions, **on a motion made by Councilor Nichols and seconded by Councilor Palmer the paid bills were approved as listed by a vote with all in favor.**

### 2. Comcast Franchise Update

City Solicitor Mitchell gave an update to the audience, explaining that in order for companies like Comcast to run lines

throughout the City, they must have a franchise agreement with the City. The City is empowered to grant the franchise, and Comcast is seeking to renew their franchise which will expire the spring of 2015. The City will need to pass an ordinance to adopt Comcast's contract. The City has requested a number of changes to the contract, which have been made, with the exception of four. City Manager Psota, City Solicitor Mitchell, Mr. Comer (Director of Government Affairs for Comcast) and Comcast's legal department participated in a conference call regarding the four issues and Comcast is working on those. City Solicitor Mitchell advised it will be brought back before the Council at the February 10, 2015 meeting with the final changes.

**NEW BUSINESS**

**1. Swear in New Police Officer**

City Clerk Thomas administered the Oath of Office to Heather Shellenberger as a new Fruitland Police Officer.

**2. DIY Marine Revolving Loan Fund Request**

City Solicitor Mitchell stated that Ronnie Morris and Brian Mildren have an existing revolving loan from April of 2013, and have applied for another revolving loan. The loans will be used to purchase equipment and supplies for their boat supply and storage business DIY Marine. The bank review committee for the Fruitland Economic Development Commission has approved the loan. **On a motion made by Councilor Palmer to approve the revolving loan request to DIY Marine in the amount of \$30,000. 00 as accepted by the Committee, Councilor Nichols seconded, and all were in favor.**

**3. Roland Palmer Nomination for FrED**

Council President Kerr nominated Councilor Roland Palmer for the position on FrED, which he accepted, and all were in favor of the nomination.

**4. Conversion of Funds**

Chief Phillips asked for conversion of funds in the amount of \$11,275.84 from forfeited funds to be placed in the Police Department's equipment supply line item budget. The list below is the property numbers and amount of the forfeited items.

P-01707	\$ 478.00	P-01651	\$ 277.00
P-01714	\$ 83.00	P-01652	\$ 21.00
P-01715	\$ 96.00	P- 01653	\$ 148.00
P-01693	\$1101.00	P-01654	\$ 60.54
P-01694	\$ 104.00	P-01656	\$ 150.00
P-01698	\$ 236.00	P-01659	\$ 337.00
P-01700	\$ 323.00	P-01660	\$ 25.91
P-01702	\$1730.00	P-01642	\$ 250.00
P-01704	\$ 255.00	P-01644	\$ 830.70
P-01679	\$ 50.00	P-01662	\$ 255.00
P-01681	\$ 142.00	P-01665	\$ 381.00
P-01684	\$1529.00	P-01669	\$ 67.69
P-01674	\$ 133.00	P-01671	\$ 588.00
P-01648	\$ 542.00	P-01672	\$ 457.00
P-01675	\$ 625.00		

Chief Phillips stated that the money would be used to purchase additional equipment for the Fruitland Police Department Special Operation and Response team. **On a motion made by Councilor Palmer to transfer \$11, 275.84 from abandoned property and or forfeitures into the equipment supply account as indicated by Chief Phillips, the motion was seconded by Councilor Nichols, and approved with all in favor.**

**5. LED Light and Energy Star Conversion Upgrade**

John McIntyre and John Palmer of McIntyre Electric Service Inc. (MESI) presented to the Council a proposal to retro fit the lighting and appliances at City Hall, the Police Department, Concession Stand # 3 and the Water Plant. McIntyre Electric is recognized by Delmarva Power and Light (DP&L) as a local Trade Ally who can participate in a rebate program through DP&L, in which LED lighting and Energy Star Appliances replace less energy efficient equipment. Additionally, DP&L has offered an incentive bonus of 10% if the projects are completed by February 1, 2015. John McIntyre explained that his company has inspected all of the City's properties in order to complete and present to

DP&L a “workbook” which itemizes equipment and fixtures to be replaced. DP&L must notify MESI that the projects qualify for incentives for the projects to move forward. DP&L has reviewed the “workbook” and has given their approval. The entire cost of the conversion is approximately \$106,000.00. The approximate out of pocket cost to the City would be \$6000.00. John McIntyre explained that the City could fund the entire project and then receive the rebates from DP&L, or MESI would fund the project and they would collect the rebates to include the 10% incentive bonus if the project is completed on time. A general discussion followed concerning the contracts and different options, and the possibility of completing the project on time. The Council agreed to have the City Solicitor and City Manager do further research on the matter.

#### **Public Comment/General Discussion**

There were no public comments.

With no further business to discuss or comments, **Councilor Palmer made a motion to adjourn, seconded by Councilor Nichols, and with all in favor and the meeting was adjourned at 8:33 p.m.**

*Raye Ellen Thomas*

Raye Ellen Thomas / City Clerk

*Approved, February 10, 2015*