

The Fruitland City Council met in Regular Session at City Hall on Tuesday, October 10, 2017 at 7:30 p.m. with the following members present:

President Darlene Kerr, Councilor Roland Palmer, Councilor Chuck Nichols and Councilor Mark Miciotto.

Also present at the table were:

City Manager Psota, Chief Michael Phillips, Deputy Treasurer Mark Swift, City Clerk Raye Ellen Thomas and City Solicitor Andrew Mitchell.

Our guests included:

Public Works Director Mike Gibbons, Bob Marvel, Donna Hudson, Jamie Dykes, Betty Cottman and Ray Carey.

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

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

Reports- Treasurer, City Manager and Department Heads

President Kerr delivered the September Treasurer's Report. For September 2017, the City recorded \$241,733 of revenues, of which \$170,000 were for business taxes. The total billed revenues for the fiscal year are \$3.7 million, including real estate taxes and one quarter of utility billing. The City incurred \$636,216 of expenses for the month, including \$115,000 for highway paving projects. The total expenses for the fiscal year to date are \$1.5 million. The net deficit for the City for the month of September is \$394,483 and the net income for the fiscal year to date is \$2.2 million. **Councilor Nichols moved to accept the Treasurer's Report as presented. Councilor Palmer seconded and the motion passed on a vote of four to zero.**

Chief Phillips delivered his report on behalf of the Police Department and Code Enforcement.

- Corporal Jackson and Officer Hogan were nominated for Mothers Against Drunk Drivers awards.
- Officer Shellenberger will be Officer of the Year.

City Manager Psota reported on upcoming meetings and events.

- City Hall was a drop off location for Hurricane relief items.
- October 12, 2016 Fruitland is hosting the Walk Wicomico Community Walk 5:30 p.m. – 6:30 p.m.
- December 4, 2017 Tree Lighting at City Hall.
- December 9, 2017 (Possible Christmas Parade)

Deputy Treasurer Swift had nothing to report at this time.

Public Works Director Gibbons reported on the Water and Sewer Departments.

- Morris Street railroad tracks and ties were removed and will be recycled.
- Wicomico County's Morris Mill Dam Project should start in January or later.
- In order to control exiting vehicles from the Falcon Complex the Fruitland Falcons will be putting up posts and ropes within the next 3 weeks.
- GMB and ALWI will be holding a RFP meeting the week of October 23th at City Hall.

UNFINISHED BUSINESS

1. Paid Bills

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

2. Basketball Court Project Approval – City Manager Psota

- Grant was approved and awarded by Program Open Space in the amount of \$47,700.
- \$53,000 was put into the budget.
- Bid openings were held, with the lowest bid at \$58,395 from Asphalt Maintenance LLC.
- Asphalt Maintenance LLC will lower the bid by \$4000 if prepayment of half is paid.
- A cost of \$1395 will be above what was budgeted.

On a motion made by Councilor Palmer to allow the City to pay half of the project upfront, City Manager Psota to sign contract and for an additional \$1395 that the City will need to pay, seconded by Councilor Miciotto, the motion was approved by a vote of four to zero.

3. St. Lukes Road Pre-Paving Water Service Line Replacement Bid Approval-Public Works Director Gibbons

- Bid opening was held with two bids received.
- Lowest bidder was William Mills Water and Sewer in the amount of \$14,850.
- The City will supply the material at \$215.20 per service line with 20 line repairs for a total of \$4304.
- A 10% contingency along with the service line materials \$4304 and the bid of \$14,850 brings the total to \$21,069.40.

On a motion made by Councilor Nichols to award the bid for water line replacement to William Mills Water and Service and allow City Manager Psota to sign contract, after reviewed by City Solicitor Mitchell, including the cost of materials and 10% contingency not to exceed \$21,500, seconded by Councilor Miciotto, the motion was approved by a vote of four to zero.

4. Morris Street Storm Drain Jet-Vac Approval Ratification-Public Works Director Gibbons

- The storm water pipe lines were cleaned by CES on Morris Street.
- The amount was \$7667.50.

On a motion made by Councilor Palmer to ratify the Morris Street Storm Drain Jet Vac performed by CES in the amount of \$7667.50, seconded by Councilor Miciotto, the motion was approved by a vote of four to zero.

5. Police Department K-9 Program- Chief Phillips

- Dual Purpose Dog- Narcotics and Tracking is being requested at a cost of \$10,100.
- Included in purchase of K-9 is training, certification, handler's course, in service training and annual recertification for the entire life of the canine.

On a motion made by Councilor Nichols to allow Chief Phillips to proceed with Delmarva Canine LLC, not to exceed \$10,500 for K-9 and training that was discussed, seconded by Councilor Miciotto, the motion was approved by a vote of four to zero.

7:40 First Reading – Ordinance # 285 Amend Purchasing Policy- City Solicitor Mitchell

City Solicitor Mitchell read the highlights of Ordinance # 285 which amends the purchasing policy established by Ordinance # 179, as amended by Ordinance # 200 and # 228, by increasing the City Manager's Authority in informal bidding, and updating procedures.

The Public Hearing will be held November 14, 2017 at 7:40 p.m. at the regular scheduled Council Meeting.

NEW BUSINESS

1. Annual Concrete Contract Bid Approval- Public Works Director Gibbons

- Three bids were received for concrete removal and replacement within the City.
- Cornish Construction, the lowest bidder, was determined to be unresponsive.
- Johnsons Concrete was the next lowest bidder that Public Works Director Gibbons recommends.

On a motion made by Councilor Palmer to accept bid from Johnson Concrete for annual concrete needs and to disqualify the low bidder, Cornish Construction for not being responsive, and to allow Council President Kerr to sign contract, seconded by Councilor Miciotto, the motion was approved by a vote of four to zero.

2. Clyde Avenue Pump Rebuild Approval-Public Works Director Gibbons

- Clyde Avenue Pump Station has three pumps, two run at all times and the third is used for high flow.
- Pump 1 is out due to loss of phase and needs to be rebuilt.
- A new pump is \$23,612 and a rebuild has been quoted by Hills Electric at \$5714.
- Rebuild includes a one year warranty.

On a motion made by Councilor Miciotto to have the Clyde Avenue pump rebuilt by Hills, not to exceed \$6000, including contingency, seconded by Councilor Nichols, the motion was approved by a vote of four to zero.

3. Surplus Items-Chief Phillips

Chief Phillips advised that a Glock handgun was donated to the Police Department by a former Police Chief in 2012. The vendor that the Police Department uses now allows trade ins and Chief Phillips would like to surplus the pistol to use as trade in on a new Glock.

- Glock Model 21 Serial # YA920 (US) 1 magazine Capitol Inventory # 496

On a motion by Councilor Palmer to allow Chief Phillips to surplus a Glock 21 Serial # YA920 with one magazine and allow for a trade in on a new firearm, seconded by Councilor Nichols, the motion was approved by a vote of four to zero.

Public Comment/General Discussion

Police Chief Phillips introduced Jamie Dykes, who is running for Wicomico County State's Attorney. Mrs. Dykes gave her resume and asked for support during the election.

Donna Hudson from 113 Hayward Avenue stated she had a complaint with the owner of the house beside her, Rodney Long. She has researched Ordinances in the City for outside lighting issues and has not found any. Council President Kerr advised that at this time we do not have a lighting ordinance and suggested for Ms. Hudson to speak with Mr. Long directly.

Another lady in the audience also had an issue with Rodney Long and she will contact him directly.

With no further business to discuss or comments, **on a motion made by Councilor Palmer to adjourn at 8:31 p.m., seconded by Councilor Nichols, the motion passed by a vote of four to zero.**

Raye Ellen Thomas
Raye Ellen Thomas / City Clerk
[Approved, November 14, 2017](#)