

The Fruitland City Council met in Regular Session at City Hall on Tuesday, February 13, 2018 at 7:30 p.m. with the following members present:

*President Darlene Kerr, Treasurer Gloria Ortiz, Councilor Roland Palmer, Councilor Chuck Nichols and Councilor Mark Miciotto.*

Also present at the table were:

*City Manager Psota, Chief Michael Phillips and Deputy Treasurer Mark Swift.*

Our guests included:

*Bob and Dee Marvel, Katherine McAllister, Kip and Sharon Powers, Bill and Kathy Dykes, Mike Hammond, Mrs. Albero, Dallas Baker, Steve Chamberlain, Public Works Department Employees Dominick Dilegge and Dwayne Dowell, Bret Davis, Marissa Metcalf and Jack Heath.*

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 January and called for additions or corrections. As there were none, **Councilor Nichols moved to adopt the minutes as presented; Councilor Miciotto seconded and the motion passed on a vote of five to zero.**

#### **Reports- Treasurer, City Manager and Department Heads**

**Treasurer Ortiz** delivered the January Treasurer's Report. For January 2018, the City recorded \$786,671 of revenues including \$50,000 in landlord and rental fees, and \$630,000 for the third quarter utilities. The total billed revenues for the fiscal year are \$5.9 million, including real estate taxes and three quarters of utility billing. The City incurred \$380,078 of expenses for the month. The total expenses for the fiscal year to date are \$4.3 million. The net deficit for the City for the month of January is \$406,593 and the net income for the fiscal year to date is \$1.65 million. **Councilor Palmer moved to accept the Treasurer's Report as presented, Councilor Nichols seconded and the motion passed on a vote of five to zero.**

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

- Chief Phillips gave a report on National and State averages as compared with Fruitland averages for Property and Violent Crimes.

**City Manager Psota** delivered his report.

- Easter Parade will be held Saturday, March 24, 2018. Lineup is at 9:00 a.m., Parade starts at 10:00 a.m.
- Little League Opening Day Parade will be held April 14, 2018, starting at 10:00 a.m.
- Mary Gladys Jones Way dedication will be held on May 10, 2018.

**Public Works Director Gibbons** delivered his report on the Water and Sewer Departments.

- Screen bypass at WWTP has been completed except for installation.
- 750 Cellular Meters have been received and will be installed starting next week.
- Wicomico County continues toward the commencement of the Morris Mill Dam Project but no date has been set.

#### **UNFINISHED BUSINESS**

1. **Paid Bills**

President Kerr acknowledged receipt of the paid bill report. **On a motion made by Treasurer Ortiz and seconded by Councilor Palmer, the paid bills were approved by a vote of five to zero.**

**2. Phone System**

- City Manager Psota advised that the City is still looking at the possibility of going to a new phone system, but will not move forward until the new server has been installed.

**3. Police Department Fiber Optic Approval**

- City Manager Psota advised that in order to separate City Hall from Police Department, the Police Department needs their own fiber optic line.
- Would increase speed at the Police Department.
- Would increase bill by \$318.00 per month.

**On a motion made by Councilor Miciotto to allow City Manager Psota to sign contract with Comcast on the fiber optic line with an increase of \$318.00 per month, seconded by Treasurer Ortiz, the motion was approved by a vote of five to zero.**

**4. Water Treatment Plant Well Application Ratification**

City Manager Psota advised that ratification is needed for the approval of signing the application. An application was signed in 2016 and a signature is needed on a new application to ensure funding. **On a motion made by Councilor Palmer to ratify the application, seconded by Councilor Nichols, the motion was approved by a vote of five to zero.**

**5. New Well/WTP Upgrade Project Update**

- City Manager Psota advised that some of the current phase of the well upgrade (construction of the test well) line items costs on the bid form have increased while some have decreased.
- City Manager Psota advised Katherine McAllister from GMB to instruct Somerset Well Drilling to continue.
- Katherine McAllister advised that the quality and quantity of the water should be determined within the next two weeks.

**6. Plumbing Issues Police Department**

- Chief Phillips has contacted the contractor Butch Arnold to look at the plumbing issue.
- Public Works Department has run the camera through the lines.
- There is a dip in the sewer line under the Code Enforcement Office. This line runs under a concrete foundation.
- Chief Phillips has received an estimate from Butch Arnold in the amount of \$8244.00.
- Chief Phillips will be obtaining two more estimates.

**7:40 Public Hearing – Ordinance # 287 Adoption of the 2018 Property Maintenance ICC Code**

President Kerr advised that since the advertisement was not able to be published in the time frame as required by the City's Charter the public hearing has been rescheduled to the next Council Meeting on March 13, 2018 at 7:40 p.m.

**NEW BUSINESS**

**1. Appoint Michael Hammond to Board of Zoning Appeals**

Council President Kerr administered the oath of office to Michael Hammond.

**2. Reappoint Bob Marvel and Keith Dashield to Board of Zoning Appeals**

Council President Kerr reappointed Bob Marvel to the Board of Zoning Appeals. Keith Dashield was also reappointed, but not present at the meeting.

**3. Reappoint Jason Pierce to Planning Commission**

Council President Kerr advised that Jason Pierce had agreed to be reappointed at the last Planning Commission meeting and was so reappointed.

**4. Wicomico County Recycle Program – Jennifer Albero**

Wicomico County Employees Jennifer Albero, Dallas Baker and Steve Chamberlain spoke with the Council regarding the removed recycling center that was next to City Hall. Mrs. Albero showed pictures to the Council of updates that could be done to improve the area where recycling centers are placed. Mrs. Albero would like to have recycling centers installed in the park, Council President Kerr advised that the Council has discussed the issue and the park would not be a good idea. The recycling center would increase vehicle traffic and there is a lot of foot traffic in that area. Council President Kerr advised that there is a recycling center on Walnut Tree Road. Council President Kerr advised that there is not a place at this time for a recycling center in the City. The Council and City Manager will keep in mind areas that could possibly work in the future.

**5. Request Ordinance (Zoning Amendment) Dog Day Care – Bret Davis**

Council President Kerr advised that Bret Davis and Marissa Metcalf went before the Planning Commission with the plan to establish a dog day care. Planning Commission determined that there were no ordinances to cover that, and suggested to have them present the idea to the Council.

- Bret Davis advised that he is a realtor and has worked with Ms. Metcalf in the past.
- There will be no night hours, only day hours so it will not interfere with noise violations.
- A background check will be performed at the home before a dog is allowed in the day care.
- The building will be completely rebuilt.
- A privacy fence will be placed on the back side of the building.
- Mr. Davis and Ms. Metcalf met with some neighbors who were in favor.
- Property is not near residences.
- Maximum number of dogs will be 20, separated by temperament in groups of 5 – 7 at a time.
- Hours will be 7:00 a.m. – 6:00 p.m.
- Type of fencing and signage will need to be determined if approved.
- Area is currently zoned C-4.
- All animals will need to be up to date on shots and will only be allowed by appointment.
- There will be no drop offs without appointments.
- Council President Kerr advised that Planning Commission was in favor and asked the Council if they were in favor of creating an ordinance. All members of the Council were in favor. City Solicitor Mitchell will construct an ordinance.
- The ordinance should be passed by April.
- Administrative Assistant Powell will be in contact with Mr. Davis and Ms. Metcalf.

**On a motion made by Councilor Miciotto to introduce an ordinance to cover dog day care, seconded by Councilor Palmer, the motion was approved by a vote of five to zero.**

**6. Nentego Woods Drainage Project**

City Manager Psota advised that there have been severe flooding issues in Nentego Woods after heavy rain storms. It has been determined in an effort to attempt to relieve the amount of flooding; the main ditch that transects the development will need to be cleaned out. There is also a 30” pipe that the City will clean out and replace a 50” pipe that it connects into. Three estimates have been obtained. The lowest estimate was from Delmarva Excavation in the amount of \$9398.20. City Manager Psota would like to include a 10% contingency for a total of \$10,338.02. He would like to complete the project under the amount of \$10,500.00. **On a motion made by Councilor Miciotto to allow City Manager to sign contract and enlist Delmarva Excavation for the project not to exceed \$10,500.00, seconded by Treasurer Ortiz, the motion was approved by a vote of five to zero.**

**7. Solar Panels Fruitland Little League**

City Manager Psota advised he was approached by Fruitland Little League looking into the possibility of installing solar panels to help reduce the costs of electric usage. Council President Kerr stated that she would like to have the Little League present to the Council additional information including plans of where the panels would be and the costs.

**8. WWTP Valve Replacement**

Public Works Department has identified two valves on the SBRs that need replacement. Replacement of the valves by Freemire & Associates Incorporated are considered a sole source provider and have submitted a quote of \$3728.00 for both valves, \$2300.00 for labor, bringing the total to \$6028.00 with includes a two year warranty. **On a motion made by Councilor Miciotto to allow City Manager Psota to sign the contract with Freemire & Associates Incorporated as a sole source provider and have Freemire & Associates Incorporated replace the valves not to exceed \$6100.00, seconded by Treasurer Ortiz, the motion was approved by a vote of five to zero.**

**9. HACH Maintenance Agreement Renewal**

City Manager Psota advised that as a result of the ENR upgrade probes and sensors were installed that required a service maintenance agreement with HACH. Last year's service agreement was in the amount of \$15,100.00 last year and this year it has increased to \$15,167.00. The current agreement expires at the end of March. Having a service agreement is highly recommended by GMB. **On a motion made by Councilor Miciotto to allow City Manager Psota to sign the HACH Maintenance Agreement Renewal not to exceed \$15,200.00, seconded by Treasurer Ortiz, the motion was approved by a vote of five to zero.**

**10. WWTP Effluence Water Quality Testing Approval**

City Manager Psota stated that this is the final result of the Waste Water Treatment process. This is the pipe that runs the treated water into the Wicomico River. The testing is required by MDE. Martel and E. A. Engineering, Science and Technology are the two companies that perform testing for the City. Both companies must perform the testing per MDE requirements. The amount of the testing is \$7409.00. **On a motion made by Councilor Palmer to allow City Manager Psota to sign the agreements between Martel and E.A. Engineering, Science and Technology for the Effluence Water Quality Testing not to exceed \$7500.00 per year, seconded by Councilor Nichols, the motion was approved by a vote of five to zero.**

**11. Computers Police Department**

Chief Phillips stated he is checking the age of all computers at the Police Department and looking into a replacement plan. He will be obtaining estimates and providing the Council with more information.

**12. Other**

City Manager Psota advised that he would like to highlight a few items accomplished in 2017.

- Water Treatment Plant Upgrade and New Well Project estimated at 2 million funded in half by a state grant.
- Test well currently being constructed.
- Morris Mill Water Project an 8 million County funded project is being completed.
- Exterior and Roof at City Hall have been replaced.
- LED sign was placed at City Hall.
- Drop box installed at City Hall.
- Fiber Optic installed throughout the City Government buildings.
- City Hall was a drop off center for Hurricane Harvey relief.
- Approximately \$300,000.00 in paving project were completed.
- Passed a balanced budget.
- Cellular meters are being implemented.
- Lowered Real Estate tax rate.
- Military Veterans' receive a tax rebate.
- No changes in sanitation or utility fees or personal income tax rate.
- Utility on line payments are now accepted.
- Real Estate payments from mortgage companies are received via electronic payments.
- Savings moved to a higher yield savings account.
- Loan has been paid off.
- Replaced the Finance server.
- Changes were made to delinquent payments and cut off fees.
- Code Enforcement Violations and Landlord Rental Invoices are entered electronically.
- New process to send delinquent letters for real estate taxes.
- Cut off schedule is more efficient.
- Audit cost decreased by \$5000.00.

Councilor Miciotto advised that City should look into purchasing snow blowers for City Hall, Police Department and Public Works. City Manager Psota has spoken with Public Works Director about obtaining prices for the budget.

## Public Comment/General Discussion

Kip Powers commented on need for the City to better communicate with its citizens as experienced in the water main break.

Jack Heath, President of Salisbury City Council and on the Board of Directors for Maryland Municipal League, stated that the top priority this year is Highway User Revenues and trying to get the completer funding back. On February 22, 2018 the House will have a hearing and all Council Members are urged to attend.

Council President Kerr advised that all City employees worked hard on the water main break. Councilor Palmer advised the employees went above and beyond and he is quite proud of them.

With no further business to discuss or comments, **the Council took a brief recess. The Council reconvened to take up a personnel matter and Councilor Palmer made a motion to go into closed session, seconded by Treasurer Ortiz, after a closed session meeting dealing with a personnel matter, Councilor Miciotto made a motion to return to open session, seconded by Treasurer Ortiz, after dealing with personnel matters in the closed session, there was no further business to discuss, on a motion made by Councilor Nichols to adjourn at 9:23 p.m., seconded by Treasurer Ortiz, the motion passed by a vote of five to zero.**

*Raye Ellen Thomas*  
Raye Ellen Thomas / City Clerk  
[Approved, March 13, 2018](#)