

The Fruitland City Council met in Regular Session at City Hall on Tuesday, April 14, 2015, at 7:30 p.m. with the following members present:

*President Darlene Kerr, Treasurer Gloria Ortiz, Councilor Raymond Carey and Councilor Roland 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, Katherine McAllister and Donnell Schweitzer.

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

At this time President Kerr announced there will be a closed session after the regular meeting to discuss personnel matters.

President Kerr acknowledged receipt of the minutes of the Regular Meeting of March 10, 2015 and called for additions or corrections. As there were none, **Councilor Carey moved to adopt the minutes as presented; Councilor Palmer seconded and the motion passed on a vote of four to zero.**

**Treasurer Ortiz** delivered the March Treasurer's Report.

Cash on Hand 3/01/15	\$ 369,244.24
Deposits	\$ 888,201.67
Subtotal	\$ 1,257,445.91
Disbursements	\$ <u>(880,732.17)</u>
Total Ending 3/31/15	\$ 376,713.74

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

**Chief Phillips gave the Police and Code Enforcement reports, City Manager Psota gave his report and Public Works Director Gibbons gave his report.**

#### **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 as listed by a vote of four to zero.**

**2. Enernoc**

City Solicitor Mitchell gave a brief explanation of the old contract being renewed automatically.

**3. Falcons Development Plan and Lease Report**

City Solicitor Mitchell stated that the Falcons had been before the Recreation Commission and Planning Commission concerning their lease. The Planning Commission had voted to recommend that the second part of the lease be referred back to Recreation Commission for consideration.

**4. F.O.R.C.E. Baseball Contract**

City Manager Psota had spoken with Billy Atkinson earlier in the evening and he is in agreement with the contract, if the Council is in agreement with it, the contract can be finalized this week.

## 7:40 First Reading of International Building Code

City Solicitor Mitchell stated this is an ordinance repealing ordinance #265 which adopted the 2012 International Building Code. This ordinance also repeals the swimming pool ordinance #77. Both of the repealed ordinances will be replaced with the 2015 edition of the International Building Code. City Solicitor explained that he and Code Enforcement Officer Ron Ciszewski had reviewed and agrees with the changes made to adopt the new ordinance, which will go in effect July 1, 2015. President Kerr advised that the second reading of the 2015 International Building Code will be held June 9, 2015 at 7:40 p.m. which is the regular June Council Meeting.

## NEW BUSINESS

### 1. Overtime Fund Conversion

Chief Phillips stated that the Police Department had obtained a grant through the Wicomico County Health Department in the amount of \$10,000.00 to be used for overtime funding. Chief Phillips is requesting to have \$15,000.00 transferred from the overtime account into the part time account to cover for the PCO being out on a medical issue. **Councilor Palmer made a motion to approve the transfer of \$15,000.00 from the overtime account into the part time account, seconded by Councilor Carey, and the motion was approved on a vote of 4-0.**

### 2. Other

Chief Phillips advised that he has had sworn officers notify him that they are looking to pursue job opportunities at different locations. Chief Phillips is requesting permission to hire a certified police officer to replace one of the opening positions. **On a motion made by Treasurer Ortiz to hire a replacement for the leaving officer, seconded by Councilor Carey, the motion was approved on a vote of 4-0.**

## Public Comment/General Discussion

Donnell Schweitzer from South Brown Street asked about the outcome of his request from last month that steps be taken to curtail animal waste in the park. He stated that the issue is still going on and is also occurring in his development. President Kerr suggested that he contact his homeowners association in reference to his development. Public Works Director Gibbons advised that his department is checking on a regular basis and making sure that the waste bags are refilled. President Kerr asked if the City has a sign posted that there would be a fine issued to owners if the waste is not picked up. City Manager Psota will look into having a sign posted at the entrance to the park. City Solicitor Mitchell advised that an ordinance would need to be implemented before charging a fine. City Solicitor Mitchell will look into an ordinance.

With no further business to discuss or comments, **Treasurer Ortiz made a motion to close open session, and proceed into a closed session to discuss personnel matters, seconded by Councilor Carey; all were in favor and closed the open session at 8:07 p.m. On a motion made by President Kerr to proceed into closed session at 8:15 p.m., seconded by Treasurer Ortiz, the Council proceeded into closed session. On a motion made by Councilor Palmer to close closed session and proceed back into open session at 9:20 p.m., seconded by Treasurer Ortiz, all were in favor.** President Kerr announced that during the closed session personnel matters were discussed and asked if there were any other items to discuss, as there were none, **on a motion made by Treasurer Ortiz to adjourn at 9:22 p.m. seconded by Councilor Carey, the motion passed with all in favor.**

*Raye Ellen Thomas*

Raye Ellen Thomas / City Clerk

*Approved, May 12, 2015*