

The Fruitland City Council met in Open Session at City Hall on Tuesday, April 8, 2014 at 7:30 p.m., with the following members present:

*President Richard Lee Outen Jr., Treasurer Darlene Kerr and Councilor Raymond Carey.*

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, Stewart Davis, Jay Disharoon, Muir Boda, Katherine McAllister, Carl Anderton Jr, Chuck Nichols, Frances Jean Tull, Billy Atkinson, Lee Beauchamp, Nicole Ingley, Mark Filippelli and Mark Urban.*

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

President Outen acknowledged receipt of the minutes of the Regular Meeting of March 11, 2014, and called for additions or corrections. As there were none, **Councilor Carey moved to adopt the minutes as presented; Treasurer Kerr seconded and the motion passed on unanimous vote in favor.**

<b>Treasurer Kerr</b> delivered the Treasurer's Report.	Cash on Hand 03/01/14	\$ 175,448.42
	Deposits	<u>369,394.64</u>
	Subtotal	\$ 544,843.06
	Disbursements	<u>(408,385.12)</u>
	Total Ending 03/31/14	\$ 136,457.94

**Councilor Carey moved to accept the Treasurer's Report as presented. Treasurer Kerr seconded and the motion passed on unanimous vote in favor.**

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

#### **UNFINISHED BUSINESS**

##### **1. Paid Bill Report**

President Outen acknowledged receipt of the paid bill report; as there were no questions, **on a motion made by Treasurer Kerr, which was seconded by Councilor Carey, the paid bills were unanimously approved as listed.**

##### **2. Morris Mill- Urban Service Agreement Amendment**

City Solicitor Mitchell advised that he met with Wicomico County Director of Public Works Lee Beauchamp, and the County Attorney Ed Baker to begin amending the Urban Service Agreement. They are still gathering information and drafting changes involving Morris Mill at this time.

#### **NEW BUSINESS**

##### **1. Waste to Energy Plant**

Lee Beauchamp, Wicomico County Director of Public Works, presented a power point presentation on waste to energy plants. Mr. Beauchamp advised that he is presenting a strategic plan for moving toward this new landfill technology. Most landfills have reached their capacity and by producing an energy plant it would create more space, and also increase jobs in the area.

2. **Distracted Driving Proclamation**

Chief Phillips advised that April is distracted driving month. He then read a proclamation by the City of Fruitland for distracted driving, which by adopting would provide additional funds for the police department to concentrate on this issue. **On a motion made by Councilor Carey to approve the proclamation and seconded by Treasurer Kerr all approved in favor.**

3. **Surplus Vehicle Fund Transfer**

Chief Phillips advised that in January, the Police Department had listed the old Code Enforcement vehicle, a Ford Explorer, on eBay and it was sold for \$1225.00, and in August a seized vehicle was sold for \$3500.00. The total for both vehicles was \$4725.00 and Chief Phillips is requesting that amount to be transferred into the guns and ammo account. **On a motion made by Treasurer Kerr to transfer the money received from the vehicles in the surplus account to the guns and ammo account, seconded by Councilor Carey, all approved in favor.**

4. **Repeal of Ordinance 160 (Junk and Abandoned Cars)**

Chief Phillips advised that Ordinance 160, which became effective October 9, 1990, conflicts with the International Building Code that was effective January 1, 2014. Due to this, Chief Phillips and Code Enforcement Officer Ciszewski request to repeal Ordinance 160, and amend as necessary with the International Property Maintenance Code. **On a motion made by Treasurer Kerr to repeal Ordinance 160 and amend as necessary to reflect the International Property Maintenance Code, was seconded by Councilor Carey, all approved in favor.** City Solicitor Mitchell advised that this will be the first reading of the repeal and a Public Hearing will be held on May 13, 2014 at 7:40 p.m.

5. **Recreation Commission – Concession Stand and F.O.R.C.E. Baseball Contract**

Chuck Nichols and Billy Atkinson approached the Council regarding the baseball contract. A lengthy discussion followed between the Council, Billy Atkinson, Stewart Davis and Chuck Nichols. It was determined that Billy Atkinson would provide additional information to City Solicitor Mitchell in an effort to clarify the perimeters of the proposed contract, so a final contract could be reviewed by the Council at next month's meeting.

Chuck Nichols advised that three new members had been voted into the Recreation Commission and would like for the Council to approve them. Nicole Ingley, Mark Urban and Mark Filippelli all introduced themselves and stated the purpose and reason of why they would like to join the recreation commission. **On a motion made by Councilor Carey to accept and approve the three new members, and seconded by Treasurer Kerr, all agreed in favor.**

6. **Falcons Sewer Pump Upgrade**

Mark Filippelli representing the Fruitland Falcons Organization advised that maintenance is needed for the sewer package at the Falcon's field. He has spoken with Public Works Director Gibbons in reference to the problem and both agreed that the sewer lines need to be updated as well as the sewer pump. Public Works Director Gibbons advised Mr. Filippelli that if the Council approved the upgrades then Mr. Filippelli would provide a drawing for the engineers' approval. **On a motion made by Treasurer Kerr to approve the Falcons to upgrade the sewer pump and modify the line, seconded by Councilor Carey all agreed in favor.**

**Public Comment/General Discussion**

City Manager Psota introduced Carl Anderton Jr., presently the Mayor of Delmar, whom is a candidate for Maryland House of Delegates' Legislative District 38B. Mr. Anderton Jr. is also President of MML until June. He urged everyone to join and attend MML conventions for educational purposes. Mr. Anderton Jr. advised what his goals and expectations would be should he get elected.

Muir Boda introduced himself and advised that he is a candidate for Wicomico County Council. He stated what he would like to improve should he be elected.

With no other comments, **Councilor Carey made a motion to adjourn, seconded by Treasurer Kerr; the meeting was adjourned at 9:56 p.m., with all in favor.**

*Raye Ellen Thomas*

Raye Ellen Thomas / City Clerk

*Approved, May 13, 2014*