

The Fruitland City Council met in Regular Session at City Hall on Tuesday, May 9, 2017 at 7:30 p.m. with the following members present:

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

Also present at the table were:

*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, Katherine McAllister and Stanley and Kathy Johnson.

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.

President Kerr acknowledged receipt of the minutes of the Regular Meeting of April 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 five to zero.**

Treasurer Ortiz delivered the April Treasurer's Report. For April 2017, the City recorded \$683,606 in revenues, including \$670,000 of utility billings. The total billed revenues for the fiscal year are over \$6.6 million, including real estate taxes and four quarters of utility billing. The City incurred \$420,895 of expenses for the month and the total expenses for the fiscal year to date are \$5.5 million. The net deficit for the City for the month of April is \$262,712 and the net income for the fiscal year to date is \$1,161,955. **Councilor Miciotto 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 gave the Police and Code Enforcement reports. During his report Chief Phillips advised there had been several vehicles around the City that had been broken into and citizens are reminded to lock their vehicles.**

**Deputy Treasurer Swift advised this is the first quarter that online payments will be accepted and several have already been received.**

**Public Works Director Gibbons gave an update of the ongoing projects within the City. He explained that the motor had to be replaced in well 1, and requested ratification of that emergency expenditure. He also asked for authority to contact to have well 2 rehabbed. On a motion made by Councilor Palmer to ratify the well 1 motor purchase not to exceed \$4200 and for A.C. Schulte's to complete the work, as per previously approved, seconded by Councilor Nichols, the motion was approved by a vote of five to zero. On a motion made by Treasurer Ortiz to authorize well rehab on well 2 as previously budgeted, \$21,125 for the rehab and an additional \$7000 for the pump for well 2 for a total of \$28,125, seconded by Councilor Palmer, the motion was approved by a vote of five to zero. Public Works Director Gibbons advised that an advertisement for bids will be posted in the newspaper this week for the outside exterior rehab of City Hall. He also stated that Ron Bailey was awarded rookie of the year water operator at the Maryland Rural Water Association and Mike Wilson was awarded wastewater operator of the year.**

#### **UNFINISHED BUSINESS**

1. **Paid Bills**

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

2. **Morris Street Drainage and Paving Project Update and Contract Approval**

City Solicitor Mitchell advised that a contract has been submitted by GMB, and it has been reviewed and discussed by the Council. The contract is in reference to the engineering for the rain garden or other storm water management on Morris Street. **On a motion made by Councilor Palmer to allow Council President Kerr to sign the engineering contract from GMB, seconded by Treasurer Ortiz the motion was approved by a vote of five to zero.**

3. **Water Plant Well Upgrade Update**

Katherine McAllister advised that contracts have been signed and Advanced Land and Water has taken the lead. Advanced Land and Water has recently sent GMB a proposed test well program that will be reviewed later this week. Once GMB has approved the proposed test well program, it will be sent to MDE for approval. The City has sent the financial contract package to MDE and it has been received.

4. **Hayward Parking Issue**

Chief Phillips advised that after last Council meeting the Police Department reviewed Hayward Avenue parking and it appears that vehicles are parked on both sides of the road at the maximum limit from the sidewalk the space is very limited. His suggestion is to limit one side of the road to no parking. The Police Department would recommend the north side of the road be limited to no parking. City Solicitor Mitchell stated an ordinance will probably be needed to implement the no parking enforcement and that he will confirm that. He also stated that an action taken by the Council could be considered a first reading. **On a motion made by Councilor Palmer to pass the first reading of no parking on Hayward Avenue on the north side from Route 13 to Camden Avenue with signage to be erected by the City when passed, seconded by Councilor Miciotto, the motion was approved by a vote of five to zero.** A public hearing will be held on June 13, 2017 at 7:40 p.m. Following a version of FC 3- (B), City Solicitor Mitchell advised after the meeting that an ordinance would not be needed.

**7:40 p.m. Public Hearing- Proposed Fiscal Year 2017-2018 Budget**

President Kerr convened a Public Hearing to discuss the Proposed Fiscal Year 2018 – 2017 Budget and then yielded the floor to Deputy Treasurer Swift for presentation of the budget.

Deputy Treasurer Swift presented the proposed 2017-2018 Utilities Department Budget, acknowledging that there are no planned increases for water or sewer rates. There was no further discussion on the Utilities Department Budget.

Deputy Treasurer Swift presented the General Fund Budget Summary and noted that the proposed Real Estate Tax rate has been decreased from 0.96 to 0.9465 due to a lower constant yield rate. The Military Veteran's Tax rebate will remain in effect. Personal Property Tax Rate, Mobile Home Park Tax, Rental and Landlord Licensing Fees will all remain the same. Since the Impact Fee Moratorium has expired the Impact Fee will be \$4500 each for water and sewer per equivalent dwelling unit. Two new changes are the reconnect charges for water hook up will increase from \$25.00 to \$50.00 and the administrative fee of \$25.00 will be moved from the cut-off date to the due date. There was no further discussion on the Utilities Department.

Deputy Treasurer Swift proceeded with presentation of the 2017-2018 Capital Improvement Budget, and continued with the five year Capital Improvement Plan. Council President Kerr stated that Public Hearing for the budget will be on June 13, 2017 at 7:40 p.m.

**NEW BUSINESS**

1. **Police Department Vehicle Purchase Request**

Chief Phillips stated that Brekford exceeded the revenue expected and from those extra funds he would like to purchase an additional outfitted Chevrolet Tahoe totaling \$43,925.00 , additional lights for the current Chevrolet Tahoe's, unit # 235, 236,240,243 and 244, totaling \$1345.00 ,additional cameras for the perimeter of the Police Department totaling \$1800.00 and a radio for another unit totaling \$5600.00. **On a motion made by Councilor Miciotto to approve the purchase of the Chevrolet Tahoe not to exceed \$43,925.00, seconded by Treasurer Ortiz, the motion was approved by a vote of five to zero. On a motion made by Treasurer Ortiz to purchase additional lights for unit # 235,236,240,242 and 243 not to exceed \$1345.00, seconded by Councilor Palmer the motion was approved by a vote of five to zero. On a motion made by Treasurer Ortiz to purchase security cameras not to exceed \$1800.00, seconded by Councilor Nichols the motion was approved by a vote of five to zero. On a motion made by Treasurer Ortiz to purchase a radio for a current Chevrolet Tahoe not to exceed \$5600 all from Brekford funds, seconded by Councilor Miciotto, the motion was approved by a vote of five to zero.**

## 2. Budget Amendments

Deputy Treasurer Swift read Resolution 7-2017 and Resolution 8-2017. Resolution 7-2017 amends the Utility Fund Budget and Resolution 8-2017 amends the General Fund Budget, all items have previously been approved. **On a motion made by Councilor Palmer to pass Resolution 7-2017 as presented by Treasurer Swift, seconded by Councilor Nichols, the motion was approved by a vote of five to zero. On a motion made by Treasurer Ortiz to pass Resolution 8-2017 as presented by Treasurer Swift, seconded by Councilor Palmer, the motion was approved by a vote of five to zero.**

## 3. Brekford Speed Camera Contract

City Solicitor Mitchell stated that the Brekford Speed Camera contract has been reviewed and after investigation Brekford can be considered a sole source provider at this time. City Solicitor Mitchell suggests that only a one year contract be accepted with possible extension. **On a motion made by Councilor Palmer to sign contract for Brekford as presented by City Solicitor Mitchell, seconded by Councilor Nichols, the motion was approved by a vote of five to zero.**

## 4. Capital Projects Approval Request

Deputy Treasurer Swift advised that the following items are in the proposed 2017-2018 Capital Improvements Budget; however they are projects that the City would like to complete with current year funds. The first item is a finance department server; a quote was obtained from the sole provider for \$20,221.00, with a set up cost of \$3000.00. Deputy Treasurer Swift is requesting approval to purchase server and have it installed not to exceed \$25,000.00. **On a motion made by Councilor Palmer to purchase the Finance Department server not to exceed \$25,000.00 from the current year General Fund and to consider the provider as a sole source, seconded by Councilor Nichols, the motion was approved by a vote of five to zero.** Public Works Director Gibbons will also be requesting the following items. The first item is zero turn motor to replace an older mower; three bids were obtained with the lowest bid amount of \$9748.28. **On a motion made by Treasurer Ortiz to approve the purchase of a Hustler zero turn mower not to exceed \$10,000.00, seconded by Councilor Palmer, the motion was approved by a vote of five to zero.** The second item is a refrigerated sample collector for the Water/Waste Water Treatment Plant; three bids were obtained with the lowest bid amount of \$6014.85. **On a motion made by Councilor Palmer to purchase the refrigerated sample collector not to exceed \$6014.00, seconded by Councilor Nichols, the motion was approved by a vote of five to zero.** The third item is a cellular auto dialer for St. Lukes and Nina Lane pump stations; each dialer is approximately \$2989.00 with a 10% contingency. **On a motion made by Councilor Miciotto to purchase two cellular auto dialers not to exceed \$6600.00, seconded by Councilor Nichols, the motion was approved by a vote of five to zero.** The fourth item is a microscope for training purposes at the Water/Waste Water Treatment Plant, two bids were obtained with the lowest bid amount \$2699.00. **On a motion made by Councilor Palmer to purchase a laboratory microscope not to exceed \$2700.00, seconded by Councilor Nichols, the motion was approved by a vote of five to zero.** The last item is an estimate from Shore Rite Controls to replace the programmable logic controllers at the SBR's for the plant. Shore Rite Controls will replace the old controllers with a modern version. The estimate was \$17684.00 and install costs. **On a motion made by Treasurer Ortiz to approve the purchase of the Sewer Plant monitoring alarm not to exceed \$21,000.00, seconded by Councilor Palmer, the motion was approved by a vote of five to zero.** Public Works Director Gibbons advised that Cimmaron Court and Covered Bridge projects will be also be considered this fiscal year.

## Public Comment/General Discussion

Stanley and Kathy Johnson approached the Council in regards to a traffic stop incident. Chief Phillips will look into the incident and report to the Council and contact the Johnson's with further information.

With no further business to discuss or comments, **on a motion made by Councilor Palmer to adjourn at 8:56 p.m., seconded by Councilor Nichols the motion passed by a vote of five to zero.**

*Raye Ellen Thomas*  
Raye Ellen Thomas / City Clerk  
Approved, June 13, 2017