

The Fruitland City Council met in Regular Session at City Hall on Tuesday, June 12, 2018 at 7:30 p.m. with the following members present:

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

Also present at the table were:

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

Our guests included:

Public Works Director Michael Gibbons, Flossie B. Johnson, Mike Hammond, Krah Plunkert, Pastor Dana Stauffer, Officer Weldon and family and Ron and Suzanne Lewis.

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 May 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.**

Reports- Treasurer, City Manager and Department Heads

Treasurer Ortiz delivered the May Treasurer's Report. For May 2018, the City recorded \$233,000 of revenues, including \$86,000 in local income taxes and \$52,000 in county grants. The total billed revenues for the fiscal year are \$7.4 million, including real estate taxes and four quarters of utility billing. The City incurred \$412,000 of expenses for the month, and the total expenses for the fiscal year to date are \$6.5 million. The net deficit for the City for the month of May is \$179,299 and the net income for the fiscal year to date is \$902,541. **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.

- Corporal Jackson, Officer Weldon, Officer Shellenberger and Officer Hogan all received awards for their work in underage alcohol, tobacco and drug enforcement.
- Corporal Brown and PCO Tanner Jones were recognized as the outstanding Crisis Intervention Officer and Communications Professional.
- Officer Hogan and K9 Cezar have completed training and are fully certified for drug and tracking functions. Cezar has already been deployed 20 times.

City Manager Psota had nothing to report.

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

- Mosquito Spraying will be conducted on Wednesdays for the East Side and Thursdays for the West Side. If the weather is bad it will be done the next day.
- Councilor Miciotto asked when the ditches will be cut, Public Works Director Gibbons advised that it should start at the end of the week.

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 Nichols, the paid bills were approved by a vote of five to zero.**

2. Two Water Replacement Valves Project Ratification

City Manager Psota advised that the Water Department is going throughout the City exercising valves. During a previous meeting it was determined that two valves needed to be replaced. A 6 inch water gate valve is needed for Walden Drive; it will be a "hot tap" and needs to be contracted out. Three quotes have been obtained, the low bid of \$6989 was submitted by T K Construction Company. City Manager Psota is requesting to sign the quote and award T K Construction to complete the project and asking for a 10% contingency not to exceed \$7700. **On a motion made by Councilor Miciotto to approve T K Construction for the 6 inch replacement valve on Walden Drive in the amount of \$6989 with a 10% contingency not to exceed \$7700 and allow City Manager Psota to sign, seconded by Treasurer Ortiz, the motion was approved by a vote of five to zero.** City Manager Psota advised that an 8 inch valve **needing** a "hot tap" is needed on West Main Street. Bids were received and T K Construction was the lowest bid in the amount of \$7720. City Manager Psota is recommending T K Construction and including a 10% contingency on the project. **On a motion made by Treasurer Ortiz to award T K Construction, with City Manager Psota to sign contract, for the 8 inch replacement valve on West Main Street, with a 10% contingency not to exceed \$8500, seconded by Councilor Nichols, the motion was approved by a vote of five to zero.**

3. Automatic Transfer Switch Project Ratification (Texas Roadhouse)

This item was removed.

4. Other

Council President Kerr advised that a meeting was held regarding Sustainable Communities. If anyone is interested let Council President Kerr know. Another meeting will be held at a later date.

7:40 Public Hearing – Fiscal Year 2018 – 2019 Budget

President Kerr asked Deputy Treasurer Swift to present the Fiscal Year 2018 – 2019 Budget.

Deputy Treasurer Swift gave a few highlights pertaining to the budget and presented the proposed budget in writing and reviewed each section of the same stating the following:

a. Sanitation

In the Sanitation Department all fees will remain the same, with no increase as presented on page 8 of the budget.

On a motion made by Councilor Miciotto to approve the Sanitation Department Budget and Fees for Fiscal Year 2018 – 2019 as presented, seconded by Councilor Nichols, the motion was approved by a vote of five to zero.

b. Adopt Water Department Budget and Fees

There are no changes to the Water Department fees as presented on page 7 of the budget. **On a motion made by Councilor Palmer to approve the Water Department Budget and Fees for Fiscal Year 2018 -2019 as presented, seconded by Councilor Nichols, the motion was approved by a vote of five to zero.**

c. Adopt Sewer Department Budget and Fees

As described on page 8 the impact fee will increase to \$5300 to offset costs. **On a motion made by Treasurer Ortiz to approve the Sewer Department Budget and Fees for Fiscal Year 2018 -2019 as presented, seconded by Councilor Miciotto, the motion was approved by a vote of five to zero.**

d. Adopt General Operating Budget Rates and Fees

On page 2 and 3 is the General Fund Budget Summary, noting that the Real Estate Tax Rate has been decreased to \$0.9326 per \$100 of assessed value. The rates for the General Fund are on page 6 and all rates will remain the same. **On a motion made by Councilor Palmer to approve the Real Estate Property Tax Rate for Fiscal Year 2018-2019 as presented, seconded by Councilor Miciotto, the motion was approved by a vote of five to zero.**

The Personal Property Tax Rate will remain the same. **On a motion made by Treasurer Ortiz to approve the Personal Property Tax Rate for Fiscal Year 2018-2019 as presented, seconded by Councilor Nichols, the motion was approved by a vote of five to zero.**

The Mobile Home Park Tax Rate will remain the same at 15% of gross monthly charges (Excluding Tax). **On a motion made by Treasurer Ortiz to approve the Mobile Home Park Tax Rate for Fiscal Year 2018-2019 in its entirety as presented, seconded by Councilor Nichols, the motion was approved by a vote of five to zero.**

i. Adopt General Operating Budget in its Entirety

Since there were no questions, **on a motion made by Councilor Miciotto to approve the General Operating Budget for Fiscal Year 2018-2019 in its entirety as presented, seconded by Treasurer Ortiz, the motion was approved by a vote of five to zero.**

j. Adopt Capital Improvements Budget

Deputy Treasurer Swift advised that on page 10 the Capital Improvements plan projects are listed. **On a motion made by Treasurer Ortiz to approve the Capital Improvements Budget for Fiscal Year 2018-2019 as presented, seconded by Councilor Miciotto, the motion was approved by a vote of five to zero.**

k. Adopt Five-Year Capital Improvement Plan

Deputy Treasurer Swift advised that on page 11 is the five year Capital Improvement Plan. As there were no questions, **on a motion made by Councilor Miciotto to approve the Five – Year Capital Improvement Plan as presented, seconded by Treasurer Ortiz, the motion was approved by a vote of five to zero.**

Councilor Miciotto thanked everyone involved in the Budget Process for their hard work.

NEW BUSINESS

1. A. Swear in Alexis Dashield to Election Board

Alexis Dashield was not present at the meeting.

B. Swear in Part – Time Police Officer Krah Plunkart

City Clerk Thomas administered the Oath of Office to Officer Plunkart.

2. Moore Avenue Paving Project

City Manager Psota advised that a 76 x 14 foot section on Beebe Lane and a 70 x 27 foot section on Moore Avenue were quoted together. Beebe Lane is in the Covered Bridge Subdivision. The lowest quote received was from N R Harrison in the amount of \$11,140. City Manager is requesting authority to sign the quote from N R Harrison and assign 10% contingency on the project not to exceed \$12,300. \$2160 will be received from the Contractor of Dollar General to offset the project on Moore Avenue and \$2500 worth of concrete work to be completed on Beebe Lane. The concrete work will be completed by the City's annual concrete contract vendor. **On a motion made by Councilor Miciotto to award the paving contract to N R Harrison which includes paving on Moore Avenue and Beebe Lane, in the amount of \$11,140 with a 10% contingency not to exceed \$ 12,300, and allow City Manager Psota to sign contract, seconded by Councilor Nichols, the motion was approved by a vote of five to zero.**

3. Covered Bridge Paving/Concrete Repair Project

Included in the above paving project.

4. Water Permit Allocation Increase

City Manager Psota advised that the water allocation permit required by MDE needs to be increased. Advanced Land and Water Incorporated can do another study and update the permit to MDE to increase the water capacity that the City can draw from its wells. City Manager Psota read a report from Katherine McAllister from GMB stating the reason for the new study and recommended that it be done. The additional fee for ALWI would be \$4500. City Manager Psota is requesting authorization to sign for the increase for the allocation. ALWI has been in contact with GMB regarding a change order. **On a motion made by Councilor Miciotto to authorize City Manager Psota to sign a change order or quote, whichever is needed, regarding the contract by ALWI, for an increase of \$4500, seconded by Treasurer Ortiz, the motion was approved by a vote of five to zero.**

5. Council Chambers Projection/Sound System Upgrade Project

City Manager Psota advised that quotes were obtained for a projection system and sound mixer for the Council Chambers. It will work with the existing microphone system and will allow the ability to record minutes digitally. Four quotes were received with the lowest quote from Technology Contracting in the amount of \$8704, which includes the mixer. The project does not include electrical wiring that needs to be completed. City Manager Psota is asking authority to sign the quote from Technology Contracting to authorize them for the project and to include a 10% contingency not to exceed \$10,000. **On a motion made by Councilor Miciotto to allow City Manager Psota to sign contract with Technology Contracting in the amount of \$8704 to perform the work as specified minus the wiring with a 10% contingency not to exceed \$10,000, seconded by Treasurer Ortiz, the motion was approved by a vote of five to zero.**

6. Wind and Solar Energy Ordinance Discussion

City Solicitor Mitchell advised that this matter has been discussed a number of times. The Planning Commission is asking consent of the Council to look into the matter further. It was the consensus of the Council to have the Planning Commission investigate the matter further.

7. Budget Amendment Resolution 5 – 2018

Deputy Treasurer Swift read Resolution 5 -2018 which is a resolution to amend the fiscal year 2017 – 2018 general fund budget. **On a motion made by Treasurer Ortiz to accept Resolution 5 – 2018 as read by Deputy Treasurer Swift, seconded by Councilor Miciotto, the motion was approved by a vote of five to zero.**

8. Budget Amendment Resolution 6 – 2018

Deputy Treasurer Swift read Resolution 6-2018 which is a resolution to amend the fiscal year 2017-2018 utilities fund budget. **On a motion made by Councilor Palmer to accept Resolution 6-2018 as read by Deputy Treasurer Swift, seconded by Treasurer Ortiz, the motion was approved by a vote of five to zero.**

9. Surplus Items

Chief Phillips advised that Wicomico County and all local Municipalities have had to upgrade their radio systems. In order to comply with an Emergency Services grant for a radio upgrade to portable radios, the Police Department needs to surplus all radios that were replaced and surplus them to Wicomico Emergency Services. As a result of the Police Department received twenty five new radio packages including portable radio, charger, microphone and 2 holsters. The Police Department has twenty seven portable radios at this time, however one is totally inoperable and one is compatible and does not need replacing. Chief Phillips is requesting twenty six radios to be deemed surplus and for them to be given to Wicomico County Emergency Service. Serial Numbers are available upon request. **On a motion made by Councilor Palmer to accept the radios mentioned into surplus, seconded by Councilor Nichols, the motion was approved by a vote of five to zero.**

Public Comment/General Discussion

Ron and Suzanne Lewis approached the Council in reference to an issue with Code Enforcement dealing with a neighbor of theirs.

With no further business to discuss or comments, on a motion made by Treasurer Ortiz to adjourn at 8:42 p.m., seconded by Councilor Palmer, the motion passed by a vote of five to zero.

Raye Ellen Thomas
Raye Ellen Thomas / City Clerk
[Approved, July 10, 2018](#)