

The Fruitland City Council met in Regular Session at City Hall on Tuesday, July 12, 2016, at 7:30 p.m. with the following members present:

President Darlene Kerr, Treasurer Gloria Ortiz, Councilor Raymond Carey, Councilor Roland Palmer and Councilor Charles Nichols.

Also present at the table were:

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

Our guests included:

Mary Stevens, Bob Marvel, Cornella Harmon, Chris Derbyshire, Cara Rozaieski, County Executive Bob Culver and Delegate Carl Anderton's assistant Bunky Luffman.

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

Treasurer Ortiz delivered the June Treasurer's Report. For June 2016, the City recorded \$223,569 of revenues for the month; this includes \$85,000 of income taxes and \$65,000 related to the ENR upgrade. This brings the total revenues to just under \$8.3 million for the fiscal year, including real estate taxes and four quarters of utility billing. The City incurred \$441,629 of expenses for the month of June including \$73,000 for the ENR upgrade. The total expenses for the fiscal year to date are just under \$7.3 million, including \$2,187,000 related to the ENR upgrade. The net deficit for the City for the month of June is \$218,059 and the net income for the fiscal year to date is \$1,023,558. **Councilor Carey moved to accept the Treasurer's Report as presented. Councilor Palmer seconded and the motion passed on a vote of five to zero.**

Chief Phillips gave the Police and Code Enforcement reports. During his police report he stated that the Police Department had assisted the Task Force two times during the month.

City Manager Psota gave his report. He reminded everyone of National Night Out to be held on August 2nd, from 5 p.m. – 8 p.m. and that the USSSA tournament will be held for the next three weeks. City Manager Psota commended the Public Works Department for all the help during the storm that occurred last week.

UNFINISHED BUSINESS

1. **Paid Bills**

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 by a vote of five to zero.**

2. **Employee Health Insurance Update**

City Manager Psota stated that Hollister will remain the broker and Integra as the administrator. The same plan will remain in effect for the employees; however the insurer will change from First United to Cigna for the City's Health Insurance. The plan will go into effect on August 1, 2016. An employee meeting will be held on July 19th. Once again this year, there will be no increase to employees. City Manager Psota is requesting permission to sign any documents coming from Integra or Cigna. **On a motion made by Treasurer Ortiz, seconded by Councilor Carey to allow City Manager Psota to sign any documents from Integra or Cigna, the motion was approved by a vote of five to zero.**

3. **Bearing Construction**

City Manager Psota has been contacted by Bearing Construction requesting a letter from the City recognizing substantial completion for the ENR project as of May 31, 2016. It is a standard request and has been reviewed by the

City Solicitor and GMB. They both recommend agreeing to the request. City Manager Psota requested the City forward the letter to Bearing, granting them substantial completion and to allowing him to sign letter. Mr. Derbyshire stated that he will draft the letter to go to contractor. **On a motion made by Councilor Palmer, seconded by Treasurer Ortiz to allow City Manger Psota to sign the substantial completion letter to be issued to Bearing Construction, the motion was approved by a vote of five to zero.**

4. **Change Order for Hillis – Carnes**

City Manager Psota stated that the South Brown paving project that was approved in the Fiscal year 16/17 budget including restructuring of South Brown from Main Street to Crown. A design mix has to be made to restructure and to do that the current asphalt has to be analyzed. City Manager Psota is requesting a change order in the amount of \$6500.00 to obtain core samples for Hillis – Carnes to analyze. **On a motion made by Treasurer Ortiz, seconded by Councilor Carey to approve a change order not to exceed \$6500.00 for core samples needed from South Brown Street to proceed with paving, the motion was approved by a vote of five to zero.**

NEW BUSINESS

1. **Swearing in of Mary Stevens Board of Elections**

City Clerk Thomas administered the oath of office to Mary Stevens. Ms. Stevens will now serve on the Board of Elections.

2. **Improving Walk Ability**

Cara Rozaieski from Wicomico County Health Department made a pitch for a partnership with the City. She provided pamphlets of the City of Fruitland's walk ability areas and also Wicomico County's walking plan assessment report. She explained that the County had received a grant to help fund surrounding areas to become active by installing walking trails. Ms. Rozaieski would like to establish a team to help make Wicomico County become a walking community. She would like someone from the City to participate with the team. Councilor Palmer acknowledged that he and City Clerk Thomas will join the team to represent Fruitland. City Solicitor Mitchell advised Ms. Rozaieski that the City has a walking trail at the Park. She was unaware of it and will check it out.

3. **Vantage Point Proposal**

Chief Phillips introduced Jeff White from Vantage Point. Mr. White has been working with Sergeant Holland trying to improve the computer and communications network throughout the City. Chief Phillips explained that a virus had infringed the computer program and he was told to find a provider to fix the problem. He contacted Vantage Point. While the problem was being fixed, Chief Phillips asked if an assessment could be done to determine other problems throughout the City. An assessment can be performed in the amount of \$4000.00, which, if the City switches providers from the current one to Vantage Point, would be credited to the new contract. Council President Kerr stated that the Council had received a proposal from Vantage Point; however the amount of the assessment quoted as \$4000.00 was not guaranteed, it could possibly be more. Mr. White explained that it is worded that way, so if problems are found and to be corrected it would cost more. Mr. White stated that it could be reworded to state that. City Solicitor Mitchell stated that he would like to read the proposal before it is signed or any work is completed. City Solicitor Mitchell will work with Vantage Point on the proposal, and give to the Council for review.

4. **City Council Election Discussion**

City Solicitor Mitchell stated that the Charter allows the Council to set hours for the election and the location by a resolution, and if no resolution is passed then the Election will be held at City Hall and the time will be from 7 a.m. – 8 p.m. Council President Kerr stated the location will not need to be changed, but the hours that the election will be held for are in question. Reports were presented stating the percentage of voter turnout. Councilor Palmer questioned why the hours were to be shortened. Council President Kerr stated that there was a low turnout of voters and the City has to pay the Election Board members while there was no one coming in. Councilor Palmer does not wish to shorten the hours, he feels it is the citizens' rights to be able to come and vote for the whole time period. Mary Stevens stated that the workers rotate during the day and it was questioned about having two meals served to them, last year they did not receive two. City Clerk Thomas explained that they were allowed two meals, however due to the restaurant being out of what was ordered and the late time frame, the second meal was not served. The

County does not provide meals to its Election Board members. County Executive Bob Culver confirmed that information. Council President Kerr thanked Ms. Stevens for the information and asked the Council Members what hours they feel the voting polls should be open. After a brief discussion all members decided the hours should be from 7 a.m. – 7 p.m. **On a motion made by Councilor Palmer, seconded by Treasurer Ortiz to set the hours of the 2016 Election from 7 a.m. – 7 p.m. and set City Hall as the designation of polling place, the motion passed on a vote of five to zero.**

At this time City Manager Psota took the time to introduce Wicomico County Executive Bob Culver. Mr. Culver discussed the items and events that are planned for Wicomico County in the future.

5. Police Department Surplus Property

Chief Phillips stated that the department has two vehicles being put out of service. Listed below are the descriptions.

#219

2006 Ford Crown Victoria

VIN# 2FAFP71W76X114210

#220

2006 Ford Crown Victoria

VIN# 2FAFP71W96X114211

Chief Phillips would like both of the vehicles added to surplus property to be sold on EBay. **On a motion made by Councilor Carey, seconded by Councilor Nichols to allow the two Crown Victoria vehicles be placed in surplus to be sold, the motion passed on a vote of five to zero.**

6. Police Department Shed Repairs

Chief Phillips stated that Police Department has three outbuildings used for storage, on which there has been deterioration. Sergeant Guard has looked into having the sheds repaired and obtained four bids, the high bid being \$5804.00 and the low bid \$3720.00. Chief Phillips is requesting using the low bid by Greg Alexander to repair the sheds from the building fund. Councilor Nichols asked if it would be cheaper to buy new ones, Chief Phillips stated he does not have prices for new sheds; however City Solicitor Mitchell stated that he has looked into somewhat bigger new sheds are approximately \$6500.00. Council President Kerr asked if all three sheds were needed, Chief Phillips advised yes they are needed. Councilor Palmer asked if they were T-11 buildings, Chief Phillips responded yes, and Councilor Nichols stated that they need to be painted to last longer; Chief Phillips stated the trustees paint the buildings. **On a motion made by Councilor Carey, seconded by Treasurer Ortiz to have Greg Alexander repair the three sheds at the Police Department not to exceed \$3800.00, the motion was passed on a vote of five to zero.**

7. Police Department HVAC Repair

Chief Phillips stated that there have been issues with the system since the unit was installed. City Manager Psota and Chief Phillips have talked with another company on how to repairs the problems. There is a computer controlled thermostat in each room. They can replace the current system with a different system for \$3525.00, which is cheaper than repairing the original system for an estimate of \$14,000. **On a motion made by Treasurer Ortiz, seconded by Councilor Carey to accept the proposal to repair the HVAC system as presented by Chief Phillips not to exceed \$3800.00, the motion was passed on a vote of five to zero.**

8. HVAC Geo thermal Unit Replacement City Hall

City Manager Psota advised that the original Geo Thermal unit at City Hall quit working a week and half ago. It is one of three units and needs to be replaced. Three bids were obtained, the lowest one being \$10,292.00 from A and A Air Service. City Manager Psota is requesting approval for a Geo Thermal unit replacement by A and A Air Service not to exceed \$10,500.00 with the funds coming from City Hall rehabilitation. **On a motion made by Councilor Carey, seconded by Treasurer Ortiz to award the HVAC rehabilitation to A and A Air Services not to exceed \$10,500.00 as presented by City Manager Psota, the motion was approved by a vote of five to zero.**

9. Pump Rebuild – Clyde Avenue

City Manager Psota requested emergency repair or rebuild of a pump in the Clyde Avenue pump station. There are three pumps there; two operate continually, with the other being the spare. One has been removed and sent to Hill's Electric, who has determined it can be rebuilt for \$4617.59. City Manager Psota would like approval to repair the pump and have it back in service as soon as possible. **On a motion made by Treasurer Ortiz, seconded by Councilor Palmer to have Hill's Electric rebuild the pump, not to exceed \$4800.00, the motion was approved by a vote of five to zero.**

10. Change Order – Water Wastewater Treatment Plant

City Manager Psota explained that the paving process is about to start at the Water Wastewater treatment plant, 2/3 of the pavement will be removed and replaced with 4 inches of asphalt. Public Works Director Gibbons suggested addressing the remaining areas that are starting to crumble under the weight of the trucks. There are four areas that would need to be re done. Public Works Director Gibbons has obtained a price from the contractor that will be doing the asphalt and was quoted \$10, 800.00. City Manager Psota advised that it will be submitted to MDE, but MDE may not cover it under grant funding, but there are contingency funds on the loan side. Chris Derbyshire stated that GMB will make a case for the grant funding, since paving is consistent with the scope of the project. Mr. Derbyshire stated the reason why the paving was not included in the beginning is because the State does not want funding money used for paving areas not needed. The area by the drying beds is heavily used by trucks, however no new utilities were added to that section, and that will be stated in the letter by GMB. Council President Kerr stated that she believes that the \$11,000 could be used to pave some of the streets in town, not the Water Wastewater treatment plant. Mr. Derbyshire stated that if the paving is not addressed at this time, it will become a problem due to the wear and tear. He also stated that whatever money is not used, will be returned to the State from the project. **On a motion made by Councilor Palmer, seconded by Treasurer Ortiz, to issue a change order for paving at the Water Wastewater Treatment Plant of the areas spoken of in the amount of \$11,000. 00 coming from the project contingency fund, the motion was approved on a vote of four to one.**

11. Fruitland Little League

City Manager Psota stated he was informed that the Fruitland Little League All Stars 9 – 10 division are District 8 Champions and will be playing in Washington D.C. He would like to extend a promotional dollar amount for travel. He has been informed that they are in need of batting helmets and would suggest purchasing the helmets. **On a motion made by Councilor Carey, seconded by Treasurer Ortiz, to donate to Fruitland Little League All stars \$500.00 to purchase batting helmets, the motion was approved on a vote of five to zero.**

Public Comment/General Discussion

Bunky Luffman stated that Delegate Anderton is the Chairperson for the Wicomico County Delegation and they write letters for grants, if any help is needed for applying for the asphalt at the Water Wastewater Treatment Plant to let them know.

Bunky Luffman announced that he was elected as the Vice President of District 1 through MML, and quarterly meetings will be held and he would like to have the Council respond.

Mary Stevens asked if Fruitland still has the Beautification Program. She would like to see that back in place and wanted to know who was in charge of enforcing it. She stated that her neighborhood has trash all around and would like something enforced. Chief Phillips stated that Code Enforcement has just completed a city wide sweep for violations and notices will be going out next week.

Cornella Harman thanked City Manager Psota for checking on her street during the flood. She would like the drains cleaned out again. City Manager Psota stated that the drains will be cleaned out again.

Mary Stevens stated that it was also flooded at Church and Anderson Streets. An officer was stationed there to direct traffic. City Manager Psota stated it was due to the amount of rain in a short period of time. Mr. Marvel advised he had over 8 inches of rain at his house.

With no further business to discuss or comments, **Treasurer Ortiz made a motion to adjourn, seconded by Councilor Palmer, the motion was approved on a vote of five to zero.** The meeting was adjourned at 9:32 p.m.

Raye Ellen Thomas

Raye Ellen Thomas / City Clerk

Approved, August 9, 2016
