

The Fruitland City Council met in Regular Session at City Hall on Tuesday, August 9, 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, Public Works Director Mike Gibbons, City Clerk Raye Ellen Thomas and City Solicitor Andrew Mitchell.

Our guests included:

Bob Marvel, Delegate Carl Anderton, Delegate Carl Anderton's assistant Bunky Luffman, Denise Cordrey, Charles Meeks, Logan Wolfe and family and Brock Parker.

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

Treasurer Ortiz delivered the July Treasurer's Report. For July 2016, the City recorded \$717,692 of revenues for the month; including \$70,000 of business taxes and the first quarter of utility billing. The City incurred \$358,316 of expenses for the month of July bringing the net income for the month to \$359,376. **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. Chief Phillips wanted to give credit to Matt Solava for the great job he is doing with beautifying the City.

City Manager Psota gave his report. The USSSA tournament is now over and everything went well. The Salisbury Star is featuring the City of Fruitland for the month, there is an article featuring the City in the paper. Candidate packets are available for the upcoming election, as of this time no one has applied.

Public Works Director Mike Gibbons gave his report. He reported on the status of the ENR upgrade. There will be a pre bid meeting this Thursday for the Main Street asphalt project at 10:00 a.m.

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. **Campbell's Collision Revolving Loan Fund Discussion**

City Solicitor Mitchell gave the background of the loan, stating that Campbell's had borrowed \$50,000.00 at a 4% interest rate. Approximately \$7000.00 should have been paid by September in principal payments, which has not been done. The City is one of five major creditors that have not been paid. City Solicitor Mitchell has spoken with Campbell's attorney and they are trying to work the matter out. The City has obtained a judgment.

3. **Other**

Council President Kerr asked Chief Phillips if Vantage Point has started the assessment of the City. Chief Phillips stated it was to start next week.

NEW BUSINESS

1. Swearing in of Police Officer Wolf

City Clerk Thomas administered the oath of office to Officer Logan Wolf. Chief Phillips stated that Officer Wolf was previously employed by Salisbury University and was highly recommended.

2. Employee Handbook Discussion

City Manager Psota presented the July 2016 edition of the employee handbook. The goal will be to do a yearly update of the handbook. He is requesting that the Council adopt the July 2016 edition of the employee handbook. Council President Kerr stated a lot of work sessions and discussions have been conducted to update the handbook. **On a motion made by Councilor Palmer, seconded by Councilor Carey to adopt the July 2016 edition of the employee handbook as presented, the motion was approved by a vote of five to zero.** Council President Kerr asked when it would be distributed to employees, City Manager Psota stated within the next two weeks.

3. Resolution of Adoption – Wicomico County, Maryland Multi-Hazard Plan 2016

City Manager Psota stated that every five years, the City is asked to adopt a resolution for the Multi- Hazard plan with Wicomico County. The City provided input and by adopting the resolution federal funding will be available to the City if it gives assistance when a disaster occurs. City Manager Psota then read resolution 3-16, resolution of Adoption Wicomico County, Maryland Multi-Hazard Plan 2016. **On a motion made by Councilor Palmer, seconded by Councilor Nichols to accept resolution 3-16 Wicomico County, Maryland Multi- Hazard Plan 2016, the motion was approved by a vote of five to zero.**

4. Main Street Curb and Gutter Repair – Bid Results

Public Works Director Gibbons stated that the City had advertised for concrete sidewalk curb and gutter repairs on Main Street. A bid meeting was held with two bidders in attendance. The work will be done in two phases. The low bid was from Metro Paving for \$132,545.85 and Worth Construction bid \$183,831.12. Public Works Director Gibbons asked for approval for the Metro Paving bid with a 5% contingency bringing the total to \$139,172.85 which is below the budgeted amount of \$142,000.00. City Solicitor Mitchell stated that the job will be done in two separate phases, if the City is pleased with the work done on the first phase, and then the same bidder will do the second phase. It is being bid as a package. **On a motion made by Councilor Palmer, seconded by Treasurer Ortiz to accept the bid from Metro Paving for the first phase upon the terms of the bid, the motion passed on a bid of four to zero with one abstained.** City Solicitor Mitchell stated that the amounts quoted were for both phases. By letting the first phase upon the terms of the bid, the Council has authorized letting the second phase also, if the criteria is met per the bid.

5. Rezoning Request 302 W. Main Street Parcel 1327

Brock Parker stated that everyone is familiar with the site. Recently a mixed use style was approved. Dollar General has contacted Mr. Meeks in reference to bringing their store to the site. A couple of addition items are needed, site plan approval, re-subdivision plat and the residential lot needs to be rezoned as commercial. A front set back variance will also be needed and engineering approval. Dollar General states what they need in order to have the store at that site. It was presented to the Planning and Zoning Commission and was approved. Mr. Parker stated that the construction drawings have been completed and sent to the City of Fruitland, GMB and Wicomico County. City Solicitor Mitchell proceeded to read Zoning Map Amendment 1 -16, which changes the zoning of a lot at the southwest corner of West Main Street and Moore Avenue, numbered 302 West Main Street and designated as map 803, Parcel 1327, from R1-C, general residential to C-2 neighborhood business. **On a motion made by Treasurer Ortiz, seconded by Councilor Nichols to accept the first reading of zoning map amendment 1-16 as read by City Solicitor Mitchell, the motion passed on a vote of five to zero.** The next reading will be held on September 13, 2016 following the Public Hearing at 7:40 p.m. during the regular Council meeting.

6. Water Wastewater Treatment Plant ENR Change Order # 3

Public Works Director Gibbons explained that the framing proposed for the digester building was not sufficient to meet building codes when loaded. GMB had to instruct Bearing Construction to add vertical and horizontally structure members. The inside of the building also needed wall covering over the installation. The total was \$6687.80 for the changes. Two other items have already been approved. They were for the two paving items \$6535.67 and \$ 4315.56 and deductions of \$2490.00. The total amount of change order # 3 will be \$16557.70. City Manager Psota

explained that Public Works Director Gibbons was asking approval at this time for the \$6687.80, the others have been approved. **On a motion made by Councilor Palmer, seconded by Treasurer Ortiz to accept the additional change not to exceed \$6700.00 change order # 3 to be incorporated into for a total amount of \$16,557.70 and to allow City Manager Psota to sign the change order, the motion passed on a vote of five to zero.**

Public Comment/General Discussion

Delegate Carl Anderton stated that the budgeting is beginning for State Highway and any questions should be directed to him. He stated that if the City would provide him with information on what monies the City has taken or will take from other funds to repair roads, which will help him make his case to increase highway user funds. City Manager Psota stated he will forward that information to Delegate Anderton.

Chief Phillips mentioned that he was advised to provide documentation for Cindy Noble's job description. Council President advised that will be discussed during the closed session.

Council President Kerr asked Deputy Treasurer Swift when the real estate tax bills will be sent out to residents. He stated they will be mailed out next week.

With no further business to discuss or comments, the Council recessed. After resuming the open session, Treasurer Ortiz made a motion to go into closed session, seconded by Councilor Palmer to discuss a personnel matter followed, which was approved unanimously. When the Council returned to open session, having discussed only one personnel matter with Councilors only present, and with no other business to discuss, **on a motion made by Treasurer Ortiz to adjourn at 9:10 p.m., seconded by Councilor Palmer the motion passed on a vote of five to zero.**

Raye Ellen Thomas

Raye Ellen Thomas / City Clerk

Approved, September 13, 2016
