

The Fruitland City Council met in Regular Session at City Hall on Tuesday, September 12, 2017 at 7:30 p.m. with the following members present:

*President Darlene Kerr, Councilor Roland Palmer, Councilor Chuck Nichols and Councilor Mark Miciotto.*

Also present at the table were:

*City Manager Psota, 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, Mac Pusey, Cornella Harmon, Stan Johnson, Kathy Johnson, Pastor Dana Stauffer, Salisbury Council Vice President Muir Boda, Delegate Carl Anderton and his assistant Kendall Krach.

President Kerr called the regular Council meeting to order at 7:30 p.m. and welcomed all in attendance. Pastor Dana Stauffer led all in prayer and all recited the Pledge of Allegiance.

President Kerr acknowledged receipt of the minutes of the Regular Meeting of August and called for additions or corrections. As there were none, **Councilor Miciotto moved to adopt the minutes as presented; Councilor Nichols seconded and the motion passed on a vote of four to zero.**

President Kerr delivered the August Treasurer's Report. For August 2017, the City recorded \$44,569. The total billed revenues for the fiscal year are \$3.4 million, including real estate taxes and one quarter of utility billing. The City incurred \$424,970 of expenses for the month. The total expenses for the fiscal year to date are \$848,024. The net deficit for the City for the month of August is \$380,401 and the net income for the fiscal year to date is \$2.5 million. **Councilor Palmer moved to accept the Treasurer's Report as presented. Councilor Nichols seconded and the motion passed on a vote of four to zero.**

**Chief Phillips gave the Police and Code Enforcement reports. He stated that the Police Department has provided all new college renters with a Welcome to Fruitland package.**

**City Manager Psota stated the Morris Mill Project is complete. He also reminded all that the Tree Lighting will be held December 4<sup>th</sup> at City Hall. Councilor Palmer stated that the Church Community Block Party will be held this Friday night, from 5:00 p.m. until 8:00 p.m., all are welcome and it is a free event. Councilor Palmer asked about the Morris Mill Dam Project the County is doing. Public Works Director Gibbons advised that there is a legal holdup concerning an easement and the County is trying to get that resolved. The County is looking for a start date this December or January. President Kerr asked about the Christmas parade. Katherine McAllister advised that she sent all the information to the cub scout leader who had inquired, however he was planning on hosting the parade on a Saturday and not the same night as the Tree Lighting.**

**Deputy Treasurer Swift stated this was the second quarter with online billing and there was an increase in the number of users signed up to make payments, with 12% of the City residents making payments online. He also stated that this was the first quarter with the increase of fees for late payments and there was a decrease in delinquent payments. Water cut offs were decreased by 50%.**

**Public Works Director Gibbons stated Chesapeake Paving started paving on the west side of the City. Main Street to Camden Avenue; Camden Avenue to County Line; and the intersection of Clyde Avenue have been completed. He is still working with the Railroad Company about removing the rail road tracks on Morris Street. George and Lynch have completed their contract for the paving on Morris Street.**

## UNFINISHED BUSINESS

### 1. Paid Bills

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

### 2. Purchase Policy Amendment

In a follow up to the discussion last month at the Council meeting concerning changing the purchase amount the City Manager can approve from \$2500 to \$5000, City Solicitor Mitchell stated that it will require an Ordinance to make that change. Additionally, City Solicitor Mitchell stated he found a conflict with the current Ordinance which states the City Manager is limited to spending \$250 for each purchase, whereas the Purchasing Policy is \$2500. He would like to sync the items when creating a new Ordinance which will be ready for a first reading at the October 10<sup>th</sup> Council Meeting.

### 3. Filter Belt Press Change Order

Public Works Director Gibbons requested the ratification of the approval that was obtained on a change order authorizing Synagro to dewater an additional 100,000 gallons of sludge at the WWTP. The cost was approved at \$10,000. Public Works Director Gibbons advised that, in actuality, 80,000 gallons ended up being dewatered. At a cost of \$1000 per 10,000 gallons dewatered, the increase was \$8000. **On a motion made by Councilor Palmer to approve the expenditure of \$8000 to Synagro Central for the dewatering of 80,000 gallons of sludge, seconded by Council Miciotto, the motion was approved by a vote of four to zero.**

### 4. Other

City Solicitor Mitchell advised that a \$500 payment was made by a judgment creditor today.

City Solicitor Mitchell advised that Ella Turner from 108 Pine Street was contractually obligated to repay the City for demolishing her property. Upon investigating as to why the City had not received a payment for some time, it was learned that Ms. Turner passed away. City Solicitor Mitchell has been in contact with her daughter, who is the personal representative of the estate, who has said that the estate would pay the debt.

## NEW BUSINESS

### 1. St. Lukes Road Pre Paving Water Service Line Replacement Discussion

City Manager Psota advised that before the paving begins on St. Lukes Road he would like to look into the possibility of replacing the water service lines under the road. He advised there have been recent issues with three houses on that road requiring service line replacements. Furthermore, that stretch of road has been plagued with service line leaks. Based on an estimate from the completed South Brown Street service line replacement project, it should be approximately \$850 for the plumber per unit and \$300 for the material per unit, which would be supplied by the City. Therefore, for 23 service line replacements the estimated cost would be \$26,450. He is requesting to move forward with the bidding process so the lines can be replaced before the paving occurs. The consensus of the Council was to move forward with the bidding process.

### 2. Utility Bill Discussion 106B Poplar Street

Since no one was present to discuss the situation it was not addressed.

### 3. Striping Quote

Public Works Director Gibbons advised he had contacted State Highway in reference to striping Main Street and Camden Avenue. State Highway gave a quote not to exceed \$3000 for Main Street and Camden, he is asking approval to move forward with the striping. **On a motion made by Councilor Miciotto to allow State Highway to do striping on the two roads not to exceed \$3000, seconded by Councilor Nichols, the motion was approved by a vote of four to zero.**

**4. Vehicle Purchase - Police Department**

Chief Phillips requested authorization to purchase a Chevrolet Tahoe. The total cost, including equipment package is \$42,959; the cost, of which, has been included in the FY 2017-18 budget [the price is based on a qualifying bid in another jurisdiction.] **On a motion made by Councilor Miciotto to move forward with the purchase of the budgeted item, a Chevrolet Tahoe not to exceed \$43,000, seconded by Councilor Palmer, the motion was approved by a vote of four to zero.**

**5. Police Department K-9 Program**

Chief Phillips advised that the K-9 program was discussed at a previous Council meeting and he has obtained prices for a replacement dual purpose canine trained in narcotics detection and tracking. The cost is \$10,100 and includes training, certification, handler's course, in service training and annual recertification for the entire life of the canine. Chief Phillips advised the department is currently interviewing officers who could be the handler. He will revisit this matter next month.

**6. Police Department Cameras**

Chief Phillips requested the purchase of three exterior security cameras to replace three which are now malfunctioning. The memory software package is \$530 per camera; the 2.8 millimeter dome cameras are \$235 a piece, with a labor cost of \$95 per hour, bringing the total cost of the quote to \$2525. He is requesting to move forward with the purchase. **On a motion made by Councilor Palmer for Chief Phillips to move forward with purchasing three new cameras not to exceed \$2600, and sign the contract, seconded by Councilor Miciotto, the motion was approved by a vote of four to zero.**

**Public Comment/General Discussion**

Cornella Harmon thanked the Council for addressing her street, however, during the last heavy rain her crawl space flooded and she wanted to know what can be done to prevent this from occurring. Public Works Director Gibbons advised that the storm water drainage pipes the length of Morris Street were recently cleaned out and this may help relieve the drainage problem. Council President Kerr noted that there has been an unusual amount of rain this year. Councilor Palmer advised that the pipes have been cleared out and a camera has been run through all the lines and no structural issues have been found. Public Works Director Gibbons and Councilor Palmer will meet with Mrs. Harmon on 9/13/17 to look at the area near her residence.

Stanley Johnson approached the Council concerning an ongoing investigation with the Police Department. Council President Kerr advised that since the investigation is ongoing those questions cannot be discussed at a public meeting.

Julie Wheatley asked if there could be some kind of curbing on South Brown Street to address the parking near the Falcon's fields. It is problematic especially when the events are over and everyone enters South Brown from all directions. City Manager Psota stated that he and Public Works Director Gibbons will contact a Falcon's representative to implement a solution.

Mac Pusey inquired as to where the City stands concerning the tax differential with the County. City Manager Psota advised that it has been questioned numerous times, but at this time there is no desire on behalf of the County to take the issue up. Council President Kerr and City Solicitor Mitchell both stated this has been discussed with the County on many occasions in the past, and studies have been prepared, however, there has been no change in the situation.

Pastor Dana Stauffer extended an invitation to join her at Church this Sunday. It will be a chance for members to learn what City Staff does and thank all for their services.

Delegate Carl Anderton introduced his new legislative aide Kendall Krach. He also discussed the tax differential and how it is being lobbied in Annapolis.

Salisbury City Council Vice President Muir Boda stated that the Salisbury City Council is also working on the tax differential

issue.

With no further business to discuss or comments, **on a motion made by Councilor Nichols to adjourn at 8:30 p.m., seconded by Councilor Palmer, the motion passed by a vote of four to zero.**

*Raye Ellen Thomas*  
Raye Ellen Thomas / City Clerk  
[Approved, October 10, 2017](#)