

The Fruitland City Council convened for a Work Session at City Hall on Tuesday, September 23, 2014 at 12:00 p.m. with the following members present:

President Darlene Kerr, Treasurer Gloria J. Ortiz, Councilor Ed Cowell and Councilor Raymond Carey.

Also present at the table were:

City Manager John Psota, Public Works Director Mike Gibbons, Deputy Treasurer Marcie Wooters, City Clerk Raye Ellen Thomas and City Solicitor Andrew Mitchell.

Present in the audience were:

Code Enforcement Officers Ron Ciszewski and Nick McLeod.

No guests were present for the meeting:

President Kerr called the work session to order at 12:00 p.m. and immediately proceeded to the agenda.

1. Landlord License Update

Code Enforcement Officers Ron Ciszewski and Nick McLeod discussed how the licensing process was going, and how many property owners had returned the forms for rental properties inspections. President Kerr let them know the Council will help with whatever they can. President Kerr and Treasurer Ortiz both stated that the Officers are doing a great job with improvements.

2. Noise Ordinance Discussion

President Kerr stated that the 2nd reading was on September 9, 2014 at the Council meeting. The Council listened to quite a few comments from the public and they were taken into consideration. The amendment to the noise ordinance was tabled at that time, and the Council will now review the comments and discuss which changes would like to be made. President Kerr stated that WBOC had been to neighborhoods asking residents of their opinion for the noise ordinance and there were some against and some for it. She then stated that the change called for the morning time to be changed from the hours of 7:00 a.m. and 10:00 p.m. to 8:00 a.m. and 9:00 p.m. And for the night hours to be changed from the hours of 10:00 p.m. and 7:00 a.m. to the hours of 9:00 p.m. and 8:00 a.m. Councilor Carey suggested that the new ordinance not conflict with the garbage collection times, President Kerr stated that in the old ordinance # 221 there is an exception for the garbage collection so they can start at 6:30 a.m.

City Solicitor Mitchell suggested having the times change with the seasons. If 9:00 p.m. is too early in the summer, then have that time be longer for that season. Councilor Cowell stated that he felt as though changing with the seasons would prevent a problem with the sports, and he did not feel as though a special exception should be made to accommodate only the sports. Councilor Cowell said the times should relate to the time of the majority of the complaints. President Kerr suggested changing the morning time as presented to 8:00 a.m. and leaving the evening hour as is or changing it to 9:30 p.m.

Councilor Carey suggested having all off the Police Officers trained on the decibel meter, and City Solicitor Mitchell reminded the Council that the decibel meters are based on the State statute.

Councilor Cowell then brought up the permit process for onetime events, such as carnivals and revivals. City Solicitor Mitchell explained that there was nothing in the current ordinance dealing with onetime events, and if needed, he will add something dealing with the permit guidelines. Administrative Assistant Powell then explained how the process works now and that nonprofit organizations do not receive special permits. Since, Administrative Assistant Powell gave the guidelines for the one time permits, City Solicitor Mitchell will not add guidelines dealing with that issue.

The Council reached a consent to change the time in the morning to 8:00 a.m. instead of the previous 7:00 a.m. and to leave the night time as 10:00 p.m. City Solicitor Mitchell stated that at the next Council meeting the time change can be voted on.

3. Purchase Request

City Manager Psota discussed the requests that Public Works Director Gibbons had given him, which included pumps for the recirculation building which are showing signs of failing mechanical seals, rebuilding the pumps at the Clyde Avenue pump station, a maintenance agreement for all of the City owned generators and bids for the replacement of concrete curb, gutter, sidewalk, and mill/overlay asphalt on North Division Street. For the replacement work on North Division Street, Chesapeake Utilities will be issuing a credit in the amount of \$34,000.00 for their portion of the road patching. Public Works Director Gibbons had provided estimates and bids as required and were viewed by the Council. **On a motion made by Treasurer Ortiz to purchase pumps for the recirculation building not to exceed \$10,000.00, which was seconded by Councilor Cowell, all approved the motion in favor. On a motion made by Councilor Carey to approve the rebuilding of a pump for Clyde Avenue not to exceed \$4500.00, which was seconded by Treasurer Ortiz, all approved the motion in favor. On a motion made by Councilor Cowell to approve maintenance agreement for City owned generators, not to exceed \$6000.00, which was seconded by Councilor Carey, all approved the motion.** City Manager Psota stated that at this time he is notifying the Council of the replacement of concrete curb, gutter, sidewalk, and mill/overlay asphalt on North Division Street, and Public Works Director Gibbons will be obtaining professional knowledge on this from State Highway.

4. Morris Mill Urban Service Agreement Update

City Solicitor Mitchell stated that he sent an email to the County Attorney after the discussion at the Council meeting. The State agreed to drop the 2% charge for the processing. There is still an issue over how collection steps will be handled for delinquent customers. City Solicitor Mitchell changed the language to recognize the grant situation and added a hold harmless agreement, which he will also explain in further detail.

At this time Councilor Ortiz made a motion to go into closed session, Councilor Cowell seconded, all were in favor and the Council proceeded into closed session at 1:15 p.m.

During the closed session, the Council discussed Employee Evaluations and Employee Compensation.

The Council reconvened into open session at 2:00 p.m. and the discussion of the closed session will be made available at the next Council meeting on October 14, 2014.

On a motion made by Councilor Ortiz to adjourn, which was seconded by Councilor Carey, the meeting was adjourned at 2:05 p.m.

Prepared by:
Raye Ellen Thomas
Approved: October 14, 2014