

The Fruitland City Council met in Regular Session at City Hall on Tuesday, February 11, 2020 at 7:00 p.m. with the following members present:

*President Darlene Kerr, Treasurer Ray Carey, Councilor Mark Miciotto, Councilor R. Lee Outen and Councilor Mike Hammond.*

Also present at the table were:

*City Manager John Psota, Chief Brian Swafford, Deputy Treasurer Mark Swift, City Clerk Raye Ellen Thomas and City Solicitor Andrew Mitchell.*

Our guests included:

*Public Works Director Michael Gibbons, Bob Marvel, Katherine McAllister from GMB, Alexis Dashield, Leland Bonneville, Brock Parker, Pastor Dana Stauffer, Cornella Harmon, Roland Somers, Lorace Bounds, Thelma Scott and Roland Palmer.*

At 7:00 p.m. President Kerr called the regular Council meeting to order. Pastor Dana Stauffer led all in prayer, and Council President Kerr led the recitation of the Pledge of Allegiance.

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

#### **Reports- Treasurer, City Manager and Department Heads**

**Treasurer Carey delivered** the Treasurer's Report. For January 2020 the City recorded \$711,000 of revenues including the quarterly utility billing. Expenses for the month totaled \$595,000 and included loan payments of \$153,000. For the month of January, the City had a net surplus of \$116,00, Year to date the City has recorded \$5.8 million in revenues and \$ 4.6 million in expenses for a net surplus of \$ 1.1 million. **Councilor Hammond moved to accept the Treasurer's Report as presented, Councilor Miciotto seconded, and the motion passed on a vote of five to zero.**

**Chief Swafford delivered** his report on behalf of the Police Department and Code Enforcement.

- Code Enforcement had 12 open cases, 12 closed cases and 9 new building permits issued for the month of January.
- There were 31 part one crimes and 925 traffic violations cited. There were 2344 total calls for the month of January.
- The Police Department annual report was distributed to all Council members. City Manager Psota thanked Chief Swafford for a job well done.

**City Manager Psota** delivered his report.

- Little League Parade will be held on April 4<sup>th</sup>.
- Easter Parade will be held on March 28<sup>th</sup> starting at 10:00 A.M.
- City Manager Psota thanked Public Works Director Gibbons for the LED lighting rebate upgrade at City Hall.
- Somerset Well Drilling was advised of notice of award. Katherine McAllister from GMB advised that Somerset Well Drilling has ten days to review and to respond to the City of Fruitland.
- Katherine also advised that the solar plant project is moving along.

**Public Works Director Gibbons** delivered his report.

- Tree trimming at the City park and Wastewater treatment plant was completed.
- Curb gutter cleaning has been conducted on several streets throughout the City.

## **UNFINISHED BUSINESS**

1. **Paid Bills**

President Kerr acknowledged receipt of the paid bill report. **On a motion made by Treasurer Carey and seconded by Councilor Outen the paid bills were approved by a vote of five to zero.**

2. **Well # 4 Pump and Pipe Replacement Approval**

Public Works Director Gibbons advised when A. C. Schultes pulled the pump and discharge pipe from well # 4 they both were pitted with iron. The pump and motor were also tested and proved to be very weak. The pump is operating well below design. Public Works Director Gibbons advised that he received a quote from A.C. Schultes in the amount of \$9857.00 for a new pump motor and to replace the iron pipe with pvc pipe. **On a motion made by Councilor Miciotto to approve the awarding to A.C. Schultes for the pump and pipe replacement in well # 4, not to exceed \$10, 000, seconded by Councilor Hammond, the motion was approved by a vote of five to zero.**

## **Public Hearing – Ordinance # 297 – MWQFA and the City’s Water Bond**

City Solicitor Mitchell advised that this is an ordinance that will provide that the City will issue bonds to be bought by the Maryland Water Quality Finance Administration (MWQFA), although the ordinance is set up so that the bonds could be bought by someone other than (MWQFA). The Council will also need to pass a resolution after the Ordinance is approved at the appropriate time to set the detail of the bonds. City Solicitor Mitchell read the full title of proposed Ordinance # 297 verbatim. In doing so he pointed out the title states, as he had just read, that the title constitutes a statement of the substances of the Ordinance. **On a motion made by Treasurer Carey to accept the of Ordinance # 297 as read by City Solicitor Mitchell, seconded by Councilor Outen, the motion was approved by a vote of five to zero.**

## **NEW BUSINESS**

1. **First Reading of Adoption of ICC Codes 2018**

City Solicitor Mitchell read proposed Ordinance # 298, an ordinance repealing Ordinance # 273 which adopted the 2015 edition of the International Building Code, the International Residential Code for one and two family dwellings; the International Energy Conservation Code; the International Existing Building Code and the swimming pool and spa code and replacing them with the 2018 editions of the same. This ordinance will provide a procedure which new versions of ICC codes can be adopted by resolution instead of an ordinance. **On a motion made by Councilor Miciotto to accept the first reading of Ordinance # 298 as read by City Solicitor Mitchell, seconded by Councilor Outen, the motion was approved by a vote of five to zero.** City Council President advised that a public hearing will be held on March 10, 2020 at 7:10 p.m.

2. **Police Department Surplus Property**

Chief Swafford asked for authority to surplus the service weapon that was issued to Officer Wiersberg and transfer it to Officer Wiersberg’s father, Wicomico County Sheriff Lieutenant Richard Wiersberg. Chief Swafford will ensure the necessary paperwork for this transfer is completed. **On a motion made by Councilor Miciotto to surplus the service weapon, a Glock 21, ID # 5HR656, and transfer to Lieutenant Wiersberg, with Chief Swafford handling all paperwork, seconded by Councilor Hammond, the motion was approved by a vote of five to zero.**

**3. Little League Parking Lot Paving Award Approval**

Public Works Director Gibbons advised that he received three bids from companies regarding the paving of the Little League parking lot. The lowest bid was from Asphalt Maintenance LLC in the amount of \$49,700. Public Works Director Gibbons requested bid approval for Asphalt Maintenance do the paving work and to include a 10% contingency on the estimate. **On a motion made by Treasurer Carey to award the Little League parking lot paving to Asphalt Maintenance LLC in the amount of \$49,700 with a 10% contingency not to exceed \$55,000, seconded by Councilor Miciotto, the motion was approved by a vote of five to zero.**

**4. Sustainable Communities Application Resolution**

City Manager Psota read Resolution # 1 – 2020 which is a resolution of the Fruitland City Council, to designate a portion of the City of Fruitland, Maryland as a sustainable community, pursuant to the attached sustainable community map and sustainable community plan (the “Plan”), as further described in the sustainable community application (the “application”), for approval either directly by the department of Housing and Community Development (the “Department”) of the State of Maryland or through the Smart Growth subcommittee of the State of Maryland. City Council President Kerr advised this a great thing for the City and will promote growth. **On a motion made by Councilor Hammond to accept Resolution # 1-2020 as read by City Manager Psota, seconded by Councilor Outen, the motion was approved by a vote of five to zero.**

**5. Rowens Mill Final Re-Subdivision Plat Approval**

Brock Parker, of Parker & Associates, presented the Council with plans for the re-subdivision of Rowens Mill. He stated that Blair Rinner, the developer, would like to replace the proposed town houses with single family homes. Several variances have been given for this project, and there will be a need for more EDU’s to complete building the proposed single family homes. Mr. Parker advised that 106 lots will be reduced to 67 lots. City Solicitor Mitchell advised that if this project is approved, it should be noted on the plat, that the number of EDU’s, which staff determines are still to be allocated have not been allocated. The Planning Commission has approved the re-subdivision and a variance was approved on setbacks. **On a motion made by Councilor Outen to approve the final re-subdivision plat of Rowens Mill as set forth with the contingency of lot EDUs, seconded by Treasurer Carey, the motion was approved by a vote of five to zero.**

**6. Brown Street Pump Station Grinder Pump Rebuild Quote Approval**

Public Works Director Gibbons asked for approval to have a grinder pump located at the Brown Street pump station rebuilt by Hills Electric for a quote of \$12,038.93. A new grinder pump is \$34, 850. **On a motion made by Councilor Miciotto to award Hills Electric to rebuild the Brown Street pump grinder not to exceed \$12,100, seconded by Treasurer Carey, the motion was approved by a vote of five to zero.**

**Public Comment/General Discussion**

Thelma Scott asked when paving would be completed on Dulany Avenue. City Manager Psota advised that piping under the road was old and needed to be replaced along with the services lines before paving begins but it is in the budget. Ms. Scott praised the effort that has been done on the HUD houses along Dulany Avenue.

Chief Swafford advised that the Police Department received a grant through the Wicomico Health Department from the Governor’s office for a second patrol K-9 that paid for all expenses including outfitting a vehicle and all K-9 training. The K-9 will be named Spence.

Alexis Dashield thanked City Manager Psota for writing a letter of recommendation in support for the Community Center. The Community Center received a grant from African American Heritage Preservation, which will be used to preserve the Fruitland Community Center building.

With no further business to discuss, **Councilor Hammond made a motion to adjourn at 7:59 p.m., seconded by Councilor Outen, the motion was approved by a vote of five to zero.**

Raye Ellen Thomas  
Raye Ellen Thomas / City Clerk  
[Approved, March 10, 2020](#)