

The Fruitland City Council met in Regular Session on Tuesday, June 8, 2021, at 6:30 p.m. with the following members present:

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

Also, present were City Manager Marc Henderson, Chief Brian Swafford, Deputy Treasurer Mark Swift, City Clerk Raye Ellen Thomas, Public Works Director Michael Gibbons and City Solicitor Andrew Mitchell.

Our guests included: Katherine McAllister, Robert Duncan, Cameron Meadows, Eddie Porter, Blair Rinnier, Jamie Dykes and three people that did not sign in.

At 7:00 p.m. President Kerr called the Council meeting to order.

President Kerr acknowledged receipt of the minutes of the Regular Meeting of May 11, 2021 and called for additions or corrections. As there were none, **Treasurer Carey moved to adopt the minutes as presented; seconded by Councilor Miciotto, the motion passed on a vote of five to zero.**

Reports- Treasurer, City Manager and Department Heads

Treasurer Carey delivered the Treasurer's Report. During the month of May, the City recorded \$140,000 of revenues and \$467,000 of expenses for net deficit of \$327,000. Year to date the City has recorded \$9.3 million in revenues and \$7.95 million in expenses for a net surplus of \$1.35 million. **Councilor Miciotto moved to accept the Treasurer's Report as presented, Councilor Outen seconded, and the motion passed on a vote of five to zero.**

Chief Swafford delivered his report on behalf of the Police Department.

- There were 17 part one crimes. 1206 Traffic violations and 2239 total calls for the month of May.
- National Night Out will be held on August 3.

City Manager Henderson delivered the Code Enforcement and City Manager's report.

- City Manager Henderson advised that Code Enforcement opened 20 cases in the month of May. There have been 119 cases year to date.
- There were 8 rental violations for the month of May.
- There were 71 new building inspections and 304 year to date.
- The Veteran Flags were in place for Memorial Day.

Public Works Director Gibbons delivered his report.

- The meter recalibration is continuing to be monitored.
- The Control Panel that was approved at last Council meeting has been received.

Deputy Treasurer Swift had nothing to report.

UNFINISHED BUSINESS

1. **Paid Bills**

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

2. **Water Plant Project Update**

Public Works Director Gibbons advised the final walk through will be done next week.

3. **Water Plant Solar Project Update**

Public Works Director Gibbons advised the post and frame has been completed and the panels should be started next week.

PUBLIC HEARING: PROPOSED BUDGET FISCAL YEAR 2021 – 2022

Deputy Treasurer Swift introduced the budget and presented the highlights.

a. **Adopt General Fund Operating Budget**

Deputy Treasurer Swift read the General Fund Operating Budget on pages 3, 4, and 5. Since there were no questions or comments, **Treasurer Carey made a motion to approve the General Operating Budget for Fiscal Year 2021-2022 in its entirety as presented, seconded by Councilor Outen, the motion was approved by a vote of five to zero.**

b. **Adopt Sanitation Department Budget**

Deputy Treasurer Swift read the Sanitation Department Budget on page 6. Since there were no questions or comments, **Councilor Hammond made a motion to approve the Sanitation Department Budget for Fiscal Year 2021-2022 as presented, seconded by Councilor Miciotto, the motion was approved by a vote of five to zero.**

c. **Adopt Water Department**

Deputy Treasurer Swift read the Water Department Budget on pages 7 and 8. Since there were no questions or comments, **Treasurer Carey made a motion to approve the Water Department Budget for Fiscal Year 2021-2022 as presented, seconded by Councilor Hammond, the motion was approved by a vote of five to zero.**

d. **Adopt Sewer Department Budget**

Deputy Treasurer Swift read the Sewer Department Budget on pages 9 and 10. Since there were no questions or comments, **Councilor Hammond made a motion to approve the Sewer Department Budget for Fiscal Year 2021-2022 as presented, seconded by Treasurer Carey, the motion was approved by a vote of five to zero.**

e. **Adopt Capital Improvement Budget**

Deputy Treasurer Swift read the Capital Improvement Budget on page 12. Since there were no questions or comments, **Treasurer Carey made a motion to approve the Capital Improvements Budget for Fiscal Year 2021-2022 as presented, seconded by Councilor Outen, the motion was approved by a vote of five to zero.**

f. **Adopt Five-Year Capital Improvement Plan**

Deputy Treasurer Swift read the Five-Year Capital Improvement Plan on page 13. Since there were no questions or comments, **Councilor Miciotto made a motion to approve the Five-Year Capital Improvement Plan as presented, seconded by Councilor Hammond, the motion was approved by a vote of five to zero.**

g. **Adopt General Fund Operating Rates and Fees**

Deputy Treasurer Swift read the General Fund Operation Rates and Fees on pages 14,15 and 16. There were no questions or comments.

On a motion made by Treasurer Carey to approve the Real Estate Property Tax Rate for Fiscal Year 2021-2022 as presented, seconded by Councilor Hammond, the motion was approved by a vote of five to zero.

On a motion made by Councilor Hammond to approve the Personal Property Tax Rate for Fiscal Year 2021-2022 as presented, seconded by Treasurer Carey, the motion was approved by a vote of five to zero.

On a motion made by Councilor Hammond to approve the Mobile Home Park Tax Rate for Fiscal Year 2021-2022 as presented, seconded by Treasurer Carey, the motion was approved by a vote of five to zero.

On a motion made by Councilor Outen to approve the remaining General Fund Operating Rates and Fees for the Fiscal Year 2021-2022 as presented, seconded by Councilor Hammond, the motion was approved by a vote of five to zero.

h. Adopt Utility Fund Operating Rates and Fees

Deputy Treasurer Swift read the Rates and Fees Schedule for the Utility Fund on pages 17 and 18. There were no questions or comments.

On a motion made by Councilor Miciotto to approve the Sanitation Rates and Fees for Fiscal Year 2021-2022 as presented, seconded by Treasurer Carey, the motion was approved by a vote of five to zero.

On a motion made by Councilor Hammond to approve the Water Rates and Fees for Fiscal Year 2021-2022 as presented, seconded by Councilor Outen, the motion was approved by a vote of five to zero.

On a motion made by Councilor Hammond to approve the Sewer Rates and Fees for Fiscal Year 2021-2022 as presented, seconded by Councilor Outen, the motion was approved by a vote of five to zero.

NEW BUSINESS

1. Review of Ordinance #234 and #268

City Solicitor Mitchell advised that Ordinance #234 was created when the City was low on EDUs. It was a way to divide EDUs between commercial and residential property. Ordinance # 268 was created to place restrictions on Edus.

2. Amendment to Ordinance #234 Allocation of Capacity

City Solicitor Mitchell read Resolution # 5-21 which will amend Ordinance # 234 the City's policy on allocation of sewer capacity. Councilor Outen would like to have the Planning Commission's opinion on the Resolution. Council President Kerr advised that the Resolution will be sent to the Planning Commission and have the City Manager also review before it is voted on by the Council.

3. Car Wash Text Amendment

City Solicitor Mitchell had prepared two versions of Ordinance 302, which would be an ordinance of the City Council of the City of Fruitland, Maryland, amending zoning ordinance # 67, section V., subsections J.1. By adding language to permit car washes in the C-4, highway business district and setting criteria for same. Version one would be more of a case-by-case special exception. Version two would be permitted use and no need for special exceptions. The Council decided to go with version one. City Solicitor Mitchell will present the Ordinance for Public Hearing at the next meeting on July 13, at 6:40 p.m. **On a motion made by Councilor Miciotto to accept Version one of Ordinance # 302 by special exception to accept 54,450 square feet or 1.25 acres and 65% of the water used, seconded by Treasurer Carey, the motion was approved by a vote of five to zero.**

4. Vehicle Surplus

Chief Swafford requested to surplus vehicles 225, 228, 238 and City Hall vehicle 500. He would like to surplus the vehicles so they can be sold. **On a motion made by Councilor Miciotto to surplus the vehicles, seconded by Treasurer Carey, the motion was approved by a vote of five to zero.**

5. 2020 Annual Planning Report

City Manager Henderson stated that the Fruitland Planning Commission approved the annual planning report for the reporting year 220 as required under the land use article on June 1, 2021. The report has been filed with the local legislative body.

6. Insurance Renewal

The City's health insurance plan for its employees expires on July 31st and as previously discussed in this year's budget meetings, we have budgeted for and request to renew with a continuation of our current plan. City Manager Henderson request the authority to renew the health care plan with the same benefits as previous years, with no cost increase to the employee, renew with Hollister as the broker, Integra Administrative Group as the administrator of the plan, and for Cigna Health Network to remain as the health care provider, quoted at a maximum cost of \$682,237. Additionally, he requests the authority to renew the dental and vision plans with Guardian Insurance as the provider,

quoted at \$31,215. City Manager Henderson requests approval for the Council President or himself, as permitted by the Charter to sign any documents or contracts from Hollister, Guardian, Integra, or Cigna after review, if warranted by the City Solicitor. **On a motion made by Treasurer Carey to accept the summarization given by City Manager Henderson to renew insurances and allow City Manager Henderson or Council President Kerr to sign any documents or contracts, seconded by Councilor Hammond, the motion was approved by a vote of five to zero.**

7. Irl Lane

City Manager Henderson advised this is an ongoing matter. There has been a change of ownership of an adjoining property. It is now owned by Eddie Porter, who is present, and he has contacted City Manager Henderson regarding traffic issues. City Manager Henderson advised that one of the remedies could be to make Irl Lane a one-way street, since the lane is wide enough to handle the increase of traffic, however it does not meet the requirements without obtaining property from the adjoining property owners for widening. The second option could be to eliminate it as a through road. It must be accessible to the homeowner on the road, so it could be blocked on one end with access to the homeowner on the other end and closed from that point on. The City would not be responsible for paving, they would still maintain the section as far as potholes on Irl Lane. Mr. Porter passed out pictures of the parking issues and the traffic to the Council. A discussion followed on how the road would be blocked to not allow through traffic.

8. Curb and Gutter Replacement

Public Works Director Gibbons advised that a bid opening was held on June 2nd to replace approximately 500 feet of curb and gutter on Dulany Avenue. Two bids were received with ECM Construction being the low bidder at \$29,750. Public Works Director Gibbons would like to recommend ECM Construction in the amount of \$29,750 with a 10% contingency bringing the amount to \$32,725. **On a motion made by Councilor Miciotto to award the bid to ECM Construction in the amount of \$29,750, with a 10% contingency not to exceed \$32,725, seconded by Councilor Hammond, the motion was approved by a vote of five to zero.**

9. Other

Public Works Director Gibbons advised that Clyde Avenue has three pumps. Two have been rebuilt last year and the third pump has been sent to Pump and Power at this time. He received a quote from Pump and Power to repair the pump in the amount of \$16,978 and Pump and Power is a sole source provider. City Manager Henderson advised that Pump and Power is a sole source provider. **On a motion made by Councilor Miciotto to approve repairing the pump by Pump and Power in the amount of \$16,978 and City Manager Henderson has confirmed Pump and Power is a sole source provider, seconded by Treasurer Carey, the motion was approved by a vote of five to zero.**

Public Comment/General Discussion

Council President Kerr introduced States Attorney Jamie Dykes. Mrs. Dykes stated that she was happy to attend and would like to thank the Fruitland Police Department for all their support.

Leland Bonneville asked about the trash pickup and the Holiday schedule. Council President Kerr advised that Chesapeake provided the schedule. She also suggested to call City Hall or check the website if there is a Holiday involved.

With no further business to discuss, **Councilor Outen made a motion to adjourn at 8:14 p.m., seconded by Treasurer Carey, the motion was approved by a vote of five to zero.**

Raye Ellen Thomas
Raye Ellen Thomas / City Clerk
[Approved, July 13, 2021](#)