

The Fruitland City Council met in Regular Session on Tuesday, July 14, 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, Lennart Elmlund, Brandon Ziska, and Alexis Dashield.

At 6:30 p.m. President Kerr called the Council meeting to order.

President Kerr acknowledged receipt of the minutes of the Regular Meeting of June 8, 2021, and called for additions or corrections. As there were none, **Councilor Outen moved to adopt the minutes as presented; seconded by Councilor Hammond, 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 June, the City recorded \$182,000 of revenues and \$437,000 of expenses for net deficit of \$255,000. Year to date the City has recorded \$9.5 million in revenues and \$8.4 million in expenses for a net surplus of \$1.1 million. **Councilor Outen moved to accept the Treasurer's Report as presented, Councilor Hammond 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 22 part one crimes. 904 Traffic violations and 2586 total calls for the month of June.
- National Night Out will be held on August 3.
- The grant was renewed for the bullet point vest which will cover ½ of 6 vests.

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

- City Manager Henderson advised that Code Enforcement opened 36 cases in the month of June. There have been 151 cases year to date.
- There was 1 rental violation inspection, 36 new rental inspections and 340 year to date.
- The flow issues at WWTP are improving each day.

Public Works Director Gibbons delivered his report.

- The final walk through was done at the Water Plant.
- The panels should be set next week for the Solar project.
- The second round of herbicide should start this week.
- It has been busy with meter readings and water cut offs.

Deputy Treasurer Swift delivered his report.

- Half of the rescue plan funding was received. He is working on determining what the money can be used for.

UNFINISHED BUSINESS

1. **Paid Bills**

President Kerr acknowledged receipt of the paid bill report. **On a motion made by Councilor Hammond and seconded City Council Regular Meeting Minutes 07/13/2021**

by Councilor Miciotto the paid bills were approved by a vote of five to zero.

2. Irl Lane

This matter has been discussed several times by the Council. City Solicitor Mitchell explained the way by which a City may obtain ownership of a road and which methods fit the Irl Lane situation. Following discussion as to whether and where the City may barricade Irl Lane to prevent through traffic, it was determined that a formal Resolution should be presented at the August City Council meeting, by which the City could claim ownership of Irl Lane and deal with ending through traffic on it. **On a motion made by Councilor Outen and seconded by Councilor Miciotto, to direct the City Solicitor to prepare a Resolution claiming ownership of Irl Lane for presentation at the August City Council meeting, and was passed on a vote of five in favor and none opposed.**

PUBLIC HEARING: Ordinance # 302 Amend Zoning Ordinance # 67

City Solicitor Mitchell read Ordinance # 302 which is an Ordinance of the City Council, amending zoning ordinance # 67, section V, by adding language to permit car washes by special exception in the C-4 highway business district and setting criteria for same. There were no questions or comments. **On a motion made by Councilor Miciotto to approve the second reading and public hearing of Ordinance # 302 as read by City Solicitor Mitchell, seconded by Treasurer Carey, the motion was approved by a vote of five to zero.**

NEW BUSINESS

1. Lennart Elmlund on behalf of Fruitland Chamber

Lennart Elmlund approached the Council on behalf of the Fruitland Chamber. He was interested in having businesses come to Fruitland and asked about having FRED (Fruitland Economic Development) reinstated. The Council acknowledged his suggestions.

2. Resolution # 6 Amend General Fund Budget

Deputy Treasurer Swift read Resolution # 6- 2021 which amends the fiscal year 2020 – 2021 General Fund budget. **On a motion made by Treasurer Carey to accept the resolution as read by Deputy Treasurer Swift, seconded by Councilor Hammond, the motion was approved by a vote of five to zero.**

3. Resolution # 7 Amend Utilities Fund Budget

Deputy Treasurer Swift Resolution # 7 – 2021 which amends the fiscal year 2020 – 2021 Utilities Fund budget. **On a motion made by Councilor Hammond to accept the resolution as read by Deputy Treasurer Swift, seconded by Councilor Outen, the motion was approved by a vote of five to zero.**

4. Asphalt Mill and Overlay Contract Approval

Public Works Director Gibbons advised a bid opening was held on June 30th for the asphalt mill and overlay project on Clyde and Dulany Avenues. Chesapeake Paving was the low bidder in the amount of \$106,846.61. Public Works Director Gibbons recommends going with Chesapeake Paving and including 10% contingency bringing the amount to \$117,530. **On a motion made by Councilor Miciotto to accept the bid from Chesapeake Paving in the amount of \$106,846.61, not to exceed \$117,530 including 10% contingency, seconded by Treasurer Carey, the motion was approved by a vote of five to zero.**

5. Backwash Pump Purchase for WWTP

Public Works Director Gibbons advised that the current backwash pump has been in service for 20 years. He would like to purchase a new one. The price is \$6560.00 from C & D Municipal Sales. C & D is a sole source provider and City Manager Henderson confirms that it is. **On a motion made by Councilor Hammond to authorize the purchase of the backwash pump in the amount of \$6560.00 from sole source provider C & D Municipal Sales, seconded by Treasurer Carey, the motion was approved by a vote of five to zero.**

6. Analyzer Purchase for WWTP

Public Works Director Gibbons advised that samples are taken at the plant on Monday, Wednesday, and Fridays. They need to be refrigerated, which is what the analyzer purchase is needed for. He has gotten a price from Hartco Environment in the amount of \$7497.00 and they are a sole source provider. City Manager Henderson confirmed that they are a sole source provider. **On a motion made by Councilor Outen to authorize the purchase of the Analyzer from sole source provider, Hartco Environment, in the amount of \$7497.00, seconded by Councilor Hammond, the motion was approved by a vote of five to zero.**

7. Other

Public Works Director Gibbons advised that he would like to surplus some items to be auctioned off. A few of the items include:

- 30 H.P. Toshiba motor and pump
- 30 H.P. Westinghouse motor and pump
- 2-10 H.P. air compressors
- Tow behind message board
- Golf cart
- JCB backhoe
- Chevrolet dump truck
- Chevrolet pick truck
- International sanitation truck
- 2-Toro zero turn mowers
- 2-Jumping jack soil compactors

Public Works Director Gibbons advised that he would provide a list to the Clerk and there may be additional items added. **On a motion made by Treasurer Carey to accept the list of items for surplus and to be sold at the auction as described by Public Works Director Gibbons, seconded by Councilor Hammond, the motion was approved by a vote of five to zero.**

Councilor Miciotto brought up the discussion of the orchard. He stated that he had been contacted about not being able to water it properly due to the water pressure and asked about an irrigation system. City Manager Henderson and Public Works Director Gibbons advised that they were also made aware of the water pressure, and it would be a significant cost to the City to provide irrigation to the orchard. Suggestions were given on raising the water tank that is currently on the property to obtain more pressure. A lengthy discussion was held on the purpose of the orchard and what UMES had contributed to the project.

Public Comment/General Discussion

Alexis Dashield stated that she was disappointed that the irrigation would not be considered for the orchard.

With no further business to discuss, **Councilor Outen made a motion to adjourn at 7:45 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, August 10, 2021](#)