

The Fruitland City Council met in Regular Session on Tuesday, September 10, 2021, at 6:30 p.m. with the following members present:

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

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

Our guests included: Katherine McAllister and Nancy Wells.

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 August 10, 2021 and called for additions or corrections. As there were none, **Councilor Outen moved to adopt the minutes as presented; seconded by Treasurer Carey, 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 August, the City recorded \$803,836 of revenues and \$438,902 of expenses for a net income of \$364,934. Year to date the City has recorded \$6.5 million in revenues and \$1.5 million in expenses for a net surplus of \$5 million. **Councilor Miciotto 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 24 part one crimes. 851 Traffic violations and 2061 total calls for the month of August.
- Two search warrants were done in the month of August.
- Welcome packets have been distributed to the college students.

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

- Code Enforcement has 287 cases year to date.
- There have been 427 Building Inspections year to date.
- Clyde and Dulany Avenues have been milled and should be paved by the end of the week.
- The museum ramp is 80% complete.
- The Christmas decorations have been ordered.
- The old Y.E.S. gym received its certificate of occupancy today.

**Public Works Director Gibbons** was absent. City Manager Henderson delivered his report.

- Two large storm water tiles on Sharps Point Road have been replaced.
- Four Manholes were replaced and lowered on Dulany Avenue.
- The slip lining of water lines has been completed on Dulany Avenue.
- The City has received a grant from MDE for high performance enhanced nutrient removal.
- Mike Gibbons is obtaining quotes for the street sweeper.
- The auction items after commission netted the City \$27,117.

**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 Hammond and seconded by Councilor Miciotto the paid bills were approved by a vote of five to zero.**
  
2. **Resolution 5-2021**  
City Solicitor Mitchell read the changes that were made to resolution 5-2021 which will adopt a new allocation of sewer capacity policy. Ordinance 234 was passed on April 8, 2008 and it dealt with the limitations of EDU's. Resolution 5-2021 was discussed at the June 8, 2021 Council meeting and sent to the Planning Commission to be discussed. The Planning Commission made general recommendations at its July 27, 2021 meeting. The Council accepted those recommendations, with some modifications and City Solicitor updated resolution 5-2021 and presented it at the September 14<sup>th</sup> Council Meeting. Resolution 5-2021 will go in effect September 14, 2021. **On a motion made by Councilor Outen to approve Resolution 5-2021 as read by City Solicitor Mitchell, seconded by Councilor Miciotto, the motion was approved by a vote of five to zero.**
  
3. **Funds from Auctioned Vehicles**  
Chief Swafford advised that he would like to use the funds from the approved auctioned vehicles to purchase two new Chargers for the Police Department. The staff have test drove vehicles and decided on getting all wheel Dodge Chargers. Chief Swafford has priced the vehicles and found a price from Hertrich of Milford, who has the State Contract. The Chargers will need to be outfitted for the police package by Blue Tech, which is a sole source confirmed by City Manager Henderson. The price to purchase both Chargers and have them outfitted by Blue Tech is \$87,172. Chief Swafford would like to use the \$16,000 from the auctioned vehicles, \$60,000 from capital outlay and \$10,000 from the Breckford Fund. **On a motion made from Councilor Outen to allow Chief Swafford to proceed with the purchase of 2 Dodge Chargers from Hertrich of Milford, who has the State Contract, and both Chargers be outfitted by sole source Blue Tech, not to exceed \$87,172, using funds from the auctioned vehicles, capital outlay and Breckford funds, seconded by Councilor Miciotto, the motion was approved by a vote of five to zero.**

## NEW BUSINESS

1. **607 E. Main Street Preliminary Subdivision Plat**  
City Solicitor Mitchell advised this is a courtesy for the Council to be aware of a subdivision at 607 E. Main Street. On the property is a memorial or grave marker for Buffalo soldier John Wesley Winder and a permanent access easement is to be put in place for it. Councilor Outen asked who will be responsible for the upkeep. City Solicitor Mitchell will ask that the Planning Commission take up that issue.
  
2. **ModWash Car Wash Preliminary Site Plan**  
City Solicitor Mitchell advised this is also a courtesy for the Council to let them know of the ModWash Car Wash preliminary site plan.
  
3. **Other**  
Councilor Miciotto brought up the issue of grass in the sidewalks and who was responsible. The homeowner is responsible for the concrete curb to where it meets the asphalt. Councilor Outen asked about the tall grass in the median by Camden Avenue that State Highway is responsible for. City Manager Henderson will call someone from the State in reference to having it cut. Councilor Outen also asked about mosquito spraying and how often it was done and to have the Public Works Department slow down when spraying.

### Public Comment/General Discussion

Nancy Wells advised that she is new to the area and lives on Nina Lane. She would like to thank the Police Department for the help she received and stated they were amazing. She questioned the length of time the Fire Department response and how she was able to meet her neighbors in the area.

Chief Swafford wanted to let everyone know that the City now has 24-hour 7 day a week dispatching.

Katherine McAllister from GMB let the Council know that 7 residents attended the meeting that was held last night at City Hall in reference to Tuxent Branch easements.

With no further business to discuss, **Councilor Outen made a motion to adjourn at 7:26 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, October 12, 2021](#)