

The Fruitland City Council met in Regular Session at City Hall on Tuesday, April 9, 2019 at 7:30 p.m. with the following members present:

*President Darlene Kerr, Treasurer Ray Carey, Councilor Mark Miciotto 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, Julie Bellamy, Luzettz Jones, Code Enforcement Officer Mark Henderson and Harriett Selleck.*

At 7:30 p.m. President Kerr called the regular Council meeting to order. Council President Kerr led all in Lord's Prayer, and all recited the Pledge of Allegiance.

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

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

**Treasurer Carey delivered** the Treasurer's Report. For March 2019, the City recorded \$120,000 of revenues. The total billed revenues for the fiscal year are \$6 million, including real estate taxes and three quarters of utility billing. The City incurred \$620,000 of expenses for the month. The total expenses for the fiscal year to date are \$6.3 million. The net deficit for the City for the month of March is \$500,000 and the net income for the fiscal year to date is \$341,000. **Councilor Miciotto moved to accept the Treasurer's Report as presented, Councilor Hammond seconded, and the motion passed on a vote of four to zero.**

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

- Code Enforcement closed 34 cases.
- There were 29 part one crimes, 24 cleared and 650 traffic violations in the month of March.
- An auction was held March 9, 2019 and all items were sold. Surplus goods from Police Department yielded \$12,606.90, Unclaimed Property \$4696.12 and other City surplus items \$1274.57.
- Council President Kerr congratulated Chief Swafford for his graduation from the FBI National Academy.
- Reminder of the 9PM routine which includes locking cars/sheds/houses at 9 p.m.
- Chief Swafford thanked the community for all their help and support with Officer Weisberg.
- License Plate reader has enabled the department to apprehend wanted persons.
- Sergeant Kerr has completed Crash Reconstruction School, becoming the first reconstruction officer for the department.
- Chief Swafford also provided all the Council Members with a copy of the annual Police Department report.

**City Manager Psota** delivered his report.

- The Easter Parade was Saturday, April 6<sup>th</sup>, and had a great turnout.
- Following the parade was an Easter Egg hunt, assisted by All Community Church volunteers.
- Little League Parade is the week after the Easter Parade, April 13<sup>th</sup> starting at 8:30 a.m.
- The City received a certificate of appreciation at a ceremony held on March 18<sup>th</sup>, at UMES for the Well Connected Communities.
- Please take time to read the annual Police Department report as it is very worthy of attention.

**Deputy Treasurer Swift** had nothing to report.

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

- The complaint about Park Avenue drainage from last Council Meeting has been resolved.
- The ISO report from the testing of the fire hydrants is back and it is rated a 3, which is good, due to the new water tower.
- Clyde Avenue pump has been installed.

## **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 Hammond, the paid bills were approved by a vote of four to zero.**

### **2. Colonial Village/Unbuildable Lots Update**

City Solicitor Mitchell advised that the Homeowners Association for Colonial Village has still not responded regarding the Memorandum of Agreement.

### **3. Fruitland Water Tower Bill of Sale**

City Manager Psota advised that the bill of sale and the easements are completed at this time.

### **4. MDE Water Treatment Plant Well Upgrade Application Update**

City Manager Psota advised that, as discussed at last Council Meeting, the language should be changed regarding the responsibility of area resident's wells which are in the manokin aquifer. City Solicitor Mitchell and Katherine McAllister have worked together on the proposed language. Katherine advised that a requested revision has been sent to MDE asking that the City only be responsible for any wells in a one-mile radius and only for two years. Testing the wells in this area to find a baseline was also included. There are eleven wells in the area and the testing would be completed at the City's expense. Katherine is awaiting MDE's response.

### **5. Cedar Commons/Brown Street**

City Solicitor Mitchell advised that the City had looked favorably on a request by Amber Ridge LLC II, Chris Gilkerson, to purchase all remaining lots, without being required by the City to complete North Brown Street, which had been presented in March. The Council had then requested additional information, such as whether the City owns North Brown Street (It was determined that the City does), whether storm water management would be adversely affected (both Katherine McAllister from GMB and Public Works Director Gibbons advised that by not completing the paving it would not), and the issues of removing the curb cut and grading /seeding the area with some sort of closure at the end of the street. Public Works Director Gibbons reported on how the street would be closed from St. Luke's Road and the signs that would be needed for the Cedar Avenue side. He also advised that the work could be completed on North Brown Street under \$20,000. **On a motion made by Councilor Miciotto to follow the recommendations set forth by City Solicitor Mitchell and Public Works Director Gibbons and to amend the Public Works Agreement regarding Brown Street, seconded by Treasurer Carey, the motion was approved by a vote of four to zero.**

## **NEW BUSINESS**

### **1. Code Enforcement Property Maintenance Changes**

Code Enforcement Officer Henderson provided the Council with changes that he would like to correct in the current property maintenance Ordinance 287. Some changes include fines and fees describing what they are and who they are issued to along with the amounts. The demolition section would be reworded; the word “weeds” will be replaced with “vegetation”, and in the rubbish and garbage section, the word “refrigerator” would be replaced with “household equipment, appliances and indoor furniture”. City Manager Psota asked if there was a way to include shopping carts into the changes, Code Enforcement Henderson advised that he did not think so as he has reviewed other Municipalities regarding shopping carts and it is a separate ordinance. City Solicitor Mitchell advised that this could be counted as a first reading, whereby a Public Hearing was scheduled for May 14, 7:40 p.m. at the next Council Meeting.

### **Public Comment/General Discussion**

Harriett Selleck asked about Bennett Middle School. She had heard that the school population has outgrown the building and she wanted to know if the school was going to add on. She was advised to contact the Board of Education or the County Executive Office. Ms. Selleck also asked about the sewer system in Houlihan’s trailer park and who was responsible for certain repairs. City Solicitor Mitchell advised her to check her lease agreement and to check with Houlihan’s.

Alexis Dashield advised that on May 10, 2019 there will be a birthday celebration for Mary Gladys Jones from 5 p.m. – 7 p.m. at the Hampton Inn.

**With no further business to discuss, Councilor Miciotto made a motion to adjourn at 8:46 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, May 14, 2019](#)