



FRUITLAND PARK CITY COMMISSION REGULAR MEETING AGENDA

March 12, 2015

City Hall Commission Chambers
506 W. Berckman Street
Fruitland Park, FL 34731

7:00 p.m.

- 1. CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE**
Reverend Dennis R. Langford, Senior, Covenant Life Church of God – Invocation

Interim Police Chief Lieutenant Dennis Cutter - Pledge of Allegiance
- 2. ROLL CALL**
- 3. PROCLAMATION – March 2014 *Irish Heritage Month*** (city clerk)
- 4. PRESENTATIONS**
 - (a) February 14, 2015 5K Love Run Special Presentation** (parks and recreation director)
Special presentation from the City of Fruitland Park to Beyond the Walls Ministry Food Pantry for \$7,379.84 as a result of proceeds raised at the February 14, 2015 “5k Love Run”.
 - (b) “Trick-or-Trot” Presentation** (parks and recreation director)
Presentation by Ms. Amanda Quinn, Fruitland Park Elementary School liaison, regarding the establishment of a partnership involving fundraising activities for October 31, 2015 5k Trick-or-Trot event.
- 5. PUBLIC COMMENTS**
This section is reserved for members of the public to bring up matters of concern or opportunities for praise. Issues brought up may be discussed by the City of Fruitland Park Commission at this meeting as they have not been posted for consideration. Issues may either be referred to the proper staff for consideration or brought up at a future meeting. Comments are limited to three (3) minutes unless otherwise permitted pursuant to City Resolution 2013-023. (Resolution 2013-023 and 286.0114, F.S.)
- 6. CONSENT AGENDA**
Items placed on the Consent Agenda are considered routine business and shall all be considered and acted on as one item. Any Commissioner may request that any item in the consent agenda be removed and placed on the regular agenda for discussion and possible action as a separate item.

Approval of Minutes (city clerk)
February 12, 2015 regular meeting.

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7. REGULAR AGENDA

- (a) Boards/Committees Lake County Arts and Cultural Alliance** (city manager)

Discussion regarding the recommendation to the Lake County Board of County Commissioners on the selection of an individual to serve on the Lake County Arts and Cultural Alliance as a representative of the City of Fruitland Park for a one-year term commencing July 31, 2015.

- (b) Parks and Recreation** (parks and recreation director)

i. Movie Night Report

Discussion on movie night for May 8, 2015 featuring "Big Hero Fix". (Sponsored by Southern Cart Works LLC and Egner's Exterior Cleaning Inc.)

ii. Fruitland Park Day Status Update

Status update report regarding the April 11, 2015 Fruitland Park Day.

iii. May 2015, National Water Safety Month "Water Safety Day"

Status update report on planned activities relating to "Water Safety Day".

iv. Spring Break Camp Report

Informational report regarding the 2015 Spring Break camp.

- (c) City Auditor Report** (city treasurer)

Report on budget funding report by Mr. W. Chet Ross, Shumacker, Johnston & Ross, P.A.

- (d) First Reading – Ordinance 2015-001 – Rezoning – CR 466A and West of Josephine Drive** (community development director)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE BOUNDARIES OF THE CITY OF FRUITLAND PARK FLORIDA, IN ACCORDANCE WITH THE PROCEDURE SET FORTH IN SECTION 171.044, FLORIDA STATUTES, TO INCLUDE WITHIN THE CITY LIMITS APPROXIMATELY 45 ± ACRES OF LAND GENERALLY LOCATED SOUTH OF CR 466A AND WEST OF LAKE JOSEPHINE DRIVE; REZONING THE PROPERTY FROM LAKE COUNTY "AG" (AGRICULTURE) TO GENERAL COMMERCIAL (C-2) WITHIN THE CITY LIMITS OF FRUITLAND PARK; DIRECTING THE CITY MANAGER TO PROVIDE CERTIFIED COPIES OF THIS ORDINANCE AFTER

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APPROVAL TO THE CLERK OF THE CIRCUIT COURT, THE LAKE COUNTY MANAGER AND THE SECRETARY OF STATE OF THE STATE OF FLORIDA; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. (The second reading will be held on March 26, 2015.)

8. NEW BUSINESS

9. OFFICERS' REPORTS

(a) City Manager

(b) City Attorney

10. COMMISSIONERS' COMMENTS

(a) Commissioner Ranize

(b) Commissioner Lewis

(c) Vice Mayor Cheshire

(d) Commissioner Gunter, Jr.

11. MAYOR'S COMMENTS

12. ADJOURNMENT

DATES TO REMEMBER

Please note that in addition to the city commission meetings, more than one city commissioner may be present at the above-mentioned events.

March 13, 2015, FLC/LCLC University Ethics Course for Elected Municipal Officers, Lake Receptions, 4425 N Highway 19-A, Mount Dora, FL 32757 at 9:30 a.m.

March 17 and 19, 2015, City Commission Workshops at 6:00 p.m.

March 21, 2015, Fruitland Park Cleanup Day

March 25, 2015, Lake -Sumter MPO Governing Board, MPO Board Room, 1616 South 14 Street, Leesburg, Florida 34748 at 2:00 p.m.

March 26, 2015, Regular City Commission Meeting at 7:00 p.m.

April 3, 2015, *Get to Know Your MPO*, 1616 South 14 Street, Leesburg, 11:00 a.m.

April 9, 2015, Regular City Commission Meeting – 7:00 p.m.

April 10, 2015, Central Florida MPO Alliance, MetroPlan Orlando, David L. Grovdahl Board Room, 315 E Robinson St, #355, Orlando, FL 32801 at 10:00 a.m.

April 11, 2015, Fruitland Park Day (“the day we celebrate our founders”), TBA

April 22, 2015, Lake-Sumter MPO Governing Board, 1616 S 14 St (US 27), Leesburg, FL 34748 at 2:00 p.m.

April 24, 2015, Regular City Commission Meeting – 7:00 p.m.

Any person requiring a special accommodation at this meeting because of disability or physical impairment should contact the City Clerk's Office at City Hall (352) 360-6727 at least forty-eight (48) hours prior to the meeting. (§286.26 F.S.)

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If a person decides to appeal any decision made by the City of Fruitland Park with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The city does not provide verbatim records. (§286.0105, F.S.)

PLEASE TURN OFF ELECTRONIC DEVICES OR PLACE IN VIBRATE MODE.



AGENDA ITEM NUMBER 3

AGENDA ITEM SUMMARY SHEET

ITEM TITLE:	Proclamation			
For the Meeting of:	March 12, 2015			
Submitted by:	Esther Coulson, City Clerk			
Date Submitted:	February 3, 2015			
Are Funds Required:		Yes	X	No
Account Number:	N/A			
Amount Required:	N/A			
Balance Remaining:	N/A			
Attachments:	Proclamation "Irish-American Month" March 2015			
<p>Description of Item: On behalf of the City of Fruitland Park City Commission, a proclamation will be submitted to Mr. Patrick V. Kennedy, Ancient Order of Hibernians in America and Irish-American Heritage Committee Chairman, honoring the leadership and service of Irish-Americans in the community.</p> <p>Across the State of Florida, the Ancient Order of Hibernians and other Irish organizations will be conducting parades, celebrations and cultural events including the Lake County Division in The Villages.</p>				
Action to be Taken: None.				
Staff's Recommendation: N/A				
Additional Comments: None.				

Reviewed by: _____
City Manager

Authorized to be placed on the Regular agenda: _____
Mayor



Proclamation

WHEREAS, by 1776 nearly 300,000 Irish nationals had emigrated to the American colonies and played a crucial role in America's war for independence; and

WHEREAS, five signers of the Declaration of Independence were of Irish descent and three signers were Irish born; and

WHEREAS, Irish-Americans helped to fashion a system of government for our young nation including twenty-two presidents who have proudly proclaimed their Irish-American heritage; and

WHEREAS, the Irish first came to Spanish "*La Florida*" in the 1500s first as missionaries and mercenary soldiers and then as planters, traders, businessmen, doctors and administrators where three of the Spanish governors of "*La Florida*" were Irish military officers; and

WHEREAS, Father Richard Arthur, an Irish-born priest from Limerick who was appointed parish priest for St. Augustine in 1597 and ecclesiastical judge of "*La Florida*," established the first public school in America and opened it to both boys and girls of all races; and

WHEREAS, in 1792 Irish-born James Hoban provided the architectural plans for the White House and served as one of the supervising architects for the construction of the Capitol; and

WHEREAS, Commodore John Barry fought the last sea battle of the American Revolution off the coast of Florida; in 1813, Captain Oliver Perry, an Irish-American, achieved a major naval victory in the Battle of Lake Erie, and in 1942, the 5 Sullivan brothers made the ultimate sacrifice for democracy and freedom during the Naval Battle of Guadalcanal and later had the Destroyer USS Sullivan commissioned in their memory; and

WHEREAS, Irish-born Commodore John Barry was recognized by the United States Congress in September of 2002 as the "First Flag Officer of the United States Navy" and Andrew Jackson, whose family came from County Antrim, served as Florida's military governor following its acquisition by the United States; and;

WHEREAS, Irish-Americans, since America's inception, have provided and continue to provide leadership and service to this nation's political, business and religious establishments; and

WHEREAS, it is fitting and proper to celebrate the rich cultural heritage and the many valuable contributions of Irish-Americans

Now, therefore, be it proclaimed that I "Christopher J. Bell, Mayor of the City of Fruitland Park, Florida", on behalf of the city commissioners, do hereby proclaim the month of March 2015 as *Irish-American Heritage Month* in recognition of the long history of Irish-American contributions to the State of Florida. Proclaimed this 12th day of March, 2015.

Christopher J. Bell, Mayor

Attest:

Esther Coulson, City Clerk



**AGENDA ITEM
NUMBER**

4a

AGENDA ITEM SUMMARY SHEET

ITEM TITLE:	February 14, 2015 5k Love Run Special Presentation		
For the Meeting of:	March 12, 2015		
Submitted by:	Michelle Yoder, Parks and Recreation Director		
Date Submitted:	March 4, 2015		
Are Funds Required:		Yes	X No
Account Number:	N/A		
Amount Required:	N/A		
Balance Remaining:	N/A		
Attachments:			
Description of Item:			
<p>Special presentation from the City of Fruitland Park to Beyond the Walls Ministry Food Pantry for \$7,379.84 as a result of proceeds raised at the February 14, 2015 "5k Love Run".</p>			
Action to be Taken: None.			
Staff's Recommendation: N/A			
Additional Comments: None.			

Reviewed by: _____
City Manager

Authorized to be placed on the Regular agenda: _____
Mayor



**AGENDA ITEM
NUMBER
4b**

AGENDA ITEM SUMMARY SHEET

ITEM TITLE:	“Trick-or-Trot” Presentation		
For the Meeting of:	March 12, 2015		
Submitted by:	Michelle Yoder, Parks and Recreation Director		
Date Submitted:	March 4, 2015		
Are Funds Required:		Yes	X No
Account Number:	N/A		
Amount Required:	N/A		
Balance Remaining:	N/A		
Attachments:			
Description of Item:	Presentation by Ms. Amanda Quinn, Fruitland Park Elementary School liaison, regarding the establishment of a partnership involving fundraising activities for October 31, 2015 5k Trick-or-Trot event.		
Action to be Taken:	None.		
Staff’s Recommendation:	N/A		
Additional Comments:	None.		

Reviewed by: _____
City Manager

Authorized to be placed on the Regular agenda: _____
Mayor



**AGENDA ITEM
NUMBER
5**

AGENDA ITEM SUMMARY SHEET

ITEM TITLE:	Local Planning Agency		
For the Meeting of:	March 12, 2015		
Submitted by:	Esther Coulson, City Clerk		
Date Submitted:	March 6, 2015		
Are Funds Required:		Yes	No
Account Number:	N/A		
Amount Required:	N/A		
Balance Remaining:	N/A		
Attachments:	Yes agenda forthcoming		
Description of Items:			
As soon as practical, recess to the Local Planning Agency Meeting at 6:30 p.m.			
Action to be Taken: None.			
Staff's Recommendation: None.			
Additional Comments: None.			

Reviewed by: _____
City Manager

Authorized to be placed on the Regular agenda: _____
Mayor



AGENDA ITEM NUMBER 6

AGENDA ITEM SUMMARY SHEET

ITEM TITLE:	Public Comments		
For the Meeting of:	March 12, 2015		
Submitted by:	Esther Coulson, City Clerk		
Date Submitted:	March 3, 2014		
Are Funds Required:		Yes	X No
Account Number:	N/A		
Amount Required:	N/A		
Balance Remaining:	N/A		
Attachments:	None		
Description of Item:			
Action to be Taken:			
Staff's Recommendation:			
Additional Comments:			

Reviewed by: _____
City Manager

Authorized to be placed on the Regular agenda: _____
Mayor



AGENDA ITEM NUMBER 7

AGENDA ITEM SUMMARY SHEET

ITEM TITLE:	Regular Commission Meeting Minutes		
For the Meeting of:	March 12, 2015		
Submitted by:	Esther Coulson, City Clerk		
Date Submitted:	March 4, 2015		
Are Funds Required:		Yes	X No
Account Number:	N/A		
Amount Required:	N/A		
Balance Remaining:	N/A		
Attachments:	Draft Regular City Commission Meeting Minutes		
Description of Item: Consideration and approval of the February 12, 2015 regular city commission draft meeting minutes.			
Action to be Taken: Approve as submitted.			
Staff's Recommendation: Approval, if there are no amendments or corrections by the city commission.			
Additional Comments:			

Reviewed by: _____
City Manager

Authorized to be placed on the Regular agenda: _____
Mayor

**FRUITLAND PARK CITY COMMISSION REGULAR MEETING
MINUTES
February 12, 2015**

A regular meeting of the Fruitland Park City Commission was held at 506 W. Berckman Street, Fruitland Park, Florida 34731 on Thursday, February 22, 2015 at 7:00 p.m.

Members Present: Mayor Christopher Bell, Vice Mayor Christopher Cheshire, Commissioners John L. Gunter, Jr., Ray Lewis and Rick Ranize.

Also Present: City Manager Gary La Venia, City Attorney Scott Gerken, City Treasurer Tannette Gayle, Police Chief Terry Isaacs and Lieutenant Dennis Cutter, Police Department; Lieutenant George Hernandez, Tim Yoder, Fire Department; Community Development Director Charlie Rector; Parks and Recreation Director Michelle Yoder; Public Works Director Dale Bogle, and City Clerk Esther B. Coulson.

1. **CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE** – 7:03 p.m.
Mayor Bell called the meeting to order at 7:03 p.m.

Before Associate Pastor Chris Jones, Community United Methodist Church, gave the invocation and at Mayor Bell's request, he reported that more than 3,500 people attended the February 7, 2015 Winterfest event which was a success.

Police Chief Terry Isaacs led in the Pledge of Allegiance to the Flag.

2. **ROLL CALL**
At Mayor Bell's request, Ms. Coulson called the roll and a quorum was declared present.

SPECIAL PRESENTATIONS

- **Certificates of Completion – 2015 IEMO (January 23-25, 2015)**

On behalf of the city commission, Mayor Bell presented to Commissioners Ray Lewis and Rick Ranize Certificates of Completion for the 2015 Institute for Elected Municipal Officials (IEMO) that was held on January 23 to 25, 2015 in Jacksonville, Florida and read into the record letters dated February 5, 2015 from the Florida League of Cities recognizing the awards in question; copies of which are filed with the supplemental papers to the minutes of this meeting.

Commissioners Lewis and Ranize thanked the commission for the recognition.

- **MPO's Horizon Awards**

Mayor Bell referred to the January 28, 2015 Lake-Sumter Metropolitan Planning Organization's (MPO's) Eight Annual Awards Dinner and recognized that in addition to the City of Fruitland Park being honored for *Small Municipality* category "CR 466A Partnership with Lake County and the Villages", he pointed out the following:

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- photographs honoring the elected officials present;
- January 28, 2015 letter from Florida District 10 Congressman Daniel Webster congratulating the city and acknowledging its contributions to the community which was read into the record (copy of same is filed with the supplemental papers to the minutes of this meeting);
- February 10, 2015 The Villages Daily Sun article *Planning our Growth*; a copy of which is filed with the supplemental papers to the minutes of this meeting;
- 2009 award presented at the MPO's Horizon event for *Small Municipality* category *City Commission Elected Official Participation*, and
- an invitation to an event sponsored by the MPO *Get to Know Your MPO* on Friday, February 20, 2015 at 11:00 a.m., 1616 South 14 Street, Leesburg; a copy of which is filed with the supplemental papers to the minutes of this meeting.

3. PUBLIC COMMENTS

- Scholarship

Mr. Myron Wade, Lake County resident, thanked the city commission for the partial scholarship that he received; explained how it has impacted his life; and mentioned the ability for him to attend school this semester under the "Veterans Readjustment Educational Program".

The city commission extended congratulations.

- Rails-to-Trails Program

Mr. John Schaller, City of Fruitland Park's Planning and Zoning Chairperson and Lake-Sumter Metropolitan Planning Organization Citizens' Advisory Committee MPO CAC member, referred to discussions at the February 16, 2015 CAC meeting regarding new funding available for the Rails-to-Trails program; mentioned the State of Florida Department of Transportation's support of same, and noted the submittal of the first application in 2009 in this regard which did not materialize.

Mr. Schaller addressed the timeline before March 2015 for the city to respond to the MPO and resubmit a new application to help CAC start the process, reevaluate the change to the city's existing rails into the trails and complete same as part of the public enjoyment in walking and observing nature and putting the review of another actual rail bed to some use.

After discussion, Mr. Schaller conveyed the CAC's interest to work with the city; recognized the state's involvement on the expansion of the subject project to which Mayor Bell referred to his previous conversations with Mr. T. J. Fish, MPO Executive Director, when the City of Leesburg connected to the Town of Lady

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Lake and relayed the review of a shorter rail system connecting the main line to Lake Griffin State Park which have benefits that the city could review.

After Mr. Schaller noted the MPO's involvement and the number of times meetings are held and his pleasure in serving as a representative for the city, Mayor Bell thanked him for his additional service for 19 years on the city's Planning and Zoning Board.

Mr. La Venia explained in response to Commissioner Gunter's comments that he will make an inquiry to Mr. Fish regarding the review of the original application submitted to the city.

4. CONSENT AGENDA

Approval of Minutes

On motion of Commissioner Ranize, seconded by Vice Mayor Cheshire and unanimously carried, the city commission approved the January 22, 2015 regular meeting minutes as submitted.

5. REGULAR AGENDA

(a) NG9-1-1 System – Lake County ILA (city manager)

The city commission considered its action to approve an interlocal agreement with Lake County and the City of Fruitland Park regarding the NG 9-1-1 System by Lake County Circuit Inspector General Division.

After much discussion, and **on motion of Commissioner Lewis, seconded by Commissioner Ranize and unanimously carried, the city commission approved the interlocal agreement as previously cited.**

(b) Artist Rendering - Gardenia Park Racquet Ball Court - Spring Break Art Camp

After discussion, Mayor Bell suggested that the one-week Spring-Break Art Camp with ten art students to paint murals at Gardenia Park's racquet ball court be postponed in order for Ms. Yoder to review the comments from the city commission with Mr. La Venia.

Following considerable discussion, and **on motion of Commissioner Ranize, seconded by Vice Mayor Cheshire, and unanimously carried, the city commission approved not to proceed with the painting of the murals at Gardenia Park's outside wall at the racquet ball court.**

(c) Police Vehicle Sale

After Mr. La Venia gave a background information on request to approval the sale of a black 2008 Chevrolet Impala, VIN 2G1WC583789233932, and **on motion**

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made by Commissioner Lewis, seconded by Vice Mayor Cheshire and unanimously carried, the city commission approved the sale of the vehicle by auction.

(d) The Villages of Fruitland Park Final Plat

Mr. Rector described the current status and approval process of the following projects relating to acceptance of The Villages of Fruitland Park Final plat which have been reviewed by the city attorney, engineer, public works and community development departments; anticipated that after the city commission's action at this evening's meeting, permits would be obtained by March 1, 2015, and noted the responsibilities of road maintenance by The Villages:

- a. Jackson Villas,
- b. Leo Villas, and
- c. Unit 27

Mr. Rector anticipated the software program to be in place by the last week of the month whereby the Villages IT department is working closely with the community development department and relayed the Planning and Zoning Board's recommendation of approval on the respective plat.

Following further discussion and **a motion was made by Vice Mayor Cheshire and seconded by Commissioner Gunter that that the city commission approve the projects as previously cited.**

Whereupon Mayor Bell called for a roll call vote and declared the motion carried unanimously.

6. NEW BUSINESS

There was no new business to come before the city commission at this time.

7. OFFICERS' REPORTS

(a) City Manager

i. Fire Chief

Mr. La Venia explained that former Fire Chief Steve Whitaker has resigned; mentioned his appointment of George Fernandez noting his credentials and his confidence in him, and acknowledged him at this evening's meeting.

The city commission welcomed the new Fire Chief Fernandez to the meeting.

ii. Water and Wastewater Treatment Plant Agreement

Mr. La Venia referred to his recent meeting with Messrs. Rector, Bogle and the Town of Lady Lake staff regarding the Wastewater Treatment

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Plant Reservation and Bulk Treatment Agreement; conveyed the changes recommended to be presented before the town commission for consideration, and addressed his intent to bring back the agreement at a future meeting for review.

iii. Potential Traffic Signal - CR 468 and CR 466A

Mr. La Venia referred to a telephone call received earlier this day from Metro Consulting Group, who contracts with Lake County, to conduct a traffic study and a visual traffic count during peak hours on police issues, and traffic turning pattern to determine whether a traffic signal is warranted on the intersection of CR 468 and 466A. He addressed the plan to meet with the group by the next week and addressed his desire to speak with Chief Isaacs and Mr. Bogle on the issues in question.

iii. IT Contract

Mr. La Venia explained that staff is still working on quotes relating to the IT contract.

iv. Phone System/Internet Provider

Mr. La Venia addressed the ability to backup the limited phone network system that exists in the city; referred to the quote received from CenturyLink for a phone system at an additional \$2,500 a month, and recommended taking the next step of utilizing the Voice over Internet Protocol system where the telephones would be leased with Xfinity® Comcast Business as the city's internet service provider. He explained that funds exist in the budget and identified the departments who would be covered in the annual agreement for \$460 a month.

After discussion and **on motion of Commissioner Lewis, seconded by Commissioner Ranize and unanimously carried, the city commission approved the city manager's recommendation to approve changing the city's existing internet service provider to Xfinity® Comcast Business Service.**

v. Records Management - Server Upgrade

Mr. La Venia addressed the need to upgrade the current server for the city's records management program; relayed Ms. Gayle's statements that she communicated with Mr. W. Chet Ross, Shumacker, Johnston & Ross, P.A., the city's auditor, who determined that the server met the criteria for purchase with capital improvement program (CIP) funds.

Mr. La Venia recognized an old CIP account, separate from the regular CIP, which has an estimated amount of \$30,000 in unused funds which could be utilized to upgrade the server for approximately \$12,000 and

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other city computers which need upgrading for about \$1,200. He addressed his intent to provide more information at the next meeting.

vi. Leadership Lake County

Mr. La Venia reported on the educational portion of the February 11, 2015 Leadership Lake County program where a tour took place at Lake Hills School accommodating students with special needs and disabilities and the visit to Tavares High School and the students' food services program.

vii. City Events

Mr. La Venia announced that the 5K Love Run will take place on February 14 and indicated that staff will be advertising the March 21, 2015 Cleanup Day whereby arrangements will be made to meet with Mr. Bogle and Ms. Yoder on plans to cleanup public and private lands and address the availability of dumpsters.

After discussion, Mr. Bogle mentioned his intent to find out the availability of a hazardous materials container for the event.

(b) City Attorney

i. Invocation Policy

Mr. Gerken explained that a draft of the invocation policy is available which he will circulate to the city commission before it is considered as an agenda item.

ii. Fruitland Park Library Expansion

Mr. Gerken referred to the comments addressed at the January 22, 2015 regular meeting regarding the delay of the Fruitland Park Library expansion and the definition and meeting the grant requirements.

Mr. Gerken noted that Mr. Rector has prepared a Request for Qualification (RFQ) relating to the library's design-built to be obtained from Mr. Duane K. Booth, Booth Ern Straughan & Hiott Inc (BESH); stated that there are some certifications needed by the city, and referred to discussions that were held between Messrs. La Venia and Booth where information would be in place for the proposals to be submitted.

In referring to the library grant application documents (the interlocal agreements with the county), Mr. Gerken confirmed that the dates are well within thresholds, and suggested that Mr. La Venia or Fruitland Park Library Director JoAnn Glendinning send a letter to the Lake County impact fee coordinator to ensure that the dates are in time for the grant requirements.

iii. Police and Fire Fees

Mr. Gerken referred to the update he gave, previously provided to the city commission, regarding the Police and Fire Service Fees Refunds Class-Action settlement; relayed the court's requirements for the city to send additional notices which will be submitted, and outlined the process worked on by Mr. Greg Stewart, Nabors, Gilbin & Nickerson, attorney retained by the city, on the list of individuals for distribution with the participants' agreement and the court's concurrence. He stated that the city can go with the theme "to be done and to be fair to move this along".

Mr. Gerken pointed out the false allegation made that he did not attend a hearing in 2014. He confirmed his attendance at the settlement hearing; stated his willingness to share such information with anyone who have any questions, and anticipated that the issue is complete as does not want to hear anything more about the issue and do not want integrity questioned as it was upsetting; thus, he does not want that to be made a bigger issue than needs to be.

iv. Resignation

Mr. Gerken gave reasons why he believes the time has come for him to step down as city attorney for more than 13 years; felt that the city is heading in the right path and pointed out what he has read and rumblings he has heard on some of the commissioners' desire for him to leave.

Mr. Gerken referred to the 30-day notice provision in his contract; gave his reassurance that he will not leave staff in a lurch, and indicated that pending projects would be taken care of. He addressed his willingness to work with his successor ensuring that they are kept apprised. He requested that the city move forward with a positive direction and leave the dark times in recent years behind.

Mayor Bell, in response, referred to this day's Daily Commercial newspaper article by Mr. Steve Fussell, Fruitland Park News and Daily Commercial writer, entitled: *City May Look for New Attorney* and requested Mr. Gerken's reconsideration and the city commission's vote of support if he is willing to see the city through as long as the commission would like. (A copy of the article is filed with the supplemental papers to the minutes of this meeting.)

8. COMMISSIONERS' COMMENTS

At Commissioner Ranize' request, Mayor Bell agreed for the following item to be taken out of order on this evening's agenda.

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(d) Commissioner Ranize

Commissioner Ranize pointed out the recent IEMO program that he attended; referred to the Daily Commercial newspaper article, and relayed the telephone discussions he had initially received from Mr. Fussell – who he had already received input from two city commissioners on replacing the city attorney. Commissioner Ranize cited his comments on the violation of the sunshine law and indicated that he contacted a mutual friend and personal attorney Charles “Chuck” Johnson who advised him that ‘the first bite of the apple had already been bitten’. Commissioner Ranize gave reasons why it was wrong in placing the issue in the press; stated that he was also approached about the recent television story relating to the city, and relayed his response that he would not entertain the matter. He conveyed his concerns to Messrs. La Venia and Rector and apologized for the article that went out. Commissioner Ranize expressed his displeasure before Mr. La Venia on the comments in the Daily Commercial which he refuted were his statements; noted the billing issues he has with Mr. Gerken, and the options he had to deal with same.

(a) Vice Mayor Cheshire

Vice Mayor Cheshire expressed concerns on the Daily Commercial newspaper article and Mr. Fussell’s information regarding this evening’s meeting. Vice Mayor Cheshire referred to his conversations with Mr. Gerken earlier this day; explained that he never questioned his integrity, and mentioned his statements to him why he believed it was a bad time to resign and that he ought to allow his contract to end in October 2015.

Vice Mayor Cheshire recognized the comparable attorneys’ fees; relayed his remarks he had with Mr. La Venia regarding the some of the problems that could have been rectified, and recalled the city commission’s action on the initial police and fire fee issue noting the commission’s responsibility on taking the attorney’s advice who was hesitant to proceed on the issue.

(b) Commissioner Gunter Jr.

Commissioner Gunter expressed his preference for Mr. Gerken to remain until October 2015.

Commissioner Gunter reported on the well-attended recent Winterfest event held by the Community United Methodist Church.

With respect to the forthcoming city commission workshops, Commissioner Gunter requested that Mr. La Venia include addressing the redistricting prior to the 2016 General election.

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(c) **Commissioner Lewis**

Earlier in the meeting, Commissioner Lewis gave his recollection of events when the police and fire fees were addressed before the city commission. He mentioned his review of voice transcripts on Mr. Gerken's remarks made at previous city commission meetings on what could have been implemented to avoid the situation, relayed his comments at subsequent meetings on what transpired at the settlement hearing, and his statements that he was not in attendance. Mr. Lewis explained that he has lost confidence in the legal opinion provided and the strategy designed after the settlement hearing, and that he accepts Mr. Gerken's resignation.

Later in the meeting, Commissioner Lewis explained that it appears that he was questioning Mr. Gerken's integrity which was not intended, he was addressing the quality of the advice and the role that he served to which Mayor Bell cited reasons in disagreement.

9. MAYOR'S COMMENTS

Earlier in the meeting, Mayor Bell expressed his disappointment on the story that appeared in the Daily Commercial.

Later in the meeting, Mayor Bell voiced his concurrence with Commissioner Gunter's statements and stated that during the stressful last few years, Mr. Gerken's integrity has never been of question. He explained how the city commission ultimately voted to proceed with the fees against the city attorney's advice.

Mayor Bell expressed preference for Mr. Gerken to remain during the present period and agreed with Vice Mayor Cheshire's remarks regarding the salary.

Dates To Remember

Mayor Bell noted the following:

- February 14, 2015 5k Love Run and encouraged everyone to participate.
- Mr. La Venia and himself will be travelling to Tallahassee on February 17 and 18, 2015; requested for an informational flyer prepared by staff to present to the individuals he will be meeting with, anticipating that it will be productive in reaping funds for CR 466A roadway project.
- The February 20, 2015, FLC 2015 Regional Summit Series: *What Every Municipal Official Needs to Know: Risk Management and Liability*, in Winter Park, whereby Commissioner Lewis plans to be in attendance.
- the March 17 and 19, 2015 city commission workshops will be held at 6:00 p.m.

Fruitland Park City Commission Meeting Minutes

February 12, 2015

Page 10 of 10

- March 21, 2015 Cleanup Day.
- Fruitland Park Day on April 11, 2015 where Ms. Yoder will provide more information at the next meeting.
- Community Service Awards cut-off date will be February 20, 2015.

10. ADJOURNMENT

There being no further business to come before the city commission at this time, on motion made, second and unanimously carried, the meeting adjourned 8:35 p.m.

The minutes were approved at the March 12, 2015 regular meeting.

Signed _____
Esther B. Coulson, City Clerk

Signed _____
Christopher Bell, Mayor



**AGENDA ITEM
NUMBER**

8a

AGENDA ITEM SUMMARY SHEET

ITEM TITLE:	Arts and Cultural Alliance Discussion		
For the Meeting of:	March 12, 2015		
Submitted by:	Gary La Venia, City Manager		
Date Submitted:	March 2, 2015		
Are Funds Required:		Yes	No
Account Number:	N/A		
Amount Required:	N/A		
Balance Remaining:	N/A		
Attachments:	Application		
Description of Items:			
Discussion regarding the recommendation to the Lake County Board of County Commissioners on the selection of an individual to serve on the Lake County Arts and Cultural Alliance as a representative of the City of Fruitland Park for a one-year term commencing July 31, 2015.			
Action to be Taken: None.			
Staff's Recommendation: None.			
Additional Comments: None.			

Reviewed by: _____
City Manager

Authorized to be placed on the Regular agenda: _____
Mayor

**BOARD/COMMITTEE
GENERAL APPLICATION**

Mr. Ms. Name: _____ Date: _____

Home Mailing Address: _____

Home Physical Address: _____

County of Residence: _____ Home Phone: _____

E-mail Address: _____

Education: _____

Business (Name and Type): _____

Business Address: _____

Business Phone: _____ Position: _____

Training, experience or qualifications related to board/committee to which appointment is sought:

State reasons you are interested in appointment which is sought:

Do you **currently** serve on a Fruitland Park or Lake County board/committee?

Yes No *If yes, please identify each board/committee:*

Have you served on a Fruitland Park or Lake County board/committee **in the past**?

Yes No *If yes, please identify each board/committee:*

Name of Board/Committee:

Dates Served:

_____	_____
_____	_____
_____	_____

Do you currently work for an entity or agency that either receives funding from, or has a contract with the County to perform services?

Yes No *If yes, please identify the entity or agency:*

Are you, your spouse or children, currently an officer, director, or partner in any entity or agency that receives funding from, or has a contract with, the County?

Yes No *If yes, please identify the entity or agency:*

Please check board(s)/committee(s) that interest you at this time:

- Affordable Housing Advisory Committee
 - Arts and Cultural Alliance
 - Board of Adjustment
 - Board of Building Examiners*
 - Capital Facilities Advisory Committee (formerly: Impact Fee Committee)
 - Children's Services Council
 - Elder Affairs Coordinating Council
 - Enterprise Zone Development Agency – ***Please check one:***
 - Local chamber of commerce representative*
 - Local financial or insurance entity representative*
 - Local business representative*
 - Business operating within the Nominated Area*
 - Resident residing within the Nominated Area*
 - Non-profit community-based organization operating within the Nominated Area*
 - The regional workforce board representative*
 - Local code enforcement agency representative*
 - Local law enforcement agency representative*
 - Lake-Sumter MPO – Bicycle and Pedestrian Advisory Committee (**BPAC**)
 - Lake-Sumter MPO – Citizens' Advisory Committee (**CAC**)
 - Library Advisory Board
 - Mt. Plymouth-Sorrento Community Redevelopment Advisory Committee – ***Please check one:***
 - Property owner within the Planning Area*
 - Resident or property owner within a three mile radius of the Planning Area*

Regarding the Mt. Plymouth-Sorrento CRA, which of the following do you have experience in? *Please check all that apply:*

 - Land planning*
 - Engineering*
 - Architecture*
 - Ownership or operation of a business*
 - Community leadership/volunteerism*
 - Parks, Recreation and Trails Advisory Board
 - Planning and Zoning Board (Indicate Fruitland Park or Lake County)
 - Public Safety Coordinating Council
 - Sales Surtax Oversight Advisory Committee
 - Tourist Development Council
 - Value Adjustment Board
 - Other _____
-

***A separate application is required for the Board of Building Examiners.**

References may be secured from the following individuals:

	Name	Address	Phone Number
1.	_____	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____

I will attend meetings in accordance with the adopted policies of Fruitland Park and Lake County. If at any time my business or professional interests conflict with the interests of this board or committee, I will not participate in such deliberations.

Signature of Applicant

In completing this application, you are acknowledging that personal information you provide is subject to Florida's Public Records Policy as stated in Chapter 119, Florida Statutes, and Article I, Section 24 of the State Constitution.

Additional information may be attached to this application form.

How did you learn of this vacancy?

- Newspaper Ad Internet LSSC Channel 13 Friend Other

Applications are kept on file with the City of Fruitland Park for a period of three years from date of receipt.

Due to Florida laws regarding dual office holding, citizens cannot serve on more than one of the following boards at one time: Board of Adjustment, Board of Building Examiners, the Enterprise Zone Development Agency, the Planning and Zoning Board. In the event this occurs, the member will be required to resign from one of the positions.

Please return this completed application to:

Esther Coulson, City Clerk
City of Fruitland Park
506 W Berckman Street
Fruitland Park FL 34731

(Revision 03/06/15 FP/ebc)

1
2 **Staff Summary**
3

4 This ordinance dissolves the Lake County Cultural Affairs Council and creates the Lake
5 County Arts and Cultural Alliance as an advisory body to the Board of County Commissioners.
6 The ordinance also designates the Lake County Office of Tourism and Business Relations as the
7 Lake County local arts agency and authorizes the office to apply for grants to support the arts.
8

9 **ORDINANCE 2007 -21**
10

11 **AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LAKE**
12 **COUNTY, FLORIDA, DISSOLVING THE LAKE COUNTY CULTURAL AFFAIRS**
13 **COUNCIL; CREATING DIVISION 10, ARTICLE IV, CHAPTER II OF THE LAKE**
14 **COUNTY CODE, ENTITLED LAKE COUNTY ARTS AND CULTURAL ALLIANCE;**
15 **CREATING THE ALLIANCE AS AN ADVISORY BODY; PROVIDING FOR**
16 **MEMBERSHIP; PROVIDING FOR DUTIES OF THE ALLIANCE; PROVIDING**
17 **PROCEDURES FOR ALLIANCE MEETINGS, PUBLIC HEARINGS AND RULES;**
18 **DESIGNATING THE LAKE COUNTY OFFICE OF TOURISM AND BUSINESS**
19 **RELATIONS AS ITS LOCAL ARTS AGENCY; PROVIDING FOR INCLUSION IN**
20 **THE CODE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN**
21 **EFFECTIVE DATE.**
22
23

24 **WHEREAS**, on April 18, 1995, the Board of County Commissioners adopted Resolution
25 1995-72, creating the Lake County Cultural Affairs Council; and
26

27 **WHEREAS**, on April 9, 1996, the Board of County Commissioners adopted Resolution
28 1996-61, amending the membership terms of the Lake County Cultural Affairs Council; and
29

30 **WHEREAS**, on June 15, 1999, the Board of County Commissioners adopted Resolution
31 1999-111, extending and amending the membership terms of the Lake County Cultural Affairs
32 Council; and
33

34 **WHEREAS**, the Board recognizes the importance of cultural activities and desires to
35 encourage and facilitate opportunities for residents to participate in cultural events in all areas of
36 the County; and
37

38 **WHEREAS**, the Board now wishes to reorganize the membership and duties of the
39 committee that makes decisions regarding cultural and arts activities within the County; and
40

41 **WHEREAS**, the reorganization of the committee will promote efficiency and
42 effectiveness in providing cultural events for the citizens of Lake County; and
43

44 **WHEREAS**, having members on the committee from the cities will provide a more
45 comprehensive perspective of cultural issues in Lake County; and
46

1 **WHEREAS**, the Board now desires to dissolve the Cultural Affairs Council and create
2 the Arts and Cultural Alliance as an advisory body to advise the Board on cultural and arts issues
3 in the County.
4

5 **NOW, THEREFORE, BE IT ORDAINED** by the Board of County Commissioners of
6 Lake County, Florida that:
7

8 **Section 1. Recitals.** The foregoing recitals are true and correct and incorporated herein
9 by reference.
10

11 **Section 2. Dissolution.** The Lake County Cultural Affairs Council is hereby
12 dissolved.
13

14 **Section 3. Creation.** Division 10, Article IV, Chapter II of the Lake County
15 Code, entitled Lake County Arts and Cultural Alliance, consisting of Sections 2-90.36-2-90.41 is
16 created to read as follows:
17

18 **DIVISION 10. Lake County Arts and Cultural Alliance**

19 **Section 2-90.36. Title.**

20 The Lake County Arts and Cultural Alliance is hereby created, hereinafter referred to as
21 the "Alliance."
22

23 **Section 2-90.37. Membership.**

24 (a) The Alliance shall have seven (7) members and shall include one (1) member who
25 is a resident of the following municipalities: Clermont, Eustis, Minneola, Leesburg, Tavares,
26 and Mount Dora. Additionally, there shall be one (1) member who shall represent the following
27 municipalities on a rotating basis: Astatula, Fruitland Park, Groveland, Howey-in-the-Hills,
28 Lady Lake, Mascotte, Monteverde and Umatilla. The member representing the smaller
29 municipalities shall serve one (1) year terms, rotating in alphabetical order.
30
31
32

33 (b) All individuals acting as a representative of a municipality shall be recommended
34 by the governing body of that municipality. The Board of County Commissioners will appoint
35 members to the Alliance as recommended by the municipality. In the event that a municipality
36 fails to recommend a member to serve on the Alliance within sixty (60) days after notification of
37 a vacancy, the appointment shall be made by the Board. In the event that the municipality
38 representing the smaller cities fails to recommend a member to serve on the Alliance within sixty
39 (60) days after notification of its term, the governing body of the next municipality shall make a
40 recommendation to fill the position.
41
42

43 (c) Each permanent member shall be appointed for a term of two (2) years; provided,
44 however, the initial terms of the members representing Clermont, Leesburg, and Minneola shall
45 expire July 31, 2008. The initial terms of the remainder of the members shall expire July 31,
46 2009. Thereafter, all membership terms shall for be two (2) years. If a vacancy occurs, the

1 Board shall appoint a replacement member to serve the remainder of the term as set forth above.
2 Members may be reappointed.

3
4 (d) Committee members may be removed by the Board of County Commissioners at
5 any time. Regular attendance at meetings is required.

6
7 (e) A member of the Lake County Board of County Commissioners shall serve as a
8 non-voting liaison to the Committee.

9
10
11 **Section 2-90.38. Duties.**

12
13 The Alliance shall advise the Board of County Commissioners on matters relating to arts
14 and cultural affairs within the County. The Alliance shall:

15
16 (a) Encourage and facilitate more efficient use of public and private resources for the
17 development and support of the arts.

18
19 (b) Assess opportunities for the arts, artists, art institutions, community arts
20 organizations and the citizens of the County relating to the arts.

21
22 (c) Provide recommendations regarding use of Florida Arts License Plate fees
23 received pursuant to Section 320.08058(12), Florida Statutes.

24
25 (d) Provide recommendations to the Board regarding technical assistance to the arts
26 community, including advising the Board on available local, state or federal grants that may be
27 available for application.

28
29 (e) Stimulate public awareness and appreciation of the arts in Lake County.

30
31 (f) Perform any other functions as directed by the Board of County Commissioners
32 regarding matters related to the arts.

33
34
35 **Section 2-90.39. Procedures.**

36
37 (a) The Alliance shall meet at least quarterly or more often as determined by the
38 Alliance.

39
40 (b) The members of the Alliance shall elect a chairman and vice-chairman.

41
42 (c) All meetings shall be held in a public place and shall be open to the public pursuant
43 to Section 286.011, Florida Statutes.

44
45 (d) All meetings shall be noticed and minutes recorded.

1 (e) Robert's Rules of Order, Newly Revised, shall be the reference source on all
2 questions of parliamentary procedure.

3
4 (f) A quorum for conducting business shall be a majority of the currently appointed
5 members.

6
7 **Sections 2-90.40-41. Reserved.**

8
9 **Section 4. Designation.** The Lake County Board of County Commissioners hereby
10 designates the Lake County Office of Tourism and Business Relations as the Lake County local
11 arts agency to receive Florida Arts License Plate fees pursuant to Section 320.08058(12), Florida
12 Statutes. The Office of Tourism and Business Relations shall use the fees to support arts
13 organizations, arts programs and art activities within the County. The Office is also authorized
14 to apply for state, federal, or private grants that will support the arts in Lake County.
15

16 **Section 5. Inclusion in Code.** It is the intent of the Board of County
17 Commissioners that the provisions of this Ordinance shall become and be made a part of the
18 Lake County Code and that the sections of this Ordinance may be renumbered or relettered and
19 the word "ordinance" may be changed to "section", "article", or such other appropriate word or
20 phrase in order to accomplish such intentions.

21
22 **Section 6. Severability.** If any section, sentence, clause, or phrase of the Ordinance
23 is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding
24 shall in no way affect the validity of the remaining portion of this Ordinance.
25

26 **Section 7. Effective Date.** This Ordinance shall become effective as provided for by
27 law.

28
29 Enacted this 15th day of May, 2007.

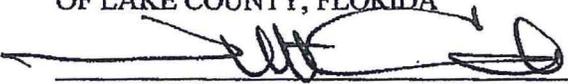
30
31 Filed with the Secretary of State May 24 2007.

32
33 Effective May 24, 2007.

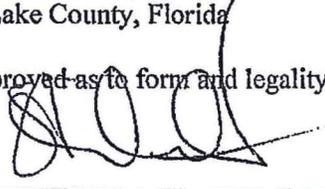
34
35 ATTEST:

36
37 
38 _____
39 James C. Watkins, Clerk of the
40 Board of County Commissioners
41 of Lake County, Florida

BOARD OF COUNTY COMMISSIONERS
OF LAKE COUNTY, FLORIDA

37 
38 _____
39 Welton G. Cadwell, Chairman

42
43 Approved as to form and legality:

44
45 
46 _____
47 Sanford A. Minkoff
48 County Attorney

This 21st day of May, 2007.



**AGENDA ITEM
NUMBER
8b**

AGENDA ITEM SUMMARY SHEET

ITEM TITLE:	Parks and Recreation Events		
For the Meeting of:	March 12, 2015		
Submitted by:	Michelle Yoder, Parks and Recreation Director		
Date Submitted:	March 2, 2015		
Are Funds Required:		Yes	No
Account Number:	N/A		
Amount Required:	N/A		
Balance Remaining:	N/A		
Attachments:			
Description of Items:			
<p>The Parks and Recreation Department Director Michelle Yoder will be giving reports on the forthcoming events:</p> <ul style="list-style-type: none"> i. Movie Night ii. Fruitland Park Day iii. Water Safety Day, and iv. Spring Break Camp Report 			
Action to be Taken: None.			
Staff's Recommendation: None.			
Additional Comments: None.			

Reviewed by: _____
City Manager

Authorized to be placed on the Regular agenda: _____
Mayor

FRUITLAND PARK CLEAN UP DAY!

March 21st, 2015

9:00-11:00am

Location: Gardenia Park

We are looking forward to working with you again to make our Clean Up Day a huge success! Lunch will be served from 11:00-12:00 and each volunteer will receive a free T-shirt if you sign up by March 1st.



**RSVP to Michelle Yoder
@ 352-516-9149**

4th Annual WATER SAFETY DAY

Lake County Public Safety Entities and various public and private partners have joined together to host Water Safety Day, a free swimming demonstration for children.

SATURDAY, MAY 16 • 10 A.M. TO 2 P.M.



GARDENIA PARK

201 W. Berckman St., Fruitland Park

UMATILLA HIGH SCHOOL

320 N. Trowell Ave., Umatilla

VENETIAN GARDENS

Dozier Circle, Leesburg

EUSTIS AQUATIC CENTER

250 Ferran Park Drive, Eustis

GOLDEN TRIANGLE YMCA

1465 David Walker Drive, Tavares

WATERFRONT PARK

Palm Street, Clermont

Each day in the U.S., 10 people die from drowning and two of these are children under the age of 14, according to the U.S. Centers for Disease Control. Florida has the highest drowning rate in the nation for children under 14, according to the Florida Department of Health.

Water Safety Day Activities include:

- **CPR and 'Reach or Throw, But Don't Go' demonstrations**
- **Life safety device education**
- **Mock drowning exercise**
- **Water safety movie by SAFER-3**
- **Swimming lesson registrations**
- **Safety vendors and exhibits**
- **Open swim**





**AGENDA ITEM
NUMBER**

8c

AGENDA ITEM SUMMARY SHEET

ITEM TITLE:	City Auditor Report			
For the Meeting of:	March 12, 2015			
Submitted by:	Tannette Gayle, City Treasurer			
Date Submitted:	February 12, 2014			
Are Funds Required:		Yes	X	No
Account Number:	N/A			
Amount Required:	N/A			
Balance Remaining:	N/A			
Attachments:				
Description of Item:				
Report on budget funding report by Mr. W. Chet Ross, Shumacker, Johnston & Ross, P.A.				
Action to be Taken: No action required.				
Staff's Recommendation: None.				
Additional Comments: None.				

Reviewed by: _____
City Manager

Authorized to be placed on the Regular agenda: _____
Mayor



**AGENDA ITEM
NUMBER
8d**

AGENDA ITEM SUMMARY SHEET

ITEM TITLE:	First Reading –Ordinance 2015-001		
For the Meeting of:	March 12, 2015		
Submitted by:	Charlie Rector, Community Development Director		
Date Submitted:	February 16, , 2015		
Are Funds Required:		Yes	No
Account Number:	N/A		
Amount Required:	N/A		
Balance Remaining:	N/A		
Attachments:	Yes		
Description of Item: Proposed Rezoning Ordinance 2015-001 on boundary amendment 45 acres of real property generally located south of CR 466A and west of Lake Josephine Drive. (Second will be held on March 26, 2015.)			
Petitioner: Cara Singeltary, P.A., as applicant, on behalf of Donald L. Galbreath and Janet L. Galbreath, and William Kenneth Galbreath Trustee of the William Kenneth Galbreath Family Trust.			
Action to be Taken: Approval.			
Staff's Recommendation: Approval.			
Additional Comments:			

Reviewed by: _____
City Manager

Authorized to be placed on the Regular agenda: _____
Mayor

ORDINANCE 2015-~~001~~

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE BOUNDARIES OF THE CITY OF FRUITLAND PARK FLORIDA, IN ACCORDANCE WITH THE PROCEDURE SET FORTH IN SECTION 171.044, FLORIDA STATUTES, TO INCLUDE WITHIN THE CITY LIMITS APPROXIMATELY 45 ± ACRES OF LAND GENERALLY LOCATED SOUTH OF CR 466A AND WEST OF LAKE JOSEPHINE DRIVE; REZONING THE PROPERTY FROM LAKE COUNTY “AG” (AGRICULTURE) TO GENERAL COMMERCIAL (C-2) WITHIN THE CITY LIMITS OF FRUITLAND PARK; DIRECTING THE CITY MANAGER TO PROVIDE CERTIFIED COPIES OF THIS ORDINANCE AFTER APPROVAL TO THE CLERK OF THE CIRCUIT COURT, THE LAKE COUNTY MANAGER AND THE DEPARTMENT SECRETARY OF STATE OF THE STATE OF FLORIDA; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a petition has been submitted by Cara Singeltary, P.A., as applicant, on behalf of Donald L. Galbreath and Janet L. Galbreath, and William Kenneth Galbreath Trustee of the William Kenneth Galbreath Family Trust dated July 2, 2014, Owners, requesting that approximately 45 acres of real property generally located south of CR 466A and west of Lake Josephine Drive (the “Property”) be annexed to and made a part of the City of Fruitland Park and rezoned from Lake County “A” (Agriculture) to General Commercial (C-2) within the city limits of Fruitland Park; and

WHEREAS, the petition bears the signature of all applicable parties; and

WHEREAS, the required notice of the proposed annexation has been properly published; and

WHEREAS, the Property is contiguous to the City limits and is reasonably compact.

NOW, THEREFORE, BE IT ORDAINED by the City Commission of the City of Fruitland Park, Florida, as follows:

Section 1.

The following described property consisting of approximately 45 acres of land generally located south of CR 466A and west of Lake Josephine Drive, contiguous to the City limits, is hereby incorporated into and made part of the City of Fruitland Park Florida. The property is more particularly described as follows:

LEGAL DESCRIPTION: The SE ¼ of the SW ¼ of Section 5, Township 19 South, Range 24 East, Lake County, Florida; AND

The South seven (7) acres of the West ¼ of the SW ¼ of the SE ¼ of Section 5, Township 19 South, Range 24 East, Lake County, Florida;

LESS: A parcel of land in the SW ¼ of Section 5, Township 19 South, Range 24 East, Lake County, Florida being more particularly described as follows:

Commence at a 4" x 4" concrete monument with a disk stamped "PSM 3715" located at the Southeast Corner of the SW ¼ of Section 5, Township 19 South, Range 24 East, Lake County, Florida; Thence run North 00°33'28" East, along the East line of the SW ¼ of said Section 5, a distance of 1249.69 feet to a point on a line running parallel with and 37.00 feet southerly of, when measured perpendicular to, the existing South right of way line of County Road 466A as depicted on the State of Florida Road Department Right of Way Map, Section 1153-250, recorded in Road Map Book 2, Pages 118-120, and in Road Map Book 6, Pages 61-63, Public Records of Lake County, Florida, said point being the Point of Beginning; Thence departing said East line run North 89°04'41" West, along said parallel line, a distance of 380.76 feet; thence departing said parallel line, Run North 00°55'19" East, a distance of 3.00 feet to a point on a line running parallel with and 34.00 feet southerly of, when measured perpendicular to said existing south Right of Way line of County Road 466A; thence run North 89°04'41" west, along said parallel line, a distance of 499.97 feet to a point of intersection with a line running parallel with and 34.00 feet southerly of, when measured perpendicular to said existing south Right of Way line of County Road 466A; thence run North 89°07'41" West, along said parallel line, a distance of 278.37 feet to a point on the monumented east line of the west 168.00 feet of the SE ¼ of the SW ¼ of said Section 5; thence, departing said parallel line, run North 00°43'38" East, along said monumented East line, a distance of 34.00 feet to a point on the aforesaid existing south Right of Way line of County Road 466A; thence, departing said monumented East line, run South 89°07'41" East, a distance of 278.46 feet to a point of intersection of said existing south Right of Way line; thence run South 89°04'41" East, along said existing south Right of Way line, a distance of 880.52 feet to a point on the aforementioned East line of the SW ¼ of Section 5; thence run South 00°33'28" West, along said East line, a distance of 37.00 feet to the Point of Beginning.

The Property annexed in this section shall be assigned a zoning designation of General Commercial [within the City of Fruitland Park](#).

Parcel Alternate Key No. 1740436 and 1204071

Section 2. [The current uses of the Property are as follows:](#)

- a. [Equestrian and Rodeo Sporting Events](#)
- b. ~~[Camping Site](#)~~
- e. ~~[Farm Equipment Shows and Food Truck Events](#)~~

[Owner must first apply for and obtain a special event permit from the City Administration for any of the proposed special events listed above. Owner shall be limited to ten \(10\) days per calendar quarter for temporary primitive camping and obtain a tent permit from the City Administration. number of days per year during which camping is permitted at the site.](#)

The use of the property referenced herein for the keeping of cattle, horses, and production of hay shall be considered ~~is~~ a legally existing, non-conforming use pursuant to the City of Fruitland Park's Land Development Regulations.

Section 3. The City Clerk shall forward a certified copy of this Ordinance to the Clerk of the Circuit Court, the County Manager of Lake County, Florida, and the Department Secretary of State of Florida within seven (7) days after its passage on second and final reading.

Section 4. If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

Section 5. The property annexed in this Ordinance is subject to the Land Use Plan of the Lake County Comprehensive Plan and county zoning regulations until the City adopts the Comprehensive Plan Amendments to include the property annexed in the City Comprehensive Plan[k1].

Section 6. This Ordinance shall become effective immediately upon passage by the City Commission of the City of Fruitland Park.

PASSED AND ORDAINED in regular session of the City Commission of the City of Fruitland Park, Lake County, Florida, this _____ day of _____, 2015.

Chris Bell, Mayor
City of Fruitland Park, Florida

ATTEST:

Approved as to Form:

Esther Coulson, CMC, City Clerk

Scott Gerken
City Attorney

Vice Mayor Cheshire Kelly _____ (Yes), _____ (No), _____ (Abstained),
_____ (Absent)

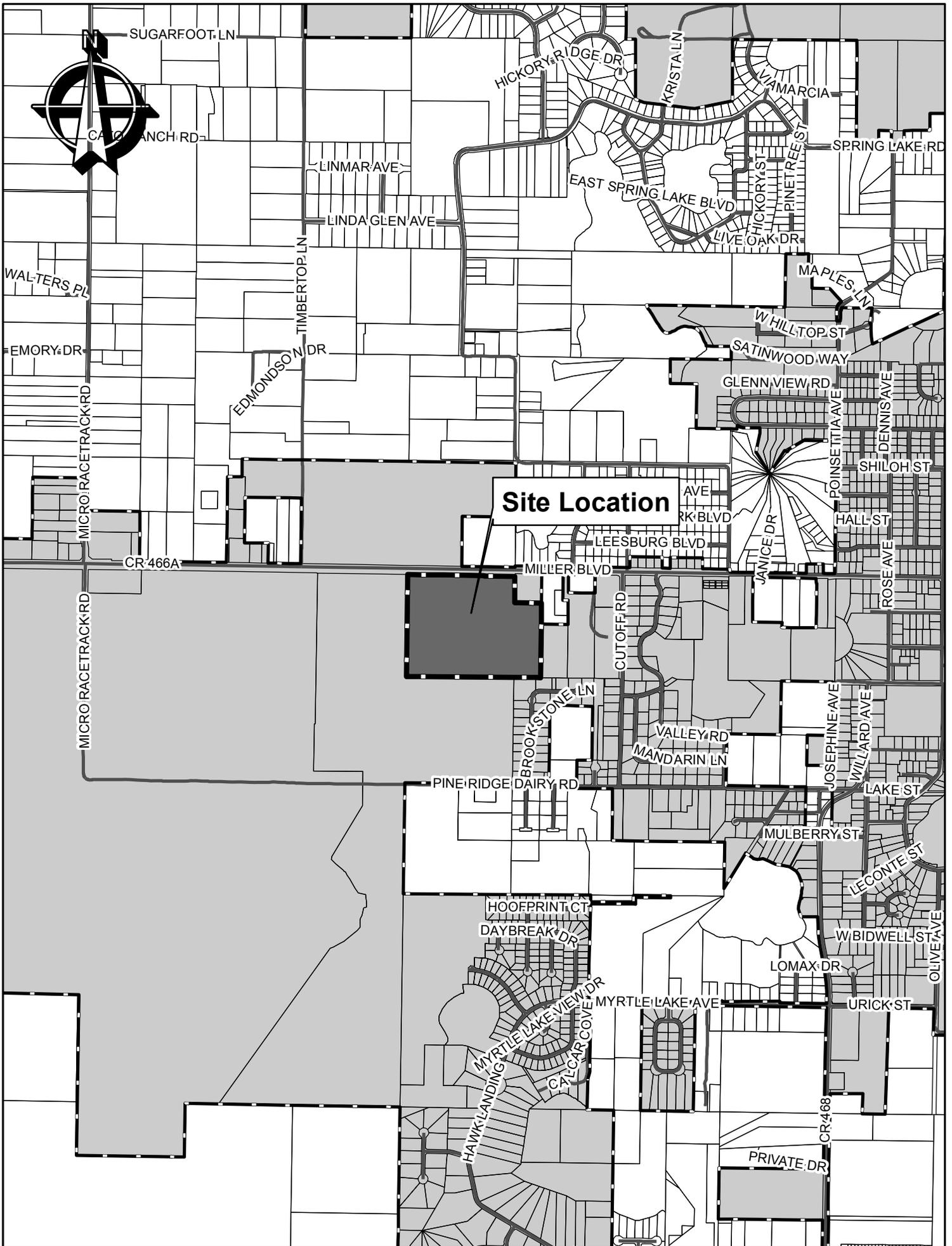
Commissioner Ranize Goldberg _____ (Yes), _____ (No), _____ (Abstained),
_____ (Absent)

Commissioner ~~Lewis~~Cheshire _____ (Yes), _____ (No), _____ (Abstained),
_____ (Absent)

Commissioner Gunther _____ (Yes), _____ (No), _____ (Abstained), _____
(Absent)

Mayor Bell _____ (Yes), _____ (No), _____ (Abstained), _____
(Absent)

Passed First Reading _____
Passed Second Reading _____
(SEAL)





506 WEST BERCKMAN STREET
FRUITLAND PARK, FL 34731

PHONE: 352/ 360-6727
FAX: 352/ 360-6652

Board Members: John Schaller, Chairman Colin Crews Connie Bame Daniel Dicus Philip Purlee	Others: Charlie Rector, Community Development Director Tracy Kelley, Administrative Assistant
---	--

**AGENDA
SPECIAL MEETING
PLANNING & ZONING BOARD
February 12, 2015
6:00PM**

- I. INVOCATION:**
- II. ROLL CALL:**
- III. MINUTES FROM PREVIOUS MEETING: Approve minutes from November 20, 2014**
- IV. OLD BUSINESS: None**
- V. NEW BUSINESS:**
 - A. Approve The Villages of Fruitland Park Final Plat Submittal
 - a. Jackson Villas
 - b. Leo Villas
 - c. Unit 27

CITIZENS' COMMENTS:

Pursuant to FS 286.0114 and the City of Fruitland Park's Public Participation Policy adopted by Resolution 2013-023, members of the public shall be given a reasonable opportunity to be heard on propositions before the City of Fruitland Park Planning and Zoning Board. Accordingly, comments, questions, and concerns regarding items listed on this agenda shall be received at the time the Planning and Zoning Board addresses such items during this meeting. Pursuant to Resolution 2013-023, public comments are generally limited to three minutes.

BOARD MEMBERS' COMMENTS:

ADJOURNMENT:



506 WEST BERCKMAN STREET
FRUITLAND PARK, FL 34731

PHONE: 352/ 360-6727
FAX: 352/ 360-6652

Board Members: John Schaller, Chairman Colin Crews Connie Bame Daniel Dicus Philip Purlee	Others: Charlie Rector, Community Development Director Tracy Kelley, Administrative Assistant
---	--

**MINUTES
PLANNING & ZONING BOARD
November 20, 2014
6:00PM**

- I. **INVOCATION:** Chairman John Schaller called the meeting to order at 6:00P.M. Chairman Schaller gave the invocation and led the pledge of allegiance.
- II. **ROLL CALL:** All Board members present with exception of Daniel Dicus, and present CDD Rector and Assistant Kelley.
- III. **MINUTES FROM PREVIOUS MEETING:** Approve minutes from September 4, 2014. Motion to approve Meeting Minutes from September 4, 2014, by Philip Purlee/Second by Colin Crews. Approved.
- IV. **OLD BUSINESS:** None
- V. **NEW BUSINESS:**

A. **Mirror Lake Village, ALT Key #1639794**

Owned by Fruitland Park, LLC (property formally known as Fruitland Estates, aka Atlantic Development) Rezoning from R2 (single family medium density residential) to PUD (planned unit development); representing the developer Mr. Jim Bartoe, Project Engineer, on behalf of Eric Peisner, applicant.

CDD Rector reviewed the submitted application and explained the PUD request to the planning board. Previously approved for single family attached housing (duplex style) the requested PUD would allow single family homes.

The plat layout would remain the same as before with interior lots 40ft wide and corner lots 60ft wide. The current layout of installed utilities and roads are for this standard. The setbacks would be front 30ft / rear 20ft / sides 5ft. The corner lots would be setback 20ft on outside corner with front 30ft. The homes would be a minimum of 1050 sq ft living area and include a minimum of a one car enclosed garage.

The developer will install 6ft privacy fence (vinyl or solid wall and maintained by HOA) along west property line and along east property line as shown on plan. Fence will be installed as stages are built-out. Urick Road will keep the tree lined natural buffering.

CDD Rector also pointed out the developer has agreed to install secured fenced improved storage area for parking of boats and RV's. The developer will include in HOA documents that NO PARKING of any boats, trailers, or RV's will be allowed in front of houses. Developer also will construct a playground with a gazebo, and playground equipment along secured fencing. Both storage yard and playground will have lighting and landscaping.

Chairman Schaller questioned the number of fire hydrants as he only saw (3) and CDD Rector stated that was correct, but that additional hydrants would be installed in the next phase and all would be looped connected in the development. Chairman Schaller asked about the proximity of the playground to the storage yard and would separation be landscaped, CDD Rector said both RV / boat storage yard and playground would be landscaped and secured separately.

Chairman Schaller asked about sidewalks and CDD Rector stated sidewalks were not being required in this development. (Note: In-between the P&Z meeting and followed by the City Commission Meeting, CDD Rector checked on sidewalk issue and sidewalks will be required on one side of the streets. City Commission was advised by the CDD of this fact. CDD Rector asked that this notation be included in these minutes.)

Board member Crews questioned a small area at east side of the development not identified, and CDD Rector and Mr. Bartoe clarified that was a utility easement, Board member Crews also asked about only (2) entrances into the development and CDD Rector said that was LDR requirements.

Board member Purlee questioned at the side setbacks and would measurement be from wall or roofline? CDD Rector said it was from wall which would put minimum of 10ft separation from homes which is in keeping with the City ISO rating.

CDD Rector recommended approval of rezoning from R2 to PUD and approval of the Master Development Agreement.

No further questions. Motion to approve Rezoning from R2 to PUD and approval of the Master Development Agreement for Mirror Lake Village by Connie Bame / second by Philip Purlee. Approved (4-0 with board member Daniel Dicus absent).

BOARD MEMBERS' COMMENTS: No additional comments

CITIZENS' COMMENTS: None

ADJOURNMENT: 6:18P.M.

VILLAGES OF FRUITLAND PARK JACKSON VILLAGES

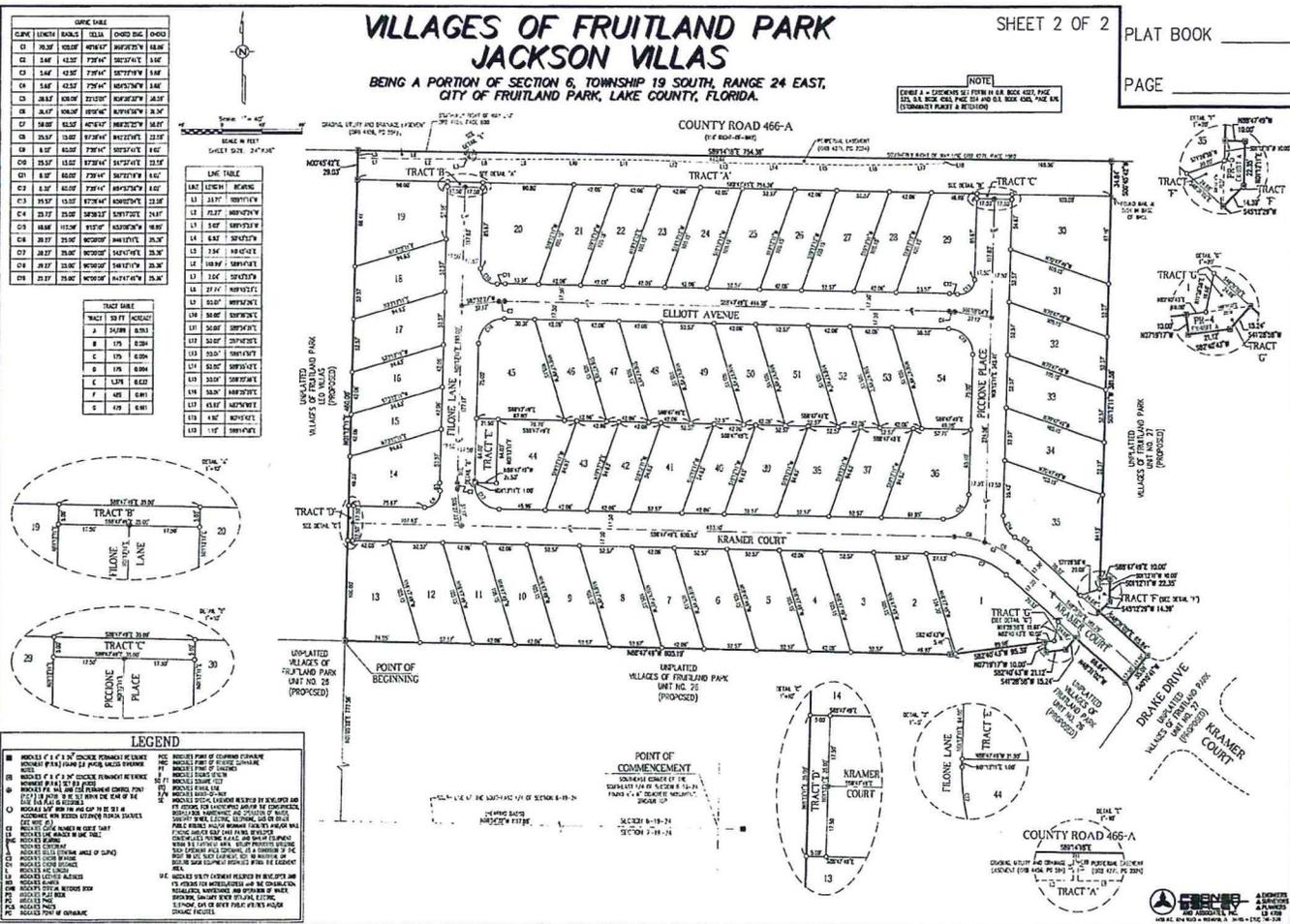
BEING A PORTION OF SECTION 6, TOWNSHIP 19 SOUTH, RANGE 24 EAST,
CITY OF FRUITLAND PARK, LAKE COUNTY, FLORIDA.

SHEET 2 OF 2

PLAT BOOK _____

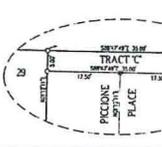
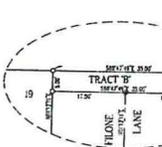
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NOTE
 (1) THIS IS A PRELIMINARY PLAN AND DOES NOT CONSTITUTE A GUARANTEE OF ACCURACY.
 (2) THE CITY ENGINEER HAS REVIEWED THIS PLAN AND HAS FOUND IT TO BE IN ACCORDANCE WITH THE CITY ORDINANCES.
 (3) THE CITY ENGINEER HAS REVIEWED THIS PLAN AND HAS FOUND IT TO BE IN ACCORDANCE WITH THE CITY ORDINANCES.



CURVE	LENGTH	BEARS	DETA	CHORD BEG.	CHORD END.
C1	20.57	80.847	80.847	80.847	80.847
C2	5.88	43.57	77.964	80.847	116.2
C3	1.67	43.57	77.964	80.847	116.2
C4	1.67	43.57	77.964	80.847	116.2
C5	20.57	80.847	80.847	80.847	80.847
C6	20.57	80.847	80.847	80.847	80.847
C7	20.57	80.847	80.847	80.847	80.847
C8	20.57	80.847	80.847	80.847	80.847
C9	20.57	80.847	80.847	80.847	80.847
C10	20.57	80.847	80.847	80.847	80.847
C11	20.57	80.847	80.847	80.847	80.847
C12	20.57	80.847	80.847	80.847	80.847
C13	20.57	80.847	80.847	80.847	80.847
C14	20.57	80.847	80.847	80.847	80.847
C15	20.57	80.847	80.847	80.847	80.847
C16	20.57	80.847	80.847	80.847	80.847
C17	20.57	80.847	80.847	80.847	80.847
C18	20.57	80.847	80.847	80.847	80.847
C19	20.57	80.847	80.847	80.847	80.847
C20	20.57	80.847	80.847	80.847	80.847
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C22	20.57	80.847	80.847	80.847	80.847
C23	20.57	80.847	80.847	80.847	80.847
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C26	20.57	80.847	80.847	80.847	80.847
C27	20.57	80.847	80.847	80.847	80.847
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C33	20.57	80.847	80.847	80.847	80.847

TRACT	AREA	PERCENT
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C	1.00	100.00
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LEGEND

- 1. BOUNDARY OF 1/4 SECTION 6-19-24
- 2. BOUNDARY OF 1/4 SECTION 6-19-24
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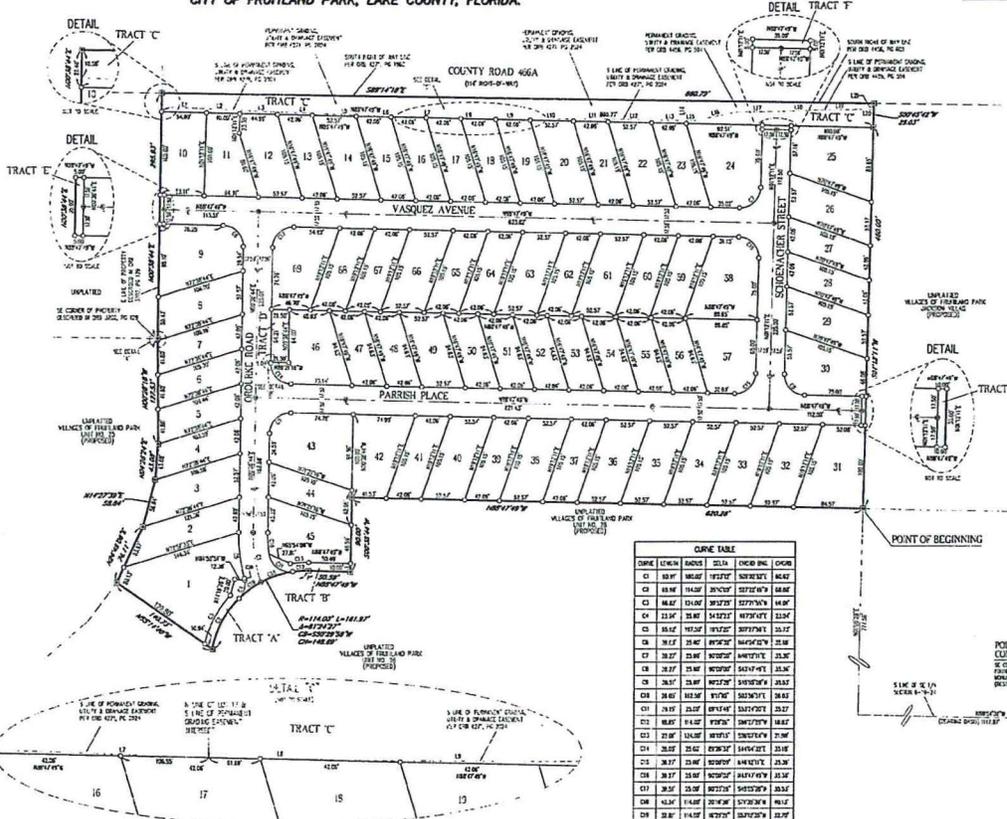
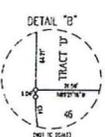
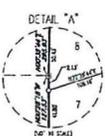
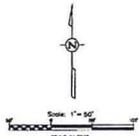
VILLAGES OF FRUITLAND PARK LEO VILLAS

BEING A PORTION OF SECTION 6, TOWNSHIP 19 SOUTH, RANGE 24 EAST,
CITY OF FRUITLAND PARK, LAKE COUNTY, FLORIDA.

SHEET 2 OF 2

PLAT BOOK _____

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- LEGEND**
- 1. BOUNDARY LINE OF 4" x 4" CONCRETE PERMANENT MONUMENT
 - 2. BOUNDARY LINE OF 2" x 2" CONCRETE PERMANENT MONUMENT
 - 3. BOUNDARY LINE OF 1" x 1" CONCRETE PERMANENT MONUMENT
 - 4. BOUNDARY LINE OF 1/2" x 1/2" CONCRETE PERMANENT MONUMENT
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 - 123. BOUNDARY LINE OF 1/1329227986032732522211111371377792" x 1/1329227986032732522211111371377792" CONCRETE PERMANENT MONUMENT
 - 124. BOUNDARY LINE OF 1/2658455972065465044422222742755584" x 1/2658455972065465044422222742755584" CONCRETE PERMANENT MONUMENT
 - 125. BOUNDARY LINE OF 1/531691194413093008884444548551116672" x 1/531691194413093008884444548551116672" CONCRETE PERMANENT MONUMENT
 - 126. BOUNDARY LINE OF 1/10633823882261860177688888971022333344" x 1/1063382388226186017768888971022333344" CONCRETE PERMANENT MONUMENT
 - 127. BOUNDARY LINE OF 1/2126764776452372035537777784244666688" x 1/212676477645237203553777784244666688" CONCRETE PERMANENT MONUMENT
 - 128. BOUNDARY LINE OF 1/4253529552904744071075555568489333376" x 1/425352955290474407107555568489333376" CONCRETE PERMANENT MONUMENT
 - 129. BOUNDARY LINE OF 1/850705910580948814215111113696666752" x 1/850705910580948814215111113696666752" CONCRETE PERMANENT MONUMENT
 - 130. BOUNDARY LINE OF 1/170141182116189762832222227393333504" x 1/17014118211618976283222227393333504" CONCRETE PERMANENT MONUMENT
 - 131. BOUNDARY LINE OF 1/340282364232379525664444454786667008" x 1/340282364232379525664444454786667008" CONCRETE PERMANENT MONUMENT
 - 132. BOUNDARY LINE OF 1/680564728464759051328888909573334016" x 1/680564728464759051328888909573334016" CONCRETE PERMANENT MONUMENT
 - 133. BOUNDARY LINE OF 1/136112945692951802265777781946668032" x 1/136112945692951802265777781946668032" CONCRETE PERMANENT MONUMENT
 - 134. BOUNDARY LINE OF 1/27222589138590360453155556389336064" x 1/27222589138590360453155556389336064" CONCRETE PERMANENT MONUMENT
 - 135. BOUNDARY LINE OF 1/54445178277180720906221111275786128" x 1/54445178277180720906221111275786128" CONCRETE PERMANENT MONUMENT
 - 136. BOUNDARY LINE OF 1/1088903565443614381244222255157372256" x 1/1088903565443614381244222255157372256" CONCRETE PERMANENT MONUMENT
 - 137. BOUNDARY LINE OF 1/217780713088722876248844441027144512" x 1/217780713088722876248844441027144512" CONCRETE PERMANENT MONUMENT
 - 138. BOUNDARY LINE OF 1/43556142617744575249768888205428824" x 1/43556142617744575249768888205428824" CONCRETE PERMANENT MONUMENT
 - 139. BOUNDARY LINE OF 1/871122852354891504995377764108577488" x 1/871122852354891504995377764108577488" CONCRETE PERMANENT MONUMENT
 - 140. BOUNDARY LINE OF 1/174224564710978309999075552821771968" x 1/174224564710978309999075552821771968" CONCRETE PERMANENT MONUMENT
 - 141. BOUNDARY LINE OF 1/348449129421956619999811111643543936" x 1/348449129421956619999811111643543936" CONCRETE PERMANENT MONUMENT
 - 142. BOUNDARY LINE OF 1/6968982588439133399962222252870887072" x 1/6968982588439133399962222252870887072" CONCRETE PERMANENT MONUMENT
 - 143. BOUNDARY LINE OF 1/1393796517687826679992444410573774144" x 1/1393796517687826679992444410573774144" CONCRETE PERMANENT MONUMENT
 - 144. BOUNDARY LINE OF 1/2787593035375653359984888821147548288" x 1/2787593035375653359984888821147548288" CONCRETE PERMANENT MONUMENT
 - 145. BOUNDARY LINE OF 1/5575186070751306719969777642294851776" x 1/5575186070751306719969777642294851776" CONCRETE PERMANENT MONUMENT
 - 146. BOUNDARY LINE OF 1/111503721415026135993955552458971552" x 1/111503721415026135993955552458971552" CONCRETE PERMANENT MONUMENT
 - 147. BOUNDARY LINE OF 1/2230074428300522719879111117179831104" x 1/2230074428300522719879111117179831104" CONCRETE PERMANENT MONUMENT
 - 148. BOUNDARY LINE OF 1/4460148856601045439758222234359662208" x 1/4460148856601045439758222234359662208" CONCRETE PERMANENT MONUMENT
 - 149. BOUNDARY LINE OF 1/892029771320209087951644456871924416" x 1/892029771320209087951644456871924416" CONCRETE PERMANENT MONUMENT
 - 150. BOUNDARY LINE OF 1/1784059442640378175903288913738488832" x 1/1784059442640378175903288913738488832" CONCRETE PERMANENT MONUMENT
 - 151. BOUNDARY LINE OF 1/356811888528075635180657782747697664" x 1/356811888528075635180657782747697664" CONCRETE PERMANENT MONUMENT
 - 152. BOUNDARY LINE OF 1/713623777056151270361315545495395328" x 1/713623777056151270361315545495395328" CONCRETE PERMANENT MONUMENT
 - 153. BOUNDARY LINE OF 1/142724755411232540072263090989079064" x 1/142724755411232540072263090989079064" CONCRETE PERMANENT MONUMENT
 - 154. BOUNDARY LINE OF 1/285449510822465080144526181978158128" x 1/285449510822465080144526181978158128" CONCRETE PERMANENT MONUMENT
 - 155. BOUNDARY LINE OF 1/570899021644930160289052363956316256" x 1/570899021644930160289052363956316256" CONCRETE PERMANENT MONUMENT
 - 156. BOUNDARY LINE OF 1/114179804328986032057810472791262512" x 1/114179804328986032057810472791262512" CONCRETE PERMANENT MONUMENT
 - 157. BOUNDARY LINE OF 1/228359608657972064115620945582525024" x 1/228359608657972064115620945582525024" CONCRETE PERMANENT MONUMENT
 - 158. BOUNDARY LINE OF 1/456719217315944128231241911171050504" x 1/456719217315944128231241911171050504" CONCRETE PERMANENT MONUMENT
 - 159. BOUNDARY LINE OF 1/913438434631888256462483822342101008" x 1/91343843463188825646248382234210

