



FRUITLAND PARK CITY COMMISSION REGULAR MEETING AGENDA

March 13, 2014

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

Pastor John Stricklen, Countryside Baptist Church - Invocation
Richard Field, Fire Department Explorer – Pledge of Allegiance

2. ROLL CALL

3. PUBLIC COMMENTS

This section is reserved for members of the public to bring up matters of concern or opportunities for praise. Action may not be taken by the city commission at this meeting; however, questions may be answered by staff or issues may be referred for appropriate staff action. Pursuant to F.S. 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 commission. Accordingly, comments, questions, and concerns regarding items listed on this agenda shall be received at the time the city commission addresses such items during this meeting. Pursuant to Resolution 2013-023, public comments are generally limited to three minutes.

4. 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

- February 22, 2014 workshop meeting minutes
- February 27, 2014 regular city commission meeting minutes (city clerk)

5. REGULAR AGENDA

- (a) Charter Review Committee Update** (city manager)
Update on matters relating to the Charter Review Committee
- (b) "Love Week 5K Run and Kids Fun Run" Report** (city manager/parks and recreation department director)
- (c) First Reading - Ordinance 2014-008 – Municipal Lien Search Fees** (city manager/attorney)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING CHAPTER 99 OF THE CITY OF FRUITLAND PARK CODE OF ORDINANCES BY CREATING SECTION 99.140, PROVIDING FOR

MUNICIPAL LIEN SEARCH FEES; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. (Second reading and public hearing will be on April 10, 2014.)

(d) First Reading – Repeal Ordinance 2014-007, Police and Fire Service Fees (city attorney)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, REPEALING CITY OF FRUITLAND PARK ORDINANCES 2009-014, 2010-005, AND 2011-010, RELATING TO POLICE AND FIRE SERVICE FEES AS SET FORTH THEREIN; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. (Second reading and public hearing will be on April 10, 2014.)

6. NEW BUSINESS

7. OFFICERS' REPORTS

(a) City Manager

(b) City Attorney

8. COMMISSIONERS' COMMENTS

(a) Vice Mayor Goldberg

(b) Commissioner Cheshire

(c) Commissioner Gunter, Jr.

(d) Commissioner Kelly

9. MAYOR'S COMMENTS

10. ADJOURNMENT

DATES TO REMEMBER

March 14, 2014, *How to Get Published* from Nancy J. Cohen, an award-winning author, 10:00 a.m.-noon, Fruitland Park Library

March 14, 2014, Lake County League of Cities Luncheon Meeting, 12:00 noon, Eustis Elks Lodge, 2540 Dora Avenue, Tavares, FL 32778

March 15, 2014, Fruitland Park Founders Day at 10:00 a.m.-6:00 p.m.

March 25, 2014, Lake County Board of County Commissioners Public Hearing, Second Floor, Administrative Building, Tavares, FL 32778 at 9:00 a.m.

March 25, 2014, Charter Review Committee at 6:00 p.m.

March 27, 2014 Regular Commission Meeting at 7:00 p.m.

April 2014, "Water Conservation Month"

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April 1 and 2, 2014 Legislative Action Days

April 6-13, 2014, "National Volunteer Week"

April 8, 2014, Charter Review Committee at 6:00 p.m.

April 10, 2014, Regular City Commission Meeting at 7:00 p.m.

April 11, 2014, Lake County League of Cities, TBD

April 13-19, 2014, "National Library Week"

April 21, 2014, Lake-Sumter MPO Executive Committee at 2:00p.m., 1616 South 14 Street,
Leesburg, FL 34748

April 22, 2014, Charter Review Committee at 6:00 p.m.

April 23, 2014 Lake-Sumter MPO Governing Board Meeting at 2:00 p.m., 1616 South 14 Street,
Leesburg, FL 34748

April 24, 2014, Regular Commission Meeting at 7:00 p.m.

April 30, 2014, Lake County Community Service Awards, Lake Receptions

May 6, 2014, Charter Review Committee at 6:00 p.m.

May 8, 2014, Regular City Commission Meeting at 7:00 p.m.

May 9, 2014, Lake County League of Cities, TBD

May 12, 2014 Lake County Parks, Recreation and Trails Advisory Board at 3:30 p.m., Library
Services Conf. Room, 2401 Woodlea Road, Tavares FL 32778

May 19-25, 2014 "EMS Week"

May 20, 2014, Charter Review Committee at 6:00 p.m.

May 22, 2014, Regular Commission Meeting at 7:00 p.m.

May 23, 2014, Lake-Sumter MPO Executive Committee at 10:00 a.m., 1616 South 14 Street,
Leesburg, FL 34748

May 26, 2014, Memorial Day Holiday – City Offices Closed

May 28, 2014, Lake-Sumter MPO Governing Board at 2:00 p.m., 1616 South 14 Street, Leesburg,
FL 34748

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 three (3) days prior to the meeting. (§286.26 F.S.)

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:	Public Comments		
For the Meeting of:	March 13, 2014		
Submitted by:	Esther Coulson, City Clerk		
Date Submitted:	March 6, 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 4

AGENDA ITEM SUMMARY SHEET

ITEM TITLE:	Regular City Commission and Workshop Draft Minutes		
For the Meeting of:	March 13, 2014		
Submitted by:	Esther Coulson, City Clerk		
Date Submitted:	March 6, 2014		
Are Funds Required:		Yes	X No
Account Number:	N/A		
Amount Required:	N/A		
Balance Remaining:	N/A		
Attachments:	Yes		
Description of Item: Discussion and approval of the February 22 workshop and February 27, 2014 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 WORKSHOP MEETING
MINUTES
February 22, 2014**

A workshop meeting of the Fruitland Park City Commission was held at 506 W. Berckman Street, Fruitland Park, Florida 34731 on February 22, 2014 at 9:00 a.m.

Members Present: Mayor Christopher Bell; Vice Mayor Albert O. Goldberg, Commissioners John L. Gunter, Jr., and Christopher Cheshire.

(Commissioner Sharon Kelly entered the meeting room as reflected in the minutes of this day's meeting.)

Also Present: City Manager Gary La Venia, Police Chief Terry Isaacs, Captain David Borst, City Treasurer Tannette Gayle, Community Development Director Charlie Rector, and City Clerk Esther B. Coulson.

1. CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Bell called the meeting to order at 9:03 a.m.; Chief Isaacs gave the invocation, and Captain Borst led in the Pledge of Allegiance to the flag.

2. ROLL CALL

Ms. Coulson called the roll and a quorum was declared present.

(Commissioner Kelly entered the meeting room during the following item.)

3. DISCUSSION – 2014 Capital Improvement Plan

With the forthcoming development at The Villages, Mayor Bell addressed the need to be able to identify what projects would benefit the residents.

Mr. La Venia addressed the purpose of this day's meeting is to find out the city commission's vision for the next five years. He distributed the public works department's Five-Year Comprehensive Plan with the list of streets; the fire department's Capital Improvement Plan (CIP) for the years 2014/15, and the police department's memorandum dated February 10, 2014 regarding Capital Needs and Improvements. (Copies of the respective documents were submitted for the record and filed with the supplemental papers to the minutes of this meeting.)

Mr. La Venia addressed the need to review and proceed efficiently and quickly future projects within the confines of The Villages; the dormant and proposed residential and commercial developments along the major corridor outside The Villages potentially impacting the community, and other essential projects. He mentioned that a determination ought to be made on a list of priorities as the city's vision in the CIP to service the city's immediate needs.

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The city commission reviewed the map reflecting the US 466A and US 441 corridors; discussed the need to initially develop the groundwork before reviewing the priority list of needed improvements.

After discussion, Mr. Rector recognized the assistance received from Mr. Greg Beliveau, LPG Mapping and Computer Services Inc., the city's planners, to enhance the city's design standards for commercial corridors in the Land Development Regulations; outlined the options of developing the city's own style, and addressed the need for implementation within nine months.

Following further discussion on the advertising sign requirements, various outdoor LED messaging signs, and the height of monument signs, Mr. Rector concurred with the city commission's request to report back to the city commission at a future meeting.

The city commission recognized the following projects in top priority order:

- **Wastewater Treatment Plant (WTP)**

Mr. La Venia reported on the efficiency of the current WTP operating at 100,000 gallons per day (gpd) and believed the design could be different. He outlined the methods of expansion at the maximum of 75,000 gpd; its handling of 38,000 gpd, and the estimated increase in potential development on its capacity of nine to 11 million gpd – realistically handling 38,000 users. In recognizing the current maximum operation of 75,000 gpd due to sludge build-up in the area, Mr. Rector mentioned the ability to obtain the plant's original design plans for construction; relayed his request to Mr. La Venia that an efficiency study be conducted, and referred to a report received from Booth Ern Straughan Hiott, Inc. (BESH), on the proposal.

Mr. Rector noted the options to construct a new 500,000 to 750,000 gpd WTP facility and provide a demonstration of the current facility; build a new temporary 250,000 gpd WTP facility – for over five to seven years in unison with the city's current plant -- which also will be demonstrated, and develop a large pumping station at the WTP, including all the city's lines heads, temporarily within a six to eight-year time frame, to the lift stations in the City of Leesburg for \$1.1 million (which the lift station is not currently designed for) or the Town of Lady Lakes (who presently has more than one million gallon capacity of reclaimed water) for over 9,200 feet of land for \$775,000.

Mr. Rector pointed out preliminary discussions previously held with the municipal engineers that there would be no payment of impact fees until such time the city's water flows are equalized and stabilized and a determination made on the City of Fruitland Park's proper design requirements.

Mr. La Venia explained that the proposed The Villages project was not considered at that time and noted the changes in circumstances.

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Mr. Rector recommended that the city commission consider pursuing negotiations with the town who would implement a meter for the water flow and continue to bill the user and possibly adjust its fees as they will be charging the City of Fruitland Park. In anticipation of the city's pump lasting, he stated that the city would charge The Villages for water and bulk sewer and noted that future development impact fees will be collected to cover the costs and the WTP at a future date, similar to the City of Leesburg.

After discussion, Mr. Rector recognized the Phase I infrastructure and reserved water plant capacity and addressed the plan to present the Fruitland Estates Planned Unit Development (PUD) before the city commission for consideration at a future meeting.

With respect to the capacity on the eastside of the highway, Mr. Rector mentioned the need to include funding of \$250,000 on the priority list to connect water lines from Cooke Street to Spring Lake Road.

In response to Mr. La Venia's comments regarding the next phase of extending, connecting additional residential sewer lines, and offsetting existing lines, the city commission discussed the need to review the criteria; apply for Community Development Block Grants (CDBGs), and seek grant funds for the two lakes in the city.

- **Public Works Department**

Messrs. La Venia and Bogle reviewed the following under the CIP:

- Public Works Facilities

The city commission agreed to proceed pursuing the vacant Lake County School Board property in the vicinity of the public works building.

- Shiloh Cemetery

Although currently maintained by staff, Mr. Bogle described the existing problems and needed renovations at Shiloh Cemetery and in response, Mayor Bell requested more information on plans and costs involved.

Commissioner Gunter referred to Cemeteries Ordinance 1990-022 and recognized the fees set aside as line item in the budget in this regard.

- Streets

With respect to the existing conditions of various streets in the city, Mayor Bell suggested resuming the corridor streetscape program (divided over a five-year period with adjustments on an annual basis) and provide a priority list with costs involved for review.

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- Public Works Equipment and Public Works Personnel

The city commission agreed that the items ought to be addressed under the forthcoming fiscal year 2014/15 budget.

- **Police Department**

After discussion, Mayor Bell suggested that the purchase of patrol vehicles be included in the five-year CIP.

After Chief Isaacs requested that he be included in the development process when the proposed Villages plan a satellite office for the city's police department, Mr. La Venia recommended that a public safety facility also be included in the CIP.

- **Fire Department**

Captain Borst suggested including the following in the CIP:

- MSA air packs,
- generator for emergency operational center (EOC) purposes,
- refurbishment of the fire department's open bays with the option of including the police department, and
- update of engine 56.

- **City Commission**

- Casino Building/Community Center

The city commission discussed reviewing the entire casino property to allow it to remain functional, the ability to provide building upgrades in phases, and improving the surrounding areas within the city's hall's vicinity to host city-related events until a new building is built in the CIP.

Mayor Bell discussed purchasing the property adjacent to the Casino building and agreed on the priority of planning for the land with design/built in the five-year plan before the completion of the Villages development.

In response, Mr. Rector reported on the casino building's adjacent property owner's awareness of the city's plans, the eminent domain process, and other options of purchasing a portion of the land and relayed that she has no desire to sell her property. He explained that the other property in the vicinity, under construction, has previously changed ownership.

In order to proceed with the community center for recreational purposes, Mayor Bell addressed the need to purchase properties near the city hall or acquire the vacant school board property and include enhancements of the lake and playground.

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- 506 W. Berckman Street Property
Mayor Bell proposed the concept of a chamber of commerce, a welcome center or a museum for new residents managed by volunteers working in conjunction with the city's library.

Later in the meeting and after much discussion, Mayor Bell suggested including in the CIP the identification of properties or proceeding in the acquisition of a larger property.

Mayor Bell reported that the Lake County Parks, Recreation and Trails Advisory Board are currently working on an Interlocal Agreement between Lake County and the city on a proposed community park which will come before the city commission for consideration.

- Fire House Upgrade
Discussion was held on the relocation of the current fire department building/public safety building or refurbishing the existing buildings to include administrative offices, meeting rooms, sleeping quarters and so forth to accommodate additional staff, as well as drive-through bays at the building's rear.

Mayor Bell suggested providing the concept to a professional for design.

- Sidewalks
The city commission discussed including sidewalks back on the five-year program.

- Decorative Lighting – US 466A
Mr. Rector explained that the street lights were never included in construction which can be reviewed as an enhancement as long as the wiring is in place, to be paid for by the developer; the internal portion of the city, pole lights would be included, and decorative lights, if it is rural, would need to be reviewed to be included in the construction. He noted that irrigation is not part of the construction.

Mr. La Venia explained that he will provide a list of projects in order of priority to the city commission for consideration.

By unanimous consent, the city commission recessed the workshop at 11:10 a.m. and reconvened at 11:20 a.m.

4. PRESENTATION – WATER CONSERVATION USE

At the request of Mayor Bell, Mr. Joe Hill, Lake County resident and former St Johns River Water Management District (SJRWMD) Chair, gave a background of his experience and recognized the water shortage problems addressed in the editorial section

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of the January 1, 2014 Daily Commercial newspaper; a copy of which is filed with the supplemental papers to the minutes of this meeting. He acknowledged the presence of the following individuals at this day's meeting who will be giving a presentation on water conservation use in light of the forthcoming new homes that will be developed in The Villages:

- **Florida Water Star**

Ms. Teresa Watkins, Florida Water Star certifier, landscape designer, environmental consultant and educator, and radio show broadcaster. She provided materials on Water Star™ Qualification Checklist, and gave a power-point presentation on Sustainable Water Use; copies which are filed with the supplemental papers to the minutes of this meeting.

- **Florida-Friendly Landscaping Program**

Ms. Claire Lewis, University of Florida for Food and Agriculture Science's (UF/IFAS') Florida-Friendly Landscaping™ Program, Statewide Florida Yards and Neighborhoods Coordinator. Ms. Lewis distributed brochures on Waterwise Landscape Information and gave a power-point presentation on Florida-Friendly Landscaping Program; copies which are filed with the supplemental papers to the minutes of this meeting.

- **Ecoturf Perennial Peanut**

Mr. William and Ms. Jenny Lloyd, Ecoturf Sod, LLC, described the benefits of the product; demonstrated its slow-growing, nitrogen-producing, drought tolerant, and densely woven root system as a low maintenance plant in residential and commercial common areas as well as areas around golf courses, lakes and ponds, and gave a background of same.

Mr. Lloyd reported that the sod program is being utilized by the Florida Department of Transportation and some municipalities and identified the long term cost savings involved to end-users.

The city commission discussed with Mr. Lloyd Singleton, UF/IFAS Florida-Friendly Landscaping™, Sumter County Extension, who deals with homeowners' associations at The Villages' development districts and their various requests for such landscaping.

Mr. Hill expressed willingness for the presenters at this day's meeting to work with the city commission and addressed the purpose of being present at the workshop is for the city's existing ordinance to address the development of more water savings.

Ms. Watkins referred to the Florida Water Star Partners and Mandates reflecting the City of Mount Dora's water conservation criteria requiring new homes to have landscapes and irrigation installed and the link regarding the SJRWMD's Water Conservation Analysis

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and Implementation Plan for the City of Mount Dora; copies of which are filed with the supplemental papers to the minutes of this meeting.

In response, Mayor Bell addressed the city's willingness to work with The Villages and suggested that Mr. Hill communicate with Messrs. La Venia and Rector to make arrangements on how to proceed in this regard.

Mr. Hill introduced the sixth grade students from Carver Middle School, City of Leesburg to the city commission.

5. OTHER BUSINESS

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

6. COMMISSIONERS' COMMENTS

There were no comments from the commissioners at this time.

- (a) **Vice Mayor Goldberg**
- (b) **Commissioner Cheshire**
- (c) **Commissioner Gunter, Jr.**
- (d) **Commissioner Kelly**

7. MAYOR'S COMMENTS

Mayor Bell had no comments at this time.

8. ADJOURNMENT

On motion made, seconded the meeting adjourned at 12:25 p.m.

The minutes were approved at the, March 13, 2014 regular city commission meeting.

Signed _____
Esther B. Coulson, City Clerk

Signed _____
Christopher Bell, Mayor

**FRUITLAND PARK CITY COMMISSION REGULAR MEETING
MINUTES
February 27, 2014**

A regular meeting of the Fruitland Park City Commission was held at 506 W. Berckman Street, Fruitland Park, Florida 34731 on Thursday, February 27, 2014 at 7:00 p.m.

Members Present: Mayor Christopher Bell; Vice Mayor Albert O. Goldberg, Commissioners John L. Gunter, Jr., Christopher Cheshire and Sharon Kelly.

Also Present: City Manager Gary La Venia, City Attorney Scott Gerken, Police Chief Terry Isaacs, Captain David Borst, City Treasurer Tannette Gayle, Community Development Director Charlie Rector, and City Clerk Esther B. Coulson.

1. CALL TO ORDER

Mayor Bell called the meeting to order at 7:00 p.m.

INVOCATION

At Mayor Bell's request, Father John C. Giel, Catholic Community of St. Paul Church, gave a historical background of the church; described the various services provided in the surrounding areas including the City of Fruitland Park, and gave the invocation.

PLEDGE OF ALLEGIANCE

Mr. Tommy Gamble, Fire Chief, introduced Mr. Shelton Turner, Fire Department Explorers, to this evening's meeting who led in the Pledge of Allegiance to the flag.

Ms. Nancy Helander, Fruitland Park Explorers Program, recognized the children involved who have been recruited through the ranks to become the city's firefighters and expressed her gratitude to the city commission for their support.

In response and on behalf of the city commission, Mayor Bell expressed appreciation to the men and women involved.

2. ROLL CALL

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

3. PROCLAMATIONS

March 2014 – Irish American Heritage Month

On behalf of the city commission, Mayor Bell read into the record a proclamation designating the month of March 2014 as *Irish American Heritage Month* in recognition of the long history of Irish-American contributions to the State of Florida. He referred to the 2010 US Census and acknowledged the nationalities from the population residing in the City of Fruitland Park to be 17 percent Irish-related.

Mr. Kennedy thanked the city commission for the recognition; requested that the community recognize the date of March 17, 2014 as "*St. Patrick's Day*", and accepted the proclamation with gratitude.

4. LOCAL PLANNING AGENCY

By unanimous consent, the city commission recessed its meeting at 7:12 p.m. to convene the Local Planning Agency meeting and reconvened at 7:16 p.m.

5. PUBLIC COMMENTS

There were no public comments at this time.

6. CONSENT AGENDA

On motion of Vice Mayor Goldberg, seconded by Commissioner Gunter and unanimously carried, the city commission approved the February 13, 2014 regular city commission meeting minutes as submitted.

7. REGULAR AGENDA

(a) Charter Review Committee Update

Mr. "Mackie" McCabe, Charter Review Committee Chair, reported on the committee's current review of the Charter sections I-III at its February 25, 2014 meeting; relayed the consensus reached on reviewing the charter, and welcomed the city commission's input.

Mr. La Venia gave a report on his recent contact the Florida Institute of Government (FIOG) to determine whether they could be retained as the city's consultants to review the charter. He relayed their comments on their review of the city's charter that it is a solid document requiring minimal changes and that they have no one on staff to provide such service. He explained that he has reached out to LPG Urban and Regional Planners, indicated that a procurement process is not required as they are currently the city's planner, and recommended that they be retained as the consultant for the committee.

A motion was made by Vice Mayor Goldberg and seconded by Commissioner Kelly that the city commission approve the city manager's recommendation to retain Mr. Greg Beliveau, LPG Urban and Regional Planners Inc., as the consultant for the Charter Review Committee at a cost of \$9,500, to conduct a study on the redistricting process (the creation of a map with four districts with the mayor at-large or five districts) and authorize the execution of an agreement for professional services. (LPG Urban and Regional Planners Inc. is currently retained as the city's existing planner.)

Mr. Gerken conveyed discussions held at the February 25, 2014 committee meeting on retaining the consultant as needed recognizing that even if a referendum regarding districting occurs in the November 2014 election, districting will not take

place in the city until 2016 when a number of changes will be anticipated at that time. He explained that the committee will work with Mr. Beliveau to make a decision on districting and review and redraw the current map before the 2016 election.

After discussion, Mayor Bell requested that Mr. Beliveau be invited to the next regular city commission meeting to address the redistricting issue.

Following further discussion on the process involved with the charter revision and initiatives on the ballot, **Mayor Bell called for a roll call vote on the motion and declared it carried unanimously.**

Mayor Bell requested that Mr. La Venia invite Mr. Beliveau to the next commission meeting

(b) “Love Week 5K Run and Kids Fun Run” Report
By unanimous consent, the “Love Week 5K Run and Kids Fun Run” report was postponed to the March 13, 2014 regular city commission meeting at staff’s request.

(c) Surplus Items – Patrol Vehicles
After discussion and a motion was made by Commissioner Gunter and seconded by Commissioner Kelly that the city commission approve staff’s recommendation to sell two vehicles as surplus items which are no longer operational: 1988 Ford (VIN No. 2FAFP71W8WX18639) and 2003 Ford (VIN No. 2FAFP71WX3X142952).

Following further discussion, **Mayor Bell called for a vote on the motion and declared it carried unanimously**

(d) Year-to-Date Budget Report
Ms. Gayle submitted the treasurer’s report of the City of Fruitland Park’s financial information; a copy of which is filed with the supplemental papers to the minutes of this meeting.

Ms. Gayle reported that the year’s budget was closed out, expenditures are conservative, and that the budget process will commence on April 1, 2014. She addressed her plan to meet with the city commission to determine whether changes ought to be made.

After discussion, Ms. Gayle explained that she is currently waiting for the auditor’s adjustments.

By unanimous consent, Mayor Bell opened the public hearing.

7. **REGULAR AGENDA**

(e) **First Reading – Ordinance 2014-002 – Comprehensive Plan Amendment – “The Villages of Fruitland Park – DRI”**

It now being the time advertised to hold a public hearing and after Mr. Gerken read into the record the title of the proposed ordinance the substance of which is as follows, Mayor Bell called for interested parties to be heard:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, PROVIDING FOR A COMPREHENSIVE PLAN AMENDMENT TO CREATE A NEW FUTURE LAND USE DESIGNATION WITHIN THE CITY OF FRUITLAND PARK'S COMPREHENSIVE PLAN ENTITLED “THE VILLAGES OF FRUITLAND PARK-DRI”; PROVIDING FOR A COMPREHENSIVE PLAN AMENDMENT PURSUANT TO FLORIDA STATUTES 163.3184(3) AMENDING THE FUTURE LAND USE DESIGNATION FROM LAKE COUNTY RURAL TO THE VILLAGES OF FRUITLAND PARK DRI ON THE FUTURE LAND USE MAP OF THE CITY OF FRUITLAND PARK'S COMPREHENSIVE PLAN FOR APPROXIMATELY 780 ± ACRES OF PROPERTY GENERALLY LOCATED SOUTH OF CR 466-A AND NORTH OF PINE RIDGE DAIRY ROAD; PROVIDING FOR SEVERABILITY; 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 SECRETARY OF STATE OF THE STATE OF FLORIDA, AND PROVIDING FOR AN EFFECTIVE DATE. (The second public hearing will be held on April 27, 2014.)

After discussion, Mr. Rector relayed the unanimous recommendations of approval from the Planning and Zoning Board and the Local Planning Agency to transmit the previously cited ordinance to the appropriate agency.

There being no one from the public and **by unanimous consent, Mayor Bell closed the public hearing.**

A motion was made by Commissioner Kelly and seconded by Commissioner Gunter that the city commission approve the Local Planning Agency's recommendation to transmit proposed Ordinance 2014-002 as previously cited to the state.

Mayor Bell called for a roll call vote on the motion with the city commission members voting as follows:

Commissioner Cheshire	Yes
Vice Mayor Goldberg	Yes
Commissioner Gunter	Yes
Commissioner Kelly	Yes
Mayor Bell	Yes

The motion was declared unanimously carried.

8. NEW BUSINESS

There was no new business to address at this time.

9. OFFICERS' REPORTS

(a) City Manager

i. February 25, 2014, County Commission

Mr. La Venia gave a report on recent actions by the Lake County Board of County Commissioners at its February 25, 2014 regular meeting to advertise public hearings on the following corridors and Lake County Metropolitan Planning Organization's consideration at its recent meeting to include the projects as roadway improvements in its program, and described the phases involved:

- Pine Ridge Dairy Road #5603

vacate and cease maintenance on a portion of county maintained Pine Ridge Dairy Road #5603.

- CR 466A ROW

vacate a portion of right-of-way along the old alignment of CR 466A in the Fruitland Park area.

ii. City of Fruitland Park Cleanup Day

Mr. La Venia reminded the city commission of the *Fruitland Park Cleanup Day* to take place on Saturday, March 1, 2014 at Gardenia Park starting at 8:30 a.m. and encouraged the citizens to support their city by keeping it clean.

(b) City Attorney

i. Attorney-Client Session – Parish lawsuit (Case No. 2013 CA 001361)

Mr. Gerken referred to his report given at the last regular commission meeting on the mediation on the Robert A. Parish litigation on February 20, 2014 attended by the mediator, Mr. La Venia and himself; explained that they reached an impasse as a settlement was not attained.

Mr. Gerken explained that subsequent to the mediation, additional discussions took place and a meeting reconvened earlier this day, in advance

of the deposition of Mayor Bell, where by a settlement agreement was reached and executed, contingent up on approval by the city commission.

Mr. Gerken advised that he desires advice concerning the subject pending litigation at 6:00 p.m., prior to the March 13, 2014 regular commission meeting, to accept the proposed settlement. He recognized that almost all the funds would be coming from the city's insurance provider and that scheduled depositions for the city commissioners or discoveries, as a result, will be stayed or cancelled.

ii. Wingspread Homeowner's Association

Mr. Gerken acknowledged the presence of Mr. Marc Schwartz, Wingspread Homeowners' Association (HOA); recalled the city commission's previous consideration on the issue of the gate between Wingspread and The Glen HOAs, noted the petition to vacate the area was filed, ultimately considered and denied by the city commission.

With regards to the land application, Mr. Gerken referred to the code requirements that the applicant pay the associated fees with the application and total outstanding attorney's fees of \$1,789.08 which remains unpaid and pointed out Wingspread's payment of the regular filing fee with the petition. He relayed Wingspread's request, under the circumstances, for relief from the fees to be waived and recognized the situation as extraordinary as it was not purely connected to the petition.

Mr. Marc Schwartz, president representing Wingspread HOA, recollected the events that occurred at previous city commission meetings when the original matter was considered, never acted upon, but eventually postponed on a number of occasions due to insufficient information which left the neighborhood to resolve amongst themselves. He recognized that the majority of the fees occurred after that time.

Mr. Gerken recommended that some relief be given and left the matter up to the city commission's discretion.

After extensive deliberations, and **on motion of Commissioner Cheshire, seconded by Vice Mayor Goldberg and unanimously carried, the city commission approved revising the balance of fees and request that Wingspread Homeowners' Association pay \$450.00 to the city.**

iii. Fees Settlement Agreement - Police and Fire Service Fee Action Lawsuit (Case No. 2013 CA 400 Circuit Court, Fifth Judicial District)

Mr. Gerken recognized the date of the hearing for the approval of the settlement agreement, which can be attended by the public, on the subject

case was held this day, February 27, 2014, at the Lake County Clerk of the Circuit Courts.

Mr. Gerken explained that the class fund would be divided among the class members, attorneys and representatives and an announcement or ruling may be issued later by the judge.

iv. Special Magistrate

Mr. Gerken referred to his comments made at the February 13, 2014 regular city commission meeting regarding the septic tank tragedy and the ability to proceed with the special magistrate process. He reported that he prepared a draft of a special magistrate ordinance which he will provide for city commission consideration at a future meeting.

10. COMMISSIONERS' COMMENTS

(a) Vice Mayor Goldberg

Vice Mayor Goldberg had nothing to report.

(b) Commissioner Kelly

Commissioner Kelly relayed an elected official's comments made at the February 26, 2014 Lake County Metropolitan Planning Organization (MPO) meeting on the status of CR 466A corridor and indicated that he will be keeping on top of the issue.

(c) Commissioner Cheshire

Commissioner Cheshire had nothing to report at this time.

(d) Commissioner Gunter, Jr.

Commissioner Gunter thanked Mayor Bell for his involvement and representing the city commission with the transportation issue and his recent trip with other local Lake County elected officials to Tallahassee on behalf of the city to seek funding for CR 466A.

11. MAYOR'S COMMENTS

(a) February 18 and 19, 2014 Lake County Legislative Days

Mayor Bell reported on his involvement on the Transportation Committee at the February 18 and 19, 2014 Lake County Legislative Days with Lake County Board of County Commissioner Timothy Sullivan, the MPO's Executive Director T. J. Fish and other representatives who primarily addressed the US 466A corridor as a priority to be implemented.

(b) February 20, 2014, Ocala/Marion County Chamber and Economic Partnership

Mayor Bell reported on his February 20, 2014 meeting at the Ocala/Marion County Chamber and Economic Partnership with elected officials from the Village of Lady

Lakes and noted the message relayed to Lake County on the need to track businesses for economic growth and mentioned the exchange of ideas.

(c) **February 25, 2014, Lake County**

Mayor Bell explained that Mr. La Venia accompanied him to the Lake County Board of County Commissioners regular meeting on February 25, 2014 on the approval to advertise public hearings to vacate and cease maintenance on a portion of county maintained Pine Ridge Dairy Road #5603 and vacate a portion of right-of-way along the old alignment of CR 466A in the City of Fruitland Park area.

Mayor Bell addressed the economic development and the resources available at The Villages into Lake County and the elected officials support to improve the roadways, the traffic signals at CR 466A and 441 roadway.

Mayor Bell explained that he and Mr. La Venia met with District 5 Lake County Commissioner Welton Caldwell and Mr. Bill L. Veach, Lake County Deputy Manager, regarding the CR 466A corridor and that they are in the process of finalizing the Interlocal Agreement relating to the proposed community park which will be considered at a future city commission meeting.

(f) **February 22, 2014, Workshop**

Mayor Bell noted that the February 22, 2014 City Commission Workshop will be held to address the CIP and indicated that Mr. La Venia will be reporting back to the city commission.

12. 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 at 8:12 p.m.

The minutes were approved at the, March 13, 2014 regular city commission meeting.

Signed _____
Esther B. Coulson, City Clerk

Signed _____
Christopher Bell, Mayor



**AGENDA ITEM
NUMBER
5a**

AGENDA ITEM SUMMARY SHEET

ITEM TITLE:	Charter Review Committee Update		
For the Meeting of:	March 13, 2014		
Submitted by:	City Manager		
Date Submitted:	March 6, 2014		
Are Funds Required:	\$9,500	X	Yes
Account Number:			
Amount Required:			
Balance Remaining:			
Attachments:			
Description of Item: At the February 27, 2014 regular meeting, the city commission approved retaining Mr. Greg Beliveau, LPG Urban and Regional Planners Inc., as the consultant for the Charter Review Committee to conduct a study on the redistricting process and requested that he be invited to the meeting.			
Action to be Taken: None.			
Staff's Recommendation: N/A			
Additional Comments: N/A			

Reviewed by: _____
City Manager

Authorized to be placed on the Regular Consent Agenda: _____
Mayor



**AGENDA ITEM
NUMBER
5b**

AGENDA ITEM SUMMARY SHEET

ITEM TITLE:	"Love Week 5K Run and Kids Fun Run Report"		
For the Meeting of:	March 13, 2014		
Submitted by:	City Manager		
Date Submitted:	March 6, 2014		
Are Funds Required:		Yes	
Account Number:			
Amount Required:			
Balance Remaining:			
Attachments:			
Description of Item: Postponed from the February 27, 2014 regular meeting.			
Action to be Taken: None.			
Staff's Recommendation: N/A			
Additional Comments: N/A			

Reviewed by: _____
City Manager

Authorized to be placed on the Regular Consent Agenda: _____
Mayor



**AGENDA ITEM
NUMBER
5c**

AGENDA ITEM SUMMARY SHEET

ITEM TITLE:	Lien Search Ordinance			
For the Meeting of:	March 13, 2014			
Submitted by:	City Manager and City Attorney Stone & Gerken, P.A.			
Date Submitted:	March 6, 2014			
Are Funds Required:		Yes	<input checked="" type="checkbox"/> X	No
Account Number:	n/a			
Amount Required:	n/a			
Balance Remaining:	n/a			
Attachments:	Draft Ordinance 2014-008			
Description of Item: Establishing a lien search fee request policy for the City of Fruitland Park.				
Action to be Taken: Motion to approve Ordinance 2014-008, per the city commission's discretion.				
Staff's Recommendation: n/a				
Additional Comments: n/a				

Reviewed by: /s/ Katrina Stone
Assistant City Attorney

Authorized to be placed on the Regular Consent agenda: _____
Mayor

ORDINANCE 2014-008

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING CHAPTER 99 OF THE CITY OF FRUITLAND PARK CODE OF ORDINANCES BY CREATING SECTION 99.140, PROVIDING FOR MUNICIPAL LIEN SEARCH FEES; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Fruitland Park (the "City") is a municipal corporation of the State of Florida with such power and authority as has been conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, the City frequently receives requests for lien searches from title companies, banks, financial institutions, attorneys, and another entities and individuals; and

WHEREAS, when a lien search request is received by the City, it requires staff time to respond to such requests; and

WHEREAS, in light of the processing time and cost to the City, the City desires to impose a charge for such lien searches; and

WHEREAS, the City of Fruitland Park City Commission desires to impose a \$30.00 charge for a regular lien search for any parcel of real property located in the city, defined as a search request that may not be completed by the city within three (3) to five (5) business days of receipt (excluding city-recognized holidays), and which may take up to five (5) business days to complete; and

WHEREAS, the City of Fruitland Park City Commission desires to impose a \$50.00 charge for a rush lien search for any parcel of real property located in the city, defined as a search request which shall be completed by the city within one (1) to two (2) business days of receipt (excluding city-recognized holidays), if such request is made Monday through Friday; and

WHEREAS, search requests made on Friday will be processed within the same one (1) to two (2) business days beginning no earlier than Monday (excluding city-recognized holidays); and

WHEREAS, all applicable fees must be paid at the time of the request prior to the request being processed; and

WHEREAS, the City of Fruitland Park City Commission desires to authorize the City Manager to adjust the charges for lien search requests as needed, from time to time, in the exercise of the City Manager's sole and reasonable discretion.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA AS FOLLOWS:

Section 1. The recitals above are hereby incorporated herein by reference.

Section 2. Chapter 99 of the City of Fruitland Park Code of Ordinances is hereby amended to create section 99.140, as follows:

Section 99.140. Municipal Lien Search Fees.

- A. The charge for a regular lien search for any parcel of real property located in the City, defined as a search request that may not be completed by the City within three to five business days of receipt of

the request, and which may take up to five (5) business days to complete, is hereby established at \$30.00.

- B. The charge for a rush lien search for any parcel of real property located in the City, defined as a search request which shall be completed by the City within one to two business days of receipt of the request, if such request is made Monday through Thursday, is hereby established at \$50.00.

Section 3. The City Manager is hereby authorized to adjust the charges for lien search requests as needed, from time to time, in the exercise of the City Manager’s sole and reasonable discretion.

Section 4. All portions of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 5. The provisions of this Ordinance are intended to be incorporated into the Code of Ordinances of the City of Fruitland Park, Florida and the sections of this Ordinance may be renumbered, relettered, and the word “ordinance” may be changed to “section”, “article”, or such other word or phrase in order to accomplish such intention.

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

PASSED AND ORDAINED this ____ day of _____, 2014, by the City Commission of the City of Fruitland Park, Florida.

CHRISTOPHER J. BELL, MAYOR

Attest:

Esther Coulson, CMC, City Clerk

Vice Mayor Goldberg ____ (Yes), ____ (No), ____ (Abstained), ____ (Absent)
Commissioner Cheshire ____ (Yes), ____ (No), ____ (Abstained), ____ (Absent)
Commissioner Gunther ____ (Yes), ____ (No), ____ (Abstained), ____ (Absent)
Commissioner Kelly ____ (Yes), ____ (No), ____ (Abstained), ____ (Absent)
Mayor Bell ____ (Yes), ____ (No), ____ (Abstained), ____ (Absent)

Passed First Reading _____
Passed Second Reading _____

Approved as to form:

Scott A. Gerken, City Attorney



**AGENDA ITEM
NUMBER
5d**

AGENDA ITEM SUMMARY SHEET

ITEM TITLE:	Police and Fire Service Fee Repeal Ordinance			
For the Meeting of:	March 13, 2014			
Submitted by:	City Attorney Stone & Gerken, P.A.			
Date Submitted:	March 6, 2014			
Are Funds Required:		Yes	X	No
Account Number:	n/a			
Amount Required:	n/a			
Balance Remaining:	n/a			
Attachments:	Draft Ordinance 2014-007			
Description of Item:				
Action to be Taken: Motion to approve Ordinance 2014-007, per the city commission's discretion.				
Staff's Recommendation: n/a				
Additional Comments: n/a				

Reviewed by: /s/ Katrina Stone
Assistant City Attorney

Authorized to be placed on the Regular Consent agenda: _____
Mayor

ORDINANCE 2014-

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, REPEALING CITY OF FRUITLAND PARK ORDINANCES 2009-014, 2010-005, AND 2011-010, RELATING TO POLICE AND FIRE SERVICE FEES AS SET FORTH THEREIN; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Fruitland Park City Commission previously passed Ordinance 2009-014, which imposed a police service and fire service fee (the "police and fire fee") of \$2.00 per month to each property within the City receiving a utility bill; and

WHEREAS, the City of Fruitland Park City Commission subsequently passed Ordinance 2010-005 and Ordinance 2011-010, each of which amended the police and fire fee; and

WHEREAS, the City of Fruitland Park City Commission finds and determines that such police and fire fees should no longer be imposed; and

WHEREAS, the City of Fruitland Park City Commission accordingly desires to repeal City Ordinances 2009-014, 2010-005, and 2011-010.

NOW THEREFORE, be it ordained by the City Commission of the City of Fruitland Park, Florida:

SECTION 1. City of Fruitland Park Ordinances 2009-014, 2010-005, and 2011-010 are hereby repealed in their entirety.

SECTION 2. Chapter 99, Section 99.130 is hereby deleted as follows:

~~**Sec. 99.130. — Police and Fire Service Fees.**~~

~~(A)~~

~~*Police service fee.* A police service fee of \$4.00 per month shall be charged to each property receiving a utility bill within the City of Fruitland Park. For purposes of this section, a person shall be presumed to be occupying or doing business on a property if water or sewer utilities are provided by the city to the property and each utility service connection shall be considered as a separate property on which a fee may be imposed. Therefore, the police service fee shall be billed monthly on the utility bills or, at the city's option, may be separately billed. If, however, a person provides notice to and establishes to the satisfaction of the city's treasurer that they are not occupying or doing business on a property for which utilities are provided or are otherwise not using police services, no fee shall be charged. Alternatively, a person subject to a fee may either:~~

~~(1) — Provide written notice to the city's treasurer that they do not wish to use police services provided by the police service fee; or~~

~~(2) — Not pay the fee for three consecutive months.~~

~~In either case, no fee shall be charged. However, the city may charge such person for the actual costs of police services rendered associated with an incident or occurrence at the property as calculated by city's treasurer.~~

(B)

~~Fire service fee. A fire service fee of \$4.00 per month shall be charged to each property receiving a utility bill within the City of Fruitland Park. For purposes of this section, a person shall be presumed to be occupying or doing business on a property if water or sewer utilities are provided by the city to the property and each utility service connection shall be considered as a separate property on which a fee may be imposed. Therefore, the fire service fee shall be billed monthly on the utility bills or, at the city's option, may be separately billed. If, however, a person provides notice to and establishes to the satisfaction of the city's treasurer that they are not occupying or doing business on a property for which utilities are provided or are otherwise not using fire services, no fee shall be charged. Alternatively, a person subject to a fee may either:~~

- ~~(1) Provide written notice to the city's treasurer that they do not wish to use fire services provided by the fire service fee; or~~
- ~~(2) Not pay the fee for three consecutive months.~~

~~In either case, no fee shall be charged. However, the city may charge such person for the actual costs of fire services rendered associated with an incident or occurrence at the property as calculated by the city's treasurer.~~

SECTION 3. SEVERABILITY.

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion of this Ordinance.

SECTION 4. CODIFICATION.

This Ordinance shall be codified and included in the Municipal Code by the appropriate party. The section of this ordinance may be renumbered or relettered, and the word "ordinance" may be changed to "section," "article," or other appropriate designation.

SECTION 5. EFFECTIVE DATE.

This Ordinance shall become effective upon passage on second and final reading by the City Commission of the City of Fruitland Park.

PASSED AND ORDAINED this ____ day of _____, 2014, by the City Commission of the City of Fruitland Park, Florida.

CHRISTOPHER J. BELL, MAYOR

Attest:

Esther Coulson, City Clerk

Vice Mayor Kelly _____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Goldberg _____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Cheshire _____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Gunther _____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Mayor Bell _____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)

Passed First Reading _____

Passed Second Reading _____

Approved as to form:

Scott A. Gerken, City Attorney