

**FRUITLAND PARK CITY COMMISSION SPECIAL MEETING
MINUTES
April 23, 2015**

A regular meeting of the Fruitland Park City Commission was held at 506 W. Berckman Street, Fruitland Park, Florida 34731 on Thursday, April 23, 2015 at 6:00 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, Interim Police Chief Todd English, Lieutenants Dennis Cutter and Beckie Sirolli; Fire Chief George Fernandez, Donald Gilpin, Fire Department; Community Development Director Charlie Rector, Public Works Director Dale Bogle; Parks and Recreation Director Michelle Yoder, and City Clerk Esther B. Coulson.

1. CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Bell called the meeting to order at 6:05 p.m.

Pastor Reverend Patrick E. Thomas, New Salem Missionary Baptist Church - Invocation

Interim Chief Captain English gave the Pledge of Allegiance to the flag.

2. ROLL CALL

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

3. CITY ATTORNEY INTERVIEWS AND SELECTION

Mayor Bell recognized at this evening's meeting the presence of attorneys Ms. Anita Geraci-Carver, Anita Geraci-Carver PA, and Messrs. Wade C. Vose and Al Schwarz, Vose Law Firm LLP, who recently met with the city commission members individually.

The respective attorneys gave an outline of their backgrounds; experiences, and the type of local governmental work performed.

Reference was made to the email that the city commission received on April 22, 2015 where Ms. Geraci addressed her willingness to meet with the elected officials in that regard; a copy of said document is filed with the supplemental papers to the minutes of this meeting.

After much discussion, and **on motion of Commissioner Lewis, seconded by Vice Mayor Cheshire and unanimously carried, the city commission agreed to proceed with the Law firms of Anita Geraci-Carver PA and Vose Law Firm LLP.**

Upon Mr. Gerken's recommendation, **a motion was made by Commissioner Lewis and seconded by Vice Mayor Cheshire that the city commission approve the selection of**

Fruitland Park City Commission Special Minutes

Page 2 of 17

April 23, 2015

Vose Law Firm LLP to provide legal services to the City of Fruitland Park subject to entering into a satisfactory agreement.

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

Commissioner Ranize	No
Commissioner Gunter	No
Commissioner Lewis	Yes
Vice Mayor Cheshire	Yes
Mayor Bell	No

The motion was declared not carried on a three-two (3-2) vote.

After discussion, a motion was made by Commissioner Ranize and seconded by Commissioner Gunter that the city commission approve the selection of Anita Geraci-Caver to provide legal services to the City of Fruitland Park subject to entering into a satisfactory agreement.

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

Mr. Gerken addressed his plan to meet with Mr. La Venia to review the attorney contract and mentioned his intent to meet with Ms. Geraci-Carver before the next regular meeting to work on the transition and any pending issues.

By unanimous consent, the city commission recessed its meeting at 7:10 p.m. and reconvened at 7:22 p.m.

4. PROCLAMATIONS AND SPECIAL RECOGNITION

(a) *Mayors Day of Recognition for National Service, April 7, 2015*

On behalf of the city commission, Mayor Bell read into the record a proclamation proclaiming April 7, 2015 as *National Service Recognition Day*, and encouraged residents to recognize the positive impact of national service in our city, to thank those who serve; and to find ways to give back to their communities.

Mr. George Popovich, Senior Services on behalf of the National and Community Service (NCS) State Program, accepted the proclamation with appreciation. He identified the federal program which provides community support for individuals assisting cities and communities; recognized that the Corporation for National and Community Service, National League of Cities and Cities of Service funds the program which engages seniors on behalf of NCS make them a Communities For a Lifetime.

Fruitland Park City Commission Special Minutes

Page 3 of 17

April 23, 2015

- (b) **May 9, 2015 Letter Carriers' "Stamp Out Hunger" Food Drive Day**
On behalf of the city commission, Mayor Bell read into the record a proclamation proclaiming Saturday, May 9, 2015 as *Letter Carriers' Food Drive Day* and encouraged citizens to support the food drive by placing non-perishable food items in or near their mailboxes on food drive day for letter carriers to pick up while delivering the mail—where together, we can all help to feed our hungry.

Mr. Shane Ulbin, National Association of Letter Carriers "Food Drive Coordinator Central Florida Branch 1091, accepted the proclamation with gratitude. He explained the process of distributing the food to local food banks; gave statistics on the amount of food gathered and the volume received by local banks, and recognized the ongoing struggle.

- (c) **May 10, 2015 World Lupus Day**
On behalf of the city commission, Mayor Bell pointed out the proclamation designating May 10, 2015 as *World Lupus Day* whereby lupus organizations around the globe call for increases in public and private sector funding for medical research on lupus, targeted education programs for health professionals, patients and the public, and worldwide recognition of lupus as a significant public health issue.

Mayor Bell announced that the proclamation will be submitted at a later date to Mess. Maggi McQueen, Board Chair and Linda Ruescher, Program Director, Lupus Foundation of Florida.

- (d) **May 3-9, 2015 North American Occupational Safety and Health (NAOSH) Week and May 6, 2015 as Occupational Safety and Health (OSHP) Day**
On behalf of the city commission, Mayor Bell referred to the proclamation proclaiming May 3 to 9, 2015 to be *NAOSH Week* and Wednesday, May 6, 2015, to be *Occupational Safety and Health Professional Day* and encouraged all industries, organizations, community leaders, employers and employees to support activities designed to increase awareness of the importance of safe workplaces for all.

Mayor Bell stated that the proclamation will be sent at a later date to Ms. Heather Earl, Central Florida Chapter.

- (e) **Special Presentation**
No action was taken on this item.

5. PUBLIC COMMENTS

Mr. Peter J. Hurtk, City of Fruitland Park resident, referred to previous comments made regarding the Fruitland Park Library, the opposition on its increase in size, and the influx of the Fruitland Park Villages patrons. He recognized the services available for the

Fruitland Park City Commission Special Minutes

Page 4 of 17

April 23, 2015

citizens using the library, noted that the library is the shining star in the city and described how a member of his family uses the program. He extended congratulations to Ms. Glendinning for her efforts.

Mr. Hurtk recognized Mr. Gerken as a brilliant lawyer and extended well wishes to him.

6. CONSENT AGENDA

Approval of Minutes

On motion of Commissioner Lewis, seconded by Vice Mayor Cheshire and unanimously carried, the city commission approved the April 9, 2015 regular meeting minutes as submitted.

7. REGULAR AGENDA

(a) Appointment of City Attorney

The appointment of a city attorney was made earlier in this evening's meeting and the approval of a contract for legal services will be considered at the next meeting.

(b) Future City Commission Meeting and Workshop Schedules

The city commission discussed holding future city commission meeting on the following:

- August 3 – 5, 2015, Budget Workshops
- September 10, 2015 First Public Budget Hearing
- September 24, 2015 Final Public Hearing

Mr. La Venia suggested holding a workshop on the Fruitland Park Library and any other topics for May 12, 2015 at 7:00 p.m.

By unanimous consent, the city commission agreed to the future City of Fruitland Park Commission meeting dates as previously cited.

(c) Water and Wastewater Treatment Plant Agreement

The city commission considered its action to approve the Water and Wastewater Treatment Plant (WWTP) Agreement between the Town of Lady Lake and the City of Fruitland Park for the city to pay for wastewater treatment and for the town to receive and treat the city's wastewater.

Mr. La Venia referred to his recent meeting with Ms. Kris Kollgaard, Town Manager, and the Utilities Wastewater staff regarding concerns on payments and delineation of responsibilities for the involved participants; the inclusion of the Interlocal Service Boundary Agreement (ISBA).

Mr. Gerken noted the 10-year agreement with a termination provision of two and a half year's notice and that the rates in the future would not be increased.

Fruitland Park City Commission Special Minutes

Page 5 of 17

April 23, 2015

After considerable discussion on the location of the connection lines and having recognized Booth Ern Straughan & Hiott Inc's. (BESH's) review of the agreement, Mr. Rector addressed staff's intent to request that the city commission enact an ordinance similar to the town's as the city needs to strengthening the enforcement procedures in effect.

Mr. Rector outlined the plans shared with BESH to demolish and convert the old wastewater treatment plant to a pumping station up to the town's lift station and connecting the city's water lines; described what would be involved including the expense of upgrading the line, which is needed, between the lift station and the right-of-way, and noted that the city would be performing the work, bear the cost and maintain their portion, and the town would conduct maintenance and repairs on theirs.

After discussion, **and on motion of Commissioner Ranize, seconded by Vice Mayor Cheshire and unanimously carried, the city commission approved the Water and Wastewater Treatment Plant Agreement as previously cited; authorized the mayor to execute same, and requested staff to clarify the issue on expenses.**

(d) Fruitland Park Library Expansion Status Update Report

Ms. Glendinning conveyed her discussions with Mr. La Venia on Lake County Attorney Sanford A. Minkoff's agreement on April 17, 2015 to allow the city to keep the county grant funds received for \$572,700. She requested that Mr. La Venia send a letter to Mr. David Heath, Lake County Manager, informing him of the city's intentions to change the Fruitland Park Library's expansion design build project to new building construction.

Ms. Glendinning requested the city commission's permission to apply for the state's construction grant for a new facility, previously approved by the county, before requesting additional grant funding with the Florida Department of State by May 5, 2015; mentioned that the new applications (which was changed to approve the form on the impact fee grant) would accompany the letter, and mentioned the intent to present the request before the Library Advisory Board's May 21, 2015 meeting for subsequent consideration at the Lake County Board of County Commission meeting.

Ms. Glendinning explained that the state library is offering matching grants and mentioned her desire to apply for \$500,000 which needs to be complete before May 21, 2015. She relayed the agreement for financing sought which can be modified after the May 12, 2015 city commission workshop.

After much discussion, Mr. W. Chet Ross, CPA, Shumacker, Johnston & Ross PA, addressed his plans to address in the presentation, later in this evening's meeting, the identification of funding sources in construction funds, the amount

Fruitland Park City Commission Special Minutes

Page 6 of 17

April 23, 2015

presently available, and his suggestion to utilize infrastructure funds as a match to apply for the \$500,000 grant to which Mr. La Venia noted is not needed by the city but would request additional funds from the county if the city is awarded the grant.

Following extensive deliberations and **by unanimous consent, the city commission authorized staff to proceed and apply for the Florida Department of State, Division of Library and Information Services' matching grants for the construction of a new Fruitland Park Library building.**

Later in the meeting and **by unanimous consent, the city commission approved the city manager's request granting a 30-day extension on Request for Qualifications 2015-03 Library Expansion - Design Build.**

(e) Mirror Lake Villages Final Plat

The city commission considered its action to approve the final plat submittal for Mirror Lake Villages. Petitioner: Mr. Eris S. Peisner, on behalf of Fruitland Park LLC., as owner.

Mr. Rector recommended final plat approval on the subject plat which has been reviewed.

After discussion regarding the concerns on the water retention pond, Mr. Rector referred to the St. Johns River Water Management District's (SJWMD's) letter dated February 10, 2015 regarding the subject plat verifying receipt of the As-Built Certification, certifying compliance of all components of the water management system, and noting that no substantial deviations were found. He confirmed that inspections are complete; verified that there have been no other changes since the subject request for rezoning was approved at the January 8, 2015 regular meeting, and stated that the water retention pond is complete. (A copy of the letter is filed with the supplemental papers to the minutes of this meeting.)

Following further deliberations, Mr. Rector stated that staff could request that SJWMD review the stormwater retention pond.

After ensuing discussion and **on motion of Commissioner Lewis, seconded by Commissioner Ranize and unanimously carried, the city commission approved the final plat submittal for Mirror Lake Villages.**

(f) Auditor's Financial Report – W. Chet Ross, CPA, Shumacker, Johnston & Ross PA

Mr. Ross reviewed the Comprehensive Annual Financial Report for the year ended September 30, 2014; submitted his memorandum dated April 23, 2015

Fruitland Park City Commission Special Minutes

Page 7 of 17

April 23, 2015

regarding the financial statements audit, and described the city's current financial position. (A copy of the memorandum is filed with the supplemental papers to the minutes of this meeting.)

After discussion and on motion of Vice Mayor Cheshire, seconded by Commissioner Gunter and unanimously carried, the city commission approved the Comprehensive Annual Financial Report for the year ended September 30, 2014 for distribution.

By unanimous consent, Mayor Bell opened the public hearings.

PUBLIC HEARING

- (g) **Second Reading and Public Hearing - Cross-Connection Ordinance 2015-003**
It now being the time advertised to hold a public hearing and after Mr. Gerken read into the record proposed Ordinance 2015-003, the title of which is as follows, the public was called to be heard:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, REVISING CHAPTER 51 ENTITLED PLUMBING OF THE CODE OF ORDINANCES ADOPTED BY ORDINANCE 90-027 AND REPLACING WITH THE CROSS-CONNECTION CONTROL PROGRAM PROVIDED HEREIN; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR AN EFFECTIVE DATE.
(The first reading was held on April 9, 2015.)

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

After Mr. Bogle gave a definition and overview of proposed Ordinance 2015-003, a motion was made by Commissioner Lewis and seconded by Vice Mayor Cheshire that the city commission enact the subject ordinance, as previously cited, to become effective immediately as provided by law.

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

9. NEW BUSINESS

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

10. OFFICERS' REPORTS

(a) City Manager

i. Engineering and Surveying Services - Water Wastewater Connection - BESH -

Mr. La Venia pointed out the city commission's direction at its April 9, 2015 regular meeting to obtain design/engineering costs for the connection of the underground water and wastewater lines from the city's portion to the town. He reviewed BESH's engineering and surveying services proposal to complete the town's WWTP connection project for \$126,410 and the proposal for capital lift station at \$1,367,720 from US 466A to the city's WWTP. (Copies of the proposals are filed with the supplemental papers to the minutes of this meeting.)

Mr. Rector relayed the request to BESH to provide the cost to install the lift station -- CR 466A to the city's WWTP, down Poinsettia Avenue and Shiloh Street -- with options continue to Poinsettia Avenue to the WWTP (the minimum pumping station) or go to Shiloh Street (connecting to the city's lift station). He noted the slightly less option to go to Shiloh Street with the possibility of costing more; recognized that BESH is preparing costs on the likelihood of going down to Poinsettia Avenue which can be expanded and corrected, and addressed the need, for this evening's meeting, that a minimum cost estimate is to be based on the most profitable.

With reference to Mr. La Venia's review of the proposal, Mr. Rector noted an error made in the schedule of unit prices for the city's capital lift station at \$1,489,033 which did not include the generator and described the costs involved from the cost estimate of \$1,575,000 which would complete the new lift station on the property to the WWTP. (A copy of the schedule is filed with the supplemental papers to the minutes of this meeting.)

Mr. Rector referred to the recent visit on the site with Mr. Duane K Booth PE, BESH, where The Villages were conducting inspections; depicted the location of the waste water connection lines on the low side of the property in the area, and conveyed his request that Mr. Booth provide the cost of extending same whilst the roadwork was underway.

Mr. Rector conveyed Farner Barley and Associates Inc.'s concurrence, in response to his inquiry, that they would revise their plans for \$3,700 and seek additional permit modifications; relayed Rainey Construction Company's agreement (who are performing work for The Villages) to erect the 12" water connection line for \$67,000 and the 8" force main for \$39,000, totalling \$106,000, and referred to BESH's email dated April 23, 2015 regarding the breakdown of the price; a copy of which is filed with the supplemental papers to the minutes of this meeting.

Fruitland Park City Commission Special Minutes

Page 9 of 17

April 23, 2015

Mr. Rector requested that the city commission authorize staff to proceed in this regard or piggyback with an existing contract to extend the wastewater connection line to 1,500 feet for an estimated amount of \$106,000 in addition to Farner Barley's revised plans (utilizing the \$750,000 in funds from The Villages) and request modification of their permit provided that the new drawing is submitted; thus the Villages are in agreement with the provisional arrangement.

Following further discussions, Mr. Rector advised that if out-of-pocket expenditures are required, staff will report back to the city commission for further direction before moving forward on the project.

On motion of Commissioner Lewis, seconded by Commissioner Ranize and unanimously carried, the city commission approved staff's request to proceed with Farner Barley and Associates Inc. to extend the underground water and wastewater connection lines back 1,500 feet to the east and advance funds from The Villages to cover the cost of \$345,000 for the capital lift station and wastewater connection lines as future cost. (Funds to be expended from the reserve.)

Mr. Rector referred to the city commission's approval, earlier this evening, of the WWTP agreement with the town and conveyed their assurance that they would approve same. He requested the city commission's direction to identify a funding source at the May 12, 2015 workshop and authorize staff to proceed with an engineer to conduct work on the water and wastewater connection lines to the town.

After extensive discussions, and **on motion of Commissioner Lewis, seconded by Vice Mayor Cheshire and unanimously carried, the city commission authorized staff to proceed engineering and surveying services with Booth Ern Straughan & Hiott Inc. to complete the town's Wastewater Treatment Plant connection project for \$126,410, contingent upon the Town of Lady Lake's approval of the Wastewater Treatment Plant agreement. (Funds to be utilized from the water sewer impact fees.)**

Mr. Rector pointed out the completion of the 1,500 foot connection line extension to the lift station; indicated that the contract would be contingent upon issuance of notice to proceed with construction where The Villages agreed to the engineering costs for \$151,752 (prepaid money from The Villages' \$750,000) where he did not make the request and referenced his discussions with them on their incurring \$106,000 to 110,000 to extend the connection lines immediately.

Fruitland Park City Commission Special Minutes

Page 10 of 17

April 23, 2015

After discussion, Mr. La Venia relayed his conversations with Mr. Fred D. Fox, Fred Fox Enterprises Inc. (grant writer retained by the city) and anticipated that by 2017, the city would meet the Community Development Block Grant (CDBG) application rating system to secure a loan of at least \$250,000 towards a lift station for the respective streets.

Following extensive deliberations, Mr. Rector recognized the project's ongoing progress; confirmed in the affirmative to Mayor Bell's question that he will communicate with The Villages, and requested the need to proceed with engineering work recognizing that the road would be developed.

Commissioner Ranize suggested that Messrs. La Venia and Ross find out whether \$2.5 million could be borrowed from a banking institution and negotiate the best rate; relayed his conversations with District 5 Lake Board of County Commissioner Welton G. Cadwell that infrastructure funds from the one cent penny sales tax -- when it is voted on in the year 2017 -- could be used to pay back the loan where in the meantime, grant funds could be sought to pay it off; otherwise, other funding sources would be sought to pay off the loan.

Subsequent to extensive discussions, a motion was made by Commissioner Ranize and seconded by Vice Mayor Cheshire that the city commission direct the city manager and the city treasurer to proceed in entering into negotiations with a banking institution to secure a loan; request that the city manager work with the city auditor to review funds for the building, and authorize staff to commence on the estimates for the wastewater connections process as previously cited.

After discussion, Mr. Gerken suggested that staff be directed to find the best way to finance the projects and report back at the next meeting.

Mr. Rector addressed the desire to proceed; otherwise more information will be available by the next meeting on the funding sources.

An amended motion was made by Commissioner Ranize and seconded by Vice Mayor Cheshire that the city commission strike the words *direct the city manager and the city treasurer to proceed in entering into negotiations with a banking institution to secure a loan; request that the city manager work with the city auditor to review funds for the building, and authorize staff to commence on the estimates for the wastewater connections process* and insert the words *direct the city manager to seek a loan with interest rates and allow staff the opportunity to find funding sources to repay the loan.*

Fruitland Park City Commission Special Minutes

Page 11 of 17

April 23, 2015

Mayor Bell called for vote on the motion and declared it carried unanimously.

ii. ISBA

Mr. Rector stated that Fire Chief Fernandez, Messrs. Le Venia, Greg Beliveau, LPG Urban and Regional Planners Inc., and himself attended a recent meeting with Lake County Manager David Heath, County Attorney Sanford A. Minkoff, Public Safety Director/Fire Chief staff, and a representative from the Planning Department regarding the ISBA before holding a joint public hearing with the affected local governments on the issues raised in the negotiations regarding the fire protection portion.

Mr. La Venia described the boundaries; noted Option One, ISBA term of 20 to 25 years or Option Two one or two-year term -- whereby the city would not annex any non-contiguous properties in the county portion of the city -- and recommended pursuing Option One.

Mr. Rector explained that he shared with Mr. La Venia that when calls are dispatched, there is a lack of staffing during the day at the City of Fruitland Park's Fire Department to be utilized as an available unit nearest an incident. Mr. Rector referred to the Lake Emergency Medical Services Inc.'s Automated Vehicular Locator (AVL) system -- which reveals the immediate response of emergency personnel closest to the scene -- that would instead route calls to the town or the City of Leesburg, whoever is the closest.

Chief Hernandez explained that upon execution of the ISBA, and once the AVL is installed, the county and the City of Leesburg would maintain the system on all the fleets' emergency response vehicles and the City of Fruitland Park would be responsible for maintenance and operating charges for AVLs. It was mentioned that the City of Leesburg and the county will pay for the hardware at \$1,000 for each AVL and the City of Fruitland Park will incur the monthly airtime charge for the units.

After discussion, Mr. La Venia suggested proceeding with the ISBA process by holding joint public hearing on the issues raised in the negotiations with Lake County, the Town of Lady Lake, The Villages, and the City of Leesburg and report back to the city commission for approval.

Following further discussion, **and on motion of Commissioner Lewis, seconded by Commissioner Ranize and unanimously carried, the city commission approved staff's recommendation to proceed to the next level on the Interlocal Service Boundary Agreement.**

Fruitland Park City Commission Special Minutes

Page 12 of 17

April 23, 2015

iii. Fitness Membership Proposal

Mr. La Venia reported that Mr. Al Cardiello, Best Infinity Fitness and Spa Inc., approached him and Ms. Yoder proposing the establishment of a corporate fitness membership at a reduced rate where members could utilize the city's swimming pool for water fitness classes at six visits per month and that there would be no cost to the city residents. (A copy of the proposal is filed with the supplemental papers to the minutes of this meeting.)

After discussion and **by unanimous consent, the city commission directed the city manager to invite Mr. Al Cardiello, Best Infinity Fitness and Spa Inc., to the next meeting.**

iv. The Casino Community Center aka "Florida Park Community Club"

Mr. La Venia referred to the Florida Department of State's letter dated April 13, 2015 regarding the Fruitland Park Community Club which has been proposed for nomination for listing in the National Register of Historic Places which will be reviewed by the Florida National Register Review Board on June 12, 2015. (A copy of the letter is filed with the supplemental papers to the minutes of this meeting.)

After discussion, Mr. La Venia indicated that altering the casino community center building would be a problem but moving it would not and Mr. Rector stated that he would have a quote on the price in that regard.

v. Fire Assessment Presentation

Mr. La Venia explained that he anticipates receiving confirmation on the date when the Fire Assessment presentation will take place before the city commission for either the May 14, or May 28, 2015 regular meeting.

vi. 2015 CIP/CRA Priority List

Mr. La Venia referred to a meeting he had with Ms. Gayle and Mr. Ross regarding the 2015 Capital Improvement Plan/Community Redevelopment Agency (CIP/CRA) Priority List; a copy of which is filed with the supplemental papers to the minutes of this meeting.

After reviewing the list, Mr. La Venia proposed the following:

CIP Purchases

- o Police Department
SUV and Keyless Entry Systems (\$49,000).

Later in the meeting, and in referring to conversations with Ms. Gayle, the plan for Ms. Jennifer Hutchins to be employed as a part-time staff

Fruitland Park City Commission Special Minutes

Page 13 of 17

April 23, 2015

at 20 hours a week as she has been volunteering numerous hours in the police department.

- Public Works Department
125 psi Compressor, Road Utility Trailer, and Commercial Mower Deck -- depending on the city's situation -- (\$45,000).
- Parks and Recreation
Replace specific skate park equipment, replace grills in parks, utilize CRA funds to resurface the skate park; resurface the tennis courts at Veterans Park, and not include pool upgrades where he will meet with Ms. Yoder and report back at the next meeting.
- Fruitland Park Library
Replace the air conditioning system and referred to the quote received with specific terms for energy efficiency.
- Fire Department
Proceed with extrication equipment and depending on the vehicles, allocating funds to the public works department to acquire pickup trucks at \$25,000, take the vehicles from public works to give to the fire department for another \$25,000

Roadway Improvements - CRA

Mr. La Venia referred to the price from Rainey Construction for a portion of roadway improvements on Berkman Street at approximately \$70,000; noted allocation of \$135,000 in CRA funding to improve streets similar to last year to increase to \$140,000, and requested tentative approval which will be considered at the May 14, 2015 meeting for final approval.

Mr. Gerken addressed the need to revise and approve the CRA plan as it is out-of-date.

Mr. La Venia referred to staff soliciting three quotes for additional streets; namely, Fountain Street to Dixie Avenue; CR 466 to Shiloh Street; Foxhill Road to Fruitland Street, and East Palm Street to US-441. He addressed the plan to review Mirror Lake Drive as an overall project for 2016.

Mr. La Venia requested that the city commission approve proceeding with the CIP process; recommend approving the part-time position for the police department, and tentatively approve the roadway improvements from Berkman Street to Dixie Avenue and formally approve same at the May 14, 2015 regular meeting. He addressed his intent to provide a complete list at the May 14, 2015 regular meeting.

Fruitland Park City Commission Special Minutes

Page 14 of 17

April 23, 2015

After Mr. Rector noted the flooding problems and described the repairs to take place on Berckman Street which will lower the payment portion, Mayor Bell addressed the stormwater issues in front of the United States Post Office and questioned the review of same.

On motion of Vice Mayor Cheshire, seconded by Commissioner Lewis and unanimously carried, the city commission accepted the proposal for \$70,000 from Rainey Construction Inc. to complete additional roadway improvements where \$140,000 from the Community Redevelopment Agency funds would be allocated towards Berkman Street. (The remaining streets will be identified by staff at the May 14, 2015 regular meeting for final approval.)

Mr. La Venia recognized the ability to piggyback the contract where the city's procurement procedures would be waived.

Following further discussion, Commissioner Ranize suggested that staff review a funding source for a full time position at the police department.

(b) City Attorney

Mr. Gerken addressed the status of the discharging firearm in public or on residential property and distributed said amendment to CB/CS/CS/HB 995; a copy of which is filed with the supplemental papers to the minutes of this meeting.

Mayor Bell referred to the email dated April 23, 2015 from District 33 State Representative H. Marlene O'Toole's Legislative Assistant Joshua Blake on said amendment and cited the text message received from him. *On the floor today. I'll let you know.*

Mr. Gerken cited the language from the subject bill which may be favorable to the city commission; indicated that he has not submitted any communications to the Attorney General's Office where it would not be necessary if the bill passes; otherwise, more direction would be required from the city commission. He addressed his plan to forward any further developments on the subject issue to the city commission and mentioned his intent to meet with Ms. Geraci-Carver before the next regular meeting.

11. COMMISSIONERS' COMMENTS

(a) Commissioner Ranize

i. WWTP Connection Lines

Commissioner Ranize suggested including the WWTP connection lines to Town of the Lady Lake contract as an item on the May 12, 2015 city commission workshop agenda and for the city commission to address the funding source.

Fruitland Park City Commission Special Minutes

Page 15 of 17

April 23, 2015

ii. Police Department

Commissioner Ranize addressed the need for guidance and noted the recent placement of two police department law enforcement officers on administrative leave pending the State of Florida Department of Law Enforcement's (FDLE's) investigations. He stated that depending on the outcome and recognizing that before going through the process to retain a police chief, he referred to the City of Minneola's 1991 referendum disbanding its police department.

Commissioner Ranize distributed the City of Minneola's Police Departmental Expenditures for its FY 2015 Budget, the police department's organizational chart outsourced to the Lake County Sheriff's Department, and police department's budget outlining expenses and capital outlay; copies of which are filed with the supplemental papers to the minutes of this meeting.

Commissioner Ranize expressed his concerns about the citizens; noted the City of Fruitland Park's reputation concerning its police department, and shared with Mr. La Venia his confidence on his selection of a police chief. Commissioner Ranize voiced preference for the city commission to comment on its consideration to host several workshops with the residents to hear their views as to whether they support the police department and allow the Lake County Sheriff's office to be involved.

(b) Commissioner Lewis

Commissioner Lewis voiced concerns on the developments of the FDLE investigation; relayed his comments to Mr. La Venia during the week, similar to Commissioner Ranize's views. Commissioner Lewis voiced his belief that the character, demeanor, and vision of Interim Chief Captain English to be an example of what is possible in law enforcement and expressed his appreciation for his role at the city. Commissioner Lewis felt that if a police chief of his caliber could bring about change and different results with a team that is seemingly necessary, he is concerned that the new police chief could be at a disadvantage to rectify existing problems recognizing that the city's full time reserve officers are paid at one of the lowest rates in the county based on the information that was previously provided to the city commission.

In view of the outcome and the length of time of the FDLE investigation, Commissioner Lewis voiced his support that now is the time to have a discussion with a contingency plan of concern on retaining a police chief.

Commissioner Ranize concurred with Commissioner Lewis' comments that in entering discussions, he does not have the costs of the Lake County Sheriff's Office impacting the city; he is not in favor at this time, and expressed preference for the city having its own police department.

Fruitland Park City Commission Special Minutes

Page 16 of 17

April 23, 2015

(c) Vice Mayor Cheshire

After Vice Mayor Cheshire shared his encounters with the police department to be a positive experience, Commissioner Ranize responded in the affirmative to his question on the ability to resolve the problems; however, he stated that most of the city residents have lost faith.

Interim Chief Captain English stated that the road currently travelled currently is positive; due to the uncertainty of the future, he does not know what else needs to be resolved, and indicated the process to be long. He explained that he is already recommending policy changes while being retained by the city; indicated that the police department is trying to stay together, and recognized that no one was aware, since he was retained in March 2015, of the ongoing investigation.

Mr. Gerken, who stated earlier that he is the city attorney for the City of Minneola, explained that he will review the 1991 referendum.

After discussion, Vice Mayor Cheshire stated that he needs an informed decision and suggested having a workshop on the issue.

(d) Commissioner Gunter, Jr.

Commissioner Gunter recalled a similar situation regarding that occurred during 1990; a commission member's preference to retain the sheriff's department and the positive response of support by the citizens. Commissioner Gunter referred to recent requests by citizens; stated that now is the time to go elsewhere which will be determined at the next meeting, and addressed the difference in personnel and residents now and 20 years ago.

Mr. Rector recognized the good men and women as well as the interim chief working in the police department and stated that he has never viewed the sheriff's department as the city's deliverer.

11. MAYOR'S COMMENTS

Mayor Bell recollected the turnout of citizens approximately 20 years ago expressing support to retain the police department and suggested holding workshops and public meetings involving the overall population on the issue, before there is a referendum for change which is required at this time.

In referring to Mr. Gerken's statement on the City of Minneola's population to be around 10,000, Mayor Bell indicated, in recognizing the city's imminent population changes and the unlikelihood of paying one of the lowest salaries in the county, that he would oppose retaining the sheriff's office; however, it would be something the city commission could look forward to if it desires to hold open meetings. He suggested that Mr. La Venia inform police chief candidates, if he wants to interview them, on the possibility of

Fruitland Park City Commission Special Minutes

Page 17 of 17

April 23, 2015

holding a special election in November 2015 recognizing that one charter amendment regarding runoffs would be available.

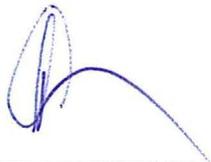
After Mr. La Venia explained that the interview process will start in two or three weeks, Mayor Bell referred to emails received from applicants who recognize the challenge and want to confront same.

Following further deliberations, Vice Mayor Cheshire suggested allowing Mr. La Venia to start with the interviews and reevaluate the selected candidate during his/or probation to which Commissioner Ranize voiced concerns on the city's position if there is failure.

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 10:22 p.m.

The minutes were approved at the regular April 23, 2015 regular meeting.

Signed 

Esther B. Coulson, City Clerk

Signed 

Christopher Bell, Mayor