

**FRUITLAND PARK CITY COMMISSION REGULAR MEETING
MINUTES
January 14, 2016**

A regular meeting of the Fruitland Park City Commission was held at 506 W. Berckman Street, Fruitland Park, Florida 34731 on Thursday, January 14, 2016 at 7:00 p.m.

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

Also Present: City Manager Gary La Venia, City Attorney Anita Geraci-Carver, City Treasurer, Jeannine Racine Michaud, Deputy Police Chief Dennis Cutter; Lieutenant Don Gilpin; Firefighter Kevin Ducharme, Fire Department; Community Development Director Charlie Rector, Public Works Director Dale Bogle, and City Clerk Esther B. Coulson.

1. CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE

After Mayor Bell called the meeting to order at 7:00 p.m., Pastor John Stricklen, Countryside Baptist Church, gave the invocation, and Deputy Police Chief Cutter led in the Pledge of Allegiance to the flag.

2. ROLL CALL

Mayor Bell requested that Ms. Coulson call the roll and a quorum was declared present.

3. STATE OF THE CITY ADDRESS

Mayor Bell read into the record the state of the city address highlighting the major accomplishments achieved during the previous year and recognizing the plans for 2016; a copy of which is filed with the supplemental papers to the minutes of this meeting.

4. PUBLIC COMMENTS

No one came before the city commission at this time.

5. CONSENT AGENDA

Approval of Minutes

The October 15, 2015 workshop and December 10, 2015 regular minutes were not available for approval at this time.

6. REGULAR AGENDA

(a) City Commission Meeting 2016 Schedule

The city commission considered its action to approve the following tentative dates:

- February 11, 2016 workshop time to be determined;
- February 18, 2016 workshop meeting at 6:30 p.m.;
- March 17, 2016 workshop meeting at 6:30 p.m.;
- March 29, 2016 workshop meeting at 6:30 p.m., and
- November 24, 2016 regular meeting at 7:00 p.m. – Cancellation

After considerable discussion and by **unanimous consent, the city commission agreed to:**

- **hold the February 11, 2016 Special City Commission Meeting at 6:00 p.m. for interviews and presentations on the continuing professional architectural services with the shortlisted firms where qualifications would be based on the staff committee's recommendations resulting in the approval and subsequent negotiation of a contract;**
- **hold a February 18, 2016 workshop meeting at 6:30 p.m. to address parks and recreation, and**
- **schedule the remaining dates, as previously cited, to a future meeting.**

Following further discussion and by **unanimous consent, the city commission agreed to the meeting schedule as previously cited.**

(b) Planning and Zoning Board Reappointments

(i) Reappointment – Mr. John L. Schaller

The city commission considered its action to approve the reappointment of Mr. John L. Schaller for a three-year term to expire on September 30, 2018.

After further discussion, a **motion was made by Vice Mayor Gunter that the city commission approve the reappointment Mr. John L. Schaller for a one-year term to expire on September 30, 2016.**

After Ms. Geraci-Carver recognized Mr. Schaller's expiration date, Mr. La Venia addressed his intent to resign and at a later date before his three-year term expires.

After further discussion, **Vice Mayor Gunter restated his motion to approve the reappointment of Mr. John L. Schaller for a three-year term to expire on September 30, 2018. This motion was seconded by Commissioner Ranize.**

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

(ii) Reappointment – Mr. Daniel Dicus

On motion of Commissioner Ranize, seconded by Vice Mayor Gunter and unanimously carried, the city commission approved the reappointment of Mr. Daniel Dicus for a three-year term to expire on September 30, 2018.

(c) **November 2015 EOM Financial Report**

Ms. Michaud reviewed the November 2015 end-of-month, November 2015 financial report and referred to the purchase order requisition for ballistic vests for \$5,736, reimburseable by The Bureau of Justice Assistance, The Edward Byrne Justice Assistance Grant Program, which has not yet been approved by the city commission; a copy of which is filed with the supplemental papers to the minutes of this meeting.

On motion of Commissioner Ranize, seconded by Vice Mayor Gunter and unanimously carried, the city commission approved the city treasurer's recommendation to approve the purchase order requisition as previously cited.

(d) **Request to Change Cashier Hours**

The city commission considered the city treasurer's request to approve changing the City of Fruitland Park's current cashier window hours from 8:00 a.m. to 5:00 p.m. to the new hours of 8:00 a.m. to 4:30 p.m. in order to close out the day's receipts and based on the Government Finance Officers Association's recommendation for all customers to receive a system-produced receipt as an accounting control which cannot be implemented during reconciliation process.

Ms. Michaud gave an overview of the end of day reconciliation process and the implementation of the proposed change when the utility billing windows are closed to the public after 4:30 pm; a copy of which is filed with the supplemental papers to the minutes of this meeting.

After extensive discussions, Ms. Michaud addressed in response to several questions posed by the city commission:

- the ability to accept payments over the phone;
- the exploration of online payment process for credit cards;
- the plan to draft a resolution for consideration at a future meeting;
- staff's availability to answer the public's questions due to the change;
- the placement of signage on the new utility bill payment procedures, and
- educating the public during the transition period on the change after 4:30 p.m. to place payments in the drop box, and
- featuring said process in newspaper announcements and on the customers' water bills.

Following further discussion and **by unanimous consent and upon Mayor Bell's suggestion, the city commission agreed to divide the motion.**

On motion of Commissioner Ranize, seconded by Commissioner Cheshire and unanimously carried, the city commission accepted the city treasurer's recommendation to change the closing hours at the cashiers' windows to 4:30 p.m. and that the drop box for payments after that time is available for

citizens wishing to pay provided that receipts are processed and there are no service disconnections.

After discussion and on motion of Commissioner Ranize, seconded by Commissioner Cheshire and unanimously carried, the city commission accepted the city treasurer's recommendation to approve a citywide policy to accept the processing of over-the-phone credit card payments with customers' ZIP codes and that the city not retain records of their card security code or car verification value numbers.

- (e) **VOFP Unit 37 Final Plat Submittal**
On motion of Vice Mayor Gunter, seconded by Commissioner Ranize and unanimously carried, the city commission accepted the community development director's recommendation to approve The Villages of Fruitland Park Unit 37 Final Plat submittal.
- (f) **VOFP Unit 38 Final Plat Submittal**
On motion of Vice Mayor Gunter, seconded by Commissioner Ranize and unanimously carried, the city commission accepted the community development director's recommendation to approve The Villages of Fruitland Park Unit 38 Final Plat submittal.
- (g) **VOFP Unit 39 Final Plat Submittal**
On motion of Vice Mayor Gunter, seconded by Commissioner Ranize and unanimously carried, the city commission accepted the community development director's recommendation to approve The Villages of Fruitland Park Unit 39 Final Plat submittal.
- (h) **First Reading – Ordinance 2016-001 Capital Improvement Revenue Wastewater System**
At Mayor Bell's request, Ms. Geraci-Carver read into the record, the title of proposed Ordinance 2016-001, the substance of which is as follows:

AN ORDINANCE OF THE CITY OF FRUITLAND PARK, LAKE COUNTY, FLORIDA, ADOPTED IN FURTHERANCE OF THE REQUIREMENT SET FORTH IN SECTION 3.12(5), OF THE CHARTER OF THE CITY OF FRUITLAND PARK, FLORIDA; AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$2,500,000 CAPITAL IMPROVEMENT REVENUE NOTE, SERIES 2016, OF THE CITY TO FINANCE THE CITY'S COST OF ACQUIRING AND CONSTRUCTING IMPROVEMENTS TO THE CITY'S WASTEWATER SYSTEM AND RELATED IMPROVEMENTS THERETO; PROVIDING FOR PAYMENT OF THE NOTE FROM AMOUNTS RECEIVED BY THE CITY FROM THE LEVY BY THE BOARD OF COUNTY COMMISSIONS OF LAKE COUNTY,

FLORIDA OF A ONE CENT INFRASTRUCTURE SALES SURTAX PURSUANT TO SECTION 212.055(2), FLORIDA STATUTES AND UNTIL EXPENDED PROCEEDS OF THE NOTE PROVIDING FOR THE REPEAL OF PRIOR INCONSISTENT ORDINANCES OR PARTS OF PRIOR INCONSISTENT ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE. (The second reading and public hearing will be held on January 28, 2016.)

Following much discussion on funding options to pay off the loan, Ms. Geraci-Carver confirmed that staff would find out before the next regular meeting, whether funds from the one cent infrastructure sales surtax could be applied.

After extensive discussions, **a motion was made by Commissioner Lewis and seconded by Commissioner Cheshire that the city commission approve Ordinance 2016-001 as previously cited and that staff explore changing the one-cent infrastructure sales surtax sales to include other sources of revenue and report back to the city commission on same at the second reading.**

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

By unanimous consent, Mayor Bell opened the public hearings at this evening's meeting.

PUBLIC HEARING

(i) Second Reading and Public Hearing – Ordinance 2015-022 Repayment Plan Grease Traps

It now being the time advertised to hold a public hearing, and after Mayor Bell requested that Ms. Geraci-Carver read into the record the following title of proposed Ordinance 2015-022, the public was called to be heard:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, PROVIDING FOR GREASE TRAP MAINTENANCE OR REPLACEMENT LIENS IMPOSED BY THE CITY TO BE PAID IN INSTALLMENTS; PROVIDING FOR CONDITIONS; PROVIDING FOR CODIFICATION, CONFLICTS AND SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. (The first reading was held on December 10, 2015.)

Ms. Geraci-Carver referred to the two changes that were approved at the last meeting which has since been incorporated in the proposed ordinance recognizing that the repayment plan would allow up to five years and that the payment plan agreement is non-transferrable.

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

A motion was made by Commissioner Ranize and seconded by Commissioner Lewis that the city commission enact Ordinance 2015-022 as previously cited to become effective immediately as provided by law.

Mayor Bell requested that the city clerk call the roll and declared the motion carried unanimously.

(j) Second Reading and Public Hearing – Ordinance 2015-023 Invocation

It now being the time advertised to hold a public hearing, and after Mayor Bell requested that Ms. Geraci-Carver read into the record the following title of proposed Ordinance 2015-023, the public was called to be heard:

AN ORDINANCE OF THE CITY OF FRUITLAND PARK, LAKE COUNTY, FLORIDA INCLUDING INVOCATION IN THE OPENING CEREMONY FOR CITY COMMISSION MEETINGS; CODIFYING A POLICY REGARDING INVOCATIONS IN CHAPTER 33 OF THE CODE OF ORDINANCES; PROVIDING FOR REPEAL OF ALL CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE. (The first reading was held on December 10, 2015.)

Based on the city commission's discussions at the December 10, 2015 regular meeting, Ms. Geraci-Carver referred to the corrections she made; namely, the name of the case to correctly reflect the "Town of Greece v. Galloway" and the inclusion of the word "regularly" shown in subsection 33-70.4)C. that was omitted, to which Mayor Bell, Commissioners Lewis and Cheshire voiced their concurrence.

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

A motion was made by Commissioner Cheshire and seconded by Commissioner Lewis that the city commission enact Ordinance 2015-023 as previously cited to become effective immediately as provided by law.

Mayor Bell requested that the city clerk call the roll and declared the motion carried unanimously.

(k) Second Reading and Public Hearing – Ordinance 2015-024 Political Districts and Maps

It now being the time advertised to hold a public hearing, and after Mayor Bell requested that Ms. Geraci-Carver read into the record the following title of proposed Ordinance 2015-024, the public was called to be heard:

AN ORDINANCE OF THE CITY OF FRUITLAND PARK, COUNTY OF LAKE, STATE OF FLORIDA, ADOPTING CITY COMMISSION DISTRICTS AND A MAP DEPICTING SAID DISTRICTS; PROVIDING FOR AN EFFECTIVE DATE. (The first reading was held on December 10, 2015.)

Mr. Greg Beliveau, LPG Urban and Regional Planners Inc., addressed the ability to provide maps of each commission voting district.

After further discussion, and there being no one from the public **Mayor Bell, by unanimous consent, closed the public hearing.**

A motion was made by Commissioner Cheshire and seconded by Commissioner Lewis that the city commission enact Ordinance 2015-023 as previously cited to become effective immediately as provided by law.

Mayor Bell requested that the city clerk call the roll and declared the motion carried unanimously.

QUASI-JUDICIAL PUBLIC HEARING

(l) Second Reading and Quasi-Judicial Public Hearing – Ordinance 2015-020 – Annexation – 164 + Acres – South of Urick Street and East of CR 468 – Petitioner: Leesburg Fruit Company Inc.

It now being the time advertised to hold a public hearing, and after Mayor Bell requested that Ms. Geraci-Carver read into the record the following title of proposed Ordinance 2015-020, the public was called to be heard:

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 164 ± ACRES OF LAND GENERALLY LOCATED SOUTH OF URICK STREET AND EAST OF CR 468; 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 OF STATE OF THE STATE OF

FLORIDA; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. (The first reading was held on December 10, 2015.)

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

A motion was made by Commissioner Cheshire and seconded by Commissioner Lewis that the city commission enact Ordinance 2015-023 as previously cited to become effective immediately as provided by law.

After extensive deliberations, **Mayor Bell requested that the city clerk call the roll and declared the motion carried unanimously.**

(m) Second Reading and Quasi-Judicial Public Hearing – Ordinance 2015-021 - Rezoning – 13± Acres R-3 to CPUD – Master Development Agreement

It now being the time advertised to hold a public hearing, and after Mayor Bell requested that Ms. Geraci-Carver read into the record the following title of proposed Ordinance 2015-021, the public was called to be heard:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, REZONING 13 ± ACRES OF THE PROPERTY FROM MULTIPLE FAMILY HIGH DENSITY (R-3) TO COMMERCIAL PLANNED UNIT DEVELOPMENT (CPUD) WITHIN THE CITY LIMITS OF FRUITLAND PARK; REZONING 164 +/- ACRES OF PROPERTY FROM LAKE COUNTY AGRICULTURE TO COMMERCIAL PLANNED UNIT DEVELOPMENT (CPUD) WITHIN THE CITY LIMITS OF FRUITLAND PARK; APPROVING A MASTER DEVELOPMENT AGREEMENT FOR THE PROPERTY; PROVIDING FOR CONDITIONS AND CONTINGENCIES; DIRECTING THE CITY MANAGER TO AMEND THE ZONING MAP OF THE CITY OF FRUITLAND PARK; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE. (The first reading was held on December 10, 2015.)

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

A motion was made by Commissioner Cheshire and seconded by Commissioner Ranize that the city commission enact Ordinance 2015-023 as previously cited to become effective immediately as provided by law.

After discussion, **Mayor Bell requested that the city clerk call the roll and declared the motion carried unanimously.**

END OF QUASI-JUDICIAL PUBLIC HEARING

6. NEW BUSINESS

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

7. OFFICERS' REPORTS

(a) City Manager

i. CR 466A Phase I Infrastructure Agreement

Mr. Le Venia reported on Lake County's Pre-Conference meeting regarding County Road 466A Phase I Project (US Highway 27/441 to Sunny Court) held earlier this day with Messrs. Rector and Bogle in attendance; discussed the timeline of the proposed project, and addressed the city's right to reject Lake County's bids if they are unsatisfactory where the city would procure same on its own.

ii. CR 468 Traffic Accident

After Mr. La Venia referred this day's Daily Commercial article regarding a fatality involving two vehicles on the intersection of CR 468 and South Avenue, Deputy Police Chief Cutter pointed out the previous study that was conducted on the hazardous intersection and the process of reducing the speed limit on CR 468 to 45 miles per hour.

Mr. La Venia referred to his letter dated December 17, 2015 sent to Mr. Jim Stivender, Lake County Public Works Director, regarding the subject issue and conveyed his belief that the county commission would be taking action at its February 2, 2016 regular meeting.

iii. Police Department – Employee Welcome

After Deputy Police Chief Cutter introduced Mr. Brad Heidt -- who previously worked as a Police Reserve Officer and has returned in the same role -- and conveyed the positive reinforcement received from the community during his short tenure, the city commission welcomed him to the city.

v. No Trespassing Ordinance - Discussion

Deputy Police Chief Cutter reported on a recent incident that occurred at the Fruitland Park Library which involved the location of a disposed gun which eventually led into an arrest.

Deputy Police Chief Cutter conveyed his proposal to Fruitland Park Library Director JoAnn Glendinning and Mr. La Venia to change the city's current No Trespass Ordinance and suggested the erection of "No Trespassing" signs with enforcement provisions to be consistently placed

on city-owned properties (including parks and parking lots). He addressed the plan to present a draft for the city commission's consideration at a future meeting to which Mr. La Venia noted the plan to install cameras.

After much discussion and in response to Commissioner Ranize's suggestion, Mr. La Venia explained that staff will meet with Police Chief Michael Fewless and Ms. Geraci-Carver in this regard and report back to the city commission.

v. Departmental Reports

Mr. La Venia explained that Mr. Bogle and Parks and Recreation Director Ms. Michelle Yoder will be presenting departmental reports at the January 28, 2016 regular meeting.

vi. Office Closure

Mr. La Venia announced that on Monday, January 18, 2016, the city hall will be closed in honor of Dr. Martin Luther King Jr., Day.

(b) City Attorney

i. CS/CS/SB 130 Discharging a Firearm

Ms. Geraci-Carver referred to the December 10, 2015 regular meeting regarding the proposed CS for CS for SB 130 Bill entitled "Prohibiting the Recreational Discharge of a Firearm in Certain Residential Areas". She addressed her plan to track same and provide an update to the city commission in this regard.

ii. Fruitland Park Historical Society Inc. – Dwight Family Descendants Case

Ms. Geraci-Carver referred to the notice of filing affidavit of service of process relating to the Fruitland Park Historical Society Inc. and the Dwight Family Descendants Case; gave an update on the status of responses received, and the plan and estimated timeframe to proceed in entering a judgement.

8. COMMISSIONERS' COMMENTS

(a) Commissioner Ranize

i. Computer-Related Problems

Commissioner Ranize requested that Mr. La Venia communicate with MMD Computers Inc. to resolve the existing computer problems or seek another company to which Mr. La Venia explained that a replacement was made this day.

ii. CR 466A Improvements

Mr. La Venia concurred with Commissioner Ranize's suggestion to conduct a workshop on CR 466A street lighting and landscaping improvements and the allocation of funding set aside for same which was

referenced in Mayor Bell's earlier remarks in the State of the City Address.

Extensive discussions ensued regarding future meetings to address:

- the continuing professional architectural services,
- the comprehensive plan and the conceptual proposed city center site building design,
- the community redevelopment areas,
- parks and recreation,
- streets and sidewalks,
- the five-year capital improvement plan, and
- the Interlocal Services Boundary Agreement.

(b) Commissioner Lewis

i. CR 468 Traffic Accident

Commissioner Lewis referred discussions regarding the traffic fatality addressed earlier this evening; identified the person who was injured as his daughter-in-law's brother who was airlifted to Ocala Regional Medical Center, and expressed appreciation for the work that was carried out at that time.

ii. Solid Waste Collection

In recognizing Waste Management's satisfactory performance, Commissioner Lewis voiced concerns relating to the method in which Waste Management conducted its presentation at the December 10, 2015 regular meeting as well as the petitions received from other companies offering similar services by emails, telephone calls, and appearances at other city-related meetings.

In response, Mr. La Venia addressed in the affirmative the plan to present a contract before the city commission.

(c) Commissioner Cheshire

i. Overview

Commissioner Cheshire gave a positive overview of 2015; voiced concerns on the sale of property owned by Mr. Jonathan Penner, and anticipated 2016 to be another good year.

ii. Waste Management

With reference to the December 10, 2016 waste management presentation, contract, Commissioner Cheshire expressed concerns on the number of emails and telephone calls received from other companies.

(d) **Vice Mayor Gunter Workshops**

After Vice Mayor Gunter questioned the funding sources for street lights on CR 466A, Mr. La Venia indicated that more details ought to be addressed at the March 17, 2016 workshop.

Vice Mayor Gunter suggested that the 2016 Budget Workshop ought to be scheduled earlier in the year.

9. **MAYOR'S COMMENTS**

i. **Community Service Awards**

Mayor Bell recognized that the deadline to submit nominations for the 2016 Lake County Community service awards is February 26, 2016.

ii. **Dates to Remember**

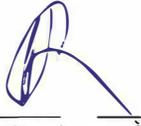
Mayor Bell announced the following events:

- January 28, 2016, Regular Commission Meeting at 7:00 p.m..
- February 11, 2016 Regular City Commission Meeting at 7:00 p.m.,
- February 18, 2016 commission workshop at 6:30 p.m.,
- April 2, 2016 Fruitland Park Cleanup Day at 10:00 a.m., and
- April 16, 2016 Fruitland Park Day.

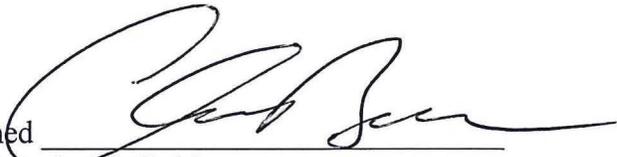
10. **ADJOURNMENT**

There being no further business to come before the city commission at this time, on motion made, second and unanimously carried, the meeting adjourned at 9:30 p.m.

The minutes were approved at the February 11, 2016 special meeting.

Signed 

Esther B. Coulson, City Clerk

Signed 

Christopher Bell, Mayor