FRUITLAND PARK CITY COMMISSION SPECIAL MEETING MINUTES

January 21, 2014

A special meeting of the Fruitland Park City Commission was held at 506 W. Berckman Street, Fruitland Park, Florida 34731 on January 9, 2014 at 6:30 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 Attorney Scott Gerken, City Manager Gary La Venia, Police Chief Terry Isaacs, Captain David Borst, City Treasurer Tannette Gayle, Community Development Director Charlie Rector; Parks and Recreation Department Director Michelle Yoder, Finance Clerk Amanda Perez, and City Clerk Esther B. Coulson.

1. **CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE**
   Mayor Bell called the meeting to order at 7:00 p.m.; Mayor Bell gave the invocation, and Vice Mayor Goldberg led in the Pledge of Allegiance to the flag.

2. **ROLL CALL**
   Ms. Coulson called the roll and a quorum was declared present.

3. **ATTORNEY-CLIENT SESSION**
   After discussion and **by unanimous consent, the city commission recessed its regular meeting at 6:30 p.m. to convene the Attorney-Client Session and reconvened the regular meeting at 7:25 p.m.**

4. **PUBLIC COMMENTS**
   There were no public comments at this time.

5. **REGULAR AGENDA**
   (a) **Board/Committee Member Appointment**
   On motion of Commissioner Gunter, seconded by Commissioner Kelly and unanimously carried, the city commission appointed Mr. Gary Le Venia, City Manager, as the city representative to serve on Lake County Metropolitan Planning Organization Technical Advisory Committee.

   (b) **Charter Review Committee Member Appointments**
   The city commission considered its action to appoint members to the Charter Review Committee.

   Mr. Steve Fussell, stated that he is a correspondent and not an employee who gets paid for the story he writes and relayed his conversations with the Daily Commercial Newspaper Editor who stated that it was in order. Mr. Fussell anticipates that the Daily Commercial will retain him as a full time employee; addressed his intent to continue to provide reports on the city commission's

activities if that does not happen, and stated that he will abide by the rules, if it is a conflict of interest.

Mr. Gerken confirmed that Mr. Fussell has no conflict of interest that he is aware of.

After discussion and **on motion of Commissioner Kelly, seconded by Vice Mayor Goldberg and unanimously carried, the city commission appointed the following members to serve on the Charter Review Committee:**

Ms. Danielle Daugherty
Mr. Steven "Steve" W. Fussell
Mr. George "Mackie" McCabe
Mr. Ray Lewis, and
Ms. Pam Washburn

Following further deliberations, **Mayor Bell called for a roll call vote on the motion with the city commission members voting as follows:**

Commissioner Cheshire	**No**
Vice Mayor Goldberg	**Yes**
Commissioner Gunter	**Yes**
Commissioner Kelly	**Yes**
Mayor Bell	**Yes**

The motion was declared carried on a four to one (4-1) vote.

Mr. Gerken explained that the Charter Review Committee will have 180 days from its first meeting on the process and that he will provide guidance to the committee. He stated that any citizen including the city commission can make recommendations to the committee.

By unanimous consent, Mayor Bell took the following item out of order on this evening's agenda.

7. OFFICERS' REPORTS

(a) City Manager

Mr. Gerken referred to the proposed settlement agreement among Michael Howard and Nancy Howard, James Richardson and the City of Fruitland Park and stated that an affirmative vote is required to approve same.

A motion was made by of Vice Mayor Goldberg, seconded by Commissioner Gunter and unanimously carried the city commission approved the settlement agreement among Michael Howard and Nancy Howard, James Richardson and the City of Fruitland Park for Case No. 2013 CA 400.

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

Vice Mayor Goldberg	**Yes**
Commissioner Cheshire	**Yes**
Commissioner Gunter	**Yes**
Commissioner Kelly	**No**
Mayor Bell	**Yes**

The motion was declared carried on a vote of four to one (4-1).

Mr. Greg Stewart elaborated that the settlement agreement will be presented before the judge tentatively for a hearing on March 5, 2014, assuming that the judge's schedule accommodates. Prior to that period, Mr. Stewart explained that notices will be sent on the terms of the settlement with instructions on attending the hearing. Messrs. Stewart and Gerken described the procedures involved before and after the hearing on establishing and distributing pro-rata shares, attorneys fees and so forth paid out of the fund as approved by the court.

5. REGULAR AGENDA

(c) Presentation - Founders Day

Ms. Yoder described the arrangements leading up to the Fruitland Park Annual Founders Day event scheduled for Saturday, March 15 and the February 8, 2014 Love Week 5k Run and Kids Fun Run.

After discussion, Mr. Gerken advised that the city attorney will be checking with the carrier as an additional insured for co-advertising.

(d) Summer 2014 Day Camp Proposal

The city commission discussed the proposal to contract with Camp Geneva to run the annual Summer 2014 Day Camp in conjunction with the City of Fruitland Park's Recreation Department.

Ms. Yoder described the fees, the type of activities and hours of operation, and the use of the city's facilities (namely, the casino building, Gardenia Park with the swimming pool, and the city library). She explained that the city would like to undertake the services for one year as reflected in the agreement.

After Mr. Peter Miraglia, Camp Geneva, elaborated on the activities and the requirement for insurance liability and background screening, Mr. Gerken, in concurring, indicated that they will work on the language in the proposed agreement.

On motion of Commissioner Kelly, seconded by Vice Mayor Goldberg and unanimously carried, the city commission approved the agreement with ACA Camp Inc., subject to the city attorney's review, to provide child care services and authorize execution of same.

(e) City Meetings and Events Notification

Ms. Coulson addressed the manner in which notifications are received for future meetings, workshops and city-related events.

After discussion, the city commission expressed interest to receive the events that they are involved in by calendar-invitation and detailed activities ought to be placed on the website.

6. NEW BUSINESS

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

7. OFFICERS' REPORTS

(a) City Manager

- **Pump Well 4 Replacement**

Mr. La Venia requested approval for a proposal to replace broken Pump Well 4 from Earl's Well Drilling and Pump Service Inc., at an estimated costs of $9,671 inclusive of parts, labor and crane use.

Mr. Gerken referred to the statutory requirements and the city's existing procurement policies and procedures for projects and recognized the subject request to be an emergency.

Following extensive discussions, **a motion was made by Commissioner Kelly and seconded by Commissioner Cheshire that the city commission approve staff's request to authorize the purchase of a Pump Well to replace Pump Well 4 from Earl's Well Drilling and Pump Service Inc. at an estimated cost of $9,671 from the water utility emergency fund.** (Due to the emergency purchase, the city commission waived the existing procurement policies and procedures.)

- **Utilities Location and Relocation – US 466A**

Mr. La Venia gave a report on the request from Booth Ern Staughan Hiott Inc. (BESH), the city's engineers, to pave a portion of the US 466A corridor requiring the city to bear the costs to move the utilities at a cost to not exceed $1,450 payable to the engineers who would be responsible to bear the cost to relocate same. He noted the options to declare a hardship by sending a letter requesting that Lake County bear the location costs and if that is denied, for the county to possibly match shared costs at 50/50.

Mr. Rector identified the current construction plans already prepared; addressed the need for the city to locate the water and sewer lines and all the utilities within US 446A and Century Avenue corridors, and noted that any planned obstructions would need to be moved. He explained that the county would need to be informed as completion of the subject project is required within ten days. Mr. Rector described the work involved and explained that once the construction plans are complete and have been funded, the utilities would need to be relocated.

On motion of Vice Mayor Goldberg, seconded by Commissioner Cheshire and unanimously carried, the city commission approved staff's request to authorize the payment of $1,450 to Booth Ern Staughan Hiott Inc. to locate the water and sewer lines and utilities along the US 466A corridor, within US 1A to Century Avenue, and pave same.

- **The Villages of Fruitland Park Update**
  Mr. Rector referred to a the meeting he had earlier this day among Messrs. La Venia, Greg A. Beliveau, LPG Urban and Regional Planners, Inc., (city's engineers) and The Village representatives and gave a report on The Villages of Fruitland Park project which is underway. Mr. Rector explained that the waterline extension portion will be borne at a cost extended by the city to BESH for $100,655 and the water plan (ground storage and well system) at $196,000 which will be due and payable and reimbursable once the city covers same; thus, The Villages will be paying for planners fees and other funds extended by the city.

  Mr. Rector explained The Villages have commenced with the formal application process for comprehensive plan amendments with Notice of Proposed Change (NOPC) and rezoning as well as a clearing of development permits and explained that a schedule of submittals and meetings with The Villages of Fruitland Park has been prepared up to May 2014.

- **City Treasurer and City Clerk Evaluations**
  Mayor Bell reminded the city commission members to submit their evaluations for the city treasurer and city clerk.

- **Commission Workshop**
  Mr. La Venia announced the Workshop Session in February 2014 regarding a Water Conservation presentation by Mr. Joe Hill, citizen and former South West Florida Water Management District board member, who will be introducing experts before the city commission.

After discussion, the city commission agreed to hold the Workshop Session on Saturday, February 22, 2014 at 9:00 a.m. to 11:00 a.m. to include Mr. Hill and update Mr. La Venia on the city's activities.

- **Director of Public Works Position**
  Mr. La Venia referred to the previous advertisement for the director of public works position and announced his intent to immediately offer the position to Mr. Allen "Dale" Bogle for the next six months and if he performs well, he will move into that position permanently.

  After the city commission extended congratulations, Mr. Bogle accepted the position with honor.

8. COMMISSIONERS' COMMENTS

(a) Vice Mayor Goldberg
Later in the meeting, Vice Mayor Goldberg referred to the city commission's previous nominations of an individual from the city to the Lake County community service awards.

In response, Mayor Bell pointed out a recent article nominating Chief Thomas "Tommy" Lee Gamble and requested that Mr. Fussell complete the 2014 Lake County Community Service Awards Nomination Form in the "public safety" category.

(b) Commissioner Kelly
Commissioner Kelly stated that she had nothing to report at this time.

(c) Commissioner Cheshire
Commissioner Cheshire had nothing to report at this time.

(d) Commissioner Gunter, Jr.
Commissioner Gunter had nothing to report at this time.

9. MAYOR'S COMMENTS
Mayor Bell referred to the following forthcoming meetings:

- January 22, 2014 Lake-Sumter Metropolitan Planning Organization Governing Board meeting will be held in Clermont;
- January 23, 2014 city commission regular meeting is cancelled;
- February 8, 2014 Love Week 5k Run and Kids Fun Run where everyone is encouraged to attend and the need for volunteers are available by online registration;
- March 1, 2014 Fruitland Park Cleanup Day, and
- March 15, 2014 Fruitland Park Founders Day.

10. ADJOURNMENT

There being no further business to come before the city commission at this time, on motion made, seconded the meeting adjourned at 7:35 p.m.

The minutes were approved at the February 13, 2014 regular meeting.

Signed _____
Esther B. Coulson, City Clerk

Signed _____
Christopher Bell, Mayor