

## FRUITLAND PARK CITY COMMISSION MEETING MINUTES

May 10, 2012

MEETING STATISTICS. A regular meeting of the Fruitland Park City Commission was conducted in the Commission Chambers of City Hall, 506 West Berckman Street, Fruitland Park, Florida on Thursday, May 10, 2012 beginning at 7:02 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE. Pastor Barry Hayes of the Freedom Community Church delivered the invocation followed by the Pledge of Allegiance led by the newly crowned Fruitland Park representatives.

ROLL CALL. Mayor Bell asked City Clerk Diane Gibson Smith to call the roll.

ELECTED OFFICIALS PRESENT. Commissioner John L. Gunter, Jr., Commissioner Sharon Kelly, Commissioner Albert O. Goldberg, Vice Mayor Jim Richardson, Mayor Christopher J. Bell

MUNICIPAL OFFICIALS/OTHERS PRESENT. City Manager (CM) Ralph Bowers, Police Chief (PC) Terry Isaacs, Public Works Director (PWD) John Bostic III, City Treasurer (CT) Jeannine Racine Michaud, Community Development Director (CDD) Charlie Rector, and City Clerk (CC) Diane Gibson Smith.

01. Introduction of the Newly Crowned Fruitland Park Representatives.

Serita Morgan, coordinator, stated she changed the demographic area for the Fruitland Park Pageant to girls who live in the Fruitland Park area or have ties to Fruitland Park. She did not have very many entrants so she hand-picked a selection of Fruitland Park girls to represent the City. Ms. Morgan introduced each member. They are as follows: Ashlyn Sholey – Miss Fruitland Park, Autumn Versey - Miss Fruitland Park Teen, Alyssa McCleary - Little Miss Fruitland Park, and Sierra Wright – Tiny Miss Fruitland Park.

02. APPROVED THE CONSENT AGENDA AS PRESENTED.

Mayor Bell presented the Consent Agenda for approval.

Vice Mayor Richardson requested two corrections in the April 26, 2012 minutes. On the bottom of page 95, he would like to change the word continuing to taking the auto allowance; and have Commissioner Gunter's sentence changed to asked instead of stated.

Vice Mayor Richardson moved and Commissioner Goldberg seconded to approve the Consent Agenda as amended. The motion carried with all members voting aye. The minutes of the April 26, 2012 City Commission meeting were approved as amended.

03. CITY ATTORNEY'S REPORT

CA Gerken stated he had no report, but would answer any questions.

a) Commissioner Kelly questioned the moratorium for the sweepstakes. CA Gerken noted it is due to expire in mid-June so an ordinance will be brought back to extend one more time. CA Gerken noted we also need to begin to put things in place.

Several commissioners questioned being able to extend this moratorium again. CA Gerken noted he did caution staff about too many extensions. This extension should allow time to answer outstanding questions.

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Vice Mayor Richardson questioned if the City gets sued for too many extensions, will CA Gerken defend us for free. CA Gerken stated he will deal with that if needed.

b) Commissioner Gunter asked if there was any update on the Wicks' lawsuit. CA Gerken stated nothing new since the last meeting.

Commissioner Kelly asked if a date was set and if staff was ready. CA Gerken stated the court date has not been set yet. He is still hopeful this will be resolved this fiscal year. CA Gerken also noted he cannot say we are absolutely ready to go to trial but we are the ones that requested a date.

c) Vice Mayor Richardson stated the City Manager's contract should match what he is doing. Vice Mayor Richardson would like the words "for city business purposes" also struck out of the contract.

Vice Mayor Richardson moved and Commissioner Gunter seconded to remove the words "for city business purposes" from the City Manager contract. The motion carried with all the Commissioners voting aye.

#### 04. CITY MANAGER'S REPORT -

a) CM Bowers stated he had a conference call with FDOT regarding the signal at CR466A. Basically they left the ball in our court but they will help when can and support the idea. Staff still has much work to be done - including amending the traffic plan and the signal warrant study will need to be done.

Vice Mayor Richardson questioned the cost of the study. Duane Booth of BESH stated he was not sure of cost, but the last signal warrant study he saw was around \$22,000 - \$25,000. Mr. Booth added that the study he mentioned had no background trips so perhaps the cost of a study could go down to \$10,000 - \$12,000 if there is current data at the county.

Commissioner Gunter questioned if we should close Dixie altogether. CM Bowers and Mr. Booth stated that would not be wise as the street is used by several businesses.

Commissioner Kelly questioned if the MPO would be able to get anything like this study for us. CM Bowers noted CR466A is a county road not an MPO road, but they may be able to help us get the study done.

Mr. Booth noted we are in a hold pattern until some issues are answered by Chris Cairns of FDOT. We need to get feedback from FDOT prior to moving forward on this issue. FDOT does indicate it is better that the City and county are behind it instead of a developer. A partial closure of an intersection does require a 180 day public notification process before plans are approved.

CM Bowers stated this is a very complex problem including having the County obtain the last parcel at that intersection which is a problem property.

Mayor Bell asked if the study should come out of the County's budget for CR466A. CM Bowers noted it appears the State has already done a study of the warrant for a signal at

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CR466A at US Highway 441. Getting an update to that with new parameters may cost less if we can contact the original engineer. We have just barely touched the surface of this.

CM Bowers reminded everyone that CR466A was supposed to have been completed prior to US Highway 441. We are now trying to play catch-up. This makes sense to do now. Getting the consultants just to do an update on the study would be much cheaper.

b) The State Fire Marshall has requested a letter stating we will budget for annual physicals for members of our Fire Department who do not currently work in other full-time departments. If we do not comply, fines and/or other penalties may apply.

Vice Mayor Richardson moved and Commissioner Kelly seconded allowing CM Bowers to sign the State Fire Marshall letter. The motion carried with all the Commissioners voting aye.

c) CM Bowers stated Well #5 has been experiencing persistent vibration which needs to be corrected. The cost to repair will be approximately \$9,200. This will be handled as an emergency repair.

Commissioner Kelly questioned where the funds would be taken from. Public Works Director Bostic stated he has the funds in a system repair fund.

d) CM Bowers stated we have been experiencing a computer system slow down due to Police video storage. We will install 4 terabytes of additional storage. Will take the funds from forfeiture funds. Additional storage is also being reviewed.

e) CM Bowers stated PWD Bostic has provided costs for sidewalks. These will be for consideration at next CRA meeting.

f) CM Bowers reviewed a memo on Capital projects. CRA funds will be used for some of the items and will be discussed at the next CRA meeting. A new possible expense is a big screen display to review plans. They are currently placing potentially active projects on digital files. A virtual fee is also being considered.

CM Bowers stated he needs the authority to move ahead on the police vehicles and video cameras.

Commissioner Gunter moved and Commissioner Kelly seconded to purchase two police vehicles and three video cameras. The motion carried unanimously with all the Commissioners voting aye.

g) CM Bowers stated he will be contacting an appraiser to appraise the other two Fountain Street properties from the list provided.

### 05. PUBLIC HEARINGS

a) Tabled Ordinance 2011-014 Cross Connection until September 27, 2012. CM Bower stated he is requesting this be tabled again.

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Commissioner Gunter moved and Commissioner Kelly seconded to table Ordinance 2011-014 until September 27, 2012. The motion carried with all the Commissioners voting aye.

06. INTRODUCTION OF ORDINANCES -\_none

07. NEW BUSINESS

a) Adopted Resolution 2012-014 amending the 2011-2012 budget for the mid-year review of the General Fund. CA Gerken read Resolution 2012-014, by title only, as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE BUDGET FOR THE 2011-2012 FISCAL YEAR FOR THE MID-YEAR BUDGET REVIEW ADJUSTMENTS FOR THE GENERAL FUND, PROVIDING FOR THE AMENDMENT OF THE 2011-2012 BUDGET; PROVIDING FOR AN EFFECTIVE DATE.

Commissioner Kelly moved and Commissioner Goldberg seconded to adopt Resolution 2012-014. The roll call vote was as follows:

|                       |     |
|-----------------------|-----|
| Vice Mayor Richardson | Aye |
| Mayor Bell            | Aye |
| Commissioner Goldberg | Aye |
| Commissioner Kelly    | Aye |
| Commissioner Gunter   | Aye |

The motion carried unanimously.

b) Adopted Resolution 2012-015 amending the 2011-2012 budget for the mid-year review of the Redevelopment Fund. CA Gerken read Resolution 2012-015, by title only, as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE BUDGET FOR THE 2011-2012 FISCAL YEAR FOR THE MID-YEAR BUDGET REVIEW ADJUSTMENTS FOR THE REDEVELOPMENT FUND; PROVIDING FOR THE AMENDMENT OF THE 2011-2012 BUDGET; PROVIDING FOR AN EFFECTIVE DATE.

Commissioner Goldberg moved and Vice Mayor Richardson seconded to adopt Resolution 2012-015. The roll call vote was as follows:

|                       |     |
|-----------------------|-----|
| Commissioner Gunter   | Aye |
| Vice Mayor Richardson | Aye |
| Mayor Bell            | Aye |
| Commissioner Goldberg | Aye |
| Commissioner Kelly    | Aye |

The motion carried unanimously.

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c) Adopted Resolution 2012-016 amending the 2011-2012 budget for the mid-year review of the Capital Improvement Fund. CA Gerken read Resolution 2012-016, by title only, as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE BUDGET FOR THE 2011-2012 FISCAL YEAR FOR THE MID-YEAR BUDGET REVIEW ADJUSTMENTS FOR THE CAPITAL IMPROVEMENT FUND; PROVIDING FOR THE AMENDMENT OF THE 2011-2012 BUDGET; PROVIDING FOR AN EFFECTIVE DATE.

Commissioner Gunter moved and Commissioner Goldberg seconded to adopt Resolution 2012-016. The roll call vote was as follows:

|                       |     |
|-----------------------|-----|
| Commissioner Kelly    | Aye |
| Commissioner Gunter   | Aye |
| Vice Mayor Richardson | Aye |
| Mayor Bell            | Aye |
| Commissioner Goldberg | Aye |

The motion carried unanimously.

d) Adopted Resolution 2012-017 amending the 2011-2012 budget for the mid-year review of the Capital Improvement Fund. CA Gerken read Resolution 2012-017, by title only, as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE BUDGET FOR THE 2011-2012 FISCAL YEAR FOR THE MID-YEAR BUDGET REVIEW ADJUSTMENTS FOR THE UTILITY FUNDS; PROVIDING FOR THE AMENDMENT OF THE 2011-2012 BUDGET; PROVIDING FOR AN EFFECTIVE DATE.

Commissioner Kelly moved and Commissioner Goldberg seconded to adopt Resolution 2012-017. The roll call vote was as follows:

|                       |     |
|-----------------------|-----|
| Commissioner Goldberg | Aye |
| Commissioner Kelly    | Aye |
| Commissioner Gunter   | Aye |
| Vice Mayor Richardson | Aye |
| Mayor Bell            | Aye |

The motion carried unanimously.

**08. CITIZENS' COMMENTS -**

a) Dwight Dodd, citizen on Sunset Way, stated there are continuing drainage problems and questioned why nothing gets done. Mayor Bell stated the biggest problem is boundary issues. Mr. Dodd stated he remembers the Commission discussed this in the past and a deal was made on how to take care of the problem. Mr. Dodd stated he wants something done soon. He would like the drainage problem solved and the road paved. Mr.

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Dodd stated he has documents back to the 1910's. He noted he is at his last straw here. Mr. Dodd noted this is something DEP might be interested in (stormwater drainage). Mr. Dodd noted Sunset Way is probably one of the original subdivisions in Fruitland Park.

After discussion, the decision was made to bring this back to a meeting in the near future.

09. COMMISSIONERS' COMMENTS

a) Vice Mayor Richardson – stated he was going to ask about the Valley of the Springs drainage issue. PWD Bostic stated the preliminary costs came back higher than expected. This will be included in the CRA meeting

b) Commissioner Gunter –none

c) Commissioner Kelly – spoke about the fallen tree. She asked if we should have them all looked at. Mayor Bell stated if we do this then we are liable for any known problems. CA Gerken we will have issues if the tree is in our right of way, but if the issue is known about, we must handle it right then.

Commissioner Kelly questioned if she could ask the MPO about the signal light. CM Bowers stated he needs to get some additional information first.

Commissioner Kelly then asked about the safe routes to school sidewalks. The Commission stated yes.

CM Bowers stated Administrative Fire Chief Borst provided him a memo on the firefighter's bonus. He has not had a chance to review it – the total amount is under \$5,000.

d) Commissioner Goldberg - none

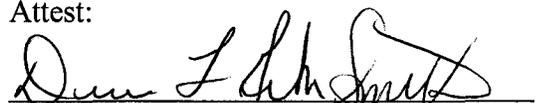
10. MAYOR BELL'S COMMENTS. Mayor Bell stated the company looking at the former Fruitland Estates property indicated having golf cart travel available could be a major drive in being able to market the properties. There are several roads that need to be included in the development of the golf cart friendly map boundary. Mayor Bell also reviewed the dates of the upcoming events.

11. ADJOURNMENT. There being no further business to discuss, Commissioner Richardson moved to adjourn. The meeting adjourned at 8:50 p.m.



Christopher J. Bell, Mayor

Attest:



Diane L. Gibson Smith, CMC, City Clerk