FRUITLAND PARK CITY COMMISSION REGULAR MEETING
MINUTES
October 22, 2015

A regular meeting of the Fruitland Park City Commission was held at 506 W. Berckman Street, Fruitland Park, Florida 34731 on Thursday, October 22, 2015 at 7:00 p.m.

Members Present: Mayor Christopher Bell, Commissioners John L. Gunter Jr. and Ray Lewis

Also Present: City Manager Gary La Venia, City Attorney Anita Geraci-Carver, City Treasurer, Jeannine Racine Michaud, Police Chief Michael A. Fewless, Community Development Director Charlie Rector, Parks and Recreation Director Michelle Yoder, 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., Reverend Dennis R. Langford, Covenant Life Church of God, gave the invocation and Chief Fewless led in the Pledge of Allegiance to the flag.

2. ROLL CALL

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

3. PUBLIC COMMENTS

No one appeared before the city commission at this time.

By unanimous consent, the city commission considered the motion on the following consent agenda items separately.

4. CONSENT AGENDA

(a) Approval of Minutes

On motion of Vice Mayor Cheshire, seconded by Commissioner Lewis and unanimously carried, the city commission approved the July 23 workshop and August 3 budget workshop minutes as submitted; however, the July 23 regular, August 4 budget workshop and September 22, 2015 special meeting minutes were not approved as they were unavailable.

(b) Senior Socials - New Life Presbyterian Church – Building User Agreement

The city commission considered its action to approve staff's recommendation to ratify a building user agreement between the City of Fruitland Park, Florida ("user") and New Life Presbyterian Church, Florida ("owner") to use the fellowship hall for the purpose of senior socials to become effective October 1, 2015 until September 30, 2017, and authorize the mayor to execute same. (Consensus was reached at the October 15, 2015 workshop to accept the agreement as revised by the city attorney and contingent upon the approval from the church.)

Ms. Geraci-Carver reported on the church's disagreement with the proposed language under paragraph seven; addressed her plan to contact the church and the insurance company, and mentioned her intent to report back to the city commission at a future meeting.

(c) Sale of Surplus Items

The city commission considered its action to approve staff's recommendation to ratify the sale of surplus equipment as described that are no longer being used by the city. (Consensus was reached at the October15, 2015 workshop.)

A motion was made by Vice Mayor Cheshire and seconded by Commissioner Lewis that the city commission approve the surplus equipment as previously cited.

After discussion, **Mayor Bell called for a vote and the motion was declared unanimously carried.**

5. REGULAR AGENDA

(a) Third Annual Wreaths Across America at Shiloh Cemetery

On motion of Vice Mayor Cheshire, seconded by Commissioner Gunter and unanimously carried, the city commission approved the request of Lucy McCann, President, John Gella Memorial Unit 219 Inc., American Legion Auxiliary to hold Wreaths Across America at Shiloh Cemetery on Saturday, December 12, 2015 at 12 noon.

(b) Community Police Protection Agreement – The Villages of Lake-Sumter Inc.

Following further discussion and **on motion of Commissioner Ranize, seconded by Commissioner Gunter and unanimously carried, the city commission approved staff's request to approve an agreement between The Villages of Lake-Sumter Inc. and the City of Fruitland Park, Florida to provide community police protection services at the Moyer Village Recreation Center within the Villages of Fruitland Park, and authorize the mayor and clerk to execute same.**

(c) Traffic Signal Maintenance ILA – Lake County

The city commission considered its action on **staff's request to approve an interlocal agreement between Lake County, Florida a political subdivision of the State of Florida, hereinafter the "county", and the City of Fruitland Park, a municipal corporation organized under the laws of the State of Florida, hereinafter the "city" for traffic signal maintenance, and authorize the mayor and the clerk to execute same.**

After considerable discussion, regarding the signal repair costs and the responsibility in maintaining same, Mr. La Venia referred to a letter dated October 9, 2015 from Mr. Fred Schneider, Lake County Engineer, regarding the traffic signal at CR 466A/Rose Street and the CR466A expected to be complete in

August 2016; noting the widening project will be reverting to the county's plan and that its settlement to the affected property on the eminent domain process is anticipated to be complete in June 2016. He pointed out his letter dated June 30, 2015 regarding the additional $2.5 million earmarked solely for roadway improvements noting that there are no funds for construction which is expected to take place on the section of the roadway in question. (Copies of said documents are filed with the supplemental papers to the minutes of this meeting.)

In response to Commissioner Ranize' inquiries, Mr. La Venia explained that he will find out more information on amount of property that needs to be purchased in the eminent domain process and the county's plans on its use of the excess funds.

On motion of Commissioner Lewis, seconded by Commissioner Ranize and unanimously carried, the city commission approved the interlocal agreement as previously cited.

(d) Resolution 2015-014 – Fire Special Assessment

Upon Mr. Lavenia's request and on motion of Commissioner Ranize, seconded **by Commissioner Gunter and unanimously carried, the city commission postponed its action to approve proposed Resolution 2015-014 entitled below to the next meeting:**

> A RESOLUTION OF CITY OF FRUITLAND PARK, FLORIDA ELECTING TO USE THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM SPECIAL ASSESSMENTS LEVIED WITHIN THE INCORPORATED AREA OF THE CITY; STATING A NEED FOR SUCH LEVY; PROVIDING FOR THE MAILING OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

(e) Villages of Fruitland Park Final Plat Submittal – Unit 33

After discussion and **on motion of Commissioner Ranize, seconded by Commissioner Gunter and unanimously carried, the city commission approved staff's recommendation to approve the final plat submittal for the Villages of Fruitland Park, Unit 33.**

(f) First Reading - Ordinance 2015-013 Cemetery Fees

Ms. Geraci-Carver read into the record the title of proposed Ordinance 2015-013, the substance of which is as follows:

> AN ORDINANCE OF THE CITY OF FRUITLAND PARK, LAKE COUNTY, FLORIDA, AMENDING THE FEE AMOUNTS FOR CEMETERY SERVICES; PROVIDING FOR REPEAL OF ALL CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE. (The second reading will be held on November 12, 2015.)

After much discussion and **upon Mayor Bell's request and by unanimous consent, the city commission agreed with the fees for the following services:**

SERVICE	FEE
(1) Remains interment right including one opening, resident	$450.00
(2) Remains interment right including one opening, nonresident	$900.00
(3) Cremains interment right, including one opening, resident	$350.00
(4) Cremains interment right, including one opening, nonresident	$700.00
(5) Additional grave/cremains interment openings	$ 20.00
(6) Monument permit	$ 20.00

Following further discussion, Ms. Geraci-Carver referred to subsection 1.(C) of the proposed ordinance; recognized the city allowing a payment plan for services (1) to (4), and recommended changing the language to read: "However a right of interment shall not be utilized prior to the payment of the full amount listed."

A motion was made by Commissioner Ranize and seconded by Commissioner Gunter that the city commission approve proposed Ordinance 2015-013 as previously cited with the aforementioned changes.

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

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

PUBLIC HEARING

(g) Second Reading – Ordinance 2015-015 Election Qualifying Period

It now being the time advertised to hold a public hearing to consider proposed Ordinance 2015-015, the substance of which is as follows, Ms. Geraci-Carver read into the record the title and Mayor Bell called for interested parties to be heard:

> AN ORDINANCE OF THE CITY OF FRUITLAND PARK, LAKE COUNTY, FLORIDA, AMENDING THE QUALIFYING PERIOD OF CANDIDATES FOR CITY OFFICE IN SECTION 34.01, CHAPTER 34 OF THE CODE OF ORDINANCES; PROVIDING FOR A PRIMARY ELECTION TO OCCUR CONCURRENT WITH THE STATEWIDE PRIMARY ELECTION AS SPECIFIED IN S. 100.061, FLORIDA STATUTES; PROVIDING FOR REPEAL OF ALL CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE. (The first reading was held on September 22, 2015.)

Ms. Geraci-Carver explained that the qualifying period will run concurrently to the state's, if no changes occur by the legislature and the statute and relayed her contact with the Lake County Supervisor of Elections Office whereby the qualifying period will run from noon June 20 to noon June 24, 2016.

Ms. Geraci-Carver stated that if there is more than one candidate qualifying for a particular district or a position, similar to a primary, there would be no ties and a November general election will be held; thus, no run-off would occur between anyone. She stated that if more than two people qualifies, they would appear on the ballot and there will be a November general election. Ms. Geraci-Carver indicated that she will inform the city commission if the qualifying dates are different.

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

After discussion, **a motion was made by Commissioner Ranize and seconded by Commissioner Lewis that city commission enact Ordinance 2015-015 as previously cited to become effective as provided by law.**

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

END OF 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. Roadway Construction

Mr. La Venia referred to the news release dated October 22, 2015 from Lake County Public Works Road Operations Division regarding the CR 466A traffic shift planned which has been scheduled beginning October 26, 2015 and is expected to be completed by April 2016. (A copy of the correspondence is filed with the supplemental papers to the minutes of this meeting.)

ii. Parks and Recreation Department Director Report

- Building User Agreement – Senior Social
  After Ms. Yoder reported that the New Life Presbyterian Church did not accept the building user agreement sent earlier this day, Ms. Geraci-Carver addressed her plan to communicate with the city's insurance broker and Ms. Yoder mentioned her intent to contact Ms. Mary Beth, New Life Presbyterian Church.

- Future Events
  Ms. Yoder announced the following future events in the city:

- October 31, 2015 various Halloween activities on Shiloh Street 6:00 p.m. to 9:00 p.m. which will involve freebies from the city's police and fire departments and the *5k "Trick-or-Trot" Run* with proceeds going to the Fruitland Park Elementary School;
- December 4, 2015 *Employee Christmas Dinner* at 7:00 p.m. at New Life Presbyterian Church;
- December 11, 2015 *Hometown Christmas* from 6:00 p.m. to 9:00 pm. With the fire department's giveaways to the children;
- February 14, 2016 *5k Love Run*
- April 2, 2016 *Fruitland Park Cleanup Day* where the city will be giving free t-shirt and lunch provided by Waste Management Inc., and
- April 16, 2016 *Fruitland Park Day*

In response to Commissioner Ranize' concerns regarding maintenance staff for the parks and recreation department, later in the meeting, Mr. La Venia acknowledged Commissioner Lewis' comments that Mr. Bogle is currently overseeing staff for the parks and recreation department and Ms. Yoder is presently coordinating with him on areas that require attention.

After discussion, Mr. La Venia addressed the plans as it relates to setting aside funding for the parks renovation. He indicated that depending on how the proposed library will be constructed and based on the preliminary plan to determine where the stormwater would be located, a decision has not been made regarding the tennis courts.

ii. Public Works Department Director Report

Mr. Bogle gave a status report on the new 16' water main well, Shiloh Cemetery improvements, the status of the public works department employees, sidewalk replacements, and new equipment. A copy of the report is filed with the supplemental papers to the minutes of this meeting.

In response to Commissioner Ranize's question, Mr. Bogle stated that he will review the issue of receiving Lake County funding and their involvement to help the city maintain its roads on Miller Street and Dixie Avenue.

With respect to sidewalk grants, Commissioner Lewis referred to the Lake-Sumter Metropolitan Planning Organization's (MPO's) Safe Access to Schools and Countywide Sidewalk Program and indicated that they revealed sidewalks that are part of the *Safe Routes to School* program.

(b) City Attorney

Police and Fire Lawsuit

Ms. Geraci-Carver reported that the James Richardson and Michael Howard et. al. lawsuit is now closed where the judge granted the order voluntary with prejudice

which was filed with the court on October 20, 2015. She stated that the amount remaining was $112,757.24 and is being dispersed to the city for fire services.

Casino
Ms. Geraci-Carver reported that on October 13, 2015, a lawsuit was filed with the casino property. She gave the status of those who were served by mail and by the process server and mentioned the efforts made to locate others as their whereabouts are unknown. She explained the requirement to publish the matter in the newspaper once a week for four consecutive weeks where the individuals would have 30 days to file an answer. Ms. Geraci-Carver stated that she will keep the city commission updated on any progress.

(c) City Treasurer
Ms. Michaud does not have a monthly financial report as it is year-end closing; gave the status of its completion, and addressed the possibility to present a budget amendment to the city commission.

Ms. Michaud explained that she is working on a $2.2 million loan and meetings are being arranged to meet with individuals to obtain proposals to see what they have to offer.

(d) City Clerk
Ms. Coulson stated that she has nothing to report at this time.

8. COMMISSIONERS' COMMENTS

(a) Commissioner Ranize
Commissioner Ranize stated that he has nothing to report at this time.

(b) Commissioner Lewis
Commissioner Lewis referred to his attendance at the October 21, 2015 MPO Northwest Lake Task Force and conveyed the report from Mr. T.J. Fish, MPO Executive Director, on how state road projects -- outside the five-year plan; namely, the six-lane improvements of US 27/441 in the Town of Lady Lake and The Villages -- would affect the city.

Later the meeting, Commissioner Lewis relayed Mr. Fish's reference to a recent bill that was filed on local governments paying for the relocation of utilities.

(c) Vice Mayor Cheshire
Vice Mayor Cheshire stated that he has nothing to report at this time.

(d) Commissioner Gunter, Jr.
Commissioner Gunter stated that he has nothing to report at this time.

9. MAYOR'S COMMENTS

a. November 3, 2015 Election

In response to Mayor Bell's reference to the Special County Referendum on November 3, 2015 and his encouragement for everyone to vote, Ms. Geraci-Carver recognized that early voting will continue to October 25, 2015.

b. New Businesses

In recognizing new businesses in the area and in response to Mr. Rector's acknowledgement of a new Circle K opening during the weekend, Mayor Bell requested that everyone including the press be informed as they would like to be invited to the ribbon-cutting events.

c. Dates to Remember

Mayor Bell recognized the following dates:

- November 12, 2015, Regular Commission Meeting at 7:00 p.m.
- November 17 and 18, 2015, 2016 Lake Legislative Days whereby he and Mr. La Venia will be advocating for the funding;
- November 19 and 20, 2015, FLC 55th Annual Legislative Conference (Policy Committees) and as he serves on the FLC's transportation policy subcommittee and in response to Mr. La Venia's comments on the costs the city pays for in utilities and with respect to the utilities relocation addressed by Commissioner Lewis, Mayor Bell stated that he will address same.
- November 26, 2015, Regular Commission Meeting – cancelled, and
- December 10, 2015, Regular Commission Meeting at 7:00 p.m.

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 8:14 p.m.

The minutes were approved at the November 12, 2015 regular meeting.

Signed _____
Esther B. Coulson, City Clerk

Signed _____
Christopher Bell, Mayor