

**FRUITLAND PARK CITY COMMISSION MEETING MINUTES  
FEBRUARY 24, 2011**

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, February 24, 2011 beginning at 7:05 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE. Eagle Scout candidate Taylor Youngblood of Leesburg Boy Scout Troop #1 delivered the invocation and led the Pledge of Allegiance.

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

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

MUNICIPAL OFFICIALS/OTHERS PRESENT. City Manager (CM) Ralph O. Bowers, Interim Police Chief (IPC) David Borst, Public Works Director (PWD) John Bostic III, Recreation Director (RD) Sherry Bechtel, and City Clerk (CC) Diane Gibson Smith.

01. PRESENTATION OF AWARDS BY INTERIM CHIEF DAVID BORST TO MEMBERS OF THE POLICE AND FIRE DEPARTMENTS. Interim Chief David Borst presented the following awards:

Letters of Accommodation: Officer Steven Foster, Officer George Hunnewell

Life Saving Awards: Fire Chief Tommy Gamble, Fire Captain Michael Bodner, Firefighter Evan Chamberlain, Fire Engineer Clint Parish, Fire Engineer Johnny Spitzer, Police Corporal Brent Tyler, Police Officer Jared Crenshaw, and Police Officer Stephen Walters.

Fire Engineer Johnny Spitzer was recognized for performing a second life saving event in less than one week.

02. APPROVED THE CONSENT AGENDA AS PRESENTED.

Mayor Bell presented the Consent Agenda for approval.

Commissioner Kelly moved and Vice Mayor Goldberg seconded to approve the Consent Agenda as presented. The motion carried unanimously with all Commission Members voting aye. The minutes of the February 10, 2011 regular City Commission meeting were approved.

03. CITY ATTORNEY'S REPORT

a. CA Gerken stated he hopes to retain Harold Schmidt (a renowned expert SE US Wastewater Practice Leader for MWH Americus). He actually designed the Astor plant that our plant is modeled after. He has reviewed the system preliminarily and has confirmed our concerns on errors which were made. At the October meeting, we discussed the estimated cost of \$20,000 - \$30,000 to retain him. This is an expense we would ask to have reimbursed to us but would need to pay up front first. In the proposed contract being worked on, we are putting a cap at \$25,000 for the fees. CA Gerken requested the Commission approve the retention Mr. Schmidt subsequent to a satisfactory contract being worked out.

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Mayor Bell questioned if we expect action to occur once the opposing side knows we have retained him. CA Gerken stated yes, we do expect that.

Commissioner Gunter questioned how much time he will need to review the information. CA Gerken stated he has already reviewed enough of the plans to determine there were enough concerns for him to get involved. He will ultimately be the one called upon to determine the amount of damages to be paid to the city.

Commissioner Gunter questioned if his fees will require a separate suit to collect or will they be included in our original suit. CA Gerken stated it will be part of the same suit and reimbursed as an expense.

Commissioner Gunter moved and Commissioner Kelly seconded to retain Howard Schmidt subsequent to reaching a satisfactory contract. The motion carried with all Commissioners voting aye.

04. CITY MANAGER'S REPORT

- a. CM Bowers stated in 2008 he wrote a letter offering free sewer connection to FARNCO in exchange for an easement for the Master Lift Station. The Commission never formally approved this action. The Master Lift Station is now in place and FARNCO is ready to be connected.

Commissioner Kelly moved and Vice Mayor Goldberg seconded to approve giving FARNCO free sewer connection in exchange for the easement needed for the construction of the Master Lift Station. The motion carried unanimously with all Commissioners voting aye.

- b. CM Bowers stated Interim Police Chief David Borst and Deputy Fire Chief Ricky Tucker have spent many hours getting the Fire Department in compliance with certification and policies. Police Department policies are also being reviewed.
- c. CM Bowers stated he put together a short list of the final candidates for the Police Chief position. We received many excellent candidates. Applications are being sent to the Sheriff's office for background checks on Friday. Interviews will then be scheduled.

Commissioner Richardson questioned the previous work history of two candidates. CM Bowers stated Mr. Carroll previously was the Police Chief in Tavares and Special Agent for CSX Railroad. (Editor's note: Mr. Mysinger previously worked for the Lake County Sheriff's office.) Major Parish and Interim Police Chief Borst are not included on the list as they do not have advanced degrees.

- d. CM Bowers stated the citation revenue is down due to the amount the city receives per citation.
- e. CM Bowers stated the Library Director is requesting Sole Source designation on several vendors.

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Library Director JoAnn Glendinning provided background on why she is making this request. After discussion, the decision was made to remove vendors who provide office supplies and review the list again in six months.

Commissioner Kelly moved and Vice Mayor Goldberg seconded to approve the revised list of Sole Source vendors for the library and review again in six months. The motion carried unanimously with all Commissioners voting aye.

06. PUBLIC HEARINGS

07. UNFINISHED BUSINESS - none

08. NEW BUSINESS

- a. Approved awarding of bid for Pool Repair and Resurfacing to White Sands Pool Plastering, Inc. contingent upon the decision to open the pool this season.

PWD Bostic stated this project went out to bid a few months ago and we only received one bid so we were requested to rebid the project. The second bid had 2 bidders. After reviewing the bids, staff recommends White Sands Pool Plastering, Inc.

Commissioner Kelly left the room at 7:36 p.m. and returned at 7:40 p.m.

Cindy, representative from White Sands Pool Plastering, Inc., reviewed what her bid includes. The work will take approximately 2 weeks to complete.

Commissioner Richardson moved to accept the bid from White Sands Pool Plastering, Inc.

Commissioner Gunter questioned if the pool was going to be kept open. Commissioner Kelly asked what would happen if we decide not to keep the pool open.

Commissioner Richardson withdrew his motion.

Mayor Bell suggested putting the decision of opening the pool as part of the Capital Projects Workshop.

CM Bowers suggested awarding the bid contingent upon deciding to open the pool.

RD Bechtel stated the pool must be resurfaced before it can be opened this year. This affects her summer camp, swim lessons, and many other things.

Commissioner Gunter moved and Commissioner Kelly seconded to award the bid to White Sands for \$35,000 subsequent to a purchase order being issued. The motion carried with voice vote. Commissioner Richardson voted nay.

- b. Adopted Resolution 2011-005 amending the FY 2010-2011 Budget to appropriate a \$5,510 insurance claim to fund other items in the Police Department. CA Gerken read Resolution 2011-005 by title only, as follows:

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A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE BUDGET FOR THE 2010-2011 FISCAL YEAR TO APPROPRIATE A \$5,510 INSURANCE CLAIM PROCEED TO FUND OTHER NEEDED ITEMS IN THE POLICE DEPARTMENT; PROVIDING FOR THE AMENDMENT OF THE 2010-2011 BUDGET; PROVIDING FOR AN EFFECTIVE DATE.

CM Bowers stated this was unanticipated revenue and needs to be added to the budget.

Commissioner Kelly noted the vehicle is no longer needed for transport. Interim Chief Borst stated the vehicle was totaled and the insurance money is better used for some needed unbudgeted equipment and repairs.

Commissioner Gunter moved and Commissioner Richardson seconded to adopt Resolution 2011-005. The motion carried unanimously with Vice Mayor Goldberg, Commissioner Kelly, Commissioner Gunter, Commissioner Richardson, and Mayor Bell all voting aye.

- c. Adopted Resolution 2011-006 designating the National Incident Management System (NIMS) as the basis for incident management in Fruitland Park. CA Gerken read Resolution 2011-006, by title only, as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, DESIGNATING THE NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS) AS THE BASIS FOR ALL INCIDENT MANAGEMENT IN THE CITY OF FRUITLAND PARK; AND PROVIDING FOR AN EFFECTIVE DATE.

Commissioner Richardson moved and Vice Mayor Goldberg seconded to adopt Resolution 2011-006.

Commissioner Gunter questioned what the City needed to do. CM Bowers stated this is simply a format to use.

Mayor Bell asked if this was something new. Interim Chief Police Borst stated this was implemented during the National Security incident and provides a specific format so that if we have other agencies come into our area during an emergency, we are all on the same format.

Commissioner Kelly questioned if everyone in the Police and Fire Departments were familiar with these procedures. IPC Borst stated they are becoming compliant by taking classes.

Commissioner Kelly questioned if classes cost money. IPC Borst noted most classes are free; only 2 classes cost money.

CM Bowers noted soon FEMA money will not be available unless you are compliant with this.

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The motion carried unanimously with Mayor Bell, Vice Mayor Goldberg, Commissioner Kelly, Commissioner Gunter, and Commissioner Richardson voting aye.

- d. Discussion of the City Treasurer position. Mayor Bell stated he instructed the City Clerk to run a simple ad after the last meeting. The ad is just now hitting the Florida Datagram and the Florida League of Cities. Mayor Bell proposes we take the next Commission meeting to rank the resumes and come up with the top three or so.

Commissioner Kelly questioned if a salary limit was in the ad. CC Gibson Smith stated the ad stated DOQ (depending on qualifications).

Commissioner Richardson requested to go through the job description. Mayor Bell asked if there were any specific issues.

Commissioner Richardson questioned the "Reports to City Commission and City Manager."

Mayor Bell stated the position does need to prepare reports to the City Manager as well.

CA Gerken noted clearly the City Treasurer is appointed by the City Commission. They do report to the City Manager, City Commission, and department heads. They are supervised by the City Commission.

CM Bowers then questioned who is in charge of financial administration. He noted he would need staff unless the City Treasurer is in charge of it. This has been an issue. He noted financial administration has not been followed through on. Discussion on this topic ensued.

Commissioner Richardson also noted the job description lists a high school diploma or equivalent and a BS in Accounting. The decision was made to remove High School diploma or equivalent and to move the Certified Governments Finance Officer as preferred (or obtainable within certain time after hired) and Munis experience preferred.

Commissioner Richardson moved and Vice Mayor Goldberg seconded to adopt the job description as amended. The motion carried with all Commissioners voting aye.

Mayor Bell stated he requested the City Clerk prepare the ad without a salary. He suggests we advise the Clerk to contact the applicants with whatever range we set.

Commissioner Kelly noted we have a current budgeted number. CC Gibson Smith noted the current salary is around \$66,000.

Commissioner Gunter suggested a range of \$55,000 to \$65,000 so we have another \$1,000 to play with if needed.

CC Gibson Smith stated a salary survey can be done – Florida League of Cities has salaries on positions from various cities across the state.

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Commissioner Richardson questioned how long we have to fill the position. CA Gerken noted there is no set timeline.

Mayor Bell stated at the next meeting, the applications will be reviewed, and ranked. Interviewing will be done on March 17<sup>th</sup>. This meeting was set for Thursday, March 17, 2011 at 6:00 p.m. with round robin interviews.

Mayor Bell suggested a reception at 6:30 p.m. prior to the March 10, 2011 meeting.

09. CITIZENS' COMMENTS

Rick Ranize, resident of Fruitland Park, stated he read the audit report from Lake County Sheriff's Office and stated the report was not bad. Mr. Ranize made a request for a proactive Police Chief rather than a Reactive Police Chief. Mr. Ranize questioned who has the final selection of the Police Chief. CM Bowers stated the Charter gives him the ability to make the decision, but he will discuss with the Commission.

Mr. Ranize stated he recommends clarification be made in the Charter regarding to whom the Charter employees report. CA Gerken noted the Charter can only be changed by voter referendum. Some cities do use a Charter Review Committee.

Mr. Ranize stated he was concerned when he learned the City Treasurer did not have any input in the budget process with the City Manager and Department Heads. CC Gibson Smith stated the City Treasurer, Department Heads, City Manager, and City Clerk all sat down by department. CM Bowers stated the City Treasurer was given the information to input the budgets from the department heads prior to meeting with him and the department head.

10. COMMISSIONERS' COMMENTS

a) Vice Mayor Goldberg - none

b) Commissioner Gunter - questioned if the letter had been written to the US Postmaster General. CM Bowers stated the letter has not been written yet.

c) Commissioner Kelly - none

d) Commissioner Richardson - thanked the volunteers for taking over the March of Dimes. He noted he called the City Clerk about the ad going into the newspaper and requested it be put into the FGFOA and Datagram. The Clerk told him that she needed to check with the mayor. Commissioner Richardson then asked CA Gerken to clarify our City government type. CA Gerken explained a strong mayor. City of Fruitland Park does not have a strong mayor nor a weak mayor. The mayor in Fruitland Park does have certain responsibilities that other mayors in the county may not. Routine questions are often asked of the mayor since he works closely with City Hall.

CC Gibson Smith stated that as part of the HR duties so she checked with the City Manager about running the ad in the FGFOA and Datagram based on the original timeline given. The City Manager stated we should place the ad in the items so the ads were placed.

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CC Gibson Smith stated that as part of the HR duties so she checked with the City Manager about running the ad in the FGFOA and Datagram based on the original timeline given. The City Manager stated we should place the ad in the items so the ads were placed.

CM Bowers stated he mentioned he wanted the ad put into the FGFOA and the Datagram as part of her HR duties.

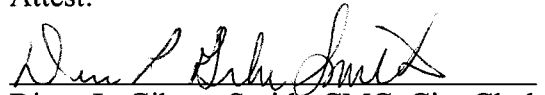
11. MAYOR BELL'S COMMENTS. Mayor Bell announced we lost a long term Fruitland Park member this week - Frances Nobles. Mayor Bell stated staff has been stretched very far and we are getting a lot of records requests. He questioned if there was anything that we could do, an agreement, or something to limit the number of records requests made. He noted he is concerned about tying up a lot of resources. Mayor Bell reminded everyone of the Town Hall meeting with Cliff Sterns on Saturday, February 26, 2011 at 2:00 p.m. He also mentioned Fruitland Park Clean-up Day March 12, 2011 at 9:00 a.m. We meet at Gardenia Park.

12. ADJOURNMENT. There being no further business to discuss, Commissioner Richardson moved to adjourn. The meeting adjourned at 8:53 p.m.



Christopher J. Bell, Mayor

Attest:

  
Diane L. Gibson Smith, CMC, City Clerk