

**FRUITLAND PARK CITY COMMISSION MINUTES**  
**JUNE 12, 2008**

MEETING STATISTICS. A regular meeting of the Fruitland Park City Commission was conducted in the Commission Chambers of City Hall, 506 W. Berckman Street, Fruitland Park, Florida, on Thursday, June 12, 2008 beginning at 7:00 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE. Pastor Ronal Freyer-Nicholas of Pilgrims United Church of Christ delivered the invocation and Vice Mayor Darrel Martin led the Pledge of Allegiance.

ELECTED OFFICIALS PRESENT. Mayor Christopher J. Bell, Commissioner Albert O. Goldberg, Commissioner John L. Gunter, Jr., Commissioner Sharon A. Kelly, Vice Mayor Darrel E. Martin.

MUNICIPAL OFFICIALS/OTHERS PRESENT. City Clerk Linda S. Rodrick, City Treasurer Elizabeth P. Palmer, Acting City Attorney Lewis Stone, Public Safety Director J. M. Isom, Sr., Public Works Director John Bostic, III and Planning Consultant Tiffany Kapner of LPG Urban & Regional Planners.

1. APPROVED/MINUTES OF THE MAY 22, 2008 MEETING. Mayor Bell presented the minutes of the May 22, 2008 meeting for approval.

Whereupon, Commissioner Martin moved and Commissioner Goldberg seconded to approve the minutes. The motion carried unanimously with all Commission Members voting aye.

2. AGENDA UPDATE. Mayor Bell stated City Manager Bowers is not here this evening because he is graduating from the 2008 Leadership Lake County Class.

Commissioner Kelly moved and Commissioner Martin seconded to excuse him from attending the meeting. The motion carried unanimously with all Commission Members voting aye.

Mayor Bell stated we are removing the following items from the agenda: 04 Presentation of Officer of the Year Award; Update on Savannah Oaks (09 c); and Status of electric distribution system (09 d). The Chief will be reporting on 09 e, the School Resource Officer Program and two new items 09 f Voice response system and 09 g update on brush truck.

Commissioner Kelly stated she will be on vacation on July 10, 2008 and asked to be excused from attending the meeting.

3. ADOPTED ON FIRST READING/ORDINANCE 2008-010 ANNEXING APPROXIMATELY 1 +/- ACRE OF PROPERTY GENERALLY LOCATED NORTH OF CR 466-A ON THE CORNER OF MICRO RACETRACK ROAD; REZONING THE PROPERTY FROM COUNTY "A" (AGRICULTURE DISTRICT) TO "C-2" (GENERAL COMMERCIAL) OWNER MARVIN O. SMALLWOOD. Acting City Attorney Stone read Ordinance 2008-010 by title only:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE BOUNDARIES OF THE CITY OF FRUITLAND PARK IN ACCORDANCE WITH THE PROCEDURE SET FORTH IN SECTION 171.044, FLORIDA STATUTES, BY INCLUDING WITHIN THE CITY APPROXIMATELY 1.0+/- ACRE OF PROPERTY GENERALLY LOCATED NORTH OF CR 466-A ON THE CORNER OF MICRO RACETRACK

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ROAD; REZONING THE PROPERTY FROM COUNTY "A" (AGRICULTURE DISTRICT) TO "C-2" (COMMERCIAL GENERAL) WITHIN THE CITY LIMITS OF FRUITLAND PARK; PROVIDING FOR CONDITIONS AND CONTINGENCIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

Chief Isom stated this is an application for annexation of 1.0 acre of property on 466A and Micro Racetrack Road. The property is zoned Agriculture in the County and is seeking Commercial (C-2) in the City. There were no objections to the application. He stated the engineer for the property is here as well as Planning Consultant Tiffany Kapner.

Ms. Kapner stated this is a request for annexation and rezoning of 1.0 acre. It creates infill and is consistent with the area. Staff recommends approval.

Whereupon, Commissioner Kelly moved and Commissioner Gunter seconded to adopt Ordinance 2008-010. The motion carried unanimously upon roll call with Commissioners Goldberg, Gunter, Kelly, Martin and Mayor Bell voting aye.

4. APPROVED ON FIRST READING/ORDINANCE 2008-011 PROVIDING FOR A COMPREHENSIVE PLAN AMENDMENT AMENDING THE FUTURE LAND USE DESIGNATION FROM LAKE COUNTY "URBAN" TO "COMMERCIAL" ON THE FUTURE LAND USE MAP FOR APPROXIMATELY 1.0+/- ACRE OF PROPERTY GENERALLY LOCATED NORTH OF CR 466-A ON THE CORNER OF MICRO RACETRACK ROAD (OWNER MARVIN O. SMALLWOOD). Acting City Attorney Stone read Ordinance 2008-011 by title only:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, PROVIDING FOR A COMPREHENSIVE PLAN AMENDMENT AMENDING THE FUTURE LAND USE DESIGNATION FROM LAKE COUNTY "URBAN" TO "COMMERCIAL" ON THE FUTURE LAND USE MAP OF THE CITY OF FRUITLAND PARK'S COMPREHENSIVE PLAN FOR APPROXIMATELY 1.0 ACRE OF PROPERTY GENERALLY LOCATED NORTH OF CR 466-A ON THE CORNER OF MICRO RACETRACK ROAD; PROVIDING FOR CONTINGENCIES; DIRECTING THE CITY CLERK TO TRANSMIT THE AMENDMENT TO THE APPROPRIATE GOVERNMENTAL AGENCIES PURSUANT TO CHAPTER 163, FLORIDA STATUTES; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

Ms. Kapner stated this is a request for a comprehensive plan amendment for the Smallwood property. They are requesting commercial land use which is consistent with the area. Impacts on traffic and potable water were reviewed and further study will be done at the development stage. The LPA has recommended approval and Staff recommends approval.

Commissioner Kelly stated the MPO is sending out information on transportation and how traffic is counted. She stated all cities will have to follow the same criteria. She asked that Ms. Kapner review the MPO document.

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Whereupon Commissioner Kelly moved and Commissioner Martin seconded to adopt Ordinance 2008-011. The motion carried unanimously upon roll call with Commissioners Gunter, Kelly, Martin, Mayor Bell and Commissioner Goldberg voting aye.

5. CITY TREASURER'S REPORT FOR THE PERIOD ENDING APRIL 30, 2008. City Treasurer Palmer submitted her report for the period ending April 30, 2008. At the end of April seven months or 58% of the fiscal year has lapsed. The City has collected \$739,121 or approximately 82% of the budgeted ad valorem taxes. She noted that expense-wise half of the departments are over budget. These overages are addressed in the midyear budget adjustments that will be addressed later in the meeting.

6. CITY ATTORNEY'S REPORT. City Attorney Scott Gerken was absent this evening, therefore, there was no City Attorney Report. Lewis Stone served as Acting City Attorney this evening.

7. ADOPTED/RESOLUTION 2008-005 AMENDING THE BUDGET FOR FISCAL YEAR 2007-2008 (MIDYEAR ADJUSTMENTS). City Treasurer Palmer stated the overall increase in revenues and expenditures in the budget is \$405,652, increasing the total budget to \$7,215,440. The General Fund increased \$177,817. There was no change to the Redevelopment Fund. The Capital Projects fund decreased \$4,000. The Water Utility increased \$15,125. The Sewer Utility increased \$216,900 and the Recreation Fund decreased \$190. She reviewed her memorandum dated May 16, 2008 and the major changes in revenues and expenditures in each fund.

There were no questions from Commission Members.

Acting City Attorney Stone read Resolution 2008-005 by title only:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE BUDGET FOR THE 2007-2008 FISCAL YEAR; PROVIDING FOR THE AMENDMENT OF THE 2007-2008 BUDGET; PROVIDING FOR AN EFFECTIVE DATE.

Whereupon, Commissioner Martin moved and Commissioner Gunter seconded to adopt Resolution 2008-005. The motion carried unanimously upon roll call with Commissioners Kelly, Martin, Mayor Bell and Commissioners Goldberg and Gunter voting aye.

8. NO INTEREST SHOWN IN PURCHASING THE FURNITURE BARN PROPERTY. City Treasurer Palmer stated the City Manager had provided a memorandum regarding the Furniture Barn. The tentative deal with the American Legion has fallen through and the property has been offered to the City for \$500,000.

Mayor Bell stated the City Manager has a couple questions. Is the Commission interested in purchasing the property and, if so, then can the City Attorney prepare an agreement that will protect the City's interest if we spend money to have the property appraised.

Commissioner Gunter asked the size of the property.

Public Works Director Bostic stated it is just under two acres.

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A gentleman in the audience stated the Furniture Barn building is about 4,000 square feet and has air and utilities. The back storage building is 5,000 square feet and only has electric.

Commissioner Kelly stated she recalled that the City was looking at the property for additional parking for Gardenia Park and possibly expanding the Public Works facility.

Commissioner Gunter stated that is a lot of money to spend on a parking lot.

Mayor Bell stated if the Public Works Facility is moved to the sewer plant property then that property could be used for parking.

Commissioner Martin stated if we buy this property it will be taken off the tax roll. He suggested letting someone else buy it and pay taxes.

Mr. Charlie Rector stated you would only be buying the Furniture Barn portion; not the vacant lot. The dirt road is the dividing line.

Mayor Bell stated properties are not selling right now so maybe in a year things will be different.

Mr. Rector stated anything is for sale for the right price.

Mayor Bell asked if there was any support in obtaining an appraisal of the property. There was none.

9. REPORT ON SCHOOL RESOURCE OFFICER PROGRAM. Chief Isom gave a report on a School Resource Officer Program meeting that he and City Manager Bowers attended. He stated they had received an invitation to a Safety Summit meeting that turned into a School Resource Officer Program meeting. The first graph shows that Fruitland Park's student population is 284 or 3%. The cost of the City's share is estimated at \$25,975.47. They want the cities to partner with the School Board to provide resource officers. He gave a history of the resource officer program and that some years ago the Sheriff's Office took over the program. The School Board was reminded that they get \$963,000 in the Byrne Grant and the cities signed off for them to receive that grant.

Mayor Bell stated he didn't see the costs as fair.

Commissioner Goldberg asked where do the funds come from for the Byrne Grant?

Chief Isom stated they are federal funds that filter down through the State to the School Board.

10. APPROVED/PURCHASE OF VOICE RESPONSE SOFTWARE FOR PATROL UNITS. Chief Isom stated the City has just purchased a new report writing program for the Police Department. The hands free voice response software works with the report writing program. He explained how the voice response works. He stated the cost is \$8,063.24 for the twelve in-car computers.

Mayor Bell stated then you have a \$1,500 per year maintenance cost. How will you pay for that cost?

Chief Isom stated it is a recurring cost and would be paid from the automation fund.

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Whereupon, Commissioner Martin moved and Commissioner Kelly seconded to approve the purchase of the voice response software. The motion carried unanimously with all Commission members voting aye.

Commissioner Gunter stated he did oppose the maintenance fee.

Chief Isom stated the software will be installed within the next couple weeks.

11. REPORT ON YEARLY MAINTENANCE OF FIRE TRUCKS AND PUMP TEST/REPAIRS TO BRUSH TRUCK/MSA ANNUAL FLOW TESTING ON REGULATORS AND MASKS. Chief Isom stated yearly maintenance and pump tests were performed on the fire trucks. During the tests it was found that Engine 56 had a bad ball valve on the deck gun. Engine 561 had a ball valve on the tank that was bad. These have been replaced and the trucks are in excellent condition.

During testing it was found that the bearings and seals were going out in the brush truck. He spoke with the City Manager regarding repairs and proceeded to get quotes on a skid unit for the other truck. He stated the cheapest quote was for \$8,900. The reason we built this backup brush truck was so the other truck can go to Ten 8 for repairs when it breaks. The salesman told him they could build a skid unit for backup. A polly tank can be purchased from Tractor Supply and a gas engine pump from a pump supply company. We already have a hose reel from the old Chevy brush truck. They can build a unit for about \$3,300. He was authorized to proceed with the project.

Fire fighters worked on building the truck and we received donations of \$4,000 and \$3,000. The actual cost to build the brush truck was \$3,226.39. The money that was left over from donations was used to purchase brush gear for the fire fighters, new tires and shocks, arches and leaf springs to the rear end of the new brush truck.

Chief Isom stated tests were performed on the MSA's. They passed with minor repairs. He stated there has been increases in costs and next year's budget needs to reflect the increased costs.

Commissioner Martin stated we need to show our appreciation to those who worked on the truck.

Chief Isom stated they got brush gear and that is what they wanted.

Commissioner Martin stated okay.

12. ADOPTED/RESOLUTION 2008-006 AMENDING FY 2007-2008 BUDGET \$7,000 TO APPROPRIATE DONATIONS FROM HOMETOWN AUTO AND CORKY SMALLWOOD TO CONVERT THE RESCUE TRUCK TO A BRUSH TRUCK, FUND TIRES, SHOCKS AND SHELVING, AND TO FUND PROTECTIVE CLOTHING AND BUNKER GEAR. Acting City Attorney Stone read Resolution 2008-006 by title only:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE BUDGET FOR THE 2007-2008 FISCAL YEAR; PROVIDING FOR THE AMENDMENT OF THE 2007-2008 BUDGET; PROVIDING FOR AN EFFECTIVE DATE.

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Whereupon, Commissioner Kelly moved and Commissioner Gunter seconded to approve Resolution 2008-006. The motion carried unanimously upon roll call with Commissioner Martin, Mayor Bell, Commissioners Goldberg, Gunter and Kelly voting aye.

13. CITIZEN'S COMMENTS REGARDING PUTTING UP SIGNS IN THE GLEN SUBDIVISION. Mr. George Fernandez who resides in The Glen Subdivision stated he would like to thank Chief Isom for organizing the group (neighborhood) in The Glen and for having the signs posted. He stated parking on the street has stopped.

14. COMMISSIONERS' COMMENTS.

- a) Vice Mayor Martin had no further comments.
- b) Commissioner Gunter had no further comments.
- c) Commissioner Kelly stated the City will receive a copy of an ordinance from the MPO on how to calculate traffic counts. The calculations will be universal for all cities and the county and will be used for concurrency purposes.
- d) Commissioner Goldberg had no further comments.

15. MAYOR BELL'S COMMENTS.

a) Mayor Bell stated he is proud of Commission Members. We just attended Our Community – Our Future, Session 4. Some cities were not represented but Fruitland Park had all Commissioners present. He stated the four biggest issues in Lake County are: transportation, water, education (schools) and economic development. He stated Lake County is in bad shape. Attorney Steve Richey suggested forming some partnerships with businesses.

b) Mayor Bell stated our City Clerk has given us notice that she is retiring. He stated we want to recognize her with a reception at 7:30 p.m. on June 26<sup>th</sup>.

He stated he had asked Mrs. Rodrick to make a recommendation regarding hiring a new clerk. She has recommended that the City hire a Certified Municipal Clerk or someone who has five years experience and is working on their certification.

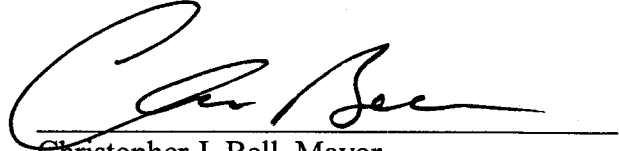
There was brief discussion regarding placing an ad for the position. City Clerk Rodrick stated she can have the position posted on the FACC (Florida Association of City Clerks) website and in the Datagram. It was decided to place the ad in the Daily Commercial (due to cost of the Sentinel) and on the FACC website and in the Datagram.

Workshops were scheduled for June 23, 2008 at 7:00 p.m. to review applications and June 24, 2008 at 7:00 p.m. to conduct interviews.

- c) Mayor Bell stated he would like to schedule a fieldtrip to look at the Wildwood Community Center. He will schedule this trip sometime after July 23<sup>rd</sup>, when all Commissioners can attend.
- d) Mayor Bell reviewed the Dates to Remember listed at the end of the agenda.

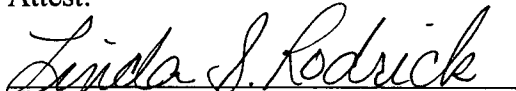
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16. ADJOURNMENT. There being no further business to discuss Commissioner Goldberg moved to adjourn. The meeting adjourned at 8:15 p.m.



Christopher J. Bell, Mayor

Attest:

  
Linda S. Rodrick, CMC, City Clerk