

**FRUITLAND PARK CITY COMMISSIONSPECIAL MEETING MINUTES  
JULY 30, 2009**

MEETING STATISTICS. A special 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, July 30, 2009 beginning at 5:32 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE. CM Bowers delivered the invocation followed by the Pledge of Allegiance led by Vice Mayor Kelly.

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

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

MUNICIPAL OFFICIALS/OTHERS PRESENT. City Manager (CM) Ralph O. Bowers, Public Safety Director (PSD) J. M. Isom, Sr., City Treasurer (CT) Elizabeth Palmer, City Attorney (CA) Scott Gerken, and City Clerk (CC) Diane Gibson Smith.

01. AGENDA UPDATE - none

02. PROPOSED MILLAGE RATE SET AT \$5.00, ESTABLISHED CURRENT YEAR ROLLED-BACK RATE SET AT \$3.243, AND SCHEDULED FIRST PUBLIC HEARING ON THE TENTATIVE MILLAGE RATE AND BUDGET FOR FISCAL YEAR 2009-2010 FOR SEPTEMBER 10, 2009 AT 7:00 P.M. IN THE COMMISSION CHAMBERS OF CITY HALL AND FINAL HEARING SEPTEMBER 24, 2009 AT 7:00 P.M. IN THE COMMISSION CHAMBERS OF CITY HALL

CM Bowers stated all the worksheets were distributed. He recommended setting the proposed millage the same as last year at 4.36 mils. We will still show a tax increase due to the way the formula works. Everyone in the state is experiencing the same problem. Some locations are increasing the millage and decreasing the services.

Commissioner Martin moved to adopt \$4.36 mil. The motion died for lack of second.

Commissioner Gunter questioned the percentage votes. CT Palmer explained the process.

Vice Mayor Kelly questioned what millage would be required to balance the budget with no transfers from the reserves. CT Palmer stated approximately an additional one quarter of a mil would be required.

Mayor Bell stated there are some additional items he would like to see added to the budget.

CM Bowers suggested moving the maximum to \$5.00 mils which would provide an additional \$127,505 for the budget.

CA Gerken stated he and Chief Isom are discussing items that may also bring in additional revenues.

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Vice Mayor Kelly moved and Commissioner Goldberg seconded to set the proposed millage rate at \$5.00. The motion passed unanimously with Commissioner Gunter, Vice Mayor Kelly, Commissioner Goldberg, Commissioner Martin, and Mayor Bell voting aye.

CM Bowers stated he was happy the Commission voted in the higher millage rate as he will be proposing to cover the Commissioners under the health insurance.

Mayor Bell announced the date of the public hearing to establish the tentative millage rate as \$5.00. The first public hearing will be held September 10, 2009 at 7:00 p.m. in the Commissioner Chambers of City Hall. The second and final hearing to establish the final millage rate and adopt the budget will be held September 24, 2009 at 7:00 p.m. in the Commission Chambers of City Hall.

CT Palmer noted the increase in the millage is a 54.1782% increase over the rolled back rate. Mayor Bell announced the increase publicly.

03. ADOPTED ORDINANCE 2009-010 AMENDING THE CODE OF ORDINANCES TO CREATE CHAPTER 103 "REGISTRATION AND MAINTENANCE OF VACANT AND ABANDONED PROPERTIES." CA Gerken read Ordinance 2009-010, by title only, as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE CODE OF ORDINANCES TO CREATE CHAPTER 103, ENTITLED "REGISTRATION AND MAINTENANCE OF VACANT AND ABANDONED PROPERTIES; PROVIDING FOR THE REGISTRATION OF ABANDONED RESIDENTIAL PROPERTIES; PROVIDING REQUIREMENTS FOR PROPERTY MAINTENANCE BY FORECLOSURE AGENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE FRUITLAND PARK CODE OF ORDINANCES; PROVIDING FOR CONFLICT; PROVIDING AN EFFECTIVE DATE.

CA Gerken noted this is a model ordinance being adopted by other cities. He recommends adopting the ordinance as is unless there are specific questions.

Vice Mayor Kelly stated the Code Enforcement Board will oversee this. Last year, she was given an ordinance from another city where a lien was placed against the property. PSD Isom stated by having them register, action can be taken. By Florida statute, registration must occur.

PSD Isom stated he believes the fee should be set at \$250 per year instead of \$70 per year.

Vice Mayor Kelly moved and Commissioner Gunter seconded to adopt Ordinance 2009-010 with an amended fee of \$250.00 per year. The motion carried unanimously with Vice Mayor Kelly, Commissioner Goldberg, Commissioner Martin, Mayor Bell, and Commissioner Gunter all voting aye.

04. CITY ATTORNEY'S REPORT

CA Gerken stated he has been discussing a red light camera fee with PSD Isom, which will be brought back at a future meeting

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05. CITY MANAGER'S REPORT

CM Bowers reported on the following:

- a) The super JPA with the County is on track.
- b) Planet 5 is back working again. He is having the City Attorney contact Pine Ridge Dairy's attorney.
- c) Electric project – had a good meeting with all the principles. Appraisal was based on the contractual items and not the severance and reintegration report. Jerry and Bill of WHH met with Bruce Kirby regarding the needed changes for the severance and reintegration report. Early September will bring a resolution to move ahead with preparing closing documents. Before we close the deal, we will need a long term power, commitment for financing, successfully secure an O & M agreement, and negotiate a settlement. Will then prepare a business plan to determine if purchasing the system makes sense or not.

Vice Mayor Kelly noted she is concerned as the bulk power costs have raised and rates continue to rise.

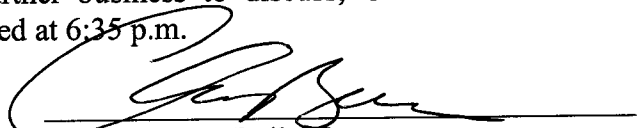
06. CITIZENS' COMMENTS - None

07. COMMISSIONERS' COMMENTS

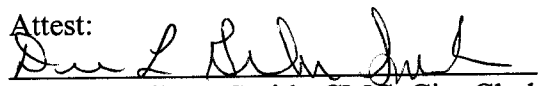
- a) Commissioner Martin – congratulated Vice Mayor Kelly and Commissioner Goldberg on their re-elections. He respectfully requested to be excused from Florida League of Cities in August. The Commission excused Commissioner Martin from attending.
- b) Commissioner Gunter - none
- c) Commissioner Goldberg - none
- d) Vice Mayor Kelly – questioned if everyone received the conference changes. She stated the MPO wants an inventory of ROW land for the trails. There has not been a decision on who will maintain the property. We have some developers' agreements giving trail ROW. Staff will need to follow up with them before the trail is built.

08. MAYOR BELL'S COMMENTS - none

09. ADJOURNMENT. There being no further business to discuss, Commissioner Goldberg moved to adjourn. The meeting adjourned at 6:35 p.m.

  
Christopher J. Bell, Mayor

Attest:

  
Diane L. Gibson Smith, CMC, City Clerk