

FRUITLAND PARK CITY COMMISSION MEETING MINUTES
JUNE 10, 2010

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, June 10, 2010 beginning at 7:04 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE. Commissioner Richardson delivered the invocation followed by the Pledge of Allegiance.

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

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

MUNICIPAL OFFICIALS/OTHERS PRESENT. City Manager (CM) Ralph O. Bowers, Public Safety Director (PSD) J. M. Isom, Sr., Public Works Director (PWD) John Bostic III, City Treasurer (CT) Elizabeth Palmer, Recreation Director (RD) Sherry Bechtel, Community Development Director (CDD) Charlie Rector, and City Clerk (CC) Diane Gibson Smith.

01. APPROVED THE CONSENT AGENDA AS PRESENTED.

Mayor Bell presented the Consent Agenda for approval.

Commissioner Kelly moved and Commission Goldberg seconded to approve the Consent Agenda as presented. The motion carried unanimously with all Commission Members voting aye. Items approved were: minutes of the May 27, 2010 regular meeting and minutes of the May 27, 2010 CRA meeting.

02. AGENDA UPDATE – CM Bowers added a request for direction on the Public Safety Complex

03. CITY ATTORNEY'S REPORT - CA Gerken stated he would be reporting on the Public Safety Complex item under the City Manager's Report.

04. CITY MANAGER'S REPORT

a) CM Bowers reviewed the status of various projects.

- a. CM Bowers reported the electric appraisal is being reviewed by our consultant. We will wait for a delivery point before going out to bid for bulk power.
- b. Lift Station #1 at Tru Green – meeting on Friday and looking to have startup by the end of June.
- c. Bids are out for the generator and electrical connection.
- d. Capital improvement plan should be completed by early July. This is needed for the CUP and the EAR.
- e. We are looking at testing wells on Eagles Nest Road and Grays Airport Road. FDEP operating permit is the well permit and will require us taking Well #6 off line. We have not received a notice of violation as of yet.

Mayor Bell noted he would like to see automatic read water meters installed in developments in the 10-year water master plan. CM Bowers stated this will be discussed with our engineer.

FRUITLAND PARK CITY COMMISSION MEETING MINUTES
JUNE 10, 2010

- f. CM Bowers reported on the CUP permit. He stated SMW GeoSciences is proceeding with the necessary parts and will be doing the minimum work needed to satisfy St. Johns River Water Management District. CM Bowers reviewed the items STRWMD is requesting.
- g. US 441/27 Water Line - CM Bowers stated we do not have an agreement with Smart Fuels yet. Vice Mayor Gunter questioned if we are financing the line. CM Bowers stated yes. Vice Mayor Gunter asked, If Smart Fuels goes bankrupt, what happens. CA Gerken stated Smart Fuels does not own the property, but will be able to lien on their leasehold. This is a line that will benefit others. CA Gerken added we still need an easement also.

Commissioner Richardson questioned why pay for engineering if there is no signed agreement. CM Bowers stated the line is part of our plans anyway. Chief Isom noted the line is needed for fire flow in that area.

Commissioner Richardson question if no agreement is completed with Smart Fuels, will we still do the line. CM Bowers stated yes although the line would not be the first project to be done. CA Gerken stated it is kind of an art to know when to put in the lines. Eventually the costs get recouped out of impact fees.

CDD Rector noted engineering was done so a true figure could be given to Smart Fuels.

- h. CDBG application - CM Bowers stated we need direction for the CDBG application. If we have plans and specs ready to go in with the application, then we can receive 100 extra points.

Commissioner Kelly questioned the project. CM Bowers stated it is the sewer, water, and road improvements in the neighborhood to the north of Shiloh.

Vice Mayor Gunter questioned the costs. CM Bowers stated the engineering will probably be under \$20,000. CC Gibson Smith noted the CDBG grant request will be for \$700,000 and the match is \$125,000 so the project will be around \$825,000.

Commissioner Kelly questioned if we have enough money from the CRA to do this project. CM Bowers stated yes, but we need to decide if this is the way we want to use the funds. CRA funds could be used for the match for the CDBG grant and used for the hookups. The funds would then come back into the City as impact fees.

Commissioner Goldberg questioned if this project is done, will we also be able to do this for other people within the City. Commissioner Richardson stated once the grant is closed out, the City will be able to apply for the grant again. CM Bowers added as long as the area is within the CRA area, this can be done again.

The question was asked as to where the funds for the engineering would come from. After discussion, the determination was made to take the funds from CRA funds.

FRUITLAND PARK CITY COMMISSION MEETING MINUTES
JUNE 10, 2010

CDD Rector asked what happens when the economy starts moving again, and ERUs are needed for growth. He noted he does not know how many ERUs are available, but worries about putting these residents onto sewer if ERUs are needed for growth. CM Bowers stated this will use only about 78 ERUs. PWD Bostic noted there are approximately 300 ERUs still available.

CA Gerken reminded everyone that developers do have the ability to come in and reserve capacity if there is any question of availability.

Commissioner Kelly moved and Commissioner Richardson seconded to have the plans and specs if the fees to complete them are under \$20,000 and the total estimate for the project under \$825,000. The motion carried unanimously with Commissioner Goldberg, Commissioner Richardson, Mayor Bell, Vice Mayor Gunter, and Commissioner Kelly all voting aye.

- i. Water Main Cooke St to Spring Lake Road – CM Bowers stated this was a budgeted project. We hope to use Smart Fuels to obtain a grant so we have chosen not to do this project yet. Easements are still needed for this project also. Route survey has been authorized.
- j. Logan’s Development –CM Bowers stated we need to have the Cooke Street line and US 441/27 line in place to serve this area. Fire control is the problem in that north end area.
- k. Public Safety Complex – CM Bowers stated the design development is 65% complete which is of no use to us. He is requesting thoughts and direction on whether to take to complete design or not.

Vice Mayor Gunter questioned what was in the contract. CA Gerken noted the contract was as remembered. No written notice to proceed was given to the Architect.

CA Gerken reviewed his understanding of the happenings. Basically, more structure was needed for shovel ready plans for the grant. Powell was told verbally to move to the next phase.

Commissioner Richardson questioned if the original deposit could be taken from the total amount due to finish the plans. CA Gerken stated this could be requested, but that is not how it is stated in the contract.

The decision was made to have Powell Design Group come to a meeting to show what has been done at the next meeting.

- l. Ratification of decision to have representation by Sara Whitaker at the water meetings. Commissioner Kelly moved and Vice Mayor Gunter seconded to ratify the decision to have Sara Whitaker represent Fruitland Park at these meetings. The motion carried with a vote of 4 to 1 with Vice Mayor Gunter voting nay.

**FRUITLAND PARK CITY COMMISSION MEETING MINUTES
JUNE 10, 2010**

05. CITY TREASURER REPORT

- a) Review of the 2009 CAFR – CT Palmer shared a slideshow clarifying information from the CAFR. She noted it is better to have more unrestricted than restricted fund balances. She reviewed the restricted and unrestricted fund balances for the past 10 years. She also reviewed the funding sources for the capital projects.
- b) Mid-year budget review report – Instead of mid-year budget review, CT Palmer reviewed financials for March 2010. She stated in the Legal budget, the costs associated with other projects were pulled out. Other Gen Govt is high due to unemployment compensation. Mid-year budget adjustments are almost complete.

Vice Mayor Gunter left the room at 9:27 p.m. and returned at 9:28 p.m.

06. INTRODUCTION OF ORDINANCES

- a) Approved first reading of Ordinance 2010-002 amending Chapter 159 relating to preventing the introduction of fat-soluble waste to the City Wastewater Collection and Treatment System . CA Gerken read Ordinance 2010-002 by title only, as follows:

AN ORDINANCE AMENDING THE CODE OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING SECTION 159.050(1) RELATING TO PREVENTING THE INTRODUCTION OF FAT-SOLUBLE WASTE TO THE CITY WASTEWATER COLLECTION AND TREATMENT SYSTEM; PROVIDING FOR ENFORCEMENT PROCEDURES; PROVIDING FOR INJUNCTIVE RELIEF; PROVIDING FOR CIVIL PENALTIES; PROVIDING FOR REMEDIES NONEXCLUSIVE; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT WITH ANY OF THE PROVISIONS OF THIS ORDINANCE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR THE INCLUSION OF THIS ORDINANCE IN THE CITY CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

CA Gerken stated this puts more enforcement on our current ordinance for grease traps.

Mayor Bell stated concern on any additional expenses for our businesses.

PWD Bostic stated this is in response to a problem we have with one business in particular. The problem is in the servicing of the grease trap. This is requiring maintenance of the grease traps.

CDD Rector stated while not all restaurants have grease traps, new businesses need to have them in place. Grease traps were not required in the older businesses.

Vice Mayor Gunter moved and Commissioner Kelly seconded to approve the first reading of Ordinance 2010-002. The motion carried unanimously with Commissioner Kelly, Commissioner Goldberg, Commissioner Richardson, Mayor Bell, and Vice Mayor Gunter all voting aye.

07. UNFINISHED BUSINESS - none

FRUITLAND PARK CITY COMMISSION MEETING MINUTES
JUNE 10, 2010

08. NEW BUSINESS

- a) Adopted Resolution 2010-011 approving the purchase of the Corraluzo property with CRA funds. CA Gerken read Resolution 2010-011 by title only, as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE BUDGET FOR THE 2009-2010 FISCAL YEAR TO APPROPRIATE \$80,000 FROM THE REDEVELOPMENT CONTINGENCY FUND FOR THE PURCHASE OF PROPERTY LOCATED AT 509 W FOUNTAIN STREET, PROVIDING FOR THE AMENDMENT OF THE 2009-2010 BUDGET; PROVIDING FOR AN EFFECTIVE DATE.

Commissioner Kelly moved and Commissioner Goldberg seconded to adopt Resolution 2010-011. The motion carried unanimously with Vice Mayor Gunter, Commissioner Kelly, Commissioner Goldberg, Commissioner Richardson, and Mayor Bell all voting aye.

- b) Adopted Resolution 2010-012 creating the Public Records Request Policy. CA Gerken read Resolution 2010-012 by title only, as follows:

A RESOLUTION OF THE CITY OF FRUITLAND PARK, FLORIDA, ADOPTING A PUBLIC RECORDS REQUEST POLICY; PROVIDING FOR CERTAIN CHARGES FOR APPLICABLE PUBLIC RECORDS REQUESTS; PROVIDING FOR AN EFFECTIVE DATE.

Commissioner Richardson moved and Commission Kelly seconded to adopt Resolution 2010-012. The motion carried unanimously with Mayor Bell, Vice Mayor Gunter, Commissioner Kelly, Commissioner Goldberg and Commissioner Richardson all voting aye.

- c) Adopted Resolution 2010-013 amending the budget for the CUP. CA Gerken read Resolution 2010-013 by title only, as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE BUDGET FOR THE 2009-2010 FISCAL YEAR TO APPROPRIATE \$10,000 FROM THE WATER CONTRACTUAL SERVICES FOR THE WATER CONSUMPTIVE USE PERMIT, PROVIDING FOR THE AMENDMENT OF THE 2009-2010 BUDGET; PROVIDING FOR AN EFFECTIVE DATE.

Commissioner Kelly moved and Commissioner Richardson seconded to adopt Resolution 2010-013. The motion carried unanimously with Commissioner Richardson, Mayor Bell, Vice Mayor Gunter, Commissioner Kelly, and Commissioner Goldberg all voting aye.

09. CITIZENS' COMMENTS - None

10. COMMISSIONERS' COMMENTS

- a) Vice Mayor Gunter – League of Cities luncheon on Friday

FRUITLAND PARK CITY COMMISSION MEETING MINUTES
JUNE 10, 2010

- b) Commissioner Goldberg – none
- c) Commissioner Kelly – stated an MPO workshop was held today. We received the MPO bill for next year. Mayor Bell requested a report on what the MPO did for Fruitland Park last year. Commissioner Kelly stated CR466A was determined to be a high project after coercion.
- d) Commissioner Richardson – would like to see a better paper trail next time.

11. MAYOR BELL'S COMMENTS. Mayor Bell recognized Public Works Director John Bostic for receiving President's List for college classes.

Mayor Bell stated a voting member needs to be decided for the annual conference for the Florida League of Cities. The decision was made to designate Mayor Bell as the voting member.

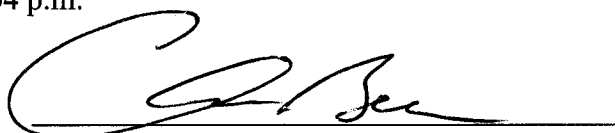
Mayor Bell stated the May 27th meeting minutes noted he stated raising taxes is one way to raise revenue. He clarified that he does not advocate raising taxes.

Mayor Bell stated we should cancel the July 22nd meeting - Commissioner Goldberg moved and Commissioner Kelly seconded to cancel the July 22, 2010 meeting. The motion carried with all the Commissioners voting aye.

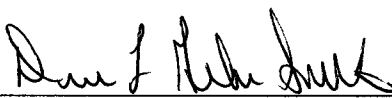
Mayor Bell stated we need to schedule a special meeting to set the millage before August 4th. The decision was made to hold the special meeting on Monday, August 2, 2010 at 5:30 p.m. to set the proposed millage rate.

Mayor Bell requested to move the budget workshops to August 9, 10, and 11 (if needed) and cancel the regular meeting on August 12, 2010. The Commission approved the changes to the calendar.

12. ADJOURNMENT. There being no further business to discuss, Commissioner Richardson moved to adjourn. The meeting adjourned at 10:04 p.m.



Christopher J. Bell, Mayor

Attest: 

Diane L. Gibson Smith, CMC, City Clerk