

FRUITLAND PARK CITY COMMISSION MEETING MINUTES
JUNE 23, 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, June 23, 2011 beginning at 7:06 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE. Pastor Barry Hayes of the Freedom Community Church delivered the invocation followed by the Pledge of Allegiance led by Commissioner Gunter.

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

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

MUNICIPAL OFFICIALS/OTHERS PRESENT. Police Chief (PC) Terry Isaacs, Assistant Police Chief (APC) David Borst, Public Works Director (PWD) John Bostic III, City Treasurer (CT) Jeannine Racine Michaud, Community Development Director (CDD) Charlie Rector, Recreation Director (RD) Sherry Bechtel, and City Clerk (CC) Diane Gibson Smith.

01. PRESENTATIONS

- A. PC Isaacs presented Sergeant Brent Tyler with a plaque retiring K-9 Officer Esko. Esko has given six years of service and is retiring due to medical issues.
- B. PC Isaacs presented a retirement plaque to Sergeant Bryan Summers. He has supported the City in many ways and is retiring from the department and will be working with the Sheriff's Office.
- C. Representative Marlene O'Toole presented information on what happened in the Legislature this year. She noted she was in Tallahassee today for the signing of one of her bills that passed. Representative O'Toole gave a session update. She noted the budget has a \$4.6B shortfall; unemployment is at 10.6% for the State with Lake at 10.2%, Marion at 12.2%, and Sumter at 7.6%. The Villages is currently building 200 houses per month which is the most in the State. There are also plans for a second hospital in Wildwood and a third town square. Representative O'Toole stated she was on 5 committees including one for Higher Education. She reported on the various items which were discussed during the sessions.

Representative O'Toole asked if the Commission had any questions or concerns. Mayor Bell stated we have spent \$296,000 so far and still no CUP permit. Representative O'Toole stated Trudy Williams is working on the water districts' issues. (St. John's). Representative O'Toole stated she will look into this and give Greg Beliveau at LPG a call back.

Representative O'Toole stated redistricting is being worked on. There is a meeting at the Colony Plaza on CR466A regarding the redistricting on July 13th.

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Representative O'Toole noted Governor Scott doesn't blink when challenged. Representative O'Toole invited people to call her office with any questions. Her office number is 352-315-4445; she is located right next to the Tax Collector.

- D. Mr. Jerry Sexsmith, representative of the Veterans Memorial at Fountain Park, presented an update on the Veterans Memorial which has been renamed the Veterans of Lake, Sumter, and Marion County. They have opened an office at 411 Main Street, Leesburg, FL that is open Monday through Friday 9 - 4. They are trying to get the word out for the memorial. He noted the person doesn't need to be deceased to be included. Many of the building costs have been donated by Lake County businesses, but they are still around \$100,000 short. The website is www.lakeveterans.com. A dedication is being planned for November 13, 2011 at 2 p.m.

02. APPROVED THE MINUTES OF THE JUNE 9, 2011 REGULAR CITY COMMISSION MEETING AS CORRECTED.

Mayor Bell presented the Consent Agenda for approval. Commissioner Richardson requested the minutes be pulled for correction.

Commissioner Richardson stated he would like the memo from CDD Rector noting that no letters had been sent out regarding the closing of the gate in The Glen be added to these minutes. Also the extension time of the moratorium was 180 days not 100 days.

Mayor Bell noted the memo will be acknowledged in this meeting's minutes.

Vice Mayor Goldberg moved and Commissioner Richardson seconded to approve the minutes of the June 9, 2011 meeting as corrected. The motion carried unanimously with all Commission Members voting aye.

Commissioner Richardson left the room at 8:09 p.m. and returned at 8:11 p.m.

03. DISCUSSED AND APPROVED RESOLUTION 2011-015 AMENDING THE BUDGET FOR THE MID-YEAR BUDGET AMENDMENTS.

- A. CT Racine Michaud presented the mid-year budget review. She noted several revenues were under-performing and had been corrected. The mid-year budget does not take the Legal Budget, Fuel, or the CUP expenses into account. We could expense the CUP expenses as capital expenses, but we need to have the CUP permit in hand.

Commissioner Richardson questioned how much would still be needed to balance the budget. CT Racine Michaud stated Legal will require about \$30k, Fuel will require about \$20K, and the CUP will require around \$200K. The Utility Fund may need to end the year with a negative fund balance if we do not receive money from the lawsuit. Departments heads are looking through budgets to determine what funds are not needed and can be used to help cover the overages in Legal, Fuel and CUP.

Commissioner Kelly left the room at 8:20 p.m. and returned at 8:30 p.m.

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- B. CT Racine Michaud reviewed the financials for month ending May 31, 2011. She stated we have spent 54% of the expensed budgeted funds. Most of the overages and under-performing revenues will be taken care of by the mid-year budget amendment.
- C. Adopted Resolution 2011 – 015 amending the FY 2010/2011 budget for the Mid-Year Review. CA Gerken read Resolution 2011-015, by title only, as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE BUDGET FOR THE 2010-2011 FISCAL YEAR FOR THE GENERAL FUND AND FOR THE UTILITY FUND; PROVIDING FOR THE AMENDMENT OF THE 2010-2011 BUDGET; PROVIDING FOR AN EFFECTIVE DATE.

Commissioner Gunter moved and Vice Mayor Goldberg seconded to approve Resolution 2011-015. The motion carried with 3 ayes and 1 nay - Vice Mayor Goldberg, Commissioner Gunter, and Mayor Bell voting aye. Commissioner Richardson voted nay. Commissioner Kelly was out of the room when the vote took place.

04. CITY ATTORNEY'S REPORT - none

05. CITY MANAGER'S REPORT

- A. CC Gibson Smith stated she received a call from Cindy Nelson of the Lake County Right of Way Acquisition Department. They have requested a meeting date of September 13, 2011 from 3:00 – 7:00 for a neighborhood meeting regarding the expansion of CR466A. The Commission approved the date but requested the time be changed to 5:30 p.m. so more people are able to attend. This information will be given to Ms. Nelson.

06. PUBLIC HEARINGS

- A. Adopted Ordinance 2011-003 Second reading of MSTU ordinance. CA Gerken read Ordinance 2011-003, by title only, as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, CONSENTING TO THE INCLUSION OF THE CITY OF FRUITLAND PARK, FLORIDA, WITHIN THE COUNTY-WIDE MUNICIPAL SERVICE TAXING UNIT (MSTU) FOR THE PROVISION OF AMBULANCE AND EMERGENCY MEDICAL SERVICES, AS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, FLORIDA; PROVIDING FOR THE CITY TO BE INCLUDED WITHIN SAID MSTU FOR A SPECIFIED TERM OF YEARS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

Commissioner Gunter questioned if we still receive monthly reports for Fruitland Park. Mayor Bell stated he receives monthly reports for Lake County but will ask about a specific report for Fruitland Park.

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

Commissioner Kelly requested to be excused for the remainder of the meeting. She left the meeting at 8:32 p.m.

07. UNFINISHED BUSINESS

A. CDD Rector provided an update on the Annexation project. CDD Rector showed a map of properties voluntarily coming into the City – 91.66 acres; the enclaves we would like to bring in – 9 parcels, 27.87 acres; and those we would like to bring in involuntarily (mostly commercial)- 17 parcels, 24 acres. Enclave parcels enjoy the services of the City and many already have sewer and water running right past. CDD Rector stated some of the parcels actually will receive lower taxes if brought in.

Mayor Bell questioned if we annex in the road ROW when own property on both sides of the road.

Greg Beliveau stated no, this will be brought up as part of the JPA with the Lake County to be discussed at a later time. Mr. Beliveau noted jurisdictional control on several county roads has been given in the past.

CA Gerken stated there is nothing that requires us to annex the road right of way when property is annexed on both sides of the road.

Greg Beliveau stated right of way used to be considered for annexing in property. This is no longer a valid way to bring in property.

Vice Mayor Goldberg left the meeting at 8:59 and returned at 9:02.

Commissioner Gunter questioned if water hookups could be done for free for any parcel brought in involuntarily. CDD Rector noted he did not recommend offering this.

Commissioner Richardson stated isn't everyone within the city limits required to connect to city water. CA Gerken clarified stated yes they must connect, but you cannot make them use the water.

CDD Rector stated he needs to get an okay to move forward with the enclaves and involuntary parcels so we can move ahead with the comprehensive plan changes.

The consensus of the Commission was to move ahead.

B. CDD Rector updated on the Wingspread gate. The only response was from the Fruitland Park Post Office who did not care if the gate was closed. CA Gerken

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noted he received a call from Attorney Fred Morrison who is looking into vacating the road for the Wingspread HOA.

08. NEW BUSINESS

- A. Adopted Resolution 2011-014 approving a memorandum of agreement with FDOT for the maintenance of right of way. CA Gerken read Resolution 2011-014, by title only, as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF FRUITLAND PARK AND THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR THE MAINTENANCE OF STATE ROAD RIGHTS-OF-WAY BY THE CITY; SET; PROVIDING FOR AN EFFECTIVE DATE.

Vice Mayor Goldberg moved and Commissioner Richardson seconded to adopt Resolution 2011-014. The motion carried unanimously with Commissioner Richardson, Mayor Bell, Vice Mayor Goldberg, and Commissioner Gunter voting aye.

- B. Mayor Bell suggested anyone who had a suggestion for the Hall of Fame Nominations give them to CC Gibson Smith. Nominations must be submitted by 8/26.

09. CITIZENS' COMMENTS - None

10. COMMISSIONERS' COMMENTS

A. Vice Mayor Goldberg - none

B. Commissioner Gunter -none

C. Commissioner Kelly - excused

- D. Commissioner Richardson - stated he heard a rumor the employees did not get raises this year was due to the resurfacing of the pool. He noted that is not true. The City of Leesburg has selected a vendor for smart grids - need to do something soon about the agreement. It has been three and a half years so we need to do something.

Mayor Bell stated the infrastructure would need to be in place for those meters. He would like to move ahead this budget year. He noted we have a new treasurer and there are lots of things to get up to speed on still.

Commissioner Gunter stated the City of Leesburg should engineer this portion as well.

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CA Gerken stated we are in a limbo period. Mayor Bell noted they received a grant for these meters. CA Gerken stated Leesburg knows it is in their court, but there is no incentive to move forward.

Mayor Bell questioned how to move ahead. CA Gerken suggested we perhaps need to extend a hand and get it restarted.

Commissioner Richardson stated, as far as the smart meters, the ball is in our court.

PWD Bostic stated a pared down water meter project is being worked on. The infrastructure from the proposed water meter project will read electric meters, but not the ones Leesburg is putting in. We may want to put in something compatible with our water meter project.

Commissioner Richardson stated he is concerned for Mr. Bowers' health. He noted we need someone running this ship. He questioned how many hours we expect the City Manager to work.


Mayor Bell noted he had a productive lunch with CM Bowers today. He was feeling well then.

Commissioner Richardson stated CM Bowers normally comes in between 10:30/11:00. If he was putting in full days, perhaps we would not be three and half years in the electric deal. His salary is paid for by the taxpayers.


11. MAYOR BELL'S COMMENTS. Mayor Bell stated CM Bowers has been a great asset to the City. He is satisfied with his performance. The City is in capable hands and CM Bowers is in good contact with the departments. Commissioner Richardson stated he is not questioning his ability to run the City.

Mayor Bell reviewed the budget calendar and suggested moving the July 28th meeting. This can be moved to 8/1 or 8/2 as it is for one specific purpose. The consensus was to hold it to Tuesday 8/2 at 6:00 p.m.

12. ADJOURNMENT. There being no further business to discuss, Commissioner Richardson moved to adjourn. The meeting adjourned at 9:39 p.m.


Christopher J. Bell, Mayor

Attest:


Diane L. Gibson Smith, CMC, City Clerk