

**FRUITLAND PARK CITY COMMISSION MEETING MINUTES**  
**MARCH 31, 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, March 31, 2011 beginning at 7:02 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE. Pastor George Mulford of the Grace Bible Baptist Church delivered the invocation followed by the Pledge of Allegiance led by Vice Mayor Goldberg.

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, Community Development Director (CDD) Charlie Rector, Recreation Director (RD) Sherry Bechtel, and City Clerk (CC) Diane Gibson Smith.

01. PRESENTATION TO ASSISTANT POLICE CHIEF DAVID BORST. Mayor Bell presented a plaque of appreciation to Assistant Police Chief David Borst for serving as Interim Police Chief from December through March. Mayor Bell also read a letter from CM Bowers praising APC Borst for his work.

02. PROCLAMATIONS

- a. Proclaimed April as Water Conservation Month. Mayor Bell proclaimed April as Water Conservation Month by reading the proclamation in its entirety.
- b. Proclaimed April 17 - 23, 2011 as Childhood Cancer Awareness Week. Mayor Bell proclaimed April 17 - 23, 2011 as Childhood Cancer Awareness Week by reading the proclamation in its entirety.

03. 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 regular March 10, 2011 City Commission meeting and minutes of the special March 17, 2011 City Commission meeting were approved.

04. CITY ATTORNEY'S REPORT

- a. CA Gerken updated the Commission on the Cost Share Agreement. He noted St John's District has informed us that the Cost Share Agreement is not being funded. CA Gerken noted our CUP is contingent on this project and St. Johns is aware of that and knows "the ball is in their court".

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Mayor Bell noted the meter project may be something we want to still do in the future. He stated we would like to continue moving forward if a grant can be found.

05. CITY MANAGER'S REPORT - none

06. INTRODUCTION OF ORDINANCES

- a. Approved first reading of Ordinance 2011-003 extending inclusion in the County-Wide Municipal Service Taxing Unit (MSTU) for an additional two years through July 12, 2013 and approved holding off on second reading until more is known. 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.

Mayor Bell questioned if this will change. CA Gerken stated some change may occur. He noted no final decision is needed until July so the second reading and adoption can be postponed until more is known. This is an additional tax line item on the property taxes.

Commissioner Gunter questioned who sets the millage rate and how does it get set. County Commission sets the millage but there may be a board that proposes the rate.

Mayor Bell stated he sits on the Board of the EMS. EMS Executive Director Jim Judge has said that he is looking at adjusting this down but we don't want to lose the level of service. The level of service requested sets the budget.

Commissioner Kelly moved and Commissioner Gunter seconded to approve first reading of Ordinance 2011-003. The motion carried unanimously with Commissioner Richardson, Mayor Bell, Vice Mayor Goldberg, Commissioner Kelly, and Commissioner Gunter all voting aye.

- b. Approved first reading of Ordinance 2011-004 borrowing funds for DOT work. CA Gerken read Ordinance 2011-004, by title only, as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AUTHORIZING THE BORROWING OF MONEY FROM THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR UTILITY RELOCATION; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

CA Gerken stated this note needs additional work prior to second reading. This is for the hardship relieve for the work on US Highway 27/441. This is a new program

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started as FDOT realizes funding this program is a hardship to most governments. The amount of the financing was based on initial estimates from BESH. The figures are being worked on and the final amount will be lower. The work is expected to take two years to be completed. No payments are due until the project is complete. A recommendation has been made by our auditor to pledge the utility revenues to repay this debt. Those revenues are already pledged to something else so we are unsure whether that will be acceptable by FDOT. Bid documents are to be requested at the end of April so the estimated final amount should be known by June.

Mayor Bell noted he would like to see a provision in the documents that allows us to request some changes in sizes of pipes if we deem appropriate.

Commissioner Richardson noted there are three funding sources that we get from the county that if we pledge and the county stops the source, then we still get our funds.

CA Gerken stated when we sign the note we are obligated to pay the funds. By pledging the utility revenues and if the City does not make payments, FDOT would be able to go after the utility revenues.

Vice Mayor Goldberg moved and Commissioner Kelly seconded to approve first reading of Ordinance 2011-004. The motion carried unanimously with Commissioner Gunter, Commissioner Richardson, Mayor Bell, Vice Mayor Goldberg, and Commissioner Kelly all voting aye.

07. UNFINISHED BUSINESS

- a. Offered City Treasurer position to Jeannine Racine Michaud. Mayor Bell stated the Commission interviewed four people for the position of City Treasurer and have narrowed the search down to one.

Commissioner Gunter moved and Vice Mayor Goldberg seconded to close the job search and offer the position to Jeannine Racine Michaud. The motion carried unanimously with all Commissioners voting aye.

Mrs. Michaud introduced herself and told everyone a bit of her work history.

Mayor Bell stated the references have been contacted and many nice things were said about Mrs. Michaud. On the consensus of the Commission, Mayor Bell offered Mrs. Michaud a starting salary of \$57,000 and moving up to \$60,000 after successful completion of six months. Mrs. Michaud agreed.

Mayor Bell also stated moving expenses were discussed. The decision was made to split the cost of moving up to a maximum of \$3,000. This was agreeable with Mrs. Michaud and the Commission.

Mrs. Michaud stated she would start no later than May 2, 2011.

Commissioner Richardson questioned how much time we should use our former City Treasurer. A decision was made that Mayor Bell would discuss a working schedule with the former City Treasurer. The decision was also made to pay out the City

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Treasurer's vacation time to make full weeks rather than paying it out as a lump sum at the end.

08. PUBLIC HEARINGS - none

09. NEW BUSINESS

- a. Tabled Proposal and Scope of Services for additional CUP assistance for SMW GeoSciences, Inc. in the amount of \$37,000. This was tabled until such time as CM Bowers is back in the office.
- b. Approved Memorandum of Understanding with GovDeals to sell surplus items via online auction.

Commissioner Kelly questioned the items to be sold. PWD Bostic stated vehicles, computers, and other items can be sold.

Mayor Bell questioned if PWD Bostic had looked into what vehicles are bringing in. PWD Bostic noted his understanding is GovDeals brings in a bit more money.

CA Gerken noted the items to be sold must be brought to the Commission to be declared surplus prior to being offered.

Commissioner Gunter moved and Commissioner Kelly seconded the motion to use GovDeals as a means of selling surplus items and using method B2 as a means of payment. The motion carried unanimously with all the Commissioners voting aye.

10. CITIZENS' COMMENTS

- a. Myra Martin, a concerned citizen, spoke about the disruption and disrespect shown at the last meeting. She noted her late husband held the commission seat and was very honorable and respectful. Mrs. Martin also gave her opinion on the payments being made to the former City Treasurer.
- b. Ken Hutcheson, a concerned citizen, welcomed Terry Isaacs to the City. He read an email he wrote to Mayor Bell regarding his opinions on the personal attacks made by a certain commissioner. He noted respect is in order in these meetings. He stated the Commission meeting is not the forum for personal gain. We can't move forward by living in the past. Mr. Hutcheson stated he is proud to live in Fruitland Park. He stated he offers his services to the City at no charge.
- c. Jim Stivender, Lake County Public Works Director, was introduced.

11. COMMISSIONERS' COMMENTS

- a. Vice Mayor Goldberg - welcomed the new Chief of Police and the new City Treasurer. He noted he is looking forward to many years of productive service with the new department heads.
- b. Commissioner Gunter - welcomed the new department heads.

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- c. Commissioner Kelly – stated we had calm meetings for many years. People are still learning. Commissioner Kelly welcomed Police Chief Isaacs and City Treasurer Michaud. She stated she is confident in their abilities.
- d. Commissioner Richardson – welcomed both new department heads. He then stated “Wow”. Commissioner Richardson reported on the incident which was referred to by Mr. Hutcheson. He noted the incident was covered by the news so he is not sure how he hid that from the citizens of Fruitland Park.

Commissioner Richardson stated we need to be the “Business Friendly City”. He said some businesses have one water meter and pay a multiplier for services based on the number of electric meters. Charlie Rector stated in this instance, there is only one bathroom for five warehouses, but since there are five electric meters, he pays a multiplier for the water service. CDD Rector noted new businesses have a water meter for each business.

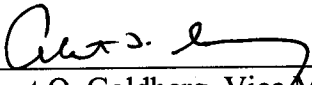
Mayor Bell suggested looking further into this problem when the new City Treasurer is in office.

Commissioner Richardson noted he and Mayor Bell made amends after the last meeting. He reread the email and realized it did sound like a personal attack.


- 11. MAYOR BELL'S COMMENTS. Mayor Bell noted he is looking forward to the Commission moving forward. He reminded everyone of the upcoming events.

RD Bechtel reviewed the schedule of events for Fruitland Park Days.

- 12. ADJOURNMENT. There being no further business to discuss, Commissioner Richardson moved to adjourn. The meeting adjourned at 8:49 p.m.

  
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Albert O. Goldberg, Vice Mayor

Attest:

  
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Diane L. Gibson Smith, CMC, City Clerk