

**FRUITLAND PARK CITY COMMISSION MEETING MINUTES
NOVEMBER 10, 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, November 10, 2011 beginning at 7:03 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE. City Manager Ralph Bowers 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. City Manager (CM) Ralph O. Bowers, Police Chief (PC) Terry Isaacs, Assistant Police Chief (APC) David Borst, City Treasurer (CT) Jeannine Racine Michaud, 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

David Hope, from Lake County Public Transportation, shared the design and tentative location for the bus shelter. The shelter will be moved down as close to the bike rack as possible.

02. SELECTION OF VICE MAYOR

Mayor Bell discussed the election of the Vice Mayor based on the Charter.

Commissioner Kelly moved to have the Vice Mayor selection coincide with the election of the Commissioners which occurs every two years.

CA Gerken stated there is one sentence in the Charter about the selection of the Vice Mayor being done in the same year as a general City election.

Mayor Bell called for a second to the motion.

Commissioner Gunter stated it is only right to rotate it around the Board as has been done in the past.

Mayor Bell again called for a second to the motion. None was made. The motion died due to lack of a second.

Commissioner Gunter moved to nominate Jim Richardson as Vice Mayor. Commissioner Goldberg seconded the motion. The motion carried unanimously with all the Commissioners voting aye.

03. APPROVED CONSENT AGENDA.

Mayor Bell presented the consent agenda for approval.

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Commissioner Gunter moved and Commissioner Goldberg seconded to approve the consent agenda as presented. The motion carried with all the Commissioners voting aye. The minutes of the October 27, 2011 meeting were approved.

03. CITY ATTORNEY'S REPORT. - none

04. CITY MANAGER'S REPORT

- a. CM Bowers stated the settlement agreement for the CUP did not recognize the money we spent this past year. We need to submit another round of comments to the settlement agreement. Our water attorney has talked to SJRWMD so this may have been ironed out mostly.
- b. CM Bowers stated he has been nominated to serve on the Committee for Consistency and Issuance of Consumptive Use Permits by The Florida League of Cities. He has accepted the nomination and will attend sessions at the upcoming League Conference next week.

Commissioner Gunter stated he heard of an opening on the Saint Johns River Water Board.

CA Gerken stated some names have been submitted from Lake County.

CM Bowers asked if it was okay to ask to have his name submitted.

Mayor Bell suggested finding out more information and how much time involved.

- c. CM Bowers stated we received quotes for a mini excavator. He will bring this back in December.

05. UNFINISHED BUSINESS

06. INTRODUCTION OF ORDINANCES

- a. Approved first reading of Ordinance 2011-014 adopting a Cross Connection Control Program. CA Gerken read Ordinance 2011-014, by title only, as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, REVISING CHAPTER 51 ENTITLED PLUMBING OF THE CODE OF ORDINANCES ADOPTED BY ORDINANCE 90-027 AND REPLACING WITH THE CROSS-CONNECTION CONTROL PROGRAM PROVIDED HEREIN; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR AN EFFECTIVE DATE.

Vice Mayor Richardson questioned Section 3 being at the Public Works Director discretion. Vice Mayor Richardson suggested making it more black and white.

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CM Bowers suggested making changes prior to bringing back at the next meeting. CA Gerken agreed.

Vice Mayor Richardson moved and Commissioner Kelly seconded to approve first reading of Ordinance 2011-014. The roll call vote was as follows:

Mayor Bell	Aye
Commissioner Goldberg	Aye
Commissioner Kelly	Aye
Commissioner Gunter	Aye
Vice Mayor Richardson	Aye

The motion carried unanimously.

07. PUBLIC HEARING

- a. Adopted Ordinance 2011-013 extending the Internet Café Moratorium for another 180 days. CA Gerken read Ordinance 2011-013, by title only, as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, EXTENDING BY 180 DAYS A TEMPORARY MORATORIUM IMPOSED BY ORDINANCE 2011-05 ON THE ISSUANCE OF ANY BUSINESS TAX LICENSE, PERMIT, CONDITIONAL USE APPROVAL, SITE PLAN APPROVAL AND ANY OTHER OFFICIAL ACTION OF THE CITY OF FRUITLAND PARK, FLORIDA HAVING THE EFFECT OF PERMITTING OR ALLOWING THE CONSTRUCTION AND/OR OPERATION OF CERTAIN BUSINESSES WITHIN THE CITY OF FRUITLAND PARK RELATED TO GAME ROOMS, ARCADES, INTERNET CAFES, SWEEPSTAKES REDEMPTION CENTERS, ESTABLISHMENTS USING SLOT MACHINES OR SLOT MACHINE-LIKE EQUIPMENT AND SIMILAR INDOOR ENTERTAINMENT AND AMUSEMENT ACTIVITIES AS MORE SPECIFICALLY DESCRIBED IN ORDINANCE 2011-05, PENDING THE APPROVAL OF REGULATIONS PERTAINING THERETO; PROVIDING LEGISLATIVE FINDINGS; PROVIDING THE DURATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR AN EFFECTIVE DATE.

Vice Mayor Richardson moved to adopt Ordinance 2011-013.

Commissioner Gunter questioned how many times this will be extended before a decision is made. CA Gerken stated this will probably be the last extension. This allows us more time until the Legislature addresses this again.

Commissioner Kelly seconded the motion. The roll call vote was as follows:

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Vice Mayor Richardson	Aye
Mayor Bell	Aye
Commissioner Goldberg	Aye
Commissioner Kelly	Aye
Commissioner Gunter	Aye

The motion carried unanimously.

08. NEW BUSINESS

- a. Approved Firefighters' compensation. CM Bowers stated Fire Chief Borst has suggested not filling a couple of Firefighter positions and redistributing those funds to the officers.

Fire Chief Borst explained his rationale for the compensation.

Mayor Bell noted the last time there was a difference in compensation among the firefighters, there was a mass exodus. His concern is whether the entire fire department is in agreement with this. Fire Chief Borst stated this has been discussed.

Vice Mayor Richardson moved and Commissioner Gunter seconded to approve the firefighters' compensation as recommended. The motion carried with all the Commissioners voting aye.

- b. Approved sending the annexation addendum to the Lake County Board of Commissioners. CDD Rector noted the original annexation report was sent to the Board of County Commissioners. CA Gerken added that several parcels listed in the annexation report are already within the City.

Commissioner Kelly moved and Vice Mayor Richardson seconded to approve sending the annexation addendum to the Lake County Board of County Commissioners. The motion carried with all the Commissioner voting aye.

09. CITIZENS COMMENTS - None

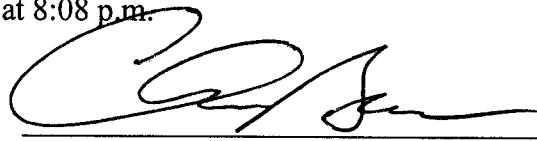
10. COMMISSIONERS COMMENTS

- a. Vice Mayor Richardson - asked if we had any update on the sleeves. CC Gibson Smith noted she received an email from Duane Booth who verified we would not be able to include the sleeves in the hardship loan. Vice Mayor Richardson asked if we are paying for BESH construction administration. CC Gibson Smith stated she will check again with BESH. Vice Mayor Richardson commented on the CDBG project and the fact that road stabilizer and limerock were not included. Vice Mayor Richardson questioned if any additional engineering work has been authorized as the Public Works Monthly Report stated the director had met with the city engineer on additional work on the 27/441 project. Public Works Director John Bostic stated no additional work has been authorized.
- b. Commissioner Gunter - stated he sees the CDBG project often and finds it very interesting to watch them work. He noted Ciraco told him they were going to reuse

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the limerock. Commissioner Gunter questioned about having all of Shiloh repaved. PWD Bostic will check with Lake County regarding paving all of Shiloh as this time.

- c. Commissioner Kelly - questioned the meeting regarding Valley Road. Public Works Director John Bostic stated they are still working on how best to fix the problem.
 - d. Commissioner Goldberg – None.
11. MAYOR BELL'S COMMENTS. Mayor Bell reviewed the upcoming events.
12. ADJOURNMENT. There being no further business to discuss, Vice Mayor Richardson moved to adjourn. The meeting adjourned at 8:08 p.m.



Christopher J. Bell, Mayor

Attest:



Diane L. Gibson Smith, CMC, City Clerk