

**FRUITLAND PARK CITY COMMISSION MEETING MINUTES
OCTOBER 27, 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, October 27, 2011 beginning at 7:05 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE. Pastor Dennis Langford of the Covenant Church of God 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 Sharon Kelly, Commissioner Jim Richardson, Vice Mayor Albert O. Goldberg., Mayor Christopher J. Bell. Commissioner, John L. Gunter, Jr. was excused.

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. PRESENTATIONS

- A. LAKE EMS – John Simpson, Chief Operations Officer, provided information on the newly formed Lake Emergency Medical Services. He reviewed the structure, goals, and the staffing of Lake EMS.
- B. ANNEXATION PRESENTATION – Greg Beliveau, LPG Urban Planners, gave a brief update on the annexations – enclaves, involuntary, voluntary. He noted the City meets or exceeds all the Statute requirements to do these annexations.

Mayor Bell questioned if anyone was contesting these annexations. CDD Rector stated no notifications have been sent out yet so no full blown opposition has been received as of yet. The owners of the enclaves know they are surrounded by the City so it makes sense. The only possible problem areas are the involuntary areas. The ratio of Commercial to Residential for these annexations is heavier in commercial.

Adopted Resolution 2011-021 authorizing the transmission of the annexation report to the Lake County Board of County Commissioners. CA Gerken read Resolution 2011-021, by title only, as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, TRANSMITTING AN ANNEXATION REPORT FOR THE PROPOSED FRUITLAND PARK ANNEXATION AREA TO THE LAKE COUNTY BOARD OF COUNTY COMMISSIONERS PURSUANT TO SECTION 171.042, FLORIDA STATUTES; PROVIDING FOR AN EFFECTIVE DATE.

Commissioner Kelly moved and Vice Mayor Goldberg seconded to adopt Resolution 2011-021. The roll call vote was as follows:

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

Four ayes, no nays, the motion carried unanimously.

02. APPROVED CONSENT AGENDA.

Mayor Bell presented the consent agenda for approval.

Vice Mayor Goldberg moved and Commissioner Kelly seconded to approve the consent agenda as presented. The motion carried with all the Commissioners voting aye. The minutes of the October 13, 2011 meeting were approved.

03. HEARD CITY TREASURER REPORT FOR PERIOD ENDING SEPTEMBER 30, 2011.

CT Racine Michaud presented the financial information for the period ending September 30, 2011. It appears expenses will be lower than revenues. The CUP will be expensed out over 10 years. There is a potential of putting some money into the Fund Balance (about \$30,000), but there may be some additional changes due to year end.

Commissioner Richardson suggested taking the remaining Legislative contingency and the amount slated for Fund Balance and give a bonus to employees.

Mayor Bell stated some adjustments may still need to be done. Giving a bonus is a nice thought but he doesn't feel that a bonus can be thought about at this time. The time to allow for this was at budget time.

CM Bowers stated CT Racine Michaud has made a request to give \$0.50/hr of her salary to one of her employees. Vice Mayor Goldberg moved and Commissioner Kelly seconded to allow CT Racine Michaud to give \$0.50/hr to Sue Parker. The motion carried with all the Commissioners voting aye.

04. CITY ATTORNEY'S REPORT. - none

05. CITY MANAGER'S REPORT

- A. CM Bowers stated he met with the County Manager re: the Highway Patrol Station. The County wants to use it as a bus station and perhaps as a Sheriff's substation.

CM Bowers stated they also talked about the Fire Department and the possibility of the City contracting with the County to do the fire service for this fire district. The County Manager will look into this.

Mayor Bell stated that is okay with doing that as long as it doesn't cost money.

CM Bowers stated we would be able to do a hybrid department with paid personnel during the day and volunteers at night. We are in a unique position to try this if they are interested.

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- B. CM Bowers stated he sent out a memo for more compensation for our Fire Department personnel that cuts back on total slots and uses funds to provide additional money to those doing the coverage. This will be placed on the next agenda for discussion.

06. UNFINISHED BUSINESS

A. Approved renewal to BESH continuing contract for engineering.

Commissioner Richardson had several questions and comments.

1. Where are we with the collection of funds back from Planet Five. Duane Booth stated he will check with his attorney and report back.
2. Contracts – should not be using cut and paste on contracts without proofreading. Contract for the construction administration had the City of Mount Dora on it. Also billing needs to be followed. Duane noted he does not bill for his entire time.
3. CDBG project – would like to have known up-front the total cost of the project, but was not re-estimated after completion of the plans. Mr. Booth stated another project (FDOT 441/27 expansion) came up suddenly and took a lot of work in a short time frame.
4. FDOT construction administration. Duane Booth stated FDOT is hiring him to do this as it is required under federal regulations. Duane stated he thought this would be included in the hardship loan. This will be checked into.
5. Utility conflicts in ROW. Commissioner Richardson stated the approval was for a not to exceed \$5,000. The bill came in at \$8,000 and was approved.
6. Had asked about the lift station in the CDBG grant being moved to the back of the Park. CM Bowers stated the City doesn't own the property and this would have cost a lot more money to clear the property for the line.

Vice Mayor Goldberg stated he thought there was a discussion of this being cost prohibitive. Duane Booth agreed that the information was reported back either in a staff meeting or a Commission meeting.

Commissioner Richardson moved and Vice Mayor Goldberg seconded to approve the continuing contract with BESH. The motion carried unanimously with all the Commissioners voting aye.

Mayor Bell asked about irrigation in the medians of US Hwy 441/27. CM Bowers noted irrigation is not allowed as the plans are too far along to add.

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Mayor Bell the inquired about sleeves. While FDOT does allow inclusion of new utilities during construction but the designs for the road expansion were too far along to include. Sleeves will not be allowed. Duane stated he will ask this question again.

CA Gerken stated FDOT has money to give 100% grants for landscaping those medians. FDOT uses those as a means of having the cities maintain the medians. We currently have a three year agreement for the maintenance of the medians.

- B. Approved Waste Management contract extension. Doug McCoy and Bryant Johnson of Waste Management were available for questions. Mr. McCoy thanked the City for allowing Waste Management to continue to service Fruitland Park and stated they would like to continue this relationship. He noted for 2010 and 2011 no contractual increases are being passed through. Mr. McCoy reported on the proposed change to recycling called single streaming. This means everything goes into one bin and then goes to a single stream processing plant. This allows for additional items to be recycled. Rebates will be given to Fruitland Park on a quarterly basis net of expenses.

CM Bowers stated a suggestion was made to have roll-offs placed in the neighborhoods the week before Fruitland Park cleanup days. Mr. McCoy agreed to do this.

Mayor Bell asked about the incinerator. Mr. McCoy stated there will be workshops in February with Lake County regarding Covanta. Discussions will include looking at other options.

CA Gerken stated the extension of the contract and rates should be done by ordinance. All agreed this contract can be brought back and approved via ordinance.

07. INTRODUCTION OF ORDINANCES

- A. Approved first reading/introduction of Ordinance 2011-013 extending the Moratorium on Internet Cafés by 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 90 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

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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.

CA Gerken stated the moratorium on Internet Cafes will expire at the end of December. This ordinance is to extend the moratorium and allow time to see what the Legislature will do regarding this topic.

Vice Mayor Goldberg suggested changing this extension to 180 days – or as far out as allowed.

Commissioner Kelly moved and Vice Mayor Goldberg seconded to approve the first reading of Ordinance 2011-013 with the extension time changed to 180 days. The roll call vote was as follows:

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

Four ayes, no nays, the motion carried unanimously.

08. NEW BUSINESS

- A. Approved agreement with Diversified Asset Recovery for electronic equipment. There will be no cost to the City. Commissioner Richardson moved and Vice Mayor Goldberg seconded to approve the agreement with Diversified Asset Recovery. The motion carried with all the Commissioners voting aye.
- B. Approved giving \$500 Scholarship to Firefighter Taylor Luttfriing. Commissioner Richardson moved and Commissioner Kelly seconded to give the \$500 scholarship to Firefighter Taylor Luttfriing. The motion carried with all the Commissioners voting aye.
- C. Adopted Resolution 2011-033 amending the Interlocal Agreement between the City of Fruitland Park and the Village Center Community Development District to correct several scrivener's errors. CA Gerken read Resolution 2011-033, by title only, as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE INTERLOCAL AGREEMENT BETWEEN THE CITY OF FRUITLAND PARK AND THE VILLAGE CENTER COMMUNITY DISTRICT TO CORRECT SEVERAL SCRIVENERS' ERRORS; PROVIDING FOR AN EFFECTIVE DATE.

CA Gerken stated this agreement has not been changed except for the correction of scrivener's errors. This has been requested by The Village Center Community District.

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Commissioner Richardson moved and Commissioner Kelly seconded to approve Resolution 2011-033. The roll call vote was as follows:

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

Four ayes, no nays, the motion carried unanimously.

09. CITIZENS COMMENTS

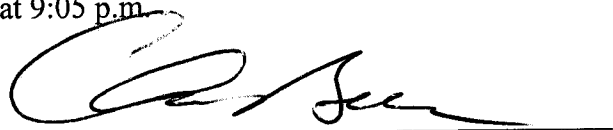
A. Rick Ranize, a concerned citizen, thanked EMS for their services. Mr. Ranize questioned where the money for the sleeves, etc. would come from. Mayor Bell noted this would be added to the hardship loan. We first need to find out if they can be placed.

10. COMMISSIONERS COMMENTS

- a) Commissioner Richardson - none
- b) Commissioner Kelly - none
- c) Vice Mayor Goldberg - stated he saw Mr. Ranize on the news.

11. MAYOR BELL'S COMMENTS. Mayor Bell reviewed the upcoming events. He suggested bringing back the golf cart ordinance.

12. ADJOURNMENT. There being no further business to discuss, Commissioner Richardson moved to adjourn. The meeting adjourned at 9:05 p.m.



Christopher J. Bell, Mayor

Attest:


Diane L. Gibson Smith, CMC, City Clerk