

**FRUITLAND PARK CITY COMMISSION MEETING MINUTES
SEPTEMBER 9, 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, September 9, 2010 beginning at 7:04 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE. City Manager Ralph Bowers delivered the invocation followed by the Pledge of Allegiance led by Commissioner Richardson.

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., City Treasurer (CT) Elizabeth Palmer, Community Development Director (CDD) Charlie Rector, and City Clerk (CC) Diane Gibson Smith.

01. PUBLIC HEARING

a. Adopted Resolution 2010 – 021 approving the tentative millage rate of \$4.36 mills per thousand for Fiscal Year 2010-2011.

CM Bowers stated after setting the tentative millage, the County Board agreed to allow us to keep the automation funds for the next year and we received good news on some insurance. CM Bowers is requesting authorization to make the adjustments to the tentative millage and then the corresponding budget adjustments.

Mayor Bell stated being able to keep the millage at \$4.36 would be a major plus.

Commissioner Kelly questioned how much would be transferred in. CT Palmer stated approximately \$ 4,288 would be transferred in at the \$4.50. If the millage was set to \$4.36 the additional amount to be transferred in would be \$24,106 as the budget stands.

Commissioner Richardson noted that is at 95% ad valorem taxes.

After discussion, the decision was made to set the tentative millage at \$4.36 mills with 98% ad valorem taxes.

Mayor Bell stated the percentage increase in millage over the current year rolled back rate of 3.4969 is 24.68% with the tentative millage set at \$4.36 mills.

Mayor Bell announced the specific purposes for which the ad valorem revenues are being increased are increases in personal services, increases in operating costs, and a reduction in property values.

Mayor Bell requested Public Comment regarding the proposed increase.

Bob Ballinger, home owner from The Glen, stated his trim notice went down as his property has devalued about 50%. He wondered if taxes are still paid on vacant homes. Mayor Bell stated yes,

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taxes are still collected on vacant homes. This past year we collected 101% ad valorem taxes because of tax sales.

Commissioner Richardson noted the millage for the Tim Notice was set at \$4.96 and that is being reduced.

Mayor Bell again announced the specific purposes for which the ad valorem revenues are being increased are increases in personal services, increases in operating costs, and reduction in property values.

Mayor Bell announced the City of Fruitland Park is the taxing authority, the current year rolled-back rate is 3.4969, and the percentage increase over the rolled-back rate is 24.68% for the tentative millage of \$4.36 mills.

CA Gerken read Resolution 2010-021 by title only, as follows:

A RESOLUTION OF THE CITY OF FRUITLAND PARK, LAKE COUNTY,
FLORIDA, ADOPTING THE TENTATIVE LEVYING OF AD VALOREM TAXES
FOR THE CITY OF FRUITLAND PARK FOR FISCAL YEAR 2010-2011;
PROVIDING FOR AN EFFECTIVE DATE.

Vice Mayor Gunter moved and Commissioner Kelly seconded to adopt Resolution 2010-021. The motion carried unanimously with Commissioner Richardson, Mayor Bell, Commissioner Goldberg, Vice Mayor Gunter, and Commissioner Kelly all voting aye.

b. Adopted Resolution 2010-022 approving the tentative budget for Fiscal Year 2010-2011. CM Bowers noted scrivener's adjustments will be made to the resolution and the corrections will be made prior to the final budget adoption. He added Chief Isom was also notified of receiving a grant for a radar sign so the grant will also be added.

CA Gerken read Resolution 2010-022 by title only as follows:

A RESOLUTION OF THE CITY OF FRUITLAND PARK, LAKE COUNTY,
FLORIDA, ADOPTING THE TENTATIVE BUDGET FOR FISCAL YEAR 2010-
2011; PROVIDING FOR AN EFFECTIVE DATE.

Commissioner Kelly moved and Commissioner Goldberg seconded to adopt Resolution 2010-022. The motion carried unanimously with Commissioner Kelly, Commissioner Richardson, Mayor Bell, Commissioner Goldberg, and Vice Mayor Gunter all voting aye.

c. Adopted Ordinance 2010-003 increasing the fees for the water and waste water systems. CA Gerken read ordinance 2010-003 by title only, as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND
PARK, FLORIDA, AMENDING CHAPTER 50, SECTION 50.30(A) AND (B), AND
CHAPTER 99, SECTION 99.60(B)(d) OF THE CODE OF ORDINANCES TO
PROVIDE FOR AN INCREASE IN WATER AND WASTEWATER RATES;
PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR

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SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF
ORDINANCES; PROVIDING FOR AN EFFECTIVE DATE.

Mayor Bell questioned the amount added to a normal bill. CT Palmer stated this adds approximately \$0.66 to a normal bill.

Mayor Bell requested comments from the Public.

Bob Ballinger questioned if the City has a sewer system. Mayor Bell stated yes, but it is currently a mostly commercial system. Mr. Ballinger questioned if the quality of the water could be improved. CM Bowers stated we shut Well 6 down and we are looking into a new well.

Jim Harrison, of 900 Pennsylvania Street, stated he has good water but his water usage has doubled. CM Bowers stated he may have a water leak. This will be checked for him.

Mr. Harrison stated a friend of his who lives on Maryland Street says her water tastes horrible.

Chuck Payne, a home owner in Wingspread, stated he has problems with his water when they leave it off for a while. They must run the water for a week or so to clear out the smell. CM Bowers stated this is from residual fallout from Well 6.

Commissioner Richardson requested clarification on the payment of the additional sewer charge. CM Bowers stated if you are not on sewer, the additional sewer charges do not apply.

Commissioner Kelly moved and Commissioner Goldberg seconded to adopt Ordinance 2010-003. The motion carried unanimously with Vice Mayor Gunter, Commissioner Kelly, Commissioner Richardson, Mayor Bell, and Commissioner Goldberg all voting aye.

02. REVIEWED TREASURER'S REPORT FOR PERIODS ENDING JULY 31, 2010.

CT Palmer reviewed the Treasurer's report for the period ending July 31, 2010. This report includes mid-year budget review changes. CT Palmer reported on the revenues and expenditures for the month. She noted 101.2% of the ad valorem taxes have been collected due to the collection of additional delinquent ad valorem taxes.

03. CITY MANAGER'S REPORT

- a. CM Bowers stated we have notice of issuance for the WWTP permit.
- b. CM Bowers noted we are in negotiations with the people who are installing the Master Lift Station. Two valves are not working properly. This will not be final until repaired.
- c. CM Bowers stated he met with consultants regarding the CUP and will meet with the SJRWMD Director sometime this month.
- d. CM Bowers stated we are preparing for a CDBG site visit. This is usually preparatory for them making an award.

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e. CM Bowers stated we are ready to apply for a grant for the main water line from Cooke to Spring Lake Road. There are still some issues pertaining to Smart Fuels that need to be cleared up prior to being able to apply.

04. **CITY ATTORNEY'S REPORT**

a. Vice Mayor Gunter requested an update on the lawsuit. CA Gerken stated there is a hearing tomorrow regarding payment to the engineers for depositions. The next best date for a settlement will be at mediation which may occur before the end of the year.

05. **INTRODUCTION OF ORDINANCE**

a. Approved first reading of Ordinance 2010-005 increasing the Police and Fire Service Fees. CA Gerken read Ordinance 2010-005 by title only, as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, INCREASING THE POLICE AND FIRE SERVICE FEES IN CONJUNCTION WITH THE CITY'S ANNUAL REVIEW OF THE SAME; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Mayor Bell stated we decided to increase the Police Service Fee from \$2 to \$4 and the Fire Service Fee from \$2 up to \$3; for a total increase of \$3 a month.

Commissioner Richardson moved and Commissioner Goldberg seconded to approve Ordinance 2010-005. The motion carried unanimously with Commissioner Goldberg, Vice Mayor Gunter, Commissioner Kelly, Commissioner Richardson, and Mayor Bell all voting aye.

06. **UNFINISHED BUSINESS** - none

07. **NEW BUSINESS**

a. Approved Resolution 2010-023 appointing the City Attorney. CA Gerken read Resolution 2010-023 by title only, as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPOINTING A CITY ATTORNEY, PROVIDING FOR THE TERM OF OFFICE; PROVIDING FOR AN EFFECTIVE DATE.

Vice Mayor Gunter moved and Commissioner Goldberg seconded to approve Resolution 2010-023 appointing Scott Gerken as the City Attorney for FY 2010-2011. The motion carried with Mayor Bell, Commissioner Goldberg, Vice Mayor Gunter, Commissioner Kelly, and Commissioner Richardson all voting aye.

b. Approved Resolution 2010-024 appointing the City Clerk. CA Gerken read Resolution 2010-024 by title only, as follows:

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A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPOINTING A CITY CLERK, PROVIDING FOR THE TERM OF OFFICE; PROVIDING FOR AN EFFECTIVE DATE.

Commissioner Goldberg moved and Commissioner Kelly seconded to approve Resolution 2010-024 appointing Diane L. Gibson Smith as City Clerk for FY 2010-2011. The motion carried with Commissioner Richardson, Mayor Bell, Commissioner Goldberg, Vice Mayor Gunter, and Commissioner Kelly all voting aye.

c. Approved Resolution 2010-025 appointing the City Treasurer. CA Gerken read Resolution 2010-025 by title only, as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPOINTING A CITY TREASURER, PROVIDING FOR THE TERM OF OFFICE; PROVIDING FOR AN EFFECTIVE DATE.

Vice Mayor Gunter moved and Commissioner Richardson seconded to approve Resolution 2010-025 appointing Elizabeth P. Palmer as City Treasurer for FY 2010-2011. The motion carried with Commissioner Kelly, Commissioner Richardson, Mayor Bell, Commissioner Goldberg, and Vice Mayor Gunter all voting aye.

08. CITIZENS' COMMENTS

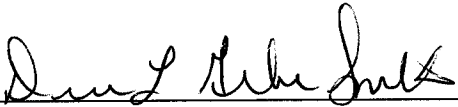
a. Jim Harrison stated in an emergency situation such as a 911 call, people respond in their own vehicles. He wondered if we pay any additional fees for this. PSD Isom stated they do not receive a fee for responding to calls, only a quarterly stipend.

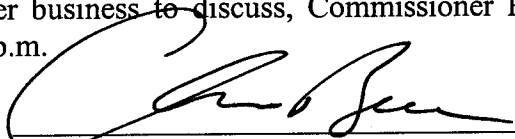
09. COMMISSIONERS' COMMENTS

- a. Vice Mayor Gunter – none.
- b. Commissioner Goldberg – none.
- c. Commissioner Kelly – warned staff to be good on holding the budget. She noted she doesn't want to see anything coming out of the reserves.
- d. Commissioner Richardson – none.

11. MAYOR BELL'S COMMENTS. Mayor Bell reviewed the announcements Commissioner Kelly announced there are openings on Legislative Committees. If interested, you need to fill out paperwork.

12. ADJOURNMENT. There being no further business to discuss, Commissioner Richardson moved to adjourn. The meeting adjourned at 8:13 p.m.

Attest: 
Diane L. Gibson Smith, CMC, City Clerk


Christopher J. Bell, Mayor