

**FRUITLAND PARK CITY COMMISSION REGULAR MEETING
MINUTES
April 24, 2014**

A regular meeting of the Fruitland Park City Commission was held at 506 W. Berckman Street, Fruitland Park, Florida 34731 on Thursday, April 24, 2014 at 7:00 p.m.

Members Present: Mayor Christopher Bell, Vice Mayor Albert Goldberg, Commissioners Christopher Cheshire, John L. Gunter, Jr., and Sharon Kelly.

Also Present: City Manager Gary La Venia, City Attorney Scott Gerken, City Finance Clerk Sue Parker, Police Chief Terry Isaacs, Community Development Director Charlie Rector, Captain David Borst, Public Works Director Dale Bogle, and City Clerk Esther B. Coulson.

1. CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Bell called the meeting to order at 7:02 p.m.; Pastor Walter “Walt” Martin, Trinity Assembly of God gave the invocation, and Richard Field, Fire Explorer, led in the Pledge of Allegiance to the flag.

2. ROLL CALL

Ms. Coulson called the roll and a quorum was declared present.

3. PROCLAMATIONS

(a) - *National Association of Letter Carriers (NALC) “Stamp Out Hunger” and National Food Drive Day - May 10, 2014*

On behalf of the city commission, Mayor Bell proclaimed Saturday, May 10, 2014 as “Letter Carriers’ Food Drive Day” in the City of Fruitland Park and encouraged the citizens to support the food drive by placing non-perishable food items in or near their mailboxes on food drive day for the United States letter carrier help feed the hungry.

The proclamation was accepted with gratitude by Ms. Lynne Pendleton, NALC Branch 1091 Food Drive Coordinator, who noted that the food drive originated 22 years ago and mentioned the impact made to the community. She gave a statistical account as Florida being number one in the nation for the food drive raised and recognized the support received from the public and the elected officials.

- *Certificates of Appreciation*

Mayor Bell recognized at this evening’s meeting Ms. Hannah McClain, Beyond the Walls Food Pantry (Heritage Community Church). He explained that both Beyond the Walls Food Pantry and the Catholic Community of St Paul Church Food Pantry located in the City of Leesburg (serving the residents of the City of Fruitland Park) would benefit from the food drive.

Fruitland Park City Commission Minutes

April 24, 2014

Page 2 of 17

The Certificates of Appreciation from Ms. Pendleton were presented to the respective organizations at a later date.

(b) *Pledge of Civility Month – May 2014*

On behalf of the city commission, Mayor Bell proclaimed the month of May 2014 as *Civility Month* and called upon all citizens to exercise civility toward each other.

Mr. Gerken accepted the proclamation with appreciation.

(c) *Municipal Clerks' Week – May 4-10, 2014*

On behalf of the city commission, Mayor Bell recognized the week of May 4 through May 10, 2014, as *Municipal Clerks' Week*. He extended appreciation to City Clerk Esther Coulson and to all municipal clerks for the vital services they perform and their exemplary dedication to the communities they represent.

Ms. Coulson accepted the proclamation with thanks.

(d) *North American Occupational Safety and Health (NAOSH) Week May 4-10, 2014 and Occupational Safety and Health (OSHP) Day – May 7, 2013*

On behalf of the city commission, Mayor Bell proclaimed May 4 to 10, 2014 to be *North American Occupational Safety and Health Week* and Wednesday May 7, 2014, to be *Occupational Safety and Health Professional Day*. All industries, organizations, community leaders, employers and employees were encouraged to support activities designed to increase awareness of the importance of safe workplaces for all.

Mr. Lee J. Claycomb, City of Fruitland Park resident; a member of the Central Florida American Society of Safety Engineers, and Orange County Sheriff's Office Safety Coordinator Human Resources Department /Risk Management, accepted the proclamation with gratitude and explained the importance of safety in the workplace.

(e) *EMS Week – May 18-24, 2014*

On behalf of the city commission, Mayor Bell proclaimed the week of May 18-24, 2014, as *EMERGENCY MEDICAL SERVICES WEEK* with the theme "*EMS: One mission. One team*" and encouraged the community to observe that week with appropriate programs, ceremonies and activities.

Mr. Gerald "Jerry" L. Smith II., Lake Emergency Medical Services Inc., accepted the proclamation with much appreciation.

4. PRESENTATIONS

(a) Lake Emergency Medical Services Inc. – Gerald “Jerry” L. Smith II

Mr. Smith gave a presentation describing the Lake Emergency Medical Services Inc.’s (Lake EMS’) services with the City of Fruitland Park’s Fire Department when responding to medical emergencies. He explained that Lake EMS is a not-for-profit corporation fully owned by Lake County Commission which provides free hospital healthcare services. Mr. Smith indicated that Lake EMS is managed by an independent board of directors comprising of five county commissioners and three municipal elected officials (including Mayor Bell who represents the Lake County League of Cities and the northwest portion of the county), and Mr. John Moore, South Lake Hospital Chief Executive Officer.

Mr. Smith outlined the following core services serving 13 areas with 24-hour service responses;

- communication center handling EMS, fire service calls, dispatch services in working with the city at no cost for fire services in the county to accredited EMS and fire service pre-hospital arrivals (he recognized the work with the city’s Chiefs Tommy Gamble David Borst)
- medical director for EMS and 12 of the 13 fire services in Lake County at no cost on the provision of standard of care to patients from the first response to the transfer to the hospital.
- maintenance a consolidated support service for the fleet maintenance;
- medical supplies provision of drugs medication, oxygen and narcotics for fire medical services;
- unified ambulance life support licensing and regulatory compliance to all fire services, and
- quality assurance and training with a high standard of level of care free to any emergency medical technician and paramedic who works and/or lives in Lake County.

Mr. Smith relayed Lake EMS staff’s dedication to the county and noted the motto “*EMS: One mission. One team.*”

Mayor Bell recognized Lake EMS (formerly known as Lake-Sumter EMS) in its third fiscal year; expressed pleasure in serving on the board, and thanked Mr. Smith for his commitment to which he in turn accredited staff for their performance.

Fruitland Park City Commission Minutes

April 24, 2014

Page 4 of 17

3. (e) *Water Safety Month, May 2014 and Water Safety Day, May 17, 2014*

Later in the meeting, Mayor Bell, on behalf of the city commission, proclaimed May 2014 as *National Water Safety Month* and May 17, 2014 as *Water Safety Day*. He called upon the residents to take advantage of the events promoting the education on and reinforcing safe habits for water safety for children in lakes and pools.

Mayor Bell recognized the city's pool as its previous goal; reflected on the drowning incident of a three year-old girl earlier this day in the City of Leesburg, and noted the Water Safety Days events in different locations in Lake County. He expressed appreciation on the cooperated efforts received between the city's fire department and Lake EMS.

4. (b) *CR 466A - Lake County Public Works Department Director Jim Stivender, Jr.*

Later in the meeting, Lake County Public Works Department Director Jim Stivender, Jr. gave a power-point presentation on the update of the County Road 466A Road Improvement Project with the following (copies of the presentation and supporting documents were submitted for the record and filed with the supplemental papers to the minutes of this meeting):

- the subject project's background, its planned phases, and funding;
- the right-of-way (ROW) activities and maps showing the respective phases the ROW funding, needs, schedule and completion;
- the construction funding and project schedules, and
- the county commission's action at its February 25, 2014 regular meeting instituting eminent domain proceedings for CR 466A widening project property acquisition for Phases 1 and 2; approving proceeding with pre-suit negotiations offers and, approving the Settlement Agreement for the Galbreath Property land purchase for ROW and storm water pond.

After extensive discussion, Mayor Bell encouraged the public and requested that the city commission as a whole contact their respective Lake County legislative delegation regarding the lack of funding to improve phase 3 of the subject roadway project and for Mr. Stivender to keep the city in mind.

By unanimous consent, and upon Mayor Bell's suggestion, the city commission took the following item out of order on this evening's agenda and opened the public hearings:

QUASI-JUDICIAL PUBLIC HEARING

7. (k) **Second Reading and Quasi-Judicial Public Hearing – Ordinance 2014-005, Rezoning North of Poinsettia Avenue and North of Spring Lake Road – R-2 to PUD – Approval of Master Development Agreement - Petitioner: Jonathan Penner**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, REZONING APPROXIMATELY 9.06 ±ACRES OF PROPERTY GENERALLY LOCATED NORTH OF POINSETTIA AVENUE AND NORTH OF SPRING LAKE ROAD FROM SINGLE FAMILY MEDIUM DENSITY (R-2) TO THE DESIGNATION OF PLANNED UNIT DEVELOPMENT (PUD) WITHIN THE CITY LIMITS OF FRUITLAND PARK; APPROVING A MASTER DEVELOPMENT AGREEMENT FOR THE PROPERTY; PROVIDING FOR CONDITIONS AND CONTINGENCIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. (The first reading was held on April 10, 2014.)

Mr. Rector relayed the request from the applicant and Mr. Jimmy Crawford, applicant's attorney, to postpone Items 7.(k) and (l) to the May 22, 2014 meeting.

Mr. Gerken additionally explained that there was an error in the legal advertisement and recognized that a full commission will not be present at the next meeting. He explained that any public comments made on the subject issue can be made; however, such comments cannot be sworn and testimony cannot be included as part of the record.

On motion of Vice Mayor Goldberg, seconded by Commissioner Gunter and unanimously carried, the city commission approved the applicant's request to postpone action on Ordinance 2014-005, as previously cited, to the May 22, 2014 meeting.

END OF QUASI-JUDICIAL PUBLIC HEARING

- (l) **Second Reading and Public Hearing – Ordinance 2014-004, Adopt a Comprehensive Plan Amendment – North of Poinsettia Avenue and North of Spring Lake Road - Petitioner: Jonathan Penner**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, PROVIDING FOR A COMPREHENSIVE PLAN AMENDMENT AMENDING THE FUTURE LAND USE DESIGNATION FROM SINGLE FAMILY MEDIUM DENSITY IN THE CITY OF FRUITLAND

PARK TO MULTIPLE FAMILY HIGH DENSITY ON THE FUTURE LAND USE MAP ELEMENT OF THE CITY OF FRUITLAND PARK'S COMPREHENSIVE PLAN FOR APPROXIMATELY 9.06 ± ACRES OF PROPERTY GENERALLY LOCATED NORTH OF POINSETTIA AVENUE AND NORTH OF SPRING LAKE ROAD; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. (The first reading was held on April 10, 2014)

On motion of Vice Mayor Goldberg, seconded by Commissioner Gunter and unanimously carried, the city commission approved the applicant's request to postpone action on Ordinance 2014-004, as previously cited, to the May 22, 2014 meeting.

END OF PUBLIC HEARING

5. PUBLIC COMMENTS

Mr. Myron Wayne, Lake County resident, expressed appreciation for the public's appearance at this evening's meeting; thanked the city commission for appointing Mr. La Venia who is performing a good job and indicated that if the public opposes the city commission's performance on the job, he explained that as the voting public, they are the city commission's employers. Mr. Wayne advised the public to provide input by attending commission meetings and become aware of what is going on a continuous basis.

In response, Mayor Bell announced that the public is welcome to communicate with each city elected official by accessing the emails under the city's website, www.fruitlandpark.org.

The following City of Fruitland Park residents appeared before the city commission citing their respective reasons in objection to the approval of postponed items 7.(k) and 7.(l):

Mses. I. Milo, Amanda Carly, Francis Riner, Messrs. Dave Bethany, and Byron Oldman.

6. CONSENT AGENDA

Approval of Minutes - April 10, 2014 Regular Meeting

On motion of Commissioner Gunter, seconded by Vice Mayor Goldberg and unanimously carried, the city commission approved the April 10, 2014 regular meeting minutes as submitted.

Fruitland Park City Commission Minutes

April 24, 2014

Page 7 of 17

7. REGULAR AGENDA

(a) Charter Review Committee Update (city manager)

Mr. La Venia gave an overview of the Charter Review Committee's action at its April 22, 2014 meeting on its summary recommendations to the city commission on the charter and noted its primary issue on the districting idea to the creation of five districts with commissioners elected in the districts outside the purview of the new Villages. He explained that the committee will hold its public hearing at 6:00 p.m. on May 20, 2014 to allow for public comments and that same has been advertised in the residents' utility bills.

(b) Auditor's Financial Report – W. Chet Ross, CPA, Shumacker, Johnston & Ross PA

Presentation on the financial report.

Upon the city manager's request and by unanimous consent, the city commission postponed the auditor's final financial report to the May 8, 2014 regular commission meeting.

(c) Water Line - BESH Agreement

After discussion, and on motion of Commissioner Cheshire, seconded by Vice Mayor Goldberg and unanimously carried, the city commission approved the proposal and agreement between the City of Fruitland Park and Booth Ern Straughan Hiott for the city capital water line extension project for The Villages for a total amount of \$100,655.

(d) Plant Design – BESH Agreement

After discussion, and on motion of Commissioner Kelly, seconded by Vice Mayor Goldberg and unanimously carried, the city commission approved a proposal and agreement between the City of Fruitland Park and Booth Ern Straughan Hiott for the city's Water Treatment Plant #1 expansion for a total amount of \$196,670.

(e) Water CUP - Sarah Whitticker – Proposal

After discussion, and on motion of Commissioner Gunter, seconded by Commissioner Kelly and unanimously carried, the city commission approved a proposal between the City of Fruitland Park and SMW Geosciences, Inc. for professional services Consumptive Use Permit 2482 Compliance Assistance for the amount of \$3,950.

(f) First Reading – Ordinance 2014-011 – Golf Carts and Low Speed Vehicles

AN ORDINANCE OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING CHAPTER 73.04 OF THE CITY OF FRUITLAND PARK CODE OF ORDINANCES ENTITLED GOLF CARTS AND LOW SPEED VEHICLES; SPECIFICALLY DELETING PROVISIONS REGARDING GOLF CART AND

LOW SPEED VEHICLE INSPECTIONS AND FEES; PROVIDING FOR CONFLICT AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (Second reading will be held on May 8, 2014.)

After discussion, and **on motion of Vice Mayor Goldberg, seconded by Commissioner Gunter and unanimously carried, the city commission approved Ordinance 2014-011 as previously cited.**

(g) First Reading – Ordinance 2014-010 - Municipal Service Taxing Unit for Ambulance and EMS

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. (Second reading will be held on May 8, 2014.)

After discussion, and **on motion of Commissioner Gunter, seconded by Commissioner Kelly and unanimously carried, the city commission approved Ordinance 2014-010 as previously cited.**

PUBLIC HEARING

By unanimous consent, Mayor Bell opened the public hearing.

(h) Second Reading and Public Hearing – Repeal Ordinance 2014-007, Police and Fire Service Fees

It now being the time advertised to hold a public hearing to consider Ordinance 2014-007, the substance of which is as follows, Mr. Gerken read the title and interested citizens were called upon to be heard:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, REPEALING CITY OF FRUITLAND PARK ORDINANCES 2009-014, 2010-005, AND 2011-010, RELATING TO POLICE AND FIRE SERVICE FEES AS SET FORTH THEREIN; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN

Fruitland Park City Commission Minutes

April 24, 2014

Page 9 of 17

EFFECTIVE DATE. (Postponed from the April 10, 2014 meeting.
The first reading was held on March 13, 2014.)

There being no one from the public and **by unanimous consent, Mayor Bell closed the public hearing.**

Mr. Gerken announced that between the April 10, 2014 and this evening's meeting, the court approved the settlement agreement, as proposed and as submitted to the court and described the requested fees that were lowered for the class representatives and other individuals requesting same other than that it was as submitted to the court.

Mr. Gerken indicated that applications would sent out to residents in their current utility bills; described the process for those receiving the refund of the prorated amount as fees and costs to be until July 2014; after that period to the fiscal year, refunds would be made, and following that time, remaining funds would revert to the city. Mr. Gerken explained that the city can proceed noting it has not been charging since January 2014 and that the subject issue in question would remove the fees from the books.

A motion was made by Commissioner Gunter and seconded by Commissioner Cheshire that the city commission enact Ordinance 2014-007 as previously cited to become effective immediately as provided by law, Mayor Bell called for a roll call vote with the city commission members voting as follows:

Commissioner Kelly	No
Commissioner Gunter	Yes
Commissioner Cheshire	Yes
Vice Mayor Goldberg	Yes
Mayor Bell	Yes

The motion was declared carried on a four to one (4-1) vote.

(i) Second Reading - Ordinance 2014-006, Code Enforcement - Special Magistrate System

It now being the time advertised to hold a public hearing to consider Ordinance 2014-006, the substance of which is as follows, Mr. Gerken read the title and interested citizens were called upon to be heard:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE CITY CODE OF ORDINANCES CHAPTER 35 ENTITLED "CODE ENFORCEMENT"; TO PROVIDE FOR A SPECIAL MAGISTRATE SYSTEM FOR CODE ENFORCEMENT;

Fruitland Park City Commission Minutes

April 24, 2014

Page 10 of 17

PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR AN EFFECTIVE DATE AND A TRANSITION PERIOD. (The first reading was held on April 10, 2014.)

There being no one from the public and **by unanimous consent, Mayor Bell closed the public hearing.**

A motion was made by Vice Mayor Goldberg and seconded by Commissioner Cheshire that the city commission enact Ordinance 2014-006, as previously cited, to become effective immediately as provided by law; however, the existing Code Enforcement Board provisions shall remain in effect until the city commission retains a special magistrate.

Mayor Bell called for a roll call vote and declared the motion carried unanimously.

(j) Second Reading – Ordinance 2014-009, Recreation Fees

It now being the time advertised to hold a public hearing to consider Ordinance 2014-009, the substance of which is as follows, Mr. Gerken read the title and interested citizens were called upon to be heard:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING CHAPTER 99 OF THE CITY OF FRUITLAND PARK CODE OF ORDINANCES; SECTION 99.90 ENTITLED “RECREATION FEES;” PROVIDING FOR CONFLICT WITH EXISTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. (The first reading was held on April 10, 2014)

There being no one from the public and **by unanimous consent, Mayor Bell closed the public hearing.**

A motion was made by Commissioner Kelly and seconded by Commissioner Cheshire that the city commission enact previously cited Ordinance 2014-009 as amended to become effective March 1, 2014.

Mayor Bell called for a roll call vote and declared the motion carried unanimously.

(m) Second Reading and Public Hearing - Ordinance 2014-002 – Comprehensive Plan Amendment - “The Villages of Fruitland Park - DRI”

Mr. Gerken requested that Ordinance 2014-002 Items 7.(n) and 7.(o) be postponed to the next meeting.

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, PROVIDING FOR A COMPREHENSIVE PLAN AMENDMENT TO CREATE A NEW FUTURE LAND USE DESIGNATION WITHIN THE CITY OF FRUITLAND PARK'S COMPREHENSIVE PLAN ENTITLED 'THE VILLAGES OF FRUITLAND PARK-DRI'; PROVIDING FOR A COMPREHENSIVE PLAN AMENDMENT PURSUANT TO FLORIDA STATUTE 163.3184(3) AMENDING THE FUTURE LAND USE DESIGNATION FROM LAKE COUNTY RURAL TO THE VILLAGES OF FRUITLAND PARK DRI ON THE FUTURE LAND USE MAP OF THE CITY OF FRUITLAND PARK'S COMPREHENSIVE PLAN FOR APPROXIMATELY 780 ± ACRES OF PROPERTY GENERALLY LOCATED SOUTH OF CR 466-A AND NORTH OF PINE RIDGE DAIRY ROAD; PROVIDING FOR SEVERABILITY; DIRECTING THE CITY MANAGER TO PROVIDE CERTIFIED COPIES OF THIS ORDINANCE, AFTER APPROVAL, TO THE CLERK OF THE CIRCUIT COURT, THE LAKE COUNTY MANAGER AND THE SECRETARY OF STATE OF THE STATE OF FLORIDA; PROVIDING FOR AN EFFECTIVE DATE. (The first public hearing was held on February 27, 2014.)

On motion of Commissioner Kelly, seconded by Commissioner Cheshire and unanimously carried, the city commission postponed, at the city attorney's request, its action on Ordinance 2014-002, as previously cited, to the May 8, 2014 meeting.

(n) Resolution 2014-001 – Notice of Proposed Change - Development Order “The Villages of Fruitland Park DRI”

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, ADOPTING A DEVELOPMENT ORDER FOR THE VILLAGES OF FRUITLAND PARK DEVELOPMENT OF REGIONAL IMPACT; PROVIDING FOR AN EFFECTIVE DATE.

On motion of Commissioner Kelly, seconded by Commissioner Cheshire and unanimously carried, the city commission postponed at the city attorney's request, its action on Ordinance 2014-001, as previously cited, to the May 8, 2014 meeting.

END OF PUBLIC HEARING

(o) First Reading – Ordinance 2014-003 – Rezoning – Pine Ridge Dairy Road

Mr. Gerken read into the record, the title of proposed Ordinance 2014-003, the substance of which is as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, REZONING APPROXIMATELY 780± ACRES OF PROPERTY GENERALLY LOCATED SOUTH OF CR 466A AND NORTH OF PINE RIDGE DAIRY ROAD FROM CITY “C-1” (NEIGHBORHOOD COMMERCIAL DISTRICT) FOR APPROXIMATELY 94.6 ACRES OF THE PROPERTY, CITY “C-2” (GENERAL COMMERCIAL) FOR APPROXIMATELY 60 ACRES OF THE PROPERTY, CITY “GB” (GREENBELT DISTRICT) FOR APPROXIMATELY 1.45 ACRES OF THE PROPERTY, CITY “PFD” (PUBLIC FACILITIES DISTRICT) FOR APPROXIMATELY 15 ACRES OF THE PROPERTY, CITY “R-1” (SINGLE FAMILY LOW DENSITY RESIDENTIAL) FOR APPROXIMATELY 402.8 ACRES OF THE PROPERTY, CITY “R-2” (SINGLE FAMILY MEDIUM DENSITY RESIDENTIAL) FOR APPROXIMATELY 129.45 ACRES OF THE PROPERTY, CITY “R-2A” (MEDIUM DENSITY RESIDENTIAL) FOR APPROXIMATELY 41 ACRES OF THE PROPERTY, AND CITY “R-3” (MULTI-FAMILY HIGH DENSITY RESIDENTIAL) FOR APPROXIMATELY 35.7 ACRES OF THE PROPERTY TO MIXED USE PLANNED UNIT DEVELOPMENT WITHIN THE CITY LIMITS OF FRUITLAND PARK; APPROVING A MASTER DEVELOPMENT AGREEMENT FOR THE PROPERTY; PROVIDING FOR CONDITIONS AND CONTINGENCIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

Mr. Gerken explained that there are minor changes to the master development agreement which will be revised by the next meeting.

Mr. Rector described the subject proposed designation; referred to the meeting earlier this day with the property’s representatives, and conveyed staff’s recommendation of approval.

On motion of Commissioner Gunter, seconded by Commissioner Kelly and unanimously carried, the city commission approved Ordinance 2014-003 as previously cited.

8. NEW BUSINESS

There was no new business to come before the city commission at this time.

9. OFFICERS' REPORTS

(a) City Manager

- Properties Adjacent to the Casino Building

Mr. La Venia explained that staff is proposing the purchase of two homes adjacent to the casino building on Berckman Street. He explained that Mr. Rector previously held conversations with the property owners who appear to be willing to negotiate a sale and staff is obtaining new assessments.

Mr. La Venia addressed the plan to utilize existing capital improvement plan funds to effectuate the purchase by demolishing the two properties with the proviso that the property would be used for public purposes which is the commission's intent.

By unanimous consent, the city commission accepted the city manager's request to expedite the process to purchase the two properties adjacent to the casino building on Berckman Street and direct the city manager to negotiate, in good faith, the purchase price on the sale of the properties with the property owners.

- 207 West Berckman Street Property

Mr. Gerken explained that the lenders' price to release the property located at 207 West Berckman was higher than anticipated. He indicated that Mr. Robert R. Ruiz, property owner, would be providing funds to sell the property and that in discussions with Mr. Rector, he was requested to provide options; thus, the city would be willing to pay additional monies to finalize the closing.

Mr. Rector outlined the following options to purchase the property with the city:

(a) placing an addition to the rear of the library building, once the new water well is erected by making improvements to the existing library at a cost between \$40,000 and \$50,000 noting that the librarian's view, at the rear, would be limited;

(b) building the addition to the eastside of the library at the parking lot and the new water well and retention pond; relocating the parking lot towards the existing playground -- affecting the library's administration offices which would require renovations to the bathrooms, kitchen and lounge interior -- and paying the difference in order to purchase the property from Mr. Ruiz at the architect's estimated amount of \$110,000 to \$175,000 to get ready to build without the addition, and

(c) attaining \$16,966.05 in funds, besides the appraised value of \$24,150, which is the cheapest option and the best workability of the library.

Mr. Rector recommended that the city commission proceed with the purchase of Mr. Ruiz' property with option (c). He explained that the library is in receipt of grant funding for the improvements which staff is exploring; otherwise the community redevelopment agency funds would be utilized. Mr. Rector explained that \$52,578.05 would actuate the purchase; \$24,150 would be the city's commitment towards the appraised value, and \$11,262 is Mr. Ruiz' contribution to pay off the first mortgage leaving the city to finance \$16,966.

On motion of Commissioner Cheshire, seconded by Commissioner Kelly and unanimously carried, the city commission authorized staff to proceed with the purchase of the property located at 207 West Berckman Street and accepted staff's recommendation to allocate funding as previously outlined for consideration at the May 8, 2014 meeting.

- **List of Roadways**

Mr. La Venia suggested that CRA funds be utilized to pave the city's roadways for an amount of \$190,000; relayed Mr. Ross' comments, since meeting with him, that it is in order to utilize CRA funds, and requested permission to proceed with the city's roadway improvements.

Mr. Gerken identified the possibility of utilizing a vendor and piggybacking with Lake County's agreement without going through the procurement process.

Mr. La Venia read into the record the respective streets and related costs, a copy of which is filed with the supplemental papers to the minutes of this meeting.

- **Advisory Board of Commerce**

Due to new businesses anticipated in the city and recognizing the city's existing businesses, Mr. La Venia introduced the concept of establishing an advisory board of commerce involving the city's business community. He suggested that said board would: be appointed by the city commission; meet monthly to bring business and government together as a partnership on common issues; sponsor some of the city's events, and make recommendations.

Mayor Bell recalled his previous visit to Ocala/Marion County Chamber and Economic Partnership regarding businesses for economic growth which could be utilized; suggested the city's review of the proposed board as a subgroup,

Fruitland Park City Commission Minutes

April 24, 2014

Page 15 of 17

and mentioned reaching out to larger business owners to see if there is a willingness to participate.

- **Public Relations**

Mr. La Venia referred to his recent draft letter to prospective developers which he forwarded on to the city commission for review and indicated that said draft will accompany the public relations brochure that he is currently working on.

Mr. La Venia anticipated that an annual event would be held from the proposed advisory board of commerce; relayed his conversations with the parks and recreation director on the matter, and stated that he believes that in addition to keeping the city's Fruitland Park Founders Day, other events such as "Blue Grass" or "Food Truck Festival" may attract visitors to the city.

- **CDD Villages, CDD 11**

Mr. La Venia conveyed the request of The Villages to request setting a public hearing to consider the petition to establish Village Community Development District (CDD) 11 at the city's May 22, 2014 regular meeting.

Additionally, Mr. Gerken recognized the 10 CDDs at The Villages; indicated that The Villages filed their petition, and explained that the CDD 11 public hearing process would be scheduled for May 22, 2014 which would be advertised for four consecutive weeks. He stated that The Villages would be responsible to pay for the advertising costs and that the city clerk would be provided with the proof of advertising.

- **Retirement Plans**

Mr. La Venia announced that the Florida Retirement System will be conducting a presentation to the city employees on May 20, 2014 and the International City/County Management Association will be presenting a similar retirement program on May 21, 2014.

- **SJRWMD – Water Conservation Ordinance**

Mr. La Venia explained that he previously discussed Water Conservation Rule with Landscaping Requirements Ordinance 2012-019 with the St. John's River Water Management District (SJRWMD) staff; referred to their recent comments in this regard, and indicated that Mr. Joe Hill, Lake County resident and former SJRWMD Chair, has been informed whereby a meeting will be held to address the issue in detail.

- (b) **City Attorney**

Mr. Gerken explained that he has nothing to report.

10. COMMISSIONERS' COMMENTS

(a) Vice Mayor Goldberg

Noise Ordinance

After citing Noise Ordinance 90-003, Vice Mayor Goldberg requested consideration of drafting an amendment due to problems from amplified sound emitted from vehicles in various parts of the city.

In concurring with Vice Mayor Goldberg's concerns that the ordinance is outdated, Mr. Gerken recognized the number of changes on noise ordinances in Lake County over the recent years; stated that he will communicate with Mr. "Sandy" Sanford A. Minkoff, Lake County Attorney, and addressed his plan to provide more information to the city commission.

(b) Commissioner Cheshire

Commissioner Cheshire voiced his concurrence with Mr. Myron's previous remarks regarding Mr. La Venia's performance; concurred with Mr. La Venia's proposal regarding smart growth in the city, and agreed with his recommendations to purchase the property and land.

Commissioner Cheshire thanked Commissioner Gunther for outlining the potential city voting districts at the April 22, 2014 Charter Review Committee meeting and anticipated that the public would get involved.

(c) Commissioner Gunter, Jr.

Commissioner Gunter stated that he had nothing to report.

(d) Commissioner Kelly

Commissioner Kelly referred to her attendance at the April 23, 2014 Lake-Sumter Metropolitan Planning Organization (MPO) Governing Board meeting; referred to similar issues that were addressed which were similarly covered by Mr. Stivender earlier at this evening's meeting, and believed it would be ideal for the city's residents and the commission to write to the state officials as the MPO is making efforts in this regard.

11. MAYOR'S COMMENTS

- US 466A Corridor Project

Mayor Bell recollected the presence of MPO's Executive Director T. J. Fish at the February 18 and 19, 2014 Lake County Legislative Days in Tallahassee; indicated that Mr. Fish was advocating the city's US 466A corridor project and other issues, and recognized that Lake County has a vision.

- **Lake County Community Service Awards**
Mayor Bell reminded the city commission that the April 30, 2014 Lake County Community Services Awards Dinner and recognized that Fire Chief Thomas “Tommy” Lee Campbell will be recognized as the winner of the Public Service Award category.

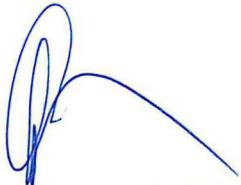
- **Annual Employee Picnic**
Mayor Bell announced that the annual employee picnic is scheduled to be held on Saturday, May 3, 2014.

- **Charter Review Committee**
Mayor Bell recognized the following meetings:
 - o May 6, 2014 charter review committee,
 - o May 8, 2014 regular city commission, and
 - o May 20, 2014 charter review committee public hearing which has been advertised in the city residents’ water bills.

12. ADJOURNMENT

There being no further business to come before the city commission at this time, on motion made, second and unanimously carried, the meeting adjourned at 9:45 p.m.

The minutes were approved at the May 22, 2014 regular city commission meeting.

Signed 

Esther B. Coulson, City Clerk

Signed 

Christopher Bell, Mayor