

**FRUITLAND PARK CITY COMMISSION REGULAR
MEETING MINUTES
August 9, 2018**

A regular meeting of the Fruitland Park City Commission was held at 506 W. Berckman Street, Fruitland Park, Florida 34731 on Thursday, August 9, 2018 at 6:00 p.m.

Members Present: Mayor Chris Cheshire, Vice Mayor John L. Gunter, Jr., Commissioners Christopher Bell, Ray Lewis, and Rick Ranize.

Also Present: District 2 Commissioner Candidates Fred Collins and John Mobilian; City Manager Gary La Venia; City Treasurer Jeannine Racine; Police Chief Michael Fewless and Captain Erik Luce, Police Department; Interim Fire Chief Donald Gilpin, Deputy Fire Chief Tim Yoder, Firefighters Pablo Echevarria and Brandon Clutter, Fire Department; Public Works Director Dale Bogle; Community Development Director Tracy Kelley; Human Resources Director Diane Kolcun, and City Clerk Esther B. Coulson.

1. CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE

After Mayor Cheshire called the meeting to order at 6:00 p.m., Pastor Aaron Hornsby, Eagles' Nest Baptist Church, gave the invocation, and Chief Fewless led in the Pledge of Allegiance to the flag.

2. ROLL CALL

Mayor Cheshire requested that Ms. Coulson call the roll and a quorum was declared present.

3. CONSENT AGENDA - Approval of Minutes

A motion was made by Commissioner Bell and seconded by Commissioner Lewis that the city commission approve the consent agenda: (a) the June 14, 2018 regular and (b) June 28, 2018 regular meeting minutes as submitted.

After discussion, an amended motion was made by Commissioner Lewis and seconded by Commissioner Bell that the city commission approve the consent agenda with amendments to the June 28, 2018 regular meeting minutes.

Mayor Cheshire called for a vote on the amended motion and declared it carried unanimously.

At this time, Mayor Cheshire announced the following business to come before the city commission on this evening's agenda.

4. SUPPLEMENTAL AGENDA

(j) Harassment

Mayor Cheshire recognized the *Me Too Movement* and relayed a member of his family's previous experience with harassment at her previous employment and indicated that he does not tolerate such incidences in the city. He referred to a

memorandum dated August 9, 2018 he received earlier this day from Fruitland Park Library Director Jo-Ann Glendinning entitled "Conversation with Commissioner Ranize"; indicated that it stated that she was being harassed and relayed reasons why she is reluctant to attend city commission meetings. (A copy of the memorandum is filed with the supplemental papers to the minutes of this meeting.)

After Mayor Cheshire believed that the city commission does not tolerate such behavior in the city and indicated that such matters ought to be investigated or the respective individual resign immediately, he distributed the memorandum.

On motion of Commissioner Lewis, seconded by Vice Mayor Gunter and unanimously carried, the city commission authorized the city manager to proceed in retaining legal counsel to investigate the situation as previously cited.

(k) August 6, 2018 Workshop – FY 2018-19 Budget

In referencing the August 6, 2018 workshop verbatim transcript regarding the FY 2018-19 budget; Mayor Cheshire relayed the city commission's position on the millage rate and conveyed the desires of Mr. La Venia and Ms. Racine to revisit whether it would remain the same.

Mayor Cheshire expressed his satisfaction with the current millage rate; Vice Mayor Gunter cited reasons why the city ought to leave it the way it is, Commissioner Bell believed that the city commission should not increase the millage for FY 2018-19, Commissioner Lewis explained that he is satisfied with the rate of 3.986, and Commissioner Ranize recognized the city commission members' position and stated that he had no comment.

4. REGULAR AGENDA

(a) TIPS Agreement - Northwest Lake Community Cales Park Multipurpose Soccer Field Lights Quotes

The city commission considered its action to approve an agreement relating to The Interlocal Purchasing System Program (TIPS).

Mr. La Venia requested that staff be given the authorization to proceed with entering into an agreement to become a member of and participate in TIPS; utilize the bids awarded by TIPS, contract with their vendors and consider their quotes to purchase sports lighting for Northwest Lake Community Cales Park Multipurpose Soccer Field.

Mr. La Venia referred to the grant relating to the piggyback contracts Lake County has with TIPS; noted the \$50,000 received from the county and described the QH LED System lights quotes for the Northwest Lake Community Cales Park Multipurpose Soccer Field; namely, Qualite Sports Lighting LLC, at \$116,000 and \$168,500 respectively and Musco Lighting which was considerably higher which he opined has a lower quality light.

A motion was made by Commissioner Bell that the city commission authorized staff to proceed with entering into the agreement and accept the quote from Qualite Sports Lighting LLC, at \$116,000 and \$168,500 for QH LED System sports lighting to be installed at Northwest Lake Community Cales Park Multipurpose Soccer Field.

Mr. La Venia noted the \$50,000 matching grant from the county where \$50,000 was matched from the Capital Improvements Program (CIP) -- the overall \$150,00 from the county and \$150,000 from CIP -- for the field's construction, except for in-kind work by various contractors.

Following further discussion, **Vice Mayor Gunter seconded the motion.**

Mayor Cheshire called for a vote on the motion and declared it carried unanimously.

(a) Resolution 2018-045 Authorizing City Attorney to Execute Certificate of Compliance – Edward Byrne Memorial Justice Assistance Grant

Ms. Geraci-Carver read into the record proposed Resolution 2018-045, the substance of which is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AUTHORIZING THE CITY ATTORNEY TO EXECUTE THE CERTIFICATE OF COMPLIANCE REQUIRED BY THE U.S. DEPARTMENT OF JUSTICE - OFFICE OF PROGRAMS AS PART OF A REQUEST FOR FUNDS FROM THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT; PROVIDING FOR AN EFFECTIVE DATE.

After discussion, **a motion was made by Vice Mayor Gunter and seconded by Commissioner Bell that the city commission adopt Resolution 2018-045 as previously cited.**

Mayor Cheshire called for a roll call vote on the motion and declared it carried unanimously.

(b) Resolution 2018-028 Utility Wages Fund Transfer to Contracts – FY 2017-18 Budget Amendment

Ms. Geraci-Carver read into the record proposed Resolution 2018-028, the substance of which is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE 2017/2018 FISCAL YEAR BUDGET PURSUANT TO SEC. 6.07

OF THE CITY CHARTER TO TRANSFER FUNDS FROM
UTILITY WAGES TO CONTRACTS FOR EXPENDITURES IN
THE UTILITY DEPARTMENT; AND PROVIDING FOR AN
EFFECTIVE DATE

Subsequent to further discussion and in response to Vice Mayor Gunter's inquiry to include stormwater, Ms. Geraci-Carver addressed the need to conduct a study on same and Mr. La Venia voiced his concurrence to report back to the city commission at a later date with more information on the quote for the stormwater.

Following discussion, **a motion was made by Commissioner Bell and seconded by Commissioner Lewis that the city commission adopt Resolution 2018-028, as previously cited, and directed the city manager to report back on incorporating stormwater with the Utility Rate Study for water and wastewater quote from Booth Ern Straughan and Hiott Inc.**

Mayor Cheshire called for a roll call vote on the motion and declared it carried unanimously.

(c) June 2018 Financial Report

Ms. Racine reviewed the June 2018 financial budget report reflecting revenues and expenses.

In response to Commissioner Lewis' reference to the expenses resulting from Hurricane Irma, Ms. Racine addressed the current financial situation especially expenditures leading up to the next two months.

Commissioner Lewis recalled the explanation given by McDirmit Davis (certified public accountants retained by the city) on a number of occasions -- on the legality of spending reserves (earmarked funds) to a negative fund balance and the outcome of receiving a refund from the United States Department of Homeland Security Federal Emergency Management Agency (FEMA) for the hurricane expenses.

Commissioner Lewis addressed his satisfaction with McDirmit Davis' in previous conversations with him on the mechanics of same and using the restrictive funds to transfer to the general fund. He suggested applying for a loan on the line of credit with the security collateral to be the FEMA reimbursement to which Ms. Racine and Mr. La Venia voiced their agreement.

Mr. La Venia referred to FEMA's federally-funded subaward and grant agreement received earlier this day for approximately \$120,000 and anticipated receiving the second in the imminent future (totaling about \$380,000 which exceeds the city's expenditures by approximately \$120,000 and includes the city's in-kind work acceptable by the financial institution as collateral) to be authorized and subsequently sent to the State of Florida Division of Emergency Management.

In response to inquiries posed by Vice Mayor Gunter and Mayor Cheshire, Mr. La Venia mentioned his uncertainty of the reimbursement being implemented by mid-year 2018-19 and noted the existence of the line of credit, if needed in case of an emergency, which has not yet been utilized. Mr. La Venia outlined the current arrangements made with the county on the 25 percent advance cleanup costs to the city resulting from an emergency; FEMA's reimbursement to be directed towards the county and his reservation on the amount of upfront application or processing fees, if a line of credit is used.

After discussion, Ms. Racine concurred with Commissioner Lewis' suggestion on transferring approximately \$0.5 million restricted funds from the investment fund account to USB and agreed to report back by the August 30, 2018 special meeting on whether the origination fee would be waived from the line of credit.

On motion of Commissioner Lewis, seconded by Commissioner Bell and unanimously carried, the city commission accepted the June 2018 financial report.

PUBLIC HEARING

(d) First Reading - Ordinance 2018-015 – Water Rates Increase

Ms. Geraci-Carver read into the record proposed Ordinance 2018-015, the substance of which is as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING CHAPTER 50, SECTION 50.30(A), (B), (D), AND CHAPTER 99, SECTION 99.60(B) (d) AND (g) OF THE CODE OF ORDINANCES TO PROVIDE FOR AN INCREASE IN WATER RATES BASED ON THE CPI; TO BE EFFECTIVE OCTOBER 1, 2018; PROVIDING FOR SEVERABILITY, PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR AN EFFECTIVE DATE. (The second reading will be held on August 30, 2018.)

After discussion, **a motion was made by Commissioner Lewis and seconded by Commissioner Bell that the city commission approve proposed Ordinance 2018-015 as previously cited.**

Following much discussion, Ms. Kit Wineguard, The Villages of Fruitland Park (VOFP) resident, indicated that if the CPI decreases, she anticipated that the city commission would lower the rate.

After Commissioner Bell suggested reviewing the proposed ordinance and following Vice Mayor's comments on the rates fluctuating yearly, Commissioner Lewis addressed the reason for conducting a utility rate study to justify same.

Mayor Cheshire called for a roll call vote on the motion and declared it carried unanimously carried.

- (e) **First Reading - Ordinance 2018-016 – Water and Wastewater Rates Increase**
Ms. Geraci-Carver read into the record proposed Ordinance 2018-016, the substance of which is as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING CHAPTER 99, SECTION 99.60 (B) OF THE CODE OF ORDINANCES TO PROVIDE FOR AN INCREASE IN WASTERWATER RATES; PROVIDING FOR SEVERABILITY, PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR AN EFFECTIVE DATE. (The second reading will be held on August 30, 2018.)

After discussion, a motion was made by Commissioner Lewis and seconded by Commissioner Bell that the city commission approve proposed Ordinance 2018-016 as previously cited.

Mayor Cheshire announced that the subject ordinance and proposed Ordinance 2018-015 -- approved under the previous item 4(f) on this evening's agenda – do not affect The VOFP residents.

In response to several inquiries posed by Mr. David E. Straley, The VOFP resident, Mayor Cheshire reiterated that the subject issue and the previous item do not impact The Villages; Ms. Racine explained that the water rates assessed on homeowner's official Notice of Proposed Property Taxes (TRIM notice) for 2018 includes the Lake County Water Authority and not the city as the taxing authority, and Mr. La Venia indicated that the city charges to The Villages a bulk rate of approximately 80 cents per 1,000 gallons of water.

After further discussion, **Mayor Cheshire called for a roll call vote on the motion and declared it carried unanimously.**

- (f) **Second Reading and Public Hearing – Ordinance 2018-014 Golf Carts**
Ms. Geraci-Carver read into the record proposed Ordinance 2018-014, the substance of which is as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING CHAPTER 73 OF THE CODE OF ORDINANCES RELATING TO THE OPERATION OF GOLF CARTS AND LOW-SPEED VEHICLES WITHIN THE CITY OF FRUITLAND PARK; PROVIDING FOR CODIFICATION, SEVERABILITY AND CONFLICTS, AND

PROVIDING FOR AN EFFECTIVE DATE. (The first reading was held on July 25, 2018.)

After Mr. La Venia described the permission and restrictions for golf cart and low speed vehicles within the city's jurisdiction which does not impact The Villages, a **motion was made by Commissioner Bell and seconded by Vice Mayor Gunter that the city commission enact Ordinance 2018-014 as previously cited to become effective as provided by law.**

The city commission recognized that the golf cart routes include Dixie Avenue; indicated that they do not impact The Villages and explained that the proposed ordinance allows for golf carts to be operated on city and county arterials with speeds of 30 miles per hour or less whereby golf carts are not allowed on CR 466A.

After Mr. La Venia responded to a question posed by Mr. Richard Rood, Fruitland Park Unincorporated Area of Lake County resident, that golf carts and low-speed vehicles are restricted on Spring Lake Road, Mr. Rood suggested that "No Golf Carts Beyond This Point" signs be erected in the area as he has witnessed golf carts travelling on said streets during the weekends.

Mr. La Venia addressed the plan to place golf cart signs on Poinsettia Avenue and city arterials and the intent to request that the county post signs on county roadways. He recognized, in response to Mayor Cheshire's inquiry, that the city possesses approximately 30 signs.

Commissioner Ranize recalled his advocating of the subject issue prior to becoming a city commissioner where he appeared before the county commission requesting not to include Dixie Avenue on the golf cart map as he believed that said roadway is unsafe.

After discussion, **Mayor Cheshire called for a roll call vote on the motion with the city commission members voting as follows:**

| | |
|----------------------------|------------|
| Vice Mayor Gunter | Yes |
| Commissioner Ranize | No |
| Commissioner Bell | Yes |
| Commissioner Lewis | No |
| Mayor Cheshire | Yes |

Mayor Cheshire declared the motion carried on a three-to-two (3-2) vote.

(g) Second Reading and Public Hearing - Resolution 2018-043 First Amendment to Master Development Agreement (Ordinance 2006-013 Boundary Amendment Between Lake Ella Road to Spring Lake Road) - Petitioner: Lake Saunders Groves Land, LLP

Ms. Geraci-Carver read into the record proposed Resolution 2018-043, the substance of which is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING THE FIRST AMENDMENT TO MASTER DEVELOPMENT AGREEMENT FOR LAKE SAUNDERS GROVES LAND, LLP; PROVIDING FOR RECORDING OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE. (The first reading was held on July 12, 2018.)

After Mr. La Venia gave background information on the subject item, Mr. Jimmy D. Crawford, attorney representing the petitioner, gave a historical overview of their intent on the subject property; pointed out the city's previous actions limiting the density through the Planned Unit Development (PUD) to approximately 500 units which is currently allowed and recognized the issue of traffic which was a concern in 2006.

Mr. Crawford recognized the city's requirement for the petitioner to build an-offsite roadway connection to US Highway 27/441 known as "Street B" in the PUD (as a condition of the town home and condominium development), that is if the roadway cannot be built which requires off-site ROW.

Mr. Crawford explained that if the petitioner does not get to build a multi-family property, they would need to appear before the city commission to request an alternative which reverts to single-family dwellings and in addition, two more conditions that:

- i. they are not rental apartments but they are town homes and condominiums for sale which do not have access to Spring Lake Road and
- ii. they would be gated and be required to utilize "Street B" to US/Highway 27 441 where it would limit the impact to the residents on Spring Lake Road and west of the proposed property.

Mr. Crawford gave a historical account on the recession which affected Lake Sanders LLP approximately 18 months after the property was approved; recognized viable market within the last three years and noted the family's commitment in this regard.

Mr. Crawford addressed the ability to conduct a utility expansion in response to the request by the city; explained that the city did not grant the request to proceed in

renewing its PUD due to the costs involved to remobilize the work with an existing contractor and relayed the suggestion to wait for five months to complete the process. He indicated that the petitioner proceeded and deeded the utility easements to the city in order for work to continue and requested that the approved timeline be extended.

Mr. Crawford pointed out Street “B” shown on “Exhibit B”, Development Summary Conceptual Lotting Plan map prepared by Colliers Arnold where the public roadway entrance needs to be built in accordance to city and county standards. He referred to discussions held at the July 12, 2018 regular meeting regarding the master development agreement and the dates; relayed Ms. Geraci-Carver’s understanding on the city commission’s desire for a date certain and pointed out the change made on page two, under Term of Agreement *to commence on or before August 23, 2024.*

In response to Commissioner Bell’s inquiry where the city commission required the installation of playgrounds for the last development, Ms. Geraci-Carver cited page seven and Section 7 of the August 24, 2006 master development agreement, Homeowners Association: *Owner/Developer’s expense, provide landscaping and improvements to the park and recreation areas located within the property as agreed to by the city at site plan approval. . . . shall be responsible for maintenance of common areas . . . including . . . parks and recreation areas.*

Commissioner Bell explained that Ms. Yoder would ensure that same is taken care of.

After Mr. Rood inquired about granting a variance for apartments, Ms. Geraci-Carver noted the requirement for the petitioner to go through the rezoning process and request an amendment to the PUD where two public hearings will be held.

Ms. Diane Peeples, on behalf of Mount Pleasant African-American Evangelist (AME) Church of Fruitland Park, referred to a recent letter received together with the map showing the subject site located at the back adjacent to the church property which has a graveyard and an annexed site. She pointed out the notification from staff as to whether the affected property owners agree or disagree with the proposed development. Ms. Peeples indicated that before the church decides, she questioned the potential impacts to the church property and Road “B”.

Mr. Crawford, in response, depicted the subject area on the map reflecting the 100-foot buffer (setback between the first portion of the development) and the roadway travelling west without going through the church property.

In response to Ms. Peeples’ question, Mr. Crawford explained that fencing off the area would not be allowed by the subject agreement.

Ms. Katherine Stafford, Fruitland Park Unincorporated Area of Lake County resident and Mount Pleasant AME Church of Fruitland Park member, pointed out Mr. Crawford's reference to the proposed installation of a 100-foot buffer and voiced concerns with the serenity of loved ones where graves date back to the 1800's. She mentioned that before developments take place and the likelihood of purchased properties being transformed into rentals, that the residents are reassured that there would be no impacts to the surrounding area.

Ms. Stafford requested that the applicant meet with members of the congregation for feedback as they need assurance to maintain a quiet and peaceful setting

In response, Mr. Crawford requested Ms. Stafford's contact information before she leaves this evening's meeting and guaranteed that he could make arrangements for the applicant to contact the church before any development activity is coordinated. As far as prohibiting rentals, he explained that it is not practical or possible to prevent individuals from buying a house and renting it in future. He addressed the commitment to develop and sell the properties as single-family dwellings and that the applicant does not plan on a rental community.

A motion was made by Commissioner Bell and seconded by Vice Mayor Gunter that the city commission adopt Resolution 2018-043 as previously cited.

After discussion, Mayor Cheshire called for a roll call vote on the motion and declared it carried unanimously.

SUPPLEMENTAL AGENDA

4. (i) Veterans Discussion

Ms. Coulson referred to the revised agenda disseminated earlier this day by email and pointed out the city commission's direction at its June 14, 2018 regular meeting regarding the veterans' plaque currently displayed in the city hall lobby. She noted the previous city commission's authorization (noting Vice Mayor Gunter and Commissioner Bell who were on the commission) to consider a plaque for the veterans residing in the city.

Ms. Coulson pointed out the veterans' requirements she devised on who would be considered eligible for a plaque; outlined the branches of the US Forces and requested the city commission's input based on what was submitted to the city commission earlier this day; a copy of which is filed with the supplemental papers to the minutes of this meeting.

Commissioner Lewis relayed an individual's question, who previously approached him, on whether his role in serving with the United States Merchant Marine would meet the armed forces criteria according to Veterans Affairs. He indicated that he would proceed either way with a plaque or the suggestion to donate a brick or recognize a memorial at Veterans Park and voiced preference for Post Unit 219,

The American Legion Auxiliary, to provide input in that regard to which Ms. Coulson explained that she has been in communication with them and will convey same.

Commissioner Bell acknowledged the aftermath of 911 (September 11, 2001 tragedy) and the city commission's desire to support the city's veterans and current military service personnel. He believed it would be ideal if the city could support forging a type of partnership with the legion to spearhead the effort on a project to recognize the city's veterans.

Ms. Coulson pointed out the State of Florida Department of Elder Affairs who reached out to her who took the matter even further.

Mayor Cheshire referred to the recent passing of Mr. Peter J. Hurrt who is not included on the plaque and suggested that it would be worthy to ensure that he is honored.

END OF PUBLIC HEARING

5. OFFICERS' REPORTS

(a) City Manager

i. Paqco Inc. Contract – Roads and Streets

Mr. La Venia recognized the awarding of the contract for road resurfacing; addressed staff's attempts to solicit quotes for same from the following vendors and requested that the city piggyback with the county with Paqco Inc.:

- C W Roberts Contracting Inc. for \$189,445 for Mirror Lake, Olive Street, Fruitland Street, Griffin Street, Forest Street, Dixie Street, and the soccer field and reported that they are busy;
- DAB Constructors Inc. for \$193,900 overlay on city streets and reported that they are currently performing roadway improvements on CR 466A, they are busy and are not interested in participating in the subject bid, and
- Paqco Inc. (formerly Paquette Company) for \$118,160.25 for Mirror Lake, Mirror Lake Striping, Olive Street, Griffin Street, and Forest Street and reported that they are presently conducting work for the county and the city; namely, Fruitland Park library construction and parking and the retention pond;

Mr. La Venia recognized the amount of work the city would like to be implemented; noted the limited funds available in the Community Redevelopment Agency (CRA), and recalled the CRA's previous discussions in this regard and its approval at the March 23, 2017 meeting to

select Paquette Company as the low bidder to perform paving work on certain city streets.

Mr. La Venia referred to Commissioner Ranize's August 8, 2018 email regarding the drop-off (curve) on Poinsettia Avenue recognizing how drivers are deviating away from it. He addressed his plan to review same and utilize Paqco to widen the roadway by placing some type of asphalt curve to prevent drivers from coming off the roadway. (A copy of Commissioner Ranize' email is filed with the supplemental papers to the minutes of this meeting.)

In response to Commissioner Lewis' inquiry on specifications for millings for Seminole Avenue, Mr. La Venia explained that funds are not available to perform same; however, he concurred that it has been earmarked in the current budget.

Commissioner Ranize recalled funds from the CRA which has always been utilized for the maintenance of roads in the CRA district and requested that such funds be earmarked in future for a better purpose.

Ms. Geraci-Carver, in response, explained that as the amount in question exceeds the CRA spending limit, the issue ought to be placed on the CRA agenda to which Mr. La Venia agreed. She indicated that any other questions on CRA funds could be addressed at the CRA meeting.

Following some discussion and in response to Vice Mayor Gunter's inquiry on problems with standing water, Ms. Geraci-Carver confirmed in the affirmative that stormwater funds can be potentially used to pave the roadway to deal with stormwater issues; however, she verified in the negative that if paving the roadway is a need, it would be an incidental benefit on stormwater issues.

After Ms. Geraci-Carver addressed the need to find out the route basis to repave the road, Mr. Bogle explained that he would relay the question to Ms. Mary-Ann Krisovitch, Florida Lake Management Society, contractor retained by the city, relating to the regulation of stormwater discharges under National Pollutant Discharge Elimination System Stormwater Program Florida Lake Management Society.

Commissioner Ranize in referencing his August 8, 2018 email, identified the drop-off curve which the city filled; however, he did not mention the curbing before the work was implemented. He questioned whether the curbing would be relocated and restored according to the county's specifications which was described by Mr. Greg Beliveau, LPG Urban and Regional Planners Inc., at the March 8, 2018 regular meeting and recalled

Commissioner Lewis' previous concerns on the deteriorating conditions of the respective roadways' edge.

In response, Mr. La Venia addressed his plan to fill the roadway to include milling which would take care of the drop off problem for the time being and indicated that he would report back with a permanent solution.

ii. Fire Department – City of Tavares

Later in the meeting and at Mr. La Venia's request, Interim Chief Gilpin reported that he was approached by the City of Tavares' Fire Department Chief who expressed desire to donate a 281 (1996) fire engine to the city; reported that the City of Fruitland Park's engine was out-of-service whereby, in the meantime, said engine was loaned to the city.

Interim Chief Gilpin questioned whether the donation in question is acceptable.

After discussion, Interim Chief Gilpin addressed his plan to sell the current 561 stick shift vehicle and use the proceeds to offset against the repairs. He confirmed in the affirmative to Commissioner Ranize' inquiry that the fire department currently has an interlocal agreement with The Village Center Community Development District (VCDD) on the operation of emergency service which includes the performance of maintenance services.

Following further discussion, Commissioner Ranize suggested that The VCDD inspect the truck prior to accepting the donated vehicle.

Vice Mayor Gunter and Commissioner Bell recalled the City of Leesburg donating a bucket truck to the city and noted the problems associated with same whereby the city could have purchased one new.

In response to Mayor Cheshire's question, Ms. Geraci-Carver addressed the plan to bring back the information on the donation in a form of a resolution to accept same.

(b) City Attorney

i. Notice of Claim – James Hartson

Ms. Geraci-Carver announced that there are no updates on outstanding claims for James Hartson.

ii. Notice of Claim – Larry Odum

Ms. Geraci-Carver announced that there are no updates on outstanding claims for Larry Odum.

iii. Public Water Supply System

Ms. Geraci-Carver referred to a question posed at a previous city commission meeting on whether properties could be connected to the city's sewer, even if they are not connected to the city's water system, and how a charge would be made, if there was no meter. She identified two methods: the ability to implement a flat rate and the determination on the number of plumbing fixtures. As part of the utility rate study, Ms. Geraci-Carver recommended suggesting same to the consultant who could include it in study and have other ideas that they have used in addition to these two methods.

iv. Resolution 2018-048 School Resource Officer Program Agreement - the School Board of Lake County

Ms. Geraci-Carver read into the record proposed Resolution 2018-048, the substance of which is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, ADOPTING THE AGREEMENT BETWEEN THE SCHOOL BOARD OF LAKE COUNTY, FLORIDA AND THE CITY OF FRUITLAND PARK, FLORIDA FOR THE SCHOOL RESOURCE OFFICER PROGRAM; PROVIDING FOR AN EFFECTIVE DATE.

After Ms. Geraci-Carver gave a background on the subject resolution, a motion was made by Vice Mayor Gunter and seconded by Commissioner Lewis that the city commission adopt Resolution 2018-048 as previously cited.

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

6. PUBLIC COMMENTS

In response to the concerns raised by Mr. F. Howard Boos, The VOFP resident, Ms. Racine referred to the July 26, 2018 The Villages Daily Sun newspaper article featuring *Fruitland Park Sets Tentative Millage Rate*; expressed her dissatisfaction on the false impression given that the city has on surplus and the restricted funds received from permits. (A copy of the article is filed with the supplemental papers to the minutes of this meeting.)

After Mayor Cheshire recognized the city as one of the most fiscally conservative municipality in the area and explained the city's community services available to The Villages, Vice Mayor Gunter interjected and reiterated his comments earlier this day that the Pine Ridge Dairy property was already within city limits whereby The Villages approached the city on the acquisition and development of same.

After discussion and upon Mayor Cheshire's suggestion, **the city commission by unanimous agreed to the point of order relating to the public comments procedure.**

Mayor Cheshire addressed the desire for the residents to be part of the two communities (The VOFP and the City of Fruitland Park); welcomed The VOFP residents to contact the city commission or Mr. La Venia where concerns will be dealt with as they arise and noted FY 2018-19 budget and the forthcoming city commission budget hearings, recognizing that the two new elected city commissioners from The Villages would be serving on the commission.

Ms. Kate Weingart, The VOFP resident, expressed concerns on police, fire, and teachers as essential services and suggested that they be paid adequately.

In response, Vice Mayor Gunter pointed out the August 28, 2018 Primary Election ballot relating to the approval of an additional three-quarter (.075) mill of school district ad valorem millage tax for school safety. He recognized that The VOFP residents do not have children in public schools and encouraged the citizens to vote on said referendum. He pointed out his earlier comments on the city's costs to employ an SRO at Fruitland Park Elementary School and expressed concerns on the source of funding by the city.

Mr. David E. Straley, The VOFP resident, questioned the fire department incorporated in the city's budget to which Mr. La Venia described how the fire assessment are apportioned for The VOFP and the City of Fruitland Park.

Mr. Straley pointed out Mayor Cheshire's comments from the July 26, 2018 Villages-News article recognizing the funds being passed from the state, governmental entities and ultimately to the city to which Mayor Cheshire described how \$40,000 was provided to fund an SRO for \$80,000.

After Mr. John H. Hubbell, City of Fruitland Park resident, questioned whether roadway improvements for Shiloh Street have been earmarked in FY 2017-18 or FY 2018-19 budget, Mr. La Venia recognized that said street is currently a county arterial; reported that the city commission approved at its June 14, 2018 regular meeting the resurfacing of said roadway before it is transferred from the county, and anticipated the county's completion of same by FY 2017-18 (September 30, 2018).

In response to a question posed by Mr. "Ron" Ronald Abend, The VOFP resident, Mr. La Venia outlined the costs in retaining the SRO.

7. **COMMISSIONERS' COMMENTS**

(a) **Commissioner Ranize - Lawsuits**

Commissioner Ranize stated that during the August 6, 2018 city commission workshop, he questioned the funds expended during 2017 on settling lawsuits.

In response to Commissioner Ranize' inquiry on pending or potential lawsuits that the city may need to set aside to fund, Ms. Geraci- Carver identified the two notices

of claims which were received; however, no action was taken and recognized the city's deductible to be \$15,000, a total of \$30,000 if a lawsuit was to be filed.

(b) Commissioner Lewis

i. Lawsuits

Commissioner Lewis indicated that no funds were allocated in the FY 2018-19 budget to settle the claims where he believes that if the strategy was to go to claims, funds would be taken from reserves.

ii. FY 2018-19 Budget

Commissioner Lewis recognized the future city commission meetings to ratify the FY 2018-19 budget and advised that good decisions are reached when the city commission has had an opportunity to develop the thought, a steady hand and a calm approach which are needed to reach that point.

Commissioner Lewis believed that there is a need to speak to Mr. Boos, who addressed the city commission earlier in this evening's meeting, that there is a surplus in the city. Commissioner Lewis explained how city funds are already earmarked and predetermined on how they ought to be expended; indicated why the city does not have a surplus in the general fund and welcomed the public to speak to him at any time.

(c) Commissioner Bell

i. FY 2018-19 Budget

Commissioner Bell expressed appreciation for Commissioner Lewis' comments on the misconception of the budget and strongly encouraged the public to reach out to any of the city commission members, Mr. La Venia and staff to be educated.

ii. Lake EMS Inc.

In response to Commissioner Bell's inquiry, Commissioner Lewis explained that Lake Emergency Medical Services (EMS) Inc. is still meeting and will disband by the end of September 2018. He explained that he would resign formally as the city's representative, if it is the city commission's desire and reported that he did attend the quarterly board and subcommittee meetings. Commissioner Lewis specified how Lake EMS members are prepared to become one operation and will follow the procedures to become part of Lake County.

After discussion, Commissioner Lewis referred to the copy of a letter dated July 26, 2018 from Gerald "Jerry" L. Smith II, Lake EMS Inc., regarding the Worker Adjustment and Training Notification Act Notice notifying Lake EMS of its closing (dissolving on September 30, 2018) and the county's oversight (assuming on or about October 1, 2018) and mentioned the affected employees to be permanently laid off. (A copy of the letter is filed with the supplemental papers of the minutes of this meeting.)

(d) **Vice Mayor Gunter, Jr.**

i. **FY 2018-19 Budget**

Vice Mayor Gunter pointed out the city commission's previous discussions on the millage rate and recalled a previous class he attended on the city's low ranking of same in the state.

ii. **LCLC**

Vice Mayor Gunter addressed his plan to attend the Lake County League of Cities' Four-Hour Ethics Training Session on August 10, 2018.

8. **MAYOR'S COMMENTS**

(a) **City of Fruitland Park**

Mayor Cheshire acknowledged staff for a job well done in building the city to where it is; confirmed there are financial problems and that there is always a need and predicted the city's growth where individuals all over want to live in the area as it is safe and quaint with the charm that other cities do not have.

Mayor Cheshire anticipates that The VOFP will be part of the community and become volunteers at the library, fire and police departments.

(b) **Dates to Remember**

Mayor Cheshire recognized the following events:

- August 10, 2018, LCLC *Four-Hour Ethics Training Session*, Lake Receptions 4425 N Highway 19-A, Mount Dora, Florida 32757 at 12:00 p.m. to be attended by Mayor Gunter.
- August 10, 2018, Movie on the Lawn, *Every Teenager's Nightmare . . . Turning Into Her Mother* City Hall Lawn at 7:30 p.m., encouraged the residents to attend.
- August 13, 2018, Lake County Parks, Recreation and Trails Advisory Board, Library Services Conference Room, 2401 Woodlea Road, Tavares, Florida 32778 at 3:30 p.m. attended by Commissioner Bell.
- August 16-18, 2018, Florida League of Cities *92 Annual Conference*, The Diplomat Beach Resort, 3555 S Ocean Drive, Hollywood, Florida 33019 at 7:30 a.m., Vice Mayor and Commissioner Bell will be attending.
- August 22, 2018, Operation Bless Fruitland Park's *Generosity Week Check Presentation* Fruitland Park Elementary School Cafeteria, 304 West Fountain Street, Fruitland Park, Florida at 9:00 a.m. encouraged the city commission to attend.

- August 22, 2018, Lake-Sumter Metropolitan Planning Organization Governing Board, 225 W Guava Street, Lady Lake, Florida 32159 at 2:00 p.m.
- August 23, 2018, City Commission Regular at 6:00 p.m. rescheduled to August 28, 2018.
- August 28, 2018, Primary Election:
Lake County Precinct 20, Moyer Village Recreation Center, 3000 Moyer Loop, The Villages, Florida at 7:00 a.m.;
- Lake County Voting Precinct 25, Community United Methodist Church, 309 College Avenue, Fruitland Park, Florida 34731 at 7:00 a.m., and
- Lake County Voting Precinct 67, Calvary Baptist Church, 3720 Eagles Nest Road, Fruitland Park, Florida 34731 at 7:00 a.m.
- August 30, 2018, City Commission Special at 6:00 p.m.
- September 3, 2018, Labor Day – City Hall Closed
- September 13, 2018, City Commission Regular at 6:00 p.m., first budget public hearing, and
- September 27, 2018, City Commission Regular at 6:00 p.m., second budget public hearing.

9. ADJOURNMENT

On motion made, seconded and unanimously carried, the meeting adjourned at 7:50 p.m.

The minutes were approved at the August 9, 2018 regular meeting.

Signed 

Esther B. Coulson, City Clerk

Signed 

Chris Cheshire, Mayor