

**FRUITLAND PARK CITY COMMISSION REGULAR
MEETING MINUTES**

March 12, 2020

City Hall Commission Chambers

506 W. Berckman Street

Fruitland Park, Florida 34731

6:00 p.m.

A regular meeting of the Fruitland Park City Commission was held at 506 W. Berckman Street, Fruitland Park, Florida 34731 on Thursday, March 12, 2020 at 6:00 p.m.

Members Present: Mayor Chris Cheshire, Vice Mayor John L. Gunter, Jr., Commissioners Christopher Bell, Patrick DeGrave and John Mobilian.

Also Present: City Manager Gary La Venia; City Attorney Anita Geraci-Carver; City Treasurer Jeannine Racine; Police Chief Erik Luce; Lieutenant Henry Rains, Officers Frank Carroll, Courtney Stewart, Detective Brian Hilberer, Sergeants Paul Sandbakken, Tim Ross, David Brown, Senior Police Officers Walter Eugene Howard, Jay Ortiz-González, and Jeni Simken, Administrative Assistant Police Department; Public Works Director Robb Dicus; Parks and Recreation Director Michelle Yoder; Interim Fire Chief Donald Gilpin, Deputy Fire Chief Tim Yoder, Firefighters Stephen Odgen, Brandon Clutter, and Michael Howard, Fire Department; Human Resources Director Diana Kolcun, and City Clerk Esther B. Coulson.

1. CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE

ACTION: 6:00:23 PM Mayor Cheshire called the meeting to order, Pastor Church, gave the invocation and Chief Luce led in the Pledge of Allegiance to the flag.

2. ROLL CALL

ACTION: 6:01:18 PM After Mayor Cheshire requested that Ms. Coulson call the roll, where a quorum was declared present, he outlined the decorum for this evening's meeting and announced that no action will be taken on Item 6.(a) iv., Fire Protection and Rescue Services.as there is no contract.

3. SPECIAL PRESENTATIONS

Chief Luce read into the record a letter to him from one of the sergeants regarding Officers Walter Eugene Howard and Jose Manuel Ortiz-González recognizing them for their donation and contribution of their personal hours towards the recent event *Toys for Tots Program*.

ACTION: 6:02:18 PM Officers Howard and González accepted the police department's Community Service Award in recognition of their dedication to the "Toys for Tots Program" and continued commitment in serving the Fruitland Park citizens with much gratitude.

4. CONSENT AGENDA
Approval of Minutes - February 27, 2020 regular meeting

ACTION: 6:06:33 PM On motion of Commissioner Bell, seconded by Commissioner Mobilian and unanimously carried, the city commission approved the consent agenda.

5. REGULAR AGENDA

(a) Resolution 2020-011 Superior Solutions (formerly CRW) Maintenance Agreement Renewal

Ms. Geraci-Carver read into the record proposed Resolution 2020-011, the substance of which is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING SUPERION SOLUTIONS MAINTENANCE AGREEMENT IN THE AMOUNT OF \$4,931.85 THRU FEBRUARY 28, 2021 FOR TRAKIT AND \$7,500 THRU OCTOBER 29, 2020 FOR CITIZEN ENGAGEMENT; AUTHORIZING THE MAYOR TO EXECUTE THE MAINTENANCE AGREEMENT; PROVIDING FOR AN EFFECTIVE DATE.

After discussion and following Ms. Geraci-Carver's acknowledgement where the city has been without the use of the cloud hosting annual software (an additional component for the Citizen Engagement SaaS portion of the Trak-it system to be used by community development) software for three months, she suggested communicating with Superior's representative to determine, in light of the proprietary issues, whether the year could commence from the date the city utilized the software as opposed to when it was originally scheduled.

ACTION: 6:06:42 PM A motion was made by Commissioner DeGrave and seconded by Commissioner Mobilian that the city commission adopt Resolution 2020-011 with the changes to remove the provisions under Section 27, Limitations of Liability provision from Superior LLC's. Solutions Maintenance Agreement.

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

(b) Resolution 2020-015 - Second Insurance Claim Proceeds Revenue – Community Center Recreation Improvement

Ms. Geraci-Carver read into the record proposed Resolution 2020-015, the substance of which is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE 2019/2020 FISCAL YEAR BUDGET PURSUANT TO SEC. 6.07 OF THE CITY CHARTER TO INCREASE INSURANCE CLAIM PROCEEDS REVENUE BUDGET AND THE RECREATION IMPROVEMENT EXPENSE BUDGET; AND PROVIDING FOR AN EFFECTIVE DATE.

ACTION: 6:12:28 PM After discussion, a motion was made by Commissioner Mobilian and seconded by Vice Mayor Gunter that the city commission adopt Resolution 2020-015 as previously cited.

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

(c) Resolution 2020-016 – Pinellas County Urban League (PCUL) Urban Seniors Jobs Program (USJP) – Host Training Agency and Maintenance of Effort Agreement

Ms. Geraci-Carver read into the record proposed Resolution 2020-016, the substance of which is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING THE URBAN SENIORS JOBS PROGRAM HOST TRAINING AGENCY TRAINING AND MAINTENANCE OF EFFORT AGREEMENT BETWEEN PINELLAS COUNTY URBAN LEAGUE AND THE CITY OF FRUITLAND PARK; PROVIDING FOR AN EFFECTIVE DATE.

ACTION: 6:13:43 PM After extensive discussion, a motion was made by Commissioner Mobilian and seconded by Commissioner DeGrave that the city commission adopt Resolution 2020-016 as previously cited.

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

(d) Police Department Vehicle Quotes

The city commission considered the following police department vehicle quotes:

- Police Department Administration/Evidence Vehicle:
 - Prestige Ford Mount Dora, Florida, \$23,192.00
 - Garber Ford Inc. Green Cove Springs, Florida, \$22,997.00, and
 - Bartow Ford Bartow, Florida, \$26,831.66

- With the following Installations of similar emergency lighting:
 - HG2 Emergency Lighting Orlando, Florida, \$3,523.00,
 - Dana Safety Supply Inc., Orlando, Florida, \$3,027.80, and
 - Rough Country Lockable Hard Bed Cover Installed, \$1,000.00
- Police K-9 Patrol Vehicle includes free delivery Spreadsheets
 - 2020 Dodge Durango Pursuit K-9 AWD, \$28,461.00,
 - 2020 Chevrolet Tahoe Pursuit 4WD, \$38,722.00, and
 - 2020 Ford Utility Police Interceptor SUV AWD, \$35,514.00

ACTION: 6:28:52 PM After discussion a motion was made by Commissioner DeGrave and seconded by Vice Mayor Gunter that the city commission accept staff's recommendations to award to the lowest, most responsive responsible and sole bidders the following quotes:

- Garber Ford Inc. Green Cove Springs, Florida, \$22,997.00,
 - Dana Safety Supply Inc., Orlando, Florida, \$3,027.80, and
 - Rough Country Lockable Hard Bed Cover Installed, \$1,000.00
- Administration/evidence vehicle package totaling \$27,024.80**
- 2020 Dodge Durango Pursuit K-9 AWD, \$28,461
 - Hg2 Emergency Lighting, \$13,559.95, and
 - Car-Video with mic system, \$3,255.00
- K-9 Vehicle package totaling \$45,275.95**

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

(e) Community Center Kitchen and Restroom Quotes

The city commission considered the following community center quotes:

- Timbertop, \$31,363.41;
- Home Art Corporation, \$26,373.00, and
- Florida Designer Cabinets, not available

(f) Northwest Lake Community Park (Cales Memorial Complex) Multipurpose Soccer Field – Concrete Quotes

The city commission considered the following community center quotes:

- Bay to Bay Construction, \$23,200;
- Paquette Company, \$51,252 and
- Rock Solid (not available)
- Parking Bumpers, Leesburg Concrete Company Inc., \$6,864 and
- Sidewalks/Miscellaneous, Paquette Company, \$61,752.50

ACTION: 6:37:56 PM After discussion, a motion was made by Commissioner Bell, seconded by Vice Mayor Gunter and unanimously carried, the city commission agreed to consider the quotes for Regular Agenda Items 5.(e) and (f) and approved staff's recommendation to award the quotes to the lowest, responsive and responsible bidders Home Art Corporation (with the one-year or more warranty) for \$26,373.00 and Bay to Bay Construction for \$23,200.

(g) City Hall Floor Quotes

The city commission considered the following city hall floor quotes:

- Chris Lynch Flooring, \$36,599,
- Everyday Flooring Proposal, \$51,714.10, and
- Great Lakes Carpet & Tile LLC, \$28,870

Mr. La Venia identified the allocation of \$50,000 earmarked in the FY 2019-20 budget to replace the carpets at city hall (with the exception of the police and community development departments) and paint the city hall's interior (which is not being awarded) for less than \$7,000. He recommended the selection of Great Lakes Carpet & Tile LLC as the lowest responsive and responsible bidder for the city hall floor quotes at \$28,870.

ACTION: 6:42:51 PM On motion of Commissioner Mobilian, seconded by Commissioner DeGrave and unanimously carried, the city commission approved the city manager's recommendation as previously cited.

(h) Alcohol Beverages Regulations Discussion

Mr. La Venia addressed the alcohol beverages regulations recognizing the policy prepared by Ms. Geraci-Carver and concurred with Commissioner DeGrave's request for staff to provide preference from proposed alternatives 1 and 2 under Chapter 104, Alcoholic Beverages: City-Owned Properties and with reference to subsections 104-01a.ii.2. and 104-04.2., . . . *the applicant providing one sworn law enforcement officer as security for each 250 persons attending the event. . . .*, render staff's opinion as to whether the number of people appears to be excessive with one officer overseeing same.

ACTION: 6:45:03 PM No action was taken.

6. OFFICERS' REPORTS

(a) City Manager

i. Economic Development Status Update

Mr. La Venia gave a status update on the 2020 Community Redevelopment Agency (CRA) Grant Façade Improvement Program Application available to small business owners in the city; indicated that an announcement of same has been displayed on the electronic signs located around the city, and

referred to said information posted on the city's website: <https://www.fruitlandpark.org/cra/page/grant-program> and Facebook page <https://www.facebook.com/CityofFruitlandPark/>. He addressed the plan to mail the respective application to the business owners located within the CRA regarding the current availability of \$2,500 in matching grant funds and recalled the efforts staff made in soliciting business owners to apply.

ACTION: 6:49:24 PM No action was taken.

ii. City Hall Paint Quotes

Earlier in the meeting, Mr. La Venia addressed the ability to completely paint city hall and referred to the following paint quotes that he received:

- Champion Painting LLC, 8,500;
- Popes Precisions Projects, \$7,000 and
- Quality Painting Inc., \$8,000

ACTION: 6:42:51 PM and 6:45:43 PM For informational purposes.

iii. Smoking Vaping Policy Status Update

Mr. La Venia recalled discussions at previous city commission meetings regarding the smoking and vaping policy; referred to Chapter 386 Florida State Statutes Indoor Air: Smoking and Vaping "Florida Clean Indoor Air Act" and addressed his plan to utilize said law to post signs at city parks and municipal properties.

After discussion, Ms. Geraci-Carver anticipated the outcome of proposed Regulation of Smoking Senate Bill 630 authorizing municipalities to further restrict smoking within the boundaries of certain public parks currently considered in the legislative session. She explained staff is working on ensuring that the smoking (or use of tobacco product) provisions currently proposed for the city's personnel policies and procedures manual would be included.

ACTION: 6:46:52 PM No action was taken.

iv. Fire Protection and Rescue Service

Mr. La Venia indicated that the fire protection and rescue service contract has not been received from Lake County and that he has nothing to report.

ACTION: 6:51:14 PM. No action was taken.

v. 2020 Summer Program – Gardenia Park Swimming Pool Discussion

Mr. La Venia explained that Fruitland Park Elementary School will be holding a Lake County School District's 2020 Extended Learning Centers

(ELC) Summer Program to which Ms. Yoder explained is held annually and will be the first time this year for the program to be hosted at the school. After she relayed the intent for a partnership effort where *Pool Days* activities are planned to be held at the Gardenia Park Swimming Pool, the city commission addressed charging at a nominal cost.

ACTION: 6:51:18 PM. By unanimous consent, the city commission directed staff to report back at a future meeting with more information.

vi. Veritone Agreement Status Update

After Mr. La Venia referred to his recent conversations with Ms. Geraci-Carver regarding the Veritone Inc's agreement, she indicated, based on her discussions with Veritone's representative, that all the issues were resolved with the exception of the amount for the limitation liability where they were looking for an amount from the city. Ms. Geraci-Carver recognized that a \$500,000 liability -- similar to Superior LLC's. Solutions Maintenance Agreement approved earlier under Regular Agenda 5.(a)) -- could be proposed to them and will await their response.

ACTION: 7:03:50 PM. No action was taken.

vii. COVID-19 – Fruitland Park Day and Other City-Related Events

Mr. La Venia referred to the draft memorandum he is preparing regarding the Coronavirus Disease (COVID-19) outbreak.

ACTION: 6:57:01 PM After discussion and upon Mayor Cheshire's recommendation, the city commission, by unanimous consent, directed the city manager to make arrangements to cancel all city-related public events and programs, similarly offered by Lake County, and postpone the March 28, 2020 Fruitland Park Day and agreed to reevaluate the situation at the next regular meeting.

(b) City Attorney

i. Notice of Claim – James Hartson

Ms. Geraci-Carver reported that there is nothing to report on the James Hartson notice of claim.

ACTION: 7:05:41 PM. and 7:09:54 PM No action was taken.

ii. City of Fruitland Park v. T. D. Burke

Ms. Geraci-Carver reported that there is nothing to report on T. D. Burke's case.

ACTION: 7:05:41 PM. No action was taken.

iii. City of Fruitland Park v. State of Florida Department of Management Services

Ms. Geraci-Carver reported that there is nothing to report on the State of Florida Department of Management Services.

ACTION: 7:05:41 PM. No action was taken.

iv. Michael and Laurie Fewless v. City of Fruitland Park

Ms. Geraci-Carver reported that on February 26, 2020, Mr. Glenn Thomas, Lewis, Longman & Walker P.A. (attorney retained by the city), filed a motion to dismiss on the Michael and Laurie Fewless case and indicated that a motion has not yet been set for a hearing. (A copy of the document is filed with the supplemental papers to the minutes of this meeting.)

ACTION: 7:05:41 PM. No action was taken.

v. Professional Design Services RFQ - Public Works Department and Public Safety Buildings Construction Status Update

Ms. Geraci-Carver referred to the city manager's request for information and the options she provided on the procurement process for a public safety and public works facility/utility building; recalled the city commission's previous discussions on the implementation of a design-build contract (both of which requires qualifications to retain an architect), and pointed out the satisfactory construction management at-risk (CMAR) bid process utilized by the City of Groveland for parking improvements. She emphasized the requirement for staff to accurately be informed of the city commission's needs in order for the architect to prepare the designs which are procured.

Mr. La Venia referred to his previous communication with the City of Leesburg's staff on its Professional Engineering Services Request for Qualifications (RFQs) and Community Building CMAR RFQs for Venetian Gardens which he forwarded on to Ms. Geraci-Carver for review and recommended that the city commission pursue an architect and CMAR for the proposed building simultaneously, as previously described. (Copies of the relative documents are filed with the supplemental papers to the minutes of this meeting.)

ACTION: 7:06:07 PM. No action was taken.

7. PUBLIC COMMENTS

Mr. Carl Yauk, Villages of Fruitland Park (Pine Hills) resident, pointed out his review of the following:

- proposed alcohol beverages regulations and questioned whether it applies to non-city-owned properties; namely, the areas adjacent to The Moyer Recreation Center's entrance and Lake County School district,
- proposed smoking and vaping policy where he referred to the fire rescue's policy regarding eating, drinking in the ambulance and questioned allowing the consumption of water in the vehicles,
- availability of assistance (PCUL's USJP job training available to seniors) to reduce costs to the city with the ability to utilize the current paint and carpeting projects approved earlier in this evening's meeting, and
- the future public works building with the anticipation that the construction would be sturdy especially if it would be a public emergency building.

Mr. David Campbell, City of Fruitland Park resident, expressed appreciation to Chief Luce for cleaning up the neighborhood. After Mr. Campbell voiced concerns on the siting of rats and smell emanating from the property located at 700 Phoenix Avenue, Mayor Cheshire responded that the matter will be looked into.

After Mr. Campbell addressed his intent to provide a copy of a fire department's operating budget of approximately \$425,000 per annum and recommended that such concept be followed and requested that the city's fire rescue services be retained in-house, Mayor Cheshire suggested that the city commission be provided with said information.

Mr. Campbell suggested and mentioned the benefits of utilizing Staffing for Adequate Fire and Emergency Response (SAFER) grants for the fire department.

ACTION: 7:10:12 PM. No action was taken.

8. COMMISSIONERS' COMMENTS

(a) Commissioner Mobilian - COVID-19 – Fruitland Park Day and Other City-Related Events

Commissioner Mobilian voiced his support of closures relating to the city-related events due to the onset of COVID-19.

ACTION: 7:15:39 PM. No action was taken.

(b) Commissioner DeGrave – Excused Absence

With respect to the approved excused absence requested at the February 27, 2020 regular meeting, Commissioner DeGrave explained that he will be present at the next meeting.

ACTION: 7:16:06 PM. No action was taken.

(c) **Commissioner Bell - COVID-19 – Public Meetings**

After discussion on the COVID-19 closure of public events, Ms. Geraci-Carver explained, in response to Commissioner Bell's inquiry, where members have to be physically present to constitute a quorum; however, participation and voting are permitted to conduct meetings electronically under the Government-in-the-Sunshine Law and related attorney general opinions on same.

ACTION: 7:16:25 PM. No action was taken.

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

Vice Mayor Gunter stated that he has nothing to report at this time.

ACTION: 7:18:24 PM. No action was taken.

9. **MAYOR'S COMMENTS**

(a) **2020 US Census Questionnaire**

Mayor Cheshire addressed the importance of and encouraged everyone to complete the forthcoming 2020 US Census questionnaires forms.

ACTION: 7:18:33 PM. No action was taken.

(b) **Dates to Remember**

With the exception of the March 26, 2020 city commission regular meeting, Mayor Cheshire announced that the city-related events have been cancelled.

ACTION: 7:18:27 PM. No action was taken.

10. **ADJOURNMENT**

The meeting adjourned at 7:19 p.m.

The minutes were approved at the March 26, 2020 regular meeting.

Signed  _____
Esther B. Coulson, City Clerk

Signed  _____
Chris Cheshire, Mayor