



**FRUITLAND PARK CITY COMMISSION  
SPECIAL MEETING AGENDA**

**July 25, 2018 (Revised 2:30 p.m.)**

City Hall Commission Chambers  
506 W. Berckman Street  
Fruitland Park, FL 34731

**6:00 p.m.**

**1. CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE**

Invocation

Pledge of Allegiance – Police Chief Michael Fewless

**2. ROLL CALL**

**3. PRESENTATION – Lake County School District Superintendent** (city manager)

School Safety

**4. CONSENT AGENDA**

Routine items and items not anticipated to be controversial are placed on the Consent Agenda to expedite the meeting. If a Commissioner, staff member or member of the public wish to discuss any item, the procedure is as follows: (1) Pull the item(s) from the Consent Agenda; (2) Vote on remaining item(s); and (3) Discuss each pulled item separately and vote.

**Approval of Minutes** (city clerk) (revised)

- a. Renewal of a motion which approved the October 27, 2016 regular minutes,
- b. Approve the May 22, 2018 workshop minutes and
- c. Approve the May 24, 2018 regular minutes

**5. REGULAR AGENDA**

**(a) Resolution 2018-044 – FY 2018-019 Proposed Millage Rate 4.3680**  
(city treasurer/city attorney) (revised)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, LAKE COUNTY, FLORIDA, ADOPTING A NOT TO EXCEED MILLAGE RATE OF ~~4.0756~~ 4.3680 LEVYING OF AD VALOREM TAXES FOR FISCAL YEAR 2018-2019 AND SETTING THE DATE, TIME AND PLACE OF PUBLIC HEARING ON THE BUDGET FOR FISCAL YEAR 2018-2019; PROVIDING FOR AN EFFECTIVE DATE.

or

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, LAKE COUNTY, FLORIDA, ADOPTING A NOT TO EXCEED MILLAGE RATE OF 3.9863 LEVYING OF AD VALOREM TAXES FOR FISCAL YEAR 2018-2019 AND

SETTING THE DATE, TIME AND PLACE OF PUBLIC HEARING ON THE BUDGET FOR FISCAL YEAR 2018-2019; PROVIDING FOR AN EFFECTIVE DATE.

or

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, LAKE COUNTY, FLORIDA, ADOPTING A NOT TO EXCEED MILLAGE RATE OF 4.0000 LEVYING OF AD VALOREM TAXES FOR FISCAL YEAR 2018-2019 AND SETTING THE DATE, TIME AND PLACE OF PUBLIC HEARING ON THE BUDGET FOR FISCAL YEAR 2018-2019; PROVIDING FOR AN EFFECTIVE DATE.

### **PUBLIC HEARING**

**(b) First Reading Second Reading and Public Hearing – Ordinance 2018-014 2018-005 Golf Carts** (city manager/city attorney) (revised)

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 April 26, 2018. The second reading will be held on August 9, 2018.)~~

### **END OF PUBLIC HEARING**

## **6. OFFICERS' REPORTS**

**(a) City Manager** (revised)

- i. Fruitland Park Library Construction – Furniture
- ii. Community Development Department – Office Renovations
- iii. 2018 Hurricane Plan

Additional Item

- iv. Solartube – Solar Fans Permits and Requirements

**(b) City Attorney -**

- i. Notice of Claim – James Hartson
- ii. Notice of Claim – Larry Odum
- iii. FMAA Conference Report
  1. Whistleblower Claim Ordinance
  2. Cybersecurity Breach Policy
  3. State of Emergency Draft Declaration
  4. Designated Essential and Non-Essential Personnel
  5. Code Enforcement Suspension – Natural Disaster

6. Underground Utilities Conversion Ordinance

**7. PUBLIC COMMENTS**

This section is reserved for members of the public to bring up matters of concern or opportunities for praise. Action may not be taken by the City Commission at this meeting; however, questions may be answered by staff or issues may be referred for appropriate staff action.

Note: Pursuant to F.S. 286.0114 and the City of Fruitland Park's Public Participation Policy adopted by Resolution 2013-023, members of the public shall be given a reasonable opportunity to be heard on propositions before the City Commission. Accordingly, comments, questions, and concerns regarding items listed on this agenda shall be received at the time the City Commission addresses such items during this meeting. Pursuant to Resolution 2013-023, public comments are limited to three minutes.

**8. COMMISSIONERS' COMMENTS**

(a) **Commissioner Ranize**

(b) **Commissioner Lewis**

(c) **Commissioner Bell**

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

**9. MAYOR'S COMMENTS**

**10. ADJOURNMENT**

**DATES TO REMEMBER**

Please note that in addition to the city commission meetings, more than one city commissioner may be present at the above-mentioned events.

August 2, 2018, City Commission Workshop at 6:00 p.m.

August 6, 2018, City Commission Budget Workshop at 6:00 p.m.

August 7, 2018, City Commission Budget Workshop at 6:00 p.m.

August 9, 2018, City Commission Regular at 6:00 p.m.

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.

August 10, 2018, Movie on the Lawn, *Freaky Friday*, City Hall, City Hall Lawn at 7:30 p.m.

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.

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.

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. – CANCELLED

August 28, 2018, Primary Election 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 4, 2018, Lake Emergency Management Services Inc.'s (EMS) Finance Committee Meeting, Lake County Administration Building, Board Chambers, 315 West Main Street, Tavares, Florida 32778 at 2:00 p.m.;

July 25, 2018 Special Agenda

September 4, 2018, Lake EMS Employee Issues Committee Meeting, Lake County Administration Building, Board Chambers, 315 West Main Street, Tavares, Florida 32778 at 3:00 p.m.;

September 4, 2018, Lake EMS Operations Committee Meeting, Lake County Administration Building, Board Chambers, 315 West Main Street, Tavares, Florida 32778 at 4:00 p.m.;

September 13, 2018, City Commission Regular at 6:00 p.m.

September 14, 2018, LCLC Sheriff Peyton Grinnell, Lake Receptions 4425 N Highway 19-A, Mount Dora, Florida 32757 at 12:00 p.m.

September 14, 2018, Movie on the Lawn, TBD City Hall Lawn at 7:30 p.m.

September 25, 2018, Lake EMS Board Meeting, Lake County Administration Building, Board Chambers, 315 West Main Street, Tavares, Florida 32778 at 2:30 p.m.;

September 26, 2018, Lake-Sumter MPO Governing Board Meeting, 225 W Guava Street, #217, Lady Lake, Florida 32159 at 2:00 p.m.;

September 27, 2018, City Commission Regular at 6:00 p.m.

Any person requiring a special accommodation at this meeting because of disability or physical impairment should contact the City Clerk's Office at City Hall (352) 360-6727 at least forty-eight (48) hours prior to the meeting. (§286.26 F.S.)

If a person decides to appeal any decision made by the City of Fruitland Park with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings and ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The city does not provide verbatim records. (§286.0105, F.S.)

**PLEASE TURN OFF ELECTRONIC DEVICES OR PLACE IN VIBRATE MODE.**





**AGENDA ITEM  
NUMBER  
3**

5

## AGENDA ITEM SUMMARY SHEET

<b>ITEM TITLE:</b>	Presentation – Lake County School District Superintendent		
<b>For the Meeting of:</b>	July 25, 2018		
<b>Submitted by:</b>	City Manager		
<b>Date Submitted:</b>	July 17, 2018		
<b>Are Funds Required:</b>		Yes	X No
<b>Account Number:</b>	N/A		
<b>Amount Required:</b>	N/A		
<b>Balance Remaining:</b>	N/A		
<b>Attachments:</b>			
<b>Description of Items:</b> School Safety			
<b>Action to be Taken:</b> None			
<b>Staff's Recommendation:</b>			
<b>Additional Comments:</b>			

Reviewed by: \_\_\_\_\_  
City Manager

Authorized to be placed on the special agenda: \_\_\_\_\_  
Mayor



**AGENDA ITEM  
NUMBER  
4abc**

## CONSENT AGENDA ITEM SUMMARY SHEET

<b>ITEM TITLE:</b>	Draft Minutes		
<b>For the Meeting of:</b>	July 25, 2018		
<b>Submitted by:</b>	City Clerk		
<b>Date Submitted:</b>	July 16, 2018		
<b>Are Funds Required:</b>		Yes	X No
<b>Account Number:</b>	N/A		
<b>Amount Required:</b>	N/A		
<b>Balance Remaining:</b>	N/A		
<b>Attachments:</b>	Yes		
<b>Description of Item:</b>			
<p>Routine items and items not anticipated to be controversial are placed on the Consent Agenda to expedite the meeting. If a Commissioner, staff member or member of the public wish to discuss any item, the procedure is as follows: (1) Pull the item(s) from the Consent Agenda; (2) Vote on remaining item(s); and (3) Discuss each pulled item separately and vote.</p> <p>a. Renewal of a motion which approved the October 27, 2016 regular meeting minutes,  b. Approve the May 22, 2018 workshop minutes and  c. Approve the May 24, 2018 regular minutes</p>			
<b>Action to be Taken: Approval</b>			
<b>Staff's Recommendation:</b> Approval, if there are no corrections or amendments.			
<b>Additional Comments:</b> The October 27, 2016 regular minutes were previously approved on November 10, 2016.			

**Reviewed by:** \_\_\_\_\_  
City Manager

**Authorized to be placed on the consent agenda:** \_\_\_\_\_  
Mayor

**FRUITLAND PARK CITY COMMISSION REGULAR  
MEETING MINUTES  
October 27, 2016**

A regular meeting of the Fruitland Park City Commission was held at 506 W. Berckman Street, Fruitland Park, Florida 34731 on Thursday, October 27, 2016 at 7:00 p.m.

**Members Present:** Vice Mayor John L. Gunter, Jr., Commissioners Christopher Cheshire, and Rick Ranize.

**Members Absent:** Mayor Christopher Bell and Commissioner Ray Lewis

**Also Present:** City Manager Gary La Venia, City Attorney Anita Geraci-Carver, Assistant City Treasurer Susan Parker; Lieutenant Erik D. Luce Police Department, Assistant Fire Chief Don Gilpin; Deputy Fire Chief Tim Yoder, Fire Department; Community Development Director Charlie Rector, Public Works Director Dale Bogle; and City Clerk Esther B. Coulson.

**1. CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE**

The Reverend Aaron Hornsby, Eagle's Nest Baptist Church, gave the invocation.

**Pledge of Allegiance**

Lieutenant Luce led in the Pledge of Allegiance to the Flag.

**2. ROLL CALL**

**Excused Absences**

**By unanimous consent, the city commission excused the absences of Mayor Chris Bell and Commissioner Ray Lewis. from this evening's meeting**

**3. LOCAL PLANNING AGENCY**

**By unanimous consent, the city commission recessed its regular meeting at 7:03 p.m. to the Local Planning Agency and reconvened at 7:13 p.m.**

At the city manager's request and **by unanimous consent, the city commission took the following items out of order on this day's agenda.**

**QUASI-JUDICIAL HEARING**

**6. (i) First Reading and Quasi-Judicial Public Hearing - Ordinance 2016-023 Comprehensive Plan SSCPA - CR 466A-West Timbertop Lane - Applicant: James Phillips**

Ms. Geraci-Carver read into the record the title of proposed Ordinance 2016-023, the substance of which is as follows, Vice Mayor Gunter called for the public to be heard:

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 COUNTY URBAN LOW TO CITY COMMERCIAL ON THE FUTURE LAND USE MAP OF THE CITY OF FRUITLAND PARK'S COMPREHENSIVE PLAN FOR APPROXIMATELY 1.0± ACRES OF PROPERTY GENERALLY LOCATED NORTH OF CR 466A AND WEST OF TIMBERTOP LANE; AUTHORIZING THE CITY MANAGER TO AMEND SAID COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE. (The second reading will be held on November 10, 2016.)

Mr. Rector noted the subject property and indicated that Mr. Chuck Johnson, who is representing Mr. Phillips, is present to answer any questions.

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

**A motion was made by Commissioner Cheshire and seconded by Commissioner Ranize that the city commission approve the Local Planning Agency's recommendation of approval on proposed Ordinance 2016-023 as previously cited.**

**Vice Mayor Gunter requested a roll call vote and the motion was declared carried unanimously.**

- (j) **First Reading and Quasi-Judicial Public Hearing - Ordinance 2016-025 Rezoning AG-C2 - CR 466A-West Timbertop Lane - Applicant: James Phillips**  
Ms. Geraci-Carver read into the record proposed Resolution Ordinance 2016-025, the substance of which is as follows, Vice Mayor Gunter called for the public to be heard:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, REZONING 1.0 ± ACRES OF THE PROPERTY FROM LAKE COUNTY AGRICULTURE (AG) TO GENERAL COMMERCIAL (C-2) WITHIN THE CITY LIMITS OF FRUITLAND PARK; PROVIDING FOR CONDITIONS AND CONTINGENCIES; DIRECTING THE CITY MANAGER TO AMEND THE ZONING MAP OF THE CITY OF FRUITLAND PARK; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE. (The second reading will be held on November 10, 2016.)

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

**A motion was made by Commissioner Ranize and seconded by Commissioner Cheshire that the city commission approve proposed Ordinance 2016-025 as previously cited.**

**Vice Mayor Gunter called for a roll call on the motion and declared it carried unanimously.**

- (k) First Reading and Quasi-Judicial Public Hearing - Ordinance 2016-024 Annexation - CR 466A-West Timbertop Lane – Applicant James Phillips**  
Ms. Geraci-Carver read into the record proposed Ordinance 2016-024, the substance of which is as follows, Vice Mayor Gunter called for the public to be heard:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE BOUNDARIES OF THE CITY OF FRUITLAND PARK FLORIDA, IN ACCORDANCE WITH THE PROCEDURE SET FORTH IN SECTION 171.044, FLORIDA STATUTES, TO INCLUDE WITHIN THE CITY LIMITS APPROXIMATELY 1.0 ± ACRE OF LAND GENERALLY LOCATED NORTH OF CR 466A AND WEST OF TIMBERTOP LANE; 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 DEPARTMENT OF STATE OF THE STATE OF FLORIDA; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. (The second reading will be held on November 10, 2016.)

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

**A motion was made by Commissioner Cheshire and seconded by Commissioner Ranize that the city commission approve proposed Ordinance 2016-024 as previously cited.**

**Vice Mayor Gunter called for a roll call on the motion and declared it carried unanimously.**

- (l) First Reading and Quasi-Judicial Public Hearing Ordinance 2016-027 Comprehensive Plan Amendment SSCPA CR 466A West Timmbertop Lane - Applicant: Charles Johnson and Owners: Kurt and Suzanne Damron**

At Vice Mayor Gunter's request, Ms. Geraci-Carver read into the record proposed Ordinance 2016-027, the substance of which is as follows:

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 COUNTY URBAN LOW TO CITY COMMERCIAL ON THE FUTURE LAND USE MAP OF THE CITY OF FRUITLAND PARK'S COMPREHENSIVE PLAN FOR APPROXIMATELY 6.0± ACRES OF PROPERTY GENERALLY LOCATED NORTH OF CR 466A AND WEST OF TIMBERTOP LANE; AUTHORIZING THE CITY MANAGER TO AMEND SAID COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE. (The second reading will be held on November 10, 2016.)

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

**A motion was made by Commissioner Ranize and seconded by Commissioner Cheshire that the city commission approve proposed Ordinance 2016-027 as previously cited.**

**Vice Mayor Gunter called for a roll call on the motion and declared it carried unanimously.**

**(m) First Reading and Quasi-Judicial Public Hearing Ordinance 2016-028 Rezoning - AG-C2 – Applicant: Charles Johnson and Owners: Kurt and Suzanne Damron**

Ms. Geraci-Carver read into the record proposed Resolution Ordinance 2016-028, the substance of which is as follows, Vice Mayor Gunter called for the public to be heard:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, REZONING 6.0 ± ACRES OF THE PROPERTY FROM LAKE COUNTY AGRICULTURE (AG) TO GENERAL COMMERCIAL (C-2) WITHIN THE CITY LIMITS OF FRUITLAND PARK; PROVIDING FOR CONDITIONS AND CONTINGENCIES; DIRECTING THE CITY MANAGER TO AMEND THE ZONING MAP OF THE CITY OF FRUITLAND PARK; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE. (The second reading will be held on November 10, 2016.)

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

**A motion was made by Commissioner Cheshire and seconded by Commissioner Ranize that the city commission approve proposed Ordinance 2016-028 as previously cited.**

**Vice Mayor Gunter called for a roll call on the motion and declared it carried unanimously.**

**(n) First Reading and Quasi-Judicial Public Hearing Ordinance 2016-026 Annexation - CR 466A-West Timbertop Lane Applicant: Charles Johnson and Owners: Kurt and Suzanne Damron**

Ms. Geraci-Carver read into the record proposed Resolution Ordinance 2016-026, the substance of which is as follows, Vice Mayor Gunter called for the public to be heard:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE BOUNDARIES OF THE CITY OF FRUITLAND PARK FLORIDA, IN ACCORDANCE WITH THE PROCEDURE SET FORTH IN SECTION 171.044, FLORIDA STATUTES, TO INCLUDE WITHIN THE CITY LIMITS APPROXIMATELY 6.0 ± ACRES OF LAND GENERALLY LOCATED NORTH OF CR 466A AND WEST OF TIMBERTOP LANE; 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 DEPARTMENT OF STATE OF THE STATE OF FLORIDA; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. (The second reading will be held on November 10, 2016.)

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

**A motion was made by Commissioner Ranize and seconded by Commissioner Cheshire that the city commission approve proposed Ordinance 2016-026 as previously cited.**

**Vice Mayor Gunter called for a roll call on the motion and declared it carried unanimously.**

**END OF QUASI-JUDICIAL PUBLIC HEARING**

**4. PUBLIC COMMENTS**

Ms. Rita Ranize, City of Fruitland Park resident, questioned the position to be undertaken by the city commission and Mr. La Venia regarding the constant harassing and threatening behavior towards the city department's volunteer fire fighter staff.

In response, Commissioner Cheshire mentioned his intent to address the matter later under his comments on this evening's agenda and suggested writing a letter to Sumter and Lake Counties, if the city commission is in agreement with Ms. Ranize' comments.

Commissioner Ranize recommended asking the county managers to conduct internal investigations with their departments to prove whether the rumors relating to the fire department exist. He referred to Fire Chief Michael Laming's six years of devoted service as full time Lieutenant with Sumter County Fire and Emergency Medical Services Department noting its refusal this year to approve permitting his part time outside employment (his continued role as a volunteer firefighter over the years) and mentioned the requirement for him to resign from the city. Commissioner Ranize recognized the low morale of the fire department; noted that Mr. La Venia previously held discussions with the Lake County fire chiefs and lieutenants resulting in unfavorable communications, and pointed out Mr. La Venia's subsequent meeting with the fire department to cease contacts in that regard.

In disagreement with Commissioner Cheshire's suggestion, Ms. Ranize suggested taking up the matter with the state and stressed the need to resolve the issue.

Responding to an inquiry posed by Mr. Peter Hurtt, City of Fruitland Park resident, Mr. La Venia described the series of events that led up to the subject problem with the counties and believed that there is a degree of harassment which is being addressed with the Lake County Attorney's Office.

After extensive discussions, **by unanimous consent, the city commission directed the city manager to write a letter to the Lake County Board of County Commissioners with a copy to the county manager requesting that internal investigations be conducted with their departments regarding the problems experienced by the City of Fruitland Park's Fire Department and if unsuccessful authorize the city attorney to pursue the issue at a higher level.**

Commissioner Ranize described how the citizens are protected and noted, later in this evening's meeting, discussions to be held on retaining a fire chief; thus, Mr. La Venia's intent to address same with Assistant Fire Chief Gilpin and Lieutenant Tim Yoder, Fire Department.

Ms. Sherrie Connell, City of Fruitland Park resident, extended praise and her appreciation to Deputy Chief Dennis Cutter, Police Department, where the lawn on a vacant property was cleaned up.



**5. CONSENT AGENDA – Approval of Minutes**

The October 13, 2016 regular meeting minutes were not available and will be postponed to the next meeting.

**6. REGULAR AGENDA**

**(a) Resolution 2016-046 – Services Advisory Committee Appointments**

At Vice Mayor Gunter’s request, Ms. Geraci-Carver read into the record proposed Resolution 2016-046, the substance of which is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING APPOINTMENT OF MEMBERS TO THE SEVEN MEMBER FIRE SERVICES ADVISORY COMMITTEE; PROVIDING FOR A DATE, TIME AND LOCATION FOR THE FIRST ADVISORY COMMITTEE MEETING; PROVIDING FOR AN EFFECTIVE DATE.

After Mr. La Venia gave a background on the subject proposed resolution, Vice Mayor Gunter announced the following appointments:

Group 1 – Commissioner Lewis:	Gary Towne
Group 2 – Commissioner Cheshire:	Edward E. Cihoski
Group 3 – Vice-Mayor Gunter:	Sydney “Dale” Arrowsmith
Group 4 – Commissioner Ranize:	Edgar J. “Jerry” Elton
Mayor Bell:	James Logan
Fire Chief representative:	Steve Whitaker
Business Owner representative:	William “Bill” Galbreath

Mr. La Venia noted that other alternates that wish to serve would be called upon by the city commission.

**On motion of Commissioner Cheshire, seconded by Commissioner Ranize and unanimously carried, the city commission adopted Resolution 2016-046 as previously cited.**

In response to Commissioner Ranize’ inquiry on Ms. Coulson noticing the first meeting (scheduled for November 15, 2016 at 7:00 p.m.), Mr. La Venia confirmed in the affirmative to her request to be provided with the members’ completed board/committee applications with their contact information in order that they be notified of same.

In answering Vice Mayor Gunter’s inquiry, Ms. Geraci-Carver explained that the committee will be establishing its own meeting schedules.

Upon Vice Mayor Gunter's suggestion and **by unanimous consent, the city commission suggested that meetings take place within the next two months and three or four more during the first few weeks in January 2017.**

After Commissioner Ranize posed a question, Ms. Geraci-Carver explained that the committee members will initially be made aware of the Florida-Government in-the-Sunshine and Public Records Laws; will be selecting its chair and vice chair at its organizational meeting, and will be establish its meeting schedules and its intentions.

Ms. Geraci-Carver stated that contact was made with Ms. Sandi Walker, Government Services Group Inc. (GSG) and indicated that a proposal for the Fire Services Advisory Board Support with GSG will be considered at the next meeting to which Mr. La Venia mentioned has since been provided to the city commission whereby the committee will decide on how it wishes to operate. (A copy of the proposal is filed with the supplemental papers to the minutes of this meeting.)

Ms. Coulson concurred with Commissioner Ranize' request to ensure that the city commission members are not in violation of the public meetings law and that notice will be posted indicating that two more elected officials would most likely be present at the respective committee meetings.

- (b) **Resolution 2016-048 - Casino Community Center - Demolition and Mitigation**  
At Vice Mayor Gunter's request, Ms. Geraci-Carver read into the record proposed Resolution 2016-048, the substance of which is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, FINDING THERE IS NO ALTERNATIVE LOCATION FOR CONSTRUCTION OF THE LIBRARY AND STATING ITS INTENT TO PROCEED WITH DEMOLITION OF THE CASINO BUILDING; PROVIDING FOR AN EFFECTIVE DATE.

After Mr. La Venia described the procedures involved with the demolition of the casino building, he confirmed in response to Mr. Hurtt's inquiries that the public library construction grant will not be delayed to which Vice Mayor Gunter noted the State of Florida Division of Library and Information Services' requirements for the city to undertake to receive the grant.

In response to Vice Mayor Gunter's inquiry, Mr. Rector outlined the plans in relocating the 114-year-old over 40-foot windmill from Oxford back to its original location, the proposed new library site.

**On motion of Commissioner Cheshire, seconded by Commissioner Ranize and unanimously carried, the city commission adopted Resolution 2016-048 as previously cited.**

- (c) **Resolution 2016-051 2017-18 FDRAP Grants – Gardenia Park – Phase III**  
At Vice Mayor Gunter’s request, Ms. Geraci-Carver read into the record proposed Resolution 2016-051, the substance of which is as follows:

A RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR THE FLORIDA RECREATION DEVELOPMENT ASSISTANCE PROGRAM (FRDAP) TO THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR FEDERAL FISCAL YEAR 2017-2018.

**On motion of Commissioner Cheshire, seconded by Commissioner Ranize and unanimously carried, the city commission adopted Resolution 2016-051 as previously cited.**

- (d) **Resolution 2016-052 – First Amendment to Agreement – Water Plant Improvements and Extension of Water and Wastewater Lines – The Villages of Lake Sumter Inc.**

At Vice Mayor Gunter’s request, Ms. Geraci-Carver read into the record proposed Resolution 2016-052, 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 AGREEMENT FOR THE CONSTRUCTION OF WATER PLANT IMPROVEMENTS AND THE EXTENSION OF WATER AND WASTEWATER LINES BETWEEN THE VILLAGES OF LAKE-SUMTER, INC. FLORIDA AND THE CITY OF FRUITLAND PARK; PROVIDING FOR AN EFFECTIVE DATE.

Mr. La Venia explained that the subject agreement incorporates the quotation from Rainey Construction Company Inc.; conveyed its desire, where they have no issues to commence work on the capital lift station and force main (wastewater treatment plant connection line to the Town of Lady Lake) to be paid for by The Villages and noted the \$636,000 still owed to the city.

After discussion and in response to Vice Mayor Gunter’s inquiry, Mr. Rector referred to the pre-construction meeting that was held on October 22, 2016 amongst The Villages, Rainey Construction, Mr. Bogle and himself and conveyed the willingness to commence construction.

**On motion of Commissioner Ranize, seconded by Commissioner Cheshire and unanimously carried, the city commission adopted Resolution 2016-052 as previously cited.**

Mr. La Venia recalled the issue of the CSX ROW that was addressed at the September 22, 2016 regular meeting; referred to a letter he sent recently to CSX Real Property Inc. regarding the purchase of its right-of-way easement on the tracks in the subject area, and relayed the offer of \$3,000. After he pointed out the response dated October 18, 2016 from Damien D'Anna, CSX, on its consideration of same and explained the valuation process to be conducted taking approximately six weeks, Mr. Rector identified the total footage and described the location. (A copy of the subject email is filed with the supplemental papers to the minutes of this meeting.)

(e) **Two New Ford F-150 Pickup - Ford Bartow Quotation**

After Mr. La Venia indicated that the cost of the Ford F-150 pickup truck, already budgeted for the FY 2016-17, is lower than what was anticipated, Mr. Bogle described the vehicle's features and referred to the quotation from Ford Bartow Ford for the discounted price of \$23,335.63.

After discussion, **a motion was made by Commissioner Cheshire, seconded by Commissioner Ranize and unanimously carried, the city commission approved the quotation from Ford Bartow as previously cited.**

(f) **Comprehensive Plan Amendment - Ten-Year Water Supply Facilities Work Plan Discussion**

Upon the request of Mr. La Venia and Ms. Gearci-Carver, and **on motion of Commissioner Cheshire, seconded by Commissioner Ranize and unanimously carried, the city commission postponed its action on the comprehensive plan amendment, ten-year water supply facilities work plan.**

(g) **First Reading - EAR Transmittal – EAR Adoption Proposed Ordinance 2016-021**

Upon the request of Mr. La Venia and Ms. Gearci-Carver, and **on motion of Commissioner Cheshire, seconded by Commissioner Ranize and unanimously carried, the city commission postponed its action on proposed Ordinance 2016-021, EAR Transmittal.**

AN ORDINANCE OF THE CITY OF FRUITLAND PARK, LAKE COUNTY, STATE OF FLORIDA, PURSUANT TO THE PROVISIONS OF FLORIDA STATUTE 163.3184; AMENDING THE CITY'S COMPREHENSIVE PLAN (ATTACHED AS EXHIBIT A); ADDING OR ADOPTING REVISIONS TO THE FUTURE LAND USE, TRANSPORTATION, HOUSING, PUBLIC FACILITIES, CONVERSATION, RECREATION AND OPEN SPACE, INTERGOVERNMENTAL COORDINATION, CAPITAL IMPROVEMENTS, AND CONCURRENCY MANAGEMENT, ELEMENTS OF THE COMPREHENSIVE PLAN; ADOPTING AMENDMENTS TO THE COMPREHENSIVE PLAN ARISING FROM CHANGES FROM

THE 2010 CENSUS; ELIMINATING RECREATION AND OPEN SPACE LEVEL OF SERVICE; ELIMINATING THE PUBLIC SCHOOL FACILITIES ELEMENT OF THE FORMER COMPREHENSIVE PLAN; DIRECTING THE CITY CLERK 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 second reading will be held on November 10, 2016.)

**(h) First Reading - Ordinance 2016-022 Nonresidential Design Standards LDR Amendment**

At Vice Mayor Gunter's request, Ms. Geraci-Carver read into the record proposed Ordinance 2016-022, the substance of which is as follows:

AN ORDINANCE OF THE CITY OF FRUITLAND PARK, FLORIDA, PROVIDING FOR AMENDMENT OF THE CITY LAND DEVELOPMENT REGULATIONS; SPECIFICALLY AMENDING CHAPTER 154 OF THE LAND DEVELOPMENT REGULATIONS RELATING TO NONRESIDENTIAL DESIGN STANDARDS; PROVIDING FOR INCLUSION IN THE LAND DEVELOPMENT REGULATIONS; PROVIDING FOR CONFLICTS, SEVERABILITY; AND AN EFFECTIVE DATE. (The second reading will be held on November 10, 2016.)

Upon the consensus of the Local Planning Agency, the testimony given by Mr. Greg Beliveau, LPG Urban and Regional Planners Inc., at the LPA meeting earlier this evening was accepted for inclusion in this evening's proceedings.

Mr. Rector outlined at length the proposed requirements and procedures involved which was also addressed that the October 20, 2016 Planning and Zoning Board meeting and recognized the appeal process to which Mr. Beliveau concurred by citing examples of other municipal agencies.

Following extensive discussions and there being no comments from the public, a motion was made by **Commissioner Cheshire, seconded by Commissioner Ranize that the city commission approve proposed Ordinance 2016-022 as previously cited.**

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

**END OF PUBLIC HEARING**

**7. NEW BUSINESS**

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

**8. OFFICERS' REPORTS**

**(a) City Manager**

Mr. La Venia referred to Chief. Laming's letter of resignation dated October 24, 2016 and indicated that he will be communicating with Deputy Chief Laming and Lieutenant Tim Yoder, Fire Department. (A copy of the letter is filed with the supplemental papers to the minutes of this meeting.)

**i. Public Works Department Director**

Mr. Bogle reviewed his monthly summary report for October 2016; a copy of which is filed with the supplemental papers to the minutes of this meeting.

**ii. Parks and Recreation Department Director**

Ms. Yoder gave a report on the following:

**- Swimming Instructors**

the recent meeting she attended regarding the need, according to Florida Statutes, for swimming instructors or lifeguards to be certified by a nationally recognized aquatic training program and the intent to propose including the cost of \$400 for classes during the mid-year FY 2016-17 budget;

**- City Park Renovations**

the renovations to Cales Park and improvements to Gardenia Park from the recent grants received;

**- Movies on the Lawn**

- o October 21, 2016 *Monster House*;
- o November 10, 2016 *Pan* sponsored by the Law firm of Anita Geraci-Carver (to which she extended gratitude) and in partnership with the Fruitland Park Elementary School, and
- o December 8, 2016 *Polar Express*;

**- Hometown Christmas**

December 9, 2016 where the *Holiday Lighting Contest* registration commences November 1 to 28, 2016 with the entry form featuring first, second, and third places announced at Hometown Christmas -- said forms and maps are available at city hall or on the city's website:

<http://www.fruitlandpark.org/Word%20Doc/Light%20up.pdf>; voting will be conducted by the residents -- and *Ugly Sweater Contest* involving five city elected officials to be judged by city residents, and vendors have already signed up to be at the event;

- **Second Annual Trick-or-Trot Costume 5k**  
October 29, 2016 starting at 8:00 a.m. where medals will be awarded to participants who complete the run;
- **Employee Christmas**  
the need to receive responses by email;
- **Fruitland Park Day**  
April 17, 2017 with information already available on the website: <http://www.fruitlandpark.org/Word%20Doc/Parade%20Registration%20Form.pdf>
- **Soccer League**  
after discussion and response to Commissioner Cheshire's inquiry, the joint development of a soccer field at Northwest Lake Community Park with the county will be on considered at the November 10, 2016 regular meeting;
- **Announcements**  
in answering Mr. Hurtt's question, announcements of the city-related events and will be made on the city's website, outdoor signs as well as at city hall, water bills, social media platforms such as the Facebook platforms; namely, the city, Leesburg Word-of-Mouth, and What's Happening Now instead of advertising in the newspaper as they are too costly, and
- **Newsletters**  
the plan to reinstate the city's newsletters quarterly instead of bi-annually.

iii. **Residential Contract – A Gamble**

At Mr. La Venia's recommendation and **by unanimous consent, the city commission postponed its action to approve a contract between Adam Gamble, property owner, and the City of Fruitland Park, on the purchase of a portion of property located on the northwest corner of 1629 Miller Boulevard.in the amount of \$15,000.00 and authorize the mayor to execute same to the next meeting for more information.**

(b) **City Attorney**

i. **Line of Credit**

Ms. Geraci-Carver referred to the inquiry made at the October 13, 2016 regular meeting. She explained how the city would have the authority to establish and annually secure a new line of credit in cases of an emergency which is limited for that year and if required, the need to show the financial institution the city's source of funds by pledging ad valorem taxes (which would require voter approval beforehand) as a repayment over a 12-month

period. She questioned whether it would be worthwhile due to the difficulty for the bank to make it feasible.

**ii. Angelica Dobruck vs. City of Fruitland Park et.al.**

**iii. George Fernandez vs. City of Fruitland Park**

Ms. Geraci-Carver reported that she is still waiting for the judges' ruling on the litigation matters on the city's motions to dismiss.

**9 COMMISSIONERS' COMMENTS**

**(a) Commissioner Ranize**

**i. City Roads and Streets**

Commissioner Ranize referred to his discussions earlier this week with Mr. La Venia regarding the county's position on not taking action as it relates to the city's roadways. He expressed concerns on the current deteriorating and dangerous conditions of the city's roads and noted that Cut-Off Road needs attention.

Commissioner Ranize pointed out a recent telephone call he received from a resident who resides on Pine Ridge Dairy Road citing reasons why asphalt is needed on Rooks Street, to which Commissioner Cheshire concurred to which Mr. Bogle, in response, indicated that he will deal with same.

**ii. CR 466A Roadway Improvement Project**

Commissioner Ranize referred to a recent returned call to his made by Lake County Chairperson District 2 Commissioner Sean Parks regarding the CR 466A Roadway Improvement Project presentation by Mr. Jim Stivender, Public Works Department Director at the October 13, 2016 regular meeting.

Commissioner Ranize indicated that Mr. La Venia and himself were informed by School Board Chairperson District 1 Bill Mathis, who gave a presentation at said meeting, of a different message relayed by Mr. Stivender from what was addressed. Commissioner Ranize relayed Commissioner Parks' dissatisfaction that he would continue to find out why the interpretations made on the CR 466A Roadway Improvement project was different from what he was informed by Mr. David Heath, Lake County Manager, Messrs. Stivender and Fred Schneider, Public Works Department County Engineer.

**iii. Fire Department**

Commissioner Ranize reiterated his disappointment with the county's unwillingness to work with the city and anticipated that the Fire Services Advisory Committee would steer the city in the right direction. He expressed preference to appoint staff in-house; if the criteria is met; otherwise, locate a retired firefighter.



**(b) Commissioner Cheshire**

**i. Fire Department**

In concurring with Commissioner Ranize' statements, Commissioner Cheshire with reference to Chief Laming's resignation, anticipated that after the general election, the city would not be alone.

**ii. CR 466A Roadway Improvement Project**

Commissioner Cheshire suggested that the city initiate and diligently seek funding including grants to complete the CR 466A Roadway Improvement Project from the state or federal government.

In concurring with the poor condition of Cut-Off Road, Commissioner Cheshire stated that he utilizes the roadway daily and predicted that it will worsen when CR 466A roadway project is complete.

**(c) Commissioner Lewis**

No report was available as Commissioner Lewis was absent from this evening's meeting.

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

**i. CR 466A Roadway Improvement Project**

Vice Mayor Gunter encouraged the city commission members to attend Lake County Days on February 15 and 16, 2017 to advocate CR 466A Roadway Improvement Project before the legislators.

**ii. Second Annual Trick-or-Trot Costume 5k**

Vice Mayor Gunter requested the involvement of the police and fire departments road closures due to the Trick-or-Trot event.

**10. MAYOR'S COMMENTS**

No report was available as Mayor Bell was absent from this evening's meeting.

**11. 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 8:55 p.m.

The minutes originally approved at the November 10, 2016 regular meeting were amended and approved at the July 25, 2018 special meeting.

Signed \_\_\_\_\_  
Esther B. Coulson, City Clerk

Signed \_\_\_\_\_  
Chris Cheshire, Mayor

**FRUITLAND PARK CITY COMMISSION WORKSHOP  
MEETING MINUTES  
May 22, 2018**

A workshop meeting of the Fruitland Park City Commission was held at 506 W. Berckman Street, Fruitland Park, Florida 34731 on Thursday, May 22, 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:** City Manager Gary La Venia; City Attorney Anita-Geraci-Carver; Community Development Director Tracy Kelley, and City Clerk Esther B. Coulson.

**1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

Mayor Cheshire called the meeting to order at 6:00 p.m. and the Pledge of Allegiance to the flag was led by Vice Mayor Gunter.

**2. ROLL CALL**

Mayor Cheshire requested that Ms. Coulson call the roll.

**By unanimous consent and upon Mayor Cheshire's suggestion, the city commission fixed this evening's city commission workshop at 8:00 p.m. as the time to which to adjourn.**

**3. LAND DEVELOPMENT REGULATIONS**

**- Chapter 154, Zoning District Regulations**

Mr. Greg Beliveau, LPG Urban and Regional Planners Inc., referred to the city commission's April 5, 2018 workshop; mentioned staff's review of and changes made to Chapter 154, Zoning District Regulations, Size and Dimension Criteria where typographical errors were discovered for the schedule of dimensional requirements reflecting 25% minimum open space instead of 30%.

Later in the meeting, Mr. Beliveau questioned the city utilizing maximum building coverage or change it to impervious surface ratio (ISR) that staff conducted which would add to the lot, driveways, sidewalks, and unattached structures; otherwise, staff would have to compute same on every lot whenever a building plan is submitted.

Mr. Beliveau gave an historical background of computations utilized in 1994 which was the city's preference at that time; mentioned the advantages of applying the ISRs which is frequently implemented and relayed staff's recommendation to change such calculations to the ISR which will not be 30%. Due to current trends, he addressed the need to consider the usual lot coverage computed for the sidewalk and driveway and that the matter has only resurfaced.

Following much discussion and **by unanimous consent, the city commission agreed to utilize under Chapter 154 Zoning Regulations, the impervious surface ratio**

**calculations for planned unit developments, development order projects and permit applications.**

Mr. Beliveau addressed the changes staff made under Subsection 154.060:a), landscape buffers and pointed out the city commission's April 5, 2018 workshop referencing Non-Residential Design Standards under Chapter 154. He indicated that staff specified what was needed to be included in the 25' buffer based on the city commission's previous decision and what was planned for the Neighborhood Professional (C-1) and General Commercial (C-2) zoning designated areas already addressed under Chapter 163, Sign Regulations reviewed by the city commission at its April 5, 2018 workshop.

- **Chapter 156, Miscellaneous Regulations – Accessory Uses and Structures**

Mr. Beliveau addressed the need for the city commission to discuss at a future meeting Chapter 156, Miscellaneous Regulations – Accessory Uses and Structures and explained why staff needs guidance on the computation, dimensions, and the limit of structures required as it pertains to outside storage, detached garages, guests houses.

Later in the meeting, Mr. Beliveau reiterated, in response to Mayor Cheshire's inquiry that miscellaneous regulations under Chapter 156 ought to be addressed at a future meeting.

- **Chapter 154, Zoning Regulations**

With respect to Marijuana, under Chapter 154, Mr. Beliveau referred to the research staff conducted where jurisdictions are allowing such use to be part of their codes which has not yet been implemented and Ms. Geraci-Carver gestured in the affirmative to Mr. Beliveau's reference to the City of Groveland's initiation of same in its Commercial Highway and General Commercial/Central Business zoning districts.

Mr. Beliveau referred to Chapter 381, Public Health, Florida Statutes; indicated that the retail and health care industries and the pharmacy store chains meet such requirements, comply with same and are restrictive. (A copy of the statutes is filed with the supplemental papers to the minutes of this meeting.

After discussion and in response to Commissioner Lewis' reference to the city commission's consensus at its April 5, 2018 workshop meeting (regulating or prohibiting medical marijuana treatment centers or implement special exception uses), Ms. Geraci-Carver explained that the retail and health care industries and pharmacy store chains will need to go through the same special exception uses process to which Mr. Beliveau confirmed same.

Following extensive deliberations, Mr. Beliveau identified the city's current locations in C-1 and C-2 zoning districts and the likely areas where the retail and health care industries and pharmacy store chains would be located.

In response to a question posed by Commissioner Bell, Ms. Geraci-Carver cited to Subsection 1381.986(11)(b)1. F.S., Medical Use of Marijuana Preemption . . . a

*municipality may, by ordinance, ban medical marijuana treatment center dispensing facilities from being located within the boundaries of that . . . municipality . . .*

Subsequent to further discussions and in answering Mayor Cheshire's comments regarding Relief Clinic Florida LLC with the large sign displayed on US 27/Highway 441, Mr. La Venia reported that the police department is currently working on the matter and pointed out the draft letter dated May 7, 2018 prepared by Ms. Geraci-Carver in that regard. (A copy of which is filed with the supplemental papers to the minutes of this meeting.)

Ms. Geraci-Carver explained, in response, that the state would need to approve the Relief Clinic's logo; addressed her uncertainty as to whether they are complying with the state's requirements which is the better option and confirmed that Captain Erik Luce, Police Department, is working on same.

After considerable discussion, Ms. Geraci-Carver recommended that the city commission take action on the medical marijuana treatment center. She confirmed that the facilities can occupy an existing building if it is in the proper city zoning designation or the construction of a building for such use would need to meet the city's LDRs and stated that there is a need for them to meet the signage innocuous.

Extensive deliberations ensued and **by unanimous consent, the city commission determined not implement a ban on medical marijuana treatment centers and agreed for them to be located in the General Commercial zoning district.**

- **Chapter 157, Subdivisions and Plats (Sidewalks, Street Lights, and Curbs) and Subsection 157.110: Variances**

Mr. Beliveau referred to Chapter 157, Subdivision and Plats (sidewalks, street lights, and curbs); identified the city's criteria for review process which has already been adopted and pointed out the curb type exhibit from the sample design standards featuring designs on the standard curb and gutter, Miami curb and gutter, and vertical curb for the rural section a requirement which involves the review of the city's engineers, Booth Ern Straughan & Hoitt (BESH), and consideration before the city commission. (A copy of the exhibit is filed with the supplemental papers to the minutes of this meeting.)

Mr. Beliveau explained that the majority of street lighting is currently adopted by comprehensive plans and indicated that the requirements of 'dark sky' as the only change that was made.

Mr. Beliveau pointed out the parking standards from the sample design standards featuring the dimensions on parking stall size; a copy of said sample is filed with the supplemental papers to the minutes of this meeting.

Mr. Beliveau referred to the existing one-way drive aisles width minimum of 12 feet and the parking angle and noted the problem that arose when the specifications were

referenced on the angle parking adjacent to the one and two-way lanes of 90 degrees increasing to 45 degrees wide. He relayed the recommendation of 16 feet by Mr. Duane Booth, BESH, and suggested for same to be reduced.

After discussion, Mr. Beliveau agreed with Mayor Cheshire's announcement that the items remaining in Chapter 157, Subdivisions and Plats would be reviewed at a future date.

Later in the meeting, Mr. Beliveau reiterated, in response to Mayor Cheshire's inquiry that Variances under Subsection 157.110 ought to be addressed at a future meeting.

- **Chapter 164, Landscape Requirements and Tree Protection (buffers and uses)**  
Mr. Beliveau confirmed in the affirmative to Mayor Cheshire's reference that Chapter 164, Landscape Requirements and Tree Protection (buffers and uses) would be reviewed at a future meeting.
- **Chapter 163, Sign Regulations**  
Mr. Beliveau verified in agreement to Mayor Cheshire's comments that Chapter 163, Sign Regulations are complete.
- **Chapter 158, Stormwater Management**  
Mr. Beliveau reported that the problem relating to stormwater management, under Chapter 158 has been resolved.

In response to Vice Mayor Gunter's inquiry on the maintenance of all future retention ponds at perpetuity and Commissioner Lewis' question on the city's ability to enforce same whenever problems occur, Mr. Beliveau confirmed the inclusion of same reflecting the homeowner's responsibility and not the city.

Mr. La Venia referred to properties designated as Residential Professional (RP) from Messrs. Larry Smith, Spa Kingdom Inc. (who is working with staff) and Dan Shepler, Dan Shepler Roofing Inc., located on South Dixie Avenue. He relayed his request to Meses. Kelley and Lori Davis, Code Enforcement Officer, to review business activities taking place on Dixie Avenue to Miller Street which have existed for many years; recognized that such designation should have been C-2 zoning district and pointed out the parking situation with existing onsite vehicle storage; namely, heavy equipment and front-end loaders in the area which has been taking place for more than 30 years, to which Mr. Beliveau indicated was not allowed and suggested the need to determine from the records when the businesses started and their zoning designations.

After Mr. La Venia addressed the intent to meet with Mr. Beliveau and obtain a list of the respective businesses from Ms. Davis before considering same, Ms. Geraci-Carver identified them as legally existing nonconforming uses at the time they went into businesses and before the zoning code change.

**4. OTHER BUSINESS**

There was no other business to come before the workshop at this time.

**5. ADJOURNMENT**

**The meeting adjourned at 7:35 p.m.**

The minutes were approved at the July 25, 2018 special meeting.

Signed \_\_\_\_\_  
Esther B. Coulson, City Clerk

Signed \_\_\_\_\_  
Chris Cheshire, Mayor

**FRUITLAND PARK CITY COMMISSION REGULAR  
MEETING MINUTES  
May 24, 2018**

A regular meeting of the City of Fruitland City Commission was held at 506 W. Berckman Street, Fruitland Park, Florida 34731 on Thursday, May 24, 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:** City Manager Gary La Venia, City Attorney Anita Geraci-Carver; City Treasurer; Jeannine Racine; Captain Eric Luce, Executive Secretary Karen McKillips, Police Department; Interim Fire Chief Don Gilpin, Deputy Chief Tim Yoder, Lieutenant Michael Howard, and Firefighter Pablo Echevarria, Fire Department; Community Development Director Tracy Kelley, Administrative Assistant Kelly Turner; Human Resources Director Diane Kolcun; and City Clerk Esther B. Coulson.

**1. CALL TO ORDER**

After Mayor Cheshire called the meeting to order at 6:04 p.m., Pastor “Greg” Gregory Brown. Leesburg Church of the Nazarene, gave the invocation and Captain Luce 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. LOCAL PLANNING AGENCY**

**By unanimous consent, the city commission recessed its meeting at 6:04 p.m. to the Local Planning Agency meeting and reconvened at 6:08 p.m.**

**4. CONSENT AGENDA**

**Approval of Minutes**

**On motion of Commissioner Ranize, seconded by Commissioner Bell and unanimously carried, the city commission approved the March 8, 2018 regular meeting as submitted.**

**5. REGULAR AGENDA**

**(a) Resolution 2018-027 - Northwest Lake Community Park Soccer Field Joint Development ILA – Second Amendment**

Ms. Geraci-Carver read into the record the title of proposed Resolution 2018-027, the substance of which is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY  
OF FRUITLAND PARK, FLORIDA, ADOPTING THE  
SECOND AMENDMENT TO THE INTERLOCAL  
AGREEMENT BETWEEN LAKE COUNTY, FLORIDA, AND

THE CITY OF FRUITLAND PARK REGARDING JOINT DEVELOPMENT OF A SOCCER FIELD AT NORTHWEST LAKE COMMUNITY PARK; PROVIDING FOR AN EFFECTIVE DATE.

Mr. La Venia reported on Lake County's award of an additional \$50,000 in reimbursement costs towards Northwest Lake Community Park, Cales Memorial Recreational Complex to purchase soccerfield lights; mentioned the requirement to spend another \$50,000, set aside as matching funds with \$150,00 currently in the Capital Improvements Plan, earmarked for same and addressed the actual cost of \$116,000 for four LED lights on the playing field and two facing the practice field.

After discussion and a **motion was made by Commissioner Bell, seconded by Vice Mayor Gunter that the city commission adopt Resolution 2018-027 as previously cited.**

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

Commissioner Bell recognized the city's district county commissioner's support on behalf of the city; expressed appreciation for his efforts, and encouraged the city commission to share the sentiment.

**(b) Resolution 2018-029 – Police Department Budget Expenditures – FY 2017-18 Budget Amendment**

Ms. Geraci-Carver read into the record the title of proposed Resolution 2018-029, 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 GENERAL FUND RESERVE TO THE GENERAL FUND POLICE BUDGET FOR EXPENDITURES IN THE POLICE BUDGET FOR AN ADDITIONAL POLICE OFFICER; AND PROVIDING FOR AN EFFECTIVE DATE.

Ms. Racine identified the additional police officer to start on June 1, 2018, approved at the May 10, 2018 regular meeting, where funds would be transferred to the general fund reserve line.

Commissioner Lewis gave reasons why he intends to vote against the subject item due to the lack of funding income at the top of the chart to yield a surplus at the bottom where the city is getting further away from the goal needed to be accomplished.



After discussion, a motion was made by Vice Mayor Gunter and seconded by Commissioner Ranize that the city commission adopt Resolution 2018-029 as previously cited.

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

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

Mayor Cheshire declared the motion carried on a vote of four to one (4-1).

- (c) **Resolution 2018-015 Title to Real Property – Lake County School Board**  
Ms. Geraci-Carver read into the record the title of proposed Resolution 2018-015, the substance of which is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, ACCEPTING TITLE TO REAL PROPERTY BEING CONVEYED FROM THE SCHOOL BOARD OF LAKE COUNTY; PROVIDING FOR AN EFFECTIVE DATE.

After discussion, a motion was made by Commissioner Ranize and seconded by Commissioner Bell that the city commission accept the LPA's recommendation of approval to adopt Resolution 2018-015 as previously cited.

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

By unanimous consent, Mayor Cheshire opened the public hearings at this evening's meeting.

#### **PUBLIC HEARING**

- (d) **Resolution 2018-018 Closing and Vacating 50' Platted ROW – Hurst Street**  
It now being the time advertised to hold a public hearing to consider the approval of proposed Resolution 2018-027, Ms. Geraci-Carver read the following title and Mayor Cheshire called for interested parties to be heard:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, LAKE COUNTY, FLORIDA; CLOSING AND VACATING A 50' PLATTED RIGHT OF WAY

KNOWN AS HURST STREET, THE NORTH RIGHT OF WAY LINE ABUTTING THE SOUTH LINE OF LOTS 2, 3 AND 4, BLOCK 43, AND THE SOUTH RIGHT OF WAY LINE ABUTTING THE NORTH LINE OF LOTS 5, 6, AND 7, BLOCK 43, AS RECORDED IN PLAT BOOK 3, PAGE 8, OF THE PUBLIC RECORDS OF LAKE COUNTY; PROVIDING FOR DIRECTION TO THE CITY CLERK TO INCLUDE RECORDATION; PROVIDING FOR AN EFFECTIVE DATE. (Second reading will be held on June 14, 2018.)

After discussion, **a motion was made by Commissioner Bell and seconded by Commissioner Ranize that the city commission approve proposed Resolution 2018-018 as previously cited.**

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

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

#### **END OF PUBLIC HEARING**

(e) **Resolution 2018-031 Lake County Addressing City Limits (Numbers Assigned to Structures)**

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

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, ADOPTING THE INTERLOCAL AGREEMENT BETWEEN LAKE COUNTY, FLORIDA, AND THE CITY OF FRUITLAND PARK FOR LAKE COUNTY ADDRESSING; PROVIDING FOR AN EFFECTIVE DATE.

After Mr. La Venia reported on the county, henceforth, assigning addresses for the city and outlined the benefits of same. He recognized the city's Ordinance 90-006 Current Street Numbering Assigned to Structures with notification to the city clerk and pointed out the exhibit, the city's fee schedule for public safety support, passed through to the applicant.

Ms. Coulson referred to Mr. La Venia's statements pointing out the city's code where the clerk's duties need to be repealed.

After much discussion, **a motion was made by Commissioner Ranize and seconded by Commissioner Lewis that the city commission adopt Resolution 2018-015 as previously cited.**

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

**PUBLIC HEARING**

**(f) Second Reading and Public Hearing – Ordinance 2018-005 Golf Carts**

It now being the time advertised to hold a public hearing to consider the adoption of proposed Resolution 2018-027, Ms. Geraci-Carver read the following title and Mayor Cheshire called for interested parties to be heard:

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 April 26, 2018 and continued from May 10, 2018.)

Mr. La Venia recalled the city commission's actions at its May 10, 2018 regular meeting to continue the item in question to this evening's meeting subject to receiving a revised map. He relayed Chief Fewless' satisfaction to same which depicted roadways and intersections on county arterials allow and prohibiting golf cart access.

After discussion a motion was made by Commissioner Bell and seconded by Commissioner Ranize that the city commission enact Ordinance 2018-005 as previously cited to become effective as provided by law.

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

<b>Commissioner Bell</b>	<b>Yes</b>
<b>Commissioner Ranize</b>	<b>No</b>
<b>Commissioner Lewis</b>	<b>No</b>
<b>Vice Mayor Gunter</b>	<b>Yes</b>
<b>Mayor Cheshire</b>	<b>No</b>

**The motion failed to carry on a two-to-three (2-3) vote.**

After Mayor Cheshire believed that golf carts should not be permissible on Dixie Avenue, Commissioner Ranize recalled his appearance before the Lake County Board of County Commissioners September 11, 2012 regular meeting regarding

Golf Cart Operation Within the City Limits of Fruitland Park and his concerns on the potential dangers on Dixie Avenue, a major thoroughfare, in the city.

**By unanimous consent, the city commission directed the city attorney to resubmit proposed Ordinance 2018-005 with Dixie Avenue removed.**

Following extensive deliberations and with respect to Southern Cart Works, golf cart dealer located on the intersection of Berckman Street and North Dixie Avenue, Mr. La Venia addressed staff's plan to review the ingress and egress on to the city streets at the rear of the business.

### **END OF PUBLIC HEARING**

## **6. OFFICERS' REPORTS**

### **(a) City Manager**

#### **i. FRDAP**

Mr. La Venia referred to another Florida Recreation Development Assistance Program (FRDAP) grant received for \$100,000 for FY 2018-19 towards Gardenia Park's Skateboard Park improvements and reported that for FY 2019-20, the city would be eligible to receive \$100,000 for more FRDAP grants.

#### **ii. Shiloh Street and Cutoff Road Proposed Improvements - Transfer ILA**

Mr. La Venia recalled the city commission's acceptance, at its April 12, 2018 regular meeting, for Shiloh Street's proposed improvements; however, he recognized that there was no interest for Cutoff Road. He addressed his plans for the interlocal agreement to be placed on the June 14, 2018 regular meeting agenda for consideration.

In response to inquiries posed by Commissioners Lewis and Ranize, Mr. La Venia confirmed that the county would not concrete and asphalt the roadway .

Commissioner Lewis gave his recollections at the May 22, 2018 workshop meeting when Mr. Greg Beliveau, LPG Urban and Regional Planners Inc., addressed the curb types under Chapter 157 of the Land Development Code. He noted the city commission's idea that the county would curb its roads which Commissioner Lewis believes to be inaccurate -- recognizing the various types of county roads without curbing and acknowledging that developments are being implemented -- and questioned whether same could be lobbied for Shiloh Street. He voiced his acceptance of the respective proposed improvements offered for Shiloh Street at this time, if the county is willing to separate same.

**(iii) Meeting Absence**

Later in the meeting, Mr. La Venia indicated that he will be absent from the August 23, 2018 regular meeting as he would have the opportunity to sail on the US Coast Guard Eagle with his son for a week and requested to be excused.

In response to Commissioner Lewis' reasons requesting that the regular meeting be rescheduled or cancelled, Mayor Cheshire suggested postponing same to the next meeting in order for the city commission to make a determination.

**(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. Traffic Control – County Road**

Ms. Geraci-Carver referred to the question raised at the April 26, 2018 Local Planning Agency (LPA) meeting regarding the city's enforcement of traffic control on county roadways.

Ms. Geraci-Carver explained:

- the police department's dual control, with the Lake County Sheriff's Office (LCSO), to enforce traffic control, if the county road is located in the city;
- if only half the county's roadway is in the city, that portion would be the jurisdiction that the LCSO has control over, and
- the inability to enter into an ILA with LCSO to allow the city's law enforcement to patrol county roads which are not within the city's jurisdiction.

Commissioner Ranize referred to his previous discussion and review with Ms. Geraci-Carver on the city's jurisdiction on Lewis Road all the way to the 90-degree curve and questioned whether written confirmation could be obtained from the county on the correctness of same.

After Commissioner Ranize referred to the city's jurisdiction of Poinsettia Avenue on the first curb north bound towards Spring Lake Road and recognized the city's responsibility for roadway maintenance as it is where

the city limit ends, Ms. Geraci-Carver explained in response that the city would have jurisdiction if it takes ownership of the roadway and indicated that when the county transfer jurisdiction of its roadway to the city, the city can patrol same.

Ms. Geraci-Carver concurred in the affirmative to Commissioner Ranize' request to obtain clarification in this regard from the county attorney and questioned the city's law enforcement issuing citations on Pine Ridge Dairy Road. He referred to the provision under Enforcement, Municipalities from subsection 316.640(3)(a), Florida Statutes: . . . *The police department of each chartered municipality shall enforce the traffic laws of this state on all the streets and highways thereof and elsewhere throughout the municipality wherever the public has the right to travel by motor vehicle.* . . . to which Ms. Geraci-Carver noted the roadways within the city, even if they are county, state or federal arterials.

Commissioner Ranize questioned the city's ability to issue traffic citations on Myrtle Lake Avenue towards The Glen Subdivision; noted that the city does not have jurisdiction in that regard and recognized the city's inability to respond to residents of the unincorporated area of the city; however, he recognized the city's ability to issue traffic citations.

Ms. Geraci-Carver recognized the city's annexation of properties on both sides of the roadway to be contiguous -- even though the county's roadway is not annexed into the city -- and indicated that its ownership of or jurisdiction for traffic control purposes on the respective roadway is not required to be annexed.

In response to Vice Mayor Gunter's inquiry, Ms. Geraci-Carver addressed the ability for the city to annex the right-of-way (ROW), if the county is transferring jurisdiction of the roadway to the city and noted possibility for the city to annex the roadway, if it does not have annexation on both sides of the roadway; thus, the capability for the police department to patrol same.

Commissioner Lewis concurred with Vice Mayor Gunter's suggestion to annex both sides of the road's ROW.

Subsequent to further discussion, Commissioner Ranize suggested that Ms. Geraci-Carver obtain clarification from the county, if the city:

- owns a portion of Lewis Road on one side;
- owns a little on CR 468,
- has legal jurisdiction all the way to Griffin Road,
- does not own property on city limits of Poinsettia Avenue and the same for Pine Ridge Dairy Road, and

- has city limits at The Glen Subdivision coming from Myrtle Lake Avenue.

After Vice Mayor Gunter recalled the police department in 1998 issuing citations on the city's roadways to the county line, Ms. Geraci-Carver addressed her plan to meet with Mr. Beliveau to compare the zoning map and subsequently communicate with the county for confirmation.

**iv. Storm Debris ILA**

Ms. Geraci-Carver referred to the storm debris collection from streets and ROW ILA with the county that the city was part of on July 25, 2006; indicated that the county is amending same by proposing a new ILA and mentioned the intent to present same at the next meeting, if it is the city commission's desire to be a part of same.

**v. Public Safety Radios ILA**

Ms. Geraci-Carver referred to Chief Fewless' previous discussions with the city commission at its May 10, 2018 regular meeting regarding the countywide public safety radios. She indicated that the county needs the number of municipalities participating and the units required as reasons why the county does not have an exact price; anticipated that the county will be seeking financing in July and relayed its request for cities to make a decision during the month of June 2018.

Mr. La Venia explained that figures for the radios from Chief Fewless, Interim Fire Chief Gilpin and Mr. Bogle will be provided by the next meeting to which Ms. Geraci-Carver voiced her concurrence to same.

**7. PUBLIC COMMENTS**

No one from the public came before the city commission at this time.

**8. COMMISSIONERS' COMMENTS**

**(a) Commissioner Ranize**

**i. School Safety**

Commissioner Ranize mentioned Lake County District Superintendent Dr. Diane Kornegay's plan to establish a meeting with the city commission in June 2018 and addressed the need to reach a consensus on School Resource Officers.

After Mayor Cheshire referred to the May 21, 2018 school board workshop on school safety where a decision was not reached on the options (outlined under SB 7026, Safe School Officers), Commissioner Ranize noted the input the school board requires from the municipalities.

Commissioner Ranize referred to the state's mandate on safe-school officers that each district school board and school district superintendent

partner with law enforcement agencies to establish or assign one or more safe-school officers at each school facility within the district. He questioned the ratio of Fruitland Park Elementary School Students for one school resource officer (SRO); noted the allocation of Florida Education Finance Program funds of approximately \$1.3 million for FY 2018-19 to the county which he believes is inadequate and questioned the city's responsibility to fund the difference as well as locating funds for the following fiscal year.

Commissioner Ranize pointed out his previous discussions with District 1 School Board Member Bill Mathias who is uncertain of the school board's decision; referred to the recent newspaper article regarding SROs in this regard and mentioned his conversations with individuals at a prior LCSO retirement luncheon as a result of what was read in the paper on the source of funding. He questioned the city commission's thoughts as the matter would help provide some type of guidance to the school board.

After discussion, Mayor Cheshire explained that he would like to know the options addressed at the school board's workshop before inviting anyone to appear before the city commission.

Mr. La Venia indicated that he was made aware of the subject issue a week ago and relayed his conversations with Chief Fewless and District 2 School Board Member Dr. Kristi Burns; conveyed that she had no direct answer as they would like more opportunity to address same with Dr. Kornegay and welcomed them to attend a future city commission meeting where a decision would be made.

Captain Luce outlined the options on establishing SRO programs with the school board; mentioned the entering of mutual aid agreements and the implementation of the United States Armed Forces or the National Guard, county sheriff, or local law enforcement and described the type of training and instruction required.

Mr. La Venia, in response to Mayor Cheshire's remarks, referred to the May 22, 2018 Daily Commercial newspaper article entitled: "School Board Wants Cops in Every School Next Year"; a copy of which is filed with the supplemental papers to the minutes of this meeting.

After discussion and in response to Mayor Cheshire's explanation that the city commission was not knowledgeable about the school board's plan, Commissioner Ranize indicated that a decision cannot be made until the school board knows the city's position and relayed School Board Member Mathis comments to him relaying other local police chiefs' being favorable of the subject issue even though their respective governing bodies have not been asked. Commissioner Ranize expressed concerns



with the article where it referenced: *Fruitland Park is the only city that has not agreed to pick up some of the cost, district officials say . . . .*

Following extensive discussions by the city commissioners to not make a decision on the subject issue, Mayor Cheshire suggested in response to wait until the outcome of same.

**ii. Wastewater Connection (Sewer Line)**

In response to Commissioner Ranize' inquiry, Mr. La Venia gave the status of the sewer line connection anticipated to be complete by October 1, 2018.

**iii. Grease Traps**

Mr. La Venia, in answer to an inquiry posed by Commissioner Ranize, referred to a recent meeting staff had with the Town of Lady Lake regarding the grease traps.

As a result, Mr. La Venia addressed the plan for Ms. Lori Davis, Code Enforcement Officer, and Mr. Bogle to proceed in drafting a letter – with the information received from the town -- and approach the restaurant and motor vehicle repair businesses outlining the city's concerns with the grease traps and the possibility of oil disposal into the drains.

**iv. Stormwater – Mirror Lake Village**

Commissioner Ranize reported on his observation of stormwater retention pond at Mirror Lake Village after the recent rainfall over several days and questioned those in charge of repairing same.

In response to several inquiries posed by Commissioner Ranize, Mr. La Venia referred to his previous telephone call to St John's River Water Management District (SJRWMD) where he is expecting a response from Mr. William "Bill" Carlie, SJRWMD; mentioned the anticipation of receiving approximately four to eight inches of rainfall over the next three or four days, and explained that the pond that was observed is full where there is no other means for the water to expel other than to the bank and the big retention basin which is completely dry.

Mr. La Venia stated that he would give a call to Mr. Keith E. Riddle -- Riddle Newman & Engineering Inc. (engineers previously retained for the subject project and who appeared before the city commission at its April 12, 2018 regular meeting -- on the subject issue.

Following further discussion, Mayor Cheshire noted that as rain is expected this weekend, he suggested arranging for someone to review the stormwater retention pond.

**(b) Commissioner Lewis – Traffic Control – County Road**

Commissioner Lewis commended Captain Luce on the questions raised by the city commission at its April 26, 2018 LPA meeting on traffic control on county roads and referred to his May 4, 2018 email regarding Enforcement, Municipalities from subsection 316.640(3)(a), Florida Statutes: (A copy of the email is filed with the supplemental papers to the minutes of this meeting.)

**(c) Commissioner Bell**

Later in the meeting, Commissioner Bell praised the police department on their recent activities on the corner of Berckman Street and Dixie Avenue to which Captain Luce reported that it was an unplanned event at the four-way stop sign where within an hour, 25 traffic citations were issued as drivers were not wearing their seat belts.

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

Vice Mayor Gunter requested that the city commission excuse his absence for the month of June 2018.

**9. MAYOR'S COMMENTS**

**i. Fastest Growing City**

Mayor Cheshire referred to the May 24, 2018 article from The Villages Daily Sun entitled "Fruitland Park Emerges as U.S. Growth Leader" where it captioned that *Fruitland Park recently was identified as the nation's fastest-growing city of its size.* Mayor Cheshire attributed that as a result of the guidance received from staff and the city manager. (A copy of the article is filed with the supplemental papers to the minutes of this meeting.)

**ii. Ordinance 2018-005 Golf Carts**

With respect to the golf carts, Mayor Cheshire believed that an accident is a matter of when; compared The Villages who have dedicated lanes and paths with the historical city who drive golf carts with traffic which he deemed to be dangerous and felt that the city ought to limit them as much as possible.

**iii. Coffee with the Mayor**

Mayor Cheshire reported that the May 19, 2018 "Coffee with the Mayor" event had a small turnout as compared with the last and attributed it to be that the city is conducting a satisfactory job and everyone else was watching the May 21, 2018 royal wedding. He noted the only complaint received related to police issues where individuals attempted to resolve vandalism, harassment and hooliganism on their own and subsequently called law enforcement where same were resolved.

**iv. Dates to Remember**

Mayor Cheshire recognized the following events:

- May 28, 2018, Memorial Day – City Offices Closed;
- June 5, 2018, Lake EMS Board Meeting, Lake County Administration Building, Board Chambers, 315 West Main Street, Tavares, Florida 32778 at 2:30 p.m.;
- June 8, 2018, Lake County League of Cities (LCLC) Lake County Property Appraiser’s Office, *Preliminary Tax Roll 2017*, Lake Receptions 4425 N Highway 19-A, Mount Dora, Florida 32757 at 12:00 p.m.;
- June 8, 2018, Movie on the Lawn *A Wrinkle in Time - Be a Warrior*, City Hall, City Hall Lawn at 7:00 p.m.;
- June 13, 2018 Chamber Alliance of Lake County, *Lake Legislative Mixer*, Leesburg Center for the Arts, 429 West Magnolia Street, Leesburg, Florida 34748 at 5:00 p.m.;
- June 14 and 28, 2018, respectively, the city commission regular meeting will be held at 6:00 p.m., where Vice Mayor Gunter will be excused;
- July 4, 2018, Independence Day – City Offices Closed;
- July 10, 2018, city commission budget workshop meeting at 6:00 p.m.;
- July 11, 2018, city commission budget workshop meeting at 6:00 p.m.;
- July 12, 2018, city commission regular meeting at 6:00 p.m.;
- July 13, 2018, LCLC 2018 Legislative Session Update – Lake Legislative Delegation, Lake Receptions 4425 N Highway 19-A, Mount Dora, Florida 32757 at 12:00 p.m.;
- July 13, 2018, Movie City Hall, City Hall Lawn at 7:00 p.m.;
- July 25, 2018, city commission special meeting at 6:00 p.m., and
- July 26, 2018, city commission regular meeting at 6:00 p. is cancelled.

**10. ADJOURNMENT**

**On motion made and seconded, the meeting adjourned at 7:15 pm.**

The minutes were approved at the July 25, 2018 special meeting.

Signed \_\_\_\_\_  
Esther B. Coulson, City Clerk

Signed \_\_\_\_\_  
Chris Cheshire, Mayor



**AGENDA ITEM  
NUMBER**  
**5a**

## AGENDA ITEM SUMMARY SHEET

<b>ITEM TITLE:</b>	Resolution 2018-044, FY2018-2019 Proposed Millage Rate 4.3680				
<b>For the Meeting of:</b>	July 25, 2018				
<b>Submitted by:</b>	City Treasurer				
<b>Date Submitted:</b>	July 17, 2018				
<b>Are Funds Required:</b>			Yes	X	No
<b>Account Number:</b>	N/A				
<b>Amount Required:</b>	N/A				
<b>Balance Remaining:</b>	N/A				
<b>Attachments:</b>	Resolution and Certificate of Taxable Value				

**Description of Item:** The City of Fruitland Park Commission is required by law to establish the proposed operating millage in accordance with the Truth-In-Millage (TRIM) requirements set forth in Chapter 200 of the Florida Statutes. Once the proposed rate is established, the commission cannot exceed that rate unless each taxpayer is mailed a revised TRIM notice at the expense of Fruitland Park. By utilizing the maximum two-third rate (four-to-one-vote), the city will generate an additional \$294,612 over the roll back rolled-back-rate of 3.9134 which is an 11.62% increase over the rolled-back-rate. Below is a recap of voting requirements related to millage rate and the revenue it would generate.

Description	Taxable Value	Millage Rate	Revenue	95% Revenue	Voting Requirement
Proposed Rate	682,178,355	4.3680	2,979,755	2,830,767	four commissioners
Rolled-Back-Rate	682,178,355	3.9134	2,669,637	2,536,155	majority three votes
Maximum Majority Rate	682,178,355	3.9709	2,708,862	2,573,419	majority three votes
Maximum Two-third Rate	682,178,355	4.3680	2,979,755	2,830,767	four commissioners
Last Year's Rate	682,178,355	3.9863	2,719,368	2,583,399	four commissioners

The attached Certification of Taxable Value is due to the Lake County Property Appraiser by August 4, 2018. The commission will also set the date, time, and place for the tentative budget hearing.

**Action to be Taken:** Adopt Resolution 2018-044 the proposed millage rate of 4.3680 for fiscal year 2018-19 and announce the date of September 13, 2018 at 6:00 p.m. at City Hall, 506 W. Berckman Street, Fruitland Park, Florida 34731 as the time and place to hold the tentative budget public hearing.

**Staff's Recommendation:** Approval

**Additional Comments:**

Reviewed by: \_\_\_\_\_

City Manager

Authorized to be placed on the  Special  Consent agenda: \_\_\_\_\_

Mayor

## RESOLUTION 2018-044

### **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, LAKE COUNTY, FLORIDA, ADOPTING A NOT TO EXCEED MILLAGE RATE OF 3.9863 LEVYING OF AD VALOREM TAXES FOR FISCAL YEAR 2018-2019 AND SETTING THE DATE, TIME AND PLACE OF PUBLIC HEARING ON THE BUDGET FOR FISCAL YEAR 2018-2019; PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, pursuant to section 200.065, Florida Statutes, after proper notice, a public hearing will be held at the City of Fruitland Park, Lake County, Florida, on September 13, 2018 at 6:00 p.m., at which time the general public will be given an opportunity to comment and ask questions pertaining to the tentative budget and millage rate; and

WHEREAS, pursuant to section 200.065, Florida Statutes, after proper notice a second public hearing will be held at the City of Fruitland Park on September 27, 2018, at 6:00 p.m. at which time the general public will be given an opportunity to comment and ask questions pertaining to the proposed final budget and millage rate; and

WHEREAS, the gross taxable value for operating purposes not exempt from taxation within Lake County has been certified by the county property appraiser to the City of Fruitland Park as \$682,178,355.

WHEREAS, the City of Fruitland Park is prepared to set a proposed millage rate of 3.9863 mills; and

WHEREAS, the FY2019 operating proposed millage rate of 3.9863 mills is a 1.86% increase to the current year rolled-back rate of 3.9134.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, LAKE COUNTY, FLORIDA that:

1. The City Commission of the City of Fruitland Park, Florida does hereby ratify and set the proposed not to exceed ad valorem millage rate for the City of Fruitland Park, Lake County, Florida, for the fiscal year 2018-2019 at 3.9863 mills, which is greater than the rolled back of 3.9134 mills by 1.86%.
2. The tentative millage and budget hearings will be held on September 13, 2018, at 6:00 p.m. in the Commission Chambers at City Hall located at 506 W. Berckman Street, Fruitland Park. FL.
3. The final millage and budget hearings will be held on September 27, 2018 at 6:00 p.m. in the Commission Chambers at City Hall located at 506 W. Berckman Street, Fruitland Park. FL.
4. This resolution shall take effect immediately upon its final adoption by the City Commission of the City of Fruitland Park, Florida.

PASSED AND RESOLVED this 25<sup>th</sup> day of July, 2018, at 6:00 p.m., or as soon thereafter, by the City Commission of the City of Fruitland Park, Florida.

\_\_\_\_\_  
Chris Cheshire, Mayor  
City of Fruitland Park

Attest:

\_\_\_\_\_  
Esther B. Coulson, CMC, City Clerk

Mayor Cheshire	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Vice Mayor Gunter	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Bell	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Lewis	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Ranize	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)

First Reading \_\_\_\_\_

Approved as to form and legality:

\_\_\_\_\_  
Anita Geraci-Carver, City Attorney



# CERTIFICATION OF TAXABLE VALUE

Reset Form

Print Form

DR-420  
R. 5/12  
Rule 12D-16.002  
Florida Administrative Code  
Effective 11/12

Year : 2018	County : LAKE
Principal Authority : CITY OF FRUITLAND PARK	Taxing Authority : CITY OF FRUITLAND PARK

## SECTION I : COMPLETED BY PROPERTY APPRAISER

1.	Current year taxable value of real property for operating purposes	\$	674,817,898	(1)
2.	Current year taxable value of personal property for operating purposes	\$	7,360,457	(2)
3.	Current year taxable value of centrally assessed property for operating purposes	\$	0	(3)
4.	Current year gross taxable value for operating purposes <i>(Line 1 plus Line 2 plus Line 3)</i>	\$	682,178,355	(4)
5.	Current year net new taxable value (Add new construction, additions, rehabilitative improvements increasing assessed value by at least 100%, annexations, and tangible personal property value over 115% of the previous year's value. Subtract deletions.)	\$	173,027,316	(5)
6.	Current year adjusted taxable value <i>(Line 4 minus Line 5)</i>	\$	509,151,039	(6)
7.	Prior year FINAL gross taxable value from prior year applicable Form DR-403 series	\$	490,328,910	(7)
8.	Does the taxing authority include tax increment financing areas? If yes, enter number of worksheets (DR-420TIF) attached. If none, enter 0	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	Number 2 (8)
9.	Does the taxing authority levy a voted debt service millage or a millage voted for 2 years or less under s. 9(b), Article VII, State Constitution? If yes, enter the number of DR-420DEBT, <i>Certification of Voted Debt Millage</i> forms attached. If none, enter 0	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	Number 0 (9)
<b>SIGN HERE</b>	<b>Property Appraiser Certification</b>	I certify the taxable values above are correct to the best of my knowledge.		
	Signature of Property Appraiser:  Electronically Certified by Property Appraiser	Date :	6/27/2018 2:48 PM	

## SECTION II : COMPLETED BY TAXING AUTHORITY

If this portion of the form is not completed in FULL your taxing authority will be denied TRIM certification and possibly lose its millage levy privilege for the tax year. If any line is not applicable, enter -0-.

10.	Prior year operating millage levy <i>(If prior year millage was adjusted then use adjusted millage from Form DR-422)</i>		3.9863	per \$1,000 (10)
11.	Prior year ad valorem proceeds <i>(Line 7 multiplied by Line 10, divided by 1,000)</i>	\$	1,954,598	(11)
12.	Amount, if any, paid or applied in prior year as a consequence of an obligation measured by a dedicated increment value <i>(Sum of either Lines 6c or Line 7a for all DR-420TIF forms)</i>	\$	96,745	(12)
13.	Adjusted prior year ad valorem proceeds <i>(Line 11 minus Line 12)</i>	\$	1,857,853	(13)
14.	Dedicated increment value, if any <i>(Sum of either Line 6b or Line 7e for all DR-420TIF forms)</i>	\$	34,412,265	(14)
15.	Adjusted current year taxable value <i>(Line 6 minus Line 14)</i>	\$	474,738,774	(15)
16.	Current year rolled-back rate <i>(Line 13 divided by Line 15, multiplied by 1,000)</i>		3.9134	per \$1000 (16)
17.	Current year proposed operating millage rate		3.9863	per \$1000 (17)
18.	Total taxes to be levied at proposed millage rate <i>(Line 17 multiplied by Line 4, divided by 1,000)</i>	\$	2,719,368	(18)



19.	TYPE of principal authority (check one)	<input type="checkbox"/> County	<input type="checkbox"/> Independent Special District	(19)
		<input checked="" type="checkbox"/> Municipality	<input type="checkbox"/> Water Management District	
20.	Applicable taxing authority (check one)	<input checked="" type="checkbox"/> Principal Authority	<input type="checkbox"/> Dependent Special District	(20)
		<input type="checkbox"/> MSTU	<input type="checkbox"/> Water Management District Basin	
21.	Is millage levied in more than one county? (check one)	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	(21)

<b>DEPENDENT SPECIAL DISTRICTS AND MSTUs</b>		<b>STOP HERE - SIGN AND SUBMIT</b>
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22.	Enter the total adjusted prior year ad valorem proceeds of the principal authority, all dependent special districts, and MSTUs levying a millage. <i>(The sum of Line 13 from all DR-420 forms)</i>	\$	1,857,853	(22)
23.	Current year aggregate rolled-back rate <i>(Line 22 divided by Line 15, multiplied by 1,000)</i>		3.9134 per \$1,000	(23)
24.	Current year aggregate rolled-back taxes <i>(Line 4 multiplied by Line 23, divided by 1,000)</i>	\$	2,669,637	(24)
25.	Enter total of all operating ad valorem taxes proposed to be levied by the principal taxing authority, all dependent districts, and MSTUs, if any. <i>(The sum of Line 18 from all DR-420 forms)</i>	\$	2,719,368	(25)
26.	Current year proposed aggregate millage rate <i>(Line 25 divided by Line 4, multiplied by 1,000)</i>		3.9863 per \$1,000	(26)
27.	Current year proposed rate as a percent change of rolled-back rate <i>(Line 26 divided by Line 23, minus 1, multiplied by 100)</i>		1.86 %	(27)

<b>First public budget hearing</b>	Date : 9/13/2018	Time : 6:00 PM EST	Place : Commission Chambers 506 W. Berchman St, Fruitland Park, FL 34731
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<b>S I G N  H E R E</b>	<b>Taxing Authority Certification</b>		I certify the millages and rates are correct to the best of my knowledge. The millages comply with the provisions of s. 200.065 and the provisions of either s. 200.071 or s. 200.081, F.S.		
	Signature of Chief Administrative Officer :			Date :	
	Title : GARY LAVENIA CITY MGR		Contact Name and Contact Title : Jeannine Racine, CITY TREASURER		
	Mailing Address : 506 W BERCKMAN ST		Physical Address : 506 W BERCKMAN ST		
	City, State, Zip : FRUITLAND PARK, FL 34731		Phone Number : 352-360-6545		Fax Number : 352-360-6686



Reset Form

Print Form


## MAXIMUM MILLAGE LEVY CALCULATION PRELIMINARY DISCLOSURE

For municipal governments, counties, and special districts

DR-420MM-P  
R. 5/12  
Rule 12D-16.002  
Florida Administrative Code  
Effective 11/12

Year: <b>2018</b>	County: LAKE		
Principal Authority : CITY OF FRUITLAND PARK	Taxing Authority: CITY OF FRUITLAND PARK		
1. Is your taxing authority a municipality or independent special district that has levied ad valorem taxes for less than 5 years?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	(1)
<p><i>IF YES,</i> <i>STOP HERE. SIGN AND SUBMIT. You are not subject to a millage limitation.</i></p>			
2. Current year rolled-back rate from Current Year Form DR-420, Line 16	3.9134	per \$1,000	(2)
3. Prior year maximum millage rate with a majority vote from <b>2017</b> Form DR-420MM, Line 13	3.7837	per \$1,000	(3)
4. Prior year operating millage rate from Current Year Form DR-420, Line 10	3.9863	per \$1,000	(4)
<b>If Line 4 is equal to or greater than Line 3, skip to Line 11. If less, continue to Line 5.</b>			
<b>Adjust rolled-back rate based on prior year majority-vote maximum millage rate</b>			
5. Prior year final gross taxable value from Current Year Form DR-420, Line 7	\$	0	(5)
6. Prior year maximum ad valorem proceeds with majority vote <i>(Line 3 multiplied by Line 5 divided by 1,000)</i>	\$	0	(6)
7. Amount, if any, paid or applied in prior year as a consequence of an obligation measured by a dedicated increment value from Current Year Form DR-420 Line 12	\$	0	(7)
8. Adjusted prior year ad valorem proceeds with majority vote <i>(Line 6 minus Line 7)</i>	\$	0	(8)
9. Adjusted current year taxable value from Current Year form DR-420 Line 15	\$	0	(9)
10. Adjusted current year rolled-back rate <i>(Line 8 divided by Line 9, multiplied by 1,000)</i>	0.0000	per \$1,000	(10)
<b>Calculate maximum millage levy</b>			
11. Rolled-back rate to be used for maximum millage levy calculation <i>(Enter Line 10 if adjusted or else enter Line 2)</i>	3.9134	per \$1,000	(11)
12. Adjustment for change in per capita Florida personal income <i>(See Line 12 Instructions)</i>		<b>1.0147</b>	(12)
13. Majority vote maximum millage rate allowed <i>(Line 11 multiplied by Line 12)</i>	3.9709	per \$1,000	(13)
14. Two-thirds vote maximum millage rate allowed <i>(Multiply Line 13 by 1.10)</i>	4.3680	per \$1,000	(14)
15. Current year proposed millage rate	3.9863	per \$1,000	(15)
16. <b>Minimum vote required to levy proposed millage:</b> (Check one)			
<input type="checkbox"/> a. Majority vote of the governing body: Check here if Line 15 is less than or equal to Line 13. The maximum millage rate is equal to the majority vote maximum rate. <b>Enter Line 13 on Line 17.</b>			
<input checked="" type="checkbox"/> b. Two-thirds vote of governing body: Check here if Line 15 is less than or equal to Line 14, but greater than Line 13. The maximum millage rate is equal to proposed rate. <b>Enter Line 15 on Line 17.</b>			
<input type="checkbox"/> c. Unanimous vote of the governing body, or 3/4 vote if nine members or more: Check here if Line 15 is greater than Line 14. The maximum millage rate is equal to the proposed rate. <b>Enter Line 15 on Line 17.</b>			
<input type="checkbox"/> d. Referendum: The maximum millage rate is equal to the proposed rate. <b>Enter Line 15 on Line 17.</b>			
17. The selection on Line 16 allows a maximum millage rate of <i>(Enter rate indicated by choice on Line 16)</i>	3.9863	per \$1,000	(17)
18. Current year gross taxable value from Current Year Form DR-420, Line 4	\$	682,178,355	(18)



Taxing Authority : CITY OF FRUITLAND PARK		DR-420MM-P R. 5/12 Page 2	
19.	Current year proposed taxes <i>(Line 15 multiplied by Line 18, divided by 1,000)</i>	\$ 2,719,368	(19)
20.	Total taxes levied at the maximum millage rate <i>(Line 17 multiplied by Line 18, divided by 1,000)</i>	\$ 2,719,368	(20)
<b>DEPENDENT SPECIAL DISTRICTS AND MSTUs</b>		 <b>STOP HERE. SIGN AND SUBMIT.</b>	
21.	Enter the current year proposed taxes of all dependent special districts & MSTUs levying a millage. <i>(The sum of all Lines 19 from each district's Form DR-420MM-P)</i>	\$ 0	(21)
22.	Total current year proposed taxes <i>(Line 19 plus Line 21)</i>	\$ 2,719,368	(22)
<b>Total Maximum Taxes</b>			
23.	Enter the taxes at the maximum millage of all dependent special districts & MSTUs levying a millage <i>(The sum of all Lines 20 from each district's Form DR-420MM-P)</i>	\$ 0	(23)
24.	Total taxes at maximum millage rate <i>(Line 20 plus Line 23)</i>	\$ 2,719,368	(24)
<b>Total Maximum Versus Total Taxes Levied</b>			
25.	Are total current year proposed taxes on Line 22 equal to or less than total taxes at the maximum millage rate on Line 24? (Check one)	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	(25)
<b>S I G N  H E R E</b>	<b>Taxing Authority Certification</b>		I certify the millages and rates are correct to the best of my knowledge. The millages comply with the provisions of s. 200.065 and the provisions of either s. 200.071 or s. 200.081, F.S.
	Signature of Chief Administrative Officer :		Date :
	Title : GARY LAVENIA CITY MGR	Contact Name and Contact Title : Jeannine Racine, CITY TREASURER	
	Mailing Address : 506 W BERCKMAN ST	Physical Address : 506 W BERCKMAN ST	
	City, State, Zip : FRUITLAND PARK, FL 34731	Phone Number : 352-360-6545	Fax Number : 352-360-6686

**Complete and submit this form DR-420MM-P, Maximum Millage Levy Calculation-Preliminary Disclosure, to your property appraiser with the form DR-420, Certification of Taxable Value.**

## RESOLUTION 2018-044

### **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, LAKE COUNTY, FLORIDA, ADOPTING A NOT TO EXCEED MILLAGE RATE OF 4.0000 LEVYING OF AD VALOREM TAXES FOR FISCAL YEAR 2018-2019 AND SETTING THE DATE, TIME AND PLACE OF PUBLIC HEARING ON THE BUDGET FOR FISCAL YEAR 2018-2019; PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, pursuant to section 200.065, Florida Statutes, after proper notice, a public hearing will be held at the City of Fruitland Park, Lake County, Florida, on September 13, 2018 at 6:00 p.m., at which time the general public will be given an opportunity to comment and ask questions pertaining to the tentative budget and millage rate; and

WHEREAS, pursuant to section 200.065, Florida Statutes, after proper notice a second public hearing will be held at the City of Fruitland Park on September 27, 2018, at 6:00 p.m. at which time the general public will be given an opportunity to comment and ask questions pertaining to the proposed final budget and millage rate; and

WHEREAS, the gross taxable value for operating purposes not exempt from taxation within Lake County has been certified by the county property appraiser to the City of Fruitland Park as \$682,178,355.

WHEREAS, the City of Fruitland Park is prepared to set a proposed millage rate of 4.0000 mills; and

WHEREAS, the FY2019 operating proposed millage rate of 4.0000 mills is a 2.21% increase to the current year rolled-back rate of 3.9134.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, LAKE COUNTY, FLORIDA that:

1. The City Commission of the City of Fruitland Park, Florida does hereby ratify and set the proposed not to exceed ad valorem millage rate for the City of Fruitland Park, Lake County, Florida, for the fiscal year 2018-2019 at 4.0000 mills, which is greater than the rolled back of 3.9134 mills by 2.21%.
2. The tentative millage and budget hearings will be held on September 13, 2018, at 6:00 p.m. in the Commission Chambers at City Hall located at 506 W. Berckman Street, Fruitland Park. FL.
3. The final millage and budget hearings will be held on September 27, 2018 at 6:00 p.m. in the Commission Chambers at City Hall located at 506 W. Berckman Street, Fruitland Park. FL.
4. This resolution shall take effect immediately upon its final adoption by the City Commission of the City of Fruitland Park, Florida.

PASSED AND RESOLVED this 25<sup>th</sup> day of July, 2018, at 6:00 p.m., or as soon thereafter, by the City Commission of the City of Fruitland Park, Florida.

\_\_\_\_\_  
Chris Cheshire, Mayor  
City of Fruitland Park

Attest:

\_\_\_\_\_  
Esther B. Coulson, CMC, City Clerk

Mayor Cheshire	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Vice Mayor Gunter	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Bell	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Lewis	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Ranize	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)

First Reading \_\_\_\_\_

Approved as to form and legality:

\_\_\_\_\_  
Anita Geraci-Carver, City Attorney



# CERTIFICATION OF TAXABLE VALUE

Reset Form

Print Form

DR-420  
R. 5/12  
Rule 12D-16.002  
Florida Administrative Code  
Effective 11/12

Year: 2018	County: LAKE
Principal Authority: CITY OF FRUITLAND PARK	Taxing Authority: CITY OF FRUITLAND PARK

**SECTION I : COMPLETED BY PROPERTY APPRAISER**

1.	Current year taxable value of real property for operating purposes	\$	674,817,898	(1)
2.	Current year taxable value of personal property for operating purposes	\$	7,360,457	(2)
3.	Current year taxable value of centrally assessed property for operating purposes	\$	0	(3)
4.	Current year gross taxable value for operating purposes <i>(Line 1 plus Line 2 plus Line 3)</i>	\$	682,178,355	(4)
5.	Current year net new taxable value (Add new construction, additions, rehabilitative improvements increasing assessed value by at least 100%, annexations, and tangible personal property value over 115% of the previous year's value. Subtract deletions.)	\$	173,027,316	(5)
6.	Current year adjusted taxable value <i>(Line 4 minus Line 5)</i>	\$	509,151,039	(6)
7.	Prior year FINAL gross taxable value from prior year applicable Form DR-403 series	\$	490,328,910	(7)
8.	Does the taxing authority include tax increment financing areas? If yes, enter number of worksheets (DR-420TIF) attached. If none, enter 0	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	Number 2 (8)
9.	Does the taxing authority levy a voted debt service millage or a millage voted for 2 years or less under s. 9(b), Article VII, State Constitution? If yes, enter the number of DR-420DEBT, <i>Certification of Voted Debt Millage</i> forms attached. If none, enter 0	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	Number 0 (9)

	<b>Property Appraiser Certification</b>	I certify the taxable values above are correct to the best of my knowledge.	
<b>SIGN HERE</b>	Signature of Property Appraiser:	Date :	
	Electronically Certified by Property Appraiser	6/27/2018 2:48 PM	

**SECTION II : COMPLETED BY TAXING AUTHORITY**

If this portion of the form is not completed in FULL your taxing authority will be denied TRIM certification and possibly lose its millage levy privilege for the tax year. If any line is not applicable, enter -0-.

10.	Prior year operating millage levy <i>(If prior year millage was adjusted then use adjusted millage from Form DR-422)</i>	3.9863	per \$1,000	(10)
11.	Prior year ad valorem proceeds <i>(Line 7 multiplied by Line 10, divided by 1,000)</i>	\$	1,954,598	(11)
12.	Amount, if any, paid or applied in prior year as a consequence of an obligation measured by a dedicated increment value <i>(Sum of either Lines 6c or Line 7a for all DR-420TIF forms)</i>	\$	96,745	(12)
13.	Adjusted prior year ad valorem proceeds <i>(Line 11 minus Line 12)</i>	\$	1,857,853	(13)
14.	Dedicated increment value, if any <i>(Sum of either Line 6b or Line 7e for all DR-420TIF forms)</i>	\$	34,412,265	(14)
15.	Adjusted current year taxable value <i>(Line 6 minus Line 14)</i>	\$	474,738,774	(15)
16.	Current year rolled-back rate <i>(Line 13 divided by Line 15, multiplied by 1,000)</i>		3.9134 per \$1000	(16)
17.	Current year proposed operating millage rate		4.0000 per \$1000	(17)
18.	Total taxes to be levied at proposed millage rate <i>(Line 17 multiplied by Line 4, divided by 1,000)</i>	\$	2,728,713	(18)



19.	TYPE of principal authority (check one)	<input type="checkbox"/> County	<input type="checkbox"/> Independent Special District	(19)
		<input checked="" type="checkbox"/> Municipality	<input type="checkbox"/> Water Management District	
20.	Applicable taxing authority (check one)	<input checked="" type="checkbox"/> Principal Authority	<input type="checkbox"/> Dependent Special District	(20)
		<input type="checkbox"/> MSTU	<input type="checkbox"/> Water Management District Basin	
21.	Is millage levied in more than one county? (check one)	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	(21)

<b>DEPENDENT SPECIAL DISTRICTS AND MSTUs</b>		<b>STOP HERE - SIGN AND SUBMIT</b>
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22.	Enter the total adjusted prior year ad valorem proceeds of the principal authority, all dependent special districts, and MSTUs levying a millage. <i>(The sum of Line 13 from all DR-420 forms)</i>	\$	1,857,853	(22)
23.	Current year aggregate rolled-back rate <i>(Line 22 divided by Line 15, multiplied by 1,000)</i>		3.9134 per \$1,000	(23)
24.	Current year aggregate rolled-back taxes <i>(Line 4 multiplied by Line 23, divided by 1,000)</i>	\$	2,669,637	(24)
25.	Enter total of all operating ad valorem taxes proposed to be levied by the principal taxing authority, all dependent districts, and MSTUs, if any. <i>(The sum of Line 18 from all DR-420 forms)</i>	\$	2,728,713	(25)
26.	Current year proposed aggregate millage rate <i>(Line 25 divided by Line 4, multiplied by 1,000)</i>		4.0000 per \$1,000	(26)
27.	Current year proposed rate as a percent change of rolled-back rate <i>(Line 26 divided by Line 23, <b>minus 1</b>, multiplied by 100)</i>		2.21 %	(27)

<b>First public budget hearing</b>	Date : 9/13/2018	Time : 6:00 PM EST	Place : Commission Chambers 506 W. Berchman St, Fruitland Park, FL 34731
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<b>S I G N  H E R E</b>	<b>Taxing Authority Certification</b>		I certify the millages and rates are correct to the best of my knowledge. The millages comply with the provisions of s. 200.065 and the provisions of either s. 200.071 or s. 200.081, F.S.		
	Signature of Chief Administrative Officer :			Date :	
	Title : GARY LAVENIA CITY MGR		Contact Name and Contact Title : Jeannine Racine, CITY TREASURER		
	Mailing Address : 506 W BERCKMAN ST		Physical Address : 506 W BERCKMAN ST		
	City, State, Zip : FRUITLAND PARK, FL 34731		Phone Number : 352-360-6545		Fax Number : 352-360-6686



Reset Form

Print Form

# MAXIMUM MILLAGE LEVY CALCULATION PRELIMINARY DISCLOSURE

For municipal governments, counties, and special districts

DR-420MM-P  
R. 5/12  
Rule 12D-16.002  
Florida Administrative Code  
Effective 11/12

Year: <b>2018</b>	County: LAKE
Principal Authority : CITY OF FRUITLAND PARK	Taxing Authority: CITY OF FRUITLAND PARK

1. Is your taxing authority a municipality or independent special district that has levied ad valorem taxes for less than 5 years?	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	(1)
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**IF YES,** **STOP HERE. SIGN AND SUBMIT. You are not subject to a millage limitation.**

2. Current year rolled-back rate from Current Year Form DR-420, Line 16	3.9134	per \$1,000	(2)
3. Prior year maximum millage rate with a majority vote from <b>2017</b> Form DR-420MM, Line 13	3.7837	per \$1,000	(3)
4. Prior year operating millage rate from Current Year Form DR-420, Line 10	3.9863	per \$1,000	(4)

**If Line 4 is equal to or greater than Line 3, skip to Line 11. If less, continue to Line 5.**

**Adjust rolled-back rate based on prior year majority-vote maximum millage rate**

5. Prior year final gross taxable value from Current Year Form DR-420, Line 7	\$	0	(5)
6. Prior year maximum ad valorem proceeds with majority vote <i>(Line 3 multiplied by Line 5 divided by 1,000)</i>	\$	0	(6)
7. Amount, if any, paid or applied in prior year as a consequence of an obligation measured by a dedicated increment value from Current Year Form DR-420 Line 12	\$	0	(7)
8. Adjusted prior year ad valorem proceeds with majority vote <i>(Line 6 minus Line 7)</i>	\$	0	(8)
9. Adjusted current year taxable value from Current Year form DR-420 Line 15	\$	0	(9)
10. Adjusted current year rolled-back rate <i>(Line 8 divided by Line 9, multiplied by 1,000)</i>	0.0000	per \$1,000	(10)

**Calculate maximum millage levy**

11. Rolled-back rate to be used for maximum millage levy calculation <i>(Enter Line 10 if adjusted or else enter Line 2)</i>	3.9134	per \$1,000	(11)
12. Adjustment for change in per capita Florida personal income <i>(See Line 12 Instructions)</i>	<b>1.0147</b>		(12)
13. Majority vote maximum millage rate allowed <i>(Line 11 multiplied by Line 12)</i>	3.9709	per \$1,000	(13)
14. Two-thirds vote maximum millage rate allowed <i>(Multiply Line 13 by 1.10)</i>	4.3680	per \$1,000	(14)
15. Current year proposed millage rate	4.0000	per \$1,000	(15)

16. **Minimum vote required to levy proposed millage:** (Check one)

a. Majority vote of the governing body: Check here if Line 15 is less than or equal to Line 13. The maximum millage rate is equal to the majority vote maximum rate. **Enter Line 13 on Line 17.**


b. Two-thirds vote of governing body: Check here if Line 15 is less than or equal to Line 14, but greater than Line 13. The maximum millage rate is equal to proposed rate. **Enter Line 15 on Line 17.**

c. Unanimous vote of the governing body, or 3/4 vote if nine members or more: Check here if Line 15 is greater than Line 14. The maximum millage rate is equal to the proposed rate. **Enter Line 15 on Line 17.**

d. Referendum: The maximum millage rate is equal to the proposed rate. **Enter Line 15 on Line 17.**

17. The selection on Line 16 allows a maximum millage rate of <i>(Enter rate indicated by choice on Line 16)</i>	4.0000	per \$1,000	(17)
18. Current year gross taxable value from Current Year Form DR-420, Line 4	\$	682,178,355	(18)



Taxing Authority : CITY OF FRUITLAND PARK		DR-420MM-P R. 5/12 Page 2	
19.	Current year proposed taxes <i>(Line 15 multiplied by Line 18, divided by 1,000)</i>	\$ 2,728,713	(19)
20.	Total taxes levied at the maximum millage rate <i>(Line 17 multiplied by Line 18, divided by 1,000)</i>	\$ 2,728,713	(20)
<b>DEPENDENT SPECIAL DISTRICTS AND MSTUs</b>			<b>STOP HERE. SIGN AND SUBMIT.</b>
21.	Enter the current year proposed taxes of all dependent special districts & MSTUs levying a millage. <i>(The sum of all Lines 19 from each district's Form DR-420MM-P)</i>	\$ 0	(21)
22.	Total current year proposed taxes <i>(Line 19 plus Line 21)</i>	\$ 2,728,713	(22)
<b>Total Maximum Taxes</b>			
23.	Enter the taxes at the maximum millage of all dependent special districts & MSTUs levying a millage <i>(The sum of all Lines 20 from each district's Form DR-420MM-P)</i>	\$ 0	(23)
24.	Total taxes at maximum millage rate <i>(Line 20 plus Line 23)</i>	\$ 2,728,713	(24)
<b>Total Maximum Versus Total Taxes Levied</b>			
25.	Are total current year proposed taxes on Line 22 equal to or less than total taxes at the maximum millage rate on Line 24? (Check one)	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	(25)
<b>S I G N  H E R E</b>	<b>Taxing Authority Certification</b>		I certify the millages and rates are correct to the best of my knowledge. The millages comply with the provisions of s. 200.065 and the provisions of either s. 200.071 or s. 200.081, F.S.
	Signature of Chief Administrative Officer :		Date :
	Title : GARY LAVENIA CITY MGR	Contact Name and Contact Title : Jeannine Racine, CITY TREASURER	
	Mailing Address : 506 W BERCKMAN ST	Physical Address : 506 W BERCKMAN ST	
	City, State, Zip : FRUITLAND PARK, FL 34731	Phone Number : 352-360-6545	Fax Number : 352-360-6686

**Complete and submit this form DR-420MM-P, Maximum Millage Levy Calculation-Preliminary Disclosure, to your property appraiser with the form DR-420, Certification of Taxable Value.**

## RESOLUTION 2018-044

### **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, LAKE COUNTY, FLORIDA, ADOPTING A NOT TO EXCEED MILLAGE RATE OF 4.3680 LEVYING OF AD VALOREM TAXES FOR FISCAL YEAR 2018-2019 AND SETTING THE DATE, TIME AND PLACE OF PUBLIC HEARING ON THE BUDGET FOR FISCAL YEAR 2018-2019; PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, pursuant to section 200.065, Florida Statutes, after proper notice, a public hearing will be held at the City of Fruitland Park, Lake County, Florida, on September 13, 2018 at 6:00 p.m., at which time the general public will be given an opportunity to comment and ask questions pertaining to the tentative budget and millage rate; and

WHEREAS, pursuant to section 200.065, Florida Statutes, after proper notice a second public hearing will be held at the City of Fruitland Park on September 27, 2018, at 6:00 p.m. at which time the general public will be given an opportunity to comment and ask questions pertaining to the proposed final budget and millage rate; and

WHEREAS, the gross taxable value for operating purposes not exempt from taxation within Lake County has been certified by the county property appraiser to the City of Fruitland Park as \$682,178,355.

WHEREAS, the City of Fruitland Park is prepared to set a proposed millage rate of 4.3680 mills; and

WHEREAS, the FY2019 operating proposed millage rate of 4.3680 mills is a 11.62% increase to the current year rolled-back rate of 3.9134.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, LAKE COUNTY, FLORIDA that:

1. The City Commission of the City of Fruitland Park, Florida does hereby ratify and set the proposed not to exceed ad valorem millage rate for the City of Fruitland Park, Lake County, Florida, for the fiscal year 2018-2019 at 4.3680 mills, which is greater than the rolled back of 3.9134 mills by 11.62%.
2. The tentative millage and budget hearings will be held on September 13, 2018, at 6:00 p.m. in the Commission Chambers at City Hall located at 506 W. Berckman Street, Fruitland Park. FL.
3. The final millage and budget hearings will be held on September 27, 2018 at 6:00 p.m. in the Commission Chambers at City Hall located at 506 W. Berckman Street, Fruitland Park. FL.
4. This resolution shall take effect immediately upon its final adoption by the City Commission of the City of Fruitland Park, Florida.

PASSED AND RESOLVED this 25<sup>th</sup> day of July, 2018, at 6:00 p.m., or as soon thereafter, by the City Commission of the City of Fruitland Park, Florida.

\_\_\_\_\_  
Chris Cheshire, Mayor  
City of Fruitland Park

Attest:

\_\_\_\_\_  
Esther B. Coulson, CMC, City Clerk

Mayor Cheshire	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Vice Mayor Gunter	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Bell	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Lewis	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Ranize	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)

First Reading \_\_\_\_\_

Approved as to form and legality:

\_\_\_\_\_  
Anita Geraci-Carver, City Attorney



# CERTIFICATION OF TAXABLE VALUE

Reset Form

Print Form

DR-420  
R. 5/12  
Rule 12D-16.002  
Florida Administrative Code  
Effective 11/12

Year : 2018	County : LAKE
Principal Authority : CITY OF FRUITLAND PARK	Taxing Authority : CITY OF FRUITLAND PARK

## SECTION I : COMPLETED BY PROPERTY APPRAISER

1.	Current year taxable value of real property for operating purposes	\$	674,817,898	(1)
2.	Current year taxable value of personal property for operating purposes	\$	7,360,457	(2)
3.	Current year taxable value of centrally assessed property for operating purposes	\$	0	(3)
4.	Current year gross taxable value for operating purposes <i>(Line 1 plus Line 2 plus Line 3)</i>	\$	682,178,355	(4)
5.	Current year net new taxable value (Add new construction, additions, rehabilitative improvements increasing assessed value by at least 100%, annexations, and tangible personal property value over 115% of the previous year's value. Subtract deletions.)	\$	173,027,316	(5)
6.	Current year adjusted taxable value <i>(Line 4 minus Line 5)</i>	\$	509,151,039	(6)
7.	Prior year FINAL gross taxable value from prior year applicable Form DR-403 series	\$	490,328,910	(7)
8.	Does the taxing authority include tax increment financing areas? If yes, enter number of worksheets (DR-420TIF) attached. If none, enter 0	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	Number 2 (8)
9.	Does the taxing authority levy a voted debt service millage or a millage voted for 2 years or less under s. 9(b), Article VII, State Constitution? If yes, enter the number of DR-420DEBT, <i>Certification of Voted Debt Millage</i> forms attached. If none, enter 0	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	Number 0 (9)
<b>SIGN HERE</b>	<b>Property Appraiser Certification</b>		I certify the taxable values above are correct to the best of my knowledge.	
	Signature of Property Appraiser:		Date :	
	Electronically Certified by Property Appraiser		6/27/2018 2:48 PM	

## SECTION II : COMPLETED BY TAXING AUTHORITY

If this portion of the form is not completed in FULL your taxing authority will be denied TRIM certification and possibly lose its millage levy privilege for the tax year. If any line is not applicable, enter -0-.

10.	Prior year operating millage levy <i>(If prior year millage was adjusted then use adjusted millage from Form DR-422)</i>		3.9863	per \$1,000 (10)
11.	Prior year ad valorem proceeds <i>(Line 7 multiplied by Line 10, divided by 1,000)</i>	\$	1,954,598	(11)
12.	Amount, if any, paid or applied in prior year as a consequence of an obligation measured by a dedicated increment value <i>(Sum of either Lines 6c or Line 7a for all DR-420TIF forms)</i>	\$	96,745	(12)
13.	Adjusted prior year ad valorem proceeds <i>(Line 11 minus Line 12)</i>	\$	1,857,853	(13)
14.	Dedicated increment value, if any <i>(Sum of either Line 6b or Line 7e for all DR-420TIF forms)</i>	\$	34,412,265	(14)
15.	Adjusted current year taxable value <i>(Line 6 minus Line 14)</i>	\$	474,738,774	(15)
16.	Current year rolled-back rate <i>(Line 13 divided by Line 15, multiplied by 1,000)</i>		3.9134	per \$1000 (16)
17.	Current year proposed operating millage rate		4.3680	per \$1000 (17)
18.	Total taxes to be levied at proposed millage rate <i>(Line 17 multiplied by Line 4, divided by 1,000)</i>	\$	2,979,755	(18)



19.	TYPE of principal authority (check one)	<input type="checkbox"/> County	<input type="checkbox"/> Independent Special District	(19)
		<input checked="" type="checkbox"/> Municipality	<input type="checkbox"/> Water Management District	
20.	Applicable taxing authority (check one)	<input checked="" type="checkbox"/> Principal Authority	<input type="checkbox"/> Dependent Special District	(20)
		<input type="checkbox"/> MSTU	<input type="checkbox"/> Water Management District Basin	
21.	Is millage levied in more than one county? (check one)	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	(21)

<b>DEPENDENT SPECIAL DISTRICTS AND MSTUs</b>		<b>STOP HERE - SIGN AND SUBMIT</b>
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22.	Enter the total adjusted prior year ad valorem proceeds of the principal authority, all dependent special districts, and MSTUs levying a millage. <i>(The sum of Line 13 from all DR-420 forms)</i>	\$	1,857,853	(22)
23.	Current year aggregate rolled-back rate <i>(Line 22 divided by Line 15, multiplied by 1,000)</i>		3.9134 per \$1,000	(23)
24.	Current year aggregate rolled-back taxes <i>(Line 4 multiplied by Line 23, divided by 1,000)</i>	\$	2,669,637	(24)
25.	Enter total of all operating ad valorem taxes proposed to be levied by the principal taxing authority, all dependent districts, and MSTUs, if any. <i>(The sum of Line 18 from all DR-420 forms)</i>	\$	2,979,755	(25)
26.	Current year proposed aggregate millage rate <i>(Line 25 divided by Line 4, multiplied by 1,000)</i>		4.3680 per \$1,000	(26)
27.	Current year proposed rate as a percent change of rolled-back rate <i>(Line 26 divided by Line 23, <b>minus 1</b>, multiplied by 100)</i>		11.62 %	(27)

<b>First public budget hearing</b>	Date : 9/13/2018	Time : 6:00 PM EST	Place : Commission Chambers 506 W. Berchman St, Fruitland Park, FL 34731
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<b>S I G N  H E R E</b>	<b>Taxing Authority Certification</b>		I certify the millages and rates are correct to the best of my knowledge. The millages comply with the provisions of s. 200.065 and the provisions of either s. 200.071 or s. 200.081, F.S.		
	Signature of Chief Administrative Officer :			Date :	
	Title : GARY LAVENIA CITY MGR		Contact Name and Contact Title : Jeannine Racine, CITY TREASURER		
	Mailing Address : 506 W BERCKMAN ST		Physical Address : 506 W BERCKMAN ST		
	City, State, Zip : FRUITLAND PARK, FL 34731		Phone Number : 352-360-6545		Fax Number : 352-360-6686



Reset Form

Print Form


# MAXIMUM MILLAGE LEVY CALCULATION PRELIMINARY DISCLOSURE

For municipal governments, counties, and special districts

DR-420MM-P  
R. 5/12  
Rule 12D-16.002  
Florida Administrative Code  
Effective 11/12

Year: <b>2018</b>	County: LAKE		
Principal Authority : CITY OF FRUITLAND PARK	Taxing Authority: CITY OF FRUITLAND PARK		
1. Is your taxing authority a municipality or independent special district that has levied ad valorem taxes for less than 5 years?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	(1)
<p><i>IF YES,</i> <i>STOP HERE. SIGN AND SUBMIT. You are not subject to a millage limitation.</i></p>			
2. Current year rolled-back rate from Current Year Form DR-420, Line 16	3.9134	per \$1,000	(2)
3. Prior year maximum millage rate with a majority vote from <b>2017</b> Form DR-420MM, Line 13	3.7837	per \$1,000	(3)
4. Prior year operating millage rate from Current Year Form DR-420, Line 10	3.9863	per \$1,000	(4)
<b>If Line 4 is equal to or greater than Line 3, skip to Line 11. If less, continue to Line 5.</b>			
<b>Adjust rolled-back rate based on prior year majority-vote maximum millage rate</b>			
5. Prior year final gross taxable value from Current Year Form DR-420, Line 7	\$	0	(5)
6. Prior year maximum ad valorem proceeds with majority vote <i>(Line 3 multiplied by Line 5 divided by 1,000)</i>	\$	0	(6)
7. Amount, if any, paid or applied in prior year as a consequence of an obligation measured by a dedicated increment value from Current Year Form DR-420 Line 12	\$	0	(7)
8. Adjusted prior year ad valorem proceeds with majority vote <i>(Line 6 minus Line 7)</i>	\$	0	(8)
9. Adjusted current year taxable value from Current Year form DR-420 Line 15	\$	0	(9)
10. Adjusted current year rolled-back rate <i>(Line 8 divided by Line 9, multiplied by 1,000)</i>	0.0000	per \$1,000	(10)
<b>Calculate maximum millage levy</b>			
11. Rolled-back rate to be used for maximum millage levy calculation <i>(Enter Line 10 if adjusted or else enter Line 2)</i>	3.9134	per \$1,000	(11)
12. Adjustment for change in per capita Florida personal income <i>(See Line 12 Instructions)</i>		<b>1.0147</b>	(12)
13. Majority vote maximum millage rate allowed <i>(Line 11 multiplied by Line 12)</i>	3.9709	per \$1,000	(13)
14. Two-thirds vote maximum millage rate allowed <i>(Multiply Line 13 by 1.10)</i>	4.3680	per \$1,000	(14)
15. Current year proposed millage rate	4.3680	per \$1,000	(15)
16. <b>Minimum vote required to levy proposed millage:</b> (Check one)			(16)
<input type="checkbox"/> a. Majority vote of the governing body: Check here if Line 15 is less than or equal to Line 13. The maximum millage rate is equal to the majority vote maximum rate. <b>Enter Line 13 on Line 17.</b>			
<input checked="" type="checkbox"/> b. Two-thirds vote of governing body: Check here if Line 15 is less than or equal to Line 14, but greater than Line 13. The maximum millage rate is equal to proposed rate. <b>Enter Line 15 on Line 17.</b>			
<input type="checkbox"/> c. Unanimous vote of the governing body, or 3/4 vote if nine members or more: Check here if Line 15 is greater than Line 14. The maximum millage rate is equal to the proposed rate. <b>Enter Line 15 on Line 17.</b>			
<input type="checkbox"/> d. Referendum: The maximum millage rate is equal to the proposed rate. <b>Enter Line 15 on Line 17.</b>			
17. The selection on Line 16 allows a maximum millage rate of <i>(Enter rate indicated by choice on Line 16)</i>	4.3680	per \$1,000	(17)
18. Current year gross taxable value from Current Year Form DR-420, Line 4	\$	682,178,355	(18)



Taxing Authority : CITY OF FRUITLAND PARK		DR-420MM-P R. 5/12 Page 2	
19.	Current year proposed taxes <i>(Line 15 multiplied by Line 18, divided by 1,000)</i>	\$	2,979,755 (19)
20.	Total taxes levied at the maximum millage rate <i>(Line 17 multiplied by Line 18, divided by 1,000)</i>	\$	2,979,755 (20)
<b>DEPENDENT SPECIAL DISTRICTS AND MSTUs</b>			<b>STOP HERE. SIGN AND SUBMIT.</b>
21.	Enter the current year proposed taxes of all dependent special districts & MSTUs levying a millage. <i>(The sum of all Lines 19 from each district's Form DR-420MM-P)</i>	\$	0 (21)
22.	Total current year proposed taxes <i>(Line 19 plus Line 21)</i>	\$	2,979,755 (22)
<b>Total Maximum Taxes</b>			
23.	Enter the taxes at the maximum millage of all dependent special districts & MSTUs levying a millage <i>(The sum of all Lines 20 from each district's Form DR-420MM-P)</i>	\$	0 (23)
24.	Total taxes at maximum millage rate <i>(Line 20 plus Line 23)</i>	\$	2,979,755 (24)
<b>Total Maximum Versus Total Taxes Levied</b>			
25.	Are total current year proposed taxes on Line 22 equal to or less than total taxes at the maximum millage rate on Line 24? (Check one)	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	(25)
<b>S I G N  H E R E</b>	<b>Taxing Authority Certification</b>	I certify the millages and rates are correct to the best of my knowledge. The millages comply with the provisions of s. 200.065 and the provisions of either s. 200.071 or s. 200.081, F.S.	
	Signature of Chief Administrative Officer :		Date :
	Title : GARY LAVENIA CITY MGR	Contact Name and Contact Title : Jeannine Racine, CITY TREASURER	
	Mailing Address : 506 W BERCKMAN ST	Physical Address : 506 W BERCKMAN ST	
	City, State, Zip : FRUITLAND PARK, FL 34731	Phone Number : 352-360-6545	Fax Number : 352-360-6686

**Complete and submit this form DR-420MM-P, Maximum Millage Levy Calculation-Preliminary Disclosure, to your property appraiser with the form DR-420, Certification of Taxable Value.**

**From:** [Jeannine Racine](#)  
**To:** [Christopher Cheshire](#); [Christopher Bell](#); [John Gunter](#); [Ray Lewis](#); [Rick Ranize](#)  
**Cc:** [Gary La Venia](#); [Esther Coulson](#)  
**Subject:** RBR rate changed to 3.9134 / 4-1 Vote rate change to 4.3680  
**Date:** Tuesday, July 24, 2018 4:56:39 PM

At the last meeting I told the Commission, that the 4-1 vote rate was 4.07 millage, however, there was a change in a calculation This affected the Roll Back Rate (RBR). The RBR was originally 3.6514 but now is 3.9134. This is important because all of the maximum millage calculation are affected by the RBR.

The recalculated 4-1 vote is 4.3680. Any millage greater than 4.3680 would require a 5-0 vote.

The budget was developed using last year's millage **3.9863**. It was also suggested that if we want to increase the millage, we should do it now, hence the proposed rate on the agenda is 4.3680 at the 4-1 vote. It was also suggested that we round the millage off to 4.0 to keep it simple. I will have 3 versions of the resolution for proposed millage at the meeting Wednesday night, all will be in the 4-1 vote category: 4.3680, 4.0000, and 3.9863 (last year's millage). I have included a table that shows the revenue for each rate and the increase over last year.

Description	Taxable Value	Millage Rate	Revenue	95% Revenue	Voting Requirement	Increase over last year's revenue	Increase in revenue over 3.9863 millage
Proposed Rate	682,178,355	4.3680	2,979,755	2,830,767	4 Commissioners	968,975	247,368
Rolled-Back-Rate	682,178,355	3.9134	2,669,637	2,536,155	Majority (3)	674,363	-47,244
Maximum Majority Rate	682,178,355	3.9709	2,708,862	2,573,419	Majority (3)	711,627	-9,980
Maximum Two-third Rate	682,178,355	4.3680	2,979,755	2,830,767	4 Commissioners	968,975	247,368
Proposed Rate	190,549,167	4.0000	2,728,713	2,592,278	4 Commissioners	730,486	8,879
Last Year's Rate	682,178,355	<b>3.9863</b>	2,719,368	2,583,399	4 Commissioners	721,607	0

*Jeannine Racine*  
 City Finance Director  
 City of Fruitland Park  
 506 W. Berckman St  
 Fruitland Park, FL 34731  
 Tel: (352) 360-6545





**AGENDA ITEM  
NUMBER  
5b**

## AGENDA ITEM SUMMARY SHEET

<b>ITEM TITLE:</b>	Second Reading and Public Hearing – Ordinance 2018-005 Golf Carts		
<b>For the Meeting of:</b>	July 25, 2018		
<b>Submitted by:</b>	City Attorney		
<b>Date Submitted:</b>	July 5, 2018		
<b>Are Funds Required:</b>		Yes	X No
<b>Account Number:</b>			
<b>Amount Required:</b>			
<b>Balance Remaining:</b>			
<b>Attachments:</b>	Yes		

**Description of Item:** First reading was held on April 26, 2018.

The City Commission requested the following information:

1. Can the City require golf carts to be operated only with use of seat belts? **No, except to apply to unlicensed drivers.** The legislature has prescribed the safety equipment which must be included on a golf cart which is operated on a public street, and the Legislature did not include such a requirement. In 2005 revised the statute and allows the City to enact an ordinance relating to golf cart operation and equipment which is more restrictive than enumerated in §316.212, but it may only apply to an unlicensed driver.
2. Can the City require insurance be carried on golf carts when utilized on the public streets? **Probably not because the Legislature did not include such a requirement in the statute, unless carrying insurance is considered relating to “golf cart operation” and then it will only apply to an unlicensed driver.**
3. In Resolution 2012-111 the Lake County Board of County Commissioners authorized operation of golf carts in accordance with County Code on CR 25 (Dixie Avenue) between Shiloh Street and Urick Street, and designated golf cart crossings at Miller Blvd/Dixie Avenue.

General information about golf cart regulation that is provided for by Florida Statutes:

Prior to a City designating certain streets for use by golf carts, the City Commission must first determine that golf carts may safely travel on or cross the public road or street, considering factors including the speed, volume, and character of motor vehicle traffic using the road or street. Upon a determination that golf carts may be safely operated on a designated street, the City shall post appropriate signs to indicate that such operation is allowed.

A golf cart must be equipped with efficient brakes, reliable steering apparatus, safe tires, a rearview mirror, and red reflectorized warning devices in both the front and rear.

A golf cart may be operated only during the hours between sunrise and sunset, unless the City Commission has determined that a golf cart may be operated during the hours between sunset and sunrise and the golf cart is equipped with headlights, brake lights, turn signals, and a windshield.

A golf cart may not be operated on public roads or streets by any person under the age of 14.

**Action to be Taken: Second Reading/Public Hearing on Ordinance 2018-005**

**Staff's Recommendation:**

**Additional Comments:**

**Reviewed by:** \_\_\_\_\_

**Authorized to be placed on the Special Consent agenda:** \_\_\_\_\_  
**Mayor**

**ORDINANCE 2018-014**

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.

**WHEREAS**, the City of Fruitland Park has certain responsibilities for the public health, safety and welfare within the municipal limits; and

**WHEREAS**, Chapter 166, Florida Statutes, authorizes municipalities to adopt ordinances to protect the citizen’s health, safety and welfare, in exercise of the City’s police power; and

**WHEREAS**, the City Commission has considered the speed, volume, and character of motor vehicle traffic using the roads and streets named herein and finds that golf carts may safely travel on or cross the public roads or streets listed in this ordinance;

**WHEREAS**, the City Commission has determined that it is in the best interests of the City to regulate the operation of golf carts on public streets within the City; and

**WHEREAS**, the City of Fruitland Park has advertised as required by law for a public hearing prior to adoption of this Ordinance; and

**WHEREAS**, the City Commission of the City of Fruitland Park, Lake County, Florida hereby finds and declares that the adoption of this ordinance is necessary, appropriate, and in the public interest of the citizens of this community.

**NOW, THEREFORE, BE IT ORDAINED** by the Commissioners of the City of Fruitland Park, Lake County, Florida, as follows:

**Section 1.     Recitals.** The foregoing recitals are true and correct.

**Section 2.     Amendment.** Chapter 73 of the Code of Ordinances of the City of Fruitland Park, Florida, is hereby amended to read as follows:

**CHAPTER 73. - GOLF CARTS AND LOW-SPEED VEHICLES**

**Sec. 73.01. - Definitions.**

*Golf cart.* Pursuant to F.S. 316.003(26), a "golf cart" is defined as a motor vehicle that is designed and manufactured for operation on a golf course for sporting or recreational purposes.

*Low-speed vehicle.* Pursuant to F.S. § 320.01(41), a low-speed vehicle is any four-wheeled vehicle whose top speed is greater than 20 miles per hour but not greater than 25 miles per hour, including but not limited to, neighborhood electric vehicles. Said vehicles must conform to the safety standards in 49 C.F.R. 571.500 and F.S. § 316.2122.

**Sec. 73.02. - Low-speed vehicles.**

- (1) Low-speed vehicles may be operated on any street within the city limits where the posted speed limit is 35 miles per hour or less. Pursuant to F.S. § 316.2122(1), this does not prohibit a low-speed vehicle from crossing a road or street at an intersection where the road or street has a posted speed limit of more than 35 miles per hour.
- (2) A low-speed vehicle operated on any street within the city limits must:
  - (a) meet the minimum equipment standards as established by Florida Statutes; and
  - (b) be registered and insured in accordance with F.S. § 320.02.
- (3) Any person operating a low-speed vehicle on any street within the city limits must have in his or her possession a valid driver's license.
- (4) Low-speed vehicles may be operated at any time.

**Sec. 73.03. - Authorization to Operate Golf Carts**

- (1) Golf carts meeting the definition set forth in section 73.01 may be operated on all of the public roads and streets within the corporate limits of the City of Fruitland Park where the posted speed limit is 30 miles per hour or less except as specified below:
  - (a) Golf carts are prohibited from operating on Dixie Avenue, Miller Street, Rose Avenue/CR 468/Willard Avenue, 466A, U.S. Highway 441/27 and Picciola Road, except at controlled intersections specified in a resolution adopted by the City Commission. Each designated controlled intersection shall be posted with signage.
- (2) Golf cart operation on sidewalks is prohibited.
- (3) In accordance with Florida law, a golf cart may not be operated on public roads or streets by any person under the age of 14.

**Sec. 73-04. Equipment and Minimum Standards**

All golf carts operated on any street shall meet the minimum equipment standards established by Florida Statutes.

**Sec. 73-05. Hours of Operation**

Golf carts shall only be permitted to operate on any street specified in section 73-02 during the hours between sunrise and sunset, except if equipped with headlights, brake lights, turn signals, and a windshield, then may operate between sunset and sunrise.

**Sec. 73-06. Compliance with Traffic Laws**

Golf carts and low-speed vehicles shall comply with all applicable local and State traffic laws, and may be ticketed for traffic violations in the same manner as motor vehicles.

**Sec. 73-07. Enforcement**

A violation of this chapter is enforceable in the manner provided by Florida law. Additionally, the City of Fruitland Park shall have the authority to enforce the provisions set forth herein to include, but not be limited to, issuing notices of violation and processing such violations through the city's code enforcement procedures.

**Section 3. Inclusion in Code.** It is the intent of the Commissioners that the provisions of this Ordinance shall become and be made a part of the City of Fruitland Park Code and that the sections of this Ordinance may be renumbered or relettered and the word "ordinance" may be changed to "section", "article", or such other appropriate word "or phrase in order to accomplish such intentions.

**Section 4. Severability.** If any section, sentence, clause, phrase or word of this Ordinance is for any reason held or declared to be unconstitutional, inoperative or void, such holding or invalidity shall not affect the remaining portions of this Ordinance; and it shall be construed to have been the Commissioner's intent to pass this Ordinance without such unconstitutional, invalid or inoperative part therein; and the remainder of this Ordinance, after the exclusion of such part or parts shall be deemed and held to be valid, as if such parts had not been included herein.

**Section 5. Conflicts.** That all resolutions, parts of resolutions, ordinances or parts of ordinances in conflict herewith are hereby repealed. The following are specifically repealed in full: Ordinances 2014-011, 2012-025, and 2012-018 and Resolution 2012-013.

**Section 6. Effective Date.** This ordinance shall become effective immediately upon final adoption.

PASSED and ORDAINED this \_\_\_\_\_ day of \_\_\_\_\_, 2018, by the City Commission of the City of Fruitland Park, Florida.

SEAL

CITY COMMISSION OF THE CITY OF  
FRUITLAND PARK, FLORIDA

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CHRIS CHESHIRE, MAYOR

ATTEST:

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ESTHER COULSON, CITY CLERK

Mayor Cheshire	____(Yes), ____ (No), ____ (Abstained), ____ (Absent)
Vice Mayor Gunter	____(Yes), ____ (No), ____ (Abstained), ____ (Absent)
Commissioner Bell	____(Yes), ____ (No), ____ (Abstained), ____ (Absent)
Commissioner Lewis	____(Yes), ____ (No), ____ (Abstained), ____ (Absent)
Commissioner Ranize	____(Yes), ____ (No), ____ (Abstained), ____ (Absent)

Approved as to form:

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Anita Geraci-Carver, City Attorney

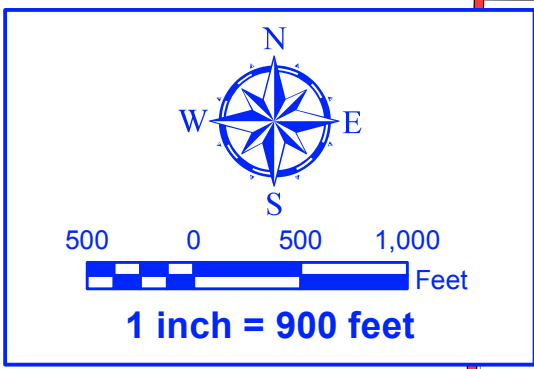
First Reading: July 25, 2018  
Second Reading: August 9, 2018





# City of Fruitland Park Golf Cart Community

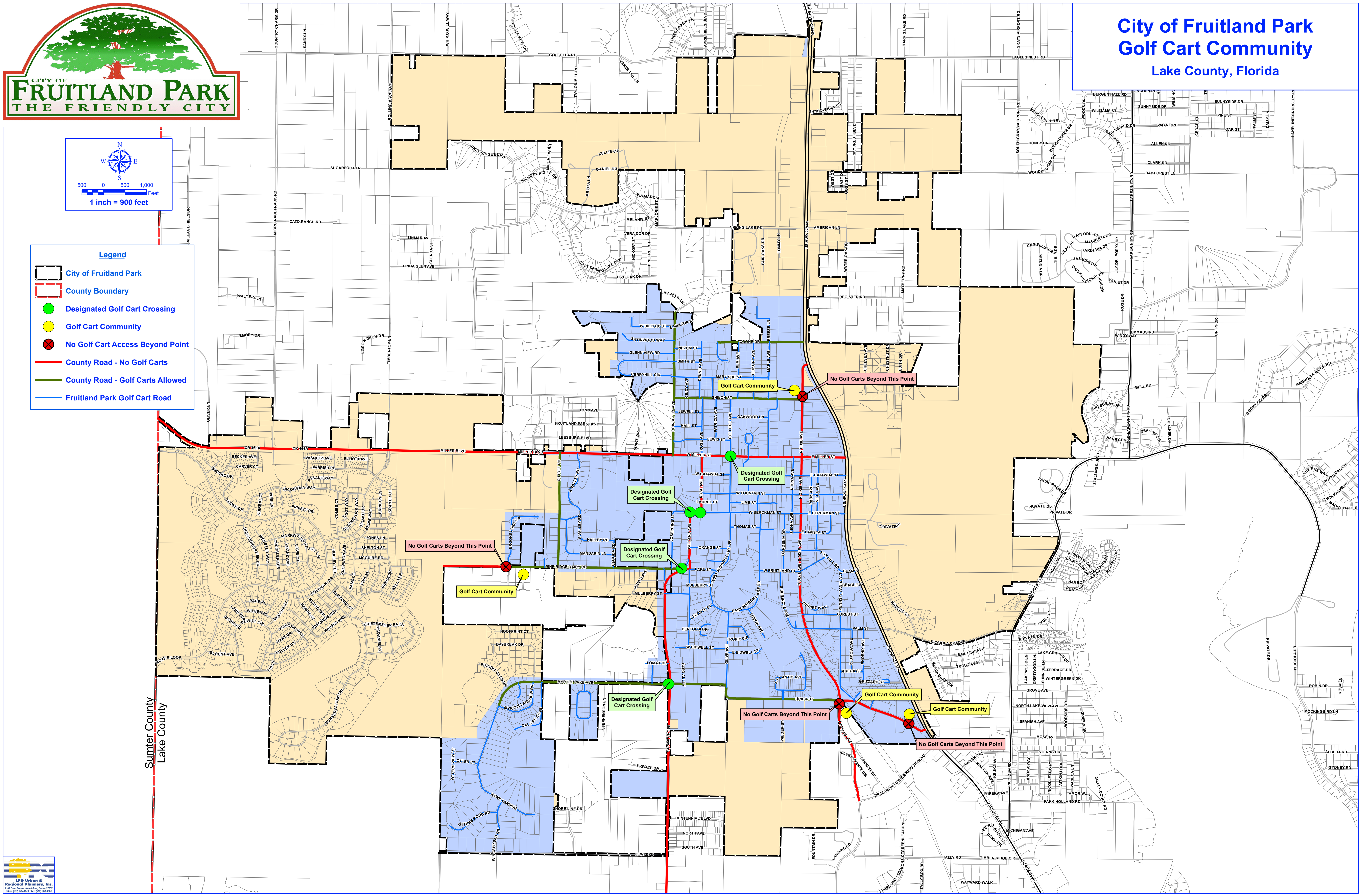
Lake County, Florida



**Legend**

- City of Fruitland Park
- County Boundary
- Designated Golf Cart Crossing
- Golf Cart Community
- ⊗ No Golf Cart Access Beyond Point
- County Road - No Golf Carts
- County Road - Golf Carts Allowed
- Fruitland Park Golf Cart Road

Sumter County  
Lake County





RESOLUTION 2012 - 111

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, FLORIDA; DESIGNATING COUNTY ROADS AND STREETS WITHIN THE CITY OF FRUITLAND PARK FOR GOLF CART SIGNAGE AS APPROPRIATE FOR THE OPERATION OF GOLF CARTS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, on September 2, 2003, the Lake County Board of County Commissioners approved Ordinance No. 2003-78, permitting the operation of golf carts on the roads and streets of the unincorporated County as specifically designated through a duly enacted resolution of the Board, incorporated into the Lake County Code as Section 15-15; and

**WHEREAS**, the City of Fruitland Park have requested that County roads within the City Limit be so designated as golf cart-appropriate and to allow the placement of Golf Cart Signage on County Roads by the City Ordinance Number 2012 - 025, approved by the City Commission on July 12, 2012;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of Lake County, Florida that:

**Section 1.** The Board of County Commissioners has determined that golf carts may safely travel on or cross the roads and streets designated herein, taking into consideration the speed, volume and character of the motor vehicles using such roads and streets.

**Section 2.** The County roads located within the city limits of Fruitland Park are hereby designated as appropriate for golf cart signage and the operation of golf carts in accordance with Section 15-15, Lake County Code. This designation shall apply only to those County roads or County streets, or segments of County roads and County streets, named in the sketch and description (Exhibit "A") and listed below:

- **Cooke Dr.**
- **Poinsettia Ave.**
- **Shiloh St.**
- **CR 25 (Dixie Ave).**
- **Urick St.**
- **Myrtle Lake Ave**
- **Pine Ridge Dairy Rd.**
- **Cutoff Rd.**
- **CR 468 only at Designated Golf Cart Crossing**
- **CR 466A / (Miller St.) only at Designated Golf Cart Crossing**

**Section 3.** Golf carts may not be operated on County Road 468, and County Road 466A, unless such use is at a designated crossing with signage indicating such crossing is permitted.




**Section 4.** Golf carts may be operated on the designated roads or streets between the hours before sunrise and after sunset if equipped with, at a minimum, headlights, brake lights, turn signals, a windshield and reflective devices on the sides of the golf cart that could include reflective tape. Golf carts that do not meet the minimum equipment standards for operation between the hours before sunrise and after sunset shall only be permitted to operate between sunrise and sunset.


**Section 5.** Nothing herein shall authorize the operation of golf carts on County roads within the City of Fruitland Park, the jurisdiction of the State of Florida.

PASSED AND ADOPTED THIS 11 DAY OF September, 2012

ATTEST:

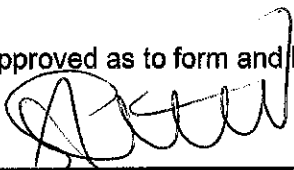
BOARD OF COUNTY COMMISSIONERS  
OF LAKE COUNTY, FLORIDA

  
\_\_\_\_\_  
Neil Kelly, Clerk of the  
Board of County Commissioners  
of Lake County, Florida

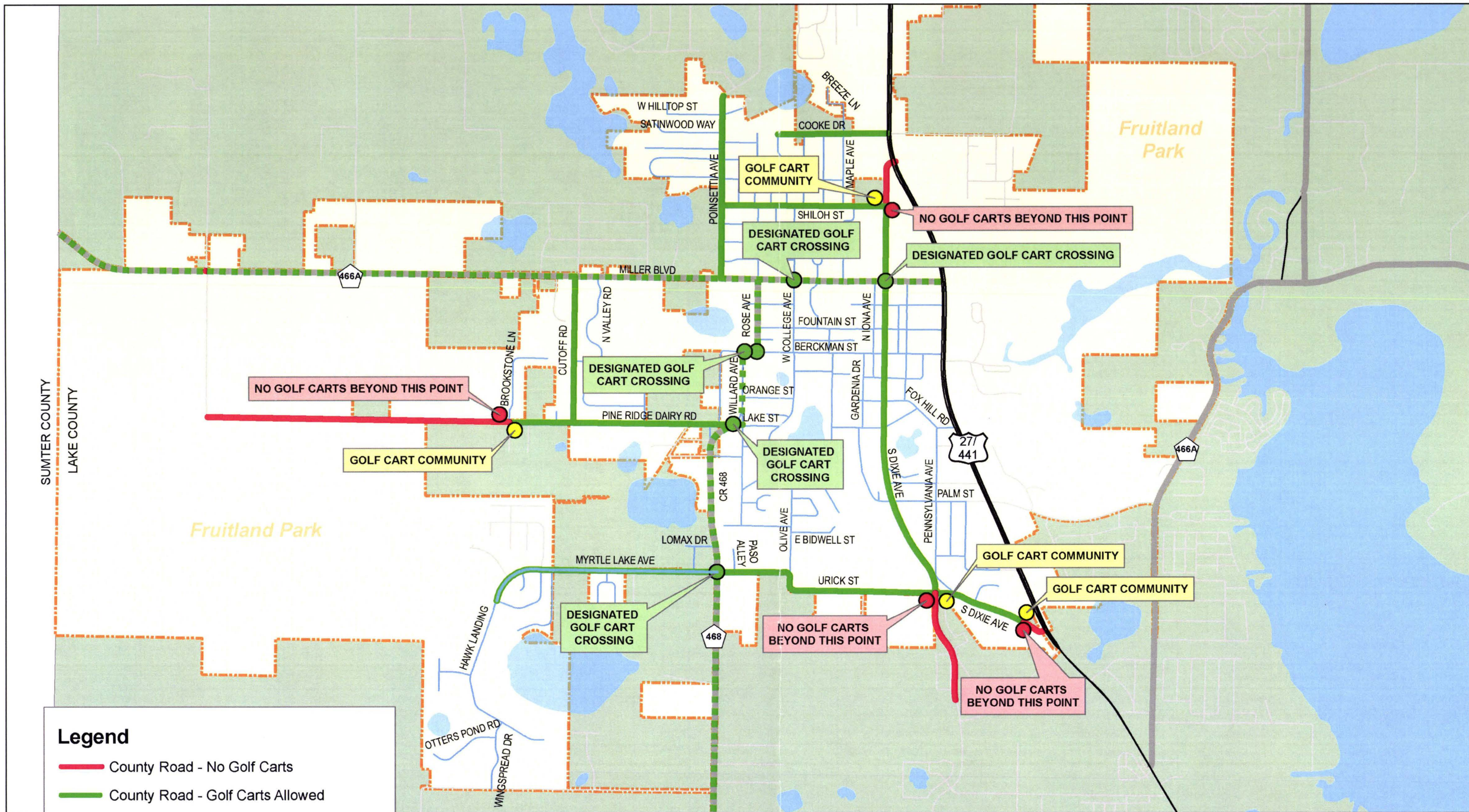
  
\_\_\_\_\_  
Chairman

This 12<sup>th</sup> day of September, 2012

Approved as to form and legality:

  
\_\_\_\_\_  
Sanford A. Minkoff  
County Attorney

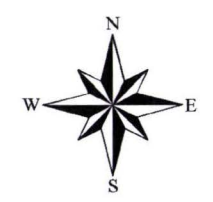




**Legend**

- County Road - No Golf Carts
- County Road - Golf Carts Allowed
- - - County Road - Golf carts permitted only at designated golf cart crossing
- Fruitland Park golf cart road
- Fruitland Park

Fruitland Park Golf Cart Community







**AGENDA ITEM  
NUMBER  
6a**

5

## AGENDA ITEM SUMMARY SHEET (Revised)

<b>ITEM TITLE:</b>	City Manager's Report				
<b>For the Meeting of:</b>	July 25, 2018				
<b>Submitted by:</b>	City Manager				
<b>Date Submitted:</b>	July 17, 2018				
<b>Are Funds Required:</b>			Yes	X	No
<b>Account Number:</b>	N/A				
<b>Amount Required:</b>	N/A				
<b>Balance Remaining:</b>	N/A				
<b>Attachments:</b>	Yes (see iv. below)				
<b>Description of Items:</b>					
i. Fruitland Park Library Construction – Furniture					
ii. Community Development Department – Office Renovations					
iii. 2018 Hurricane Plan					
<u>Additional Item</u>					
iv. Solartube -Solar Fans Permits and Requirements					
<b>Action to be Taken:</b> None					
<b>Staff's Recommendation:</b>					
<b>Additional Comments:</b>					

Reviewed by: \_\_\_\_\_  
City Manager

Authorized to be placed on the special agenda: \_\_\_\_\_  
Mayor

## Tracy Kelley

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**From:** Jeff Gerling <jeff@alpha-florida.com>  
**Sent:** Sunday, July 15, 2018 7:56 AM  
**To:** Tracy Kelley  
**Cc:** Kelly Turner; Stevie Taub  
**Subject:** RE: Solatube Permits

Tracy,

As I have stated several times to others that have asked, we require a MINIMUM permit to stop unlicensed people from doing the work. As you are aware, the process of installing these requires someone cutting into a roof, sealing that opening and then walking through the attic and cutting a hole in the ceiling. There is a lot of liability and potential problems that can arise out of doing this work, and as a matter of providing basic protections for the citizens of Fruitland Park, we require this MINIMUM permit fee for the work.

As to the other jurisdictions, I cannot say for certain who requires a permit and who does not. A quick search of Marion County's website shows that they have been issuing permits for these products. Marion County approached the Florida Building Commission in 2015 and asked whether a permit is required, and the commission said that not only was a permit required, but a plan review as well. That is why we master filed their paperwork, to bypass the requirement for a plan review, in an effort to make the process easier for the contractor.

The code is not clear as to what is required for a final inspection on these units. If the commission would like us to do a final, I will create an affidavit for the contractor to sign, stating they are installed per the MFG specs and will use that as our final inspection, to formalize the inspection process. As to the commission waiving the permit requirements for these units, they must understand that they are not authorized to waive these under our current structure, especially when the Florida Building Commission has already said through their DEC statement process that a permit is required.

Please share this with the Mayor and anyone else who may be interested.

Thanks,

Jeff

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**From:** Tracy Kelley <tkelley@fruitlandpark.org>  
**Sent:** Friday, July 13, 2018 1:31 PM  
**To:** Jeff Gerling <jeff@alpha-florida.com>  
**Cc:** Kelly Turner <kturner@fruitlandpark.org>; Stevie Taub <staub@fruitlandpark.org>  
**Subject:** Solatube Permits

Jeff:

During the scheduled Commission meeting on 7/12/2018, a resident of The Villages approached the Board during public comments in reference to solatubes –

More importantly, he addressed the Mayor with why the permit is required and especially at the fee being charged. It was explained the reason for the application and fees involved, however, it was determined before not requesting the permit in future, the Mayor would like to know:

- 1) Why a permit is required especially since a final inspection is not required

- 2) Outside of St. John's County (and the City) are there any other municipalities that require same permit (is there a fee or inspection for those entities)

If enough information cannot be provided or to warrant the permit, it seems it will no longer be a requirement for the City.

Please advise and/or comment at your earliest convenience.

Respectfully -

**Tracy Kelley** | Community Development Director

PH: 352-360-6727 | Fax: 352-360-6652 | [tkelley@fruitlandpark.org](mailto:tkelley@fruitlandpark.org)

Community Development Department | City of Fruitland Park  
506 W Berckman Street | Fruitland Park, FL 34731 | [fruitlandpark.org](http://fruitlandpark.org)



Community Development Department  
506 W. Berckman St.  
Fruitland Park FL 34731

Tel. (352) 360-6727  
Fax. (352) 360-6652

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## City of Fruitland Park

### Solatubes & Solar Fan Permits

- **City of Fruitland Park**
  - Permit required
  - \$76.50
  - No inspection required
  - Master file allowed
- **Town of Lady Lake**
  - Permit required
  - \$79
  - Final inspection required
  - No master file allowed
- **Lake County**
  - Permit required
  - \$79
  - Final inspection required & in-progress pictures
  - No master file allowed
- **Sumter County**
  - No permits required as of 3 years ago
- **Marion County**
  - Permit required
  - \$94
  - Final inspection required
  - No master file allowed



**AGENDA ITEM  
NUMBER  
6b**

## AGENDA ITEM SUMMARY SHEET

<b>ITEM TITLE:</b>	City Attorney Report		
<b>For the Meeting of:</b>	July 25, 2018		
<b>Submitted by:</b>	City Attorney		
<b>Date Submitted:</b>	July 19, 2018		
<b>Are Funds Required:</b>		Yes	X No
<b>Account Number:</b>			
<b>Amount Required:</b>			
<b>Balance Remaining:</b>			
<b>Attachments:</b>			
<p><b>Description of Item:</b> Please find below items to report to the City Commission.</p> <p><b>Notice of Claim – James Hartson:</b> No developments to report.</p> <p><b>Notice of Claim – Larry Odum:</b> No developments to report.</p> <p>I attended the Florida Municipal Attorney Association conference July 12 – 14, 2018. There are a number of issues that the City may want to consider exploring and/or implementing measures to address:</p> <ol style="list-style-type: none"> <li>1. An ordinance that limits the time period for one to bring a Whistleblower claim against the City.</li> <li>2. A policy relating to cybersecurity breaches. F.S. 501.171(3)(c)</li> <li>3. An ordinance clarifying who can declare a state of emergency, and develop a draft declaration so readily available when needed. Also develop a form for victims to use to request public record confidentiality. These were recommendations from a nearby City who experienced an act of mass violence.</li> <li>4. Designate in advance, those personnel who are essential and non-essential in the event of a storm and advise the personnel of their roles under either category.</li> <li>5. Implement of a period of time following a natural disaster for which code enforcement is suspended.</li> <li>6. Ordinance relating to conversion of the City to underground utilities.</li> </ol>			
<b>Action to be Taken</b>			
<b>Staff's Recommendation:</b>			
<b>Additional Comments:</b>			

Reviewed by: \_\_\_\_\_

Authorized to be placed on the Special Consent agenda: \_\_\_\_\_  
Mayor



**AGENDA ITEM  
NUMBER  
7**

## AGENDA ITEM SUMMARY SHEET

<b>ITEM TITLE:</b>	Public Comments			
<b>For the Meeting of:</b>	July 25, 2018			
<b>Submitted by:</b>	City Clerk			
<b>Date Submitted:</b>	July 17, 2018			
<b>Are Funds Required:</b>		Yes	X	No
<b>Account Number:</b>	N/A			
<b>Amount Required:</b>	N/A			
<b>Balance Remaining:</b>	N/A			
<b>Attachments:</b>	Yes			
<b>Description of Item:</b>				
<p>This section is reserved for members of the public to bring up matters of concern or opportunities for praise. Action may not be taken by the City Commission at this meeting; however, questions may be answered by staff or issues may be referred for appropriate staff action.</p> <p>Note: Pursuant to F.S. 286.0114 and the City of Fruitland Park's Public Participation Policy adopted by Resolution 2013-023, members of the public shall be given a reasonable opportunity to be heard on propositions before the City Commission. Accordingly, comments, questions, and concerns regarding items listed on this agenda shall be received at the time the City Commission addresses such items during this meeting. Pursuant to Resolution 2013-023, public comments are limited to three minutes.</p>				
<b>Action to be Taken:</b> None.				
<b>Staff's Recommendation:</b>				
<b>Additional Comments:</b>				

Reviewed by: \_\_\_\_\_  
City Manager

Authorized to be placed on the agenda: \_\_\_\_\_  
Mayor<sup>1</sup>



**RESOLUTION 2013 -023**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, PROVIDING FOR A PUBLIC PARTICIPATION POLICY WITH REGARD TO MEETINGS OF CITY BOARDS AND COMMISSIONS; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City Commission wishes to adopt a public participation policy for meetings of the City's boards and commissions; and

**WHEREAS**, the City Commission accordingly desires to pass this Resolution 2013-023 to do so.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AS FOLLOWS:**

**Section 1.** The following Public Participation Policy shall apply to meetings of City boards or commissions as provided herein.

Sec. 1.        Citizen's Rights

(a)        Definition.        For the purposes of this section, "board or commission" means a board or commission of the City of Fruitland Park.

(b)        Right to be Heard:        Members of the public shall be given a reasonable opportunity to be heard on a proposition before a City board or commission except as provided for below. Public input shall be limited to three (3) minutes. This right does not apply to:

1.        An official act that must be taken to deal with an emergency situation affecting the public health, welfare, or safety, if compliance with the requirements would cause an unreasonable delay in the ability of the board or commission to act;
2.        An official act involving no more than a ministerial act, including, but not limited to, approval of minutes and ceremonial proclamations;
3.        A meeting that is exempt from §286.011; or
4.        A meeting during which the Commission is acting in a quasi-judicial capacity. This paragraph does not affect the right of a person to be heard as otherwise provided by law.

Sec. 2.        Suspension and Amendment of these Rules

(a)        Suspension of these Rules:        Any provision of these rules not governed by the City Charter or City Code may be temporarily suspended by a vote of a majority of the Commission.

(b)        Amendment of these Rules:        These rules may be amended or new rules adopted by resolution.

- (c) Effect of Variance from Rules: The failure to follow this Public Participation Policy shall not be grounds for invalidating any otherwise lawful act of the City's boards or commissions.

**Section 2.** If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion of this Resolution.

**Section 3.** This Resolution shall become effective immediately upon passage.

**RESOLVED** this 26 day of September, 2013, by the City Commission of the City of Fruitland Park, Florida.



Christopher J. Bell, Mayor

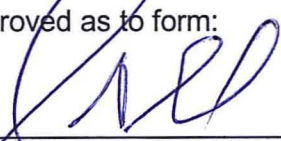
ATTEST:

  
MARIE AZZOLINO, Acting City Clerk

Passed First Reading 9/26/2013

Passed Second Reading N/A

Approved as to form:

  
SCOTT A. GERKEN, City Attorney