



## **FRUITLAND PARK CITY COMMISSION REGULAR MEETING AGENDA**

**January 10, 2019 (Revised 11:45 a.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 – Reverend Pastor Melvin Davison, Heritage Community Church

Pledge of Allegiance – Interim Police Chief Erik Luce

**2. ROLL CALL**

**3. PRESENTATIONS**

- a. **Special Recognition – Colin Crews Planning and Zoning Board** (city clerk)
- b. **Fruitland Park Elementary – Trick or Trot 5k** (city manager/parks and recreation director)
- c. **Fruitland Park Elementary - Honorable Mention** (city clerk)

**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. September 21, 2018 Special Meeting
- b. September 27, 2018 Regular Meeting

**5. REGULAR AGENDA**

**(a) Boards and Committees**

- i. **Resolution 2019-001 - Planning and Zoning Board Appointment**  
(city clerk) (revised)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING THE PLANNING AND ZONING BOARD CHAIR AND VICE-CHAIRMAN SELECTION FOR FISCAL YEAR 2018/2019; PROVIDING FOR AN EFFECTIVE DATE.

ii. **Resolution 2019-002- Board of Trustees Firefighters Pension Trust Fund Appointment** (city clerk)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, REAPPOINTING A MEMBER TO THE CITY OF BOARD OF TRUSTEES FIREFIGHTERS PENSION TRUST FUND AND PROVIDING FOR AN EFFECTIVE DATE.

- (b) **Payment for CRA FY 2018-19 Tax** (city treasurer)  
Motion to approve the payment from the general fund to the redevelopment fund for the redevelopment taxes for FY 2018-19.

**PUBLIC HEARING**

(c) **Second Reading and Public Hearing Ordinance 2018-017 Solid Waste Increase** (city manager/city treasurer/city attorney) (revised)

AN ORDINANCE OF THE CITY OF FRUITLAND PARK, LAKE COUNTY, FLORIDA AMENDING SECTION 98.12 TO INCREASE THE SOLID WASTE RATES EFFECTIVE AS OF JANUARY 1, 2019; PROVIDING FOR CODIFICATION; PROVIDING FOR REPEAL OF ALL CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE. (The first reading was held on December 13, 2018.)

**6. OFFICERS' REPORTS**

(a) **City Manager**

- **Fire Inspector**
- **Gardenia Park Phase III FRDAP Project No. A19161**

(b) **City Attorney - Notice of Claim – James Hartson**

**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 Mobilian**

(b) **Commissioner DeGrave**

(c) **Commissioner Bell**

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

**9. MAYOR'S COMMENTS**

**10. ADJOURNMENT**

**DATES TO REMEMBER** (Revised)

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

January 11, 2019, *Keep Lake Beautiful and Organizational Meeting*, Lake County League of Cities (LCLC), Lake Receptions , 4425 N Highway 19-A, Mount Dora, FL 32757

January 21, 2019, Dr. MLK Holiday – City Hall Closed

January 24, 2019, City Commission Meeting Regular at 6:00 p.m.

January 25-27, 2019, Institute for Elected Municipal Officials (Basic), Jacksonville Marriott, 4670 Salisbury Road, Jacksonville, Florida 32256 at 8:00 a.m.

February 7, 2019, ~~City Commission~~ Community Redevelopment Agency Workshop at 6:00 p.m.

February 8, 2019, *Lake County Economic Development Update*, LCLC, Lake Receptions , 4425 N Highway 19-A, Mount Dora, FL 32757

February 9, 2019, *Love Week - 5k Love Run*, outside City Hall at 8:00 a.m.

February 11, 2019, Lake County Parks, Recreation and Trails, Conference Room, 2401 Woodlea Road, Tavares, Florida 32778 at 3:30 p.m.

February 14, 2019, City Commission Meeting Regular at 6:00 p.m.

February 19, 2019, City Commission Workshop at 6:00 p.m.

February 20 and 21, 2019 *Lake Legislative Days* Doubletree Hotel, 101 South Adams Street, Tallahassee, Florida, 32301-7774 at 8:00 a.m.

February 27, 2019, Lake-Sumter Metropolitan Planning Organization (LS-MPO), Governing Board Meeting, MPO Office, Suite 217, 225 W. Guava Street Lady Lake, Florida 32159 at 2:00 p.m.

February 28, 2019, City Commission Meeting Regular at 6:00 p.m.

March 8, 2019, TBD LCLC, Lake Receptions , 4425 N Highway 19-A, Mount Dora, FL 32757

March 14, 2019, City Commission Meeting Regular at 6:00 p.m.

March 28, 2019, City Commission Meeting Regular at 6:00 p.m.

March 30, 2019, Fruitland Park Day

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  
3a-c**

## AGENDA ITEM SUMMARY SHEET

<b>ITEM TITLE:</b>	Special Recognition			
<b>For the Meeting of:</b>	January 10, 2019			
<b>Submitted by:</b>	City Clerk and City Manager/Parks and Recreation Director			
<b>Date Submitted:</b>	January 3, 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 Item:</b>				
<ul style="list-style-type: none"> <li>a. Recognizing the dedicated service and contributions to the City of Fruitland Park by former Colin Crews, Planning and Zoning Board member from 2006-2018:</li> <li>b. Fruitland Park Elementary School – Trick or Trot 5k</li> <li>c. Fruitland Park Elementary School – Honorable Mention</li> </ul>				
<b>Action to be Taken:</b>				
<b>Staff's Recommendation:</b>				
<b>Additional Comments:</b>				

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

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

# TRICK OR TROT 5K

## OCTOBER 20, 2018

89 RUNNERS = \$1,175.30

EXPENSES = \$4,621.43

\$6,700 IN SPONSORSHIPS

\$1,000 Gold Sponsors

- Community United Methodist Church
- Kiwanis of Lady Lake
- Anchor Capital

\$500 Silver Sponsors

- Danitech
- BESH
- Anita Geraci-Carver
- Qualite Sports Lighting, LLC

\$250 Bronze Sponsors

- Chris Semans State Farm
- Mid Fla Fence
- Musco Lighting
- Warren Willis After School Adventures
- Rae Rae's Restaurant
- LPG Urban and Regional Planners, Inc.
- McCoy Behavioral

TOTAL PROFIT \$3,253.87

FRUITLAND PARK RECREATION GETS \$1.626.93

FRUITLAND PARK ELEMENTARY GETS \$1.626.93



**AGENDA ITEM  
NUMBER  
4ab**

## CONSENT AGENDA ITEM SUMMARY SHEET

<b>ITEM TITLE:</b>	Draft Minutes		
<b>For the Meeting of:</b>	January 10, 2019		
<b>Submitted by:</b>	City Clerk		
<b>Date Submitted:</b>	January 4, 2019		
<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 style="margin-left: 40px;">a . September 21, 2018 special meeting (postponed from the December 13, 2018 regular meeting) b . September 27, 2018 regular meeting</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>			

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

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

**FRUITLAND PARK CITY COMMISSION SPECIAL  
MEETING MINUTES  
September 21, 2018**

A special meeting of the Fruitland Park City Commission was held at the Community United Methodist Church, 309 College Avenue, Fruitland Park, Florida 34731 on Thursday, September 21, 2018 at 6:00 p.m.

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

**Member Absent:** Commissioner Ray Lewis

**Also Present:** District 1 Commissioner-Elect Pat DeGrave, District 2 Commissioner Candidates John Mobilian and Fred Collins; City Manager Gary La Venia; City Treasurer Jeannine Racine; Interim Police Chief Erik Luce, Executive Assistant Karen McKillip, Sergeant David Brown and Officer Paul Sandbakken, Police Department; Interim Fire Chief Donald Gilpin, Deputy Fire Chief Tim Yoder, Madison Leary, and Lieutenant Michael Howard, Fire Department; Public Works Director Dale Bogle, and City Clerk Esther B. Coulson.

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

After Mayor Cheshire called the meeting to order at 6:00 p.m., Reverend John LeCain, Community United Methodist Church, gave the invocation and Interim Police Chief Luce led in the Pledge of Allegiance to the Flag.

**2. ROLL CALL**

At Mayor Cheshire's request, Ms. Coulson called the roll and a quorum was declared present.

**By unanimous consent, the city commission excused the absence of Commissioner Lewis from this evening's meeting.**

Mayor Cheshire announced the decorum for this evening's meeting.

**3. SPECIAL AGENDA**

Mayor Cheshire gave a power-point presentation on the following:

- The six-year millage trend, FY 2018-19 Millage Rates in Lake County, the Lake County Taxing Authority, the general fund revenues for FY 2018-19, the six-year millage budget expenses trend, personnel expense, population versus recommended police officer ratio, fire assessment, general fund restricted fund balances, commercial and growth and additionally the new library's revenue and expenses. He reviewed the statistics during FY 2017-18 on programs and activities at the current Fruitland Park Library and called for the public to be heard:

After Mr. Jim Lagrone, Villages of Fruitland Park (VOFP) resident, addressed his presence to request how revenues are generated by the general funds, Mayor Cheshire welcomed the opportunity for the public to provide input and pointed out such forums previously held such as *Coffee with the Mayor* event. He anticipated this evening's meeting proceeding to continue until 9:00 p.m. and the opportunity for public to provide input.

Ms. Mary Ann Mobilian, VOFB resident, explained the transfer of homestead exemption for property owned and occupied in Florida known as the *Save Our Homes* exemption.

In response to Mr. Lagrone's inquiry, Mayor Cheshire announced during the following item, the order of business to come before the city commission.

### **PUBLIC HEARING**

**By unanimous consent, Mayor Cheshire opened the public hearings.**

**(a) Resolution 2018-035 FY 2018-19 Adopted Fire Assessment Rates**

After Ms. Geraci-Carver read into the record proposed Resolution 2018-035, the substance of which is as follows, Mayor Cheshire called for the public to be heard:

A RESOLUTION OF THE CITY OF FRUITLAND PARK, FLORIDA, RELATING TO THE PROVISION OF FIRE SERVICES THROUGHOUT THE CITY OF FRUITLAND PARK; ESTABLISHING THE ASSESSMENT RATE FOR FIRE SERVICES ASSESSMENT FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2018; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.  
(Continued from the September 13, 2018 regular meeting.)

After discussion, **a motion was made by Vice Mayor Gunter and seconded by Commissioner Ranize that the city commission adopt Resolution 2018-035 as previously cited.**

In acknowledging the city and the VOFB as one governmental entity and after recognizing The Villages Community Development District (VCDD) Public Safety Fire Rescue advance life support (ALS) responders, Commissioner Ranize gave a outline of the city's fire department's certified firefighter personnel, their compensation and the basic life support (BLS) services provided. He acknowledged the implementation of the city's fire assessment and described the process for ALS and fire-rescue related services with an ILA among the VCDD and the City of Leesburg where he believed that such process may no longer exist due to affordability.

Commissioner Ranize expressed preference for the fire assessment fee to be separated for the city's fire department and utilized for ad valorem. He anticipated that the new District 1 Commissioner present at evening's meeting, would work



with the city and attempt to resolve the city's ALS response time which is his concern. He stated that the city has enough funds for FY 2017-18; questioned same for FY 2018-19 and voiced the need to address said issue before the budget process.

Mayor Cheshire, in concurring with Commissioner Ranize' concerns, addressed the need for the new city commissioners to review the fire rescue services in a workshop-setting earlier in the 2019 year. He explained that with respect to taxes and fire fees, the separation of the city is used solely for illustration purposes.

Upon the request of Ms. Lynn Marsh, VOFP resident, the city commission members gave self introductions.

After Mr. Lagrone referred to page 106, line item 01522-30345, (Contractual Villages) from the August 6 and 7, 2018 FY 2018-19 proposed budget, Ms. Racine noted the typographical error and misprint identifying FY 2017-18 on the city's payment to The Villages and recognized \$166 multiplied by the 2,555 residents with 190 homes which the city is paying should read: "\$194" collected by the city.

Mr. William Edgabear, City of Fruitland Park resident, gave reasons why he believed that all city residents ought to pay equal amount for receiving the same fire service.

Mr. Don Brozick, VOFP resident, recognized the city's ILA with VCDD; outlined the distinction of shared fire services provided in The Villages in comparison to the historic area and noted the fee difference charged in Sumter County paid by the VOFP for same. He felt the city commission could consider, in future, reviewing in the historical area -- various locations in the City of Leesburg and Lake County -- the provision of a similar type of shared service at a much lower rate.

In concurring with Mr. Brozick's remarks and in response, Vice Mayor Gunter believed that with the newly elected officials, the city commission intends to review said service to which Mr. La Venia outlined the cost effectiveness of VCDD's operations; noted the problem to support operating and addressed the provision of similar services to the historic area residents recognizing that \$660 a year to be considerable.

Commissioner Ranize pointed out concerns previously raised by a resident and gave an overview of the former formulation of and recommendation from the fire services advisory committee by supermajority vote for the provision of the city's fire rescue services to be retained in-house and not transferred to the county.

Commissioner Ranize recognized that Lake County Fire Rescue (LCFR) Station 53 to be the busiest station in the county; noted that the fire truck is not at said location and indicated that LCFR Station 59 tanker truck remains at the station covering areas not served with fire rescue services. He believes it would be cheaper to retain fire rescue services in-house and voiced concerns on the management of the

firetruck in the city. Commissioner Ranize addressed the lack of guarantee from the county in that regard and mentioned the need to reexamine the issue again.

In asking for clarification, Mr. Mike Waltervitz, VOFP resident, referred to Mr. Lagrone's request for explanation; noted the response that the county charges to collect the money and indicated that the budget documents are incorrect.

At Mayor Cheshire's request, Ms. Racine referred to the details section in the proposed budget carried over from year to year; outlined the charges collected from the county and cited the correct number of 194 homes calculated by Governmental Services Group Inc., consultant retained by the city.

Ms. Eva Peterson, VOFP resident, referred to Mayor Cheshire's comments on the preference to retain the fire department; pointed out Mr. Brozick's suggestion to possibly pool the city's resources and addressed her view to approach the county first.

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

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

**The motion was declared carried on a three to one (3-1) vote.**

**(b) First Reading and Public Hearing Resolution 2018-052 – FY 2018-019 Tentative Millage**

It now being the time advertised to hold public hearing to consider the adoption of proposed Resolution 2018-052 and after Ms. Geraci-Carver read into the record the following title, Mayor Cheshire called for the public to be heard:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, LAKE COUNTY, FLORIDA, ADOPTING A TENTATIVE MILLAGE RATE OF 3.9863 LEVYING OF AD VALOREM TAXES FOR LAKE COUNTY FOR FISCAL YEAR 2018-2019; PROVIDING FOR AN EFFECTIVE DATE. (Continued from the September 13, 2018 regular meeting.)

Mayor Cheshire announced the city's preparedness to set the tentative millage rate of 3.9863 (a 1.86 percent increase over the roll back rate of 3.9134) and that the ad valorem increase is due to increase in taxable value generated by The Villages and other developments.

**A motion was made by Vice Mayor Gunter and seconded by Commissioner Ranize that the city commission adopt Resolution 2018-052 as previously cited.**

Mr. Gary Drake, VOFP resident, submitted a chart featuring the property tax (ad valorem) revenue from FY 2015 to 2019 and outlined concerns on the total tax revenue increases, ad valorem tax revenue, growth taxable home values and proposed millage of 3.9863 to which Mayor Cheshire interjected 1.86 percent. (A copy of the chart is filed with the supplemental papers to the minutes of this meeting.)

Mr. Drake noted the higher millage rates with other municipalities; gave reasons why he believed the city ought to reduce its millage rate and questioned the justification for the annual increases for not further reducing the millage rate.

After Commissioner Bell explained the city's justification to keep the millage rate down noting the double increase in population, Vice Mayor Gunter addressed the need to expand the size of the police department.

Mr. Brozick clarified -- in correcting Mayor Cheshire's statements -- Lake County's millage rate being higher than Sumter County's which he stated is the distinction of their ambulance rates. In describing the amenity fees paid for by VOFP residents, Mr. Brozick outlined the services provided by the city to be high; noted other components in the budget from FY 2015 to FY 2019 that the VOFP residents did not use which the city commission ought to review and relayed the VOFP residents' questions on the reason for not reducing the millage rate.

Mr. Mike Galls, VOFP resident, gave reasons why he believed that with the continued high millage rate, it increased due to property values and inquired about the percentage of police services provided to VOFP versus the rest of the city to which Mayor Cheshire responded can be provided to him. Mr. Galls considered the costs of providing public safety services to be high which he feels the city commission ought to review and questioned how the funds are allocated.

Ms. Sally Jensen, VOFP resident, referred to her visit to the city's substation located in The Villages Moyer Recreation Center and her pursuit of a law enforcement officer. She relayed the comment that a detective is at the location for two hours; noted the funds expended for police services and questioned whether the law enforcement personnel are all in the city.

At Mayor Cheshire's request, Interim Police Chief Luce recalled the concept, when the substation opened in 2016, to have a local place for residents needing service to

report to and not for an officer to be present for extended periods during the day. He noted the process for a volunteer (stationed at the center) to call a law enforcement officer and recognized that an investigator also works at the center who would be able to meet the residents and provide needed services.

Mr. Lagrone pointed out the unassigned fund balance in the general fund from the September 30, 2017 Audited Financial Statement which revealed \$471,116 as surplus funds the city collected.

After Ms. Racine confirmed in the affirmative to Mr. Lagrone's inquiry that the contingency fund is also known as a miscellaneous account, he reviewed same in the FY 2018-19 budget within the departments and questioned reducing the millage rate.

Ms. Racine explained, in response, the recommendations from the state and the auditor for the city's fund balance to be more than the three months minimum range of operating expenditures

Mr. Lagrone referred to the September 20, 2018 newspaper article *The Villages' Newest Residents Complain About High Taxes in Fruitland Park* and quoted Mr. La Venia's statements on the additional tax dollars being devoured by other expenses.

After Ms. Racine explained that the funds coming from the \$471,116, Mr. Lagrone recognized the excess funds from FY 2017-18; noted that the financial audit is not yet complete for 2018 and questioned the United States Federal Emergency Management Agency's (FEMA's) reimbursement to the city to which Mr. La Venia anticipated would be received in FY 2018-19.

For FY 2018-19, Mr. Lagrone voiced his belief that the city has excess cash which should be transferred to a reduced millage rate. He believed the \$157,301 in contingency funds ought to be more specific as well as the \$151,256 to which Mr. La Venia stated that the Community Redevelopment Agency (CRA) funds have not yet been dedicated.

Mr. Daniel Peterson, VOFP resident, expressed his appreciation towards the city's law enforcement for controlling the speeding traffic in the area and noted the other opportunities in utilizing the police department. With respect to Mayor Cheshire's statements on the large percentage of the budget earmarked towards public safety, he believes it does not match the amount placed; however, he expressed his willingness to pay for same. After Mr. Peterson conveyed the public's sentiments to review the expenditures of the tax dollars, he expressed gratitude for Mayor Cheshire's clarification on the 'meet and greet'. Mr. Peterson gave his understanding that The Villages are not using and placing an added burden on the city.

After Mayor Cheshire, in response, noted that there will be two members representing the VOFP serving on the city commission in November 2018; he recognized the amount of work before the city commission and besides patrolling the city, noted the traffic increase especially on the major thoroughfares.

After Mr. Peterson voiced his gratitude on law enforcement's patrol services, Interim Police Chief Luce, in response to his inquiry, explained the city's law enforcement's responsibility for services on any state or county roads travelling through the city's jurisdiction.

Answering a question posed by Mr. Ron Abend, VOFP resident, on the meaning of 'tentative' resolution, Ms. Geraci-Carver addressed the statutory requirements to adopt a tentative millage which is what the city commission anticipates taking action at its final hearing and recognized the opportunity between this meeting and the next public hearing to make a change on the final millage to which Mayor Cheshire noted the same venue reserved to consider same.

Mr. Marc Vandembark, VOFP resident, referred to Mayor Cheshire's statements on the increase in population; questioned the percentage of non-homeowners utilizing the infrastructure and noted the steps taken to increase or obtain additional revenue due to the city's population.

In response, Vice Mayor Gunter recognized the population at approximately 3,800 prior to The Villages, the small increase at the older section of the city and the subsequent additional increase of 100 percent from VOFP.

After Mr. Ray Dal Lago, VOFP resident, relayed concerns on the land purchased by The Villages to pay for housing, Mayor Cheshire recognized that the land is owned and was purchased by the First Baptist Church (FBC) and Commissioner Bell recalled the annexation of said land, formerly a dairy farm, where the property belonged to FBC; thus, the city never received any money from same.

Ms. Rita Ranize, City of Fruitland Park resident, addressed the State of Florida's mandate for law enforcement services according to the number of law enforcement officers assigned for the mileage area. She indicated that the city did not make a request for officers when the property was purchased; mentioned that The Villages developed and predicted the need for their services and noted the current dilemma the officers experience.

Ms. Ranize recollected the former years of historical home structures which have been lost; referred to the residents' remarks at this evening's meeting on the separation of the city and the citizens of the old city's current taxes and addressed the need to maintain the roads and water and wastewater system without complaint.

Mr. Jim LeGrove conveyed the residents' remarks on the city's excessive funds where it is felt that they are not spending wisely. He referred to the

November 14, 2013 special meeting minutes regarding the city commission's decision on the purchase of electricity from the City of Leesburg and the agreement to purchase its distribution system opting for the five-year renewable term.

In response, Mayor Cheshire in clarifying Mr. Le Grove's statements, gave his unfavorable view on the method of placing the franchise fee on the bill and that he believed cities should not own their own utilities.

After Mr. Le Grove addressed the opportunity for the city to purchase said system in 2019 and create a fund from the franchise fees collected, he questioned whether the city established a study commission, Commissioner Ranize compared The Villages' electric system with the city's antiquated system and explained the consequences if the city upgraded same and Vice Mayor Gunter recalled the city commission's previous consideration (March 22, 2007 regular meeting) to purchase the system and its action to expend funds to conduct a study which failed as it was not feasible at that time.

Mayor Cheshire pointed out the city commission's FY 2018-19 budget workshops conducted in August 2018 where all the items addressed by the public were considered. He believed that the city commission representatives from districts one and two would make the public better informed.

Ms. Peterson expressed her surprise when she moved in to The Villages that it had a ZIP code for Fruitland Park where she was paying taxes for said entity.

Mr. Edgabear expressed gratitude for law enforcement services; the elected officials' role and the city services received.

Mr. Doug French, VOFP resident, in recognizing the increased population, gave reasons why he believed the millage rate ought to be reduced to which Mayor Cheshire explained the difference with the ad valorem from FY 2017-18 to FY 2018-19 as the same amount received which is determined by the state to be approximately \$41,000 more with the roll back rate of 3.9134.

Mr. Wyatt Spam Jr., VOFP resident, gave reasons why he believed Mayor Cheshire did not keep this evening's meeting under control and that the decorum he announced earlier was not adhered to.

Ms. Nancy Miller, VOFP resident, recognized the VCDD's reduced budget; noted the city's increased revenue and believed the city's millage roll-back rate ought to be reduced. She referred to previous newspaper articles relating to the city's voting districts; the change made with the at-large representation and residency requirements and the percentage of voters within the districts.

After Ms. Miller expressed concerns on the lack of current representation for the VOFP, Mayor Cheshire explained the imminent change after November 2018 where she will have a voice.

In response, Commissioner Ranize clarified by correcting Ms. Miller's statements that he represents her as the district 1 commissioner; pointed out his telephone call with her and referred to her email to him in that regard. In agreeing with her statements, he addressed how he became informed before being elected as a commissioner and addressed his attempts to do his best until Commissioner-Elect Patrick "Pat" DeGrave replaces him.

Ms. Mobilian referred to Mr. Lagrone's appearance earlier in this evening's meeting demonstrating the FYs 2015-2019 total tax revenue and ad valorem tax revenue increases. She recognized the FY 2017-18 budget hearing revealing increases in revenues and taxable values and pointed out a VOFP resident's request for a roll back rate of 3.66 which was not considered noting an increase in the millage rate was for 3.98.

Ms. Mobilian recognized the city's growth in taxable values and revenues; expressed concerns that the city's expenses did not increase due to The Villages and voiced her pleasure in being part of the city.

Mr. Ron Cullum, VOFP resident, referred to residents' questions on how the base costs or the amount of money is collected which he believed has almost doubled and the millage rate staying the same. He questioned what is planned with the extra funds.

After discussion and in response, Commissioner Ranize addressed his intent to request that Ms. Racine provide him with the funding source of \$1.6 million from The Villages of which \$880,000 is law enforcement; noted city's water and waste water treatment plant (WWTP) where \$240,000 of ad valorem was transmitted to the Town of Lady Lake, and recognized the city's debt on said plant of \$933,000 which is due to be dismantled leaving \$1.2 million.

Commissioner Ranize recognized the city commission's efforts in keeping the rates low; mentioned his review of the city's budget and referred to the email received earlier this day from Ms. Racine regarding the dollar amount difference of \$47,244 between the millage rate of 3.9863 and the rollback rate where he explained why he plans to request that the city commission vote on the rollback rate recognizing the police department to be the largest expenditure with the anticipation of taking some of the funds to help offset the cost of the fire department. (A copy of the email is filed with the supplemental papers to the minutes of this meeting.)

Commissioner Ranize recalled, when he initially was a city commissioner, the city virtually having no funds in reserves which would be reimbursed from FEMA – recognized that the 2004 hurricane took years to recoup – and addressed his desire

for the public to have attended the city's budget workshops as there may be a need to eliminate staff positions if one goes below the roll back rate which he does not want to do.

Vice Mayor Gunter explained the purpose of the contingency funds; the potential impacts to residents homeowners' insurance rates and the franchise providers increases to the city which is transmitted to the residents. He stressed the need for the public's presence at the city commission meetings and budget workshops.

Mr. Ray Liberty, VOFP resident, recognized the increase from law enforcement due to The Villages and noted their service provided to The Villages. He recognized the 224 units in VOFP of Pine Hills and the budget hearings were issued simultaneously to the TRIM notice being issued. In referring to Mayor Cheshire's earlier presentation and the budget he has reviewed, he believes they are incomplete. Mr. Liberty explained that the increased population and assessed valuation at 100 percent at FY 2016-17, correlating an increase in property values and the city's expenditures, does not make sense to him. He requested more specifics as to why there is a variance when there is a 100 percent increase in property value and believed that with the 100 percent increase, the millage rate should not dramatically decrease.

Mayor Cheshire announced that at the next meeting, there will be a presentation in graphic form revealing where all the departmental increases have been made to which Ms. Racine indicated that a chart has already been prepared in that regard and pointed out Commissioner Ranize' statements revealing that the information he has identifies where all the increases have occurred in The Villages.

Ms. Shannon Harris, VOFP resident, gave reasons why she believed that the residents' taxes are providing 65 percent increase in the city's revenue; that the cost of their homes and taxes are high as compared to the population in the old Fruitland Park area and that she felt that they are being taken advantage of.

Mayor Cheshire recognized himself and Commissioner Ranize' previous position taken on the intent for a roll back rate; addressed the plan to have more information at the next meeting and indicated that the residents will have more representation on the commission.

In response to a question posed by Mr. Brozick, Mayor Cheshire addressed the city commission's commitment to consider a roll back rate for the next meeting.

Mr. Carl Yank, VOFP resident, referred to the city commission's remarks on the city or the county maintenance of the roadway in VOFP to which Mayor Cheshire recognized as curb to curb.



After Mr. La Venia addressed the residents' responsibilities on the bond they pay, he explained, in response to Mr. Yank, that the city sweepers for the streets would be considered as a topic for the city commission to consider in the future.

Mr. Marshall Smith, VOFP resident, noted the previous discussions on the city's personnel and in addition to law enforcement, he described the increased service work provided by the VCDD. He addressed his desire to invest and alluded to previous comments made on the viewing of his property which related to the increased taxes on his home.

In answering, Mayor Cheshire recognized the public's comments and the city commission's attempts to keep the rates as low as possible. With respect to the other governmental entities, he suggested that the public similarly attend their meetings.

Mayor Cheshire restated the motion on the floor to adopt Resolution 2018-052 as previously cited and recognized the intent to make an amendment.

Ms. Geraci-Carver, in response to Mayor Cheshire's inquiry, recognized the resolution adopting a tentative millage rate of 3.9863 and addressed the need for the maker and seconder to amend the motion on the floor.

**A motion was made by Commissioner Bell and seconded by Commissioner Ranize that the city commission amend Resolution 2018-052 adopting a tentative millage rate deleting 3.9863 and amending it to read "3.9134".**

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

Upon Mayor Cheshire's suggestion and **by unanimous consent, the city commission recessed its meeting at 8:41 p.m. and reconvened at 8:52 p.m.**

**(c) First Reading and Public Hearing Resolution 2018-053 – FY 2018-019 Tentative Budget**

It now being the time advertised to hold public hearing to consider the adoption of proposed Resolution 2018-053 and after Ms. Geraci-Carver read into the record the following title, Mayor Cheshire called for the public to be heard:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, LAKE COUNTY, FLORIDA, ADOPTING THE TENTATIVE BUDGET FOR FISCAL YEAR 2018-2019; PROVIDING FOR AN EFFECTIVE DATE.

(Continued from the September 13, 2018 regular meeting.)

**A motion was made by Commissioner Bell and seconded by Commissioner Ranize that the city commission adopt Resolution 2018-053 as previously cited.**

After Ms. Geraci-Carver questioned the plan to reduce the budget by \$47,244, **by unanimous consent and upon Mayor Cheshire's recommendation, the city commission agreed with the city treasurer's recommendation to identify the funding source from contingency.**

Ms. Drake referred to the following:

- a report that was given by the city manager regarding the construction costs of the new library;
- the press releases revealing the library's size, history and components including a restaurant, commercial kitchen and retail book store;
- the ILA outlining the use of the library project;
- the American Library Association regarding its costs, and
- Resolution 2018-033 representing the deposit for the library furniture

Ms. Drake outlined the costs involved for the library furniture and the suggestions made by the Fruitland Park Library Director on the utilization of city and state funds to pay for same; believed the city ought to reveal the actual library costs and questioned the origin of the funds.

After Mayor Cheshire referred to the power-point presentation on the new library, Mr. La Venia reviewed the library revenue; a copy of which is filed with the supplemental papers to the minutes of this meeting.

Following further discussion and in response to Ms. Drake's inquiry, Mr. La Venia and Ms. Racine explained that the library director is still working on the new figures.

Ms. Drake questioned the status of the old library furniture in the existing library, the opening day costs and the relocation expenses and recognized that the city is overbudget.

Ms. Mobilian referred to Ms. Drake's comments and reviewed the FY 2018-19 proposed budget for the library. She explained her calculations on the library construction, grants and furniture and the restricted funds for storm water grants and public service impact fees and how she reached the total amount of \$1,113,364 where she believes the city is over budget for the library.

After Ms. Mobilian outlined the costs for the new library furniture and questioned the actual cost to operate same, she requested that the city commission review its future expenditures as she believed that the city is going out of control.

After discussion and in response, Mayor Cheshire suggested that Ms. Racine and Mr. La Venia obtain from Ms. Mobilian the figures she cited and review same. He pointed out Ms. Mobilian's reference to the total believing that there may be

discrepancies; addressed the need to come together to determine how same was derived and concurred with Commissioner Bell's remarks that the bid for the Fruitland Park New Library Construction Site Work was not included in the total cited by Ms. Mobilian.

Commissioner Bell explained the city's plans to develop the entire downtown area to include the public safety complex and hold city-related events.

Ms. Linda (inaudible), Blaise Terrace VOFP resident, referred to Mayor Cheshire's presentation noting the limited commercial business and the need to attract same; recognized the inefficiencies addressed at this evening's meeting and noted the lack of readily available information. She recommended that the city commission establish a task force for the new district commissioners to address methods in identifying inefficiencies relating to the Fruitland Park Library and the population growth; questioned the CR 466A roadway improvement costs, and commended Commissioner Ranize on his performance.

In response, Commissioner Bell recognized the election process for the candidates who filed to run for office in June 2018 prior to the city commission's budget workshops and indicated that the county is responsible for CR 466A.

After Mr. Yank referred to the city commission's discussion of the electric franchise agreement with the City of Leesburg at its September 13, 2018 regular meeting, Mayor Cheshire, in response to several of his questions posed on the city tax and franchise fees, described the process involved and pointed out his presentation made earlier in this evening's meeting.

Following extensive discussion, Mayor Cheshire explained that Ms. Coulson will conduct a research and provide more information on the determination of the 9.84 percent rate; whether there is a franchise fee or a city tax and if it was voted on by the residents by the next meeting.

Mr. Craig Peters, VOFP resident, expressed concerns on the issue of taxes on their utility bills which he believes is misleading.

Mr. Brozick questioned whether the city commission considered the implications as it related to the Fruitland Park library construction and whether the library director directed to conduct a proforma statement on the revenue. He addressed concerns on the potential liability to the city as it relates to the restaurant and requested that the city commission re-examine same, change the scope and restore it back to the library.

Mr. Waltervitz addressed the possibility of comingled funds relating to the library and questioned whether a proforma was conducted on the potential income revenue from developing a town square.

In response, Mr. La Venia, Vice Mayor Gunter and Mayor Cheshire identified the new library and proposed public safety building; the town square with existing city-related events around the library planned to be added to that area.

Mr. Waltervitz believed that the city's future operational costs will exceed the population and that the city's expenditures are not sustainable. He questioned whether the city has conducted a long-term outlook or proforma.

Ms. Drake believed the Fruitland Park Library's plan to be a commercial restaurant/café, book store and catering kitchen; expressed concerns on the operational hours and potential costs.

In response to inquiries posed by Mayor Cheshire and Ms. Racine, Ms. Drake pointed out a press release she has on the issue. After Mayor Cheshire addressed the Fruitland Park Library Director JoAnn Glendinning's plan for outside vendors to operate at the restaurant and questioned the source of the press release as he is not aware of a book store, Ms. Drake cited the last sentence of the March 4, 2018 Daily Commercial article entitled *Fruitland Park Breaks Ground on New Library Thursday* on the plans for the new center.

Ms. Joanne Raimo, VOFP resident, pointed out the projected percentage increase in medical premiums outlined in the FY 2017-18 budget and questioned the percentage of the employees' contributions and the cost to renegotiate better premiums.

In response, Mayor Cheshire explained the rationale for low compensation and adequate benefits and Mr. La Venia confirmed in the affirmative that premium negotiations are conducted annually which can be provided to the public.

After Mr. La Venia suggested in response to a question posed by Ms. Christy Cochran, City of Fruitland Park resident, that a special assessment could be an option to decrease ad valorem taxes electrical taxes, Commissioner Bell recalled the unsuccessful collection method utilized by the city where said funds are police and fire service fees refund.

**By unanimous consent, Mayor Cheshire closed the public hearing.**

Commissioner Ranize referred to the city commission's budget process for FY 2017-18 and the two public works positions added to maintain the median on US Highway 27/441 which were not removed. He pointed out Mr. La Venia's previous discussions that if the city accepts the highway maintenance memorandum of agreement with the State of Florida Department of Transportation, the positions can remain.

Commissioner Ranize referred to the creation of a new part-time administrative assistant position for FY 2018-19 without city commission approval and relayed

his previous request for same to be removed to which Mayor Cheshire confirmed no longer exists; the position is not funded and the \$47,000 is restored back into the budget.

Ms. Racine concurred with Commissioner Ranize' request to review the current library's electrical costs and whether it was included in the FY 2018-19 budget.

Mayor Cheshire reiterated the amendments to the FY 2018-19 tentative budget for staff to verify the removal of the part-time administrative assistant for the public works department; that adequate funds are available for the existing library's electrical cost and that figures for the proposed new library's furniture would be reviewed prior to the next meeting.

After discussion, **Mayor Cheshire called for a roll call vote on the motion to adopt Resolution 2018-053 as previously cited and declared it carried unanimously.**

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

#### **SUPPLEMENTAL AGENDA**

**(d) Resolution 2018-033 Fruitland Park Library Furniture Deposit – FY 2017-18 Budget Amendment**

It now being the time advertised to hold public hearing to consider the adoption of proposed Resolution 2018-033.

After Mayor Cheshire recommended said proposed resolution be postponed, he accepted Commissioner Ranize' suggestion for same to be considered and, Ms. Geraci-Carver read into the record the following title:

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 INCREASE OR DECREASE BUDGETED ITEMS PROVIDING FOR THE AMENDMENT OF THE FISCAL YEAR 2017-2018 BUDGET; AND PROVIDING FOR AN EFFECTIVE DATE. (Postponed from the August 30 special and September 13, 2018 regular meetings.)

**A motion was made by Commissioner Ranize and seconded by Commissioner Bell that the city commission adopt Resolution 2018-033 as previously cited.**

Ms. Mobilian recommended that the city commission postpone the subject proposed resolution to review the library issue as a whole prior to approving its final expenditures.

In response, Commissioner Ranize, in recognizing the city's library as a quality-of-life issue; referred to the February 27, 2017 Library Interiors of Florida Inc.'s invoice showing handwritten statement dated August 14, 2018 from Ms. Glendinning regarding the down-payment/proposed purchase for the library furniture which was not considered before the city commission and pointed out his previous inquiries on the subject issue giving reasons why he could not approve same. (A copy of the respective document is filed with the supplemental papers to the minutes of this meeting.)

Noting the lack of a plan and a project manager, Commissioner Ranize gave an overview of procurement process; pointed out the award on the site development of a new public library facility construction, which was over the bid amount and alluded to the city commission's approval of grant funding which transferred the library's furniture grant to construction and the city's reapplication of same which was subsequently denied.

In referencing the figures addressed by the residents earlier at this evening's meeting, Commissioner Ranize questioned what the city is purchasing and explained that he did not see any of the figures that derived from the city commission's previous approval as it related to:

- the proceeds from the two properties previously acquired by the city for the new library;
- the casino property (formerly known as the Fruitland Park community building) with the stormwater retention pond that was transferred to Veterans Park utilizing the \$500,000 matching grant and
- Ms. Racine's financial report.

Commissioner Ranize believed the figures came from different funding sources to offset the costs; referred to his September 21, 2018 email to Ms. Coulson requesting public records relating to a café in the library and addressed his intent as the maker of the motion to vote against it. (A copy of the email is filed with the supplemental papers to the minutes of this meeting.)

Ms. Geraci-Carver gave her opinion, in response to an inquiry posed by Commissioner Bell, that due to the current investigation of an elected official, the comments raised is not retaliatory against whistleblower.

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

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

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

**4. PUBLIC COMMENTS**

After Mayor Cheshire responded to Ms. Drake's inquiry that the furniture's condition at the existing Fruitland Park Library is in disrepair, she gave reasons why she does not believe the costs correlate.

Mr. Waltervitz pointed out his earlier comments on the city's proforma and reiterated whether the city has conducted any long-range performance, a 15-year plan versus growth and revenue streams, or expenses, or business projections as he believed that none were implemented for the library.

Ms. Pam Smith, VOFB resident, cited subsection 286.011(2), Florida Statutes: *minutes of a meeting of any such board or commission . . . shall be promptly recorded, and such records shall be open to public inspection.* She noted that the current minutes of the city commission's meetings posted on the website are sporadic.

Mayor Cheshire indicated in the affirmative to Ms. Smith's request that the city can consistently post the minutes of meetings in a timely manner.

Mr. Brozick questioned whether a commitment could be attained from the city commission on the Fruitland Park Library's costs, a proforma and the issue of the café and book store to which Mayor Cheshire referred to the March 4, 2018 article where the indication of the Barnes and Noble is overboard.

After Mr. Brozick suggested that Mayor Cheshire communicate with the project manager regarding his concerns on the funding of the library and voiced his anticipation to receive answers on same from the city commission, Mayor Cheshire reiterated his earlier statements under Item (c) with the direction to staff and responded in the affirmative.

With respect to comments relating to the library costs and public safety services, Ms. Jolene Peters, VOFB resident, noted the failure in mentioning the school district. She gave her understanding of the existing Fruitland Park Elementary School in the city. Ms. Jolene questioned the city's rationale in pursuing \$3.5 million for a library; inquired on the city commission postponing or denying the library system and suggested earmarking the funds towards public safety, improved enforcement or for its school.

In referring to the public's comments on the library, Mr. Vance Jochim, Lake County resident and owner of Fiscal Rangers.com, described the county's library system and how the municipal library facilities within the county are evolving; noted the problems within the city in going through the planning phases and implementation of same and mentioned his attendance at the county meetings recognizing its grant funds distributed periodically through the library system as part of its library impact fees and noted the county's lifecycle and combination of different funding sources. He suggested that the city commission provide a better informational package to explain to the public.

**5. OTHER BUSINESS**

Mayor Cheshire thanked Messrs. Joey Landstedt, Bob Turner, Bogle, the fire department staff, and Senior Pastors Reverend Daryl W. and Deborah “Debbie” L. Allen,

Mayor Cheshire announced that the city commission will be meeting on September 28, 2018 at 6:00 p.m. with the anticipation of making more information available to the public.

**11. ADJOURNMENT**

**The meeting adjourned at 10:12 p.m.**

**The minutes were approved at the January 10, 2019 regular meeting**

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

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



**FRUITLAND PARK CITY COMMISSION REGULAR  
MEETING MINUTES  
September 27, 2018**

A regular meeting of the Fruitland Park City Commission was held at the Community United Methodist Church, 309 College Avenue, Fruitland Park, Florida 34731 on Thursday, September 27, 2018 at 6:00 p.m.

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

**Member Absent:** Commissioner Ray Lewis

**Also Present:** District 1 Commissioner-Elect Pat DeGrave, District 2 Commissioner Candidates John Mobilian and Fred Collins; City Manager Gary La Venia; City Treasurer Jeannine Racine; Interim Police Chief Erik Luce, Executive Assistant Karen McKillips, Sergeant David Brown and Officer Paul Sandbakken, Police Department; Interim Fire Chief Donald Gilpin, Deputy Fire Chief Tim Yoder, Madison Leary, and Lieutenant Michael Howard, Fire Department; Public Works Director Dale Bogle; Community Development Director Tracy Kelley, Administrative Assistant Kelly Turner, Permit Technician Stevie Taub, and City Clerk Esther B. Coulson.

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

After Mayor Cheshire called the meeting to order at 6:00 p.m., Overseer Jerry Kingery, Heritage Community Church, gave the invocation and Interim Police Chief Luce led in the Pledge of Allegiance to the Flag.

**2. ROLL CALL**

At Mayor Cheshire's request, Ms. Coulson called the roll and a quorum was declared present.

Mayor Cheshire announced the absence of Commissioner Lewis noting that he is in hospital and offered prayers for him and his family.

Mayor Cheshire announced the decorum for this evening's meeting. Based on the public's questions raised at the September 21, 2018 special meeting, he welcomed the public to contact Ms. Racine and gave a power-point presentation on the following:

- ad valorem taxes (franchise fees, miscellaneous costs, service fees, department budgets as a percentage of the general fund, expenditures, increases) which can be provided to the residents;
- Fruitland Park Police calls for service, and
- Fruitland Park Library expenses \$2,873,233 (noting its operations, interest from various businesses, and programs)

Mayor Cheshire referred to September 25 complimentary letter received from a resident regarding the September 21, 2018 special meeting and addressed the status of the city's

meeting minutes on the website. He pointed out the email dated September 24, 2018 from Mr. Edward Kippel, Villages of Fruitland Park (VOFP) resident, regarding the special meeting and the city's method on electronically sending direct notification by email to all the residents prior to such meetings to which Mayor Cheshire referred to the city's frequently asked questions on the website where interested persons can subscribe to receive notification of meetings. (Copies of the respective documents are filed with the supplemental papers to the minutes of this meeting.)

**3. CONSENT AGENDA**

**On motion of Commissioner Bell, seconded by Commissioner Ranize and unanimously carried, the city commission approved the following consent agenda items:**

- (a) August 2, 2018 special meeting minutes and**
- (b) August 2, 2018 workshop minutes.**

**4. REGULAR AGENDA**

- (a) Resolution 2018-060 – LCLC Member-Alternate Appointments**

Ms. Geraci-Carver read into the record proposed Resolution 2018-060, the substance of which is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPOINTING A MEMBER AND ALTERNATE TO THE LAKE COUNTY LEAGUE OF CITIES, INC.; PROVIDING THE TERM EXPIRATION DATE; AND PROVIDING FOR AN EFFECTIVE DATE.

After discussion, **a motion was made by Commissioner Bell and seconded by Vice Mayor Gunter that the city commission adopt Resolution 2018-061 as previously cited.**

- (b) Resolution 2018-025 Health Plan and Benefits Cafeteria Plan**

Ms. Geraci-Carver read into the record proposed Resolution 2018-025, the substance of which is as follows:

A RESOLUTION OF THE CITY OF FRUITLAND PARK, FLORIDA ADOPTING THE CITY OF FRUITLAND PARK CAFETERIA PLAN AS AUTHORIZED UNDER SECTION 125 OF THE INTERNAL REVENUE CODE OF 1986; PROVIDING FOR AN EFFECTIVE DATE.

After some discussion, **a motion was made by Commissioner Ranize and seconded by Vice Mayor Gunter that the city commission adopt Resolution 2018-025 as previously cited.**

Further discussion ensued, and Mr. La Venia identified in response to a question posed by Mr. Gerald “Jerry” Cash, VOFP resident, the city’s insurance providers.

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

**(c) Resolution 2018-057 Utility Rate Study Agreement - BESH**

Ms. Geraci-Carver read into the record proposed Resolution 2018-057, the substance of which is as follows

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, ADOPTING THE CIVIL ENGINEERING SERVICES PROPOSAL/AGREEMENT OR UTILITY RATE STUDY BETWEEN BESH AND THE CITY OF FRUITLAND PARK RELATING TO WATER, WASTEWATER AND STORMWATER UTILITY RATE STUDIES AND PROJECT ADMINISTRATIVE SERVICES CONCERNING TO SAME; PROVIDING FOR AN EFFECTIVE DATE. (Postponed from the September 13, 2018 regular meeting.)

Mr. La Venia referred to the city commission’s actions at its September 13, 2018 regular meeting directing him to provide more information on GovRates Inc.’s work performance and reviewed his memorandum of said date which outlined the recommendations from various entities regarding their working experience with Mr. Bryan Mantz, GovRates (formerly from the Public Resources Management Group) and Booth, Ern, Straughan & Hiott (BESH) Inc., (engineering consultants retained by the city). Mr. La Venia relayed the inclusion of the proposed utility rate study contract with the not-to-exceed budget. (A copy of the respective email is filed with the supplemental papers to the minutes of this meeting.)

**A motion was made by Commissioner Ranize and seconded by Commissioner Bell that the city commission adopt Resolution 2018-057 as previously cited**

In response to questions posed by Mr. Carl Yank, VOFP resident, regarding the efficiency of and recommended improvements relating to the operations of the water and wastewater treatment plant (WWTP) and the state or federal guidelines, Mr. La Venia confirmed that part of the utility rate study would include efficiency to be implemented by BESH and the economic portion to be carried out by GovRates.

Mr. Yank questioned the current WWTP, the prior system and previous studies conducted to which Mr. La Venia described the study’s scope, operation for the new facility and the WWTP expansion.

After Mayor Cheshire recognized the city’s first efficiency utility rate study, he recalled the previous nonoperational WWTP conducted by an engineering firm that

the city litigated and prevailed and mentioned the implications as a result noting the need for WWTP at this time. Commissioner Ranize outlined the city's plans as a result of the increased need (with the completion of the study), to connect said plant to the Town of Lady Lake.

Following Commissioner Ranize's question on the likelihood of additional charges based on restructuring the WWTP, Mr. La Venia indicated, in response, that same would be relayed to the vendor as to whether it would be included in the study. He addressed his intent to inform the vendor of the city's current status; anticipated receiving advice on the city's rates -- which is low and will not impact VOF residents -- and expected the vendor to review the WWTP's operation; thus, the need for future expansion for residential and commercial and economic opportunities.

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

### **PUBLIC HEARING**

**(d) First Reading and Public Hearing - Ordinance 2018-018 – Water Rates Increase**

Ms. Geraci-Carver read into the record proposed Ordinance 2018-018, the substance of which is as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING CHAPTER 50, SECTION 50.30(A), (B), (D), OF THE CODE OF ORDINANCES TO PROVIDE FOR AN INCREASE IN WATER RATES BASED ON THE CPI; TO BE EFFECTIVE OCTOBER 1, 2018; PROVIDING FOR SEVERABILITY, PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR AN EFFECTIVE DATE. (The second reading will be held on October 11, 2018.)

After discussion, a motion was made by Vice Mayor **Gunter** and seconded by **Commissioner Ranize** that the city commission approve proposed Ordinance **2018-018**.

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

**(e) Resolution 2018-051 IC International Car Wash - Site Plan – Petitioner: Fruitland Park Holdings LLC**

It now being the time advertised to hold public hearing to consider the adoption of proposed Resolution 2018-051 and after Ms. Geraci-Carver read into the record the following title, Mayor Cheshire called for the public to be heard:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, GRANTING SITE PLAN APPROVAL FOR CONSTRUCTION OF A CARWASH FACILITY LOCATED ON U.S. HIGHWAY 441/17 WITH ADDITIONAL ACCESS ON S. DIXIE AVENUE IN FRUITLAND PARK, FLORIDA; PROVIDING FOR CONDITIONS; AND PROVIDING FOR AN EFFECTIVE DATE

Ms. Kelly described the subject vacant property and the review process conducted by the Technical Review Committee and Planning and Zoning Board; noted the comments from the county that construction is conditional upon receiving a right-of-way (ROW) permit for a sidewalk along CR 25A and Dixie Avenue and recognized Mr. Rick Hartenstien's presence at this evening's meeting who is aware of said conditions.

Ms. Kelly pointed out the review conducted by LPG Urban Planners Inc. (consultants retained by the city) who identified the one-way variance of 14 feet; explained that staff has no issues with same which have been accepted by Interim Fire Chief Gilpin and Mr. Judd Right, Fire Official and relayed staff's recommendation of approval.

In response to inquiries posed by Vice Mayor Gunter relating to access on Dixie Avenue, Mr. Rick Hartenstein project manager Wicks Engineering, he identified the tree coverages, the secondary access with Mattress Firm and the main entrance on US Highway 27/441.

Ms. Kelly explained that she has not researched whether the lot would be adequate to build on as it is to remain as nonuse and indicated that she can provide the city commission with information on stormwater.

Mr. Hartenstein pointed out, in answer to Commissioner Bell's inquiry, that they would be able to complete a unity of title on the area along the edge of stormwater where access encroaches a portion of the lot as they have no intention of developing same.

**A motion was made by Commissioner Ranize and seconded by Commissioner Bell that the city commission adopt Resolution 2018-051 as previously cited.**

After discussion, Ms. Nancy Miller, Villages of Fruitland Park (VOFP), noted the water rates and previous problems addressed relating to water and wastewater, and the percentage of reclaimed water, she questioned the type of studies conducted.

In response, Mr. Hartenstein explained that no impact studies for water and wastewater were required. He explained in answer to questions posed by

Commissioner Ranize that the proposed use is connected to the city's WWTP and relayed information that such capacity is enough.

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

**(f) Resolution 2018-061 Village Park (aka Westminster Pine Ridge) Phase II - Roadway and Utility Development – Site Plan: Petitioner: Presbyterian Retirement Communities, Inc.**

It now being the time advertised to hold public hearing to consider the adoption of proposed Resolution 2018-061 and after Ms. Geraci-Carver read into the record the following title, Mayor Cheshire called for the public to be heard:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, GRANTING SITE PLAN APPROVAL FOR CONSTRUCTION OF AN ENTRANCE ROAD TO THE VILLAGE PARK DEVELOPMENT LOCATED ON CR466A IN FRUITLAND PARK, FLORIDA; PROVIDING FOR CONDITIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

Ms. Kelly reviewed the proposed application; acknowledged the presence of Mr. Greg Crawford, Florida Engineering Group Inc. representing Westminster Pine Ridge; noted that the required site approval improvements of a 1,000 feet of entrance road to The Village Park development and addressed the following:

- the proposed roadway is to be constructed in two phases; namely traffic exiting the property and based on LPG Urban Planners' review, the period when the second lane is to be constructed;
- the county's compliance requirements for Westminster Pine Ridge/CR 466A roadway improvements and entranceway into the subject development and
- prior to commencing construction, the submission of a web plain permit according to the city's certified flood plain manager;

In response to Commissioner Ranize' inquiry on the second roadway, Mr. Crawford addressed the plan in adopting, with the city, the addition of two phases for the portion of the roadway to the entrance road and mentioned LPG's acceptance at that time for phase 1; however, it would not qualify as an entrance road. With respect to the entrance road, Mr. Crawford recognized the portion to be removed as two-lane roadway at a certain time -- where the four lanes up to the roundabout would be for the entrance road – and the remainder to be built at a later date; relayed LPG's previous concerns on the traffic ingress and egress and mentioned that Florida Engineering is waiting on approval on same.

Mr. Crawford agreed, in the affirmative to Commissioner Ranize' statements and in response to Mr. La Venia on:

- the change from the two lanes, in-and-out, to four lanes (two going in and two going out) westbound and when the roadway opens, there would be a turn lane for westbound traffic;
- working with the county on the stages for the ROW permit;
- implementing the a left-turn lane and striping the roadway for the eastbound traffic as a dedicated right-turn-lane into the proposed project with approval from the county and
- the plan to discuss later with the county the initial spacing adjustments and if warranted in future, traffic signals would be adequately situated based on the county's requirements.

After discussion, Mr. Crawford explained that the First Baptist Church's interest would be connected to the proposed roundabout which would allow future connections. He indicated that a date has not yet been established for the roadway extension south from said roundabout.

**A motion was made by Commissioner Ranize and seconded by Commissioner Bell that the city commission adopt Resolution 2018-061 as previously cited to include, as recommended by the city attorney, the conditions as agreed to by the petitioner representing the applicant, to submit the application and meet Lake County's permit requirements as previously cited.**

In response to an inquiry posed by Mr. Kippel, Ms. Kelly depicted the location of the proposed roundabout in the subject area.

Mr. Art Aryis, representing First Baptist Church Inc, expressed his gratitude to Mayor Cheshire, Mr. La Venia and Mses. Geraci-Carver and Kelly. He explained in response to Commissioner Ranize' question on the clearing of the dirt and that the commercial development is not yet sold. He relayed his commitment to make improvements in the area and indicated that he met with county representatives and resolved the issue relating to the turning lanes.

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

**(g) Second Reading and Public Hearing Resolution 2018-058 – FY 2018-019 Budget – Final Millage Rate**

It now being the time advertised to hold public hearing to consider the adoption of proposed Resolution 2018-058 and after Ms. Geraci-Carver read into the record the following title and announced FY 2018-19 operating budget rate of 3.9134 representing a zero percent increase or decrease to the current year roll-back rate of 3.9134 same rate for last year, Mayor Cheshire called for the public to be heard:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, LAKE COUNTY, FLORIDA, ADOPTING A FINAL OPERATING MILLAGE RATE OF 3.9134 LEVYING OF AD VALOREM TAXES FOR LAKE COUNTY FOR FISCAL YEAR 2018-2019; PROVIDING FOR AN EFFECTIVE DATE.

**A motion was made by Commissioner Bell, seconded by Vice Mayor Gunter that the city commission adopt Resolution 2018-058 as previously cited.**

Mr. Ron Cullum, VOFP resident, referred to the city commission's previous presentation regarding its growth plan to attract commercial businesses, the imminent media report on the city's reduction in its tax rate, and the city's future placement which he believes is a recipe for demise.

Mr. Ray Dal Lago, VOFP resident, pointed out the question raised at the September 21, 2018 special meeting on the number of law enforcement officers assigned to the VOFP; his calculations on the amount VOFP residents would be assessed and the discussions on the state's responsibility.

Mr. Dal Lago addressed the city's surplus in Community Redevelopment Agency (CRA) funds and questioned the reduction in property taxes in that regard. He pointed out the funding for the addition to the new Fruitland Park Library and requested that the city not expend all its funds. Mr. Lago mentioned the residents' desire to contribute and become part of the community; addressed the difficulty in understanding all the funds and expressed concerns on the implications where he believes is due to a lack of economic, commercial and industrial infrastructure.

In response to Mayor Cheshire's suggestion for Mr. Dal Lago to contact Ms. Racine for more clarification and recognized that the CRA funds are restricted, he mentioned the consideration to petition the state legislature for VOFP to opt out of the city.

Mr. John Kinion, VOFP resident, questioned the budgetary figures and revenues received for FYs 2017-18 and 2018-19; the anticipated percentage in increases for FY 2018-19, and the percentage paid in employees' salaries for their benefits.

In response, Mayor Cheshire and Mr. La Venia explained that Ms. Racine will provide more information.

Mr. Gary Drake, VOFP resident, requested explanation on the roll-back rate; relayed his calculations on the same revenue received and income from FY 2017-18 to be 2.90721. He noted the proposed 3.66 percent rate which he believed would increase per capita \$60 for The VOFP residents, half a million increase over last year.



At Mayor Cheshire's request, Ms. Racine outlined the roll-back rate and the State of Florida Department of Revenue's calculations based on funds coming in which is subtracted from the CRA and new construction. In questioning whether said calculation is available on the city's website, Ms. Racine addressed her plan to forward same to Mr. Drake.

Ms. Racine and Mr. La Venia confirmed in the affirmative to a question posed by Mr. David Wegner, VOFP, that new construction is excluded. He referred to his recent purchase of a home prior to construction and noted the large increase in revenue to be associated in that regard to which Ms. Racine depicted the calculations; responded to his inquiry identifying the funds which is outlined in the FY 2018-19 Budget Summary and addressed her plan to provide a copy of same.

Mr. Kippel pointed out his observations from the public appearing before the city commission with expertise who may be able to provide advice. He questioned whether consideration has been given to create committees with volunteers willing to work with the community and help the city commission. He expressed his support of the concept in inviting and convincing businesses to operate in the city.

Mr. Kippel suggested that the individuals present -- who are running for city commission district seats 2 and the candidate-elect for city commission district 1 to -- introduce themselves before the end of this evening's meeting.

In response, Mayor Cheshire, in recognizing the city's committees, encouraged individuals to serve on agency boards where there are vacancies that are advertised; recognized the limited applications received, and addressed the city's solicitation for people to serve on same. He addressed the possibility of creating a steering committee in the future.

Mr. Mike Waltervitz, VOFP resident, referred to the 15-year study mentioned at the September 21, 2018 special meeting and recognized the comments on the need for commercial growth. He suggested the implementation of outlook projections on the city's increased revenue; addressed the need for forward vision to provide sustainability within the community and recommended looking at the city's potential for attracting commercial growth as its revenue base such as the city establishing an Economic Development Committee. In agreeing with Mr. Waltervitz' comments, Mayor Cheshire and Mr. La Venia indicated that staff is currently working on implementing same.

After Vice Mayor Gutner addressed the city's previous attempts in retaining an individual to solicit firms to the city and gave reasons for the city's limitations on the development of properties, Mayor Cheshire, in deviating from same, pointed out interviews that Mr. La Venia and himself had with interested companies to assist with economic development and growth; noted the plan to give presentations (before the new elected officials serve on the commission) after November 2018 and mentioned the opportunity for the public to bring such concerns to the new

commission. He agreed with Mr. La Venia's suggestion, if it is the desire, that the formulation of an Economic Development Committee would be welcomed.

In response, Mr. Waltervitz' emphasized the need for the commission to consider, as a priority, on how the city would work on the development of a future growth projection plan instead of having debates at budget workshop meetings.

Ms. Linda M. Ulatowski, VOFP resident, recognized, based on the number of issues raised by residents at this evening's meeting, Ms. Racine's plans to provide responses and inquired whether answers to the public's questions would be accessible on the city's website as they would not be included in the minutes.

Mayor Cheshire in agreement confirmed Ms. Coulson's response that she and Ms. Racine will make the answers available.

Ms. Pattie Drake, VOFP resident, addressed Chapter 252, Florida Statutes and 401b-2.011, Florida Administrative Code regarding the availability of library grants program fund requirements and the State of Florida Department of State Construction Grant Guidelines establishing unconditional use of funds exclusive to the library and cited the following from a document:

- for the community in need, how square footage of a population would determine the size and type of library that would qualify for federal, or in the subject case, state grant money (page 12);
- who a project manager is (the applicant's building consult and not a library director) (page 18);
- architectural supervision requirements ensuring that completed work conforms with approved plans and job specification from the prints/architectural drawing for the job (page 19);
- noting few changes in the library, change orders to be submitted as a budgeted category (raising of the roof for \$500,000 was excluded); the need for project audits under subsection 215.917, FS, and records retention for all financial payments relating to the grant project (page 20);
- rate change guidelines in the project scope (page 21), and
- consequences for violating agreement terms and how allowable funds can be used (page 23).

Ms. Drake gave her opinion that library spending is out of control; referred to the calculations in her possession including infrastructure and change orders to be almost \$3.4 million; requested transparency as she believes there is lack of accountability from the city and questioned whether grants used complied with Florida Statutes.

After Ms. Geraci-Carver addressed, at Mayor Cheshire's request, how the city had met the compliance requirements under applicable laws, he disagreed with Ms. Drake's interjection referencing that the city commission indicated that the

architect was terminated. He reiterated that Ms. Drake meet with Mr. La Venia, Mses. Geraci-Carver and Racine with her documents regarding her concerns on the library to which she explained that the county with its interlocal agreement can audit same.

In response to Ms. Drake's concerns, Ms. Racine indicated that the county can audit the city and all the figures for accuracy and details relating to the library can be made available and Mr. La Venia described the change order already outlined in the procurement documents and the contract.

In disagreeing with Ms. Drake's statements on the cost of the roof, Mr. La Venia explained that staff can find out more information. He indicated that grant documentation has been provided and funds received from the state and explained that the architect, overseeing the project, has been attending periodical meetings with participants involved on every phase of the project.

Answering Ms. Drake's request on the further need for transparency, Mayor Cheshire repeated staff's willingness to meet with her and would make the information available.

Mr. Jim Lagrone, VOFP resident, mentioned his review of the city's budget for the last three years addressed at the September 21, 2018 special meeting; questioned the exact cost for the library and referred to the information on the residents' analysis and figures demonstrated on the chart which were provided to the city commission at that time which was disagreed to by Ms. Racine. He estimated the cost for the library to be \$3.92 million which he described as percentages on a three-year project and inquired on its future costs and funds to make it operational. Mr. Lagrone pointed out the issues relating to purchasing new and utilizing existing furniture and noted the inquiries raised at the special meeting were not addressed.

In response, Mayor Cheshire referred to his presentation made earlier in this evening's meeting on the total cost where said document was not yet available before the meeting and could be provided to the residents. He addressed the ability for Ms. Racine to meet with Mr. Lagrone as well as Ms. Drake and review the figures.

With respect to Mr. Lagrone's inquiries on the additional costs for the library, its status and anticipated date of completion, Mr. La Venia explained that it is almost 85 percent complete.

Mr. Dale Bogle, Public Works Department Director, outlined his work on the library earlier this day and gave a detailed report on the status of construction to be about 85 percent complete with the expectancy to be occupied after Thanksgiving.

After Mr. La Venia confirmed, in response to Mr. Lagrone's questions, the additional 15 percent for the library to be already allocated in proposed FY 2018-

19 budget; the \$300,000 in capital improvement program (CIP) funds for the library furniture to be a separate matter and the old library furniture shelving donated by another library is in storage, Mr. Bogle verified the library furniture in the public works department building to be shelving previously donated by the City of Clermont and roundtables and chairs by the City of Mount Dora which have deteriorated. He suggested that Fruitland Park Library Director Ms. JoAnn Glendinning would be able to demonstrate the condition of same.

Mayor Cheshire voiced his agreement that the library furniture (part of the CIP from sales tax) was based on an approved grant that was previously revised to construction and addressed the need for approval of the furniture to be considered at a future date before the commission. He voiced concerns on the costs, addressed recently by the residents, where he was informed that it derived from a state contract and addressed the need to obtain more bids and carefully review same based on the library's needs.

Vice Mayor Gunter relayed his previous discussions with Ms. Glendinning on the amounts involved; her comments on the vendor she contacted and her attempts in applying for another grant previously entailed which was subsequently denied whereby such arrangement with the vendor would need to be reviewed before it is considered by the city co commission.

Mr. Cash thanked Mayor Cheshire for the previous decorum whereby public outbursts should not condoned. Mr. Cash recognized that homes in VOFP are increasing monthly which produces gross revenues greater than last year. He recommended the consideration of a one-year further roll back in the millage rate to equate to the same amount of gross revenue in FY 2017-18 for this time of year where the city would be able to generate the influx of retail stores and wholesale outlets.

In response to questions posed by Mr. Don Brozick, VOFP resident, regarding the library, Ms. Racine explained that \$2.5 million is currently allocated in the proposed FY 2018-19 budget revenues based on grant funds and impact fees which will be utilized and recognized that \$273,000 earmarked towards furniture and landscaping is not included.

Mayor Cheshire confirmed that said expense would come from CIP and sales surtax tax or anything else that would not be coming out of the ad valorem taxes and suggested, in response to Mr. Brozick's concerns regarding the numbers and the implications, to review same with staff.

Answering an inquiry from Mr. Ben Dividio, VOFP resident, regarding any item in FY 2018-019 proposed budget which is a one-time expenditure where it would not be repeated or budgeted in the following year, Mayor Cheshire confirmed Mr. La Venia's statements that there would be a reduction due to the CIP and the school resource officer with the possibility of the Lake County Sheriff assuming control.

With maintaining the same millage rate and the primarily residential growth, Mr. Dividio questioned the generation of new funding for FY 2019-20 to maintain the same level of service as expenditure (with the roll back rate) in the operating budget.

Mayor Cheshire referred to his statements made at the last meeting and addressed his preference for the city not to become fiscally overblown. In noting the city's growth over the years and where it needs to be, he addressed the desire for stabilization and mentioned that there should not be any more needed expenses except usual increases to which Vice Mayor Gunter concurred.

In recognizing no new funding from residential or commercial growth and the challenge without having an impact on property taxes, Mr. Dividio noted if the property he owns is comparable, taxes would be less (excluding the bond) and expressed concerns if they continue to increase.

Mayor Cheshire referred to his presentation made at the September 21, 2018 special meeting that the city is one component of the residents' taxes and anticipated that there would be success with the county on lowering same for the betterment of the entire residents.

Vice Mayor Gunter noted the majority of responses received from the residents who gestured in the affirmative on the filing of their homestead exemptions with the county; anticipated that the November 6, 2018 election ballot (one of Florida's 12<sup>th</sup> Constitutional Amendments) on the increased homestead property tax exemption (which he intends to vote for) and addressed his concerns on the future implications to the city as it would result in reductions in local government ad valorem tax revenues in 2019, if said amendment passes.

Mr. Yank referenced the cost incurred by cities and the water crisis (lead in the water service lines) that occurred in the City of Flint in Michigan. With reference to the water rate study that the city will be conducting, he questioned the water analysis, the type of lead pipe tap connection from the street to the homes in the older part of the city and whether it has been reviewed for replacement and the services been updated.

In response, Mr. Bogle confirmed that the frost lines no longer exist and that the city has no lead in its ground; described the type of line polyvinyl chloride pipe the city has which he is working on to replace and update services where there will not be a lead problem and pointed out the city's periodical requirements for implementation. He reported that every five years, the city is required to implement a lead copper survey which was carried out two years ago and referred to the satisfactory results on the Annual Drinking Water Quality Report received from the State of Florida's Department of Environment Protection (FDEP).

Mr. Yank alluded to his inquiry raised at the September 21, 2018 special meeting regarding the franchise fee and pointed out the copy of the October 10, 1983 Electric Franchise Agreement with the City of Leesburg. He questioned the initiation of the tax, if it was approved by city voters and why it is so high and pointed out, within the agreement, the purchase option to buy the utilities (which he thinks is not a good idea) and determined the reason for the city having the tax is to generate funds so that in future, purchase of the facility could be made.

Mr. Yank explained that since the VOFP moved in, the franchise fee is an additional \$300,000 per annum expense and mentioned his review of same over FYs 2013-17 to which Ms. Racine explained that it had increased last year as the city was not paid for the prior year.

Mayor Cheshire in agreement addressed the need to closely review and deal with same.

Mr. Yank recognized the different methods in which the city could grow and identified the various industrial companies right for the area who could be attracted if it was desirable taxwise.

**By unanimous consent, Mayor Cheshire closed the public hearing.**

**Mayor Cheshire called for a roll call vote on the motion on the floor to adopt the previously cited Resolution 2018-058 and declared it carried unanimously carried.**

**(h) Second Reading and Public Hearing Resolution 2018-059 – FY 2018-019 Budget – Final Adoption**

It now being the time advertised to hold public hearing to consider the adoption of proposed Resolution 2018-059 and after Ms. Geraci-Carver read into the record the following title, Mayor Cheshire called for the public to be heard:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY  
OF FRUITLAND PARK, LAKE COUNTY, FLORIDA,  
ADOPTING THE FINAL BUDGET FOR FISCAL YEAR  
2018-2019; PROVIDING FOR AN EFFECTIVE DATE.

After Mr. La Venia's brief explanation on the approval of the final budget, **a motion was made Commissioner Bell and seconded by Vice Mayor Gutner that the city commission adopt Resolution 2018-019 as previously cited.**

After discussion, Mr. Ron Cullum, VOFP resident, referred to the question raised at the September 21, 2018 special meeting regarding the contingency fund and his concurrence on the commission's need for same. He suggested transferring such funds to a separate line item upon the commission's discretion where the

contingency can be justified whenever there is an issue and during the year, money would be left over by reducing the budget or transfer same to a specific fund.

In response, Ms. Racine confirmed that such funds are not in the general fund, cannot be combined and are identified within the finance department.

After discussion on the requirements of CRA expenditures, Mr. Vance Jochim, The Villages resident, referred to the comments made at the September 21, 2018 special meeting and earlier this evening on employees not paying any contributions in increases in health insurance to which Mr. La Venia responded that the employee portion is 100 percent.

Mr. Jochim mentioned his experience in working with auditing group health insurance firms and the results of the research conducted where employees were required to contribute 20 percent; recommended including in the city's plan when renegotiating the insurance rates, and gave a report on his experience with reduced insurance costs as a result of the change.

**By unanimous consent, Mayor Cheshire closed the public hearing.**

**Mayor Cheshire called for a roll call vote on the motion on the floor to adopt the previously cited Resolution 2018-058 with the following city commission members voting as follows:**

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

**The motion was declared carried on a three to one (3-1) vote.**

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

#### **5. OFFICERS' REPORTS**

**(a) City Manager**

Mr. La Venia stated that he has nothing to report at this time.

**(b) City Attorney**

Ms. Geraci-Carver stated that she has nothing to report at this time.

#### **6. PUBLIC COMMENTS**

With reference to the public comments at previous meetings, Mr. Waltervitz pointed out the city's website and suggested that responses to public's requests to the city not be sent by email to individuals but allow specific information to be accessible by creating a page on the website.

Mayor Cheshire relayed Ms. Coulson's response on finding a way to implement same.

Mr. Jochim recommended establishing a process committee to brainstorm issues with the residents which would help improve the relationship with the commission; hold a workshop to identify a list of city services that many residents do not believe they should be paying for and create a separate taxing district or a rebate program in that regard to which Mayor Cheshire voiced his concurrence with his first recommendation.

In response to a question raised by Mr. Leland Hubbell, City of Fruitland Park resident, Mr. La Venia reported on the Code Enforcement/Special Magistrate's order of enforcement on the Florida Medical Industries Inc. property located on 3131 US Highway 27/441 at its April 5, 2018 meeting and his subsequent discussion with the respondent representing the property owner and Ms. Lori Davis, Code Enforcement Officer.

Mr. La Venia confirmed that the building has been cleaned up where no further action is required from FDEP; gave a report on the various liens and continuous fines imposed on the property by different creditors including the city and conveyed the respondent's inability to satisfy same. He addressed the need for the city to review a financial mechanism even though it does not have the means and noted that if the building is transferred and the creditors satisfied, the city would be able to market the site and recover the proceeds from the sale.

After Interim Police Chief Luce responded to Mr. Kippel's inquiry describing the law enforcement officers' shifts, he explained that based on previous discussions, that his belief of excessive personnel has been allayed to which Mayor Cheshire indicated that riding with the officers for a day provides a different experience on what they go through.

At the request of Mr. Ron Nob, VOFP, and Mayor Cheshire, Mr. Mobilian introduced himself before the city commission and anticipated that the public vote for him; expressed appreciation for their help and wished Commissioner Lewis well.

## 7. COMMISSIONERS' COMMENTS

### (a) Commissioner Ranize

#### i. Commissioner Lewis

Commissioner Ranize extended well wishes to Commissioner Lewis.

#### ii. FRS

Commissioner Ranize referred to the September 24, 2018 email received from Ms. Geraci-Carver regarding the Florida Retirement System Matter relating to former Police Chief Michael Fewless and suggested that the third-party contract (to retain him) continue to be pursued.

#### iii. Presentation

Ms. Racine responded in the affirmative to Commissioner Ranize's inquiry that the approximate \$700,000 in the general fund for fire services are from ad valorem and the fire assessment is part of the general revenue.



Commissioner Ranize recognized, within the three years, the plan, reviews and development of homes before the city commission and the roadway improvements that the county has been working on for 25 years. He questioned the advent of commercial businesses noting that the subject roadway construction is deterring customers and recognized the city with the lowest tax rate competing with the surrounding local governments who can roll back which he believes the city ought to review.

**iv. Electrical Franchise Fees**

Commissioner Ranize relayed his request to the City of Leesburg for the electric franchise fees and the service commission to approve same and addressed his intent to provide the answer once it is obtained.

**v. Fruitland Park Library**

Commissioner Ranize addressed his unawareness of the library book store and cafeteria which was never addressed before the city commission; relayed Ms. Coulson's response to his request that records relating to same cannot be found and voiced his concerns on the origin of said issue.

Commissioner Ranize addressed his appreciation of the public's input; addressed the city's efforts and suggested that the public attend meetings if they want to be educated.

**(b) Commissioner Lewis**

Due to Commissioner Lewis' absence, there were no comments at this time.

**(c) Commissioner Bell**

Commissioner Bell mentioned his former position as mayor and the implementation of the *Coffee with the Mayor* event and recalled the city commission's discussions with the Town of Lady Lake prior to influx of the VOFP development. He relayed the VOFP residents' main issue of volunteerism; mentioned the opportunities available and alluded to the recommendation for the residents to make themselves known at the library and the schools and invited them to participate, as suggested by Mayor Cheshire, by filling available vacancies on various boards and committees. Commissioner Bell pointed out the Lake Legislative Days to be held in Tallahassee in February 2019; reported on the success in attaining funds for the city's roadway improvements and encouraged the public to become involved by contacting him for more information, if interested.

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

Vice Mayor Gunter thanked the residents for appearing and providing their input at this evening's meeting, concurred with the commission's previous comments encouraging residents to volunteer to serve on boards and committees and suggested that if there are changes required, the commission will review same.

Vice Mayor Gunter described the forthcoming and periodical city-related events; noted that with the input from additional residents, positive changes can take place and expressed appreciation with the public's efforts.

**8. MAYOR'S COMMENTS**

**(a) Volunteerism**

In residing and working within the community, Mayor Cheshire recognized the approach to transform the neighborhood noting the positives; voiced his concurrence with the residents' previous remarks and anticipated future changes noting the number of ideas received. Recognizing the part time role of the elected officials, he identified the opportunities available for residents who can be of tremendous help by providing their support in volunteering which would eliminate costs in services. He encouraged anyone with specific questions to meet with Mr. La Venia and Ms. Racine.

**(b) Dates to Remember**

Mayor Cheshire recognized the following events:

- October 3, 2018, Lake County League of Cities (LCLC) *Sponsor's Night*, Lake Receptions 4425 N Highway 19-A, Mount Dora, Florida 32757 at 6:00 p.m.;
- October 11, 2018, City Commission Regular at 6:00 p.m. - Mayor Cheshire addressed the need for the city to continue to provide additional communication equipment; namely television sets, audio speakers) to accommodate the public and indicated that Ms. Geraci-Carver would ensure same in order that individuals can be seen and heard.
- October 12, 2018, LCLC *Fertilizer Ordinance Presentation*, Lake Receptions 4425 N Highway 19-A, Mount Dora, Florida 32757 at 12:00 p.m.;
- October 12, 2018, Movie on the Lawn, *Hod*, City Hall Lawn at 7:00 p.m.- Mayor Cheshire encouraged the public and their families to attend;
- October 20, 2018, *Trick or Trot 5k Family Fun Run*, Fruitland Park Elementary School, 304 West Fountain Street, Fruitland Park, Florida at 8:00 a.m.;
- October 24, 2018, Lake-Sumter MPO Governing Board Meeting, 225 W Guava Street, #217, Lady Lake, Florida 32159 at 2:00 p.m. - Mayor Cheshire addressed the need for another representative to serve or members of the public to attend to same and report back to the commission;
- October 25, 2018, City Commission Regular at 6:00 p.m.;
- October 31, 2018, Halloween at 6:00 p.m.

- November 3, 2018, Government Day, Dwight D. Eisenhower Recreation Center, The Villages, Florida 32163 at 9:00 a.m. – Mayor Cheshire reported on the attendance by Mr. La Venia, Ms. Racine, Mr. Bogle and himself at the November 4, 2017 Government Day and anticipated that staff would be available to similarly answer any questions.
- November 5, 2018, Parks, Recreation and Trails Advisory Board, Library Services Conference Room, 2401 Woodlea Road, Tavares, FL 32778 at 3:30 p.m.;
- November 6, 2018, General Elections at 7:00 a.m.;
- November 8, 2018, City Commission Regular

Upon Mayor Cheshire’s suggestion and **by unanimous consent, the city commission accepted the request of the John Gella Memorial Unit (Florida American Legion Post 219) to hold the 6<sup>th</sup> Annual Wreaths Across America Ceremony at Shiloh Cemetery on Saturday, December 15, 2018 at noon.**

Mayor Cheshire recognized the cemetery fund and the annual event where veterans and nonveterans are invited to place wreaths on veterans’ graves at the city’s cemetery and encouraged everyone to attend.

**9. ADJOURNMENT**  
**The meeting adjourned at 8:38 p.m.**

The minutes were approved at the January 10, 2019 regular meeting.

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

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



**AGENDA ITEM  
NUMBER  
5ai**

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## AGENDA ITEM SUMMARY SHEET

<b>ITEM TITLE:</b>	Resolution 2019-001 Planning and Zoning Board Appointments		
<b>For the Meeting of:</b>	January 10, 2019		
<b>Submitted by:</b>	City Clerk		
<b>Date Submitted:</b>	December 13, 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 Items:</b>			
The City of Fruitland Park is seeking an individual to fill an unexpired term left vacant by former Planning and Zoning Board Member Mr. Colin Crews who resigned in November 2018.			
<b>Action to be Taken: Adopt Resolution 2019-001.</b>			
<b>Staff's Recommendation:</b>			
<b>Additional Comments:</b>			

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

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

**RESOLUTION 2019-001**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPOINTING A MEMBER TO THE PLANNING AND ZONING BOARD OF THE CITY OF FRUITLAND PARK; PROVIDING THE TERM EXPIRATION DATE; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, Article VII, Section 7.01 of the Charter of the City of Fruitland Park provides for a Planning and Zoning Board consisting of members with three-year terms of office; and

**WHEREAS**, Mr. Colin Crews was appointed for a term of three years; and

**WHEREAS**, Mr. Crews' term will expire on October 1, 2020, he has submitted his resignation that he no longer wishes to serve, and a vacancy exists;

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

1. XXX is hereby appointed to the Planning and Zoning Board of the City of Fruitland Park. His term shall expire October 1, 2022
2. 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 10<sup>th</sup> day of January 2018, by the City Commission of the City of Fruitland Park, Florida.

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

Attest:  
Esther B. Coulson, City Clerk

\_\_\_\_\_  
 Vice Mayor Gunter      \_\_\_ (Yes), \_\_\_ (No), \_\_\_ (Abstained), \_\_\_ (Absent)  
 Commissioner Bell     \_\_\_ (Yes), \_\_\_ (No), \_\_\_ (Abstained), \_\_\_ (Absent)  
 Commissioner DeGrave \_\_\_ (Yes), \_\_\_ (No), \_\_\_ (Abstained), \_\_\_ (Absent)  
 Commissioner Mobilian \_\_\_ (Yes), \_\_\_ (No), \_\_\_ (Abstained), \_\_\_ (Absent)  
 Mayor Cheshire        \_\_\_ (Yes), \_\_\_ (No), \_\_\_ (Abstained), \_\_\_ (Absent)

Approved as to form and legality:

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

**PLEASE INDICATE YOUR PREFERENCE**

- BOARD OF TRUSTEES
- FIREFIGHTERS PENSION TRUST FUND
- CITIZENS' ADVISORY BOARD-CDBG
- FIRE RESCUE SERVICES CITIZENS' ADVISORY BOARD
- PLANNING AND ZONING BOARD
- \*LAKE COUNTY ARTS AND CULTURAL ALLIANCE
- \*LAKE COUNTY LIBRARY ADVISORY BOARD
- \*LAKE COUNTY PARKS, RECREATION AND TRAILS ADVISORY BOARD
- \*LAKE-SUMTER METROPOLITAN PLANNING ORGANIZATION (LSMPO)
- BICYCLE AND PEDESTRIAN ADVISORY COMMITTEE (BPAC)
- \*LSMPO CITIZENS ADVISORY COMMITTEE (CAC)
- \*LSMPO TECHNICAL ADVISORY COMMITTEE (TAC)
- CITY VOLUNTEERS
  - COACH - RECREATION
  - LIBRARY
  - POLICE

NAME: Walter A. Birriel Calas DATE OF BIRTH 2-27-1972  
 ADDRESS 404 W. Mirror Lake Dr CITY/ZIP Fruitland Park 34731  
 HOME PHONE NO. 352-630-2640 WORK PHONE NO. 352-702-9777  
 EMAIL ADDRESS wbirriel@gmail.com  
 LENGTH OF RESIDENCE IN CITY OF FRUITLAND PARK 11 Yrs IN LAKE COUNTY 11 Yrs  
 EMPLOYED BY Casaplex LLC LENGTH OF TIME 2 1/2 years  
 ADDRESS 10582 Metropolitan Ave. MD CITY/ZIP Kensington MD  
 EXPERIENCE RELATING TO THIS POSITION 20895

SOME THOUGHTS YOU HAVE THAT YOU BELIEVE MIGHT CONTRIBUTE TO IMPROVE THIS BOARD OF: \_\_\_\_\_

IF APPOINTED, WHAT DO YOU BELIEVE YOUR RESPONSIBILITIES OR DUTIES WOULD BE?

Recommending the city on best practices of issues  
 TWO REFERENCES (OTHER THAN FAMILY MEMBERS): Regarding city planning and zoning  
 NAME Prudy Gomez ADDRESS Lauderdale PHONE 917 280 6509  
 NAME Jennifer Swayne ADDRESS By the sea PHONE 352 250 9193  
 DATE 12-12-2018 APPLICANT'S SIGNATURE Walter Birriel

**Please complete a separate application for each board/commission you wish to serve on and TYPE OR PRINT CLEARLY.**

\*In addition to this form, please complete Lake County Board Committee General Application form accessible under the following link: [https://www.lakecountyfl.gov/advisory\\_boards\\_and\\_committees/application\\_forms.aspx](https://www.lakecountyfl.gov/advisory_boards_and_committees/application_forms.aspx) and return both forms duly completed to the city clerk: 506 West Berckman Street, Fruitland Park, FL 34731. For other Lake County advisory boards and committees' vacancies follow the instructions in completing the appropriate applications. Please note that the Lake County Board of County Commissioners may appoint someone who does not reside within the commission districts. 111318 rev.4

References may be secured from the following individuals:

	Name	Address	Phone Number
1.	Prudy Gomez		
2.	Jose Rivera		
3.	Jennifer <del>De</del> Swayne		

*I will attend meetings in accordance with the adopted policies of Lake County. If at any time my business or professional interests conflict with the interests of this board or committee, I will not participate in such deliberations.*

  
\_\_\_\_\_  
Signature of Applicant

In completing this application, you are acknowledging that personal information you provide is subject to Florida's Public Records Policy as stated in Chapter 119, Florida Statutes, and Article I, Section 24 of the State Constitution.

**Additional information may be attached to this application form.**

How did you learn of this vacancy?

Newspaper Ad       Internet       LSSC Channel 13       Friend       Other

*Applications are kept on file with the Board of County Commissioners for a period of six months from date of receipt. In the event a vacancy occurs and you are not appointed to a particular board/committee, your application may be reconsidered should another vacancy occur during that six month period.*

**Please return this completed application to:**

Lake County Board of County Commissioners  
County Commissioners' Office  
P. O. Box 7800  
Tavares, FL 32778-7800



**LAKE COUNTY BOARD/COMMITTEE  
GENERAL APPLICATION**

Mr.  Ms. Name: Walter A. Birriel Calas Date: 12-12-2018  
Home Mailing Address: 404 W. Mirror Lake Dr.  
Fruitland Park, FL 34731  
Home Physical Address: same  
County of Residence: Lake Home Phone: 352-630-2640  
E-mail Address: wbirriel@gmail.com  
Education: Computer Science

Business (Name & Type): Casaplex LLC / Technology  
Business Address: 10582 Metropolitan Ave. Kensington MD 20895  
Business Phone: 888 595 4700 Position: Systems Engineer

Training, experience or qualifications related to board/committee to which appointment is sought:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

State reasons you are interested in appointment which is sought:

As a long time resident of Fruitland Park,  
I have seen many changes that benefit our  
city. In the same way I have seen changes that  
if they are not in check could ~~cause~~ be  
damaging.

Do you **currently** serve on a Lake County board/committee?

Yes  No *If yes, please identify each board/committee:*

Name of Board/Committee:

\_\_\_\_\_  
\_\_\_\_\_

Have you served on a Lake County board/committee **in the past**?

Yes  No *If yes, please identify each board/committee:*

Name of Board/Committee:

Dates Served:

_____	_____
_____	_____
_____	_____



## CITY OF FRUITLAND PARK BOARDS/COMMITTEES APPLICATION

Note that meeting locations and times are subject to change, please contact the city clerk for more information.

**BOARD OF TRUSTEES FIREFIGHTERS PENSION TRUST FUND** – the caretaker for the pension trust fund as outlined in Florida Statutes and makes investment decisions for the fund. The board consists of two residents who are commission-appointed, two firefighters appointed by the membership of the City of Fruitland Park Fire Department, one member and alternate who are fire-pension board-appointed. Meetings are held as needed, at least quarterly at the Conference Room, 506 West Berckman Street, Fruitland Park, Florida 34731. Members must file financial disclosure form pursuant to Florida Statutes.

**CITIZENS ADVISORY BOARD** – makes recommendations to the City of Fruitland Park City Commission on Community Development Block Grant (CDBG) program applications, Florida Recreation Development Assistance Program (FRDAP) grant application and other projects that may arise during the year. The board consists of the five Planning and Zoning Board Members and three citizens. Meetings are held on an as needed basis at the City Commission Chambers, 506 West Berckman Street, Fruitland Park, Florida 34731.

**PLANNING AND ZONING (P&Z) BOARD**– considers and makes recommendations to the City of Fruitland Park City Commission on every rezoning and proposed amendments to the city's Comprehensive Plan or Land Development Code. The P&Z Board has five (5) members. Meetings are held on the third Thursday of each month in the City Commission Chambers at 6:00 p.m. Members must file financial disclosure form pursuant to Florida Statutes. Members are paid a monthly stipend of \$45 and for the chairperson, \$55.

\***LAKE COUNTY ARTS AND CULTURAL ALLIANCE** – an advisory body that advises the Lake County Board of County Commissioners (BCC) on matters relating to arts and cultural affairs within the county. The alliance has seven (7) members appointed for a two-year term -- one member is recommended by the city to serve on a one-year rotating basis. Meetings are held quarterly or more often as determined by the alliance at various venues in Lake County, please contact county staff support on (352) 742-3918 or by accessing the link: [https://www.lakecountyfl.gov/advisory\\_boards\\_and\\_committees/arts\\_and\\_cultural\\_alliance.aspx](https://www.lakecountyfl.gov/advisory_boards_and_committees/arts_and_cultural_alliance.aspx)

\***LAKE COUNTY LIBRARY ADVISORY BOARD (LAB)** – the city participates as a member of the Lake County Library System. This board has five members and the city has one member and one alternate member positions appointed for a two-year term. The LAB reviews policies and procedures for the member libraries and makes recommendations to the Lake County Board of County Commissioners. The appointee makes periodic reports to the city commission. Meetings are held on the third Thursday of the month at 5:00 p.m. at the Lake County Agriculture Center, 1951 Woodlea Road, Tavares, Florida 32778. [https://www.lakecountyfl.gov/advisory\\_boards\\_and\\_committees/library\\_advisory\\_board.aspx](https://www.lakecountyfl.gov/advisory_boards_and_committees/library_advisory_board.aspx)

\***LAKE COUNTY PARKS, RECREATION AND TRAILS ADVISORY BOARD** - consults with the Lake County staff and the municipalities within Lake County and advises and makes recommendations to the Lake County Board of County Commissioners on matters relating to recreation and open space needs. This board has nine (9) members for a two-year term. Meetings are held on the third Thursday of the month at 5:00 p.m. in the Conference Room of the Library Services Building, 418 W. Alfred Street, Suite C., Tavares, Florida 32778. [https://www.lakecountyfl.gov/advisory\\_boards\\_and\\_committees/parks\\_and\\_recreation\\_advisory\\_board.aspx](https://www.lakecountyfl.gov/advisory_boards_and_committees/parks_and_recreation_advisory_board.aspx)

\***LAKE-SUMTER METROPOLITAN PLANNING ORGANIZATION-(LSMPO) BICYCLE PEDESTRIAN ADVISORY COMMITTEE (BPAC)** - the city is a member of the Lake-Sumter LSMPO Board (16 voting members, 14 non-voting members and one (1) non-voting advisor). The committee assists the LSMPO the purpose shall be to seek reaction to planning proposals and to provide comment with respect to the concerns of various segments of the population regarding their alternative transportation needs. BPAC members are appointed by the LSMPO Governing Board and Lake and Sumter Counties' School Superintendents for a two-year term. Potential membership of the BPAC may be expanded through approval by the BPAC in cases involving the appointment of a non-governmental representative, such as, but not limited to: 1. A person who is recognized by the Florida Association for Community Action representing the economically disadvantaged in Lake County and/or Sumter County; 2. A person over 60 years of age representing the elderly in Lake County and/or Sumter County, and 3. A person with a disability representing the disabled in Lake County and/or Sumter County. 4. A citizen's advocate representative of Lake County and/or Sumter County. Meetings are held on the third Wednesday of the month at 4:00 p.m. at the LSMPO Office located at 225 W. Guava Street, Suite 211, Lady Lake, Florida 32159. [http://www.lakesumtermpo.com/board\\_committees/bicycle-pedestrian-advisory-committee.aspx](http://www.lakesumtermpo.com/board_committees/bicycle-pedestrian-advisory-committee.aspx)

\***LSMPO CITIZENS ADVISORY COMMITTEE (CAC)** to seek reaction to planning proposals and to provide comment with respect to the concerns of various segments of the population regarding their transportation needs. CAC members are appointed by the MPO Governing Board for a two-year term. Meetings are held on the third Wednesday of the month at 4:00 p.m. at the LSMPO Office located at 225 W. Guava Street, Suite 211, Lady Lake, Florida 32159. [http://www.lakesumtermpo.com/board\\_committees/citizens-advisory-committee.aspx](http://www.lakesumtermpo.com/board_committees/citizens-advisory-committee.aspx)

\***LSMPO TECHNICAL ADVISORY COMMITTEE (TAC)** - the city is a member of the LSMPO. This committee gives input from a citizen's view on transportation planning and programming and makes recommendations to the LSMPO. TAC members consist of highway and transportation planners, professional engineers, or those personnel made available by the various municipalities and the input provided is of a technical nature. Meetings are held on the third Wednesday of the month at 4:00 p.m. at the LS MPO Office located at 225 W. Guava Street, Suite 211, Lady Lake, Florida 32159. [http://www.lakesumtermpo.com/board\\_committees/technical-advisory-committee.aspx](http://www.lakesumtermpo.com/board_committees/technical-advisory-committee.aspx)

**CITY VOLUNTEERS** – The city welcomes volunteers to serve at the Fruitland Park Library, Friends of the Library, Parks and Recreation Department, and the Police Department. Background checks are required for all board members and volunteers who work with children by completing the State of Florida Department of Law Enforcement Volunteer and Employee Criminal History System (VECHS) form accessible from the Human Resources Director.

**PLEASE INDICATE YOUR PREFERENCE**

- BOARD OF TRUSTEES
- FIREFIGHTERS PENSION TRUST FUND
- CITIZENS' ADVISORY BOARD-CDBG
- FIRE RESCUE SERVICES CITIZENS' ADVISORY BOARD
- PLANNING AND ZONING BOARD
- \*LAKE COUNTY ARTS AND CULTURAL ALLIANCE
- \*LAKE COUNTY LIBRARY ADVISORY BOARD
- \*LAKE COUNTY PARKS, RECREATION AND TRAILS ADVISORY BOARD
- \*LAKE-SUMTER METROPOLITAN PLANNING ORGANIZATION (LSMPO)
- BICYCLE AND PEDESTRIAN ADVISORY COMMITTEE (BPAC)
- \*LSMPO CITIZENS ADVISORY COMMITTEE (CAC)
- \*LSMPO TECHNICAL ADVISORY COMMITTEE (TAC)
- CITY VOLUNTEERS
  - COACH - RECREATION
  - LIBRARY
  - POLICE

NAME: Fred Collins DATE OF BIRTH 7-8-47  
 ADDRESS 3069 Brinson Lane CITY/ZIP Fruitland Park, 32163  
 HOME PHONE NO. 352-399-6175 <sup>cell</sup> WORK PHONE NO. 813-532-7076  
 EMAIL ADDRESS fredandjanc@briighthouse.com  
 LENGTH OF RESIDENCE IN CITY OF FRUITLAND PARK 3yrs IN LAKE COUNTY 3yrs  
 EMPLOYED BY N/A LENGTH OF TIME \_\_\_\_\_  
 ADDRESS \_\_\_\_\_ CITY/ZIP \_\_\_\_\_  
 EXPERIENCE RELATING TO THIS POSITION 12 yrs. civil & highway

SOME THOUGHTS YOU HAVE THAT YOU BELIEVE MIGHT CONTRIBUTE TO IMPROVE THIS BOARD OF: civil & highway experience, read drawing well

IF APPOINTED, WHAT DO YOU BELIEVE YOUR RESPONSIBILITIES OR DUTIES WOULD BE?  
offer recommendations concerning B & Z

TWO REFERENCES (OTHER THAN FAMILY MEMBERS):  
 NAME Pat Degrove ADDRESS 3233 Dolk Dr. PHONE 414-534-4791  
 NAME Al Sumner ADDRESS 3058 Kramer Ct. PHONE 954-895-1155  
 DATE 1-8-19 APPLICANT'S SIGNATURE Fred Collins

**Please complete a separate application for each board/commission you wish to serve on and TYPE OR PRINT CLEARLY.**  
 \*In addition to this form, please complete Lake County Board Committee General Application form attached or accessible under the following link: [https://www.lakecountyfl.gov/advisory\\_boards\\_and\\_committees/application\\_forms.aspx](https://www.lakecountyfl.gov/advisory_boards_and_committees/application_forms.aspx) and return both forms duly completed to the city clerk: 506 West Berckman Street, Fruitland Park, FL 34731. For other Lake County advisory boards and committees vacancies follow the instructions in completing the appropriate applications. Please note that the Lake County Board of County Commissioners may appoint someone who does not reside within the commission districts. 072517 rev.3





**AGENDA ITEM  
NUMBER  
5aii**

5

## AGENDA ITEM SUMMARY SHEET

<b>ITEM TITLE:</b>	Resolution 2019-002 Board of Trustees Firefighters Pension Trust Fund Appointment		
<b>For the Meeting of:</b>	January 10, 2019		
<b>Submitted by:</b>	City Clerk		
<b>Date Submitted:</b>	December 13, 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 Items:</b>			
<p>There is a vacancy on the Board of Trustees Firefighters Pension Trust Fund (pension-board category) left vacant by Mr. Steve Brooker who resigned.</p> <p>Mr. Marc Matthews Jr. has expressed interest to serve on the board for a two-year term expiring December 31, 2010.</p>			
<b>Action to be Taken: Adopt Resolution 2019-002.</b>			
<b>Staff's Recommendation:</b>			
<b>Additional Comments:</b>			

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

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

**RESOLUTION 2019-002**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPOINTING A MEMBER TO THE BOARD OF TRUSTEES OF THE MUNICIPAL FIRE FIGHTERS PENSION TRUST FUND OF THE CITY OF FRUITLAND PARK; PROVIDING THE TERM EXPIRATION DATE; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the City of Fruitland Park established a municipal fire fighters pension trust fund; and

**WHEREAS**, one (1) vacancy currently exists on the board of trustees.

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

1. Marc Matthews Jr. is hereby appointed to the board of trustees of the municipal fire fighters pension trust fund of the City of Fruitland Park. His term shall expire December 31, 2020

2. 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 10<sup>th</sup> day of January 2018, by the City Commission of the City of Fruitland Park, Florida.

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

Attest:  
Esther B. Coulson, City Clerk

Vice Mayor Gunter	_____	(Yes),	_____	(No),	_____	(Abstained),	_____	(Absent)
Commissioner Bell	_____	(Yes),	_____	(No),	_____	(Abstained),	_____	(Absent)
Commissioner DeGrave	_____	(Yes),	_____	(No),	_____	(Abstained),	_____	(Absent)
Commissioner Mobilian	_____	(Yes),	_____	(No),	_____	(Abstained),	_____	(Absent)
Mayor Cheshire	_____	(Yes),	_____	(No),	_____	(Abstained),	_____	(Absent)

Approved as to form and legality:

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

**PLEASE INDICATE YOUR PREFERENCE**

- BOARD OF TRUSTEES
- FIREFIGHTERS PENSION TRUST FUND
- CITIZENS' ADVISORY BOARD-CDBG
- FIRE RESCUE SERVICES CITIZENS' ADVISORY BOARD
- PLANNING AND ZONING BOARD
- \*LAKE COUNTY ARTS AND CULTURAL ALLIANCE
- \*LAKE COUNTY LIBRARY ADVISORY BOARD
- \*LAKE COUNTY PARKS, RECREATION AND TRAILS ADVISORY BOARD
- \*LAKE-SUMTER METROPOLITAN PLANNING ORGANIZATION (LSMPO)
- BICYCLE AND PEDESTRIAN ADVISORY COMMITTEE (BPAC)
- \*LSMPO CITIZENS ADVISORY COMMITTEE (CAC)
- \*LSMPO TECHNICAL ADVISORY COMMITTEE (TAC)
- CITY VOLUNTEERS
  - COACH - RECREATION
  - LIBRARY
  - POLICE

NAME: MARC MATTHEWS JR. DATE OF BIRTH 8/4/67  
ADDRESS 909 MULBERRY ST CITY/ZIP FRUITLAND PARK  
HOME PHONE NO. 352 430 7383 WORK PHONE NO. 352 326 0333  
EMAIL ADDRESS matthews.mtm@gmail.com  
LENGTH OF RESIDENCE IN CITY OF FRUITLAND PARK 24 years IN LAKE COUNTY 44 yrs  
EMPLOYED BY MATTHEWS HANNA CONST. (RETIRED) LENGTH OF TIME 24 years  
ADDRESS 304 RICHEY RD CITY/ZIP LEESBURG, FL  
EXPERIENCE RELATING TO THIS POSITION PRESIDENT OF COMPANY, CFO

SOME THOUGHTS YOU HAVE THAT YOU BELIEVE MIGHT CONTRIBUTE TO IMPROVE THIS BOARD OF: TRUSTEES

TO USE MY BUSINESS/PERSONELL SKILLS TO BENEFIT THE COMMUNITY

IF APPOINTED, WHAT DO YOU BELIEVE YOUR RESPONSIBILITIES OR DUTIES WOULD BE?

AS PENSION TRUSTEE HELP REVIEW AND MANAGE THE FIRE FIGHTERS TRUST

TWO REFERENCES (OTHER THAN FAMILY MEMBERS):

NAME Edgar ELTON ADDRESS 303 RIDGEWOOD DR. PHONE 352 394 9379  
LEESBURG

NAME MIKE HANNA ADDRESS 304 RICHEY RD PHONE 352 326 0333

DATE JAN 3, 2019 APPLICANT'S SIGNATURE 

**Please complete a separate application for each board/commission you wish to serve on and TYPE OR PRINT CLEARLY.**

\*In addition to this form, please complete Lake County Board Committee General Application form accessible under the following link: [https://www.lakecountyfl.gov/advisory\\_boards\\_and\\_committees/application\\_forms.aspx](https://www.lakecountyfl.gov/advisory_boards_and_committees/application_forms.aspx) and return both forms duly completed to the city clerk: 506 West Berckman Street, Fruitland Park, FL 34731. For other Lake County advisory boards and committees' vacancies follow the instructions in completing the appropriate applications. Please note that the Lake County Board of County Commissioners may appoint someone who does not reside within the commission districts. 111318 rev.4



**AGENDA ITEM  
NUMBER**  
**5b**

## AGENDA ITEM SUMMARY SHEET

<b>ITEM TITLE:</b>	Payment for CRA FY 2018-2019 Tax		
<b>For the Meeting of:</b>	January 10, 2019		
<b>Submitted by:</b>	City Treasurer		
<b>Date Submitted:</b>	December 11, 2018		
<b>Are Funds Required:</b>	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/> No
<b>Account Number:</b>	01519-30491 OGS Redevelopment Taxes		
<b>Amount Required:</b>	\$134,239		
<b>Balance Remaining:</b>	\$0.00		
<b>Attachments:</b>	Yes		
<b>Description of Item:</b>			
<p>Approve payment from the general fund to the redevelopment fund for the redevelopment taxes for FY 2018-19. Tax calculation are based on increase in property value over the base year 1994 for 00F1 (\$49,546,561 - \$17,896,110 = \$31,650,451) and 00F2 (\$72,104,135 - \$67,646,734 = \$4,457,401) divided by 1000 times the millage (3.9134) times 95%. The total for 00F1 is \$117,668 and for 00F2 is \$16,571 (00F2) for a total of \$134,239.</p>			
<b>Action to be Taken: Approve the payment for the redevelopment taxes for FY 2018-19.</b>			
<b>Staff's Recommendation:</b> Approve			
<b>Additional Comments:</b>			

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

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



506 W. Berckman Street  
Fruitland Park, FL 34731

Tel. (352) 360-6727  
Fax. (352) 360-6686

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December 11, 2018

Christopher Cheshire, Mayor  
City of Fruitland Park  
506 W. Berckman St  
Fruitland Park, FL 34781

Re: Fruitland Park Community Redevelopment Agency (00F1)-2018 Taxes \$ 117,668

Dear Mayor Cheshire:

The Lake County Property Appraiser provided the City of Fruitland Park Community Redevelopment Agency (FPCRA-00F1) with a final taxable value of \$49,546,561 for the tax year 2018. This is an incremental increase of \$31,650,451 over the 1994 base year.

The amount due to the FPCRA from Fruitland Park is **\$117,668** ( $\$31,650,451/1000 \times 3.9134$  mills  $\times .95$ ). Please remit this payment to the attention of the City Finance Director by January 15, 2019.

Sincerely,

*Jeannine Racine*

Jeannine Racine  
City Finance Director  
352-360-6545

Cc: File



506 W. Berckman Street  
Fruitland Park, FL 34731

Tel. (352) 360-6727  
Fax. (352) 360-6686

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December 11, 2018

Christopher Cheshire, Mayor  
City of Fruitland Park  
506 W. Berckman St  
Fruitland Park, FL 34781

Re: Fruitland Park Community Redevelopment Agency (00F2)-2018 Taxes \$ 16,571

Dear Mayor Cheshire:

The Lake County Property Appraiser provided the City of Fruitland Park Community Redevelopment Agency (FPCRA-00F2) with a final taxable value of \$72,104,135 for the tax year 2018. This is an incremental increase of \$4,457,401 over the 1994 base year.

The amount due to the FPCRA from Fruitland Park is **\$16,571** ( $\$4,457,401/1000 \times 3.9134$  mills x .95). Please remit this payment to the attention of the City Finance Director by January 15, 2019.

Sincerely,

*Jeannine Racine*

Jeannine Racine  
City Finance Director  
352-360-6545

Cc: File



Fruitland Park Community Redevelopment Agency **00F1**  
 2018 Redevelopment Taxes ( FY 2019 )  
 Final

00F1 (Final)

DR420TIF	Line 2	Line 1		Line 13		
<b>UPDATE 10/1/2018</b>	<b>TaxVal 1994 Base Year</b>	<b>Tax Value 2018</b>	<b>Senior Ex sos</b>	<b>Increase over base year</b>	<b>Millage</b>	<b>Tax due</b>
City of Fruitland Park	17,896,110	49,546,561		31,650,451	3.9134	\$ 117,667.83
Lake Co. Water Authority	17,896,110	49,546,561		31,650,451	0.4900	14,733.28
Lake Co. Ambulance MSTU	17,896,110	49,546,561	-	31,650,451	0.4629	13,918.44
Lake Co. Board of Co Commission	17,896,110	49,546,561	-	31,650,451	5.1180	153,887.66
						<b>\$ 300,207.22</b>

Fruitland Park Community Redevelopment Agency *00F2*  
 2018 Redevelopment Taxes (FY 2019)  
 Final

00F2 (Final)

	DR420TIF	Line 2	Line 1		Line 13		
		<b>TV 2006</b>	<b>Tax Value</b>	<b>Senior Ex</b>	<b>Increase over</b>		
<b>UPDATE 10/1/2018</b>		<b>Base Year</b>	<b>2018</b>	<b>sos</b>	<b>base year</b>	<b>Millage</b>	<b>Tax due</b>
City of Fruitland Park		67,646,734	72,104,135		4,457,401	3.9134	\$ 16,571.41
Lake Co. Water Authority		67,646,734	72,104,135		4,457,401	0.4900	2,074.92
Lake Co. Ambulance MSTU		67,646,734	72,104,135	-	4,457,401	0.4629	1,960.16
Lake Co. Board of Co Commission		67,646,734	72,104,135	-	4,457,401	5.1180	21,672.33
							<b>\$ 42,278.83</b>



**AGENDA ITEM  
NUMBER**  
**5c**

## AGENDA ITEM SUMMARY SHEET

<b>ITEM TITLE:</b>	Second Reading and Public Hearing – Ordinance 2018-017 Solid Waste Increase		
<b>For the Meeting of:</b>	January 10, 2019		
<b>Submitted by:</b>	City Treasurer/City Attorney		
<b>Date Submitted:</b>	December 8, 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> Proposed Ordinance increases Solid Waste collections and recycling 2% effective January 1, 2019 per the contract that allows an annual increase each January.			
Residential will increase \$.23, \$18.98 to \$19.20 per month (includes recycling increase) Commercial weekly pick up will increase \$.14, \$20.01 to \$20.16 per month Commercial biweekly pick up will increase \$.17, \$21.90 to \$22.08 per month			
<b>Action to be Taken:</b> Enact Ordinance 2018-017 to become effective immediately with the refuse collect rate adjustments to be implemented January 1, 2019.			
<b>Staff's Recommendation:</b> Approval.			
<b>Additional Comments:</b>			

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

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

**ORDINANCE 2018-017**

**AN ORDINANCE OF THE CITY OF FRUITLAND PARK, LAKE COUNTY, FLORIDA AMENDING SECTION 99.40 TO INCREASE THE SOLID WASTE RATES BY 2% WITH RATES EFFECTIVE AS OF JANUARY 1, 2019; PROVIDING FOR CODIFICATION; PROVIDING FOR REPEAL OF ALL CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Fruitland Park through a waste management company provides solid waste and recycling services to customers within the City of Fruitland Park; and

**WHEREAS**, the City of Fruitland Park charges its customers a rate for providing such service; and

**WHEREAS**, the City of Fruitland Park's contract with the waste management company allows for an annual increase each January and the City has been notified that the rates will increase 2%; and

**WHEREAS**, the City Commission of the City of Fruitland Park, Lake County, Florida hereby finds and declares that the increased rates should be passed on to those who receive such services, and that 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 CITY COMMISSION OF THE CITY OF FRUITLAND PARK, LAKE COUNTY, FLORIDA AS FOLLOWS:**

**Section 1. Recitals.**

The above recitals are true and correct and, by this reference, are hereby incorporated into and made an integral part of this ordinance.

**Section 2. Refuse Collection Fees.**

That Section Sec. 99.40 in Chapter 99, of the Fruitland Park Code of Ordinances is hereby amended to read as follows:

**Sec. 99.40. Refuse collection fees.**

- (A) The city clerk is authorized to charge a fee for refuse collection as set forth in division (B) below.
- (B) The refuse collection services for which the city clerk shall charge a fee and the amount of fee for each service are as follows:
  - (1) Residential collection, monthly fee.
    - (a) *Manual curbside pickup:*

	NUMBER OF 32 GALLON CONTAINERS
TWICE WEEKLY COLLECTION	1 through 6
	<del>\$18.98</del> \$19.20

(b) *Mechanical containerized service:* Shall be the same as the commercial containerized service fees set forth below except that the disposal component of the fee shall be those disposal fees for residential service established by Lake County multiplied by the residential units.

(2) Commercial collection, monthly fee.

(a) *Manual curbside pickup:*

	NUMBER OF 32 GALLON CONTAINERS
NUMBER OF WEEKLY COLLECTIONS	1 through 6
	1 <del>\$20.01</del> \$20.16
	2 <del>\$21.90</del> \$22.08

(b) *Mechanical containerized service:*

Commercial Collection  
Mechanical Containerized Service

NUMBER OF WEEKLY COLLECTIONS	SIZE OF CONTAINER IN CUBIC YARDS			
	2	4	6	8
Collections				
1	<del>\$83.89</del> \$84.68	<del>\$158.97</del> \$160.42	<del>\$228.47</del> \$230.48	<del>\$281.29</del> \$283.52
2	<del>\$164.55</del> \$166.11	<del>\$314.68</del> \$317.57	<del>\$453.76</del> \$457.77	<del>\$559.33</del> \$563.78
3	<del>\$245.21</del> \$247.55	<del>\$470.43</del> \$474.77	<del>\$678.99</del> \$685.00	<del>\$837.37</del> \$844.06
4	<del>\$325.85</del> \$328.97	<del>\$626.16</del> \$631.95	<del>\$904.23</del> \$912.26	<del>\$1,115.00</del> \$1123.92
5	<del>\$406.49</del> \$410.39	<del>\$781.89</del> \$789.13	<del>\$1,129.47</del> \$1139.50	<del>\$1,393.43</del> \$1404.58
6	<del>\$487.17</del> \$491.85	<del>\$937.60</del> \$946.29	<del>\$1,354.70</del> \$1366.73	<del>\$1,671.47</del> \$1684.84

- (3) Reserved.
  - (4) The fee for any refuse collection service not specifically set forth above shall be determined by negotiation between the city, the hauler, and the customer. However, in the event that a fee cannot be agreed upon, the city manager shall set the fee.
- (C) The fees charged pursuant to this section shall be charged only for those refuse collection services provided under Chapter 98 of this Code. For purposes of this section, users of the city's water system shall be considered receivers of the city's refuse service.
- (D) The fee charged for refuse collection shall be charged monthly.
- (E) Failure by any person or business entity to remit a fee charged pursuant to this section shall result in any or all of the following:
- (1) Discontinuance of refuse collection service;
  - (2) Discontinuance of water service;
  - (3) Institution of enforcement proceedings by the code enforcement officer;
  - (4) Institution of judicial enforcement and collection proceedings; or
  - (5) Any other enforcement and collection proceedings deemed necessary by the city manager.
- (F) Any person or business entity desiring to challenge an amount charged pursuant to this section shall request a hearing with the city manager regarding the disputed amount. Upon a request for hearing pursuant to this division, the city manager shall schedule a hearing with the complainant. Upon the conclusion of the hearing, the city manager shall have the authority to make any adjustment to the amount in dispute that he deems necessary.

**Section 3. Conflicts and Ordinances Repealed.**

All ordinances or parts of ordinances in conflict are hereby repealed.

**Section 4. Severability.**

If any section, sentence, phrase, word or portion of this Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word or portion of this Ordinance not otherwise determined to be invalid, unlawful or unconstitutional.

**Section 5. Codification.**

It is the intent of the City Commission of the City of Fruitland Park that the provisions of this chapter shall become and made a part of the Fruitland Park Code of Ordinances; and grants authority to the codifier to renumber or re-letter sections, and change the words in

this ordinance to section, article, chapter or such other appropriate word or phrase in order to accomplish such intentions.

**Section 6. Effective Date.**

This Ordinance shall become effective immediately upon adoption; however, the refuse collect rate adjustments shall be implemented January 1, 2019.

**PASSED AND DULY ADOPTED** by the City of Fruitland Park, Lake County, Florida this \_\_\_\_ day of \_\_\_\_\_, 201\_\_.

City of Fruitland Park

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

Attest:  
Esther B. Coulson, City Clerk

_____				
Vice Mayor Gunter	_____ (Yes),	_____ (No),	_____ (Abstained),	_____ (Absent)
Commissioner Bell	_____ (Yes),	_____ (No),	_____ (Abstained),	_____ (Absent)
Commissioner DeGrave	_____ (Yes),	_____ (No),	_____ (Abstained),	_____ (Absent)
Commissioner Mobilian	_____ (Yes),	_____ (No),	_____ (Abstained),	_____ (Absent)
Mayor Cheshire	_____ (Yes),	_____ (No),	_____ (Abstained),	_____ (Absent)

Approved as to form and legality:

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

First reading: December 13, 2018  
Second reading:

Waste Mgt Collection Disposal Rates

Jan 2019

RATE	(R)RE		FY 18 GB	New Rate	GB	YDWS	YDWS	CURB	FP	FP		IND AMT
CODE	(C)CO	DESC	COLL	FY19 2%	DISP	COLL 2%	DISP	RECYC 2%	ADMIN	FF		BILLED
SWR001	R	Residential	6.08	6.20	3.23	1.89	0.67	2.53	2.94	1.75		19.20
SWC002	C	Commercial curb 1x week	6.81	6.95	8.44				2.94	1.83		20.16
SWC001	C	Commercial curb 2x week	8.02	8.18	8.95				2.94	2.01		22.08
SWC003	C	1-2yd X 1 WEEK	35.46	36.17	37.87				2.94	7.70		84.68
SWC004	C	1-2yd X 2 WEEK	70.91	72.33	75.74				2.94	15.10		166.11
SWC037	C	1-2yd X 3 WEEK	106.38	108.51	113.60				2.94	22.50		247.55
	C	1-2yd X 4 WEEK	141.82	144.66	151.47				2.94	29.91		328.97
		1-2yd X 5 WEEK	177.27	180.82	189.33				2.94	37.31		410.39
		1-2yd X 6 WEEK	212.74	216.99	227.20				2.94	44.71		491.85
SWC005	C	1-4yd X 1 WEEK	65.84	67.16	75.74				2.94	14.58		160.42
SWC006	C	1-4yd X 2 WEEK	131.65	134.28	151.48				2.94	28.87		317.57
SWC020	C	1-4yd X 3 WEEK	197.51	201.46	227.21				2.94	43.16		474.77
	C	1-4yd X 4 WEEK	263.32	268.59	302.97				2.94	57.45		631.95
		1-4yd X 5 WEEK	329.16	335.74	378.71				2.94	71.74		789.13
		1-4yd X 6 WEEK	394.97	402.87	454.45				2.94	86.03		946.29
SWC008	C	1-6yd X 1 WEEK	91.15	92.97	113.61				2.94	20.95		230.48
SWC009	C	1-6yd X 2 WEEK	182.35	186.00	227.22				2.94	41.62		457.77
SWC022	C	1-6yd X 3 WEEK	273.48	278.95	340.84				2.94	62.27		685.00
	C	1-6yd X 4 WEEK	364.65	371.94	454.44				2.94	82.93		912.26
		1-6yd X 5 WEEK	455.81	464.93	568.04				2.94	103.59		1,139.50
		1-6yd X 6 WEEK	546.95	557.89	681.65				2.94	124.25		1,366.73
SWC011	C	1-8yd X 1 WEEK	101.30	103.33	151.48				2.94	25.77		283.52
SWC012	C	1-8yd X 2 WEEK	202.58	206.63	302.96				2.94	51.25		563.78
SWC018	C	1-8yd X 3 WEEK	303.87	309.95	454.44				2.94	76.73		844.06
	C	1-8yd X 4 WEEK	405.15	413.25	605.55				2.94	102.17		1,123.92
		1-8yd X 5 WEEK	506.44	516.57	757.38				2.94	127.69		1,404.58
	C	1-8yd X 6 WEEK	607.73	619.88	908.85				2.94	153.17		1,684.84



The Villages®  
**DAILY SUN**

Published Daily  
Lady Lake, Florida  
State of Florida  
County Of Lake


Before the undersigned authority personally appeared **Sheryl Dufour** who on oath says that she is Legal Ad Coordinator of the DAILY SUN, a daily newspaper published at Lady Lake in Lake County, Florida with circulation in Lake, Sumter and Marion Counties; that the attached copy of advertisement, being a **Legal Ad #857260** in the matter of **ORDINANCE 2018-017**, was published in said newspaper in the issues of

**JANUARY 3, 2019**

Affiant further says that the said Daily Sun is a newspaper published at Lady Lake in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida each week and has been entered as second class mail matter at the post office in Lady Lake, in said Lake County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisements; and affiant further says that he has neither paid nor promised any person, firm, or Corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

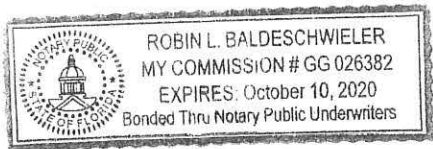
  
(Signature Of Affiant)

Sworn to and subscribed before me this 3  
day January 2019

  
Robin L. Baldeschwieler, Notary

Personally Known X or  
Production Identification \_\_\_\_\_  
Type of Identification Produced \_\_\_\_\_

Attach Notice Here



ORDINANCE 2018-017  
AN ORDINANCE OF THE CITY OF FRUITLAND PARK, LAKE COUNTY, FLORIDA AMENDING SECTION 98.12 TO INCREASE THE SOLID WASTE RATES EFFECTIVE AS OF JANUARY 1, 2019; PROVIDING FOR CODIFICATION; PROVIDING FOR REPEAL OF ALL CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE. (The first reading was held on December 13, 2018.)  
  
This ordinance will be presented for public hearing second reading by the Fruitland Park City Commission at its regular meeting to be held on Thursday, January 10, 2019 at 6:00 p.m. in the commission chambers of city hall, 506 West Berckman Street, Fruitland Park, Florida 34731. This meeting is open to the public. This ordinance may be reviewed or copies of same obtained from the city clerk's office at city hall.  
  
Anyone requiring special accommodations at this meeting because of disability or physical impairment should contact the city clerk's office at city hall (352) 360-6727 at least three (3) business days prior to the hearing. (Florida Statutes 286.26)  
  
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. (Florida Statutes 286.0105)  
#857260 January 3, 2019



AGENDA ITEM  
NUMBER

**6a**

## AGENDA ITEM SUMMARY SHEET

<b>ITEM TITLE:</b>	City Manager Report			
<b>For the Meeting of:</b>	January 10, 2018			
<b>Submitted by:</b>	City Manager			
<b>Date Submitted:</b>	January 4, 2019			
<b>Are Funds Required:</b>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/>
<b>Account Number:</b>	N/A			
<b>Amount Required:</b>	N/A			
<b>Balance Remaining:</b>	N/A			
<b>Attachments:</b>				
<b>Description of Item:</b>	<ul style="list-style-type: none"><li>- Fire inspector</li><li>- Gardenia Park Phase III FRDAP Project No. A19161</li></ul>			
<b>Action to be Taken:</b>				
<b>Staff's Recommendation:</b>				
<b>Additional Comments:</b>				

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

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



**AGENDA ITEM  
NUMBER  
6b**

## AGENDA ITEM SUMMARY SHEET

<b>ITEM TITLE:</b>	City Attorney Report		
<b>For the Meeting of:</b>	January 10, 2019		
<b>Submitted by:</b>	City Attorney		
<b>Date Submitted:</b>	January 3, 2019		
<b>Are Funds Required:</b>		Yes	<input checked="" type="checkbox"/> No
<b>Account Number:</b>			
<b>Amount Required:</b>			
<b>Balance Remaining:</b>			
<b>Attachments:</b>			
<b>Description of Item:</b>	<p>Please find below items to report to the City Commission.</p> <p><b>Notice of Claim – James Hartson:</b> No developments to report. The civil allegation complained of allegedly would have occurred April 16, 2016.</p>		
<b>Action to be Taken:</b>			
<b>Staff’s Recommendation:</b>			
<b>Additional Comments:</b>			

Reviewed by: \_\_\_\_\_  
 Authorized to be placed on the  Regular  Consent agenda: \_\_\_\_\_  
Mayor



<b>AGENDA ITEM NUMBER</b>  <b>7</b>
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## AGENDA ITEM SUMMARY SHEET

<b>ITEM TITLE:</b>	Public Comments			
<b>For the Meeting of:</b>	January 10, 2019			
<b>Submitted by:</b>	City Clerk			
<b>Date Submitted:</b>	January 4, 2019			
<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

**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

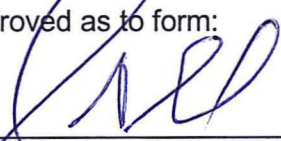
ATTEST:

  
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