

**FRUITLAND PARK CITY COMMISSION REGULAR
MEETING MINUTES
April 13, 2017**

A regular meeting of the Fruitland Park City Commission was held at 506 W. Berckman Street, Fruitland Park, Florida 34731 on Thursday, April 13, 2017 at 6:00 p.m.

Members Present: Mayor Chris Cheshire, Commissioners Christopher Bell, Ray Lewis, and Rick Ranize.

Vice Mayor John L. Gunter, Jr. entered the meeting room as reflected in the minutes of this evening's meeting.

Also Present: City Manager Gary La Venia, City Attorney Anita Geraci-Carver, City Treasurer; Jeannine Racine-Michaud; Police Chief Michael Fewless; Parks and Recreation Director Michelle Yoder; Community Development Director Charlie Rector, Public Works Director Dale Bogle, Terry Ribble, Public Works Department, and City Clerk Esther B. Coulson.

1. CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Cheshire called the meeting to order at 6:03 p.m.

Pastor Jim Keegan, New Life Church, gave the invocation and Police Chief Fewless 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.

3. RECESS TO ATTORNEY-CLIENT SESSION Time Certain

Upon Mayor Cheshire's announcement and **by unanimous consent, the city commission postponed recessing the attorney-client session until Vice Mayor Gunter's arrival at this evening's meeting and took the following items out of order on this evening's agenda.**

5. CONSENT AGENDA

Approval of Minutes

A motion was made by Commissioner Bell and seconded by Commissioner Lewis that the city commission approve the consent agenda.

After Commissioner Lewis recalled his absence on March 23, 2017, **he withdrew his second on the motion on the floor from consideration and Commissioner Ranize seconded the motion.**

- a. March 23, 2017 regular**
- b. March 21, 2017 workshop**
- c. February 18, 2016 workshop**

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

6. REGULAR AGENDA

(a) FY 2015/16 CRA Report

The city commission considered its action to approve the Community Redevelopment Annual report for FY 2016-17.

After Ms. Michaud reviewed the FY 2015/16 CRA report, **a motion was made by Commissioner Ranize and seconded by Commissioner Bell that the city commission approve the subject Community Redevelopment Agency report as submitted.**

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

(c) September 2016 EOM/EOY Financial Report

The city commission considered its action to approve the September 2016 End of the Month/End of the Year financial report.

Ms. Michaud anticipated that the audit will be complete by the second week May 2017 and reviewed the subject report.

On motion of Commissioner Lewis and seconded by Commissioner Bell and unanimously carried, the city commission approved the September 2016 End of the Month/Year Financial Report as submitted.

(d) February 2017 EOM/EOY Financial Report

The city commission considered its action to approve the February 2017 End of the Month/Year Financial Report.

After Ms. Michaud reviewed the subject report, and **on motion of Commissioner Ranize, seconded by Commissioner Bell and unanimously carried, the city commission approved the February 2017 End of the Month/Year Financial Report as submitted.**

(e) Resolution 2017-011 - TMS LSMPO ILA

Ms. Geraci-Carver read into the record proposed Resolution 2017-011, the substance of which is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING THE INTERLOCAL AGREEMENT BETWEEN THE LAKE-SUMTER METROPOLITAN PLANNING ORGANIZATION (MPO), LAKE COUNTY, SUMTER COUNTY AND OTHER NAMED MUNICIPALITIES FOR FUNDING AND IMPLEMENTATION

OF THE TRANSPORTATION MANAGEMENT SYSTEM AND FOR CREATION AND MANAGEMENT OF A FUND FOR NON-GRANT-ELIGIBLE EXPENSES; PROVIDING FOR AN EFFECTIVE DATE.

Mr. La Venia referred to the city commission's actions at its March 23, 2017 regular meeting postponing the subject issue to this evening's meeting due to Commissioner Lewis' absence as he is the city's MPO representative.

After recognizing the March 24, 2017 email from Ms. Michaud outlining the amounts the city paid to LSMPO, Commissioner Ranize outlined the deficiencies found in 2016 as a result of an audit conducted on the MPO.

Following Commissioner Lewis' definition on the MPO's mandate and the previous auditing problems, he referred to the email dated April 13, 2017 regarding the MPO executive director's status report on the MPO's use of Lake County's funds; a copy of which is filed with the supplemental papers to the minutes of this meeting.

Subsequent to extensive discussions **a motion was made by Commissioner Lewis and seconded by Commissioner Bell that the city commission adopt Resolution 2017-011 as previously cited.**

There being no one from the public, **Mayor Cheshire called for a roll call vote on the motion with the city commission members voting as follows:**

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

Mayor Cheshire declared the motion carried on a three to one (3-1) vote.

(f) First Reading - Ordinance 2017-016 – Personnel Policies and Procedures Manual – Family Employment-Nepotism and Personal Relationships

Ms. Geraci-Carver read into the record proposed Ordinance 2017-016, the substance of which is as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, ADOPTING REVISIONS TO POLICY 2.4 IN THE CITY OF FRUITLAND PARK'S PERSONNEL POLICIES AND PROCEDURES MANUAL LAST REVISED IN ORDINANCE 2014-018; PROVIDING FOR DIRECTIONS; PROVIDING FOR AN EFFECTIVE DATE. (The second reading will be held on April 27, 2017.)

After much discussion, Ms. Geraci-Carver explained that the subject matter was reviewed by Ms. Dorothy “Dottie” F. Green, Latham, Shuker, Eden and Beaudine LLP (law firm retained by the city) and relayed that she had no objections.

Following further discussion, and in response to several questions posed by Commissioner Ranize, Ms. Geraci-Carver indicated that she will provide information on the definition of city commissioners as employees and the status of a current employee or family member if successful after running for office.

On motion of Commissioner Ranize, seconded by Commissioner Lewis and unanimously carried, the city commission postponed its action to approve Ordinance 2017-016 as previously cited to a future meeting.

4. SPECIAL RECOGNITION

(b) Volunteer Appreciation Week – April 23-29, 2017 – Proclamation

On behalf of the city commission, Mayor Cheshire read into the record a proclamation recognizing April 23 to 29, 2017 as National *Volunteer Appreciation Week*; urged all citizens to be inspired to join the city in recognizing and seeking imaginative ways to be engaged in the community, and recognized the volunteers’ valuable contributions by thanking them at forthcoming events.

After Mayor Cheshire recognized the contributions made from the list of volunteers during 2016, he announced that a Volunteer Appreciation Picnic will be held in their honor at 11:00 a.m. on April 22, 2017 at Veteran’s Memorial Park, and addressed his inability to attend.

In response, Commissioner Bell and Mr. La Venia addressed their plans to be at said event.

8. OFFICERS’ REPORTS

(a) City Manager - City Projects’ Timeline

o Fruitland Park Library Construction

Mr. La Venia announced that Mr. James P. Senatore, Senatore Inc. (architect retained by the city) is expected to be present at the April 23, 2017 regular meeting to provide an update on the Fruitland Park Library Construction.

(Vice Mayor Gunter entered the meeting room at this time.)

o Roads and Streets – Road Program

Mr. La Venia gave a report that Paquette Company, paving company, was at the city for more than one week.

o CR 466A- Water and Wastewater Plans

Mr. La Venia reported that the anticipated completion date for work on the CR 466A, Phase 3 utility (water and wastewater) plans to be mid-May 2017.

○ **FRDAP Grants Status Update**

With respect to the Florida Recreation Development Assistance Program's grant award, Mr. La Venia recalled a city commissioner's request at its March 9, 2017 regular meeting for Ms. Geraci-Carver to conduct the title search for Gardenia Park which he reported was successful.

Later in the meeting and after Mr. La Venia noted the recent title searches conducted for Gardenia Park, Ms. Yoder responded that she is waiting on the survey.

Soccer Field Drawings – Northwest Lake Community Park

Mr. La Venia reported that Rainey Construction Company will start work on the soccer field (Northwest Lake Community Park) after he has completed the project he has with the city.

○ **Fruitland Park Library – Roof and WWTP - Pioneering Agreement**

Mr. La Venia announced the imminent completion of the current Fruitland Park Library's roof; recognized the second phase of the water wastewater treatment plant (WWTP) connection whereby a pioneering agreement is expected to be executed, and mentioned the city commission's consideration of same, in the future.

At Mayor Cheshire's request and by **unanimous consent, the city commission recessed to the attorney-client session at 6:38 p.m. and reconvened the regular meeting at 7:25 p.m.**

4. SPECIAL RECOGNITION

(a) FSAC Members Presentation

At this time and on behalf of the city commission, Mayor Cheshire recognized the Fire Services Advisory Committee members; thanked them for helping the city, with an important and difficult process (noting the input received from the citizens and the time spent inside and outside city commission meetings) to determine what was best for the city, and expressed appreciation by presenting plaques for the members' outstanding commitment, dedication, and hard work from November 2016 to February 2017:

- Sydney "Dale" Arrowsmith (who was not available, was present earlier in this evening's meeting),
- Edward R. Cihoski, Sr.,
- Edgar J. "Jerry" Elton (who was absent),
- William "Bill" Galbreath,
- Gary Towne,
- Steve Whitaker, and
- Chairperson James P. "Jim" Logan

The former committee members present expressed their appreciation and thanked the city commission for the recognition.

(c) **“Altrusa Centennial Month” – Proclamation**

On behalf of the city commission, Mayor Cheshire read into the record a proclamation recognizing the 100th Anniversary of Altrusa; proclaimed April 2017 as *Altrusa Centennial Month in Fruitland Park*, and extended greetings and best wishes to all current and former members of Altrusa observing the Centennial; thus, affixing a copy of the proclamation to the minutes of this evening’s meeting which shall become effective upon adoption.

Mses. Anita Valdez and Susan Thomas, Altrusa International of Lake County Inc., accepted the proclamation with much appreciation.

8. **OFFICERS’ REPORTS**

(a) **City Manager - City Projects’ Timeline**

o **Public Works Department Building Location**

Mr. La Venia indicated that he would like a location identified for the public works department either at its current site or the WWTP and noted that there is a difference in cost.

At Mayor Cheshire’s request, Mr. Bogle noted the comparisons in costs and size and expressed preference for locating at the department the sewer plant which he believes for more than \$350,000.

In recognizing additional properties previously purchased by the city for \$102,000, Commissioner Bell relayed a resident’s conversations with him and Mr. La Venia on his intent to repurchase the two lots and the need for the city to address the matter on the possibility of offsetting the costs.

After further discussion and **by unanimous consent, the city commission agreed for the public works department building to be located at the City of Fruitland Park’s water wastewater treatment plant.**

o **Parks and Recreation Department – Status Report**

- **2017 Fruitland Park Day**

Ms. Yoder gave a report on the activities that took place at the April 1, 2017 Fruitland Park Day event; the interest from the sponsors and vendors to participate in 2018 where vendor registration forms are anticipated to be available by the 2017 Hometown Christmas event, and the various marketing campaigns conducted in preparation for Fruitland Park Day.

- **2017 Water Safety Day**

Ms. Yoder described the various events planned and programs available for Water Safety Day event scheduled for May 20, 2017 at 10:00 a.m.

6. (b) Discussion - City Commission Meeting Schedule – FY 2017-18 Budget Calendar

Ms. Michaud referred to the July 12 and 13, 2017 conflicting dates shown on the FY 2017-18 Budget Calendar; requested the city commission's decision to consider the proposed millage rate, and recommended the dates of July 28, 2017 or August 1, 2017 .

By unanimous consent, the city commission approved meeting on the following dates to:

- **consider the proposed millage rate at the July 28, 2017 special city commission meeting at 6:00 p.m.;**
- **hold the budget workshops on July 12 and 13, 2017 at 6:00 p.m., and**
- **hold a workshop on June 20, 2017 at 6:00 p.m. to discuss the police department's budget.**

7. NEW BUSINESS

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

8. OFFICERS' REPORTS

(b) City Attorney

○ **Litigation Updates**

Ms. Geraci-Carver pointed out the various litigation outlined on the agenda item summary sheet.

○ **Local Truck Traffic Movement Regulation Ordinance 2017-011**

Ms. Geraci-Carver referred to Local Truck Traffic Movement Regulation Truck Ordinance 2017-011 enacted at the February 23, 2017 regular meeting and the recent complaint received regarding same.

Ms. Geraci- Carver explained that Chief Fewless is currently working with the affected property owners regarding their concerns; addressed the plan to provide proposed changes limiting truck traffic during set school hours where the lower traffic speed limit would need to be adhered, and indicated that as she has not yet heard back from the complainant's attorney regarding the proposed hours. She stated that she will keep the city commission apprised.

In response to Commissioner Lewis' inquiry, Ms. Geraci-Carver addressed the truck drivers receiving citations and Chief Fewless relayed the affected property owners' issues with safety and school zone hours.

9. PUBLIC COMMENTS

Ms. Debora Warn, City of Fruitland Park resident, complained about the manner in which she was treated by the new code enforcement officer. Ms. Warn reported that her husband recently underwent an unexpected emergency major medical procedure. She noted that at that time, a letter was received from the code enforcement officer regarding the violation on their property; explained that she sent someone on her behalf to relay the message to the city that the violation could not be remedied within the time required as she was taking care of her husband, and referred to the notice of violation subsequently placed on their front door.

Ms. Warn indicated that she called the code enforcement officer as a result to disclose her husband's continued care at a medical facility; the limited restrictions placed on him upon discharge, and her current physical condition. Ms. Warn addressed her dissatisfaction with the code enforcement officer's response and mentioned the additional stress she experienced where no offer was made to extend to allow for additional time. Ms. Warn stated that the code enforcement officer's promise to call back did not take place and referred to the succeeding third notice she received by certified mail. She expressed her disappointment with the city known as "the friendly city".

Mr. Paul Frost, City of Fruitland Park resident, explained that he had hoped that the former FSAC members remained present in the meeting room at this time as he and the citizens would have liked to have thanked them for their services.

10. COMMISSIONERS' COMMENTS

(a) Commissioner Ranize

• **2017 Fruitland Park Day**

Commissioner Ranize thanked the employees and those involved for their hard work in making the April 1, 2017 Fruitland Park Day a success.

• **LSMPO**

With reference to the city commission's earlier discussions regarding LSMPO, Commissioner Ranize acknowledged the efforts of the county commission and staff and the city commission on their visits to Tallahassee over the years advocating the timely completion of CR 466A roadway improvements, and noted that the city's attempts in that regard have been exhausted.

• **CR 466A Lift Station**

In response to Commissioner Ranize' question, Mr. Rector described the installation of the lift station (with the force main system as backup) after the development of commercial properties which would be connected to the city's WWTP on CR 466A from Josephine Avenue to Timbertop Lane.

- **City Policies**

Commissioner Ranize referred to the recent records request to Mr. La Venia and Ms. Coulson which could not be fulfilled and requested the city commission's permission on the need to correct the city's procedure on retaining city records ensuring that they are not destroyed (which includes electronic equipment).

Commissioner Ranize requested the city commission's permission for Mses. Geraci-Carver or Dorothy "Dottie" F. Green, Latham, Shuker, Eden and Beaudine, LLP, labor attorney retained by the city, and Mr. La Venia to review the city's policies on timekeeping, all employment (regardless of status) and records management.

(b) **Commissioner Lewis**

- **2017 Fruitland Park Day**

Commissioner Lewis concurred with Commissioner Ranize' comments, regarding the 2017 Fruitland Park Day.

- **Roads and Streets**

Commissioner Lewis conveyed compliments he received regarding the recent paving of the city's streets.

- **Human Resources**

Commissioner Lewis referred to Commissioner Ranize' comments regarding the LSMPO where he stated that the municipalities' weaknesses appears to be in human resources management.

In response to Commissioner Lewis' reference, in speaking with a human resources director, regarding the Society for Human Resource Management (SHRM), Mr. La Venia indicated that Ms. Marie Azzolinio, Human Resources, religiously attends the SHRM meetings and referred to her utilization of the city's insurance company's webinars. He pointed out the 2014 update of the employee manual previously reviewed by Ms. Green and explained that he is not adverse in revisiting the policies and what is required to be changed.

(c) **Commissioner Bell**

- **Trees**

Commissioner Bell referred to the April 10, 2017 email he received from Mr. Charlie B. Thompson, Munn's Sales and Service Inc., regarding safety concerns where motorists' visions are obscured by a tree at Shadow Hill Drive when entering US Highway 441. He mentioned the response received praising the professionalism of the city staff in rectifying the problem. and thanked Mr. Bogle for a job well done.

- **Code Enforcement**

Commissioner Bell expressed concerns that he did not want to lose the code enforcement process and the “friendly city” experience and mentioned the attempts made in balancing the situation towards cleaning up the city and the concern for the citizens.

Commissioner Lewis suggested that Mr. La Venia bring the information to the code enforcement officer’s attention; recognize methods of improvement, and find alternatives to guidelines for extenuating circumstances.

Mayor Cheshire recalled the city commission’s previous discussions and recognized Operation Bless Fruitland Park’s previous partnership efforts within the community with code enforcement.

After Mr. Rector described the code enforcement procedures involved, Mr. La Venia stated that he will speak with the code enforcement officer.

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

- **2017 Fruitland Park Day**

Vice Mayor Gunter complimented Ms. Yoder for the outstanding performance conducted on the 2017 Fruitland Park Day and praised Mr. Bogle and staff for clearing up after the event.

- **Landscape JPA – FDOT District V**

Vice Mayor Gunter referred to a recent meeting he attended with Messrs. La Venia and Bogle regarding the State of Florida Department of Transportation (FDOT) District V’s Landscaping Grant Funding. He relayed the suggestion made to utilize the funding towards the end of CR 466A intersection as landscaping design/beautification improvements and that the state would maintain same along the medians of the City of Leesburg and the Town of Lady Lake.

After discussion on the need to provide landscape improvements on the CR 466A roadway (the business district) and utilize the city’s welcome sign at said location from Sumter County, **the city commission, by unanimous consent, directed the city manager and the public works director to pursue the utilization of the State of Florida Department of Transportation District V’s landscaping grant funding, if available, and report back to the city commission.**

Mayor Cheshire addressed his frustration when the public works department staff was maintaining the CR 466A median and referred to the meeting he recently had with District 5 Lake County Commissioner Joshua “Josh” Blake and Mr. La Venia.

Mayor Cheshire suggested, before planting, that a request of Ecoturf Perennia Peanut (drought tolerant and low maintenance) be made for the respective City of Fruitland Park medians and that staff find out the county's mowing schedule to avoid overlapping.

11. MAYOR'S COMMENTS

(a) Lake County Issues

Mayor Cheshire expressed concerns on several ongoing issues with the county over the years and suggested inviting the elected officials to appear before the city commission.

Commissioner Bell referred to the county's invitation to meet the candidates for county manager position on Monday, April 17, 2017 at 5:00 p.m. and encouraged the city commissioners to attend.

(b) Dates to Remember

Mayor Cheshire recognized the following dates:

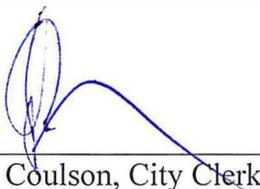
- April 14, 2017 - LCLC *New Vision for Independence, Inc.* Meeting, Lake Receptions 4425 N Highway 19-A, Mount Dora, FL 32757 at 12:00 noon
- April 22, 2017 Volunteer Appreciation Picnic, 11 TBA
- April 26, 2017 – Lake-Sumter Metropolitan Planning Organization Governing Board, 1616 S 14 Street, Leesburg, FL 34748 at 2:00 p.m.
- April 27, 2017 – Regular Commission Meeting at 6:00 p.m.
- May, 6, 2017 – Employee Picnic, Veterans Park at 11:00 p.m.
- May 10, 2017 - Lake County Community Service Awards, Lake Receptions, 4425 N Highway 19-A, Mount Dora, FL 32757 at TBA
- May 11, 2017 - Regular Commission Meeting at 6:00 p.m.
- May 24, 2017 – Lake-Sumter Metropolitan Planning Organization Governing Board, 1616 S 14 Street, Leesburg, FL 34748 at 2:00 p.m., and
- May 25, 2017 - Regular Commission Meeting at 6:00 p.m. – Cancellation

Mr. La Venia announced that Congressman Webster will be at the city hall on April 19, 2017 and welcomed those to attend.

12. ADJOURNMENT

There being no further business to come before the city commission at this time, on motion made, second and unanimously carried, the meeting adjourned at 8:29 p.m.

The minutes were approved at the April 27, 2017 regular meeting.

Signed 

Esther B. Coulson, City Clerk

Signed 

Chris Cheshire, Mayor