

**FRUITLAND PARK CITY COMMISSION REGULAR
MEETING MINUTES
December 8, 2016**

A regular meeting of the Fruitland Park City Commission was held at 506 W. Berckman Street, Fruitland Park, Florida 34731 on Thursday, December 8, 2016 at 7:00 p.m.

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

Also Present: City Manager Gary La Venia, City Attorney Anita Geraci-Carver, Assistant City Treasurer Susan Parker; Police Chief Michael A. Fewless; Interim Fire Chief Don Gilpin; Lieutenant Tim Yoder, Fire Department; Community Development Director Charlie Rector, Public Works Director Dale Bogle; Ms. Ruthie Barker, Finance Clerk, and City Clerk Esther B. Coulson.

1. CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE

The Reverend Dr. George Mulford III, Grace Bible Baptist Church, gave the invocation.

Pledge of Allegiance

Chief Fewless led in the Pledge of Allegiance to the Flag.

2. ROLL CALL

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

3. PRESENTATIONS

(a) Special Recognition

Mayor Cheshire acknowledged the difficult role of the mayor's position over the years (from November 3, 2004 to November 10, 2016); recognized and thanked Commissioner Bell for the work he has contributed for the city, and on behalf of the city commission, presented him with a plaque.

Commissioner Bell accepted the plaque with much appreciation; noted the city's growth, and recognized his wife Joyce Bell for her continued support over the years.

(b) Board Member Appreciation

On behalf of the city commission, Mayor Cheshire presented Mr. John Schaller with a plaque for volunteering on the Lake-Sumter Metropolitan Planning Organization Citizens' Advisory Committee member from December 12, 2013 to December 31, 2016.

Mr. Schaller expressed his appreciation to the city commission for the recognition. He mentioned his service of more than 20 years on the Planning and Zoning board as a member whilst being on the MPO CAC and anticipated that the members the

city commission choses will serve the city commission well as do the current members.

(c) **Proclamation - *Wreaths Across America***

In support of the city commission, Mayor Cheshire declared Saturday, December 17, 2016 as the official “Wreaths Across America Day” in Fruitland Park and on behalf of the city commission and citizens, the city honored, recognized and commended the American Legion Family of 219 for this patriotic tribute to America’s veterans.

Ms. Lucy McCann, John Gella Memorial Unit 219, American Legion, thanked the commission for the proclamation and invited the city commission and the public to attend the December 17, 2016 *Wreaths Across America* event at noon and indicated that there are wreaths for 125 veterans at Shiloh Cemetery.

After Vice Mayor Gunter made a donation for three wreaths, Ms. McCann acknowledged the presence of Ms. Diane Rousseau, Vice President, at this evening’s meeting.

4. LOCAL PLANNING AGENCY meeting on or around 7:00 p.m.

By unanimous consent, the city commission recessed its meeting at 7:10 p.m. to the Local Planning Agency and reconvened at 7:23 p.m.

5. CONSENT AGENDA

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

(a) **Approved the November 10, 2016 regular meeting minutes as submitted;**

(b) **Adopted Resolution 2016-060 - Municipal Firefighters Pension Trust Fund - Firefighter Fire Department Category – Appointment – T. Luttfriing**
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; AND PROVIDING FOR AN EFFECTIVE DATE.

(c) **Adopted Resolution 2016-061 - Municipal Firefighters Pension Trust Fund – Residents: Commission-Appointed Category – Reappointment – C. Themm**
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; AND PROVIDING FOR AN EFFECTIVE DATE.

- (d) **Adopted Resolution 2016-059 - LSMPO – BAC – Reappointment - M. Yoder**
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPOINTING A MEMBER REPRESENTATIVE TO THE LAKE-SUMTER METROPOLITAN PLANNING ORGANIZATION BICYCLE AND PEDESTRIAN ADVISORY COMMITTEE; PROVIDING THE TERM EXPIRATION DATE; AND PROVIDING FOR AN EFFECTIVE DATE.

and

- (e) **Adopted Resolution 2016-049 – Franchise Fee Agreement - City of Leesburg MOU**

RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA AUTHORIZING THE APPROVAL OF THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF FRUITLAND PARK, FLORIDA AND THE CITY OF LEESBURG, FLORIDA AND PROVIDING AN EFFECTIVE DATE.

6. REGULAR AGENDA

- (a) **2017 City Commission Meeting Schedule – Discussion**

The city commission discussed the 2017 meeting schedule.

Mayor Cheshire noted the commencement of the Fire Services Advisory Committee meetings; questioned holding future city commission meetings to 6:00 pm., and gave reasons on accessibility for citizens and staff.

By unanimous consent, the city commission agreed to move its meeting to 6:00 p.m.

Ms. Geraci-Carver read into the record the title of proposed Setting Commission Meetings Time Resolution 2016-062, the substance of which is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, SETTING THE TIME FOR REGULAR MEETINGS OF THE COMMISSION TO 6:00 P.M.; AND PROVIDING FOR AN EFFECTIVE DATE.

There being no one from the public, **and on motion of Commissioner Lewis, seconded by Commissioner Ranize and unanimously carried, the city commission adopted Resolution 2016-062 as previously cited.**

By unanimous consent, the city commission accepted the 2017 city commission meeting schedule as corrected.

(b) **Credit Card Vendor Selection – Online Payment System**

The city commission considered its action to select and approve a credit card vendor. (At the October 13, 2016 regular meeting, the city commission approved the implementation of the citizen self-service (online utility payments).)

After Ms. Barker gave a presentation outlining the online payment credit card procedures and options and following concerns raised by Commissioner Ranize, Mr. La Venia agreed to provide further information to the city commission on features to reduce the risks associated with payment to the system and whether hosting of the software program would take place on the city's server.

Following extensive deliberations and **on motion of Commissioner Lewis, seconded by Commissioner Ranize and unanimously carried, the city commission selected and approved retaining a contract with Govolution LLC (velocity electronic payment system) as the credit card online vendor, provided that qualifications are met on preventative measures to the server and submit same for city commission approval.**

(c) **Spillman Technologies Inc. – Records Management - Quotation**

The city commission considered its action to approve the price quotation from Spillman Technologies Inc. at a reduced cost of \$54,121 for a Records Management System for the police department. (Piggyback contract: the City of Mount Dora Police Department and the city attorney has reviewed and approved same to form.)

Chief Fewless recalled the July 11, 2016 budget workshop discussions citing reasons in and the advantages of purchasing the Spillman records management system for the police department from the capital project fund which he negotiated from \$100,000 to \$54,000.

After discussion, Chief Fewless responded to Commissioner Ranize's question that he plans to meet with Lake County Sheriff Gary S. Borders in one week regarding the city utilizing the sheriff's office's call-in-report writers 24/7.

Following further deliberations, **and on motion of Commissioner Ranize, seconded by Commissioner Lewis and unanimously carried, the city commission approved the price quotation from Spillman Technologies Inc. as previously cited.**

At Mr. La Venia's request, Chief Fewless referred to the State of Florida Department of Law Enforcement Criminal Justice Information Services' letter dated November 28, 2016 regarding its findings of the recent technical audit conducted at the police department that it is in compliance of the Criminal Justice User Agreement citing that it has established the proper controls to safeguard the full lifecycle of the criminal justice information. (A copy of the letter is filed with the supplemental papers to the minutes of this meeting.)

Chief Fewless announced that the city will be sponsoring 36 children (\$3,600 in donations) and extended the invitation to the city commission to participate in the *Shop with the Cop* event at Target store in the Town of Lady Lake from 8:00 a.m. to 11:00 a.m. on Saturday, December 10, 2016.

(d) First Amendment - Gamble Residential Contract

The city commission considered its action to approve a residential contract for sale and purchase between Humble Investments Inc., a Florida Corporation, and the City of Fruitland Park on the purchase of a portion of property located on the northwest corner of 1629 Miller Boulevard in the amount of \$15,000 and authorize the mayor to execute same.

Mr. La Venia noted the changes made this day to the subject contract this day which has since been reviewed by Ms. Geraci-Carver; relayed the acceptance received from the participants involved, and recognized the property to be annexed and lift station to be installed as a result.

On motion of Commissioner Ranize, seconded by Vice Mayor Gunter that the city commission approve the city manager's recommendation of approval, subject to execution of the contract at a later date.

(e) First Reading – Public Hearing - Ordinance 2016-031 – Comprehensive Plan – Revisions

After Ms. Geraci-Carver read into the record the title of proposed Ordinance 2016-031, the substance of which is as follows, Mayor Cheshire called for interested parties to be heard:

AN ORDINANCE OF THE CITY OF FRUITLAND PARK, LAKE COUNTY, STATE OF FLORIDA, PURSUANT TO THE PROVISIONS OF SECTIONS 163.3184 AND 163.3191, FLORIDA STATUTES; AMENDING THE CITY'S COMPREHENSIVE PLAN (ATTACHED AS EXHIBIT A); ADDING OR ADOPTING REVISIONS TO THE FUTURE LAND USE, TRANSPORTATION, HOUSING, PUBLIC FACILITIES, CONSERVATION, RECREATION AND OPEN SPACE, INTERGOVERNMENTAL COORDINATION, CAPITAL IMPROVEMENTS, AND CONCURRENCY MANAGEMENT ELEMENTS OF THE COMPREHENSIVE PLAN; ADOPTING AMENDMENTS TO THE COMPREHENSIVE PLAN ARISING FROM CHANGES FROM THE 2010 CENSUS; ELIMINATING LEVEL OF SERVICE REQUIREMENTS FOR RECREATION AND OPEN SPACE ELEMENTS; ELIMINATING THE PUBLIC SCHOOL FACILITIES ELEMENT OF THE FORMER COMPREHENSIVE PLAN; ADOPTING THE 10-YEAR WATER SUPPLY FACILITIES WORK PLAN BY REFERENCE; DIRECTING THE

CITY TO PROVIDE CERTIFIED COPIES OF THIS ORDINANCE AFTER APPROVAL TO THE CLERK OF THE CIRCUIT COURT, THE LAKE COUNTY MANAGER AND THE SECRETARY OF STATE OF THE STATE OF FLORIDA; PROVIDING FOR CONFLICTS AND SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

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

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

A motion was made by Commissioner Ranize and seconded by Commissioner Lewis that the city commission approve the Local Planning Agency's recommendations of approval on proposed Ordinance 2016-031 as previously cited.

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

Mr. Rector referred to this day's agenda identifying the second reading date of January 12, 2017 and indicated that it would not be held on that date until a response is received from the State of Florida Department of Economic Opportunity.

In response to Commissioner Bell's inquiry, Mr. Beliveau explained the 45-day process whereby the second reading would not take place until notification is received from the state.

- (f) **First Reading – Ordinance 2016-021 EAR Transmittal and Adoption**
Upon staff's recommendation and **by unanimous consent, the city commission withdrew from this evening's agenda, its consideration of Ordinance 2016-021:**

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

COMPREHENSIVE PLAN ARISING FROM CHANGES FROM THE 2010 CENSUS; ELIMINATING RECREATION AND OPEN SPACE LEVEL OF SERVICE; ELIMINATING THE PUBLIC SCHOOL FACILITIES ELEMENT OF THE FORMER COMPREHENSIVE PLAN; DIRECTING THE CITY CLERK TO PROVIDE CERTIFIED COPIES OF THIS ORDINANCE AFTER APPROVAL TO THE CLERK OF THE CIRCUIT COURT, THE LAKE COUNTY MANAGER AND THE SECRETARY OF STATE OF THE STATE OF FLORIDA; PROVIDING FOR AN EFFECTIVE DATE. (The second reading will be held on January 12, 2017.)

(g) First Reading – Ordinance 2016-029 Solid Waste Rates Increase

Ms. Geraci-Carver read into the record the title of proposed Ordinance 2016-029, the substance of which is as follows:

AN ORDINANCE OF THE CITY COMMISSIONERS OF THE CITY OF FRUITLAND PARK, LAKE COUNTY, FLORIDA; AMENDING SECTION 99.40, IN CHAPTER 99 OF THE CODE OF ORDINANCES TO INCREASE REFUSE COLLECTION FEES BY 2% EFFECTIVE JANUARY, 2017; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (The second reading will be held on January 12, 2017.)

After much discussion and following Mr. Bogle's response to Vice Mayor Gunter's inquiry that he would check on the status of the garbage containers, Vice Mayor Gunter noted the \$10,000 donation – towards new equipment for the proposed parks and recreation community center currently the Fruitland Park Library property -- to occur at some point in time.

A motion was made by Commissioner Lewis and seconded by Commissioner Bell that the city commission approve Ordinance 2016-029 as previously cited.

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

(h) First Reading – Ordinance 2016-030 Moratorium – Marijuana Dispensaries

Ms. Geraci-Carver read into the record the title of proposed Ordinance 2016-030, the substance of which is as follows

AN ORDINANCE OF THE CITY COMMISSIONERS OF THE CITY OF FRUITLAND PARK, LAKE COUNTY, FLORIDA; ESTABLISHING A TEMPORARY MORATORIUM WITHIN THE CORPORATE LIMITS OF THE CITY OF FRUITLAND PARK PROHIBITING MEDICAL CANNABIS ACTIVITIES

DURING THE MORATORIUM PERIOD; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR FILING WITH THE DEPARTMENT OF STATE; AND PROVIDING FOR AN EFFECTIVE DATE. (The second reading will be held on January 12, 2017.)

After Mr. La Venia referred to Lake County's request for municipalities to adopt a moratorium allowing the state time (288 days) to promulgate rules and regulations in governing how dispensing marijuana would work, Vice Mayor Gunter referred to the December 7, 2016 WESH 2 television news broadcast entitled "*Knox Medical is Central Florida's first facility to deliver medical marijuana to a patient*" noting that the first delivery will be on December 9, 2016.

After much discussion, Mr. Paul Frost, City of Fruitland Park resident, explained that the facility will be lowering the THC product for patients; questioned the city needing a moratorium which he stated is the city commission's decision.

A motion was made by Commissioner Ranize and seconded by Commissioner Bell that the city commission approve Ordinance 2016-030 as previously cited.

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

PUBLIC HEARING

By unanimous consent, Mayor Cheshire opened the public hearing on this evening's agenda.

(i) Resolution 2016-047 – Non-Ad Valorem Method Special Assessment

It now being the time advertised to hold a public hearing, after Ms. Geraci-Carver read into the record the title of proposed Ordinance 2016-030, the substance of which is as follows, Mayor Cheshire called for interested parties to be heard:

A RESOLUTION OF THE CITY OF FRUITLAND PARK, FLORIDA ELECTING TO USE THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM ASSESSMENTS LEVIED WITHIN THE INCORPORATED AREA OF THE CITY OF FRUITLAND PARK; STATING A NEED FOR SUCH LEVY; PROVIDING A LEGAL DESCRIPTION; PROVIDING FOR THE MAILING OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. La Venia and Ms. Geraci-Carver recognized the ability for the county to collect annually on non-ad valorem taxes, if it occurs and is considered by the city commission.

In response to a question posed by Vice Mayor Gunter, Ms. Geraci-Carver explained the current pending action as the first step in the process with the other proposed legislation that the city commission would have to consider.

After discussion, **a motion of Commissioner Ranize and seconded by Commissioner Lewis that the city commission adopt Resolution 2016-047 as previously cited.**

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

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

END OF PUBLIC HEARING

7. NEW BUSINESS

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

8. PUBLIC COMMENTS

Mr. Paul Frost, City of Fruitland Park resident, pointed out his concerns outlined before the city commission at its September 22, 2016 regular meeting which involves some of the items addressed earlier in this evening's and expressed his gratitude to the city commission for dealing with same. He referred to the December 6, 2016 Fire Services Advisory Committee meeting and thanked the fire department staff for their presentation. Mr. Frost noted the holiday nativity display in front of the Fruitland Park library, previously donated by his mother, and conveyed her appreciation on the continued use of the manger.

Later in the meeting, Mr. Frost conveyed his and the public's appreciation for moving the public comments portion to the end of the meeting.

Ms. Rita Ranize, City of Fruitland Park resident, recognized Parks and Recreation Director Michele Yoder for the noble job she has performed at the city's previous events and the cleanup efforts afterwards.

After Ms. Ranize questioned the status of the harassment incident towards the city's volunteer fire fighter staff that she raised at the October 27, 2016 regular meeting and in response to Mr. La Venia's reference to the letter he wrote on November 2, 2016 to the county commissioners in that regard, she addressed her intent to appear before said body at its future regular meeting. (A copy of the letter is filed with the supplemental papers to the minutes of this meeting.)

9. OFFICERS' REPORTS

(a) City Manager

i. Infrastructure Improvements – ILA – Lake County

Mr. La Venia referred to the interlocal agreement between the City of Fruitland Park and Lake County for infrastructure improvements along Poinsettia Avenue (CR 6006) and for transfer of jurisdiction of Poinsettia Avenue located in Fruitland Park which he previously distributed to the city commission.

Mr. La Venia outlined the city's plans to install the new water and wastewater connection lines; addressed the importance of performing right-of-way improvements under Poinsettia Avenue -- a 1.2 miles of county roadway -- as reasons in purchasing the Adam Gamble property located on the northwest corner of 1629 Miller Boulevard, and anticipated the county paving the other half of said roadway.

If the city decides to take possession of Poinsettia Avenue, Mr. La Venia pointed out:

- the county's agreement to pay the other half of resurfacing the crosswalks and roadway with an inch overlay for approximately \$42,000 with Rainey Construction Company, Paquette Tri-State Asphalt Corporation, and another organization, as conveyed by Mr. Rector, who are ready to proceed; otherwise, the city would bear the cost for paving its side of the roadway;
- the contractor to secure a \$10,000 surety performance bond by Rainey Construction to ensure the completion of the road acceptable by the county;
- the county to trim the trees in advance, a concern conveyed to him by Mr. Bogle, and
- the ability for annexation of county properties on both sides of the street including abutting properties into the city.

After extensive discussions, Mr. Rector referred to a previous meetings held among county staff, Mr. Bogle, a representative from Booth Ern Straughan and Hiott (BESH) Inc. (engineers retained by the city), and himself regarding the subject issue; noted the documents submitted at that time which included a year's contract for work between the county and DAB Constructors Inc. for a one-inch overlay. He described the procedures involved; the advantages of the roadway to be taken over by the city, and the property owners' interest in annexing their properties, and the receipt of road tax funds at 1.2 miles.

Following further deliberations, and **on motion of Commissioner Lewis, seconded by Commissioner Bell and unanimously carried, the city commission approved the previously cited ILA as amended directing**

the city attorney to include the provision of tree trimming in the agreement and directing the city attorney to draft a resolution supporting same for consideration at the next meeting.

ii. Casino Building Demolition

Mr. La Venia referred to a letter dated December 8, 2016 from Mr. Timothy A. Parsons, Florida Department of State Division of Historical Resources and State Historic Preservation , regarding the detailed mitigation plan for the demolition of the casino building which he intends to place on the next city commission agenda for discussion. (A copy of the letter is filed with the supplemental papers to the minutes of this meeting.)

iii. CSX ROW Adjacent to WWTP Connection Line to the Town of Lady Lake

Since the September 22, 2016 regular meeting regarding the CSX ROW, Mr. La Venia pointed out that a CSX representative declined the city's \$3,000 offer --recognizing the appraised assessed amount of \$11,000 – and referenced their offer to sell the property at \$77,000. He addressed his willingness to make another offer.

(b) City Attorney

i. Angelica Dobuck

Ms. Geraci-Carver explained that she is waiting for the court to rule on the Motion to Dismiss on the Angelica Dobuck case.

ii. George Fernandez

Ms. Geraci-Carver referred to the court's report and recommendation, and indicated that the Fair Labor Standards Act claims were dismissed; however, the other claims would proceed. She stated that Ms. Stephanie J. McCulloch, Attorney at McLin Burnsed, would be scheduling mediation on same.

iii. Anthony Mancino

Ms. Geraci-Carver announced referred to her conversations on December 7, 2016 with Mr. Kevin Stone, attorney at Stone & Gerken, P.A., who indicated that the Mancino files were forwarded on to the city as well as to the insurance company; thus, Ms. McCulloch has been assigned to the case and plans to contact Mr. Stone.

iv. James Hartson

After Mr. La Venia interjected that Mr. Hartson's claim was previously submitted to the insurance company, Ms. Geraci-Carver explained that Ms. McCulloch would be reviewing same and that the city's law enforcement officer was not the individual who used the tazer which led to the injuries.

v. Code Enforcement Ordinance

Ms. Geraci-Carver referred to Ordinance 2011-001 adopting certain provisions of the 2009 International Property Maintenance Code; addressed her intent to compare it to the most recent version, and mentioned her plan to report back with suggestions to the city commission to update same recognizing the employment of the new code enforcement officer.

Mr. La Venia announced that Ms. Lori Davis, started as the city's new code enforcement officer on Monday, December 5, 2016.

Mr. La Venia revealed that Deputy Chief Dennis Cutter is currently travelling to Maryland as his mother is seriously ill.

10. COMMISSIONERS' COMMENTS

(a) Commissioner Ranize

i. FSAC

Commissioner Ranize thanked Deputy Chief Gilpin and Lieutenant Tim Yoder for their presentation made at the December 6, 2016 Fire Services Advisory Committee meeting. Commissioner Ranize requested that staff provide a similar presentation for the residents itemizing the hybrid system and submit same to the committee, to which Mr. La Venia conveyed Chairperson Jim Logan's preference to place same on a future FSAC agenda as a monetary item.

ii. Fire and Police Departments – Portable Radio Replacement

Commissioner Ranize addressed the immediate need to include in the budget funds the replacement of the city's old portable radios used by the fire department personnel.

Commissioner Ranize referred to his recent telephone call with Mr. Jerry Smith, Lake Emergency Medical Services, who explained the need to replace the fire and police departments' portable radios to 900 Mhz to support the new system and due to technology; recognized that the current system is more than 10 years old, and noted the county's recent replacement at a cost of \$6.9 million.

As it relates to smaller cities Chief Fewless stated that he is currently working with Captain Todd Payne, Orange County Sheriff's Office, and recognized the new Lake County sheriff to be starting in January 2017.

After much discussion, Ms. Ranize noted how dispatchers had to adapt to the different codes and procedures used in the area and noted the attempts to implement a unified code in the State of Florida and adjoining states.

iii. Public Attendance - Meetings

Commissioner Ranize recognized the small turnouts at public meetings that residents are aware of as well as the decisions made; noted the ample warnings given, and stated that he hopes for more attendance.

iv. High Utility Bills – Water Main Break

Commissioner Ranize referred to a call he received from Mr. Andy Walker, Wingspread resident in the City of Fruitland Park, mentioned his unawareness of a water main break at his home and the subsequent excessive utility bill which he disputed. He explained that city staff conducted the repairs which resolved the break and his following bill restored to its normal rate. Commissioner Ranize relayed Mr. Walker's request to Mr. La Venia as to whether the matter could be addressed by ordinance.

Commissioner Ranize indicated that once the resident is notified of a legitimate water break, previously unknown to them, and the problem subsequently corrected, the city would provide assistance.

After much discussion, **by unanimous consent, the city commission agreed with the city attorney's suggestion to review examples of local government ordinances forgiving residents once who have unexplained excessive bills for unknown water use.**

v. Fruitland Park Beautification Day – March 18, 2017

In recognizing the city's *Beautification Day* to be held on March 18, 2017, and in order to assist with code enforcement and increase public participation, Commissioner Ranize suggested notifying residents immediately encouraging them to bring excess trash to public works including those who are not in compliance with code enforcement.

vi. Former Volunteer - Dan Pincas

Commissioner Ranize mentioned the terminal illness of City of Fruitland Park resident Mr. Dan Pincas, a longtime former volunteer, who is currently receiving hospice care.

vii. Lake County Public Safety Fire Rescue

Commissioner Ranize referred to a vehicular accident which occurred outside Stavro's Fruitland Park Pizza Restaurant at dusk on Friday, November 24, 2016; reported on the lack of response demonstrated by the Lake County Fire Rescue Station 53 (LCFRS 53) personnel who were having a meal at said establishment including to Stavro's owner's request for assistance, and mentioned the Fruitland Park volunteer firefighters dealing with same.

Commissioner Ranize relayed his concerns with the city staff; conveyed Lake Emergency Medical Services (EMS) Station 271 problems on the lack of response received from LCFRS 53 in this regard, and his question on the matter relayed to Ms. Geraci-Carver. Additionally, Commissioner Ranize referred to his November 28, 2016 email reflecting his concerns, as a resident, to Lake County Manager David Heath and a copy to Lake County District 2 Chairperson Commissioner Sean Parks with his intent to address same before the city commission at its regular meeting.

In response to the incident, Commissioner Ranize recognized:

- the work performed by the city's emergency personnel (police and fire departments) and Lake EMS where the victims were transported to the emergency room;
- the readily operating and functioning equipment (namely; the portable radios);
- the truck dispatched to the scene was stationary at the intersection of Forest Drive and 441, in the City of Leesburg, and the city's battalion chief's map and computer in his vehicle reflected that the truck was located at said area, and
- Chairperson Parks' response that the LCFRS 53 personnel were off-duty and were unaware of the situation, despite what was occurring outside the restaurant.

Commissioner Ranize voiced concerns that no answer was received to his November 28, email and that there was no response to Mr. La Venia's November 2, 2016 letter to the Lake County Board of County Commissioners regarding the relationship between the city's fire department and the county's fire rescue and the resignation of the city's fire chief. Commissioner Ranize questions the justification to the issue and noted that the city's previous requests to the county have reached an impasse.

After noting the takeover of Poinsettia Road, Commissioner Ranize questioned the improvements to Cutoff Road recognizing it as one of the worst in the county.

(b) Commissioner Lewis

i. Employee Holiday Celebration

Since pot luck days, Commissioner Lewis recognized that the December 2, 2016 *Employee Holiday Celebration* to be one of the best and mentioned his admiration of the police substation at Moyer Village Recreation Center.

ii. Audit Committee – RFP Audit Services

Commissioner Lewis referred to the city commission's previous action appointing him to serve on the Audit Committee and reported at its December 6, 2016 meeting the determination to place ads for the request for proposals in newspapers of general circulation.

Commissioner Lewis voiced concerns on the time lost in the process and the timeline issues:

- the formulation of a committee;
- the advertising/noticing requirements,
- the submission of proposals to prospective bidders,
- the selection process, and
- the conduct of the audit by February to be submitted to Ms. Racine-Michaud, City Treasurer, in March 2017.

Ms. Geraci-Carver explained, in response to Commissioner Bell's inquiry that the statute does not speak to providing an interim auditor and Commissioner Lewis relayed the willingness of Mr. W. Chet Ross, Shumacker, Johnston & Ross, Certified Public Accountant (auditor retained by the city), to offer his services for another year.

Commissioner Lewis pointed out Ms. Racine-Michaud's remarks on the one-time fee deduction for missing the deadline and compared it with the a performance-based contract with daily penalties.

After discussion, Ms. Geraci-Carver indicated in response to Commissioner Lewis's inquiry that there is no problem in sending the RFP ad to prospective CPA companies.

(c) Commissioner Bell

i. Employee Holiday Celebration

Commissioner Bell acknowledged the successful December 2, 2016 Employee Holiday Celebration.

ii. NW Lake Community Park Soccer Field Joint Development ILA

Commissioner Bell gave a report on the Lake County Parks and Recreation Trails Advisory Committee of which he is a member; pointed out the attempts made to secure various types of funding, and noted the kickoff of the first master Parks and Trails Planning Session held earlier this day to receive public input to develop the new mater plan.

Commissioner Bell recalled the city commission's previous actions on the Joint Development of the North West Lake Community Park with the county and noted the process where a site at the south end of the county was selected. He addressed the concept of proposing the subject park into the

master plan (noting the previous plan lasted 15 years) which would allow the securing of various types of funding.

In acknowledging the city's position on the development of a master plan, Commissioner Bell suggested utilizing the proposed plan as originally agreed with the extra five acres as a partnership already established with the county where funds were available to develop the masterplan; thus, the county's preference for the city to present what it would like to see in the park. He noted another vacant building which was utilized in the past and is included in the county's long term master plan.

Commissioner Bell suggested authorizing BESH to provide ideas towards the utilization of the city's current multi-use field -- with the park shown as two extra parcels -- as a proposal; pointed out the illustrated conceptual drawings in that regard, and referred to the subject joint development agreement to include an adjacent property.

Following much discussion and after Mayor Cheshire recalled previously serving on the committee with Commissioner Bell and noted the selection process for parks within the municipalities, Commissioner Bell addressed the opportunity to lay out the conceptual plan which would include two other parcels.

After Mayor Cheshire pointed out his comments to Mr. La Venia acknowledging the soccer field and noting Rainey Construction Company's presence for a period to allow for grading, Commissioner Bell recognized the master plan on how to design the property was not implemented which needs to be given to the county before receiving \$100,000.

Mr. Rector addressed BESH's willingness to volunteer implementing the city's grading plan at no cost, to which Commissioner Lewis stressed the need to expedite same.

After receiving confirmation from staff on the completed survey, the city commission requested the need to review the soccer field's dimensions to accommodate for parking, bathrooms, concessions stands, and field size.

Following further discussion, Mr. La Venia confirmed the available funds earmarked for the soccer field.

Subsequent to extensive discussions and after Commissioner Ranize recommended implementing the work on current city-owned property, **the city commission, by unanimous consent, directed the community development director to meet with the parks and recreation director and authorize Booth Ern Straughan and Hiott Inc. to provide a cost**

estimate for work to be conducted on the soccer field by February 1, 2017.

(d) Vice Mayor Gunter, Jr.

i. Meetings

Vice Mayor Gunter referred to the number of meetings he attended earlier this day including the School Concurrency Annual Meeting where he reported that the Lake County School District's relationship with the county is strained.

Vice Mayor Gunter referred to the appearance of School Board Chairperson District 1 Bill Mathias before the city commission at its October 13, 2016 regular meeting where discussions were held on the district's proposed sales tax capital plan, the Fruitland Park Elementary School building, and the school board's undeveloped property. Vice Mayor Gunter relayed that the newly elected commissioner and school board member (members in attendance) were unaware of same; however, the school board staff who were cognizant admitted that they did not address the matter at the meeting.

ii. *Employee Holiday Celebration*

Vice Mayor Gunter recognized the December 2, 2016 *Employee Holiday Celebration*; thanked Commissioner Ranize for his participation, and requested that the message be relayed to Ms. Yoder that the event was enjoyable.

iii. *Dates to Remember - Hometown Christmas*

Vice Mayor Gunter reminded everyone of the December 9, 2016 *Hometown Christmas* event to begin at 5:30 p.m. with Santa Claus arriving at 6:00 p.m. and the city commissioners' *Ugly Sweater Contest* to follow.

The city commission responded in the negative to Ms. Ranize' inquiry that there will be no charge for the bounce house where the December 3, 2016 *Main Street Christmas Parade Festival* hosted by the City of Leesburg imposed a charge at its event.

11. MAYOR'S COMMENTS

(a) *Employee Holiday Celebration*

Mayor Cheshire noted the successful December 2, 2016 *Employee Holiday Celebration*.

(b) In Memoriam – Steve Fussell

Acknowledging that no mention was made regarding a member of the community that was lost, Mayor Cheshire gave a tribute to his friend Mr. Steve Fussell, City of Fruitland Park resident and former Charter Review Committee member, who passed away on November 13, 2016. Mayor Cheshire recognized that Mr. Fussell brought news to the city in the best way that he could and that he would be dearly missed.

(c) Public Information

Mayor Cheshire addressed major need to improve disseminating information in advance to the public especially as it relates to code enforcement warning visits in advance and forthcoming Fire Services Advisory Committee meetings. He mentioned discussions held at previous meetings regarding community newsletters and the need to update the city's website.

(d) NW Lake Community Park Soccer Field Joint Development

Mayor Cheshire questioned the process on the North West Lake Community Park Soccer field and noted the related components.

After recognizing that there are no project lists, Commissioner Ranize concurred in the affirmative to Mayor Cheshire's suggestion that it would be beneficial to determine the status, timeline, and how the city is progressing on projects in the process.

Mr. Rector pointed out Mr. La Venia's previous request for him to appear before the city commission at its next meeting to give a report on the status update of various construction-type projects.

(e) 2017 City Priorities

Upon Mayor Cheshire's suggestion and **by unanimous consent, the city commission agreed to address at the next meeting, its priorities for 2017 and conduct workshops in that regard.**

Mayor Cheshire recognized CR 466A as the top priority and addressed the need to reach out to legislative officials to pursue funding for same.

(f) Dates to Remember

Mayor Cheshire announced the following Dates to Remember events:

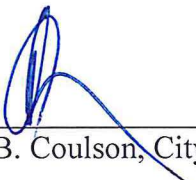
- December 9, 2016, *Hometown Christmas*, City Hall at 5:30 p.m.
- December 15, 2016, *Employee Appreciation Luncheon* Heritage Community Church, 509 W Berckman Street, Fruitland Park, Florida 34731 at 11:30 a.m.;
- December 17, 2016 Fourth Annual Wreaths Across America at Shiloh Cemetery, Shiloh Street, Fruitland Park, FL 34731 at 12 noon.
- December 22, 2016, Regular City Commission Meeting at 7:00 p.m., Cancelled;
- December 23 and 26, 2016, Winter Holiday – City Hall Closed;

- January 2, 2017 – *New Year's* – City Hall Closed, and
- January 12, 2017, Regular City Commission Meeting at 6:00 p.m.

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 9:51 p.m.

The minutes were approved at the January 12, 2017 regular meeting.

Signed  _____
Esther B. Coulson, City Clerk

Signed  _____
Chris Cheshire, Mayor