

**FRUITLAND PARK CITY COMMISSION REGULAR MEETING
MINUTES
September 22, 2016**

A regular meeting of the Fruitland Park City Commission was held at 506 W. Berckman Street, Fruitland Park, Florida 34731 on Thursday, September 22, 2016 at 7:00 p.m.

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

Also Present: City Manager Gary La Venia, City Attorney Anita Geraci-Carver, City Treasurer Jeannine Michaud-Racine; Police Chief Michael A. Fewless, Assistant Fire Chief Don Gilpin; Fire Department Lieutenant Tim Yoder, Firefighters Emily Fisher, Madison Leary, Chris Lewis, and David Campbell, Fire Department; Community Development Director Charlie Rector, Public Works Director Dale Bogle; and City Clerk Esther B. Coulson.

1. CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE

After Mayor Bell called the meeting to order at 7:00 p.m., Tom Fentress, Overseer, Heritage Community Church, gave the invocation, and Chief Fewless lead in the Pledge of Allegiance to the Flag.

2. ROLL CALL

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

3. PRESENTATIONS

(a) Proclamation - *National Public Lands Day* – September 24, 2016

On behalf of the city commission, Mayor Bell proclaimed September 24, 2016 as *National Public Lands Day* and called upon the people of the City of Fruitland Park to recognize and participate in this special observance.

The proclamation will be sent to Trout Lake Nature Center Inc.

(b) Lake Griffin State Park

i. Check Presentation - FRDAP, Land and Recreation Grants Section

Ms. Rachel Nunlist, State of Florida Department of Environmental Protection (DEP) Lake Griffin State Park Manager, invited everyone to visit Lake Griffin State Park, featured its programs, and outlined the size and operations. She indicated that DEP is mentoring Florida Recreation Development Assistance Program (FRDAP) -- a competitive grant program for municipalities to apply for grants to fund recreational facilities for an older park or buy lands for a theme park.

Ms. Nunlist mentioned her visit to all the city's parks; commended Ms. Yoder on the well-maintained parks, and recognized Gardenia Park's amenities. She presented to Ms. Yoder a check (grant award of \$100,000)

for Gardenia Phases I and II Renovation earmarked towards an existing play structure, volley ball net, and additional signage throughout the park.

Ms. Yoder identified spending the majority of the funds at Gardenia Park on artificial turf so that they are ADA accessible and play shade structure. They are looking to apply for another grant with a deadline of the end of October 28 to upgrade features to the park.

Ms. Nunlist announced that Lake Griffin State Park will be hosting *National Public Lands Day* on September 24, 2016 from 9:00 a.m. to noon where canoes and kayaks will be used at no cost for waterway cleanup.

ii. Proposed Unit Management Plan - FDEP Office of Park Planning, Division of Recreation and Parks

The Advisory Group Composition on State Park Management Plans was included in the supplemental agenda.

(c) CR 466A Roadway Improvement Project

By unanimous consent and at the city manager's request, the city commission postponed to the October 13, 2016 regular meeting the presentation from Messrs. Jim Stivender, Public Works Director and Fred Schneider, Public Works Department County Engineer, on the CR 466A Roadway Improvement Project.

By unanimous consent, the city commission recessed its meeting at to convene the Community Redevelopment Agency meeting and reconvened at

4. COMMUNITY REDVELOPMENT AGENCY

As soon as practical at 7:15 p.m., recess to the Community Redevelopment Agency meeting.

5. PUBLIC COMMENTS

Mr. Paul Frost, City of Fruitland Park resident, addressed the following:

- Lake Griffin State Park
Thanked Ms. Nunlist, in her absence, for the presentation in recognition of the city's parks.
- Departmental Reports
Noted that periodical reports from departments have not been forthcoming at city commission meetings.
- Special Master Code Enforcement
Recognized that the special master code enforcement will be addressed later on this evening's agenda.

- Online Utility Bill Payments
Referred to the city commission's consideration at its previous meeting of the online utility bill payment system and questioned the status.
- Roads and Streets
Expressed concerns on the condition of roadways in the city and addressed the need to review same.
- Communication Disconnect
Acknowledged the city commission's vision for a town center and addressed the need for more information and mentioned his understanding of the city commission's position to demolish the Casino building and place the city center within that location,.
- Social Media
Believed that recent events that occurred in the city -- as it relates to social media currently under review -- could have been a little calmer if the residents heard back from the city commissioners.
- City Clerk
Pointed out Ms. Coulson's workload and suggested providing additional help if there are funds in the budget.
- Casino-Fire Department
Opined that to reprimand the State of Florida Department of State takes courage for which he thanked the city commission and to admit to a mistake is harder on implementation (whether it is status quo or transferring services to Lake County) and believed that at least the citizens are aware of the situation knowing that they have a voice.

Mr. Jimmy Posse, City of Fruitland Park resident, referred to Hickory Street, where he lives, as well as the South Dixie Avenue and Shiloh Street intersection and addressed the need to pave and improve said roadways.

In response, Commissioner Ranize suggested that he address the issue before the city commission at the October 13, 2016 regular meeting when Mr. Stivender would be present and Vice Mayor Gunter referred to his frequent pleas to the county with the grant with equipment to erect the sewer line connection and the problems in them resolving same as they are county arterials including the Cutoff Road, and Urick Street.

After Ms. Pat Guy, City of Fruitland Park resident, commended the city commission and staff in improving the Shiloh Street Cemetery grounds and concurred with Ms. Nunlist's compliments on the upkeep and care of the city's parks, Mayor Bell, in response to Ms. Guy's request, indicated that Mr. La Venia will convey her comments to staff.

Ms. Guy referred to the issue raised on communication disconnect and recalled when, in previous years, the city had periodical newsletters which kept the citizens informed on ongoing city-related events which she found awesome. She suggested that the city commission consider amalgamating the newsletter with the city's website; recognized the incoming Villages residents who are unaware of the city's activities, and acknowledged the announcements on the city's utility bills where some residents do not give any attention as they utilize other forms of payment. Ms. Guy believed that the newsletter would be a great investment in the city in bringing in the citizens which would assist the city long term

6. CONSENT AGENDA

By unanimous consent and upon Commissioner Ranize' request, the city commission agreed to withdraw item 6.(b) from the consent agenda for discussion.

(a) Approval of Minutes

- i. April 7, 2016 Workshop Meeting (not available)
- ii. August 25, 2016 Regular Meeting (not available), and
- iii. September 15, 2016 Special Meeting

On motion of Commissioner Lewis, seconded by Commissioner Cheshire and unanimously carried, the city commission approved the September 15, 2016 special meeting as submitted.

(b) MCCi Laserfiche Records Management Support Contract Renewal

The city commission considered its action to approve the renewal of a one-year contract with addendum between MCCi Laserfiche® and the City of Fruitland Park for MCCi Laserfiche Records Management Software Assurance Plan for \$7,689.00.

Commissioner Ranize referred to the City Officials listed in the beginning of the Code of Ordinances republished by Municipal Code Corporation (Municode)® which is outdated and indicated that he raised the issue, as a citizen, approximately six years ago. (A copy of the document is filed with the supplemental papers to the minutes of this meeting.)

Commissioner Ranize indicated that a Wingspread resident contacted him recently regarding the high water bill received and another notice regarding high usage; conveyed conversations he had with Ms. Michaud-Racine and the finance department staff, and recognized the cumbersome process undertaken to review the issue.

In response, Ms. Coulson explained that Municode is an affiliate company of MCCi® where a different program is utilized for permanent electronic records management (required by law) into Laserfiche.

Mr. La Venia explained that staff utilizes Munis, similar to Municode, where they are in the process of updating its financial software software to which Ms. Michaud-

Racine confirmed is included in the FY-2016-17 budget as well as the online utility payments.

Ms. Coulson explained that a legal review was conducted by Municode on February 17, 2016 with Ms. Geraci-Carver, Messrs. La Venia, Rector and herself addressing old ordinances and resolutions which were not included in the city's code and referred to the status she recently shared with Ms. Geraci-Carver that she conducted to date which needs further research before it is presented before the city commission for approval.

Ms. Geraci-Carver confirmed that once Ms. Coulson's research is complete, staff would ensure that before all documents are codified accurately in a book, changes have to be made as well as other documents not provided to Municode's legal team that it was repealed, adopted, or amended.

After Ms. Coulson responded that the system maintenance in MCCi's contract would help, Ms. Geraci-Carver identified it as the records management system to easily search public records and assist in sending the documents and keeping Municode updated; however, the subject item is separate from Municode's codification process.

After Commissioner Ranize expressed the resident's satisfaction with the process but not the high water bill, and **on motion of Vice Mayor Gunter seconded by Commissioner Lewis and unanimously carried, the city commission approved the contract as previously cited.**

7. REGULAR AGENDA

(a) Resolution 2016-039 - Board Appointment - Planning and Zoning Board – P. Hurtt

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

Mayor Bell requested that Resolution 2016-039 be postponed as Mr. John Schaller intends to fulfill his term on the Planning and Zoning Board to December 31, 2016.

On motion of Vice Mayor Gunter, seconded by Commissioner Cheshire and unanimously carried, the city commission postponed the adoption of Resolution 2016-039.

(b) Resolution 2016-040 - Board Appointment - Planning and Zoning Board – D. Dicus

At Mayor Bell's request, Ms. Geraci-Carver read into the record the title of proposed Resolution 2016-040, the substance of which is as follows:

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

On motion of Commissioner Ranize, seconded by Commissioner Cheshire and unanimously carried, the city commission adopted Resolution 2016-040 as previously cited.

(c) **Resolution 2016-041 - Board Reappointment - Planning and Zoning Board – C. Crews**

At Mayor Bell's request, Ms. Geraci-Carver read into the record the title of proposed Resolution 2016-041, the substance of which is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, REAPPOINTING A MEMBER TO THE CITY OF FRUITLAND PARK PLANNING AND ZONING BOARD AND PROVIDING FOR AN EFFECTIVE DATE.

On motion of Commissioner Ranize, seconded by Commissioner Cheshire and unanimously carried, the city commission adopted Resolution 2016-041 as previously cited.

(c) **Resolution 2016-043 – Terminating Fire Protection and Rescue Services ILA – Lake County**

At Mayor Bell's request, Ms. Geraci-Carver read into the record the title of proposed Resolution 2016-043, the substance of which is as follows:

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

On motion of Commissioner Ranize, seconded by Commissioner Cheshire and unanimously carried, the city commission adopted Resolution 2016-043 as previously cited.

(d) **Resolution 2016-042 – Fire Services Advisory Committee**

At Mayor Bell's request, Ms. Geraci-Carver read into the record the title of proposed Resolution 2016-042, the substance of which is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, CREATING A SEVEN MEMBER FIRE SERVICES ADVISORY COMMITTEE; PROVIDING FOR GOVERNING PROVISIONS; PROVIDING FOR APPOINTMENT OF COMMITTEE MEMBERS; PROVIDING DIRECTIONS; PROVIDING FOR THE COMMITTEE TO SUNSET; PROVIDING FOR AN EFFECTIVE DATE.

A motion was made by Vice Mayor Gunter, seconded by Commissioner Cheshire that the city commission adopt Resolution 2016-042 as previously cited.

Ms. Geraci-Carver confirmed, in response to Ms. Coulson's inquiry that there was typographical error and that the city's Committee/Board Application form was in order which she will forward on to her.

After discussion, Ms. Geraci-Carver and Mr. La Venia reviewed the committee requirements as outlined in the proposed resolution and his recommendations including the committee's flexibility to use the services of a consultant and allow for testimony, if so desired.

Mr. La Venia agreed, in response, to Commissioner Ranize's recommendation to pursue a retired fire chief as a member on the committee.

Ms. Geraci-Carver confirmed that she will review Government Services Group's agreement and confirm by the next meeting if their services can be utilized as a consultant to respond to questions posed by the committee or if the city commission can agree to an hourly rate or anything more.

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

PUBLIC HEARING

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

(f) Resolution 2016-029 Amended CRA Redevelopment Plan

It now being the time advertised to hold a public hearing to consider Resolution 2016-029 and after Mayor Bell's request, Ms. Geraci-Carver read into the record the following title and the public was called to be heard:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA RELATING TO COMMUNITY REDEVELOPMENT; MAKING FINDINGS; ADOPTING AN AMENDED COMMUNITY REDEVELOPMENT PLAN; AUTHORIZING

**IMPLEMENTATION OF THE PLAN; PROVIDING FOR AN
EFFECTIVE DATE.**

The testimony of Mr. Greg Beliveau, LPG Urban and Regional Planners Inc., presented earlier this evening at the CRA meeting, was incorporated as part of this evening's proceedings and included with the minutes of this meeting.

On motion of Commissioner Cheshire, seconded by Vice Mayor Gunter and unanimously carried, the city commission adopted Resolution 2016-029 as previously cited.

At Ms. Geraci-Craver's request, and **by unanimous consent, the city commission reconsidered the vote on the motion and Mayor Bell called for the public to be heard.**

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

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

END OF PUBLIC HEARING

- (g) CDBG Discussion**
Upon Mr. La Venia's suggestion and **by unanimous consent, the city commission agreed for the city manager to address the Community Development Block Grant discussion to later in this evening's meeting under Agenda Item 9.(a), Officers' Reports.**
- (h) Code Enforcement – Discussion**
Upon Mr. La Venia's suggestion and **by unanimous consent, the city commission agreed for the city manager to address the Code Enforcement discussion to later in this evening's meeting under Agenda Item 9.(a), Officers' Reports.**
- (i) First Reading - Ordinance 2016-019 Repealing Ordinance 2016-012 – Small-Scale Comprehensive Plan Amendment**
Ms. Geraci-Carver read into the record the title of proposed Ordinance 2016-019, the substance of which is as follows and Mayor Bell called for interested parties to be heard.

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY
OF FRUITLAND PARK, FLORIDA, REPEALING ORDINANCE
2016-012 A SMALL SCALE COMPREHENSIVE PLAN
AMENDMENT ASSIGNING A FUTURE LAND USE
DESIGNATION OF COMMERCIAL; PROVIDING FOR AN**

EFFECTIVE DATE. (The second reading and public hearing will be held on October 13, 2016.)

A motion was made by Commissioner Ranize and seconded by Commissioner Cheshire that the city commission approve proposed Ordinance 2016-019 as previously cited.

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

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

(j) First Reading – Ordinance 2016-020 – LDR Amendment - Nonresidential Design Standards

The city commission considered its action on proposed Ordinance 2016-020.

AN ORDINANCE OF THE CITY OF FRUITLAND PARK, FLORIDA, PROVIDING FOR AMENDMENT OF THE CITY LAND DEVELOPMENT REGULATIONS; SPECIFICALLY AMENDING CHAPTER 154 OF THE LAND DEVELOPMENT REGULATIONS RELATING TO NONRESIDENTIAL DESIGN STANDARDS; PROVIDING FOR INCLUSION IN THE LAND DEVELOPMENT REGULATIONS; PROVIDING FOR CONFLICTS, SEVERABILITY; AND AN EFFECTIVE DATE.

In response to Mr. La Venia's inquiry, Ms. Geraci-Carver confirmed in the affirmative that she reviewed the city's code which requires the city's land amendment to Land Development Regulations to be considered initially before the Planning and Zoning Board.

On motion of Commissioner Lewis, seconded by Commissioner Cheshire and unanimously carried, the city commission postponed its action Ordinance 2016-020 as previously cited.

(k) Surplus Items – Police Department Patrol Vehicles

Chief Fewless described the condition of seven current vehicles (five vehicles are utilized mainly for parts and the other two have serious mechanical problems) and recognized an individual who like to purchase them all or alternatively procure same.

Ms. Geraci-Carver indicated that the city surplus property should be in the best interest of the city, as long as research has been conducted on the best price to sell to an individual or they can be advertised as an auction side.

After Mr. La Venia outlined the recommendation on used police vehicles, and **on motion of Commissioner Lewis, seconded by Commissioner Cheshire and unanimously carried, the city commission approved the city manager's recommendation to advertise and obtain the best price for the two functioning vehicles and Harley Davidson and sell the remaining non-functioning vehicles.**

(1) Sanitary Sewer Force Main and Lift Station Improvements – CR 466A and Poinsettia Avenue – Lake County - ILA

The city commission considered its action to an Interlocal Agreement between Lake County, Florida, a political subdivision of the State of Florida, hereinafter the "County," and the City of Fruitland Park, Florida, a municipal corporation organized under the laws of the State of Florida, hereinafter the "City," for the installation of City's sanitary sewer infrastructure along CR 466A and Poinsettia Avenue in Fruitland Park and authorize the mayor and city clerk to execute same.

Mr. La Venia explained that staff is seeking a location for the lift station for the subject project which he will describe later in this evening's agenda under Agenda Item 9.(a)i., Lift Station and Force Main. He conveyed staff's entering into negotiations with the county who has a parcel that the city desires to use and willingness to maintain eight of its retention basins into the construction project with the capability -- if permitted by the county -- to locate, the lift station and conduct quid pro quo and without charge on retention ponds 2, 3, and 4.

Mr. La Venia relayed the county's rejections and its requirements to 1, 2, 3, 4, 7 and 8; city staff's reasons on the offer due to the configuration, equipment and cost to maintain 7 and 8 -- recognized that he would have brought said matter to the attention of Mr. Stivender who was scheduled to be on this evening's agenda -- city staff's response on not being able to maintain 7 and 8 and that 2, 3, and 4 would be the city's limit and his subsequent rejection by email to Ms. Geraci-Carver rejecting the county's counter offer of 1, 2, 3 and 4 to be unacceptable.

After Ms. Geraci-Carver explained that she informed Ms. Diana Johnson, County Attorney's Office, on the city's reluctance to maintain and whether a revised agreement could be provided on the city's maintenance to just to mow 2, 3, and 4 to which Mr. La Venia concurred. He relayed the concept shared with Mr. Rector, which would behoove the city, to explore the single white trailers recognizing the number of owners who would be willing to sell and the utilization of project-related funds, as a cost effective measure to purchase and locate the property on the city's property without long term maintenance.

Messrs. Rector and La Venia relayed -- in response to Commissioner Ranize's recommendation to explore the options -- county staff's indication to city staff on its purchase of three properties for \$75,000, the city's willingness to pay a market value for one, and the county's response to sell same at \$150,000.

Ms. Geraci-Carver explained that after reviewing the county attorney's email, she recognized the restrictions on purchasing property through the eminent domain process and addressed her intent to research same on one governmental entity selling to another.

On motion of Commissioner Ranize, seconded by Commissioner Cheshire and unanimously carried, the city commission postponed its action on the proposed interlocal agreement with Lake County as previously cited.

SECOND BUDGET PUBLIC HEARING

(m) Resolution 2016-038 – Adopted Millage Rate – FY 2016-17

It now being the time advertised to hold a public hearing and at Mayor Bell's request, Ms. Geraci-Carver read into the record the title of proposed Resolution 2016-037, the substance of which is as follows and the public was called 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 3.9863 LEVYING OF AD VALOREM TAXES FOR LAKE COUNTY FOR FISCAL YEAR 2016-2017; PROVIDING FOR AN EFFECTIVE DATE. (The first budget public hearing was held on September 8, 2016.)

Ms. Geraci-Carver announced that the FY 2016-17 operating millage of 3.9863 mills is at 22.16 percent increase to the current roll back rate of 3.2632.

Mayor Bell explained that the millage rate proposed instead of 3.9863 mills is a reduction from last year of .7508 mills and indicated that while it shows an increase in the roll back rate, the millage rate is a reduction. He addressed the requirement to make such announcement the ad valorem increase is due to an increase in the taxable value generated by The Villages.

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

A motion was made by Commissioner Cheshire and seconded by Commissioner Lewis that the city commission adopt Resolution 2016-037 as previously cited.

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

(n) **Resolution 2016-037 – Adopted Budget FY 2016-17**

It now being the time advertised to hold a public hearing and at Mayor Bell's request, Ms. Geraci-Carver read into the record the title of proposed Resolution 2016-038, the substance of which is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, LAKE COUNTY, FLORIDA, ADOPTING THE FINAL BUDGET FOR FISCAL YEAR 2016-2017; PROVIDING FOR AN EFFECTIVE DATE. (The first budget public hearing was held on September 8, 2016.)

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

A motion was made by Commissioner Cheshire and seconded by Commissioner Ranize that the city commission adopt Resolution 2016-038 as previously cited.

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

END OF SECOND BUDGET PUBLIC HEARING

8. NEW BUSINESS

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

9. OFFICERS' REPORTS

(a) City Manager

i. CDBG

Mr. La Venia reported on his recent meeting with Ms. Yoder and Mr. Fred Fox, Fred Fox Enterprises Inc., grant writer retained by the city, regarding FRDAP grant application which will be pursued along with Lake Griffin State Park.

Mr. La Venia also reported on the Community Development Block Grants (CDBG) grant for the year 2016 cycle and the city's eligibility and relayed Mr. Fox's recommendation for the city to wait until the 2017 cycle due to receiving additional points in the application which he feels is vital.

Mr. La Venia recognized the changes since the city's application and addressed the need for the city to make a decision on its intent by midyear 2017 where CDBG information are required on:

- services rendered on construction improvements, economic development or commercial revitalization, housing rehabilitation, or Americans with Disabilities Act requirements based on income;

- service to 51 percent of the population a chosen area who have to meet income eligibility requirements of low to moderate income with specific criteria (implemented by a door-to-door survey), and
- completing a CDBG application in 2016 for a maximum grant amount of \$700,000 and for additional points; thus, receiving from an engineer sealed plans prior to grant application submittal (without any guarantee of reimbursement for the plans);

Mr. La Venia referred to the tour of the area on Cindy, Dennis, James, Mike, Avenues and Mary Sue Street; noted the additional requirement to utilize the CDBG block grant funds for 78 homes and recognized the 48 homes in the five streets. He explained that in order to implement same, \$50,000 is required from the grant to build a recreational area that the federal government feel would serve a specific area in and around said streets.

Mr. La Venia recognized the changes since the city went through the application process and addressed the need to invite Mr. Fox to a future meeting to address the subject issue.

In response to Vice Mayor Gunter's inquiry on the ability to combine two areas, Mr. La Venia identified 37% of homes in the city out of 51% qualify to meet the low to moderate income eligibility requirements. He agreed with Vice Mayor Gunter's question on the possibility of combining Phoenix Avenue, Grizzard Street as well as another area such as a sewer infrastructure project and roadways.

ii. Code Enforcement Officer

By unanimous consent and upon the city manager's request, the city commission accepted commencing the process to retain a part-time in-house code enforcement officer (eight hours a week, 32 hours per month). (Existing funds are available in the budget to implement same.)

iii. Lift Station and Force Main

Mr. La Venia reviewed the quote from Rainey Construction Sewer Lines for general construction, sanitary sewer, and water on the City of Fruitland Park's lift station and force main the amount of \$1,750,484.00 (from CR 466A to the wastewater treatment plant, piggyback contract.); described the work to be implemented, a 70-75k undertaking, the county has offered \$40,000 for \$75,000 worth of work which he intends to address with Mr. Stivender; however, if the county is not willing to pay the cost of the overlay on county road, the city would repair what it has implemented and make the necessary repairs without paying the other half of the road.

Mr. La Venia anticipated the city receiving an offer matching the amount of funds for the road construction starting September 2016 and ending February 2017.

After discussion, Mr. La Venia stated that \$630,000 is expected from The Villages, reducing the cost to approximately \$1.2 million and \$17,000 from the county; otherwise, the city would implement same.

After much discussion and in response to several questions posed Mayor Bell and Commissioner Lewis, Mr. Rector addressed the need to reach a decision on the subject roadway improvements by the next meeting and described the costs from Rainey and the anticipated work and costs expected from the county.

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

Mr. La Venia referred to the second phase of the same project (outlined under Item 9.(a) iii., Lift Station and Force Main) and addressed the city's plan to connect the wastewater treatment plant lines along the CSX railroad right-of-way as the most cost-efficient method to the Town of Lady Lake.

Mr. La Venia referred to the CSX's response conveying its new policy on not donating property – noting the assessed property the city needs is approximately \$11,100 – and relayed CSX's consideration of an offer from the city to be around \$5,000.

In communicating with Booth Ern Straughan & Hiott Inc. (BESH), Mr. La Venia recommended that the city ought to make an offer of \$3,000 and if they suggest a higher amount, the matter will be addressed again and identified the amount as project money for said project.

iv. Water Line - Poinsettia Avenue

Mr. La Venia addressed the need for BESH to design a water line to Poinsettia Avenue which has not yet been implemented for a fee of \$6500; a copy of which distributed for the record and filed with the supplemental papers to the minutes of this meeting.

On motion of Commissioner Lewis, seconded by Commissioner Ranize and unanimously carried, the city commission approved the city manager's recommendation as previously cited.

(b) City Attorney

i. Angelica Dobruck vs. City of Fruitland Park, et. al

Ms. Geraci-Carver referred to the Motion to Dismiss -- filed on behalf of the city on August 30, 2016 – which the court has not ruled as of this date and anticipated having further information by the next meeting.

ii. George Fernandez vs. City of Fruitland Park

In response to the city's Motion to Dismiss filed on August 4, on August 17, 2016, Ms. Geraci-Carver noted that the Plaintiff filed an Amended Complaint; a response to the Amended Complaint was filed on August 26, 2016 in the form of a Motion to Dismiss, and the court has not ruled on same as of this date. Ms. Geraci-Carver stated that she expects to provide more information by the next meeting.

10. COMMISSIONERS' COMMENTS

(a) Commissioner Ranize

i. FY 2016-17 Budget

With respect to the FY 2016-17 budget, Commissioner Ranize extended appreciation to Ms. Michaud-Racine for assuring the city on receiving an executed copy from the Florida Department of State's Division of Water Restoration Assistance grant (appropriated for the capital lift station and force main) for \$750,000.

ii. CR 466A Roadway Improvements

Commissioner Ranize mentioned the county's awareness of the CR 466A roadway improvement project since 2001; recalled experiencing the same problem on the subject roadway when The Villages expanded, and referred to previous requests to the county on several occasions for all county roads in the city to be repaired which have not yet been resolved. He anticipated that with the new elected officials, the respective county roads which have since deteriorated will be repaired.

(b) Commissioner Cheshire – Code Enforcement

Commissioner Cheshire indicated that since the city assigned the solid waste collection contract to Waste Management Inc., city residents have requested recycling collection gallon carts and addressed the problem of their unawareness.

After discussion, Mr. La Venia suggested that Mr. Bogle contact Mr. Chris Beck, Waste Management, to determine what could be implemented for the city.

In addition, Ms. Yoder explained that she responded to inquiries on the city's Facebook page and involved Ms. Teri Bogle, Utility Clerk, notifying residents of Waste Management's contact number and the delivery of cart sizes required.

(c) **Commissioner Lewis**

i. Code Enforcement

Commissioner Lewis commended staff for mowing the yard at the corner of Fountain and Rose Avenue and in recognizing the current “No Trespassing Signs” subsequently placed in the yard, he questioned whether that could be enforced.

ii. Law Enforcement

Commissioner Lewis referred to Chief Fewless’ presentation at the July 11, 2016 budget workshop where he highlighted the consequences of crime; noted the recent incident at Walmart® Supercenter’s parking lot, and stated his belief that the city is embarking on the right course of action with the Police Department with its plans in the budget.

iii. Fire Services

Commissioner Lewis conveyed a telephone call he received and communications he had, on behalf of the city commission, with county staff to address the city’s commission’s actions and the perception of the city’s volunteer fire department.

iv. Mayor Election

Commissioner Lewis pointed out his previous discussions with Ms. Geraci-Carver regarding the amended charter and questioned when the division of the city commission districts becomes effective and when the city commission elects a mayor from the city commission.

After discussion, Ms. Geraci-Carver explained that she will review the charter and provide a report at the next meeting. She referred to the city commission’s adoption of the

Following further discussion, Ms. Geraci-Carver referred to the city commission’s adoption of the commission districts and the map in to be on the ballot for the November 2016 election which should be effective.

With respect to the changes in the district lines based on population change, Ms. Geraci-Carver concurred with Mr. Rector’s comments on the city commission’s decision to require an adjustment at the 2018 election; however, she recognized substantial changes to be effective at the 2020 census.

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

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

11. MAYOR'S COMMENTS

(a) Dates to Remember

Mayor Bell made the following announcements:

- September 28, 2016, Lake County League of Cities' *S2016 Sponsor's Night Event* at 6:00 p.m.
- October 1, 2016 *Coffee with the Mayor*, Fruitland Park Library, 205 W Berckman Street, Fruitland Park, FL 34731 at 8:00 a.m.
- October 13, 2016, Regular City Commission Meeting at 7:00 p.m.
- October 21, 2016, the third Movie on the Lawn "Monster House" Fruitland Park City Hall at 7:00 p.m.
- October 27, 2016, Regular City Commission Meeting at 7:00 p.m.
- November 5, 2016 *Coffee with the Mayor*, Moyer Recreation Center, The Villages at 8:00 a.m., and
- November 8, 2016 General Election at 7:00 a.m.

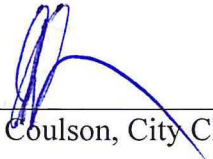
(b) City Manager

Mayor Bell announced that Mr. La Venia will not be in attendance at the October 13, 2016 regular meeting.

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 8:37 p.m.

The minutes were approved at the October 13, 2016 regular meeting.

Signed 

Esther B. Coulson, City Clerk

Signed 

Christopher Bell, Mayor